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# **The Duke of Newcastle's War**

**Walpole's Ministry and the War against Spain, 1737-1742**

by

**Philip Laurence Woodfine**

**Submitted in partial fulfillment of the requirements of the degree of  
Doctor of Philosophy**

**University of Huddersfield**

**September 1994**

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## Acknowledgements

Doing research for a Ph.D. in one's forties is a departure which perhaps calls for some apology. Certainly it placed two colleagues in turn in the embarrassing position of acting as my supervisor, when I was the only person in our small Department who could actually claim any subject expertise in this area. They tolerated this with great kindness, and have been very supportive, as have all the historians at Huddersfield. Dr. David Wright, my first 'supervisor', was more inspiring and helpful than he may realise, and his positive but self-effacing advice was important to me. His successor Professor Keith Laybourn has chivvied me with great energy and enthusiasm, and when my research was suddenly threatened with termination he fought for and won an extension in inimitable style. I am very grateful for his most active and friendly support. I am very aware of my debt to Professor John O'Connell, who first prompted me to turn to this earlier period, and encouraged and supported my work. I am grateful also for early help from the late Professor Malcolm Burnip, Dean of Research. He had the vision to value and promote research in a subject area which was outside his own field, and far removed from the 'applied' ethos of Huddersfield Polytechnic. Mrs. Rosalind Watt, in the Research Office, has been a source of practical and cheerful help throughout. The financial assistance which I have received from the Staff Development fund at the Polytechnic and later University of Huddersfield, though it could not cover all the costs of research, has been invaluable.

Several archives have been explored in the making of this research. I am grateful for the gracious permission of Her Majesty the Queen to work in the royal archives at Windsor Castle. The late Lord Walpole and Lady Nancy Walpole amiably tolerated my intrusions for a week at Wolterton Hall, and their son, the present Lord Walpole, very kindly arranged my visit. Since I consulted them there, the Wolterton Mss have been acquired by the British Library, and I am very grateful to Mr. Robert Smith of the Manuscripts Division for discussing with me his acquisition work on Horace Walpole's papers, and enabling me to look at some which I had earlier missed. Over a period of some eight years, archivists and librarians at the Public Record Office and above all the British Library made my work not only possible but pleasant. At a time of financial cuts and severe pressure on public sector employees, I rarely met with a 'jobsworth' or an obstructive attitude. Far more often I was greeted with real friendliness and a desire to



help. The comradeship of this kind of work is low-key, but very real. Other libraries were of great value, including Cambridge University Library, the India Office Library, and the Brotherton Library of Leeds University without whose holdings it would have been impossible for me to do research on this subject so far away from London. Marta Rafael Nieto arranged, with great efficiency and speed, for the microfilming of several relevant volumes of the manuscripts of the Simancas Archives. In the library of the University of Huddersfield the staff have been a constant source of help, and I must in particular mention my debt to Sue White and to the staff of the Inter-library loans section. Their efficiency and tolerance have been needed. I have also benefitted greatly from the help of Derek Heathcote of our Computing Services department. My first published piece on the age of Walpole was written using Wordwise on a BBC 'B' computer! During the course of this thesis, I have progressed from Nota Bene on an IBM AT, through various versions of Wordstar and Xerox Ventura Publisher on 286 and 386 PCs, to my present Word 6 for Windows on a 486. At every stage, and in every calamity that silicon, or my stupidity, could devise, Derek has restored order and taught me better ways.

I owe considerable debts, of which I am sincerely conscious, to the many historians whose work I have used. The mention of names in footnotes must be understood as a shorthand for the acknowledgement of a great range of valuable scholarship in a fascinating field. Preoccupied at the time of writing by manuscript sources, I have no doubt omitted many secondary references in which credit could have been given to the contribution of those scholars. I hope that in my writing I have at least avoided the callow vice of trying to magnify my own ideas by belittling those of others. Modesty has been easy to preserve, since I have been working in the shadow of some very fine historians, including those of an earlier generation. It is rather daunting to have been working on a subject in which work written over half a century ago, by scholars such as Jean McLachlan and Richard Pares, is still of great value, and not in the least superseded by anything that I have to say. In the Sixth Form, as a boy intending to read English at university, I read the posthumous collection of essays by Pares, *The Historian's Business*. I decided then to become a historian if I could. Thirty years on, I still believe that Pares gave an inspiring example of the qualities which, at the best, make historians the most complete of scholars and writers.

I can at least claim to offer here my own views and understanding, however limited. I began as an economic historian, became converted in mid-career to an interest in eighteenth century social and political history, and have worked largely on my own. This



isolation was increased by the strength of the 'binary line' between polytechnics and universities, which has been the Iron Curtain of higher education during my working lifetime. Some colleagues have been generous enough to cross it, and have my gratitude. Shortly before Christmas 1985, in the manuscript students' room of the British Library, Professor Jeremy Black greeted and befriended me as a fellow student of the period rather than an obscure polytechnic lecturer. I owe much to his encouragement, though I lack the stamina and the intellect to follow his example. He has not been privy to this thesis, as he was such an appropriate person to act as its examiner, but in my other work over the past nine years his advice and criticism and support have been more valuable than he would admit. Professor Harry Dickinson, too, has been a friendly and encouraging adviser from the beginning of my research. His early help on methods and approaches has been particularly fruitful, and his careful reading of an early draft much appreciated. It has been a great comfort to be taken seriously by someone of his exacting scholarly standards. Middle-aged lecturers like myself are more in the habit of criticising than of being criticised. In choosing Professor Dickinson as my external adviser, and Professor Black and Professor Bill Speck as my Examiners, I was acting on the principle that if I had to be exposed to criticism at all, it should at least be done with authority. As Lord Hardwicke's son expressed it on a similar occasion; 'one would rather chuse to be knock'd on the Head by a Thunderbolt than a piss-pot'.<sup>1</sup>

Finally, I must mention my debt to my family. My work gave an odd pattern to some years in their lives. Since I could not afford to stay in London for more than part of the necessary time, my wife and two children had to spend several long school holidays in a trailer tent at various locations in the Home Counties, while I commuted in to London. I relished the contrasts and became used to the oddity of it. Few of my fellow scholars in the blue leather seats of the British Library manuscripts room can have begun their day so briskly as I often did, dunking my head in a bowl of cold water under a tree at Polesden Lacey. Pat, Andrew and Catherine took to this strange Easter and Summer migration with great good humour, while at the same time unwaveringly convinced that I never would produce a thesis, and that if I did, no-one could possibly want to read it. Their ribald and open contempt for what I was trying to do was the kind of love and support which family people will understand

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<sup>1</sup> BL Add Ms 35360, f. 7, Charles Yorke to Philip Yorke, nd. c. July 1740.

## Note on Text

I have tried to avoid encumbering this thesis with the minutiae and difficulties of research, and have left many details in the obscurity of my own notes. Unless it seemed really to add something, I have not troubled readers with the language in which any particular letter was written, whether it was wholly or partly in cipher, or from what address it was sent. No notice has been taken of letters 'apart', 'private and particular', 'most secret', or any other of the classifications so often applied to distinguish the various communications sent by the same mail or courier. These categories seem to have been very variably interpreted, and do not reliably indicate levels of concern and priority. I have reproduced as faithfully as possible the oddities of eighteenth-century punctuation and spelling, but have used the intrusive (sic) as little as possible. I ask the reader to take on trust the fact that all vagaries of spelling *are* there in the original. In giving references, I have used, where appropriate, simple folio numbers, rather than indicating recto and verso. The reader who can make a special trip to an archive to find a reference can be relied upon to turn a page. Where I refer to 'Walpole' without a first name, Sir Robert Walpole is meant. 'Horace Walpole' means Sir Robert's brother, and not his son, who is always referred to as 'Horace Walpole junior'.

The Julian calendar was in use in Britain at this date, of course, and was eleven days behind the Gregorian calendar employed elsewhere in Europe. I have indicated Old Style (OS) and New Style (NS) dates as appropriate throughout, to avoid any ambiguity. Dates have been given using the modern convention that the year begins on 1 January.

### Abbreviations of Sources

BL	British Library
BL Add Ms	British Library Additional Manuscripts
CUL Ch (H)	Cambridge University Library, Cholmondeley (Houghton) Mss
HMC	Historical Manuscripts Commission
PRO	Public Record Office
PRO SP	Public Record Office, State Papers
Simancas, Estado	Archivo de Simancas, Secretaria de Estado
Windsor RA	Windsor Castle, Royal Archives



## Abstract

This thesis examines the last years of the Walpole ministry. It attempts to shed light on the inner workings of that ministry through an examination of its foreign policy, exploring the origins and impact of the 1739 war with Spain. This dissertation is the only extended modern study of the Anglo-Spanish diplomacy in these years. It is the only work to give adequate consideration both to the varying influence of British domestic pressures and to Spanish concerns. The thesis attempts to treat Spain's negotiations as variable, contingent on chance and on personalities, as well as on certain intractable beliefs and principles. Events are viewed largely from the perspective of the centre, the handful of leading ministers and diplomats who discussed and made political and diplomatic decisions. The personalities of ministers both in Spain and England, their interactions and rivalries and their differing views, are important to understanding how diplomacy worked. Though concentrating mainly on such interactions, and particularly the growing rivalry between Newcastle and Walpole, the thesis tries to show how influential others were. The inner circle of British ministers was preoccupied with the voice of those 'without doors', and public opinion set limits to diplomacy even in Spain. The domestic context of British foreign policy included also a developing popular patriotism.

The thesis contends that the Walpole ministry nearly succeeded in procuring a genuine commercial peace with Spain, and that the reasons for failure did not arise exclusively from domestic political clamour. Royal prestige and individual ministerial personalities, in both countries, affected the outcome at least as much. The full explanation of a complex breakdown can only be found in a close attention to the chronology of negotiation. The thesis is therefore mainly chronological in form. In each chapter, though, an attempt is made to take up relevant themes and develop them with a less strict regard to chronology. Some issues, such as the rôle of monarchy, and of public opinion, the press campaign and Opposition tactics, the contribution of the South Sea Company, recur.



## Introduction

This is a study of the last years of the Walpole ministry. It attempts to shed light on the inner workings of that ministry through an examination of its foreign policy. Specifically, it explores the origins and, briefly at least, the impact of the war with Spain which began in October 1739. This thesis can claim to be the only extended modern study of the Anglo-Spanish diplomacy in these years.<sup>1</sup> It is the only study to attempt to give adequate consideration both to the varying influence of British domestic pressures and to the influence of Spanish concerns. The usual treatment of Spain has been both perfunctory and static. I attempt to treat Spain's part in the negotiations and frictions of these years as being variable, contingent on chance and on personalities, as well as on certain intractable beliefs and principles.

For the most part, I tell the story of events from the perspective of the centre, that is, of the handful of people who discussed and made political and diplomatic decisions. This included the King, but largely excluded even the handful of best-known Opposition politicians of the day. However familiar their names, and however assiduous they were in fomenting opposition in the press and in both Houses of Parliament, they did not have access to favour or power. To some extent of course this view of how politics worked is distorted by the enormously uneven survival of manuscripts: historians view national politics and diplomacy through the letters and working papers of the male landed élite, for the most part. And among the élite, the greatest volume of surviving materials is that generated by the winners in the contest for power, the men who enjoyed the offices and made the decisions.

Some features of these extant records are unlikely to be misleading, however. In particular, the dominance of politics and diplomacy, in every country in Europe, by a comparatively small group of men of high social standing, often of similar outlook and education, gave great significance to individual attitudes and decisions. In examining high

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<sup>1</sup> An earlier short discussion can be found in P.L. Woodfine, 'The Anglo-Spanish War of 1739', in *The Origins of War in Early Modern Europe* (1987), ed. J.M. Black, pp. 185-209.

politics one is constantly struck by the importance of chance and of personality. A contemporary observer summarised the position well:

Those who are with<sup>1</sup> the Curtain can only conjecture on these matters, & those within know that all political Cases are very problematical, a death unexpected - the Change of a Minister - or even that of a Prince's humour is enough to change the scene.<sup>2</sup>

I have tried to reconstruct the real workings of diplomacy, rather than presenting it simply as a series of formal demands exchanged between entities labelled as countries. The inner history of negotiation, insofar as we can recover it, was composed of meetings and discussions, frictions and arguments. One must not forget dinners. The draft of a treaty of marriage between Princess Mary and Prince Frederick of Hesse-Cassel was finalised, perhaps appropriately, over dinner at Sir Robert Walpole's.<sup>3</sup> Less fittingly, when the declaration of war with Spain was discussed by the cabinet, the occasion was also begun by a dinner. This was a meal shared by old political partners, and furnished by the fruits of Sir Robert Walpole's office as Ranger of Richmond New Park. Lord Hardwicke was invited to dine with Sir Robert and the Duke of Newcastle 'upon a New Park Turkey, & we will have a Cabinet at 7 o'clock in the Evening'.<sup>4</sup> It was possible for the lines between sociability and business to be blurred, even for participants. The 'War Council' dined at Sir Robert's in July 1739, but the significance of the invitation was lost on John Potter, Archbishop of Canterbury: 'his Grace not perceiving we mett upon Business, slipt away after dinner, unknown to every body, before our Business began'.<sup>5</sup> This social dimension to the high politics of this period cannot be fully recovered from archives, but it was an important element in what really happened, and needs to be borne in mind. The personalities of ministers both in Spain and England, their interactions and rivalries and their differing views, are important to understanding how diplomacy worked.

By concentrating mainly on such interactions, and on those who made the decisions, I do not at all mean to imply that others were not influential. The world rôle of the country

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<sup>2</sup> BL Add Ms 35396, f. 16, Philip Yorke to Rev. Thomas Birch, 10 September (OS) 1741.

<sup>3</sup> BL Add Ms 35586, f. 129, Harrington to Hardwicke, 25 October (OS) 1738.

<sup>4</sup> BL Add Ms 35406, f. 154, Newcastle to Hardwicke, 18 September (OS) 1739.

<sup>5</sup> T.J. McCann (ed), *The Correspondence of the Dukes of Richmond and Newcastle 1724-1750*, Sussex Record Society, 73, (1984), p. 28, Newcastle to Richmond, 26 July (OS) 1739.



was of interest to people far removed from Westminster, and it was one of the peculiarities of the eighteenth-century British state, with its responsive politics and rapidly-growing culture of print, that they had ways of making their views felt. It is clear that in all its deliberations, over informal political dinners and in formal sessions of the Cabinet or Council of Regency, the inner circle of British ministers was preoccupied with the voice of those 'without doors'. They did not always understand the depth of the feeling they sensed in the mobs of London or the proxy 'mob' voice of the London opposition press. They certainly disparaged the motives and the intelligence behind it, but in general they overrated this feeling rather than otherwise. Two examples, from the beginning and end of the period which is studied here, will suffice. In January 1737, Lord Chancellor Hardwicke bemoaned to the Duke of Newcastle the way in which George II was delayed in returning from his beloved Hanover. This was due simply to adverse winds, but 'ye Multitude' were nonetheless inflamed. Hardwicke's answer was the very essence of managerial politics; 'For God's sake think of striking out some popular Measure this Winter in order to conciliate men's minds, & put them in good humour'.<sup>6</sup> Five years later, after Walpole had fallen from power, and when the war he had so resisted was in its third year, the same cry was still heard. Lord Bath, who as William Pulteney had been for so long the 'Patriot' voice of public discontents, wrote to Hardwicke in exactly the same vein. There was a real need, he said, for some popular stroke of victory in Europe to keep the public happy, and it must come before the next session of Parliament.<sup>7</sup>

My aim has been, as far as possible, to give an appropriate weight to this domestic context of foreign policy.<sup>8</sup> The widest context is that of the nation, taking account of its heritage of the 'Revolution Settlement' and divided political allegiances, and all that marked it out from or made it similar to Continental Europe.<sup>9</sup> This context would include

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<sup>6</sup> BL Add Ms 32794, f. 17, Hardwicke to Newcastle, 9 January (OS) 1737.

<sup>7</sup> BL Add Ms 35407, ff. 144-5, Bath to Hardwicke, 20 September (OS) 1742.

<sup>8</sup> A different kind of research project, exploiting far more local evidence, would have been needed to carry out this agenda fully. Not long after I began work on this topic, there was a call by Linda Colley for a study of foreign policy in this period which would 'enrich our understanding of power and social relations at home': 'The Politics of Eighteenth Century British History', *Journal of British Studies*, 25, 4, October 1986, pp. 359-79; quotation p. 376. Alas, mine is not that study.

<sup>9</sup> A challenging discussion of the need to take in contemporary continental developments is J.M. Black, 'Britain and the Continent 1688-1815. Convergence or Divergence?', *British*



also a developing popular patriotism and belief in empire. For a long time historians have been under the spell of a paradox, expounded in what was possibly the most widely read history book of its day. Sir John Seeley claimed that the most important, and at the same time the least noticed, feature of the eighteenth century was its overseas expansion. 'We seem, as it were, to have conquered and peopled half the world in a fit of absence of mind.'<sup>10</sup> This idea has been refuted in recent years by work on warfare and its complex effects on the societies which gear themselves towards it, and on the drive to acquire imperial possessions.<sup>11</sup> The process was far from absent minded. The ideal study of this period would be one which explored this full context and examined the whole range of foreign policy. Jeremy Black has recently given such an account of British foreign policy after the War of American Independence.<sup>12</sup> Within the confines of this short thesis, though, I have had to narrow the focus only to relations between Britain and Spain, and could only acknowledge some of these wider issues, while concentrating on those elements of the domestic context that bore most directly on the inner circle of ministers,

Though telling the story of these years largely from government sources, I do not wish to imply that the ministers were always right, and their opponents always wrong. Neither side had a monopoly of virtue, either political or personal. Both sides acted at times out of self-interest. One of the leaders of the City campaign against Walpole's corruption, Alderman Willmot, was, as a member of Parliament, the chairman of the committee for stamping out the illegal export of wool to Ireland. At the same time, he insured the ships involved in that trade at double premiums; 'Such was the impudence of selfishness and the

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*Journal for Eighteenth-Century Studies*, 15, 1992, pp. 145-9. The theme is explored over a much longer timescale in *idem*, *Convergence or Divergence? Britain and the Continent* (1994).

<sup>10</sup> J.R. Seeley, *The Expansion of England* (1883, ed. J. Gross 1971), p. 12. Perhaps the clearest recent restatement of this idea can be found in P. Langford, *A Polite and Commercial People: England 1727-1783* (1989), pp. 171-4.

<sup>11</sup> E.g. J. Brewer, *The Sinews of Power: war, money and the English State, 1688-1783* (1989); an incisive article, breaking new ground, is K. Wilson, 'Empire of Virtue. The imperial project and Hanoverian culture, c. 1720-1785', in *An Imperial State at War. Britain from 1689 to 1815*, ed. L. Stone (1994), pp. 128-164. All the essays in this valuable collection have insights to add.

<sup>12</sup> J.M. Black, *British Foreign Policy in an Age of Revolutions 1783-1793* (1994); see especially chap. 10, 'The Domestic Context of Foreign Policy'.



excess of corruption', said one friend of the ministry.<sup>13</sup> Perhaps the most glaring instance, for contemporaries, of political self-interest was the conduct of William Pulteney, who led the campaign against placemen, and for government on a broad bottom of Tory and Whig patriots. The Tories always feared that Pulteney would desert them, for reasons pointed out by a ministerial poet; 'Place is the aim — when freedom is the cry'.<sup>14</sup> When finally Walpole fell, Pulteney deserted his allies the Tories, failed either to impeach Walpole or introduce a Place Bill, and was bought off with a title, the Earldom of Bath; 'exalted like Enoch, never to be heard of more'.<sup>15</sup> On the government side, too, place and personal interest were inseparable from political outlook and belief. The Duke of Newcastle wrote in revealing terms to solicit a vacant living, in his friend Lord Hardwicke's gift, for one worthy candidate, the Master of Queens' College, Cambridge; 'Mr. Sedgewick has all ye good Qualities, a man can have, & amongst ye rest Master of a College, where there is not one Tory'.<sup>16</sup> The places provided by Sir Robert Walpole for his own family and connections were notorious, and he was duly belaboured for them in the debate over the motion for his removal in February 1741.<sup>17</sup> But this was the pattern of public life at this time, and not only in Britain. When a packet of eighteen letters to Spanish noblemen was intercepted at the beginning of the war, the contents were found to run almost entirely on ecclesiastical preferment.<sup>18</sup> Neither ministers nor their opponents can be expected to be purer than the standards of their age. As even a highly moral Victorian historian expressed it; 'political conduct must be judged in the light of political history'.<sup>19</sup> Equally, both sides held principles to which they adhered more or less consistently, and which cannot simply be dismissed.

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<sup>13</sup> BL Add Ms 9200, f. 71, Journal of the Rev. Henry Etough, 1740.

<sup>14</sup> [T. Newcomb], *A Supplement to a late Excellent Poem entitled Are these Things so?* (1740), p. 15. Pulteney was rumoured on more than one occasion to be certainly quitting the Tories; see e.g. BL Add Ms 51390, Charles Hanbury-Williams to Stephen Fox, 12 October (OS) 1739.

<sup>15</sup> BL Add Ms 51390, f. 33, Charles Hanbury-Williams to Stephen Fox, [late June/early July] 1742. *The Conduct of the Late and Present M—ry Compared* (1742), p. 19.

<sup>16</sup> BL Add Ms 35406, f. 35, Newcastle to Hardwicke, 31 July (OS) 1738.

<sup>17</sup> W. Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole Earl of Orford* (2nd. ed., 4 Vols. 1816), III, pp. 172-210.

<sup>18</sup> BL Add Ms 37032, List, ff. 236-40.

<sup>19</sup> J. Morley, *Walpole* (1899), p. 120.



I shall be trying to tell the story of the last years of a long-serving administration, which, like all such organisations, made mistakes. No leading minister can control politics for over twenty years without having made misjudgements which might in other circumstances have been fatal to his survival. The furore over such issues as Wood's halfpence and the Excise crisis, and the very real watershed of the change of monarchs in 1727, show that Walpole had no divine right to power. He was vulnerable to opposition and survived through his own consummate skills in human and parliamentary management, through the self-interest of a powerful landed class kept compliant by low taxation, through a careful avoidance of confrontational policies, and through the support of the King. Yet, crucially, by the late 1730s it was no longer possible for Walpole to override opposition and survive. The principles and the policies of the Walpole ministry were, perhaps, as consistent as it is reasonable to expect in human affairs. No essential change can be detected in the last five or six years of that long administration. But the leading ministers, blunted by long turns at the wheel of state, failed to see the changing weather and the pattern of the rising waves. Walpole personally lost some of his touch. The deaths of his first and second wives in short order in 1737-8, his repeated illnesses and the loss of friends, must have done something to blunt his perceptions of people and issues. Certainly he underrated the strength and the appeal of the Opposition clamour of these years. His diplomacy was sensible and moderate, but the climate of politics was such that moderation was not always possible. The ministry was divided, too; rocked by disagreements over policy and by the clash of ambitions. The Duke of Newcastle was increasingly determined to step out from beneath the shadow of Walpole, and had his own pressing financial problems which made him harder than usual to work with. These internal dissensions cannot be separated from the pursuit of foreign policy, since they were the actual context in which every foreign letter was received, and every new policy statement discussed.

Diplomacy is perhaps always most likely to succeed when it can work in relative isolation from domestic pressures. It is possible to negotiate arcane agreements in congresses or summits, even ones which in the long run might be potentially damaging, so long as they do not seize the attention of any sizeable interest group, or become identified with any principle perceived as significant. Such a principle, at the time in British history with which this thesis is concerned, was freedom from search; the liberty to sail and trade unmolested on all the seas of the world. Diplomacy fails most readily when it is hinged



upon domestic politics, or swivels on such a slender post as royal and/or national honour. This was the case of Britain and Spain in the late 1730s, when sensible negotiations about Caribbean trade and smuggling were like a well-made door, rendered useless through having its hinges wrenched by the fear of making concessions. With just a very little more luck, the hinges might have worked and the door might have fitted. Had Spain carried out the provisions of the Convention of the Pardo in 1739, it is hard to see how the British Opposition could have found a way to push the ministry into war, or to have made any great political capital out of an inglorious but pragmatic success in commercial negotiation.

In seeking to explain the breakdown of these negotiations, and the pressures which led to it, I have tried as far as possible to avoid theories and generalisation, and to stay close to the detail of specific events and prevailing ideas. I have used quotation extensively to give a feeling for the real concerns, and the actual voice of the people involved. If their outlook is to be understood, it must be by respecting their own way of viewing and explaining the world. Their distinctive voices are a part of that pattern of perceptions, and a part of the pleasure of eighteenth century study for those who have caught the enthusiasm for it. I hope, even in a thesis whose readership might never reach double figures, to share with the reader some of that pleasure.

The bulk of the thesis is mainly chronological in form, true to the intention to relate the story of developments in their real sequence, and attended by all the accidents and clashes which occurred, month by month. In each chapter, though, an attempt is made to take up relevant themes and develop them with a less strict regard to chronology. Some issues, such as the rôle of monarchy, and of public opinion, the press campaign and Opposition tactics, the contribution of the South Sea Company, recur time and again in the diplomacy of these years, and so recur in several of my chapters. To give a complete treatment of them at the first mention would strain the chronological framework, involve considerable repetition of factual narrative, and make the dissertation more difficult to read. The coverage of the chapters, taking the more chronological chapters first, is briefly as follows.

The crisis over Spanish attacks on British ships in the Caribbean, 'depredations', which flared up in 1737, is laid out in chapter 3. In that chapter I also examine the press campaign against the ministry, and the wider context of conflict in the Indies, as well as

the Opposition tactics of various kinds designed to increase public discontent. Chapter 4 surveys the protests, beginning in November 1737, made by Newcastle about depredations and explores the limits placed upon diplomatic action of this kind, particularly examining the rôle of monarchy and the problems of ministerial divisions. Chapter 5 looks at developments to the summer of 1738, particularly focussing on the agitation in Britain over seamen being held as 'slaves' by the Spaniards, and ending with the introduction of a new scheme of compromise, the Stert plan. Chapter 6 follows the fortunes of that plan, and the varied diplomatic considerations which ministers had to keep in view: public opinion, Jacobite hopes, the postures and possible reactions of both France and Spain. It closes by exploring the unreasonable dreams of the British public about Spanish treasure and painless conquest. Chapter 7 traces the negotiations leading to the final signing of the Convention of the Pardo in January 1739, and the breakdown of trust and cooperation which led to its failure by June of that year. Particular themes are those which have been touched on earlier; the damaging contribution of the South Sea Company, the mounting pressure of public opinion, cabinet divisions and the delicacy and complexity of negotiating with the Spanish court. Chapter 8 surveys the planning for war, and the final rupture within the ministry between the (peaceful) Walpole and (warlike) Newcastle camps. It includes a brief consideration of the impact of the war on the ministry, and on party politics.

To introduce this chronological treatment, two chapters of a more purely thematic kind are provided. In chapter 2 the Walpole ministry in its later years is anatomised; its position in relation to the Opposition and the press, and the various members of the government in their relationships with one another and with the all-important monarch. Since this dissertation is primarily about the ministry in the specific sphere of foreign policy, chapter 1 begins by offering an outline of the workings of diplomacy at this time. It considers the ministerial personnel, both British and Spanish, the diplomats on both sides, and the systems of intelligence gathering, as well as the particular obstacle of the inflexible Spanish doctrine of imperial monopoly.



## Chapter 1      The Mechanisms of Diplomacy

In the life of any long-serving political administration there comes a time when luck deserts those who have always been secure. The actual causes of failure may seem slight - Walpole was forced from office in February 1742 by his failure to win the votes he needed in the committee on disputed elections<sup>1</sup> - but they are only the symptoms of an underlying condition. Seasoned ministers seem to fall victim to a change in the political weather, or possibly they lose the ability to read the warning signs which earlier they would have responded to and survived. Perhaps in some such way the veterans of the Walpole ministry were over-confident in the late 1730s. Their long hold on power, their secure entry to the royal closet, their large corps of supporters, made more loyal by obligations or places, and the slim resources of even their most talented and well-connected opponents all gave good grounds for confidence.<sup>2</sup> But in diplomacy ministers had to work through a complex network of practices and of individuals, which it is the intention of this chapter to explore, and which made political life unpredictable. They had also to respond to the demands of other countries, with their own priorities and problems, as well as to the pressures of opinion at home. Both abroad and at home, during these last years of Walpole's long hold on power, there began to appear the storm clouds that would darken and draw together, and finally fill the sky.

Looking around the European horizon, diplomats and ministers broadly began the year of 1737 in optimistic vein. It was natural for those involved in foreign policy to look both at the patterns of international relations and at the leading personalities of that sphere. When the British government considered the coming year they had some reason on both counts to expect a quiet period in diplomacy. The War of Polish Succession, from which

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<sup>1</sup> W.A. Speck, "The Most Corrupt Council in Christendom"; decisions on controverted elections, 1702-1742', in *Party and Management in Parliament, 1660-1784* (1984), ed. C. Jones, pp. 116-9.

<sup>2</sup> L. Colley, *In Defiance of Oligarchy. The Tory Party 1714-60* (1982), pp. 222-23; H.T. Dickinson, 'Popular Politics in the Age of Walpole', & E. Cruickshanks, 'The Political Management of Sir Robert Walpole 1720-42', in *Britain in the Age of Walpole* (1984), ed. J.M. Black; *Idem, Robert Walpole and the Nature of Politics in early Eighteenth century England* (1990); *Idem, The Politics of Britain 1688-1800* (1993).



Walpole had stayed aloof, was still absorbing the diplomatic efforts of those who fought it, though hostilities had ended in 1735. France had signed a preliminary peace treaty with Austria in October 1735, but its allies, Spain and Savoy, were dissatisfied with the shares which they were to get of Austrian territory in Italy. Troops were still only slowly being withdrawn from the Empire and Tuscany during 1737, and the final peace treaty was signed only on 2 May (NS) 1738. France and the Empire were preoccupied also with negotiating a general accord, in which others were invited to share. Spain and Portugal were in the last stages of a prolonged negotiation of their differences, and one which should have had the effect of stabilising Anglo-Spanish relations, as the Portuguese were the traditional allies of Britain. In the meantime, the Habsburgs were already being drawn into their ultimately disastrous share in the Russian war against the Ottoman Empire, and would be far from trying to cause unrest in Western Europe. Even though the long Franco-British alliance of 1716-1731 was over, and though Walpole's refusal to join the War of Polish Succession (1733-35) had harmed Britain with her allies and given the initiative to France, the benefits of peace were still felt.<sup>3</sup> It was true that Spain and France were linked by the Family Compact, a secret treaty of November 1733, which involved such specific common objectives as the regaining of Gibraltar, and French support for Queen Elizabeth's claims in Italy. The leading British ministers had known the full detail of the Compact within six months, and had discussed it fully.<sup>4</sup> Though the common sympathies of the two powers were clear, the ministry relied on the French to act cautiously and consult their own interests before those of anyone, even Spain. Jeremy Black has argued that Franco-Spanish solidarity at this time can be questioned, though to some extent Britain's non-involvement in the Polish Succession war led the Bourbon powers to have a lower opinion of British strength.<sup>5</sup> The French were now in a dominant position in Europe, a fact of which French ministers were keenly aware, but they were the less likely to exploit it in a warlike way as the leading minister, the aged Cardinal Fleury,

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<sup>3</sup> A full and lucid discussion of Walpole's policy objectives, richly supported by archival research, is P. Vaucher, *Robert Walpole et la Politique de Fleury (1731-1742)* (1924); a scholarly modern summary is J.M. Black, *British Foreign Policy in the Age of Walpole* (1985).

<sup>4</sup> Wolterton (Walpole) Mss, Political Tracts (unfoliated), papers of Keene and Ossorio, discussed in meetings 22, 24, 25 & 28 June (OS) 1734.

<sup>5</sup> J.M. Black, *The Rise of the European Powers 1679-1793* (1990), pp. 99-101; *idem*, *A System of Ambition? British Foreign Policy 1660-1793* (1991), pp. 162-4.



was pacific and cautious. His favourite talk was of a balance of power in Europe, based on 'a firm Union between England and France'.<sup>6</sup>

The cardinal enjoyed the full confidence of Louis XV, despite the challenge of the aspiring *Garde des Sceaux* and Secretary of State for foreign affairs, Germain-Louis Chauvelin, there was every sign that he would enjoy that confidence until his death. Even after the dismissal of Chauvelin in 1737, his faction remained in existence at court, and between 1739 and 1742 Louis XV was still occasionally tempted to recall that active and anti-Austrian minister.<sup>7</sup> Fleury's unwavering insistence on supremacy, which Chauvelin had unwisely ignored, was still strong enough to beat off the challenge of the fallen minister's remaining supporters, and even as late as 1742 he succeeded in having Louis XV renounce the Chauvelin party. This tenacity in the cardinal, who took office in 1726, at the age of 73, was truly remarkable, as was his longevity (he died finally on 23 January (NS) 1743), but contemporaries were right not to take either for granted. After his death the prospects of a peace would probably diminish sharply, which accounts for the preoccupation of diplomats with the (often exaggerated) fragility of his health.<sup>8</sup> Britain's ambassador in Madrid, Benjamin Keene, commented sardonically on the number of couriers arriving there from the Spanish envoy in Paris; 'every turn His Eminency takes in his bed, gives M. de la Mina an occasion of sending a Messenger to his Court'.<sup>9</sup> Fleury's appetite, attention span, hand-shaking, eye brightness and even bowel movements all figured in the formal correspondence of aristocratic diplomats: news of his bouts of diarrhoea spread solemnly yet with great rapidity around Europe.<sup>10</sup> Not the least appeal of Fleury for the Walpole ministry was the only faint encouragement which he gave to the

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<sup>6</sup> BL Add Ms 32796, f. 275, Waldegrave to Newcastle, 20 December (NS) 1737.

<sup>7</sup> The best discussion of Fleury's control of policy and patronage in these years is P.R. Campbell, 'The Conduct of Politics in France in the Time of Cardinal Fleury', unpublished Ph.D. thesis, London, 1985, part three. On Chauvelin, see especially pp. 208-223.

<sup>8</sup> P. Vaucher, *Robert Walpole et la Politique de Fleury (1731-1742)* (1924), pp. 256-59. George II in July 1738 saw Fleury as 'almost gone' and likely to be imposed upon by those around him; PRO SP 78/218, f. 372, Newcastle to Waldegrave, 31 July (OS) 1738.

<sup>9</sup> BL Add Ms 32799, f. 197, Keene to Couraud, 27 October (NS) 1738.

<sup>10</sup> Some examples among very many: PRO SP 107/21, (unfoliated), A. Pareti to Fitzgerald, 11 March (NS) 1738; PRO SP 78/218, f. 122, Waldegrave to Newcastle, 31 May (NS) 1738; PRO SP 78/219, f. 40, same to same, 6 September (NS) 1738.



Pretender, 'James III'. He regularly assured the British envoy in Paris, Lord Waldegrave, that it was no part of French policy to encourage hopes of a Jacobite restoration.<sup>11</sup> The Cardinal often dashed the hopes of the Jacobites, putting the interests of France before any of their schemes. Closely quizzed by Waldegrave, he insisted:

*Je leur suis suspect*, for I have constantly told them, that I never would have anything to do with their Affairs; and farther, that were he otherwise inclined, he knew France could not make any Attempt in the Pretender's Favour without engaging all Europe in a War, which he had sufficiently shewn not to be his Intention.<sup>12</sup>

As late as September 1742 Fleury was still assuring the British ambassador that, though dissatisfied with the British, 'car vous nous traités comme des Negres', he would never encourage the Jacobites.<sup>13</sup> The Pretender himself knew how slim his hopes of Fleury were, and saw the meaning of such snubs as the Cardinal's refusing an audience to his agent O'Brien. Military assistance was not likely 'considering the timidity of his temper, wch. age & sickness naturally augments, tho' I am persuaded he wishes me & my Cause very well in his heart.'<sup>14</sup> This view of the case was shared by Waldegrave, who saw and talked with Fleury regularly:

I do not believe the Cardinal, unless we were at open War with France, would give in to all the trifling Jacobite Schemes the Court of Spain might be proposing to him, but I am firmly of opinion, from the knowledge I have of His Excy's way of thinking, that nobody would go greater lengths to help the Pretender than ye Cardinal, were he satisfied of a probability of success in an undertaking of this Nature.<sup>15</sup>

It was one more uncertainty in an uncertain world, but so long as Fleury lived there was some warrant, in the caution of old age, for Walpole's confidence in the Cardinal's disposition. This confidence grew when, on 20 February (NS) 1737, Fleury engineered the disgrace of his over-ambitious subordinate, Chauvelin, who was exiled to his estates at

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<sup>11</sup> E.g. BL Add Ms 32794, f. 301, Waldegrave to Newcastle, 3 August (NS) 1737,; BL Add Ms 32798, ff. 69-70, same to same, 31 May (NS) 1738.

<sup>12</sup> PRO SP 78/218, f. 216 Waldegrave to Newcastle, 31 May (NS) 1738.

<sup>13</sup> PRO SP 78/227B, f. 374, Thompson to Newcastle, 11 September (NS) 1742,.

<sup>14</sup> PRO SP 78/219, f. 8, Waldegrave to Newcastle, 20 August (NS) 1738; Windsor RA Stuart Mss, 206/62, 'James III' to Duke of Ormonde, 22 April (NS) 1738.

<sup>15</sup> BL Add Ms 32801, f. 12, Waldegrave to Newcastle, 5 June (NS) 1738.



Grosbois and banned from court and from politics. The British ambassador in Spain, Benjamin Keene, at once exulted that the fall of Chauvelin, who was as much against Britain as he was against Austria, made a provocative Bourbon policy less likely. The French ambassador in Madrid, Count Vaulgrenant, had lately worked against British interests, but:

I always attributed it to the Inspirations of that smooth Enemy of ours at Grosbois; where, I hope, he will rot and rust for ever. I only wish that he was charged with the Cardinal's years, that His Eminency, who is my Hero, might be freed from that burthen, and live for the good of Mankind.<sup>16</sup>

His replacement, Michel Amelot de Chaillou, Marquess of Gournay, was relatively untried and certainly less aggressive in foreign policy, as well as being less likely to challenge Fleury for the control of affairs.<sup>17</sup> The danger of an active all-powerful minister seemed diminished. The cardinal confided to Waldegrave that he saw no need, after his own death, of a prime Minister such as he had been; the King could and would exert himself, with the aid of lesser ministers.<sup>18</sup> The importance which ministers placed upon the personnel of foreign departments of state can be seen from the efforts which Walpole and Newcastle made to discredit Chauvelin's deputy, Pecquet. A justification of Chauvelin's conduct was published in London, and Fleury was very anxious to know who had written it.<sup>19</sup> Walpole obtained from the printer the original manuscript, in the hand of Pecquet's clerk, which was duly sent underhand to Fleury, so as to lead to Pecquet's dismissal. The Duke of Newcastle was clear about the problem;

as long, as He continues in the Bureau, let the Cardinal's Intentions be never so good, all the Instructions, that go from the Office to their foreign Ministers, will have a Tincture of Chauvelin's Politicks.<sup>20</sup>

In general, though, the Duke was undisguisedly relieved; 'In all probability the Cardinal will by this change be intirely master of his own views and designs, which for some time

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<sup>16</sup> BL Add Ms 32794, f. 168, Keene to Waldegrave, 11 March (NS) 1737.

<sup>17</sup> On Amelot, see Campbell, 'The Conduct of Politics in France', pp. 250-1.

<sup>18</sup> BL Add Ms 32794, f. 218, Waldegrave to Newcastle, 28 March (NS) 1737.

<sup>19</sup> BL Add Ms 32796, f. 56, Waldegrave to Newcastle, 7 November (NS) 1737.

<sup>20</sup> BL Add Ms 32796, ff. 331-33, Newcastle to Waldegrave, 30 December (OS) 1737.

before he had not been'.<sup>21</sup> This was favourable to Britain as there was some reason for Waldegrave to believe in the Cardinal's dissatisfaction with both the Empire and Spain, and his reliance on the more straightforward and consistent dealing of the British ministers; 'he almost allowed England to have more Virtue and Honour than any other Nation'.<sup>22</sup>

In Spain, a similar watershed was marked by the death on 3 November (NS) 1736 of the ambitious and confrontational minister Don José Patiño y Rosales. This bustling politician was the man responsible for the revival of the Spanish navy from January 1717, when he was appointed *Intendente General de Marina*. A firm advocate of centralisation and rationalisation, he promoted economic recovery and became Philip V's most trusted adviser.<sup>23</sup> In 1726 Patiño became Secretary of the Office of the Indies, as well as naval minister, and in 1732 he became Secretary of State and Chief Minister of the Crown, dying in office.<sup>24</sup> Since Patiño had been in charge of all branches of the government, he was a troublesome adversary. At the same time, he was able to get things done when complaints were made to him. As with Fleury, on his death, no single minister seemed likely to be in this position. Keene summarised the change, eight months after Patiño's death:

The difference between the present systeme and that in the time of the late Mr. Patiño, consists in that the cries of the Publick were then against the too great authority reposed in the hands of one person, and that at present it is difficult to know whether there is any delegated authority, and if there be, in what hands it is lodged.<sup>25</sup>

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<sup>21</sup> BL Add Ms 32794, f. 175, Newcastle to Keene, 3 March (OS) 1737.

<sup>22</sup> PRO SP 78/217, f. 1, Waldegrave to Newcastle, 11 January (NS) 1738.

<sup>23</sup> A convenient summary of his career is J.O. McLachlan, *Trade and Peace with Old Spain 1667-1750* (1940), pp. 146-154; Appendix, 'Patiño and the Economic Development of the Spanish Empire'.

<sup>24</sup> J. Lynch, *Bourbon Spain 1700-1808* (1989), pp. 90-97; F. Abbad & D. Ozanam, *Les Intendants Espagnols du XVIIIe Siècle* (1992), p. 151; T. Egido Lopez, *Opinion Publica y Oposicion al Poder en la España del Siglo XVIII (1713-1759)* (1971), pp. 159-91.

<sup>25</sup> BL Add Ms 32795, f. 138, Keene to Newcastle, 8 July (NS) 1737.



Both George II and Keene foresaw obstruction from this cause.<sup>26</sup> So, however, did the Pretender, who depended on a minister willing to take big risks and arouse the cardinal to action. He wrote in 1738: 'I take it to be a great loss to me in this juncture that there is no first Minister in Spain'.<sup>27</sup> Patiño's most probable successor as Secretary of State, Don Sebastian de la Quadra, was altogether milder and more accommodating.<sup>28</sup> La Quadra, in Keene's view, was 'an honest, timid, indolent man, who being diffident of his own force, did not solicit his Employment, and now he is in it, does not take upon himself the least imaginable without positive orders from their Catholick Majesties'.<sup>29</sup> This honest mediocrity of talent did not make him popular in Spain, where he attracted satiric attacks, as an ungifted protégé of the hated Patiño.<sup>30</sup> Unlike Patiño he did not head the other most important offices of state. Everything passed through his hands, and he could be very touchy on procedural questions, but he took no pleasure in the power of decision-making. La Quadra, who took twenty-one years to work his way to the leading post of government, was a representative product of a Spanish system which favoured long service and thorough knowledge of routine. The personnel of the office of the Secretary of State generally joined the service young and rose slowly, filling dead men's shoes. Since no Secretary of State other than Patiño, and very few subordinates in the office, ever actually went abroad, it is not surprising that initiative in foreign affairs was stifled.<sup>31</sup> La Quadra's favoured rôle was to usher paperwork in and out of the royal closet, making as few suggestions and taking as little responsibility as possible. Even as time passed, and La Quadra's confidence grew, he never took any resolution for which he might be blamed by his royal master. In particular he would do nothing which appeared to abate the royal dignity or power. By early 1739, when the fateful Convention of the Pardo was being

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<sup>26</sup> BL Add Ms 32796, ff. 119-20, Newcastle to Keene, 4 November (OS) 1737; *ibid*, ff. 239-40, Keene to Newcastle, 13 December (NS) 1737.

<sup>27</sup> Windsor RA Stuart Mss, 207/8, James to Ormonde, May 21 (NS) 1738.

<sup>28</sup> D. McKay & H.M. Scott, *The Rise of the Great Powers* (1985), pp.145-148; BL Add Ms 32794, ff. 150-151, Waldegrave to Keene, Paris, 28 February (NS) 1737.

<sup>29</sup> BL Add Ms 32796, f. 239, Keene to Newcastle, 13 December (NS) 1737.

<sup>30</sup> T. Egido López, *Opinion Publica y Oposicion al Poder en la España del Siglo XVIII (1713-1759)* (1971), pp. 175-6.

<sup>31</sup> D. Ozanam, 'La Diplomacia de los Primeros Borbones (1714-1759)', *Cuadernos de Investigación Histórica*, 6, 1982, p. 175.



negotiated, la Quadra had fallen under the influence of the scheming Don Casimiro Ustariz, chief secretary in the War Office. At a time when the utmost good faith and flexibility was needed to bring the Spanish monarchs into new paths, Keene found la Quadra 'more dull and stubborn than I could well conceive'.<sup>32</sup>

The main British fear in 1737 was that la Quadra might lose ground to more forceful and threatening ministers. This was particularly likely as he was of common birth, and resented by courtiers of noble blood. In general terms, the reign of Philip V has been seen as bringing about the primacy of the *despacho*, the cabinet council, at the expense of the traditional councils led by the grandees, and the lowly origins of la Quadra pointed up this trend very clearly.<sup>33</sup> In July 1738 he was appointed Counsellor of State, the most distinguished post in the kingdom and a singular honour since he was now the only member of the Council.<sup>34</sup> Since Keene had paid attentions to La Quadra when he was in more humble circumstances, he was now able to draw on a fund of goodwill.<sup>35</sup> It was an unexpected dividend, however, and in January 1737 Keene was expecting birth to prevail over merit, and thought that the Duke of Montemar was likely to become Minister of War, 'and insensibly engross the other branches of the Government into his own hands'.<sup>36</sup> Another noble minister, ultimately squeezed out in the manoeuvring of these years, was the Marquis of Torrenueva. His sixty-five word full title alone does something to explain the delays of Spanish bureaucracy.<sup>37</sup> Due to the inexperience of the ministers, as much as any malice, Geraldino was for a while in 1737 sending reports direct to Torrenueva,

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<sup>32</sup> PRO SP 94/133 (unfoliated) and BL Add Ms 32800, f. 14, Keene to Newcastle, 13 January (NS) 1739; on Ustariz's power in appointments and favour, BL Add Ms 32801, ff. 23-4, Keene to Newcastle, 9 June (NS) 1739.

<sup>33</sup> Lynch, *Bourbon Spain*, p. 66.

<sup>34</sup> BL Add Ms 32798, ff. 205-6, Keene to Newcastle, 7 July (NS) 1738.

<sup>35</sup> PRO SP 94/131 (unfoliated), La Quadra to Keene, 22 July (NS) 1738.

<sup>36</sup> BL Add Ms 32794, f. 2, Keene to Newcastle, 14 January (NS) 1737.

<sup>37</sup> 'Don Matheo Pablo Díaz de Labandero Marques de Torrenueva, Cavallero del Orden de Santiago, Veynte y quatro perpetuo dela Ciudad de Sevilla; Alguacil Mayor del tribunal dela Inquisicion dela misma Ciudad; Del Conselo de S.M. su secretario de Estado, y del Despacho delas Negoziaciones de Indias, Marina, y Hazienda; Superintendente general de Verotas generales, con el manejo, y distribucion de Caudales dela Dl. Hazienda'; BL Add Ms 33007, f. 109, a passport signed at Madrid, 21 May (NS) 1737.



which made the latter seem like the principal figure in the problems of the West Indies.<sup>38</sup> The hierarchy did not seem to be entirely settled, and Keene continued to be wary in case the Spanish court should 'take a sudden resolution to look out for brisker Jockeys to push on our Mule'.<sup>39</sup>

Changes at the lesser level of diplomatic representatives could also make a difference to the prospects of understanding between countries. Envoys abroad were the spokesmen and personal representatives of their own courts, men of considerable influence in those days of slow communications. As such their character, their standing and their contacts could be of vital importance. They also supplied regular news of all kinds from the courts where they were, and acted as the chief interpreters to their ministers at home of the country in which they were posted. And not only to their ministers, but to their sovereigns. Newcastle told Waldegrave; 'Your Letters in your own Hand, I generally shew to our Master, who is mightily pleased with them, if you have any thing to write, which Nobody should see, enclose it in a bitt of Paper by itself'.<sup>40</sup> Their regular weekly letters were expected to be a better guide than the newspapers or published gazettes.<sup>41</sup> Many of them became highly acute interpreters of the court, and the capital, to which they were accredited. In general, though, they were not knowledgeable about the rest of the country in which they resided. The Dutch ambassador to England, Hop, was unusual in moving so far outside London as Norfolk, where the main thing that he saw was Sir Robert Walpole's magnificent Palladian house, Houghton Hall.<sup>42</sup>

Fortunately for Britain, the key post in Madrid was held by an ambassador of rare talent, Benjamin Keene, one of the few commoners to hold such a prestigious diplomatic post.<sup>43</sup>

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<sup>38</sup> BL Add Ms 32796, ff. 12-14, Keene to Newcastle, 14 October (NS) 1737; *ibid*, f. 115, Newcastle to Keene, 4 November (OS) 1737.

<sup>39</sup> BL Add Ms 32794, f. 169, Keene to Waldegrave, 11 March (NS) 1737.

<sup>40</sup> BL Add Ms 9176, f. 37, Newcastle to Waldegrave, 27 February (OS) 1740.

<sup>41</sup> Frederick William of Prussia reproved his envoy for offering to send him a regular *Gazette*, telling him that his own letters should make it unnecessary. Of course, for Frederick William, the three guineas per quarter subscription was a significant objection. PRO SP 107/23 (unfoliated), Frederick William to Andrié, 27 January (NS) 1739.

<sup>42</sup> PRO SP 107/31 (unfoliated), Hop to Fagel, 11 August (NS) 1739.

<sup>43</sup> P. Yorke, *The Life and Correspondence of Philip Yorke, Earl of Hardwicke, Lord High Chancellor of Great Britain* (1913; repr 1977), Vol 1, esp. chaps. X & XVIII; R. Lodge

It was always difficult to fill the important but dreary embassy in Madrid. In 1729 Harrington had to be given a peerage to be enticed back there in order to conclude the Treaty of Seville, and in the mid-1760s William Eden regularly referred to the Spanish posting as an 'exile to that horrid Siberia'.<sup>44</sup> Though he was far more at ease in the language and ways of Spain than was usual among diplomats, Keene still felt the confinement of his landlocked court, with its difficult communications and stifling social etiquette. He needed to hear from his diplomatic correspondents, he said, 'to keep me from turning a perfect mope'.<sup>45</sup> Whenever he could, a sympathetic Robert Trevor sent Keene books with which to solace his exile in his 'inland inaccessible residence'.<sup>46</sup> As a commoner, however, and even though he was highly valued by Sir Robert Walpole, Keene could rely on few more tangible comforts. George II resolutely turned his face against advancement for him, and the coveted KB was given only in 1754, three years before his death. Despite the significance of his posting, Keene was not even given the status and emoluments of a full Ambassador. From 1734 to 1739 he served as Envoy Extraordinary and Plenipotentiary, the second diplomatic rank.<sup>47</sup> He begged in 1738 to be made Ambassador and Plenipotentiary, mainly for the sake of the extra money, and rested his case on equal pay for equal work; 'His Majesty's Equity will engage Him to recompense his servants who are in the same Employments in an equal Manner'.<sup>48</sup> As George II had no such scruples, Keene served out his time in Madrid still conscious of being neglected and undervalued; 'scarce a single word of pecuniary Comfort has been mentioned to me to support my Burden, so little is our Situation here either known or considered at Home'.<sup>49</sup> Despite his periodic forlorn complaints, Keene, with great skill,

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(ed), *The Private Correspondence of Sir Benjamin Keene* (1933); R. Lodge, 'Sir Benjamin Keene, K.B.: A Study in Anglo-Spanish Relations in the Earlier Part of the Eighteenth Century', *Transactions of the Royal Historical Society*, 4 ser., XV, 1932, pp. 1-43.

<sup>44</sup> Horn, *British Diplomatic Service*, pp. 21, 90, 93.

<sup>45</sup> BL Add Ms 32796, f. 272, Keene to Lord Tyrawly, 27 December (NS) 1737.

<sup>46</sup> BL Add Ms 32799, f. 329, Trevor to Keene, 18 December (NS) 1738.

<sup>47</sup> D.B. Horn, *British Diplomatic Representatives 1689-1789*, Camden 3 series Vol XLVI (1932), p. 134.

<sup>48</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 13 October (NS) 1738.

<sup>49</sup> PRO SP 94/133 (unfoliated), Keene to Couraud, 9 June (NS) 1739.



served both Britain and the South Sea Company which the Spanish court so hated, without forfeiting the esteem of the Spanish monarchs. In 1749 he was greeted back by their Catholic Majesties like an old friend.<sup>50</sup>

In Paris, Lord Waldegrave enjoyed for a time even sunnier favours. He stood well with George II, and with Fleury, through whom he enjoyed access to Louis XV. In one particularly striking incident, which Waldegrave did not fail to report, and gloss, to Newcastle, Louis singled him out at a hunt for special conversation, and made him a present of game, the first instance of its kind.<sup>51</sup> He was made a Knight of the Garter in February 1738.<sup>52</sup> Though Waldegrave undoubtedly was active in collecting and passing on news and intelligence, his letters do not give the same sense as Keene's of an active and skilled negotiator. Horace Walpole believed that most of Waldegrave's credit at his court arose from the fact that Fleury found him easy and tractable.<sup>53</sup> Certainly his usefulness to Britain fell away at a crucial time due to his increasing illness during 1740. In September, Newcastle was so worried that the ambassador's asthmatic condition might be affecting business that he had his secretary write to Waldegrave's secretary to ask him, in confidence, to supply any deficiencies.<sup>54</sup> Waldegrave returned to England soon afterwards and left behind him in Paris a deputy in Anthony Thompson who, whatever his skills, did not have, as he said himself, the length of purse and the level of social contacts to flesh out the ambassador's full range of duties.<sup>55</sup>

Horace Walpole himself was on excellent terms with the cardinal, having been a successful ambassador to Paris between 1724 and 1730. Even his enemy Hervey

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<sup>50</sup> BL Add Ms 43441, ff. 72-3, Keene to Castres, 20 February (NS) 1749.

<sup>51</sup> BL Add Ms 32796, f. 266, Waldegrave to Newcastle, 18 September (NS) 1737.

<sup>52</sup> Rumour had credited him before then with the senior order, of Knight Companion of the Bath; CUL Ch (H) Corresp 2706, Waldegrave to Sir Robert Walpole, 29 August (NS) 1737.

<sup>53</sup> *Fourteenth Report of the Royal Commission on Historical Manuscripts* (1895), Manuscripts of the Earl of Buckinghamshire *et al* (Trevor Mss), p. 28, H. Walpole to Trevor, 17 April (OS) 1739.

<sup>54</sup> PRO SP 78/224, f. 62, Stone to Thompson, 15 September (OS) 1740.

<sup>55</sup> PRO SP 78/224, f. 93, Thompson to Stone, 5 (October NS) 1740; Keene to Castres, 15 November (OS) 1740, f. 9.

conceded that; 'in France it must be owned, by the interest he had in the Cardinal, he did England service'.<sup>56</sup> He was clearly more bustling, and less emollient, than Waldegrave in his embassy at The Hague from 1734 to 1739. He was also somewhat slovenly in his appearance, outspoken to a fault, and without the breeding and rank which would normally accompany his post as ambassador. Hervey's picture is a satire, not a portrait, yet he could hardly have written as he did if Horace were a model - or even a normal - diplomat:

He was a very disagreeable man in company, noisy, overbearing, affecting to be always jocose, and thoroughly the *mauvais plaisant*; as unbred in his dialect as in his apparel, and as ill bred in his discourse as in his behaviour and gestures; with no more of the look than the habits of a gentleman.<sup>57</sup>

Horace did not succeed in persuading the States General to take a vigorous stand over the depredations issue, and to support Britain, but it must be doubted if any mere ambassador could have coaxed that divided body out of its lucrative neutrality. As Trevor commented, 'no News, nor Events seem capable of making this People mend their pace'.<sup>58</sup> All observers agreed that he was likely to achieve little, however noisily he strove for action.<sup>59</sup> 'M. Horace Walpole se donne bien du mouvement en Hollande, mais on croit generalement que ses efforts n'aboutiront pas a grande chose.'<sup>60</sup> It is a comment that might unkindly be applied to the rest of his work as a diplomat. Certainly he wrote voluminously on the state of affairs in Europe and was an assiduous correspondent. He seems to have viewed himself almost as equivalent to a Secretary of State, using his post at The Hague to review and question decisions and to peer very closely into the business of all the leading British representatives at foreign courts. All foreign envoys kept in touch with one another, but Horace added a dimension of authority which only his relationship

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<sup>56</sup> R. Sedgwick (ed) *John, Lord Hervey. Some Materials towards Memoirs of the Reign of King George II* (1931), Vol 1, p. 284.

<sup>57</sup> Hervey, *Memoirs*, Vol 1, p. 285. An example of his causing offence by striving unreasonably for precedence in ceremonial matters is in BL Add Ms 32796, f. 251, Waldegrave to Newcastle, 16 December (NS) 1737.

<sup>58</sup> BL Add Ms 32801, f. 8, Trevor to Keene, 4 June (NS) 1739.

<sup>59</sup> 'Je doute qu'il y fasse autant de besogne que de bruit', commented one diplomat; CUL Ch (H) Corresp, 2885, la Ville to Chavigny, 23 June (NS) 1739.

<sup>60</sup> PRO SP 107/27 (unfoliated), Gastaldi to Prince Cantemir, 13 July (NS) 1739.



to Sir Robert could have warranted.<sup>61</sup> He certainly used his visits to England and his frequent correspondence to offer advice on foreign policy, even in detail.<sup>62</sup> Horace was active in diplomacy and in the foreign policy discussions of the inner cabinet, and in that sense he was one of the welter of influences which bore upon the ministry in these years. But, while the course of negotiation with Spain would have been very much harder without Keene in Madrid, it is not clear that things would have been very different had someone else filled the posts at The Hague and Paris.

The Spanish envoys could also be vital to the harmony between the two nations. The Spanish diplomatic network was weaker than that of other large powers. Representation abroad was slowly built up under Philip from only ten embassies in 1715 to fourteen by 1737.<sup>63</sup> The choice of these diplomats charged with reviving Spain's influence was shaped above all by the ambitions for her sons of Queen Elizabeth. She favoured representatives who would push forward her Italian schemes, which explains why of the diplomatic representatives appointed by Philip V, over half were foreign: four Jacobites, two Dutchmen, one Fleming and fifteen Italians, three of them from the Queen's own land of Parma.<sup>64</sup> Diplomatic training, as elsewhere in Europe, was minimal, and the post of ambassador was usually either the final honour for a nobleman at the end of his service to the crown, or a stage in a varied career of military and administrative service. Despite these factors, the general standard of Spain's diplomatic representation has been judged to have been better in Philip's reign than in the later century, and at least comparable to that of contemporary European powers.<sup>65</sup> In June 1737 the Spanish ambassador in London, the Count of Montijo, was made President of the Council of the Indies, a post in which he could be expected to have an influence on the colonial disputes between Britain and Spain. In July Montijo left England, to the regret of Newcastle and the King.<sup>66</sup> His insider

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<sup>61</sup> E.g. BL Add Ms 32795, ff. 190, 246-7, 361-2, H. Walpole to Keene, 1 August, 2 & 26 September (NS) 1737.

<sup>62</sup> E.g. his advice on the instructions to be given to Waldegrave, approved by the Lord Chancellor; BL Add Ms 32797, f. 204, Hardwicke to Newcastle, 22 March (OS) 1737.

<sup>63</sup> Ozanam, 'La Diplomacia de los Primeros Borbones', p. 178.

<sup>64</sup> *Ibid.*, pp. 182-3.

<sup>65</sup> *Ibid.*, pp. 183-4.

<sup>66</sup> The formal correspondence between Montijo and Newcastle, and George II's letter on the occasion to Felipe V, are in BL Add Ms 32795, ff. 182-187.



knowledge of London politics was useful to Spain, allowing him to interpret to his court the nature of political rivalries within the ministry.<sup>67</sup> But it was of possible use to Britain too to have him in a position to influence policy. He was seen to be broadly in favour of an accommodation and a friend to Britain, though on the other hand he was believed to have grievances against the South Sea Company.<sup>68</sup> Montijo's successor in London was Thomas Fitzgerald, an Irishman in the Spanish service, usually known as Don Tomás Geraldino. For months before Montijo's eventual departure, Geraldino had been the successor favoured by the British court. Keene banked on Geraldino's 'more plain and solid way of thinking', contrasting him with the protégé of Patiño and Torrenueva, Don Joseph Quintana, 'the most abstract and metaphysical negotiator upon matters of Commerce that can be imagined'.<sup>69</sup>

Quintana had been, with the later Marquess of Torrenueva, appointed under the Treaty of Seville as a commissioner for settling British merchant claims against Spain.<sup>70</sup> Keene, who with Arthur Stert and John Goddard, was one of the British commissioners then, had ample experience of Quintana's style of negotiation. The two men met later as the plenipotentiaries charged with implementing the Convention of Pardo. At the critical juncture of March 1739 Quintana was drawn away from this work to replace Torrenueva as Secretary of the Indies. The breakdown of Anglo-Spanish relations must have owed something to this individual, of whom Keene said; 'a more difficult, tenacious disputant never was met with, starting and stumbling at the most trivial Punctillios imaginable'.<sup>71</sup> Contemporaries were well aware of the need to have the most helpful individuals in positions of influence. Queen Caroline urged Keene to manage and humour Montemar, while wishing for the predominance of la Quadra. She believed, though, that nothing would do more to promote good relations between the two crowns 'than the fixing Don

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<sup>67</sup> On his double influence as minister and ex-ambassador, BL Add Ms 32797, f. 332, Keene to Newcastle, 7 May (NS) 1738; his knowledge of the ministry is evident in his August 1738 comments on the war hawks in the inner cabinet, W. Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole Earl of Orford* (1798), III, p. 509.

<sup>68</sup> BL Add Ms 32795, ff. 94-5, Keene to Newcastle, 17 June (NS) 1737.

<sup>69</sup> BL Add Ms 32794, f. 284, Keene to Newcastle, 7 April (NS) 1737.

<sup>70</sup> D.C. Seco Serrano (ed), *Memorias Politicas y Militares para servir de Continuacion a los 'Comentarios' del Marques de San Felipe* (1957), pp. 480-1.

<sup>71</sup> BL Add Ms 32800, f. 174, Keene to Newcastle, 9 March (NS) 1739.



Thomas Geraldino here', a belief endorsed by both Newcastle and Walpole.<sup>72</sup> Effective diplomatic representation could make a big difference to the day-to-day workings of international relations. In contrast to the shrewd and sociable Geraldino, the Spanish envoy to France, the Marquess de la Mina, 'behaves like a true Spaniard, is liked by nobody, and lives alone', regarded by his fellow diplomats as 'a queer one'.<sup>73</sup> One of la Mina's few active moves was to involve himself in the cabals trying to restore Chauvelin to power. Waldegrave believed this meddling would 'certainly never be forgot nor forgiven', and for several years Cardinal Fleury was less obliging towards Spain than he might have been with a more agreeable ambassador fixed in Paris.<sup>74</sup>

Foreign envoys breathed a hothouse air, engaged in formal intercourse, levées and boring attendance in antechambers for large parts of the week, dining and gossiping, then plunging into furious correspondence on post days.<sup>75</sup> Intrigue and suspicion were natural in such a world. When a casket of private papers belonging to the French ambassador in Madrid, de Vaulgrenant, went missing, rumour credited Keene with a coup. When the theft was brought home to the French embassy laundress, the printed gazettes simply made her Keene's accomplice.<sup>76</sup> A few months later Vaulgrenant had to leave Spain under a cloud, having been caught rifling through papers left by their Catholic Majesties in an antechamber.<sup>77</sup> That a nobleman of long diplomatic experience could take such a risk highlights the prevailing belief that even small scraps of information could be vital. This explains the very considerable resources devoted to producing ciphers for safe communication, and conversely to the interception and deciphering of diplomatic

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<sup>72</sup> PRO SP 94/129 (unfoliated), Newcastle to Keene, 13 January (OS) 1737; PRO SP 98/129 (unfoliated), same to same, 3 March (OS) 1737.

<sup>73</sup> BL Add Ms 32794, f. 234, Waldegrave to Keene, 2 April (NS) 1737; BL Add Ms 32795, f. 399, same to same, 7 October (NS) 1737.

<sup>74</sup> BL Add Ms 32802, f. 8, Waldegrave to Newcastle, 21 January (NS) 1740.

<sup>75</sup> A full picture of the life is given in D.B. Horn, *The British Diplomatic Service, 1689-1789* (1961); a fascinating study of the preceding age, much of it applicable to these years, is W.J. Roosen, *The Age of Louis XIV. The Rise of Modern Diplomacy* (1976); several valuable chapters can be found in R. Hatton & M.S. Anderson (eds), *Studies in Diplomatic History* (1970); J.M. Black, *The Rise of the European Powers 1679-1793* (1990), section 5, is an incisive survey.

<sup>76</sup> BL Add Ms 32794, f. 170, Keene to Trevor, 11 March (NS) 1737.

<sup>77</sup> BL Add Ms 32797, ff. 95-6, Keene to Newcastle, 24 February (NS) 1738.



correspondence. British ministers saw many of the letters which passed to and from almost every foreign envoy in London. The bulky volumes which survive in the Public Record Office and the more partial survivals in Sir Robert Walpole's papers in Cambridge University Library reveal just how successful Britain was in this activity. No doubt this stemmed from the zeal with which Walpole spent money on tracing the movements and plans of the Jacobites at home and abroad.<sup>78</sup> When Spain began to arm in February 1737, for example, Walpole at once had to know whether this was in support of the Pretender. On the fall of Chauvelin, who had intrigued with the agents of 'James III', Waldegrave was urged to use the Cardinal's revulsion for his rival to discover more about the Jacobite schemes. When Sir William Wyndham merely met Bolingbroke at Amiens, the fullest information was at once demanded from French informants.<sup>79</sup> Some English Jacobites explained the despondency and inaction of their fellows by the 'violence of George II and the vigilance of Walpole'.<sup>80</sup>

The Hanoverian régime enjoyed a substantial advantage in the skilled system of intelligence gathering in Hanover itself, a combination which gave Britain formidable advantages.<sup>81</sup> Hanover benefitted from lying on the main mail routes through northern Europe, the letter interception services at Celle and Nienburg being particularly fruitful.<sup>82</sup>

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<sup>78</sup> P. Fritz, *The English Ministers and Jacobitism between the Rebellions of 1715 and 1745* (1975), despite the dates in its title, deals with an earlier period but offers a valuable survey. The diplomatic correspondence of the period is full of references to Jacobite activity and the movements of the leading personnel. See, e.g., the eagerness to obtain details of the movements of the Chevalier and the subsequent cabinet discussion of various intelligence reports in: BL Add Ms 32802, f. 25, Newcastle to Waldegrave, 22 January (OS) 1740; BL Add Ms 33004, ff. 25-26, Cabinet minutes, 24 January (OS) 1740. Waldegrave constantly pursued Jacobite information in Paris, e.g.: BL Add Ms 32798, f. 72, Waldegrave to Andrew Stone, 31 May (NS) 1738; *Ibid* ff. 95-100, Waldegrave to Newcastle, 3 June (NS) 1738.

<sup>79</sup> BL Add Ms 32794, f. 105, Waldegrave to Keene, 5 February (NS) 1737; *Ibid*, f. 139, Keene to Waldegrave, 18 February (NS) 1737; *Ibid*, ff. 236-37, Newcastle to Waldegrave, 24 March (NS) 1737; BL Add Ms 32796, f. 330, same to same, 30 December (OS) 1737.

<sup>80</sup> Windsor RA Stuart Mss 222/33, Sempill to James III, 2 May (OS) 1740.

<sup>81</sup> K. Ellis, 'The Administrative Connections between Britain and Hanover', *Journal of the Society of Archivists* III, 1969, pp. 556-66.

<sup>82</sup> U. Dann, 'Hanover and Great Britain 1740-1760', unpublished Ph.D. thesis, Oxford 1980, p. 5.



The decryption of intercepted and ciphered correspondence (in several languages) was organised under the aegis of the Secret Office of the Post Office. At the time with which this study deals, there was a team of four decipherers, with varying lengths of service. The junior three were Anthony Corbière (from 1719), John Lampe (from 1729) and Philip Zolman, German translator (from 1735). They were led by the extraordinarily successful Rev. Edward Willes, engaged in the office from 1716 to his death in 1773, and whose special services earned him in 1743 the Bishopric of Bath and Wells. The Deciphering Branch was an almost perfect example of how successful eighteenth-century nepotism could be. Willes converted his department into a family business, bringing in three of his sons, who in turn brought in three nephews. When the branch was abolished in 1844, it was two members of the Willes family who were made redundant.<sup>83</sup> Despite the small staff, and the necessarily limited time which they had to open, copy, decipher and translate a great volume of letters, there are comparatively few examples of failure to crack a code, or even of any significant delay.<sup>84</sup>

This expertise was important in a world in which all powers were assumed to open diplomatic mails. The Hessian envoy in London dared not trust the mails entering Sweden, though no doubt he imagined (wrongly) that his letters would at least leave England unopened.<sup>85</sup> Frederick William of Prussia had his London envoy send his accounts, not to the court, but under cover to a merchant, Splitgerber, a subterfuge which does not seem to have given the Secret Office any trouble.<sup>86</sup> Diplomats did what they could to help in this secret traffic. Keene in 1738 sent, by messenger Moss, copies and translations of two original letters, both in figures and deciphered; 'they may possibly serve to discover the Spanish Cypher'.<sup>87</sup> The vigilance of the Walpole government as to

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<sup>83</sup> K. Ellis, *The Post Office in the Eighteenth century. A Study in Administrative History* (1958), pp. 67, 128-31.

<sup>84</sup> Some parts of one Portuguese cipher could not be made out: PRO SP 107/21 (unfoliated), Guedes to Azevedo, 11 January (NS) 1738; a very showy Spanish cipher was discovered at once; PRO SP 107/22 (unfoliated), Geraldino to la Mina, 19 May (NS) 1738; a new Prussian cipher was marked 'not yet discover'd' in PRO SP 107/25 (unfoliated), Andrié to King of Prussia, 13 March (NS) 1739.

<sup>85</sup> PRO SP 107/32 (unfoliated), Alt to Calokhoff, 21 August (OS) 1739.

<sup>86</sup> PRO SP 107/24 (unfoliated), King of Prussia to Andrié, 3 February (NS) 1739.

<sup>87</sup> BL Add Ms 32798, f. 256, Keene to Newcastle, 2 August (NS) 1738.



Jacobitism made it doubly important for the Pretender to employ secure agents, messengers and codes. He told his agent in Paris; 'As to the Cipher, I am glad you find that of Lord Marischals in good order. It is a short, but pretty good, one, so let us, if you please, make use of it for the time coming'.<sup>88</sup> The French diplomatic service took care to give each overseas envoy his own cipher, and sometimes several, which limited the damage done by any successful code-breaking, but could make communications confusing.<sup>89</sup> The British service seems to have relied heavily on the 1734 cipher, a sophisticated numeral code. It consisted of eight large folio sheets, four of an alphabetical word list with numeral equivalents, and four of a numeral list giving words, for the purposes of encoding and decoding. Together with blank numbers ('nulls') to be inserted randomly, certain numbers which abridged preceding words, and other devices to increase its unpredictability, it made a secure code which does not appear to have been broken by other powers.<sup>90</sup>

British diplomacy enjoyed a double advantage, then, in having secure communications and excellent decipherment services. There was no doubt a droll pleasure to be gained from the transcription *en clair* of so many letters whose authors were congratulating themselves on the security of their ciphers. Frederick William told Andrié in a letter, duly deciphered, of June 1739 that he need no longer send his letters under cover to merchants, but could use 'vos chiffres, qui sont assez bons pour qu'on n'en aye pas a craindre le dechiffrement sans clef'.<sup>91</sup> The clerk deciphering this message must have

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<sup>88</sup> Windsor RA Stuart Mss, 206/15, James III to Kelly, 10 April (NS) 1738.

<sup>89</sup> When the French discovered that the British had cracked one cipher, it was promptly changed; BL Add Ms 32802, f. 209, Waldegrave to Newcastle, 30 October (NS) 1740. But when a French representative at The Hague wished to use one of his several ciphers, he had first to write asking to be sent the first numbers of one of them, to show him which he should employ; PRO SP 107/21 (unfoliated), De la Ville to Cambis, 4 April (NS) 1738.

<sup>90</sup> The printed version of this foreign office cipher which was given to Horace Walpole survives in a loose-bound volume in the Wolterton papers, and was circulated to all the eleven key ambassadors in that year. When Waldegrave was ordered in 1740 to liaise with Admiral Norris over the crucial question of French fleet movements he had an extra copy of the 1734 cipher sent to him by messenger; BL Add Ms 32802, f. 162, Newcastle to Waldegrave, 15 July (OS) 1740, to be opened by self. For other similar cipher systems, see BL Add Ms 9082, Coxe Papers, V, ff. 1-42.

<sup>91</sup> PRO SP 107/28 (unfoliated), King of Prussia to Andrié, 9 June (NS) 1739.



enjoyed the task. More solid advantages than this amusement were certainly gained from decipherment. In late September 1739, on the eve of war, and when it was critical to know whether or not France really intended to enter hostilities on behalf of Spain, the French envoy's letters were a vital source of reassurance. Cambis flattered himself in one intercepted letter with the idea that his whole conduct since arriving in Britain was giving the ministers there a false impression of French readiness for war. He concluded, as if expressly for the pleasure of Willes and his team, with urging Fenelon to imitate him in using a safe cipher for all such sensitive information.<sup>92</sup> In 1742, intercepts of Swedish material provided valuable economic and diplomatic intelligence, at a time when Sweden might have joined with France in the war.<sup>93</sup>

The use of direct informants, it was believed, could confer crucial advantages. Occasional chance sources appeared, some of them rather dubious. Limpus, a mail robber imprisoned in Calais in July 1738, sought escape from his troubles by offering to reveal to the French the methods of British letter-opening.<sup>94</sup> Of the intelligence which poured upon ministers in all countries, only a little could be entirely discounted, but that of the criminals and the cranks could most safely be ignored. It is unlikely for example that Admiral Wager took much trouble over the document marked 'prophecy', which warned in August 1738 of an invasion by 'three Potent Princes' through Milford Haven, and a battle in Delamere Forest.<sup>95</sup> What ministers wanted was perhaps more banal but certainly more reliable everyday information. To get it, all European governments probably tried to suborn informants within rival courts.<sup>96</sup> In February 1738 the French ambassador at St. James's began to cultivate a young man who could provide useful information.<sup>97</sup> Later that year Horace Walpole managed to recruit a spy in the camp of the Pretender in Rome. A cipher was supplied to him, and elaborate arrangements made with families in Amsterdam,

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<sup>92</sup> PRO SP 107/32 (unfoliated), Cambis to Fenelon, 22 September (NS) 1739.

<sup>93</sup> E.g. BL Add Ms 22,539, ff. 1-15, Gyllenberg to Wasenberg, 27 April (NS) 1742, Laumary to Amelot, 4 May (NS) 1742, de Tessin to de Wasenberg, 19 May (NS) 1742.

<sup>94</sup> PRO SP 78/218, Waldegrave to Newcastle, 29 July (NS) 1738.

<sup>95</sup> BL Add Ms 19030, f. 376.

<sup>96</sup> The subject is rather dismissively treated in D.B. Horn, *The British Diplomatic Service 1689-1789* (1961), chap XIV.

<sup>97</sup> PRO SP 107/21 (unfoliated), Amelot to Cambis, 19 February (NS) 1738.

Rotterdam and Leyden who would receive letters ostensibly about commerce, with the real information concealed in the enciphered passages.<sup>98</sup> This was a friend of the Pretender's family, but such informants were not normally of any very high standing. They seem usually to have been drawn from the ranks of the indispensable clerks, copyists and minor officials who generally lacked the social rank necessary to climb higher in government service.<sup>99</sup> Such men performed prodigious labours of translation and transcription, and could accumulate a considerable knowledge of the workings of policy at their courts. Their work was as tedious as it was underpaid; 'perhaps the sole profession in the world which is so dull', was the plaintive summary of one French bureaucrat.<sup>100</sup> Not surprisingly, some could be found who would use their daily paperwork as a source of income.

Regular informants were what was sought, even if they might have little to offer other than rumour or reports of the health and temper of important people. Officials at court, in however humble a station, had chances also to hear gossip or indiscreet discussions which might be of service to foreign powers, and the cosmopolitan nature of courts increased such opportunities. In 1739 the Swiss-born Prussian envoy in London, Andrié, cultivated a compatriot, George II's *valet de chambre* De la Chaux. The valet used his best address to win information and opinions from the King, though the work of the Deciphering Branch put his master on the alert from the outset.<sup>101</sup> Mixed national and religious loyalties no doubt explained in a similar way the act of the courier, employed by Waldegrave, who supplied at least one letter to the agents of the Pretender.<sup>102</sup> In Catholic courts especially, priests had opportunities to observe and deduce which could tempt them to profit from their knowledge, or simply to gossip. In December 1738, Waldegrave

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<sup>98</sup> HMC, *Fourteenth Report* (Trevor Mss), pp. 20, 21, 22, H. Walpole to Trevor, 25 July, 8 & 11 August (OS) 1738.

<sup>99</sup> E.g. Guyot in Paris, and the many minor 'friends' mentioned by British diplomats: BL Add Ms 32801, ff. 356-8, Newcastle to Waldegrave, December 27 (OS) 1739.

<sup>100</sup> Quoted in D.C. Baxter, 'Pension Expectations of the French Military *Commis*', in *Adapting to Conditions. War and Society in the Eighteenth century* ed. M. Ultee (Alabama 1986), p. 131.

<sup>101</sup> PRO SP 107/25 (unfoliated), Andrié to King of Prussia, 16 March (OS) 1739; PRO SP 107/32 (unfoliated), King to Andrié, 5 September (NS) 1739.

<sup>102</sup> Windsor RA Stuart Mss 208/72, George Robinson to James III, 13 July (OS) 1738.



got news of the proposed French-Spanish double marriage from an indiscretion of the Jesuit confessor to the Marchioness de la Mina, wife of the Spanish ambassador in Paris. He told the news to the Countess of Corzana, who told it to a Sicilian abbé who happened to be one of the British ambassador's leading persons of confidence.<sup>103</sup> The Sicilian (or the younger abbé, for there were two of them in his pay, Caracciolo and Platania) had been banned from Spain by Queen Elizabeth, and was a good example of the expatriate who needed to make a living for himself where he could. Don José Caracciolo was a native of Palermo, and despite laying claim to a cousin who was a Sicilian baron and later Senator, he did not have enough influence on his side to be sure of a comfortable career. In return for long service to Waldegrave and to Horace Walpole (as well as to various French ministers) he hoped for the exertion of their influence in his old age, to find him an abbey or a sinecure.<sup>104</sup> Meanwhile he earned his relatively modest allowance of 300 *louis d'or* a year by giving intelligence from both France and Spain, where he still had numerous contacts.<sup>105</sup>

The abbé was not betraying his own country, or strictly spying, but was providing information and evaluations of diplomacy (some of them exceptionally acute) for an influential friend who rewarded him with a pension. This behaviour was within the norms of relationships of patronage at the time. Black has argued that developing links with such courtiers, ministers and diplomats was a valuable way of obtaining information. Such personal ties need not involve simply a cynical sale of information: 'Sometimes these "agents of influence" were rewarded financially, but in general they cannot be regarded as spies gained by bribery'.<sup>106</sup> Since the world of diplomacy was made up of relatively small groups of educated men, of similar rank or at least background, and without formal professional training, it is not surprising that they often indulged in very free conversation, or that they sometimes entered into financial arrangements for providing information more

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<sup>103</sup> PRO SP 78/219, ff. 280-86, Waldegrave to Newcastle, 24 December (NS) 1738.

<sup>104</sup> See the sequence of Caracciolo's letters to Horace Walpole in the Wolterton (Walpole) Mss, 29 June (NS) 1754 to 19 April (NS) 1755.

<sup>105</sup> See, e.g. PRO SP 78/221, f. 252, Waldegrave to Newcastle, 9 November (NS) 1739; PRO SP 78/222, ff. 3-5, same to same, 13 January (NS) 1740; PRO SP 78/227A, f. 126, Thompson to Newcastle, 2 May (NS) 1742.

<sup>106</sup> J.M. Black, 'British Intelligence and the Mid-Eighteenth century Crisis', *Intelligence and National Security* 2, 1987, p. 221.



systematically. This gossiping class of people could be rendered more discreet. Keene lamented that under la Quadra's uncommunicative regime despatches from England were known to none of his friends, 'though in Mr. Patiño's time I should have already had an account of it from half his acquaintance'.<sup>107</sup> Full discretion, though, could be maintained only by special efforts, such as those of the obsessively secretive Frederick II of Prussia, or of the wary Fleury. The Cardinal seems to have assured the secrecy of his court, and kept in touch with political intrigues at home, by employing numerous spies, 'who keep every body much upon the Reserve'.<sup>108</sup>

Despite this watchfulness, the French court could be penetrated. From 1735 Britain paid handsomely for the services of a quite senior insider in the French ministry, a *premier commis* in the foreign office, François Bussy. Waldegrave in 1735 had gained the services of Bussy, a vain man with expensive tastes, to pass on intelligence under the code name 101.<sup>109</sup> This was espionage in the grand manner, with 'document drops', secret assignments, false diplomatic instructions given to preserve 101's 'cover', and messages smuggled in snuff boxes.<sup>110</sup> Bussy was rapacious, and exploited his position cleverly. In a note typical of many, Waldegrave commented; 'My Friend is very craving, and pretends to be more apprehensive than ever of being found out; but as the Quarter Day approaches, he takes Courage'.<sup>111</sup> He knew how to use crises as levers with which to prise open the coffers of Walpole's secret service funds. Early in 1739, with an impending Franco-Spanish marriage compact and treaty under discussion, he would say nothing without a gratification of 50,000 livres (£2,300), and in August 1741 he was given a

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<sup>107</sup> BL Add Ms 32797, f. 201, Keene to Newcastle, 31 March (NS) 1738.

<sup>108</sup> PRO SP 78/219, f. 117, Waldegrave to Newcastle, 8 October (NS) 1738.

<sup>109</sup> BL Add Ms 32788, ff. 241-2, Waldegrave to Newcastle, 2 August (NS) 1735. Waldegrave promised not to write down Bussy's name, even in cipher; *ibid.* f. 359, same to same, August 27 (NS) 1735; see also comment on Bussy in BL Add Ms 32799, f. 15, same to same, 20 August (NS) 1738. Full details of 101's service and exorbitant payments can be found in BL Add Ms 32802, ff. 155-6, Waldegrave to Newcastle, 7 July (NS) 1740.

<sup>110</sup> BL Add Ms 32798, ff. 29-30, Waldegrave to Newcastle, 24 May (NS) 1738; BL Add Ms 32800, f. 362, Newcastle to Waldegrave, 8 May (OS) 1739; PRO SP 36/56, ff. 109-10, Newcastle to Harrington, 12 June (OS) 1741; BL Add Ms 32802, f. 245, Newcastle to Thompson, 13 August (OS) 1741.

<sup>111</sup> BL Add Ms 32798, f. 235, Waldegrave to Newcastle, 1 August (NS) 1738.



gratuity of £1,000 for news of French military dispositions, designs on Hanover and intentions in support of the Bavarian candidate for the Austrian Empire. He seems fully to have deserved Waldegrave's exasperated comment; 'surely there is not a more brazen-faced wretch'.<sup>112</sup> He was also often unreliable - his leaks of dubious information grew noticeably towards his payment days - and his reports were scrutinised very closely. In April 1737 he gave Walpole the project of a definitive treaty between France and Austria, which he claimed had come to him from Vienna after his arrival in England. Newcastle was convinced that no courier could have reached him without the ministry's knowledge, which increased mistrust of his news.<sup>113</sup> In September, George II directed Walpole 'to say a word or two, to 101, upon the ridiculous Account, He sent, relating to Govr. Mathew; for which there is not the least Foundation'.<sup>114</sup> Despite these weaknesses, and the need to check his information against that supplied by lesser agents in the French service, Bussy did give a kind of security and confidence to English councils with regard to France.

In Madrid, Keene did his best to recruit informants who could give him early insights into the thinking of the court, and especially any developments in the Bourbon alliance of France and Spain. One such 'private friend' received a monthly pension amounting to £600 a year, half as much again as the salary of a Regius Professor of modern history in that year.<sup>115</sup> Keene's 'particular friend', a recently promoted clerk whose department dealt with the Empire, was paid a similar sum in return for details of letters passing between Spain and Vienna.<sup>116</sup> Despite these large payments, Keene was taken completely by surprise in early 1738 when Waldegrave's spies in Paris first discovered a treaty of marriage between Don Carlos and the King of Poland's eldest daughter. Rather lamely, he had to fall back on the credit of his having known that a Princess of Saxony was on the list of possible brides, when only four people in the whole Spanish court knew this.<sup>117</sup> This

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<sup>112</sup> BL Add Ms 32800, ff. 53-54, 112-15, Waldegrave to Newcastle, 29 January (NS) 1739, Newcastle to Waldegrave, 1 February (OS) 1739.

<sup>113</sup> BL Add Ms 32794, f. 296, Newcastle to Waldegrave, 1 April (OS) 1737.

<sup>114</sup> BL Add Ms 32795, f. 280, Newcastle to Waldegrave, 12 September (OS) 1737.

<sup>115</sup> W.A. Shaw (ed), *Calendar of Treasury Books and Papers, 1735-1738* (1900), p. 581.

<sup>116</sup> BL Add Ms 32794, f. 285, Keene to Newcastle, 6 April (NS) 1737.

<sup>117</sup> BL Add Ms 32797, f. 12, Newcastle to Keene, 7 January (OS) 1738; *ibid*, f. 95, Keene to Newcastle, 24 February (NS) 1737.

may have been insider knowledge, but it was hardly very useful. Much of what such spies provided was either unreliable or unimportant. Keene consoled Waldegrave when two of his minor informants in Spain were arrested; 'if you knew these sources of Intelligence as well as I do, you would not look upon the loss of them to be very considerable'.<sup>118</sup> There were occasions when spies gave satisfaction, though possibly never in proportion to their cost. In August 1737, Keene managed to obtain the secret instructions being sent to la Mina in Paris about the then current negotiations for a new general treaty. It was certainly useful to be privy to la Mina's letter bag, and to know what were Spain's real intentions behind the public screen of diplomacy.<sup>119</sup> When orders were sent to the Council of the Indies in May 1738, Keene saw them before Montijo himself. In the same month, a new informant offered to reveal the name of the 'person of confidence' in England who was passing on information to the Spaniards.<sup>120</sup> More useful still, at the outbreak of the war with Spain, 101 was able to lay open a plan by Maurepas to enter into correspondence with various opposition leaders in Britain. The agent was M. Silhouette, an India Company merchant provided with a cipher for his correspondence with Maurepas, and with letters of introduction to Bathurst, Pulteney and Wyndham.<sup>121</sup>

Whether or not informers gave value for money, diplomats could hardly avoid cultivating them. It is difficult however to see the constant recourse to espionage as more than a very expensive form of insurance against being taken by surprise. Though Walpole placed a value upon the intelligence from Madrid, Waldegrave was sceptical:

I have been acquainted with the Friends and their Intelligences for some years, but I have not yet been able to find out any great advantage from them: I know some People think otherwise, but this is still *entre nous*.<sup>122</sup>

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<sup>118</sup> BL Add Ms 32795, f. 259, Keene to Waldegrave, 16 September (NS) 1737.

<sup>119</sup> In this case, Spain intended not to be a contracting party, but was willing to come into such an agreement later: 'Su Majestad respondió que no entendia entrar en este Tratado, como parte contractante, pero que estaba pronto a hacerlo como adherente.' BL Add Ms 32795, f. 213, Keene to Newcastle, 12 August (NS) 1737.

<sup>120</sup> BL Add Ms 32797, f. 334, Keene to Newcastle, 7 May (NS) 1738; PRO SP 94/130 (unfoliated), same to same, 28 May (NS) 1738.

<sup>121</sup> BL Add Ms 32801, ff. 311-12, Waldegrave to Newcastle, 29 October (OS) 1739.

<sup>122</sup> BL Add Ms 32795, f. 399, Waldegrave to Keene, 7 October (NS) 1737.



Some months into the war with Spain, the great issue of national security was whether or not France would soon join the war. At such a time, any intelligence was eagerly sought. Horace Walpole was getting letters from a French informant, the value of which he could not judge, but he was willing to risk paying too much for them; 'I am not for grudging a little money for the meanest intelligence at this juncture'.<sup>123</sup> As to the use of active spies, working in the field, this seems to have been a last resort, and more usually employed in wartime. They were always less likely than people who lived and worked on the spot to be able to furnish information of any value in diplomacy. A merchant seaman or roving agent might be able to count warships at anchor or estimate troop numbers. The French used their fishing fleets to reconnoitre and sound Torbay and sent ships scouting for information in Western Scotland, as well as sounding the Clyde.<sup>124</sup> Travellers and merchants provided such intelligence as came their way, none more smartly than the patriotic Birmingham chapman who overheard treason being talked in Brussels, and purloined the papers of those concerned while they were drunk.<sup>125</sup> The diplomatic couriers were well placed to give such information, travelling huge distances and enjoying diplomatic protection. King's Messenger Dryver discreetly used a telescope in late 1740 to spy out French naval preparations in the channel ports.<sup>126</sup>

But more sophisticated information could rarely be gained by these means. Reports from agents on the spot and with time and money to spend were required. Of course, this was all the more necessary in the case of Spain, where normal diplomatic channels no longer operated after the outbreak of war. In June 1740 Newcastle was furious at having been caught out by the unexpected sailing of the Cadiz fleet. Desperate for full intelligence of Spanish naval movements, he chivvied Waldegrave to get it:

For Godsake, think of some Method of knowing immediately, whenever they stir. Could not you have some French, Italian, Portugal, or Spanish Spy, in

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<sup>123</sup> HMC *Fourteenth Report*, Trevor Mss, p. 38, H. Walpole to Trevor, 11 January (OS) 1740.

<sup>124</sup> BL Add Ms 32692, ff. 106-7, A. Fortye to Newcastle, 3 July (OS) 1739; Informations of July 1739 in CUL Ch (H) Corresp, 2902, 2903, 2905.

<sup>125</sup> HMC, *Fourteenth Report* (Trevor Mss), pp. 75-76, Trevor to Walpole, 22 August (NS) 1741.

<sup>126</sup> PRO SP 78/224, f. 88, Waldegrave to Newcastle, 4 October (NS) 1740.

every Spanish Port, where they have any Ships. Money will do any Thing with those Nations, and it must not be spared upon this Occasion.<sup>127</sup>

More directly, ministers could send spies of their own abroad. On the first outbreak of war, various agents were procured. At the simplest level, though very effective, was sending a man among the sailors' wives at Calais, to discover whether their husbands expected to be sent home and the fleet stood down.<sup>128</sup> Waldegrave sent a spy to St. Malo, at 200 *louis d'or* including expenses, and despatched a M. Desgoutes, described as a very clever man, well known to Thomas Pelham, to Toulon for three or four months at 300 *louis d'or* plus whatever gratification he might earn in this more hazardous venture.<sup>129</sup> In the following summer, Waldegrave at last found a suitable person to be established in Bayonne and correspond from there. On his way, he was to spy into San Sebastian, Bilbao and all along the coast of Galicia to Ferrol. Recommended to the ambassador by a wealthy Protestant merchant in Paris, the agent was the brother of a considerable banker in Paris, and would use the 'cover' of trade. His payment would be 50 *louis d'or* a month, with 200 in advance. The money was drawn, 'at two usances as usual', on Walpole, through whom this secret service money always came.<sup>130</sup> In the same month Admiral Wager sent Captain Thomas Cole into France, via Guernsey, on a reconnaissance mission to check the French fleet in Rochelle, Brest, Port Louis and L'Orient. He was then to spy out the Spanish naval ports, and Wager was confident that he would provide better information than that provided by the consuls in Portugal.<sup>131</sup> Cole was a specially trusted agent, though, who had been sent into France and Spain in the previous summer to estimate the size and location of their forces and was sent to spy in Ferrol the following year.<sup>132</sup> Not everyone, perhaps, shared Wager's confidence in Cole. The Hardwicke copy of his report is endorsed by that knowledgeable antiquarian, the second Lord Hardwicke;

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<sup>127</sup> PRO SP 78/223, f. 112, Newcastle to Waldegrave, 12 June (OS) 1740.

<sup>128</sup> PRO SP 36/50, f. 333, Richard Hall to Andrew Stone, 20 April (OS) 1740.

<sup>129</sup> PRO SP 78/224, ff. 149-50, Waldegrave to Newcastle, 25 October (NS) 1740.

<sup>130</sup> PRO SP 78/223, f. 159, Waldegrave to Newcastle, 7 July (NS) 1740.

<sup>131</sup> BL Add Ms 19030, ff. 463-65, Wager to Dobree, 16 October (OS) 1739.

<sup>132</sup> BL Add Ms 19036, ff. 1-17, 'The Land Forces of France'; 'The Force of Spain'; BL Add Ms 28133, ff. 13-14, Norris Journal, 18 June (OS) 1740.



'I believe this paper to be of no better authority than Captain Cole's, a notorious spy and Picarot. He got a livelihood at last by being agent for bills in Parliament.'<sup>133</sup>

Other picarots put themselves forward when war loosened the purse strings. Henry Colpoys offered himself for hire in October 1740, claiming to speak French like a native and passable Spanish, as well as being able to draw plans of fortifications. He was employed by Walpole.<sup>134</sup> A French officer and inventor, highly disobliged by his own government's cavalier treatment of his genius, approached Waldegrave to sell him the secret of a bullet which would infallibly set a ship on fire, in a broadside of 30 guns. Even this improbable proposal was entertained, in order to keep from the French the merest slim possibility of a military advantage.<sup>135</sup> A disgruntled ex-officer of the French East India Company, hoping to recommend himself for service in England, went as 'a man of confidence' for Waldegrave to Brest, L'Orient and Rochefort in early 1741.<sup>136</sup> Horace Walpole in September 1739 was approached by yet another disgruntled foreigner, M. de Merveilleux, 'a sensible person formerly employed by France in Swisserland' who had lost his pension from the French government. Merveilleux offered to go into Italy and use his extensive acquaintance among the cardinals on Britain's behalf. Horace urged Sir Robert to employ this Swiss agent, despite the mistrust of George II. The King had turned the same man down the previous year on account of his treatment of 'poor Manning' and because he had converted to Catholicism years earlier, to get into French pay. Dismissing these quibbles, Horace urged:

We may indeed be deceived by him; and give him money to enable him to goe thither, and then hear no more of him, as we have been served by others, but there is noe defense against that, the time is coming, and I think very near, that mony must be hazarded to know the Motions of the Pretender, and if out of two or three more that may be employed one only is able to give us intelligence, the mony is well employ'd... nobody can answer for the Fidelity of Persons employ'd in such work as this is, untill they have been tryed.<sup>137</sup>

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<sup>133</sup> BL Add Ms 35893, f. 44.

<sup>134</sup> CUL Ch (H) Corresp, 2979, Colpoys to Walpole, 12 October (OS) 1740.

<sup>135</sup> PRO SP 78/222, f. 105, Waldegrave to Newcastle, 21 February (NS) 1740.

<sup>136</sup> PRO SP 78/224, f. 370, Thompson to Newcastle, 4 January (NS) 1741.

<sup>137</sup> BL Add Ms 9175, f. 32, Horace Walpole to Sir Robert Walpole, 18 September (NS) 1739.

Horace's tolerance of Merveilleux's part in the 'very disagreeable affair' of Manning is a little surprising, since this was nothing less than an attempt, on the public highway, to assassinate the English ambassador to Switzerland.<sup>138</sup> Those who pursued the grand design seem to have been comparatively little concerned with the fate of the lesser actors. One victim whose fate caused a certain stir was the messenger Major Sinclair, returning from Stockholm to Constantinople when he was murdered, literally cut in pieces, and all his papers stolen. 'Cet accident désagréable' was the comment of one Swedish diplomat.<sup>139</sup> At least as much interest was shown in the skills of the four Russians suspected of the deed. Some time afterwards, all the stolen mail was returned in the postal packet from Hamburg, the diplomatic letters all having been opened and resealed 'd'une manière assez peu habile pour ces sortes d'occasions'.<sup>140</sup>

All of these more or less covert and more or less skilful resources made up the supply of intelligence to ministers and diplomats seeking to understand the shifting patterns of politics. It was important, though, for those involved to see also what lay in front of their face, and not only the arcane or expensively purchased information. What could be just as useful as the leaks from informants was the indiscreet or sometimes merely open talk of ministers and diplomats themselves. On the same day in December 1737 that Newcastle denied all knowledge of a prisoner, Wall, recently arrived from the Caribbean, Geraldino had only to ask the other Secretary of State, Lord Harrington, to be told all that he needed to know.<sup>141</sup> In November 1740 the Pretender's agent in Paris spoke freely to Lord Waldegrave's secretary, Anthony Thompson, temporarily in charge of the embassy there, and was given full details of the advice being sent to England in the diplomatic mail.<sup>142</sup> British diplomats had thus to be constantly alert to unbuttoned talk, as well as intelligence, to rumours and to changes of personnel in their volatile world of veiled intentions. It was their rôle to judge personalities, to cultivate 'friends' at every level, and

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<sup>138</sup> PRO SP 107/24 (unfoliated), Andrié to King of Prussia, 27 February (NS) 1739.

<sup>139</sup> Quotation PRO SP 107/29 (unfoliated), Wasenberg to King of Sweden, 10 July (NS) 1739; PRO SP 107/28 (unfoliated), Wasenberg to Gyllenborg, 26 June (OS) 1739.

<sup>140</sup> PRO SP 107/32 (unfoliated), Gyllenborg to Wasenberg, 28 September (NS) 1739.

<sup>141</sup> PRO SP 94/206, f. 19, Geraldino to Torrenueva, 12 December (NS) 1737.

<sup>142</sup> Windsor RA Stuart Mss, 208/129, George Robinson to James Stuart, 14 November (NS) 1740.



to be alert to even the smallest hints that would confer on them an advantage in this secretive and competitive profession.<sup>143</sup>

It was at least equally necessary, too, to understand the patterns of open diplomacy. The most effective players in the diplomatic game could see the significance of the longer term patterns and policies of rival powers. This applied especially to the stubborn dynastic politics of Spain. The Spanish Bourbon dynasty had a deep-rooted determination, which Keene along with all other diplomats seems to have underestimated, to assert its rights in its American possessions, and to use them to bolster the sagging economy of peninsular Spain. The eighteenth century has been depicted by Spanish historians as the age of the 'flight to America'.<sup>144</sup> The policy of the Bourbon rulers was to revive Spain's economy and rebuild its power. This could only be done by a determined exploitation of the country's unique resource, the produce of its American colonies. Without their monopoly of American commerce, the wealth and power of peninsular Spain could never be revived. Spanish ministers had always to be careful that in smoothing over the resentments of the British (and French, and Dutch) they did not make concessions which might be fatal to the preservation of their ideal of exclusive trade. The perennial difficulties in the way of realising this cherished trading doctrine in no way lessened its status for successive generations of Spanish ministers.<sup>145</sup>

The loose and inconsistent enforcement of this monopoly, however, served to prevent diplomatic observers from feeling any sense of foreboding. Intercepted Spanish diplomatic letters made it clear that His Catholic Majesty was serious in wanting to prevent future

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<sup>143</sup> There is an illuminating discussion of this in Roosen, *Age of Louis XIV*, chapter VI.

<sup>144</sup> 'No en vano, el siglo XVIII viene siendo considerado como el siglo de la vuelta a América'; A. García-Baquero González, *Cádiz y el Atlántico (1717-1778)*, Tomo 1, Sevilla 1976, p. 90. The following summary is largely based on this excellent account of Spanish colonial policy. The administrative context of Bourbon economic policy is exhaustively analysed in M. Artola (ed), *La economía española al Final del Antiguo Régimen* (1982), Vol IV, *Instituciones*, especially pp. 107-265. Volume III, *Comercio y Colonias* (1982), Parte 1, has valuable comment on the Atlantic trade, but goes no further than 1730.

<sup>145</sup> 'El hecho de que en la práctica la defensa de este derecho constituyese siempre un ideal difícilmente realizable no fue obstáculo para que en el plano jurídico fuese tácitamente aceptada por todos los estados contemporáneos que jamás pusieron en duda su legitimidad.' González, *Cádiz y el Atlántico*, p. 94.

clashes in the Indies.<sup>146</sup> The most serious potential conflict was over British encroachments in Georgia, a settlement which was resented by both France and Spain, yet there seemed reason to feel confident of peace even there. The financial and military problems of Spain, which Patiño's energies had only begun to affect, certainly made it seem impossible that the Spanish court should be aggressively minded. Keene remarked '... that, unless every one here agrees to impose upon himself, Spain was never in a worse condition to attack us than at present.'<sup>147</sup> Rumours of a Spanish armament were circulating in the early months of the year, but Keene discovered that the arms were more likely to be for a project to drive the Danes out of an island which they had near Cuba:

My Intelligence comes from a good Hand; and the Person I employed to make this discovery tells me, we need not fear the Spaniards breaking with us in that Part of the World.<sup>148</sup>

There were other good portents, although these mostly proved illusory. The Marquis of Mari, a man for whom Keene had done favours, and who expected to be appointed Vice-Admiral of Spain, promised the British ambassador that early steps would be taken to license *armateurs* more scrupulously, patents to be given only to 'people of good Circumstances and reputation'. Two weeks later, Keene learned that Mari was given his office only as one of a junta of three, and was unable to make good his promises.<sup>149</sup>

These were minor blemishes, though, in a time of ease and confidence. The personnel of the world of diplomacy, from highest minister to lowliest 'friend', were as favourable to peace as they had been for years. Agreements and resolutions of disputes seemed to be the order of the day. Queen Elizabeth was in raptures to have an accord signed between Spain and Portugal, skilfully brokered by Keene, who was himself delighted 'to see an End put to the most shaggy piece of Work we ever had upon our arms'.<sup>150</sup> Newcastle was confident that the Portuguese affair was as good as over. He intended soon, with

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<sup>146</sup> E.g. PRO SP 94/206, f. 11, Torrenueva to Geraldino, 2 December (NS) 1737.

<sup>147</sup> BL Add Ms 32796, f. 37, Keene to Newcastle, 28 October (NS) 1737.

<sup>148</sup> BL Add Ms 32794, f.306, Keene to Newcastle, 15 April (NS) 1737.

<sup>149</sup> BL Add Ms 32795, f. 89, Keene to Newcastle, 10 June (NS) 1737; *ibid* f. 109, same to same, 24 June (NS) 1737.

<sup>150</sup> BL Add Ms 32794, ff. 212-13, Keene to Waldegrave, 25 March (NS) 1737.



Walpole, 'to see, if we cannot strike out some Expedient, for regulating, or putting into a Way of being regulated, all Disputes with the South Sea Company'.<sup>151</sup> Not surprisingly, Keene reported that he was in better health than for two years past, and was able to bask in the warmth of some unusually cordial congratulations from his own court.<sup>152</sup> Even the subsequent breakdown of the agreement over the minutiae of paperwork merely gave him the chance to demonstrate his calmness and moderation, bringing down personal messages of congratulation from the King.<sup>153</sup> Sure signs that Britain's envoys abroad had time on their hands can be seen in their letters in the Spring of 1737. Complaints about their long service and lack of recognition alternate with gossip about personalities and comment on the latest books and plays. Lord Tyrawley, the envoy in Portugal, playfully commented; 'I hope somebody will *dévaliser* this Courier that they may see the Importance of our Correspondence'.<sup>154</sup> The barometer of European politics seemed set fair, though deceptively so. The pressures of London merchants, allied with the manoeuvrings of the South Sea Company, were soon to give envoys abroad more important themes of correspondence than news of books and laments about slow promotion. The peace was soon to be broken. In October 1737, though, Keene was still reporting from Madrid that there was 'not the least thing stirring' and that 'we are here in the greatest tranquillity imaginable'.<sup>155</sup>

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<sup>151</sup> PRO SP 98/129 (unfoliated), Newcastle to Keene, 3 March (OS) 1737.

<sup>152</sup> BL Add Ms 32794, f. 116, Keene to Newcastle, 8 February (NS) 1737; *ibid.*, f. 286, Newcastle to Keene, 28 March (OS) 1737.

<sup>153</sup> BL Add Ms 32795, f. 81, Waldegrave to Keene, 4 June (NS) 1737; *ibid.*, f. 85, Newcastle to Keene, 26 May (OS) 1737.

<sup>154</sup> BL Add Ms 32794, ff. 212-13, Keene to Waldegrave, 25 March (NS) 1737; *ibid.*, f. 314, Waldegrave to Keene, 17 April (NS) 1737; *ibid.*, f. 336, Tyrawley to Keene.

<sup>155</sup> BL Add Ms 32795, ff. 387, 390, Keene to Couraud, 6 October (NS) 1737, Keene to H. Walpole, 7 October (NS) 1737.

## Chapter 2      Cabinet and Country

At home, similarly, politics in early 1737 seemed relatively tranquil. H.T. Dickinson notes; 'From 1734 to 1736 the Opposition despaired and Walpole seemed at the height of his political career'.<sup>1</sup> He had forged a ministry which was experienced and loyal, he enjoyed the support of the King, and he had proved so durable as to be the despair of his opponents. To understand how that powerful position could be eroded, one needs to look at the inner workings of the ministry, and the character and interactions of its leading figures. This chapter attempts to provide some of that necessary context, examining the rôle of the King, the main personnel of the ministry, and the frictions between them which would grow markedly as the dispute with Spain progressed. It will also look briefly at the domestic opposition with which ministers had to contend, including its popular manifestations, which impinged on the world of high politics a great deal in these years. This theme will be further explored below, especially in chapters four and five. Popular opposition, especially in London, reached riotous proportions during 1738, yet in the year before that there was little sign of a serious challenge to the government.

Walpole indeed seemed to be in a very favourable position. He had survived his major crisis of support over the Excise in 1733-4, and had markedly scaled down his spending on direct press propaganda. The *London Gazette* was by this time a mere official organ, a slipshod compilation of basic diplomatic and domestic news.<sup>2</sup> Genuine pro-government journalism, after July 1735, was confined to the *Daily Gazetteer*, which replaced the previous *London Journal*, *Free Briton*, and *Daily Courant*.<sup>3</sup> The government writers put

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<sup>1</sup> H.T. Dickinson, *Walpole and the Whig Supremacy* (1973), p. 176.

<sup>2</sup> G.C. Gibbs, 'Government and the English Press, 1695 to the Middle of the Eighteenth Century', in *Too Mighty to be Free. Censorship and the Press in Britain and the Netherlands* (1987), eds. A.C. Duke & C.A. Tamse, pp. 98-9.

<sup>3</sup> J.M. Black, *The English Press in the Eighteenth Century* (1987); M. Harris, (press book); M. Harris, 'Journalism as a Profession or Trade in the Eighteenth Century', in *Author/Publisher Relations during the Eighteenth and Nineteenth Centuries*, eds. R. Myers & M. Harris (1983); M. Harris, 'Print and Politics in the Age of Walpole', & J.A. Downie, 'Walpole, "the Poet's Foe"', both in *Britain in the Age of Walpole* (1984), ed. J.M. Black; L. Hanson, *Government and the Press, 1695-1763* (1936); W.T. Laprade,



forward a philosophy which has been shown to be varied, but weighted towards securing society from its anarchic impulses, and stressing the virtues of stable authority.<sup>4</sup> Opposition writers pressed home the charge of corruption at every opportunity, and put forward a vision of society as perfectible under pure and patriotic leadership. The government's apologists, by contrast, stressed the fallibility of human nature and the need for restraining government. The opponents themselves must be corrupt, or why should they wish to disrupt the best practical form of administration which had been devised by human prudence? This was a point which gained some force from the behaviour of leading Opposition members such as Carteret and Pulteney after Walpole's fall. Despite the underrated cogency of these views, it must be conceded that there are few signs of development in the argument for the defence of Walpole's ministry after the mid-1730s.<sup>5</sup> The pro-Walpole writers seem to have carried on playing through their basically defensive repertoire of arguments. Faced with a new impetus given by depredations, and appeals to history and national greatness, it was not to be enough, but for some time after the 1734 election the underlying weakness did not show up. Walpole was still using the resources of Government also to monitor and control his opponents.

Like foreign envoys, Opposition politicians could expect to have their mail opened by the Secret Office. Chesterfield commented on the ministry's letter-opening and fears of plots during the Excise crisis.<sup>6</sup> Pulteney went to the lengths of using a coney cart to write to his wife, to 'avoid Post Master Lord Lovel's sagacity'. At times, in his awareness of surveillance, he sounded a note of impotent defiance:

If you hear any news send it me without reserve, never mind their opening letters at the Post Office, but bid them kiss your ---- whatever discovery they

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*Public Opinion and Politics in Eighteenth Century England to the Fall of Walpole* (1936).

<sup>4</sup> S. Targett, 'Government and Ideology during the Age of Whig Supremacy: the Political Argument of Sir Robert Walpole's Newspaper Propagandists', *Historical Journal*, 37, 2, 1994, pp. 289-317; *idem*, 'Sir Robert Walpole's Newspapers 1722-1742: propaganda and politics in the age of Whig supremacy', unpublished Ph.D. thesis, Cambridge 1991, chapters 4 & 5.

<sup>5</sup> *Ibid.* Targett's interesting article on the government writers has only a small handful of references to newspaper comment later than 1736 and almost none after January 1737.

<sup>6</sup> BL Add Ms 22626, ff. 103-4, Chesterfield to Lady Suffolk, 17 August (OS) 1733.



make, it will only confirm them, in what they must have known, that you and I agree in having the most contemptible Opinion of our present Ministers (I write it at full length) that is possible, and that we do not care a groat what they know or think of us.<sup>7</sup>

The ministry was no less vigilant in curtailing the liberties of the Opposition press and their down-at-heel publishers. Two Acts made life more difficult for opponents of the administration. The spring 1738 ban on the reporting of the proceedings of Parliament seems to have been an uncontentious measure, all Members being concerned about the breaches of their privilege caused by the monthly journal writers.<sup>8</sup> Since the press was so partisan, it is unlikely that debates were accurately reported, even if Johnson's celebrated and sweeping comments on his own experience as a parliamentary reporter cannot be taken as the literal truth.<sup>9</sup> Speck has found, in comparing press treatment of the elections of 1705 and 1734 that the newspapers were so partisan as to be no guide at all to the facts of what went on.<sup>10</sup> The *Craftsman* was moved in 1739 to protest that the Parliamentary reporting of the last several years had been mostly invention: the *London Magazine* was bad, and the *Gentleman's Magazine* intolerable.<sup>11</sup>

The Licensing Act which came into force on 24 June (OS) 1737 was introduced under the obscure guise of an amendment to an Act concerning vagrants and strolling interval players. It was, however, a major departure and introduced prior censorship of new stage productions through the scrutiny of the Lord Chamberlain.<sup>12</sup> This law was expressly designed to ban popular successes associated in the public mind with the 'Boy Patriots'

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<sup>7</sup> BL Add Ms 22628, f. 71, Pulteney to Hon. George Berkeley, 21 September (OS) 1734; *Ibid*, f. 74, same to same, 10 November (OS) 1735.

<sup>8</sup> *Journal of the House of Lords*, XXV, 20 May (OS) 1738, p. 265; P.D.G. Thomas, *The House of Commons in the Eighteenth Century* (1971), p. 136; W.T. Laprade, *Public Opinion and Politics in Eighteenth Century England* (1936; repr. 1971), pp. 395-9.

<sup>9</sup> B.B. Hoover, *Samuel Johnson's Parliamentary Reporting* (1953), p. 129, Appendix II.

<sup>10</sup> W.A. Speck, 'Politics and the Press', in *The Press in English Society from the Seventeenth to the Nineteenth Centuries* (1986), ed. M. Harris & A. Lee, pp. 47-63. William Cobbett, who made a close comparative study, said that from 10 February (OS) 1737 the *Gentleman's Magazine* debates are copied, even down to printers' errors, from the *London Magazine*: Cobbett, *Parliamentary History of England*, X, (1812), preface.

<sup>11</sup> *Craftsman*, 17 November (OS) 1739.

<sup>12</sup> *Journal of the House of Lords*, XXV, 21 May (OS) 1737, p. 148.



led by Lyttelton and Pitt, plays such as Fielding's *Pasquin* of 1736. Indeed, a character in that play, the Queen of Common Sense, gave her name to the new journal *Common Sense*, begun in February 1737, and financed by Fielding's Opposition friends Lyttelton and Chesterfield.<sup>13</sup> At least in London, the impetus of opposition was being regained. The final straw for the ministry was Fielding's comedy *The Historical Register for the Year 1736*, published in May 1737. Battestin summarises its impact: 'The brashest of all his political dramas, it was precisely the opportunity Walpole wanted, a play that would put Parliament in a mood to place the theatres under restraint.'<sup>14</sup> In June 1737 the *Craftsman* produced a flurry of forceful attacks on the licensing Bill, and the ministry's response was prompt. The 2 July issue of the paper was stopped, and its printer Henry Haines imprisoned for libel.<sup>15</sup> On 30 July the *Craftsman* led on the issue of its treatment, picturing it as an instance of the ministerial tyranny against which they so often warned:

The publication of it was not only stopt for a Week, and several Persons taken up and detained in Custody for an *unusual Time*, without any Examinations but the *Shop-Books* and *other Accounts*, nay even the *Advertisements* for the Week, were likewise seiz'd, and the House, where the Paper was printed, shut up by the *Messengers*.

Though this was the last legal prosecution of the paper, it was not the last time that the government employed the arbitrary tactics denounced by the *Craftsman*. Printers and distributors were detained and intimidated, and the powerful King's Messengers seized papers and broke up presses.<sup>16</sup> One scholar has recently insisted that the government was always within its legal rights, and indeed that it applied the laws of seditious libel with 'careful and conspicuous discipline'.<sup>17</sup> But one does not need to be a Wilkes to find the scope of the seditious libel laws rather wide.<sup>18</sup> The ministry exerted pressure in a way

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<sup>13</sup> M.C. Battestin, with R. Battestin, *Henry Fielding: A Life* (1989), p. 198.

<sup>14</sup> *Ibid.*, pp. 192-203, 215-31; quotation p. 217.

<sup>15</sup> E.L. Avery & A.H. Scouten, 'The Opposition to Sir Robert Walpole, 1737-1739', *English Historical Review*, LXXXII, 1968, pp. 331-36.

<sup>16</sup> P.L. Woodfine, 'Government Harassment of the Press in the Late 1730s', *Journal of Newspaper & Periodical History* V, 2, Spring 1989, pp. 20-34.

<sup>17</sup> S. Targett, 'Sir Robert Walpole's Newspapers 1722-1742: propaganda and politics in the age of whig supremacy', unpublished Ph.D. thesis, Cambridge, 1991, p. 79.

<sup>18</sup> The subject is admirably treated in M.A. Thomson, *The Secretaries of State 1681-1782* (1932), pp. 112-26.



familiar at least as far back as the reign of Queen Anne.<sup>19</sup> A decade later, it was still a matter of remark, when the printer and publisher of the *Remembrancer* were taken up, 'that the messenger used them with uncommon civility, touched nothing of their papers, presses, or effects, and took their words for their surrendering themselves the next morning'.<sup>20</sup> Despite the vaunted protections of the Revolution Settlement, and the popular ideas of the ancient liberties of the Anglo-Saxon race, governments still enjoyed, and used, robust powers to cow their critics.

Criticism among the people at large was relatively muted in the late 1730s. The traditional idea of Walpole's supremacy as a 'pudding time' may have had some force in these years, though it must also be qualified by the regular outbreaks of rioting in many parts of England and Wales. Between 1733 and 1736 alone, there were riots over the proposed Excise tax, over the 1734 general election, over turnpikes, the London theatre, immigrant Irish labourers and restrictions on the sale of gin. It is hard to make a clear political pattern, though, out of these events. For the mass of the people, certainly, the decade of the 1730s was perhaps the most prosperous of the century.<sup>21</sup> It was also a time of unusually clement weather, with few severe frosts, low snowfall and favourable harvests, until the pattern was dramatically reversed in 1739 and 1740.<sup>22</sup> These benefits may have limited political unrest as, before 1738, they certainly seem to have restricted disputes in

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<sup>19</sup> J.M. Black, *The English Press in the Eighteenth Century* (1987), pp. 157-62.

<sup>20</sup> H.P. Wyndham (ed), *The Diary of the late George Bubb Dodington* (1784), p. 13.

<sup>21</sup> B.R. Mitchell & P. Deane, *Abstract of British Historical Statistics* (1962), pp. 482-490; E.A. Wrigley & R.S. Schofield, *The Population History of England 1541-1871* (1981), pp. 312-13, Appendix 9 pp. 638-41; D. Woodward, 'Wage Rates and Living Standards in Pre-Industrial England', *Past & Present*, 91, 1981; D. Hay, 'War, Dearth and Theft in the Eighteenth Century', *Past & Present*, 95, 1982; N.F.R. Crafts, 'British Economic Growth, 1700-1850: Some Difficulties of Interpretation', *Explorations in Economic History*, 24, 1987; K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (1985), pp. 23-5.

<sup>22</sup> G. Manley, 'Central England temperatures: monthly means 1659 to 1973', *Quarterly Journal of the Royal Meteorological Society* 1974, 100, pp. 394, 402; W.G. Hoskins, 'Harvest Fluctuations and English Economic History, 1620-1759', *Agricultural History Review*, XVI, 1968, pp. 16, 23, 31; M.G. Pearson, 'Snowstorms in Scotland - 1729 to 1830', *Weather*, 31, 1976, pp. 390-94; H.H. Lamb, *Climate, history and the modern world* (1982), p. 233; R.S. Bradley & P.D. Jones (eds), *Climate since A.D. 1500* (1992), pp. 135-8, 653. I am grateful to my Geography colleague, Dr. Lance Tufnell, for his advice on this point.



agriculture and trade.<sup>23</sup> Importantly, too, no political issue had given rise to any rallying cry of similar power to the slogan 'no Excise'. This was almost embarrassingly evident in the way in which opposition writers actually kept reviving that earlier slogan in the most inappropriate circumstances. Even when depredations furnished a new agenda, the *Craftsman* still pressed the emotive word into service: 'as some *domestick Projectors* had taken it into their Heads to *excise Us at home*, so the *Spaniards* have thought fit to play the *same Game abroad*'. The strained parallel soon found its way into an opposition ballad in which 'Don Diego' says to Walpole; 'You *Excise* them on *Land*, I'll *Excise* them at *Sea*'<sup>24</sup> The opposition seemed to be in the doldrums, still repeating the trusty old slogans but with little to offer other than general hints and abuse of the ministry.

The leading figures among the opposition had lost heart and become less active after their election defeat of 1734.<sup>25</sup> William Pulteney in November 1735 announced his resolution to fatigue himself less in Parliament once he had recovered from illness, telling his correspondent; 'you may have perceived this resolution arising in me for some years, it is in vain to struggle against universal Corruption, and I am quite weary of the Opposition.'<sup>26</sup> This theme was a recurrent one in Pulteney's correspondence, and never more emphatically than in December 1736:

I hope to be able to attend the House next sessions, but not with such assiduity as I have formerly done: why should I risque the doing myself any harm, When I know how vain it is to expect to do any good. You that have been a long time out of this Country, can have no notion how wicked and Corrupt we are grown; were I to tell you of half the Rogueries come to my knowledge, you would be astonished, and yet I dare say I don't know of half that are practised in one little spot of Ground only, you may easily guess where I mean.<sup>27</sup>

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<sup>23</sup> C.R. Dobson, *Masters and Journeymen. A Prehistory of Industrial Relations 1717-1800* (1980), pp. 155-6; J.V. Beckett, 'Stability in Politics and Society 1680-1750', in *Britain in the First Age of Party, 1680-1750* (1987), ed. C. Jones.

<sup>24</sup> *Craftsman* 25 March (OS) 1738; *The Negotiators. Or, Don Diego brought to Reason* (1738), copy in PRO SP 36/56, part 2, f. 336.

<sup>25</sup> P. Langford, *The Excise Crisis* (1975).

<sup>26</sup> BL Add Ms 22628 f. 73, Pulteney to Hon. George Berkeley, 10 November (OS) 1735.

<sup>27</sup> BL Add Ms 4806, f. 178, Pulteney to Swift, 21 Dec (OS) 1736.

A year later, Lord Bathurst was writing to Swift in even more apocalyptic tones, proposing to retire to a farm in Derbyshire and there await the deluge.<sup>28</sup> Opposition patronage of and interest in the press was at a low point and the leading figure and philosopher of opposition in the early 1730s, Henry St. John, Viscount Bolingbroke, was living abroad and taking little interest in current political tactics.<sup>29</sup> Lady Bolingbroke called on Cardinal Fleury in November, and Fleury gave a reassuring account to the British Ambassador Lord Waldegrave:

She told him, that her Husband was quite retired and meddled no more with Politicks; That he had no thoughts of going to England... For he was neither ambitious of getting into Publick Business in England, nor were his Friends there ever likely to be employed.<sup>30</sup>

Between 1737 and 1742 the hopes and the prospects of the opposition were revived by such issues as depredations, Britons who never will be slaves, and the call to pit the mighty British navy against Spanish cowardice and deceit.<sup>31</sup> This was the climax of the prolonged joint Whig and Tory opposition to Walpole. Country Whigs, and independents of various kinds generally took their stand on the issue of Court corruption and dependency, which Walpole was held to personify. Samuel Sandys, nicknamed the 'motion maker' for his constant calls for a full enquiry into all Walpole's misdeeds, was the most extreme of them. Some leading Opposition Whigs were ambitious to replace Walpole in office, and several of them, such as John, Lord Carteret, William Pulteney and Philip, Lord Chesterfield, were former rivals ousted by Walpole. A mounting body of opposition in the ports and rapidly growing towns of the country found the Walpole ministry unsympathetic to their trade and interests.<sup>32</sup> Tory opponents, led by the able and

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<sup>28</sup> BL Add Ms 4806, f. 197, Bathurst to Swift, 6 Dec (OS) 1737.

<sup>29</sup> A spirited but biassed account of the opposition press and its personalities is given in an anonymous ms pamphlet of c.1739, in CUL Ch (H) Mss P 73/441-15. The best account of Bolingbroke is still H.T. Dickinson, *Bolingbroke* (1970).

<sup>30</sup> BL Add Ms 32796, f. 70, Waldegrave to Newcastle, 12 November (NS) 1737.

<sup>31</sup> P.L. Woodfine, 'Ideas of naval power and the conflict with Spain, 1737-1742', in *The British Navy and the Use of Naval Power in the Eighteenth Century* (1988), eds. J.M. Black & P.L. Woodfine, pp. 72-3.

<sup>32</sup> N. Rogers, *Whigs and Cities. Popular Politics in the Age of Walpole and Pitt* (1989) is a magisterial exploration of this assertiveness of commerce. P. Borsay, *The English Urban Renaissance: Culture and Society in the Provincial Town, 1660-1770* (1989) gives an



generally respected William Wyndham, ranged from independents concerned with pure government to unreconcilable Jacobites such as William Shippen and Sir Watkin Williams Wynn.<sup>33</sup> These disparate groups were given a kind of unity by the Patriot name which was increasingly promoted in the late 1730s. Based on the ideas of Bolingbroke, the Patriot persona was one which could be adopted by a wide range of opponents. It involved essentially putting the country before all private or party interests, calling for an extinction of party labels and for a form of government based only on an uncorrupt commitment to the general interest.<sup>34</sup> The reality was that party allegiances persisted underneath the Patriot covering. Benjamin Keene summarised the newly-formed Pelham administration in the autumn of 1743; 'I believe the scheme is to content both your Patriotical Whigs that have been taken into the Administration and the old stock as far as possible, that we may reduce the opposition to be a mere Jacobitical one joyned perhaps with some malicious and some honest but deluded Persons, for Party consists of all'.<sup>35</sup>

All the Whig Opposition groups, and some Tories, found a natural home in the 'reversionary interest', since if Walpole was supported and kept in place by George II he was certain to be turned out by George's successor. The wait need not be long, since George II was in his fifty-fifth year in 1737, and though George I had lived to the age of sixty-seven this was by no means usual (Queen Anne had not reached fifty, William had died at fifty-two, and Mary at thirty-two). George hated his heir, Prince Frederick, who heartily returned the compliment and had no qualms about setting himself up as a rival

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eloquent account of the transformation of the buildings and social life of such towns. One might perhaps challenge the extent to which a fairly uniform 'urban system', with the larger towns as its 'flagships' (p. 311), really existed. Fast-growing specialist textile towns such as Bradford, Halifax and Huddersfield seem to have had scant interest in civic buildings other than Cloth Halls. P.J. Corfield, *The Impact of English Towns 1700-1800* (1982) is still a valuable survey, nicely weighted towards the drab realities of economic life.

<sup>33</sup> An outstanding piece of pioneering research into the organisation and functioning of the Tory party is L. Colley, *In Defiance of Oligarchy: The Tory Party 1714-60* (1982), though Colley does tend to overstate the possibilities of office open to the Tories.

<sup>34</sup> A valuable examination of the ideas and language of the loose Patriot coalition is R. Harris, *A Patriot Press. National Politics and the London Press in the 1740s* (1993), pp. 48-83.

<sup>35</sup> BL Add Ms 43441, Keene to Castres, 16 September (OS) 1743.



political patron, and an alternative model of monarch. Despite a weak, ungrateful and vindictive character, he was plausible on public occasions, and had the shrewdness to cultivate the London crowds and to promote ideas which had considerable resonance with ministerial opponents. Bolingbroke's ideas of the Patriot King were incorporated into Frederick's carefully fostered public image. The Prince was loudly applauded in September 1737 for his behaviour in the royal box on the opening night of the revival of Addison's anti-ministerial drama, *Cato*. The audience burst into pointed applause, which the Prince stood and returned, at the words; 'When vice prevails, and impious men bear sway, the post of honour is a private station'.<sup>36</sup> Also important to the Prince's self-presentation was a respect for commerce and the power of the City of London. He assured them on one occasion that he would never (as Walpole had famously done) call them beggars.<sup>37</sup>

This complex Opposition coalition applied a lot of pressure on the ministry through the troublesome electors of the cities of London and Westminster.<sup>38</sup> Two of the London MPs were important figures in this campaign, and had been the leaders of the successful City opposition to the Excise in 1733-4. Sir John Barnard was Lord Mayor in 1737-8, a High

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<sup>36</sup> Hervey, *Memoirs*, III, p. 839. For Frederick's popular heroics in directing the fire fighting at the Temple, *ibid.*, II, pp. 643-4. On the Catonic perspective, R. Browning, *Political and Constitutional Ideas of the Court Whigs* (1982), pp. 1-10.

<sup>37</sup> Hervey, *Memoirs*, III, p. 837. Frederick and his consort Augusta can be seen, for example, in the last plate of Hogarth's series *Industry and Idleness, Exemplified in the Conduct of Two Fellow Apprentices* (1747). They look benignly on the jubilant crowds from the balcony of the King's Head (sic), while the virtuous son of trade, Francis Goodchild, becomes Lord Mayor. A more favourable estimate (though an inconclusive one) of Frederick's character can be found in C.H. Gerrard, 'The Patriot Opposition to Sir Robert Walpole: A Study of Politics and Party, 1725-1742', unpublished D.Phil. thesis, Oxford, 1986, pp. 52-7.

<sup>38</sup> L. Sutherland, 'The City of London in Eighteenth Century Politics', in *Essays Presented to Sir Lewis Namier* (1956), eds. R. Pares & A.J.P. Taylor; A.J. Henderson, *London and the National Government, 1721-1742* (1945); H. Horwitz, 'Party in a civic context: London from the Exclusion Crisis to the fall of Walpole', in *Britain in the First Age of Party 1680-1750* (1987), ed. C. Jones; S.R. Varey, 'The Craftsman 1726-1752. An Historical and Critical Account', unpublished Ph.D. Dissertation, Cambridge 1977, especially chap 5; M. Harris, 'The London Newspaper Press c. 1725-1746', unpublished Ph.D. dissertation, London 1973, especially chaps vii & viii; N. Rogers, 'Resistance to Oligarchy: the City Opposition to Walpole and his Successors, 1725-47', in *London in the Age of Reform* (1977), ed. J. Stevenson.



Church Tory and well-to-do wine merchant. He was the scourge of the élite of moneyed men and companies who were the privileged mainstay of government financial policies. Micajah Perry, a tobacco merchant, had been prominent in opposition since the furore over Spanish depredations in the late 1720s, and was unlikely to miss the chance of renewed attacks on this issue during his Lord Mayoralty in 1738-9.<sup>39</sup> The Opposition mounted an orchestrated series of protests in leading towns as well as mounting a revival of journalistic criticism of the ministry through the press and pamphlets.<sup>40</sup> Their parliamentary tactics included critical debates and votes, and the ill-conceived mass abstention to which they resorted in 1739.<sup>41</sup>

The influence on the King's Ministers of the campaign 'out of doors' was greatest at certain peak times of the year. The most stressful part of the political calendar came in the few months after Christmas when it was usual to hold the sessions of Parliament. Foreign envoys were well aware of the rhythms of the ministerial year. As the Portuguese ambassador in Paris wrote to his London counterpart; 'whilst the Cat's away, the Mice may play, I mean, Whilst the Parliament does not sit'.<sup>42</sup> January to May was the usual period in which was concentrated the challenge of a parliamentary sitting: in 1737 (because of the King's stay in Hanover) the dates of the session, unusually, ran from 1 February to 21 June. During a session the Ministry could normally expect to meet sustained opposition only when it introduced specific contentious measures involving set

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<sup>39</sup> The best summaries of each man can be found in the excellent entries in Sedgwick, *House of Commons*; Barnard in Vol. 1, pp. 435-37, Perry in Vol. 2, pp. 341-42.

<sup>40</sup> S.R. Varey, 'The *Craftsman* 1726-1752. An Historical and Critical Account', unpublished PhD dissertation, Cambridge, 1977, especially chapter 5; M. Harris, 'The London Newspaper Press c.1725-1746', unpublished PhD dissertation, London 1973, especially chapters vii & viii; M. Harris, *London Newspapers in the Age of Walpole: A Study in the Origins of the Modern English Press* (1987); G.A. Cranfield, 'The *London Evening Post*, 1727-1744: a Study in the Development of the Political Press', *Historical Journal*, VI, 1 (1963), pp. 20-37.

<sup>41</sup> On the campaign's various dimensions, see: N. Rogers, *Whigs and Cities. Popular Politics in the Age of Walpole and Pitt* (1989), *passim*; Colley, *In Defiance of Oligarchy*; P.L. Woodfine, 'The Anglo-Spanish War of 1739' in *The Origins of War in Early Modern Europe*, ed. J.M. Black (1987); N. Rogers, 'Resistance to Oligarchy: the City Opposition to Walpole and his Successors, 1725-47', in *London in the Age of Reform* (1977), ed. J. Stevenson.

<sup>42</sup> PRO SP 107/22 (unfoliated), Don Luis de Cunha to de Azevedo, 17 June (NS) 1738.



debates and votes. The bulk of the business of Parliament was far less dramatic, and involved private Bills, always by far the largest category of legislation, with local Bills the most time-consuming of them.<sup>43</sup> The one predictable point of confrontation was always the opening of the session and the speech from the throne, with the subsequent debates. Ministers were thus faced in January 1737 with a tactical difficulty at the least, if Parliament had to be prorogued because the King was not there to open the session. Opposition ranks would swell as even the most dilatory country gentlemen left their hunting. A ready-made grievance, linked to the hated word 'Hanover', would put spirit into their motions. As the new year opened, this embarrassment was reported by the acting ambassador in the United Provinces, Robert Trevor, to the ambassador in Madrid, Benjamin Keene. He also passed on news of another small straw in the wind, an issue that was soon to galvanize public opinion. The Dutch, he said, and particularly those of Amsterdam, were 'just now greatly incensed against the Spaniards for the piratical depredations lately committed by their *Guarde des Costes* (sic) in the American Seas upon the Vessels of the Republick'.<sup>44</sup>

It was such unpredictable events as these which shaped the political confrontations from day to day, in Parliament and elsewhere. Faced with rapid change, the people involved in making policy could make a great difference to the outcome. Ministers had to read the signs aright, and respond both to rapidly changing events and to very varied audiences; the partisan political nation, foreign courts and their envoys at St. James's; the King and Queen; and a majority of Members of Parliament. Since personalities could be crucial to the course of policy, it is important to understand how far the various ministers had their own foibles, interests and rivalries. A great Victorian historian offered a useful caution to those who study the makers of policy:

People assume that when men are concerned in high affairs, their motives must lie deep and their designs reach far. Few who have ever been close to public business, its hurries, chances, obscurities, egotisms, will fall in with any such belief.<sup>45</sup>

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<sup>43</sup> S. Lambert, *Bills and Acts. Legislative Procedure in Eighteenth Century England* (1971), chaps. 4-8; P.D.G. Thomas, *The House of Commons in the Eighteenth Century* (1971), chap. 3.

<sup>44</sup> BL Add Ms 32794, f. 8, Trevor to Keene, 17 January (NS) 1737.

<sup>45</sup> J. Morley, *Walpole* (1899), p. 30.



This scepticism is salutary when one considers that so much of government policy in this period was made, not by the whole formal cabinet, but in practice by an inner circle of a handful of influential men. This inner cabinet group formed the key judgements on policy and political tactics.

It is tempting to adopt a whiggish view that the gradual emergence of the Cabinet was one of the most significant constitutional developments of the eighteenth century, and that therefore Walpole's cultivation of a small inner cabinet was a kind of aberration.<sup>46</sup> It is at least equally likely, though, that by making the inner cabinet a concerted and effective group, Walpole gave it an influence over the King which a larger and inevitably more divided body might not have gained. Walpole's distrust of gifted colleagues, and his preference for a stable group of lesser talents, have been seen as weaknesses, but they did at least provide continuity in the development of cabinet procedures, and a settled cast of characters. The nature of cabinet government in the eighteenth century has yet to be fully explored, a neglect partly due to a paucity of surviving manuscript sources.<sup>47</sup> It would not be easy in any case to reconstruct the way in which policy was formed, since business was so often conducted in an informal and personal way. A good deal of business was done face-to-face, sometimes expressly in order to avoid using letters which could be intercepted, or could later be compromising. Scattered references do survive, though, in letters or memoirs, to show some of the ways in which the inner circle met and did business. Meetings at the house of Sir Robert Walpole were equivalent to an executive meeting of the Cabinet. What Newcastle called '... our little Cabinet at Sr. Robert's' met as often as nightly during the weeks after war broke out.<sup>48</sup> A very small group of ministers

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<sup>46</sup> See just such a summary in G. Holmes & D. Szechi, *The Age of Oligarchy. Pre-industrial Britain 1722-1783* (1993), p. 81.

<sup>47</sup> A stimulating pioneering article, though based too exclusively on the State Papers Domestic, is R.R. Sedgwick, 'The Inner Cabinet from 1739 to 1741', *English Historical Review*, XXXIV, July 1919, 290-302. Even the best recent treatments of Walpole's political techniques mention the cabinet only glancingly; Cruickshanks, 'The Political Management of Sir Robert Walpole'; Black, *Robert Walpole and the Nature of Politics*.

<sup>48</sup> BL Add Ms 35406, f. 221, Newcastle to Hardwicke, 9 August (OS) 1740. A typical meeting of the inner circle, to discuss the relations between Spain and the South Sea Company, was minuted on 16 October (OS) 1738; BL Add Ms 33032, f. 216. Present were: Sir Robert Walpole, Mr. Walpole, the Lord Chancellor, the Duke of Newcastle, Lord Harrington and the Duke of Grafton..



were invited - in the case of important people, pressed - to attend. Sir Robert wanted, even in wartime, to keep the number small.<sup>49</sup> A typical meeting, to discuss the vital convention agreement with Spain, brought together Lord Hardwicke, Sir Robert Walpole, Horace Walpole, the Duke of Grafton, the Duke of Newcastle and Lord Harrington.<sup>50</sup> The different contributions and the interactions of this relatively small group give us the best insight available into the nature of cabinet government under Walpole.

The nature of the problem, at least, is clear. In theory, and to a great extent in practice, there was no collective cabinet responsibility at this period. The system was one of ministerial responsibility, with each minister answering personally to the King, and no one individual or department of State predominant. This meant jealousy and vigilance among the ministers, as Horace Walpole commented in 1735:

I am afraid, if, besides giving a relation of my own Ministry, I should presume to tell my Sentiments, and doe it in extenso either to ye king or ye Queen; I may be thought, as I was last year sometimes, to dictate too much, or to encroach upon ye department of one or another of ye Secretary of States; if I send them to Sr. Robt. after having perused them, and finding that they are not relished by ye proper minister because not sent to him, his multiplicity of business makes him forgett them; if I send them to Hannover in a private letter, and that is known in England, then I am mistaken, I shall see at last, &ca.<sup>51</sup>

These defensive comments show the importance of the closet and the court in the competitive thinking of the governmental inner circle. Access to the monarch was important in politics as a source of the psychological satisfactions necessary to politicians. While public popularity was desirable to ministers, it was in practice far more commonly enjoyed, at least in its most visible forms, by opponents such as Pitt or opposition heroes such as Admiral Vernon. Royal approval in the closet, however, could be equally potent, and cetainly more immediately rewarding. When Walpole offended his royal master in 1740 by opposing his trip to Hanover, he had to redeem himself with a letter far more flowery than his usual terse style. Even allowing for the conventions to be observed when writing to a king, the letter reveals much about the working relationship involved:

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<sup>49</sup> BL Add Ms 28132, f. 179, Norris Journal, 29 April (OS) 1740.

<sup>50</sup> BL Add Ms 33032, f. 216, minutes, Sir Robert Walpole's, 16 October (OS) 1738.

<sup>51</sup> BL Add Ms 32788, f. 343, H. Walpole to Newcastle, 26 August (NS) 1735.



yr. countenance & goodness has been my only support in uncommon difficulties & under that protection I have been able to despise & defye all opposition, but ye power of serving with Successe depends solely upon ye proportion of credit & confidence you are pleased to give, When that is withdrawn or diminished, I shall become an useless & unprofitable servant.<sup>52</sup>

A conviction that one's policy was correct, plus the approval of the king, could give politicians considerable resistance to public opinion. George II, in turn, was accustomed to rely on just two or three ministers to do his business. As he said of Newcastle, Pelham and Hardwicke in 1750, 'they are the only ministers; the others are for show'.<sup>53</sup> The essence of the inner cabinet system, and the impetus to keep the working group small despite the pressures of ambition and vanity which worked to enlarge it, may well have come from the monarch as much as from Walpole. A different king, less fixed in his habits, more mercurial in his temperament and favours, might well have had a larger and more divided cabinet.

It is unfortunate for historians that George II left few written records, for it is plain that he was active in decision making. He was often pivotal in the decisions and manoeuvrings of his most influential ministers. The broad patterns of their thinking can often be seen in the surviving papers, but the finer tactics and decision-making can usually only be inferred from events and from occasional comments by contemporaries. It does seem clear however that whenever the inner cabinet met, they were rehearsing and improvising in the absence of a key player. When their ideas were presented to the king, they might be overturned at once, especially in the spheres of foreign policy and the army.<sup>54</sup> At the least, ministers had to be prepared for long discourses on military policy, as Newcastle discovered, though he conceded that they were 'in the Main very reasonable ones'.<sup>55</sup> As

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<sup>52</sup> BL Add Ms 35335, f. 26, Walpole to King, 26 May (OS) 1740.

<sup>53</sup> R. Sedgwick (ed) *The House of Commons 1715-1754* (1970), Vol II, p. 331.

<sup>54</sup> J.B. Owen, 'George II Reconsidered', in *Statesmen, Scholars and Merchants* (1973), eds. A. Whiteman, J.S. Bromley & P.G.M. Dickson. For an example of the king's thoughts on a delicate area of policy, the Russo-Turkish war, see SP 43/19, ff. 97-102, Walpole to Sir Everard Fawkener, 26 August (OS) 1736,.

<sup>55</sup> BL Add Ms 35406, f. 136, Newcastle to Hardwicke, undated, c. 6 August (OS) 1739.

the commander-in-chief of the army, George's personal control over the use of his regiments was often crucial.<sup>56</sup>

As soon as war was decided upon, George wanted to raise new regiments at once, contrary to the decisions made in the inner cabinet. Newcastle encountered this resolve on a Friday evening, when Walpole was already at Chelsea for the weekend: 'I could not debate it at *Cards*, but acquainted Sr Robert wth. it, who sett every Thing right on Monday'.<sup>57</sup> On the Tuesday morning, though, Harrington renewed in the closet the pleasing idea of royal control. Newcastle tried to counter this by presenting the views of the whole cabinet, but:

H. My. argued quite on the other side of ye Question, chiefly insisting in a strong Manner, yt the raising of ye Troops should arise originally from ye Crown, wch I did admit, but that it should be done in a regular Way, by speech from ye Throne, & Estimate. This did not convince, & I by no Means made My Court.<sup>58</sup>

This episode epitomises many of the tensions and interactions of the inner circle. Sir Robert duly persuaded the King once more to wait for the sitting of Parliament before acting. Newcastle was alarmed by Harrington's interference, and sure that Walpole's personal views were similar to the King's. In this instance, however, he deferred to Lord Hardwicke:

I verily believe Sr Robert's Consideration for your Opinion, has been the great, if not the only inducement to Him to sett this right, for upon both Points, His own Opinion is certainly rather on ye other side of the Question. But My Dear Lord, How is Business to go on? If one who scarce ever speaks His opinion in Council, and never says One Word in parliament, is to overturn

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<sup>56</sup> E.g. BL Add Ms 28132, f. 171, Norris journal, 30 April (OS) 1740; BL Add Ms 35407, f. 17, Newcastle to Hardwicke, 1 May (OS) 1741,. See A.J. Guy, *Oeconomy and Discipline. Officership and administration in the British army 1714-63* (1985), chapter 2; J.A. Houlding, *Fit for Service: the Training of the British Army 1715-1795* (1980); J. Hayes, 'The Royal House of Hanover and the British Army 1714-760', *Bulletin of the John Rylands Library*, 40, 1957-8, pp. 328-57; *idem*, 'The Purchase of Colonelcies in the Army, 1714-63', *Journal of the Society for Army Historical Research*, 39, 1961, pp. 3-10.

<sup>57</sup> BL Add Ms 35406, f.153, Newcastle to Hardwicke, 28 September (OS) 1739.

<sup>58</sup> *Ibid.*. The factious adviser's name has been erased, but ultra-violet light reveals it to be Harrington.



the opinion of ye Lords [of council], which Lords are afterwards to support His Measures in parliament, contrary to their own Advice given formally in Cabinet Council to the King. These whisperers will destroy Every Thing. You see I write in great freedom, & begg you would burn my Letter.<sup>59</sup>

Even at less critical times, it was difficult to govern the King in army matters, and certainly hard to obtain the places and promotions to which Walpole's army of applicants felt they were entitled.<sup>60</sup> Sir Robert told Lord Hervey the answer which the King gave him on such occasions: 'I will order my army as I think fit; for your scoundrels of the House of Commons you may do as you please; you know I never interfere, nor pretend to know anything of them, but this province I will keep to myself'.<sup>61</sup> The King's Commission was not simply a legal fiction, and George II signed military commissions personally, even when in Hanover.<sup>62</sup> When Walpole tried to influence appointments, he was told firmly not to meddle, as Horace reported:

He frequently mentions these promotions to my brother who when he lets fall a word or two in favour of some officer, is told (that is between you and me) that he does not understand any thing of military matters, and by this means he has often the ill will of disappointments, which were not in his power to prevent... Sir Robert has very little to do in the military promotions; he recommends friends and relations of members of Parliament to be ensigns and cornets, but his Majesty himself keeps an exact account of all the officers; knows their characters, and their long services, and generally nominates, at his own time the Colonels to vacant regiments.<sup>63</sup>

This taking of his own time made it easy for opponents to criticise the management of the army. Though they were loudly against the standing army, they could seize on any bad treatment of it. In April 1737 the *Craftsman* was ironic about the eight current vacancies by death among the Colonels; '*The Savings* thereby, *it's not doubted*, are frequently

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<sup>59</sup> *Ibid.*, f. 154.

<sup>60</sup> J.B. Owen, 'George II Reconsidered', in *Statesmen, Scholars and Merchants* (1973), eds. A. Whiteman, J.S. Bromley & P.G.M. Dickson, pp. 120-21. Some examples, from May 1738, of the constant pressure for places can be found in CUL Ch (H) Corresp 2767, 2773, 2775.

<sup>61</sup> Hervey, *Memoirs*, III, p. 772.

<sup>62</sup> PRO SP 43/19, f. 54, H. Walpole to Newcastle, 16 September (NS) 1736.

<sup>63</sup> BL Add Ms 9176, ff. 32, 34, H. Walpole to Trevor, 22 February (OS) 1740.

applied to the Relief of the Widows and Orphans of General Officers'.<sup>64</sup> When the posts were filled, the charge of meanness was changed to the more usual one of tyranny:

We were in Hopes from these *Posts* being kept so long vacant, that though it is not thought proper to reduce whole *Regiments* at once, the *Army* would be suffer'd to reduce itself by *Death*; but We are now deprived of that agreeable Prospect, and must wait with Patience the appointed Time.<sup>65</sup>

A further shift of sentiment came soon afterwards, in a pitiful harangue delivered the week after one issue of the paper had been suppressed. Now the officers of the standing army were innocent victims of Walpole's resentment:

Let their Services have been of never so long Duration, or meritorious, one disobliging Word or Action towards the *Minister* forfeits all, and They may be turn'd adrift to starve, or live in Obscurity, worn out with Age, Infirmities, Wounds and Fatigues, in Defence of their Country.<sup>66</sup>

On the issue of the army, the minister's opponents could hardly lose, while Walpole himself lamented that he could never win.

In anything that concerned the interests of Hanover, and more generally of Northern Europe, George II was hard to control. He persisted in sharing his time between his British and German dominions, too, even at the most inappropriate times. In the summer of 1740, the nation was at war with Spain, and the populace sensitive to any hint of favours to Hanover. (The Duke of Newcastle had to 'launder' arms purchases from Hanover, making them appear to be from the stock of a Hamburg merchant.)<sup>67</sup> Nonetheless, the King insisted on leaving for his beloved Hanover. The news came as a surprise to ministers. Norris was at a cabinet meeting, seated next to Wager, when; 'Sr. Charles writ upon a bitt of paper and gave me that the King went abroad: I writ under it God forbid and gave it to him: and this is the first notis I had any ways of it'.<sup>68</sup> The Jacobites too were astonished at his leaving the way clear for them, and exulted that

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<sup>64</sup> *Craftsman* 16 April (OS) 1737.

<sup>65</sup> *Craftsman*, 25 June (NS) 1737.

<sup>66</sup> *Craftsman*, 9 July (OS) 1737.

<sup>67</sup> BL Add Ms 32693, f. 432, Newcastle to Harrington, June 1740.

<sup>68</sup> BL Add Ms 28132, f. 181, Norris journal, 30 April (OS) 1740.



William of Orange had enjoyed nothing so hopeful in 1688.<sup>69</sup> Walpole was made ill by his efforts to counter the inclinations of his royal master. Horace Walpole wrote; 'My brother has been so fatigued with business and chagrin on account of the Journey, and by having received several shocks and reproofs in opposing it, that he has been a good deal out of order...'.<sup>70</sup> In 1741 also, George insisted on spending months in Hanover, and was so impatient to be off that he visited none of the troops or fleets. It was an additional handicap in the elections of that year.<sup>71</sup> Not surprisingly, one of the prepared declarations of the Pretender urged Britons to 'consider the advantages of having a King without foreign dominions'.<sup>72</sup> In 1741 George II concluded a neutrality for Hanover, while he was away in the Electorate, and without consulting the ministers at home, even though this action broke through his treaty obligations.<sup>73</sup> The popular disgust was striking, and led to Jacobite talk even of a civil war or revolution.<sup>74</sup> Newcastle, shocked and undermined by this turn of events, gave a vivid summary of the problems which ministers faced:

I think the king's unjustifiable partiality for Hanover, to which he makes all other views and considerations subservient, has manifested itself so much, in the conduct of this summer, that no man can continue in the active part of the administration, with honour and satisfaction to himself; for he must either own he was a cipher, which, perhaps, I think is in a great measure the case of every minister, without exception, that was in England, or he must be thought to have advised and concurred in measures which, in my opinion, are both dishonourable and fatal to the interests of all Europe, and consequently to those of this country in particular.<sup>75</sup>

Similarly in political and diplomatic matters, especially where any dynastic or family matter was involved, the King was a force to be reckoned with, and a complicating factor

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<sup>69</sup> Windsor RA Stuart Mss, 222/94, Sempill to James, 16 May (NS) 1740.

<sup>70</sup> BL Add Ms 9176, f. 42, H. Walpole to Trevor, 13 May (OS) 1740.

<sup>71</sup> BL Add Ms 9200, f. 74, Journal of Rev. Henry Etough.

<sup>72</sup> Windsor RA Stuart Mss, 224/19, Memorandum, 21 June (NS) 1740.

<sup>73</sup> Harrington's first news of it opened 'a very melancholy scene', and set the inner circle in motion; BL Add Ms 35406, ff. 219-20, Newcastle to Hardwicke, 27 July (OS) 1740; BL Add Ms 33007, ff. 252-3, Harrington, drafts of despatches, 19 August (OS) 1741;

<sup>74</sup> CUL Ch (H) Corresp/3107, unsigned letter to Baron de Harlang, 24 November (OS) 1741.

<sup>75</sup> W. Coxe, *Memoirs of the Administration of the Right Honourable Henry Pelham* (2 Vols, 1829), I, pp.21-2.

in ministerial calculations. Often the convention that ministers spoke for the king may have been a working fiction, but at times the letters of the Secretary of State show equally clearly that he is relaying the personal views of the king. A good example is George II on the sensitive issue of the Russo-Turkish war, and another is his summary in December 1737 of Fleury's initiative, proposing an Anglo-French treaty to settle good relations. (In both cases, he gave sound advice on playing the situation along).<sup>76</sup> Ministers had even less control when business fell within the scope of the royal prerogative, as did the management of such royal affairs as the allowance of the Prince of Wales, or his request to be given the distinction of being chief mourner at the Queen's funeral. When the King decided that Princess Emily was to occupy that place, the letter refusing the Prince's formal request to have that dignity was a highly sensitive issue. No one or two ministers dared to disoblige the next sovereign on such a point. The form of the written answer could only be authorised by the full cabinet council, and was considered by no fewer than eleven lords of the Cabinet.<sup>77</sup> Disputes in the royal household might change the whole pattern of high politics, but ministers had little influence on such family affairs. Horace Walpole even went so far in the Commons as to say that, in such matters, the House did not have the right to make any Address, for such papers or information, as the King might refuse.<sup>78</sup> This tenderness for the royal prerogative did not come from an unqualified admiration for the person of George II. Horace spoke out emphatically to his brother on the dangers of ministerial responsibility in serving a king who controlled foreign policy himself, and always with an eye on Hanover:

I will tell you in confidence; little, low, partial, electoral notions are able to stop or confound the best conducted project for the publick... In the mean time nobody has credit or courage enough to speak plainly upon these heads in their respective departments; and if you venture to doe it sometimes, 'tis in

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<sup>76</sup> PRO SP 43/19, ff. 97-102, H. Walpole to Sir Everard Fawkener, 26 August (OS) 1736; BL Add Ms 32796, ff. 324-5, Newcastle to Waldegrave, 30 December (OS) 1737.

<sup>77</sup> BL Add Ms 35586, ff. 47-8, Hardwicke note of 9 December (OS) 1737. Only Lord Harrington was missing.

<sup>78</sup> S. Lambert (ed), *The House of Commons Sessional Papers of the Eighteenth Century* Vol 1, *Introduction and List 1715-1760* (1975), p. 69.



a cursory manner. You receive a short answer; domestick affairs employ your time and your thoughts; and the foreign mischief continues.<sup>79</sup>

Sir Robert Walpole, as these comments show, occupied a special place in this system of overlapping duties but was never quite the 'prime minister' which his enemies accused him of being. He did his best to coordinate the policy of the administration. That does not mean, however, that he saw his goal as one of collective responsibility or the working of a Cabinet in the modern sense. He harmonised the views of colleagues, and promoted his own policies, whenever he could, which was by no means always. Hill's recent biography of Walpole asserts that he was 'not much trammelled' by the cabinet and that the inner cabinet had 'only a semblance of real power'.<sup>80</sup> This seems however to misunderstand the orchestration of voices involved and the simple impossibility of Walpole's always being on hand to counter the influence of his colleagues in the closet. There was certainly competition to be among those in the effective cabinet, and ministers who did not form part of the inner circle felt excluded. Norris, Admiral of the Fleet and Vice Admiral of England, was sworn into the cabinet council in September 1739, and could have expected in wartime to be invited to almost all inner cabinet discussions. His diary shows that he was constantly anxious about the way in which the First Lord of the Admiralty, Sir Charles Wager, was consulted before him.<sup>81</sup> Hill's view of a powerless cabinet, though, would doubtless have been shared at the time. Certainly contemporaries in opposition had no doubts that Walpole dominated his political subordinates. George Bubb Dodington recorded indignantly in his diary:

On Sunday the 20th. [February 1737], about twelve gentlemen met at Sir Robert Walpole's, to be informed (as the custom is of all those meetings) of what is resolved upon; instead of being consulted (as the custom ought to be) upon what should be resolved on.<sup>82</sup>

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<sup>79</sup> W. Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole, Earl of Orford*, Vol 3 (London, 1798), pp. 535-537, citing H. Walpole to Sir R. Walpole, 1 September (NS) 1739.

<sup>80</sup> B.W. Hill, *Sir Robert Walpole. 'Sole and Prime Minister'* (1989), p. 219.

<sup>81</sup> BL Add Ms 28132, ff. 107, 179-80, 183, 188-89, Norris Journal, 22 December (OS) 1739, 29 April (OS) 1740, 2 & 12 May (OS) 1740.

<sup>82</sup> Wyndham, *Diary of Dodington*, p. 322.

He was right that the larger Cabinet Council was so informed: but it was the small inner circle of three or four ministers, and not just Walpole, who made the decisions. If one were to judge by the picture given in Opposition newspapers, pamphlets and ballads, the Ministry would indeed seem to be solely dominated by one man, the arch corruptionist 'Bob of Lynn'. This 'Imperious, All-Grasping, Power-Engrossing Minister' was the English Colossus who bestrode all ordinary politicians, and was compared with Caesar, with Piers Gaveston, or with Jonathan Wild the master criminal.<sup>83</sup> A favourite comparison was with Cardinal Wolsey, the overmighty minister of Henry VIII who, like Walpole, had a taste for luxury and for building great houses, but whose career at least offered the comforting message that the mighty do eventually fall.<sup>84</sup> One of the most regularly recurring complaints against Walpole was the charge that he corruptly advanced his relations, and so it is not surprising that published criticisms often join his name with that of his brother Horatio. Horace was a tempting target, not least because, thanks to his brother, he enjoyed the profits of a secondary office as cofferer of the household. The presses delighted in showing the two Walpoles as the prime movers of the government, the nepotistic *duumviri*:

O ROBIN! O HORACE! ye Brethren so wise!  
Who Matters of State so well handle<sup>85</sup>

One successful opposition production of 1740 envisaged Walpole's defence against all charges:

In my dear Country's Service now *grown gray*,  
*Spotless* I've walked before you to this Day,  
My Thoughts laid out, my precious Time all spent  
In the hard *Slavery of Government*;  
My BROTHER too the *fruitless* Bondage shares,

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<sup>83</sup> BL Add Ms 31,149, ff. 411-12, Quotation from draft heads of dissent to the quashing of a motion by the Duke of Marlborough that army officers should be removed only by court-martial, 13 February (OS) 1733,.

<sup>84</sup> An excellent collection of such depictions, which shows the frequent comparisons with Wolsey and the theme of corruption, is P. Langford, *Walpole and the Robinocracy* (1986). An instance of the standard repertoire is the popular Opposition pamphlet by the Rev. James Miller, *Are these Things So? The previous Question from an Englishman in his Grotto to a Great Man at Court* (1740); see, e.g. p. 11. It ran into six editions in 1740, and set off a small pamphlet war.

<sup>85</sup> Quotation in *An Historical Ballad, humbly inscrib'd to the Duumviri* (London, n.d. c.1730); see also *The Negotiators: Or, Don Diego brought to Reason* (London, 1738).



And all your Peace is owing to his Cares;  
Girding his Loins he Travels far and near,  
And brings home some *rare Treaty* ev'ry Year.<sup>86</sup>

From his exile in France Lord Bolingbroke saw this dual rule as the culmination of a series of stratagems which had made their power unshakeable. He wondered ironically at the 'long catalogue of ... providences, by which the supream Being has conducted Robin & Horace Walpole into absolute power, & maintained them in it'.<sup>87</sup>

However accurate these hostile pictures may have been as a summary of Walpole's personal ascendancy over his colleagues, they do not give a full view of the process of cabinet discussion. Nor does the rival view of Horace Walpole, that policies were 'not the Measures of a single Minister, but the joint Counsels of almost all the great Persons who surround the Throne, and are chief in Dignity and Office about the King'.<sup>88</sup> The truth lies somewhere between the two. In practice ministers and courtiers always presented varied views to the King. To counter this, Walpole's main resources were his access to George II, the trust built up over the years, and his own firm grasp of political and diplomatic realities. He advanced his arguments, though, mainly on the basis of summaries of diplomatic papers given to him by others, and on his private correspondence with his brother Horace, with Waldegrave, Keene and others. Vaucher, in a perceptive critique of Walpole's working methods, commented; 'il n'aimait point à gaspiller son temps dans le détail quotidien des affaires courantes'.<sup>89</sup> Regardless of his temperament, Walpole in any case lacked one major qualification for an involvement in all this daily detail. He did not even speak French, which was the language of diplomatic correspondence and of the envoys accredited to every court. The extent of his achievement despite this handicap was well summarised by Thomas Wyndham at the point when Walpole seemed about to fall. He was:

an Extraordinary Man, who by the force of his own Genius made himself the first Minister in a Court, whose Language he could not speak, when his Rivals

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<sup>86</sup> [Rev. J. Miller], *Are These Things So?*, 1740, p. 8.

<sup>87</sup> Bolingbroke to the Earl of Marchmont, 8 August (NS) 1740, BL Add Ms 37994, f. 5.

<sup>88</sup> [H. Walpole], *The Grand QUESTION, Whether War, or no War, with SPAIN, Impartially Consider'd: In DEFENCE of the present Measures against those that delight in War*, 1739, p. 25.

<sup>89</sup> P. Vaucher, *Robert Walpole et la Politique de Fleury 1731-1742* (1924), p. v.

were many & able, & the Intrigues of Favourites & women conspired to prejudice the Spirit of his Master.<sup>90</sup>

Walpole was not alone in his linguistic shortcomings. Even career diplomats did not always have a command of the main European languages, and it is a remarkable tribute to British insularity that, in a country ruled by a North German dynasty, so few politicians troubled to make their court by learning German. Carteret was the main exception to this rule of neglect. Despite the importance of Spanish diplomacy in these years, the Secretary of State in charge of the Southern Department, Newcastle, did not understand that language.<sup>91</sup> The bulk of all foreign material was translated by clerks into either French or English, and in any case only trade and consular documents, and intercepted ambassadorial letters, generally came into the office in Spanish. The time spent waiting for the translated version, though, was not the only nuisance. The translations themselves were not always good, according to St. Gil, who worried that at the British court the Spanish tongue 'is used to be either adulterated or misunderstood'.<sup>92</sup> By not understanding the language, the Duke may well have been less aware of some of the nuances of Spanish thinking, and less understanding of their pride and punctilio.

At least, however, Newcastle was fluent in the normal language of diplomacy, French, which Walpole was not. It is worth pausing over the rather curious fact that this great statesman did not understand the usual language of the very Court in which he was so successful, and the one which his master habitually spoke on public occasions. In an influential article in 1968 Gibbs rebutted the contention of Plumb that Walpole, like all George I's ministers, spoke French.<sup>93</sup> Gibbs sought to demonstrate, using rather indirect proofs, that Walpole could at most only read French, at least in the early part of the reign of George I. The direct testimony of a man such as Wyndham, who knew him personally, must have weight in confirming that Walpole never acquired a knowledge of that

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<sup>90</sup> Walpole (Wolterton) Mss, Letters and Papers of Sir Robert Walpole (unfoliated), T. Wyndham to Earl of Radnor, copied in W. Harry, 'a disinterested parish priest' of Llandaff, to the Earl of Orford, 21 October (OS) 1744.

<sup>91</sup> PRO SP 94/134 (unfoliated), Newcastle to Keene & Castres, 20 March (OS) 1739.

<sup>92</sup> PRO SP 94/206, f. 169, St. Gil to Geraldino, 17 June (NS) 1738.

<sup>93</sup> G.C. Gibbs, 'Newspapers, Parliament, and Foreign Policy in the Age of Stanhope and Walpole', in *Mélanges Offerts à G. Jacquemyns* (1968), p. 294.



language. Further proof can be found in a diplomatic episode involving the senior French official and long-serving British spy François Bussy, '101'. In February 1737 Bussy was to be sent to Britain as a 'man of confidence' as an interim measure until the arrival of the new French ambassador de Cambis. Though every stage of 101's spying career was recorded in Newcastle's office, this was unknown to Bussy himself, as Waldegrave with some embarrassment confessed:

When first our private Correspondence was begun, I was forced to give him the strongest Assurances that Nobody, besides Myself here, and Sr Robert Walpole, in England, knew any thing of the Matter; He insists still, upon its being kept in the same Chanel. He knows a little English; and has so good a Knack at Languages, that he will soon be able to talk with Sir Robert.<sup>94</sup>

If Walpole could not converse even in broken French with an important spy from the court of his leading European rival then we may conclude that he could not speak, and probably could not read, that language at all. This was not a crippling handicap, as Walpole's strength in foreign policy lay in his command of the wider view. Black has shown that, while Walpole may have lacked a detailed knowledge of foreign countries, he did have a firm grasp of some foreign policy essentials. He detected the essential patterns in the manoeuvrings of foreign diplomats, and he gauged the balance between foreign and domestic policy considerations. His judgement and political shrewdness, applied to an overview of foreign affairs, were an important part of the network of informal relations which led to decision-making.<sup>95</sup>

One can only speculate how much evidence of these personal interactions, and of cabinet divisions, disappeared when the great majority of the papers of Walpole were burnt on his fall from power. Walpole had, as a young politician in 1711, been menaced with impeachment and imprisoned in the Tower by the victorious Tory ministry. In 1742 he was finally toppled from office and faced with the prospect of another impeachment. He immediately burned large quantities of papers, and urged his friends and brother to do the same.<sup>96</sup> Walpole's letters to his protégé Benjamin Keene had already been burned, on the

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<sup>94</sup> BL Add Ms 32794, ff. 110-11, Waldegrave to Newcastle, 7 February (OS) 1737.

<sup>95</sup> J.M. Black, 'An "Ignoramus" in European Affairs?', *British Journal for Eighteenth Century Studies*, 1983, pp. 55-65.

<sup>96</sup> W. Coxe, *Memoirs of Horatio, Lord Walpole (1678-1757)* (1802), p. 245.

minister's orders, before Keene gave up his post in Madrid and left Spain in 1739. Still others, no doubt relating to his most secret activities, were kept in a black box which never left Walpole's side, day or night, yet was found empty on his death.<sup>97</sup> Since Walpole, like George II, made his judgements on the basis of papers drawn up by others, and did most business by word of mouth, his manuscripts even had they survived might not have thrown a great deal of light on how the process of management worked. One insider summarised the documentary problem after Walpole's death:

He was utterly averse to all voluntary Trouble & Business; what was necessary he dispatched with great Care & Vigour... His Memory was great & amazing; a few short hints were sufficient to supply [him] with Notice of all past Transactions. These I believe were ye whole [of] his own MS & therefore had they been preserved would have been insignificant. The Papers he had from others were of such a Nature, as made them ye proper Subjects of Destruction. Both he & his Brother during ye Ferment & Enquiry were too comprehensive in what they devoted to ye Flames.<sup>98</sup>

Prominent among Walpole's trusted correspondents, and a key member of the inner cabinet, was Lord Hardwicke, who was both valued by Walpole and indispensable to Newcastle. The Duke wrote in 1736 to his old friend the Lord Chancellor; 'Dear Hardwicke, without you we are nothing'.<sup>99</sup> At a critical point of the negotiations with Spain, the same note was struck:

I have agreed to meet you tomorrow at Petersham at Ld. Harrington's. Sr. Robert & all of us begg you would not fail to be there, for Tomorrow's Meeting will determine ye fate of this great Affair. Pray, My Dear Lord, don't fail to come, Horace begs you would be there by twelve o'clock.<sup>100</sup>

On the rare occasions when cabinet decisions were taken in Hardwicke's absence, it was a cause for apology.<sup>101</sup> There is abundant evidence of the vital rôle played by the Lord Chancellor in healing the rifts within the inner circle, and moving the discussion

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<sup>97</sup> BL Add Ms 4306, f. 75, Rev. Henry Etough to Rev. Thomas Birch, 6 August (OS) 1746.

<sup>98</sup> BL Add Ms 4306, f. 74, Rev Henry Etough to Rev Thomas Birch, 16 July (OS) 1746.

<sup>99</sup> BL Add Ms 35406, f. 19, Newcastle to Hardwicke, nd c. October 1736,.

<sup>100</sup> BL Add Ms 35406, ff. 39-40, Newcastle to Hardwicke, 25 August (OS) 1738.

<sup>101</sup> BL Add Ms 35406, f. 152, Newcastle to Hardwicke, 28 September (OS) 1739.



forward.<sup>102</sup> Hardwicke of course had a significant workload in his capacity as Lord Chancellor, yet was also obliged to support Newcastle, in particular, with constant advice and reassurance on a wide range of government and diplomatic papers.<sup>103</sup> Newcastle was telling him only the simple truth when he wrote; 'I can very truly say, I am never easy in my publick Capacity without your advice, & assistance'.<sup>104</sup> This could lead contemporaries to assume that Newcastle was 'obsequious to this absolute authority', just as it was sometimes believed that Andrew Stone was the power behind the throne.<sup>105</sup> Neither was true, but certainly Hardwicke was a genuine friend to Newcastle. He was perhaps one of the few men of great judgement who could have gone on for years subordinating his own opinions to those of the duke. The lack of organised diplomatic archives put the onus of comment and knowledge on a few informed insiders such as Hardwicke.<sup>106</sup> In the absence of a permanent civil service, always on hand to provide background and analysis, ministers such as the indefatigable Hardwicke earned their places. He was consulted in person as much as on paper. He frequently met Walpole, sometimes alone, a fact which fuelled the suspicions of Newcastle, who was always liable to feel neglected or conspired against. More often he gathered with the other core members of the cabinet, to offer his advice on all current political issues.<sup>107</sup> He refused one dinner invitation with the remark; 'I know barely eating & drinking together is not the

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<sup>102</sup> For example, BL Add Ms 35406, ff. 39-40, Newcastle to Hardwicke, 25 August (OS) 1738; BL Add Ms 35586, f. 129, Harrington to Hardwicke, 25 October (OS) 1738; BL Add Ms 35406, ff. 219-20, Newcastle to Hardwicke 27 (July OS) 1740.

<sup>103</sup> BL Add Ms 32796, ff. 319-20, 324-5, Hardwicke to Newcastle, 28 December (OS) 1737; Newcastle to Waldegrave, 30 December (OS) 1737. A sample of his contribution could be gained by e.g. Hardwicke's extensive comments on treaty papers put forward by Horace Walpole, January 1738; BL Add Ms 9131, ff. 199-271: on an earlier paper by Walpole, BL Add Ms 32692, f. 300: and his comments on a memorial by the Spanish Secretary of State, la Quadra; BL Add Ms 35884, ff. 1-14. A few examples of his range can be seen in BL Add Ms 35875 *passim*, and his methodical approach to an extensive workload can be found in BL Add Ms 36051 and 36052.

<sup>104</sup> BL Add Ms 35406, f. 231, Newcastle to Hardwicke, 28 August (OS) 1740.

<sup>105</sup> BL Add Ms 4306, f. 179, Quotation H. Walpole to H. Etough, 1 September (OS) 1756.

<sup>106</sup> He was used as a treaty and legal dictionary on occasions; BL Add Ms 35406, ff. 49-51, Newcastle to Hardwicke, 25 September (OS) 1738.

<sup>107</sup> CUL Ch (H) Corresp 2674, Hardwicke to Walpole, 17 March (OS) 1737; BL Add Ms 32693, ff. 28-9, Newcastle to Hardwicke, 9 January (OS) 1740.



thing, unless we can have some time for political chat after dinner'.<sup>108</sup> When discussions were in stalemate or ideas were at a premium, Hardwicke was particularly called upon. Newcastle wrote to him in typical vein:

I this morning mett the Admirals att Sr. R. Walpole's. We had a great deal of Discourse, without coming to any Resolution but to dine att Chelsea with Sr R. W. on Monday next, where I must begg you would not fail to meet us.<sup>109</sup>

Even Hardwicke found the pressure of this constant attendance too much. In April 1740, having a very bad cold and being busy, he declined to attend some of the consultations of the inner circle, and defended himself with some asperity; 'I firmly believe I have come to more nightly meetings than any man in the busy laborious Station, in which I am plac'd without any Assistance, ever did'.<sup>110</sup> From July 1740, the Lord Chancellor had the benefit of a country seat at which he could escape from some, at least of the pressures of his cabinet colleagues. He bought Wimpole Hall, the former house of Lord Oxford, in Cambridgeshire, and spent there most of the happiest hours of his life.<sup>111</sup> It is noticeable from then on that he used every plea of health, or attendance on local political interest, to escape being called back to town from his rare, and short, holidays.<sup>112</sup> Much of Hardwicke's need for release came from the fact that he was regarded as an all-rounder, consulted not only on legal or related matters but on every aspect of policy, diplomacy and electioneering.

Others played more specialised roles. The most notable instance perhaps was the leading minister's brother, Horace Walpole. His chief experience was in the sphere of diplomacy, and the making of treaties. Even his critics acknowledged Horace Walpole's expertise, though not without some degree of irony. Leading opposition politician William Pulteney wrote in 1731 to Francis Colman, the resident in Florence, to congratulate him on framing

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<sup>108</sup> BL Add Ms 32692, f. 117, Hardwicke to Newcastle, 8 July (OS) 1739.

<sup>109</sup> BL Add Ms 35406, f. 137, Newcastle to Hardwicke, 6 August (OS) 1739.

<sup>110</sup> BL Add Ms 32693, f. 194, Hardwicke to Newcastle, 3 April (OS) 1740.

<sup>111</sup> BL Add Ms 35586, f. 270, Oxford to Hardwicke, 30 July (OS) 1740.

<sup>112</sup> During the Hanoverian neutrality crisis in the following year a positive volley of pleas and commands were needed to abridge his stay at Wimpole. One could instance, among many others, BL Add Ms 35407, ff. 67-8, 72-3, 74-7, Newcastle to Hardwicke, 13 & 19 (two letters) August (OS) 1740.



a treaty; 'The Great Horace himself I dare say could not have done better'.<sup>113</sup> A *Craftsman* leading letter in 1737 was a mock panegyric of Horace, and proposed to have his home, 'the old treaty-house at Uxbridge' rebuilt and presented to him as Blenheim had been to Marlborough.<sup>114</sup> In a scurrilous rhymed pamphlet of 1740, he was still the brother 'who *Treaties* makes so well'.<sup>115</sup> Mockery was the order of the day whenever Horace was mentioned, as he frequently was, in opposition writings. One satire addressed to the Prince of Wales promised not to sing Sir Robert's praises for money:

First bid me swear, He's sound who has the plague,  
Or *Horace* rivals *Stanhope* at the Hague<sup>116</sup>

The embattled diplomat had merits, though, which his enemies overlooked. His surviving papers show the later Lord Walpole to have been an indefatigable drafter of projects, memorials and memoranda.<sup>117</sup> His particular ability lay in his marshalling of a clear chronological sequence of events, and his painstaking outlining of drafts of possible treaties. Hervey, with a characteristic combination of shrewdness and malice, dismissed him as 'a very good treaty dictionary, to which his brother often referred', apart from which rôle 'he was absolutely useless to his brother in every capacity'.<sup>118</sup> By presenting a genuine strength as ridiculous, Hervey was able to dismiss the contribution of a man who was clearly a significant member of the ministerial team. Those who could command such skills were in demand. Even when abroad, Horace Walpole laid before the inner circle his drafts and proposals, and was kept constantly supplied with copies of all the correspondence in and out of the Secretary of State's office, which is no doubt why the bulk of his surviving papers bear such a resemblance to the Newcastle Papers and the State Papers Foreign.<sup>119</sup> When in England, Horace was treated as one of the small group involved in shaping the details of diplomacy. A letter from Newcastle in the spring of

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<sup>113</sup> BL Add Ms 18915, f. 8, Pulteney to Colman, 25 August (NS) 1731.

<sup>114</sup> *Craftsman*, 28 May (OS) 1737.

<sup>115</sup> [R. Morris], *Yes, They are...*, 1740, p. 6.

<sup>116</sup> 'Mr. Whitehead', *Manners: a Satire* (1739), p. 15.

<sup>117</sup> See for instance Wolterton (Walpole) Mss: Political Tracts (2 volumes); Original Drafts, 1736-7; Projects, Letters &c..

<sup>118</sup> Hervey, *Memoirs*, Vol 1, p. 285.

<sup>119</sup> BL Add Ms 15946, ff. 34-5, Newcastle to Walpole, 11 September (OS) 1739.

1738, for instance, sent 'dear Horace' various papers to be laid before Cabinet, including instructions to Lord Waldegrave, the British ambassador in Paris, which had been amended by Horace himself. He was to read them, present them to his brother, and arrange the time of meeting. In the meantime, Newcastle asked for assistance over the vexed issue of Oglethorpe's settlement in Georgia, disputed by Spain and likely to lead to conflict; 'I should be Obliged to you, if you would sketch out something for Oglethorpe; I will be trying something myself'.<sup>120</sup>

It was an established practice to circulate documents and drafts among the inner circle of ministers and advisers, and one who like Horace Walpole had a special expertise and was invited to draw up or amend such drafts was undoubtedly influential in forming ideas on policy. Horace's personality, like Newcastle's, could make him difficult to work with. He was prone to fancy his advice ignored and, though not slow to criticise others, was sensitive to slights.<sup>121</sup> Despite this, Horace was an important contributor to the ministerial effort, especially in the pamphlet war which raged between 1738 and 1740. He was an assiduous scribbler in the cause of government, marshalling arguments and facts indefatigably.<sup>122</sup> He had a didactic desire to place before his readers the full sequence of events, so that prejudice and vague assertion would be confounded:

Tho there is no Country in the World in which matters relating to ye people in general are transacted in so publick a manner as they are in ours, yet there is hardly any place in which the Truth of publick Transactions is so little known.<sup>123</sup>

Sir Robert Walpole ordered the distribution, between 17 February and 16 March (OS) 1739 of two magisterial pamphlets by his brother, *The Convention Vindicated...* and *The Grand Question....*<sup>124</sup> One opposition pamphleteer bemoaned this use of the government's

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<sup>120</sup> BL Add Ms 32797, f. 219, Newcastle to H. Walpole, 3 April (OS) 1738.

<sup>121</sup> E.g. BL Add Ms 32788, f. 383, Newcastle to H. Walpole, 22 August (OS) 1738.

<sup>122</sup> See e.g. Wolterton (Walpole) Mss, Political Tracts.

<sup>123</sup> Wolterton (Walpole) Mss, Political Tracts, 'Note of Facts Relating to ye Expeditions for America', n.d., c.1741, p. 1.

<sup>124</sup> [Horace Walpole], *The Convention Vindicated from the Misrepresentations of the Enemies of our Peace* (London, 1739); *The Grand QUESTION, Whether War, or No War, with Spain...* (London, 1739). Detailed circulation lists survive in CUL Ch (H) Mss P75/12-13.



resources, and belittled the ministerial writers: 'their Fustian... is scattered and distributed gratis throughout the Land to vitiate and corrupt the lower Class of our People.'<sup>125</sup> This was certainly no fair summary of these two particular performances by Horace Walpole, which are forcefully argued and closely reasoned. In *The Grand Question*, he presciently said that a war with Spain would not be a matter of seizing galleons groaning with treasure, but that it would be a privateering war. Since Britain had many rich trading ships upon the seas, and Spain few, it was not difficult to see where the balance of advantage would lie. The point was howled down by the opposition, but proved all too true a description of the war when it came.<sup>126</sup> *The Grand Question* won considerable praise as a performance. One friend of the government, the Rev. Henry Etough, was so impressed by 'this excellent performance' that when he came to take notes on it in his private journal, he was insensibly led into transcribing the greater part of it. Looking back, he used the pamphlet as a litmus test of the influence of reason in politics: 'This very instructive and prophetic pamphlet, as it had no influence on a mad and vain nation, is a memorable proof of the tenacious force of nonsense'.<sup>127</sup>

While he was by no means the power behind the throne which the graphic satirists and opposition writers of his day may have believed, then, Horace Walpole was a significant contributor to the thinking of the inner circle of ministers. In 1737 he was at the height of his powers. In the previous year he had turned down the chance to become Secretary of State for the Northern Department, though he was supported for the post by Queen Caroline as well as Sir Robert. Horace declined the promotion rather than have two brothers in two such great offices, but he relished the honour of the proposal. The incumbent Northern Secretary, Lord Harrington, was then too far out of favour to accompany the king to Hanover, where Horace duly went in his stead for seven months.

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<sup>125</sup> *Seventeen Hundred Forty-Two. Being a Review of the Conduct of the New Ministry the last Year* (London, 1743), p. 10.

<sup>126</sup> The early development of this argument can be traced in BL Add Ms 9131, ff. 236-7, 244, H. Walpole, 'Points, to be Consider'd, with Regard to the Depredations of Spain', January 1738. The opposition view of what the navy could do is discussed in P.L. Woodfine, 'Ideas of naval power and the conflict with Spain, 1737-1742', in *The British Navy and the Use of Naval Power in the Eighteenth Century* (1988), eds. J.M. Black & P.L. Woodfine.

<sup>127</sup> BL Add Ms 9200, f. 67, Henry Etough's Journal.

He later recalled the elevated feelings with which he must have begun the year of 1737, since in Hanover;

he has had the good fortune to conduct himself so as to meet with his Maty's approbation without the least frown or reproof during the whole time of his Ministry there.<sup>128</sup>

Only after the death of Queen Caroline in November 1737 did he begin to lose the favour of the King, and to move slowly to the margins of the inner circle, as he lamented in a later autobiographical memoir.<sup>129</sup> His written contributions continued, and were important, but he could no longer supplement these with the personal favour of the king.

Another inner cabinet member, Lord Harrington, Secretary of State for the North, suffered from a loss of royal favour, when Queen Caroline put George II against him for being too close to Lord Chesterfield. Though he took care after that to devote himself only to the king, and indeed flattered the King's Hanoverian and army prejudices, Harrington found it hard to be trusted.<sup>130</sup> He gained most ground, and became a danger to his colleagues, after 1740 when ministerial divisions allowed him to gain greater influence with the King. As Hardwicke commented after one incident in which Harrington had advised George against cabinet policy; 'That way of making Court in the Closet may now and then do *little private* Service to particulars, but must be a great Embarrassment to the *Public* Service'.<sup>131</sup> Harrington eventually cast off the Walpoles through whom he had risen to office. Though he had used his influence to secure Harrington his employments, and twice managed to keep him in post when he was threatened with dismissal, Horace Walpole saw, with some bitterness, in 1740 that Harrington meant to break with him completely, and treat him badly.<sup>132</sup> Phlegmatic and undistinguished, Harrington was otherwise a minor figure in the ministry. Hervey dismissed him sharply; 'he was absolutely nothing, nobody's friend, nobody's foe, of use to nobody and of prejudice to nobody... He

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<sup>128</sup> BL Add Ms 9132, f. 96, 'Mr. Walpole's Apology'.

<sup>129</sup> BL Add Ms 9132, Coxe Papers Vol LV, 'Mr. Walpole's Apology'.

<sup>130</sup> See above, p. 54.

<sup>131</sup> BL Add Ms 32692, f. 349, Hardwicke to Newcastle, 29 September (OS) 1739.

<sup>132</sup> HMC, *Fourteenth Report*, Trevor Mss, p. 79, H. Walpole to Trevor, 6 October (OS) 1741.



was forgotten in his eminence, seen every day, and never mentioned'.<sup>133</sup> Horace Walpole junior was kinder. Lord Harrington, he said:

understood both foreign affairs and the court; little of the constitution... He was very ambitious, civil, ceremonious, and a lover of pleasure. Never offended any party... was well with most.<sup>134</sup>

The Duke of Grafton, also a regular attender at the inner cabinet, worked hard to gain influence at court. His diplomacy was such that he rarely gave an intelligible answer for fear of offending. George II once told him 'that his Grace was always balancing whether he should speak truth or flatter those whom truth would disoblige'.<sup>135</sup> Hervey may have been correct in his summary, based on long personal knowledge, of a man 'who always blundered nor ever knew what he was about, and had lived in a Court all his life without knowing even the common forms of it'.<sup>136</sup> Yet, as Lord Chamberlain for almost the whole of George II's reign, Grafton was one of those courtiers who become necessary by habit and familiarity. It is not a bad thing to have second-rate talents in such positions. Only on the rare occasions when he tried his hand at intrigue was Grafton an obstacle to the work of the ministry. As the censor of theatrical productions from June 1737 he was undoubtedly of use. A good-looking man, he, like the Duke of Newcastle, made great court to the Princess Amelia. The younger Horace Walpole indeed hints that he succeeded in gaining her favours. When Queen Caroline died, Grafton and Newcastle had an incautious dispute, in front of Sir Robert Walpole, over which of them would now have the chief power.<sup>137</sup> The fact that Walpole's son later recorded this anecdote is good evidence that it made an impression on the leading minister at the time, and it may even mark the beginning of the split between Newcastle and Walpole.

The policy contribution of Newcastle remains to be discussed, and will emerge more clearly in later chapters. Even his critics conceded that he was an extremely busy minister. His workload, and his consultation with others, were both extensive, as he chidingly told

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<sup>133</sup> Hervey, *Memoirs*, Vol 1, p. 174.

<sup>134</sup> H. Walpole, *Memoirs*, p. 151.

<sup>135</sup> Hervey, *Memoirs*, Vol 1, p. 266.

<sup>136</sup> *Ibid.*, p. 281.

<sup>137</sup> Walpole, *Memoirs*, p. 152.

Horace Walpole; 'You think here I have nothing to do. See what I write, & Consider, that that is the Result of the Qu.—, Sr. R. and often the Lords, and then think, what Time I have from Monday to Friday.'<sup>138</sup> His working week was as long as that of anyone in the ministry: it was usual for ministers to go into the country on Friday evening, returning only on Monday. Newcastle was generally in the office before noon on Mondays, considered to be an assiduous approach.<sup>139</sup> Newcastle of course, as the principal Secretary of State, was involved at the highest level in all major political decisions, and was second only to Walpole in the ministry. The rift between the two men began early; according to Hervey, at the end of 1736.<sup>140</sup> A comparatively rare surviving letter from Newcastle to Walpole in July 1737 is still affectionate and easy, but over the next two years relations deteriorated greatly.<sup>141</sup> The divergence between them came to the point of active rivalry when Walpole's position began to look weak, and the election year of 1741 saw division and discord in the cabinet. Even as early as 1737 however there was a crucial difference of view between the two about the policy to be pursued towards Spain.<sup>142</sup> Newcastle was veering towards the idea of punishing Spanish depredations, and was led into taking a legalistic and, as it turned out, mistaken view of the treaty position between the two nations. Walpole on the other hand was insistent on doing anything to avoid an open rupture between the two powers. By early 1739 there was no doubt of the conflict between them. Newcastle was bidding for independence, even supremacy, and jealously watched for dissent or challenge. Every hint of lukewarm support became disloyalty.

His habitual insecurity was aggravated by the shocking rise in his personal debts.<sup>143</sup> In these years he was going through a major financial crisis and time of stress. Henry Pelham, called upon in January 1737 for yet another pledge of security for his brother's

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<sup>138</sup> BL Add Ms 32788, f. 386, Newcastle to H. Walpole, 22 August (OS) 1735.

<sup>139</sup> PRO SP 107/21 (unfoliated), Cambis to Amelot, 10 February (NS) 1738; PRO SP 107/24 (unfoliated), Hop to VanderHeim, 3 February (NS) 1739; BL Add Ms 40287, f. 1, Wager to Vernon, 8 July (OS) 1739.

<sup>140</sup> Hervey, *Memoirs*, Vol 3, pp. 829-31.

<sup>141</sup> BL Add Ms 32795, f. 156, Newcastle to Walpole, 8 July (OS).

<sup>142</sup> A summary of the duke at this point of his career, deeply considered and beautifully written, is R. Browning, *The Duke of Newcastle* (1975), pp. 80-88.

<sup>143</sup> R.A. Kelch, *Newcastle. A Duke without Money: Thomas Pelham-Holles, 1693-1768* (1974), chap 3 gives an exhaustive account.



debts, was driven to write an unusually frank letter of admonition. It contained a warning of loss of office which must often have sounded in Newcastle's imagination in the following years: 'if by any accident, there should be removals att Court, think, Dear Brother, what a condition you would be in'.<sup>144</sup> In June 1738 Newcastle's estate was placed in trust, a piece of major financial surgery to rescue the duke from his own improvidence. Debts continued to mount until the temporary relief of the Pelham Family Settlement, signed on 17 November (OS) 1741. This was a complex deal involving buying out the interest of Lord Vane in the Newcastle estate.<sup>145</sup> Even this was to be only a palliative, but it put an end to the most acute time of financial hardship. Newcastle claimed to be more distressed about his plight than his fecklessness led people to believe: 'I feel more, than my best friends know or believe, & what is the worst of all, no Misfortunes are so great, as those that one brings upon oneself'.<sup>146</sup> This financial anxiety added to his reliance on his tolerant brother Henry Pelham and on Hardwicke, who was invaluable both as a lawyer and as a sincere friend.<sup>147</sup> It must also have added to Newcastle's insecurities, and his concern whenever others seemed to be forming alliances from which he was excluded. He complained to Hardwicke after one cabinet meeting:

I must own I was extreemly hurt, to find myself so universally blamed the other Night by all my best Friends, and as I knew I intended nothing more, but as Chavigny says, *de constater nos principes*. The Opposition I mett with from a certain Quarter, I thought no good Omen for our future Proceedings.<sup>148</sup>

In November of that year Newcastle received some frank advice from Walpole's old tutor, Francis Hare, Bishop of Chichester. Hare had been talking with Walpole about the recent clash between him and Newcastle over the appointment of Lord Hervey to be Lord Privy Seal. Chichester warned Newcastle to be reconciled with Walpole, and to be wary of the blandishments of his friends among the Patriot opposition:

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<sup>144</sup> Pelham to Newcastle, 14 January (OS) 1737, cited in Kelch, *Newcastle*, p. 86.

<sup>145</sup> *Ibid.*, pp. 96-8.

<sup>146</sup> BL Add Ms 35407, f. 16, Newcastle to Hardwicke, 25 March (OS) 1741.

<sup>147</sup> BL Add Ms 35407, f. 65, Newcastle to Hardwicke, 8 August (OS) 1741.

<sup>148</sup> BL Add Ms 35406, f. 126, Newcastle to Hardwicke March 1739.

Sr R. said a great deal of matters between you & him for 3 years past, and how hard it was for him to live with you... But as these misunderstandings, as far as I can judge, seem all to have arisen from yr Grace's uneasiness, that he should have the lead... [Chichester advises, one:] that while Sr R. is in the King's Service you can be but second: the other, that whenever his death or any other Incident shall make it be thought necessary to take in any of the Patriots, they will never suffer you to be the first.<sup>149</sup>

The main reason that Walpole had grounds for complaint was that from 1737 onwards the pattern of politics was shaped by diplomacy, in which Newcastle had some considerable advantages over his superior and rival. Though Walpole was little interested in the minutiae of diplomatic correspondence, these were the central concern of the Secretary of State. Newcastle was thoroughly conversant with the affairs not only of his own department but the northern as well, and by 1737 was a diplomat of long experience. He had set in place over a number of years a meticulously thorough office routine, aided by Under Secretaries of great abilities in Andrew Stone and John Couraud.<sup>150</sup> At any given time, Newcastle had the fullest diplomatic information, though not necessarily the clearest overview of its significance. Like all ministers, he benefited from the system of departmental accountability, answering directly to the king, and having within the scope of his office considerable independence. The Duke certainly felt himself licensed to vary the policy advice being sent to envoys abroad. In June 1738 Hardwicke sent to Newcastle a note marked 'Fail not to burn this letter', in which he revealingly urged the Duke *now* to give Keene in Madrid instructions fully in line with the views of Cabinet.<sup>151</sup> Newcastle hoarded all his correspondence, even the most indiscreet, so this small sign of tensions within the inner circle survives.

The interactions of these individual ministers, their shifting perceptions of issues and their different roles and contributions, are essential to an understanding of politics and of

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<sup>149</sup> BL Add Ms 32692, f. 450, Chichester to Newcastle 8 November (OS) 1739. On Hare, a useful recent article is A. Pettit, 'The Francis Hare controversy of 1732', *British Journal for Eighteenth-Century Studies*, 17, 1, 1994, pp. 41-54. Pettit, 'A Various Opposition: History and Rhetoric in the War on Walpole', unpublished Ph.D. thesis, Washington, 1991, pp. 161-77.

<sup>150</sup> J.C. Sainty, *Officials of the Secretaries of State, 1660-1782* (1973), pp. 73, 107; Sedgwick, *House of Commons*, Vol 2, pp. 449-51; M.A. Thomson, *The Secretaries of State 1681-1782* (1932); Browning, *The Duke of Newcastle*, pp. 87-8, 129-30.

<sup>151</sup> BL Add Ms 32690, f. 300, Hardwicke to Newcastle, 16 June (OS) 1738.



cabinet government in these years. To these we must add the external play of forces acting upon them and their friends and enemies, forces which included the interests of foreign powers, the actions of indisciplined *guardacostas* and Spanish colonial governors, the self-interested pressures of the South Sea Company and the orchestrated howls of public opinion. These forces were fully unleashed in the autumn of 1737, the restraints torn off by a protest from the leading London merchants.

The merchant protest against Spanish aggressions took the form of a cleverly written petition to the King, presented on 6 October (OS) 1737.<sup>1</sup> The vehemence of feeling over depredations found the government surprised and divided. Though Newcastle took alarm early, not all ministers could at the outset believe that a narrowly-based merchant complaint would swell to a national protest. The issue of British trade in the West Indies was a vexed one. On the one hand were the depredations of the Spanish *guarda costas*, a motley force of heavily armed patrol ships, set up by Patiño in 1722. To set in the balance against those was the admitted (and extensive) illicit trade of the British merchants and their colonial counterparts. Keene commented; 'all allow that the American Seas were never more filled with illicit Traders of all Nations than they are at present'.<sup>2</sup> This trade was all the more resented because the fateful trading concessions made in the Treaty of Utrecht (1713) still rankled with the Spanish court. The Utrecht negotiations had involved Britain abandoning support for the pretender to the Spanish crown, Charles of Austria, who had been willing to offer Britain extensive legal trading rights without using the device of the *asiento de negros*, the right (but also the duty) to furnish slaves to the Spanish overseas possessions. Philip, to secure his crown, conceded to Bolingbroke (the later scourge of ministerial weakness towards Spain) an *asiento* of thirty years rather than the customary ten.

As Bolingbroke frankly boasted, the *asiento* concession was mainly a cover for entry into the lucrative Spanish trade.<sup>3</sup> Philip also, in the *Asiento Treaty's* Article 42, gave the company the extraordinary privilege of the Annual Ship.<sup>4</sup> This official company ship, of 500 tons, had the right to trade at the time of the great annual trade fairs in central America. Very soon, this privilege was opened to abuse. By a convention of 1716 the official ship was allowed to be of 1,000 tons, and its cargo was allowed to be sold without waiting for the arrival of the Spanish galleons. The ship became a floating warehouse,

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<sup>1</sup> Printed as Appendix 2.

<sup>2</sup> BL Add Ms 32796, f. 244, Keene to Newcastle, 13 December (NS) 1737.

<sup>3</sup> J.O. McLachlan, *Trade and Peace with Old Spain 1667-1750* (1940), p. 61.

<sup>4</sup> *Ibid.*, pp. 71-74; R. Pares, *War and Trade in the West Indies, 1739-1763* (1936; repr 1963), pp. 10-12.



repeatedly refilled from those which sailed along with it.<sup>5</sup> Even before the worst effects of this 'smugglers' charter' had become apparent, the pure principles of monopoly had been infringed. In Philip's desperate need to secure his dynasty he had made concessions at Utrecht which were, in Walker's summary, the only example of a 'foreign power's effective yet legitimate penetration into the very heart of the Spanish trading system'.<sup>6</sup> Under the influence of the bustling Patiño, Spain attempted to limit the damage caused by these concessions and insist on its own understanding of legal trading and fair sailing.

Successive ministers attempted to carry through the rebuilding of the Spanish economy which Patiño had begun.<sup>7</sup> The favoured way to achieve this was through inflexible Spanish-centred policies. High and increasing taxes were to be levied on trade, especially that in silver and gold. Above all, the doctrine of colonial monopoly was to be upheld in full rigour. The principal idea was to exclude all foreigners from the trade to Spain's overseas empire, in theory Spain's exclusive possession ever since the 1494 Treaty of Tordesillas. The first decree prohibiting foreign trading came in 1501, and by the decree of Carlos V in 1538 the doctrine of exclusive Spanish trading was in full force.<sup>8</sup> This old theory of an entirely Spanish-dominated American empire was revived after the Spanish Succession War. At first sight this might seem to be contradicted by the commercial provisions of the 1713 treaties. As Walker remarks; 'British merchants, after the Peace of Utrecht, found themselves in a stronger position than they had ever been in before to penetrate the forbidden market of the Spanish Indies'.<sup>9</sup> This apparent exception, and the constant irritations that arose from it, merely increased the determination of the Spanish court to restore the purity of the old ideal. It was for this reason that it was risky in the late 1730s to press for changes in the rules of Caribbean trade. If the existing situation was disturbed, British commerce stood to lose, since any redefinition would have to take account of the entrenched Spanish position on colonial monopoly. If the Spanish

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<sup>5</sup> C. Nettels, 'England and the Spanish-American Trade, 1680-1715', *Journal of Modern History*, 3, 1, March 1931, p. 31. See G.H. Nelson, 'Contraband Trade under the Asiento, 1730-1739', *American Historical Review*, 51, 1945-6, pp. 55-67.

<sup>6</sup> G.J. Walker, *Spanish Politics and Imperial Trade 1700-1789*, p. 74.

<sup>7</sup> A. Castillo, 'Coyuntura y crecimiento de la economía Española en el siglo XVIII', *Hispania*, 117, 1, 1971, pp. 31-54.

<sup>8</sup> G.-B. González, *Cádiz y el Atlántico*, pp. 95-7.

<sup>9</sup> Walker, *Spanish Politics and Imperial Trade*, p. 71.

authorities were compelled to look closely into any of the existing commercial or diplomatic relationships, in fact, the result was likely to be a stricter régime for the future. In Old Spain too, Keene complained that 'the consequence of this Court's making inspection into any sort of Disputes of this nature, generally ends in some Infringement more or less material of our ancient Usages and Privileges'.<sup>10</sup> One such incident, construed as a small but irritating slight to King George, was that in which Consul Parker in Coruña was compelled to take down the King's arms from his gate, and hang them only within, out of public sight.<sup>11</sup>

The doctrine of monopoly had repercussions even within Spain. In order to make it possible to police the payment of royal imposts, all trade was to go through specific ports. In 1717 Cádiz was established as the monopoly port for all trade to and from America. In theory, this would make it impossible for there to be any evasion of royal duties, though ships might always have to call in at other ports through stress of weather, enemy attack or other excuse. In practice, Cádiz managed to preserve a level of 85 percent of all trade. Even so, the incentive to evade the sometimes swingeing royal dues is clear: roughly 88 percent of outward sailings went from Cádiz, but only 82 percent of returning vessels came into that port with its army of royal tax inspectors: the lucrative cargoes of gold and silver provided greater incentives to avoid scrutiny.<sup>12</sup> The essential weakness of the Spanish policy was that it relied on tight restrictions and high taxation, rather than on providing incentives to colonial expansion. Indeed a great concern of successive administrations was to prevent the settlement of the Indies by non-Iberians.

Such a Castille-centred, apparently exploitative, policy was likely to create resentment not only among the American colonists of other powers but also among Spain's own colonial subjects. The profits of trade were meant to go uniquely to Spanish subjects, even to the exclusion of colonial-born sons of Spanish traders and planters. For these reasons, colonists and traders were almost driven to avoid royal controls. Given the distances involved and the poor condition of the Spanish navy, these restrictions could not in any

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<sup>10</sup> BL Add Ms 32796 f. 312; PRO SP 94/130 (unfoliated), Keene to Newcastle, 6 January (NS) 1738.

<sup>11</sup> BL Add Ms 32796, f. 12, Newcastle to Keene, 7 January (OS) 1738; BL Add Ms 32797, ff. 86-7, Keene to Newcastle, February 23 (NS) 1738.

<sup>12</sup> González, *Cádiz y el Atlantico*, table of shipping movements 1717-1765, p. 111.



case be upheld in the form demanded by the inflexible theories of Spanish policy makers. Throughout the eighteenth century the rigid fiscal regime was uniformly pronounced by commentators to be the central problem of empire, but it remained intact and its levies regularly increased. The ancient doctrine of monopoly remained the foundation of Spanish mercantilist policy.<sup>13</sup> Of course, the monopoly was dented by extensive illegal trading. And it was altogether broken by the unique legal rights given to a British trading company to share in, and in practice to undermine, the general prosperity of Spanish colonial trade. As these rights had been expressly granted for a limited term of years, only a generation in the course of long centuries of trade, Spanish officials seem always to have regarded the South Sea Company's intrusions as a temporary irritant. This was an enduring Bourbon doctrine of monopoly, breached for a time by fateful and long-resented commercial engagements with Britain at Utrecht. This outlook helps to explain why the depredations of overseas Spanish vessels on British shipping were not simply negotiable, and were not merely incidental excesses which could be easily squashed from Madrid.

A problem which was clear at every stage was the difficulty of bringing cases such as this to a resolution. British accounts of the atrocities committed, and the pure intentions of the traders concerned, were not the same as legal proofs. Nor were legal proofs necessarily easy to provide in the cumbersome and often corrupt system of Spanish colonial justice. Under the Asiento treaty, the interests of the Company were supposedly protected by the hire of Spanish officials to judge all cases involving disputes between the Company and Spanish subjects. The *juez conservador*, or judge conservator, was in theory a safeguard to prevent the Company being overreached in an alien system of law. In practice, they were usually very severe upon the Asientists in any disputes.<sup>14</sup> A further aggravation of the problems caused by this clumsy system was the ruling of the Viceroy of Mexico in 1727, that the South Sea Company's Judge Conservator should only have passive jurisdiction, that is, where the Company was a defendant. Since, as a large-scale creditor, the Company was almost always a plaintiff in its actions, this was to deny it redress.<sup>15</sup>

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<sup>13</sup> *Ibid* pp. 119-139, 194-207.

<sup>14</sup> A.S. Alton, 'The Asiento Treaty as Reflected in the Papers of Lord Shelburne', *Hispanic American Historical Review*, 8, 1928, pp. 170-1.

<sup>15</sup> BL Add Ms 33032, f. 41, 'Heads of Sundry Matters Necessary to the Establishment of the Assiento Trade...'



Frictions between the South Sea Company and the Spanish crown were a constant of the years 1713 to 1739.<sup>16</sup> When merchants sued for compensation in old Spain, they were invariably told to produce documentary proof of their loss, which could be provided only by notaries on the spot where the seizure and sale took place. As the local Spanish governors sometimes intimidated notaries into refusing to draw up the necessary *autos* (proceedings), the legalism of the Spanish tribunals could be seen as special pleading, if not a violation of natural justice.<sup>17</sup> To some extent the delays of Spanish law were inevitable and proper. The courts would not decide on property rights or compensation without hearing both parties in the case, and even Spanish shipowners suffered from this procedural delay. As one sufferer commented; 'Demands, when once the opportunity is slip't, and that they are grown old, are long a recovering in America, & commonly lost.'<sup>18</sup> To some extent, too, the system was distorted by corruption and obstruction overseas. *Guarda costa* captains had strong reasons to be uncooperative and colonial governors and judges often acted in a partial manner. Captured ships would have been sold along with all their contents long before an enquiry into their seizure could be successfully concluded.

These local and essentially small-scale transgressions however were not the stuff of which eighteenth century wars were usually made. Nonetheless, the disputes over the depredations issue and over the boundaries of Georgia and Florida were fundamental to relations between the two powers. Conflict in America had actually been more likely under the influence of Patiño, but the issue was still capable of generating mistrust and anxiety both in America and in Europe. The long-standing dispute was about whether James Oglethorpe's colony of Georgia, begun in 1732, was within the bounds of British territory, formerly the Carolinas, or encroached upon the boundaries of Spanish Florida. The boundaries, at least the westward frontiers, claimed by all the North American colonies were only sketchily laid out at this time. Georgia had been successfully established within the shadowy southern limits of the undoubtedly legal colony of the Carolinas, and Oglethorpe at least could see no shred of a legal claim to it which Spain might make.<sup>19</sup> No British ministers seem to have contemplated giving up a colony named

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<sup>16</sup> L.E.M. Batchelor, 'The South Sea Company and the Assiento', thesis abstract, *Bulletin of the Institute of Historical Research*, 3, 1925-6, pp. 128-30.

<sup>17</sup> BL Stowe Ms 256, ff. 86-8, Newcastle to Keene, 5 June (OS) 1732.

<sup>18</sup> PRO SP 107/29 (unfoliated), de Mugaguren to de la Quintana, 15 July (NS) 1739.

<sup>19</sup> BL Add Ms 32797, f. 52, Oglethorpe to Newcastle, 8 February (OS) 1738.



after their King. George had firmly made it clear that the colony would always be under his sovereignty and protection.<sup>20</sup> The treaty position might be rather dubious, but, as Newcastle said; 'I fancy however the Right may be, it will now be pretty difficult to give up Georgia'.<sup>21</sup> But there was still room to negotiate over its precise limits. In America, after many skirmishes and mutual accusations, Oglethorpe and the Spanish Governor of St. Augustine had drawn up an agreement on 11 October (OS) 1736 to live amicably together and abide by boundary decisions to be made by their respective courts.<sup>22</sup> This did not prevent rumours of a supposed Spanish expedition against Georgia, a belief in which persisted during 1736 and 1737. Such an expedition does seem to have been seriously planned by Patiño.<sup>23</sup>

One part of his design - it could hardly have been a central one - was placed in the hands of a London-born French adventurer posing as an Irishman. The supposed Irishman 'Miguel Wall', real name John Savy, was one of those adventurers who thrive on international disputes, and who repeatedly surface in the papers of the diplomats and ministers, offering military intelligence, weapons inventions or surefire ways to take colonial possessions. Savy was a rogue, who fled his debts by going to Carolina where he committed a murder and so decamped to Dieppe (in August 1735), and from there to Paris. Being destitute he there offered an account of the colony of Georgia to the Spanish envoy, and was paid by Patiño to tell his story in Madrid.<sup>24</sup> He entered the Spanish service under his alias of Wall as a *guarda costa* captain. According to his own account he was charged by Patiño himself to take all British traders, whether legal or not, and captured several British merchant ships. Shortly before Christmas 1736 Wall turned up in Port Royal, Jamaica, where a South Sea Company factor, Leonard Cocke, plied him with drink and discovered his plans. These consisted of little more than issuing a proclamation in

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<sup>20</sup> BL Add Ms 32795, f. 24, Newcastle to Keene, 5 May (NS) 1737.

<sup>21</sup> BL Add Ms 35406, f. 50, Newcastle to Hardwicke, 25 September (OS) 1738.

<sup>22</sup> '... quedaran en una profund Paz, amorosa y amigable Correspondencia, y no se molestaràn los unos a los otros en ningun Modo ni Maniere, hasta que las dos respectivas Cortes determinen sobra esta Materia.' BL Add Ms 32794, ff. 253-9, Mr. Martyn, secretary to Georgia Trustees, to Newcastle, 9 February (OS) 1737.

<sup>23</sup> BL Add Ms 32797, f. 88, Keene to Newcastle, 23 February (NS) 1738.

<sup>24</sup> BL Add Ms 32796, ff. 46-7, Copy of Mr. John Savy to the Honble. the Trustees for establishing the Colony of Georgia, 22 October (NS) 1737. PRO SP 94/206, ff. 19-20, Geraldino to Torrenueva, London 12 December (NS) 1737.

Georgia to give freedom and a reward to all slaves who would join a rebellion. Still, the possibility that Spain might mount an expedition could not be ignored, and all concerned were duly put on the alert.<sup>25</sup> Too much on the alert, in fact, for the Company's factors. They were angry at the spreading of news which would make it more difficult, and far more expensive, for them to hire shipping.<sup>26</sup>

By the early summer Keene was confident that there was nothing in all this talk, accepting the assurance of la Quadra that it was merely the legacy of one of Patiño's erratic projects. Philip V disclaimed all knowledge of Wall, assuring Keene that no orders had been given for any attack. Keene remarked; 'I do not perceive that there is half that prejudice and violence in their Counsels and Proceedings, which reigned but too visibly in them for several years last past'.<sup>27</sup> Pacific counsels continued broadly to prevail, though Spanish ministers, under the spell of the doctrine of exclusive possession, were still keen to protect their interests and robustly to assert their rights in North America. Unease was registered in Madrid when in June 1737 Oglethorpe, then in England, was named Commander-in-Chief of the British forces in South Carolina.<sup>28</sup> In August a 'very extraordinary Memorial' was presented to Newcastle by Don Thomas Geraldino, making stout claims on South Carolina and Georgia, and threatening hostilities in case of a refusal.<sup>29</sup> The Secretary of State's reply was to make a firm but moderate representation in Madrid, and to send a naval detachment to South Carolina, with a battalion from the Gibraltar garrison. Newcastle was quite clear, though, that this was merely a precaution, and trusted in the pacific intentions of his opposite number la Quadra.<sup>30</sup> Even the more active Spanish minister Torrenueva, blamed by Newcastle for the meddling policy in

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<sup>25</sup> BL Add Ms 32794, ff. 248-9, Commodore Digby Dent to Newcastle, 8 January (NS) 1737, enclosing a letter from Cocke, 3 November (NS) 1736.

<sup>26</sup> BL Add Ms 32797, f. 273, Unnamed correspondent in Kingston, Jamaica, to Walter Jenkins of Bristol, 20 February (OS) 1737.

<sup>27</sup> BL Add Ms 32795, ff. 90-1, Keene to Newcastle, 10 June (NS) 1737.

<sup>28</sup> BL Add Ms 32795, ff. 132-3, Newcastle to Keene, 23 June (OS) 1737.

<sup>29</sup> Wolterton (Walpole) Mss, Papers of Lord Harrington 1737-9 (unfoliated), Harrington to H. Walpole, 30 August (OS) 1737.

<sup>30</sup> BL Add Ms 32795, ff. 303-8, Newcastle to Keene, 12 September (OS) 1737.



Georgia, disavowed the rumours of an invasion, and believed them to have been begun by Oglethorpe himself, to secure reinforcement from home.<sup>31</sup>

This did not, however, prevent Patiño's mischief reaching beyond the grave. Later that year, his agent 'Wall' was cashiered from the Spanish service for striking an officer. He returned to England, surrendering himself to the British vessel *Grampus*, and tried to secure for himself some friends. His first hope was to win favour with the Georgia trustees by revealing the supposed Spanish plot against the colony in which he said he had been involved.<sup>32</sup> His second was to 'doe his Country service' by helping Pulteney, Perry and the London merchants.<sup>33</sup> Newcastle had this self-styled patriot arrested in early December 1737, and Walpole was told Savy's chequered history by Geraldino on 17 December (NS).<sup>34</sup> Soon after his release, Wall printed in the *Craftsman* an emotive letter, part of a campaign to suggest that there was on foot a Spanish expedition against the English settlement in Georgia.<sup>35</sup> The letter purported to be an account of depredations and invasion threats sent home from the Caribbean by an honest and patriotic trader: 'I can't tell how things may be at Home, whether Peace or War, but I am sure 'tis open War here on their Parts'. The printing of the letter throws light on the methods of the opposition press and their City allies, since the original document must have been known to be a fabrication.

The idea of 'open War' was used by the opponents to press for decisive action from the ministry in November 1737, and the sense of crisis and disorder was heightened by every means that lay to hand. Newcastle warned Geraldino bluntly that the vocal parliamentary opposition would prevent any concession over Georgia.<sup>36</sup> The business of the opposition was to discredit Walpole and secure his fall by using the pressure of public opinion. The

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<sup>31</sup> CUL Ch (H) Corresp 2697, Intercepted letter, Geraldino to Torrenueva, 13 June (NS) 1737.

<sup>32</sup> BL Add Ms 32796, f. 47, Savy to the Georgia Trustees, 22 October (NS) 1737.

<sup>33</sup> CUL Ch (H) Corresp 2725, Information of John Cooper, Townshend packet boat, to Walpole, 24 December (OS) 1737,.

<sup>34</sup> PRO SP 94/206, f. 29, Geraldino to Torrenueva, 19 December (NS) 1737.

<sup>35</sup> Printed as Appendix 3.

<sup>36</sup> Simancas, Estado, Legajo 6902 (unfoliated), Geraldino to la Quadra, 2 January (OS) 1738.

business of the City merchants was to gain a complete freedom for their trade, licit and illicit, in the Caribbean. In their well-publicised representations to the Cabinet and Parliament in October and November 1737 the main point which they stressed was the freedom of navigation.<sup>37</sup> This was a point of principle, and one with considerable resonance given Britain's naval history and national pride. The self-image of the British nation in the 1730s can be seen in the numerous graphic prints in which they are defined as beer-drinking, meat-eating and independent as opposed to the slavish subjects of catholic despots (especially of course the French) who wore clogs, were dominated by priests and ate frogs and *soupe maigre*.

A specific and powerful aspect of this self-image was based upon the defeat of the Spanish Armada and the buccaneering exploits of Raleigh, Hawkins and Drake. For one great Victorian historian, writing perhaps the most widely read history book of his day, the conflict with Spain in the 1730s was an aggressive protestant imperialism, a policy continuous with that of Elizabeth and Cromwell.<sup>38</sup> In reality, the conditions were very different, as Kenneth Andrews has shown.<sup>39</sup> The power relationships involved were rarely considered in this rhetoric of naval conquest. One pamphleteer, after three years of war, tardily took note of them. He commented that in the days of Cromwell the French had been our allies, yet even so the Spanish had taken over 300 of our merchant ships in each year of war.<sup>40</sup> In a world of more highly organised navies and far more strongly fortified colonial towns, the haphazard buccaneering of men such as Hawkins was no longer possible. What the shrill public voice ignored, too, was the fact that those glorious days, as Horace Walpole pointed out, had had their share of failures.<sup>41</sup> Despite the more

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<sup>37</sup> The petition, presented in form on 11 October (OS) 1737, was enclosed along with numerous supporting papers in BL Add Ms 32796, ff.77-94, Newcastle to Keene, 4 November (OS) 1737, and is reproduced as Appendix 1. See also PRO SP 98/129 (unfoliated), 'A Short State of the Several Seizures and Violences complained of by the Merchants of London trading to the British Plantations in America & which were laid before the Lords of the Council in support of their Petition....

<sup>38</sup> J.R. Seeley, *The Expansion of England* (1883), p. 93.

<sup>39</sup> K.R. Andrews, *Elizabethan Privateering. English Privateering during the Spanish War 1585-1603* (1964), pp. 171-5.

<sup>40</sup> 'Philalethes', *The Profit and Loss of Great-Britain and Spain, from the Commencement of the Present War, to this Time, impartially stated* (1742), pp. 49-50.

<sup>41</sup> Wolterton (Walpole) Mss, H. Walpole, 'Note of facts relating to ye Expeditions for America', p. 49.



complex reality, however, the idea of a naval war which would finance itself by the seizure of booty persisted through the seventeenth century.<sup>42</sup> Indeed the images of Drake and Elizabeth were still being pressed into service when war was called for against Spain in 1790.<sup>43</sup> The appeal of the Elizabethan period was its simple and belligerent view of Britain's power:

Britannia's Figure once could Passion move,  
And Princes either fear'd or sought her Love.  
When fam'd *Eliza* gave one single Nod,  
The *Spaniard* bow'd, nay cring'd and fear'd her Rod.<sup>44</sup>

It was axiomatic, for those who indulged in these simple visions, that Britain's 'formidable flag' which had done these deeds should still rule the waves.<sup>45</sup> As *Common Sense* averred, 'we are able to blow any that shall insult us out of the Sea'.<sup>46</sup>

Any claim by Spain to the Americas, based on medieval papal authority, was of course indignantly rejected. Furthermore there was a well developed belief in the cowardice and inferiority of the Spaniards, and the lucrative spoils to be had by seizing their treasure. Ten years earlier, Britons had been told:

The Learned in Politicks have an ancient Way of Talking (as old as Queen *Elizabeth*) about *England's* making War, which (with a little Amendment) reads thus: ENGLAND *may gain by a War with France, but never Loses by a war with SPAIN.*<sup>47</sup>

Spain could not be allowed to challenge British ships in the American seas unless the government was prepared to admit that modern Britons had degenerated from their brave

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<sup>42</sup> D. Davies, 'The Birth of the Imperial Navy? Aspects of English Naval Strategy c. 1650-90', in *Parameters of British Naval Power 1650-1850*, ed. M. Duffy (1992), p. 21.

<sup>43</sup> J.M. Black, 'Naval Power, Strategy and Foreign Policy 1775-1791', in *Parameters of British Naval Power*, p. 112.

<sup>44</sup> *London Evening Post*, 17 April (OS) 1739.

<sup>45</sup> [A. Boyer], *Political State of Great Britain* XLII, November 1731, p. 548.

<sup>46</sup> *Common Sense*, 18 February (OS) 1738. This mentality is discussed in P.L. Woodfine, 'Ideas of naval power and the conflict with Spain, 1737-1742', in *The British Navy and the Use of Naval Power in the Eighteenth Century*, (1988), eds. J.M. Black & P.L. Woodfine.

<sup>47</sup> [Anon], *The Evident Advantages to Great Britain and its Allies from the Approaching War: Especially in Matters of Trade* (1727), p. 15.

ancestors.<sup>48</sup> The Spaniards were always bullies when they felt that they could get away with it, but; 'no sooner did our brave English Sailors shew their Faces, and the *British* flag been display'd on their Coasts, than they have as readily drawn in their Horns, and shewn themselves the most abject, humble, suppliant people living.<sup>49</sup> Given this emotive view of the Spaniards and of the mighty British navy, an appeal to the freedom of the seas was likely to cause the most embarrassment to the government and have the widest national support.

The best prospect of long-term harmony consisted in a full renegotiation of territorial and commercial issues, a fact recognised by George II and his ministers. What they may have appreciated less clearly was the fact that colonial disturbances were not accidental but rather were central to the Spanish conception of their imperial rôle. Spanish responses to events were shaped by a long-held belief in their monopoly rights and also by a tender respect for the pride and power of the ruling house. Keene saw and feared the intractability of Philip and Elizabeth on these points, which could so easily overthrow any pragmatic considerations, but he tended to ascribe it to the strange personalities involved:

These People are certainly not content with what passes in America, neither are they in a condition to support an expensive Engagement; but considerations of this sort do not always hinder them from precipitating themselves into it; and notions of Injustices done them will make stronger impressions upon minds like these than the bad state of their Finances.<sup>50</sup>

Even as Keene wrote in October of the tranquillity of Madrid, letters were on the way to him from Newcastle which would trigger just such notions of injustices, and were to set the tone for the next two years of diplomatic endeavour. The President of the Council of Jamaica, closely linked to the City of London merchants, and not an official to be neglected, had written to the Secretary of State enclosing detailed complaints against the Governor of Porto Rico. Newcastle forwarded the papers to Keene, with orders to send

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<sup>48</sup> [Anon], *The British Sailor's Discovery, or, the Spanish Pretensions Confuted* (1739), p. 2; see *Common Sense, or The English Man's Journal*, 22 July (OS) 1738.

<sup>49</sup> Capt. Jinkins, *Spanish Insolence Corrected by English Bravery. Being an Historical Account of the many Signal Naval Achievements Obtained by the English over the Spaniards from the Year 1350 to the present Time...* (1739), pp. 2-3.

<sup>50</sup> BL Add Ms 32794, f. 341, Keene to Newcastle, 22 April (NS) 1737.



the strongest memorial on this individual case (of Captain Curtis of the *St. James*, taken on 12 May near Porto Rico). He was also to send;

a short abstract of all the complaints of this nature, that have been made by you for these last two years, of the Answers that have been returned to them, and of the redress and satisfaction that His Majesty's Subjects have received thereupon.<sup>51</sup>

Keene did urge the case in very strong terms, though his letters survive in the archives of the Spanish Secretary of State without the comment or replies that would have been common in the corresponding English office papers. La Quadra was a cautious bureaucrat who offered little initiative. With the King's mental indisposition growing, their Catholic Majesties were transacting little business.<sup>52</sup> What was done was done slowly, said Keene: 'Your Grace will hardly believe that by the present form of Government, Matters of this nature must be sent four times to Madrid and back again before I can have an Answer in form'.<sup>53</sup>

Keene was not surprised that Newcastle should not be able to understand the present administration in Spain: 'We who are eyewitnesses can hardly comprehend it'.<sup>54</sup> Even his long years in Madrid had not accustomed Keene to 'la lenteur Espagnole'.<sup>55</sup> To help unravel the mystery, he sent home by messenger a long summary of the Spanish court. Part of the problem was the collegial decision-making of a system which inhibited action or the taking of responsibility. Patiño had destroyed his health in struggling against this tradition, whereas la Quadra was its natural product. The character of la Quadra was spelled out anew by Keene; 'he is ... more a Clerk of State than a Minister, and his own indolence and diffidence of himself will always keep him so, and *that* by his own choice'.<sup>56</sup> and his love of the bureaucratic routines and shared responsibilities of the Spanish

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<sup>51</sup> BL Add Ms 32796, f. 1, Newcastle to Keene, 3 October (OS) 1737 [in post only on 2 November].

<sup>52</sup> Simancas, Estado, Legajo 6900 (unfoliated), Keene to la Quadra, 30 October (NS) 1737; BL Add Ms 32796, ff. 36-7, Keene to Newcastle, 28 October (NS) 1737.

<sup>53</sup> BL Add Ms 32796, f. 31, Keene to Newcastle, 24 October (NS) 1737.

<sup>54</sup> BL Add Ms 32796, f. 297, Keene to Newcastle, 30 December (NS) 1737.

<sup>55</sup> W. Coxe, *Memoirs of the Kings of Spain of the House of Bourbon* (1815), Vol III, p. 291.

<sup>56</sup> BL Add Ms 32797, f. 241, Keene to Newcastle, 13 December (NS) 1737.

system,: 'he is never more easy nor happy, than when He can say, that he has put my offices in their Course and Channel'.<sup>57</sup> La Quadra was still active enough where protocol was concerned. In December 1737 he pressed Geraldino to stir the British ministry into sending an ambassador to present compliments to Elizabeth's son Don Carlos on his acquisition of the title of King of the Two Sicilies.<sup>58</sup> Here was just the kind of limited issue of protocol which he relished, with a clear correct course of action if he wished to gain royal approval.

At this point a number of issues of a more dangerous kind came together with damaging effects. To support the principle of freedom of the seas, a potent weapon lay to hand in the recent escalation of Spanish violence against British shipping. The depredations, apparently sanctioned by Spanish colonial governors, contributed to a crisis which by the autumn of 1737 could not be ignored. Having laboured through the summer with little to excite their readers other than repeated onslaughts on placemen and on the recent stage licensing laws, the opposition press now had an issue which might again reach the heights of the great campaign against the Excise in 1733. Depredations were the form in which renewed Spanish imperial controls impinged upon British traders and the public consciousness. The range and timing of these depredations upon British shipping needs therefore to be briefly outlined. When the depredations issue forced itself upon the notice of the British crown in 1737, two kinds of offence were in question. Some older instances dated back around ten years. The 1727 seizure of the *Anne* galley, master Samuel Bonham, was the subject of a shilling pamphlet in 1738 and the 1727 case of the *Betty* galley, master Richard Copithorne, was raised by the *Craftsman* in February 1739<sup>59</sup> In contrast were the newest and most pressing cases, of which news was filtering in (and being magnified by the Opposition press) even as the debate over policy was being conducted.

Two particular episodes of depredations can be discerned, from 1726 to 1731 and from 1736 to 1738. Both were linked to the Spanish policy of vigorous enforcement of its imperial trading monopoly. A burst of activity against interlopers began with the tenure of

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<sup>57</sup> *Ibid.*

<sup>58</sup> PRO SP 94/206, f. 13, La Quadra to Geraldino, 2 December (NS) 1737.

<sup>59</sup> *The case of Samuel Bonham and the other Owners of the Anne Galley (1737); Craftsman*, February 24 (OS) 1739.



Patiño as Secretary of the Office of the Indies in 1726. This was the point also at which the *guarda costa* force, created by Patiño in 1722 and first operating in 1725, began to have an effect on illegal traders.<sup>60</sup> These were fast-sailing, heavily armed and manned vessels, whose mode of operation was to outsail the laden merchantmen, board them and put aboard a prize crew. The degree to which Spanish colonial justice was weighted against foreign shipping was made evident in the case of the *Swan* sloop, master James Wimble, in June 1728. The *Swan* was boarded by a typical *guarda costa* vessel, carrying 16 guns and 200 men. Wimble and his men were soon released, but on 10 June (OS) the *Swan* was taken by a Spanish sloop of 10 guns and 50 men, and carried into Cuba. When the Spanish captors reached Santiago; 'the Spanish Governour came & condemn'd Sixteen Sail of English Ships & vessels over a Glass of Wine without Examining what there was on Board, or where they was taken & without any manner of Court of Admiralty or the like'.<sup>61</sup> American *armateurs* felt licensed to attack British shipping particularly after the outbreak of conflict between Britain and Spain in February 1727, when England and France opposed the attempts of Philip V's son Don Carlos to take over the Italian duchies of Tuscany, Parma and Piacenza. These Italian ambitions were dear to the heart of Queen Elizabeth, born in Parma and intensely ambitious for both her sons. Though the hostilities in the Mediterranean were soon over, this news was slow to reach the Indies, which may account for the spate of seizures which went on into 1728. At lesser levels, seizures went on until 1731, no doubt for the same reason that profitable privateering activity was slow to end after every war.

Several cases of the late 1720s were accompanied with brutality by the Spanish colonial forces, and were given only tardy consideration by the Spanish crown. One such was the seizure by *guarda costas* of the Bristol galley, the *Robert*, of which Story King was master, in 1728. King was tortured for three days with thumbscrews, and lighted matches in his nails, but seems only to have brought a formal complaint and deposition in May 1731.<sup>62</sup> This delay may well have been caused by the dubious legality of his trade. It was notorious that many of the captures were of ships which had been breaking through the

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<sup>60</sup> Pares, *War and Trade*, pp. 22-3; Walker, *Spanish Politics and Imperial Trade*, pp. 150, 154, 188.

<sup>61</sup> BL Add Ms 32797, ff. 279-80, Testimony of William Grayhams; sworn statement.

<sup>62</sup> PRO SP 98/129, (unfoliated), Deposition 15 May (OS) 1731; full deposition and petition of August 1731 in BL Add Ms 32774, ff. 118-20, 122.



Spanish monopoly. James Wimble's *Swan*, condemned over a glass of wine, does seem genuinely to have been carrying only the produce of North Carolina and to have been innocent of illicit trade. It is probably significant, though, that Wimble claimed to have had sloops taken by the Spaniards in 1719, 1720, 1727 and 1728 yet only in the autumn of 1737, encouraged by the City campaign for redress, did he come forward to complain to the Secretary of State.<sup>63</sup> Lawbreakers were in a poor position to agitate for their rights, and their protests were always likely to compromise and embarrass the efforts made by British diplomats. Ministers, fully aware of the often dubious nature of the trade involved, did not always place a high value on these complaints. The plaintiffs in the *Anne* galley case were told briskly by the Duke of Newcastle that; 'it was a matter of State, and Merchants had no Business to meddle therewith, those Things being out of their Province'.<sup>64</sup> Meddle they did, however, and on 4 March (OS) 1731 the petitions of the Bristol and Liverpool merchants against depredations led to an enquiry by a Committee of the whole House.<sup>65</sup>

The enquiry was inconclusive, though, and the affair aroused none of the national interest of the later London petitions. Part of the reason lay in the very different response of the press, who in 1731 were far more concerned to vilify Walpole by accusing him of corruption. Pulteney believed that the current low standard of the press arose from the government's having no good arguments at its disposal, and resorting to name-calling:

Such usage has made it necessary to return the same polite language, and there has been more Billingsgate stuff utter'd from the Press within these two months than ever was known before<sup>66</sup>

The personal attacks on leading ministers seem to have blinded opposition journalists to the value of other ammunition. That provided by depredations was little used, as if the issue had somehow not come into focus as a question of government responsibility. The case most famous to posterity, that of Jenkins, was treated by the press in a very low key in 1731. The picturesque detail of Captain Robert Jenkins losing his ear was not the cause

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<sup>63</sup> BL Add Ms 32796, f. 82, Keene to Newcastle, 4 November (OS) 1737.

<sup>64</sup> *The Case of Samuel Bonham and the other Owners of the Anne Galley...* (1737), p. 1.

<sup>65</sup> [A. Boyer], *The Political State of Great Britain*, Vol XLII, November 1731, pp. 466-7.

<sup>66</sup> BL Add Ms 4806, ff. 16-17, Pulteney to Swift, 9 January (OS) 1731.



of the subsequent war, nor was it even the most important case of Spanish violence.<sup>67</sup> The conventional timescale offered for the causes of the war - Jenkins losing his ear in 1731, appearing at the bar of the House of Commons in March 1738, and an indignant nation forcing a war in October 1739 - is self-evidently faulty. Still it continues to offer the writers of textbooks a convenient (and harmless) image with which to explain something about the rôle of public opinion in making war likely.<sup>68</sup> Jenkins's sufferings were certainly bandied about in 1738 and 1739 as a kind of shorthand for Spanish cruelty and disregard of law. Yet at the time of the incident in 1731 numerous papers failed to mention the case at all, and the *Gentleman's Magazine* in June gave Jenkins only brief coverage. The *Craftsman* in July led with a letter on the Jenkins episode, but was concerned mainly to reflect on the 'odd medley of peace and war' in the Indies.<sup>69</sup> The fullest account, that of Abel Boyer in July, was still far from graphic, though it placed a stress on the insolence of the Spanish captors towards the British crown.<sup>70</sup>

The reason that this case was still remembered after seven years was not that the cruelty to Jenkins was unprecedented but rather that satisfaction for his losses was so slow in coming. At the end of September 1737, Newcastle was complaining of the dilatoriness of Spanish colonial justice, '... especially in Cases that cry aloud for Justice, such as that of Jenkins, master of the Ship Rebecca taken by a Spanish Garde de Côtes in the West Indies, and treated in so cruel and barbarous a manner'.<sup>71</sup> The case was memorable, of course, for the simple reason that the detail of the severed ear made it so. An ear sliced off was striking without being too gruesome - it was a legal punishment in current use in England, and drew crowds about the stocks to see it.<sup>72</sup> As a symbol of Spanish atrocities the ear was easily remembered, and frequently mentioned. Usually, there is a note of humour in the treatment of it, as in the newspaper poem published in the summer of 1739, after the Convention of the Pardo had broken down:

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<sup>67</sup> Woodfine, 'The Anglo-Spanish War of 1739', pp. 185, 192-3, 196-8.

<sup>68</sup> It would be invidious to pick out examples of unsatisfactory textbook summaries. Few, even of the best, can resist the story of the ears.

<sup>69</sup> *Craftsman*, 17 July (OS) 1731.

<sup>70</sup> [A. Boyer], *The Political State of Great Britain*, Vol XLI, July 1731, pp. 10-12; *Gentleman's Magazine*, Vol 1, June 1731, p. 265.

<sup>71</sup> BL Add Ms 32774, f. 362, Newcastle to Keene, 30 September (OS) 1737.

<sup>72</sup> *Historical Register*, XVI, 1731, p. 29.

BRITAIN once more, herself appears,  
Therefore let *Dons* beware their *Ears*.<sup>73</sup>

In the following month, at Tottenham-Court Fair, a sideshow exhibited a Spaniard, an Englishman, and two 'Jack Puddings' (sailors). After a long mock battle, one Jack Pudding 'bid him take care of his *Ears*, and at last knock'd him down'.<sup>74</sup> In the various references to Jenkins' ear that one encounters, however, it is rare to find a note of any very specific concern about the actual Jenkins case. Indeed, the details seem to have been rather cloudy in the public mind. A fortnight after the signing of the Convention of the Pardo early in 1739, a masquerade was held in London featuring, among other 'turns', a 'Knight of the Ear' with 'Jenkins' on his sash. Incongruously, he was acting the aggressor, rummaging and whipping several seamen, some with an ear hanging down. The slogans included 'Ear for Ear' but also 'No Search or no Trade' and other current political catchwords.<sup>75</sup> The celebrated ear was a colourful slogan, but not the one most frequently used, and not the most emotive.

In the year of 1731 itself, the barbarity of such treatment was kept firmly in the context of the gains to be made in the whole trade. Boyer followed his account of the Jenkins episode with some sober reflections on the profitable trade to the Indies; he argued that any war with Spain would be irrational. In June of that year some Jamaica merchants made representations against Admiral Stewart's orders to cruise against legitimate Spanish commerce. The merchants were quite clear that reprisals and confiscations would bring all trade to an end while war went on, a lesson not remembered seven years later in the fury of enthusiasm for war.<sup>76</sup> In the early 1730s, it was still possible openly to avow the extent and the profitability of illicit trade, 'the *South Sea* trade being one of the most profitable and convenient Trades we at present enjoy'.<sup>77</sup> Indeed, without the contraband trade with Spanish possessions, it would have been hard for the English colonies in America to prosper at all, as contemporaries recognised.<sup>78</sup> Illicit trade was positively

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<sup>73</sup> *London Evening-Post*, 3 July (OS) 1739

<sup>74</sup> *Craftsman*, 25 August (OS) 1739.

<sup>75</sup> *London Evening Post*, 10 February (OS) 1737.

<sup>76</sup> [A. Boyer], *The Political State of Great Britain*, Vol XLI, June 1731, pp. 553-7.

<sup>77</sup> *Ibid.*, July 1731, p. 98.

<sup>78</sup> BL Add Ms 19036, ff. 7-10, 'The Force of Spain'. The point is developed by Pares, *War and Trade*, pp. 78-83.



encouraged, and an explicit link was seen between the financial exactions of the Spanish crown and the willingness of its colonists to connive in British trading:

It is to be hoped that our People of *Jamaica* will take hold of this Opportunity to renew their smuggling Trade with the *Spanish West Indies*, for they will certainly meet with Encouragement from the Inhabitants, of purpose that they may thereby have an Opportunity of sending their Money by way of *Jamaica* to *England*, from whence they may easily send it to their Correspondents in *Old Spain*, without any danger of such arbitrary Detensions as they meet with from their own Court.<sup>79</sup>

This pragmatic outlook allowed those involved to look upon the losses by Spanish *guarda costas* as a kind of tax on an immensely profitable smuggling trade.<sup>80</sup> The same point was made by an anonymous pro-ministerial pamphlet of 1739, which pointed out that the losses by depredations had never amounted to more than two and a half percent of the entire value of the West Indian trade.<sup>81</sup> It was of course a resented tax. The South Sea company complained bitterly of their treatment, and of the workings of Spanish colonial justice, in an attempt to gain new safeguards in the Treaty of Seville (November 1729), but without success.<sup>82</sup> Spanish traders themselves also found the depredations costly. The higher levels of Spanish zeal were sustained by the imposition of a new *guarda costa* tax in 1732, whereby a levy of 4 percent was made on vessels bringing from America gold, silver or cochineal.<sup>83</sup> This was intended to contribute to the costs of the navy and licensed *armateurs* in patrolling the American coasts. After Patiño's death there was a quieter interlude, though without any changes in the thinking or the forms of administration in the Spanish overseas domain. The use of armed trading patrols was not, as some contemporaries imagined, piracy, or at best a semi-official activity. La Quadra confirmed that these agents were in the royal pay:

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<sup>79</sup> [A. Boyer], *The Political State of Great Britain*, Vol XLI, September 1731, p. 289.

<sup>80</sup> Horace Walpole, both then and later, took the same view: BL Add Ms 9132, f. 99, 'Memoir of his own life from 1715 to 1739'.

<sup>81</sup> *The Original Series of Wisdom and Policy, Manifested in a Review of our Foreign Negotiations and Transactions for several Years past* (1739), p. 50.

<sup>82</sup> BL Add Ms 33032, ff. 40-49, 'Heads of Sundry Matters Necessary to the Establishment of the Assiento Trade, to which the Company is entitled to be restored under the Treaty of Seville'.

<sup>83</sup> García-Baquero González, *Cádiz y el Atlantico*, pp. 207-8.



c'est un Erreur que de penser que les Gardecotes de l'Amerique n'ayent aucune Paye du Roy, qu'au contraire leurs Officiers et les Equipages sont soudoyés chacun selon leur Etat, et non seulement eux, mais aussi les autres Navires dont on se sert dans ces Mers.<sup>84</sup>

Certainly there was no marked eagerness to settle the British grievances or decide on compensation. Some financial grievances went back to the hostilities between Britain and Spain which broke out in 1718. Admiral Byng, despite the formal peace between the two powers, savaged the Spanish fleet off Cape Passaro, Sicily, in August 1718. In retaliation the Spanish crown seized British merchant shipping by way of reprisals (*represalias*). Much the same pattern was repeated in 1727 when Britain and Spain were briefly in conflict. The financial settlement being sought in the late 1730s included these mixed demands for compensation, partly private and partly national, stemming from earlier periods of conflict. Some of these claims had been met and others had not, and it was difficult in any case to decide on levels of compensation in terms of a balance between destroyed warships and captured merchantmen. For all these reasons, the detailed accountancy of the grievances was never likely to result in one genuine and agreed figure. There were lingering attempts nonetheless to produce such a figure.

In 1732 the Spanish and British courts had commissaries dealing with the compensation issue which was the most conspicuous piece of unfinished business left by the Treaty of Seville. The British representatives were experts on the spot, Benjamin Keene, Arthur Stert and John Goddard. Fourteen cases of seized ships were then in dispute. One of them, the *Anne*, Joseph Spackman, was not even discussed by the Spanish commissioners, as His Catholic Majesty had ordered restitution of the ship in the Indies. Despite the long delays which could be expected, it was not diplomatically possible to challenge the statement that justice would be done according to royal decree. Two cases were rejected outright, three were allowed to bring further proofs, and for eight of the fourteen cases being considered the Spanish response was a formula: 'The Spanish Commissaries will send for the *Autos* from the West Indies'.<sup>85</sup> In August a fresh turn was given by the Spanish negotiators to the question of satisfaction. The brief war between the two countries was deemed by the Spanish court to have ceased on 2 July (NS) 1727, and as

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<sup>84</sup> BL Add Ms 32796, f. 291, De la Quadra to St. Gil, 25 November (NS) 1737.

<sup>85</sup> PRO SP 94/114 (unfoliated), Keene to Harrington, 9, 18 July, 19 September (NS) 1732.



there was no need to make restitution for ships taken in time of open war, the Spanish commissaries refused to consider at all the cases of the *Lusitania*, the *Loyal* galley, the *Betty* and the *Mary*, all taken in mid-June 1727.<sup>86</sup>

One of the wartime captures, a brigantine owned by a Scot named Bournes and seized in May 1727, figured also in the next period of conflict. It was the centre of an odd episode when, currently trading as the *Sta. Teresa* and owned by a merchant in Bilbao, the vessel was repossessed in Dublin on 29 August (NS) 1735. Bournes had taken out an order of Chancery, granted by the Dublin court on his own testimony alone, and was subsequently allowed to sail with his ship before a Spanish appeal could be heard. Three times over the next eighteen months Geraldino appealed for justice, and by January 1737 the Spanish court was pressing Keene to obtain justice and punishment of the Dublin court. All such disputes, it was claimed, should be regulated under the Treaty of Seville and were matters between the two crowns, and not to be decided by local judicial action. By contrast, the British ministers argued that the King could not act outside the law by taking the case out of the Irish Chancery court and handing it over to be settled by commissaries. The case was still the subject of dispute, and causing misunderstandings, as the Convention of the Pardo was being finalised.<sup>87</sup> The Spanish ministers had a taste in this case of the delay and the insecurity felt by British claimants. They rested their demands for speedy satisfaction on the need to preserve the security of the Spanish flag and harmony and good relations between the two powers: the very grounds on which British ministers demanded prompt and effective Spanish control over their colonial courts and governors.<sup>88</sup>

Keene did not fail to point out to the Spanish ministers that such arguments worked both ways. He was able to score a point in this way a year later, when news arrived in Madrid of a Dutch 60-gun vessel off Curaçao capturing Spanish vessels and throwing the crews

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<sup>86</sup> *Ibid.*, Keene to Harrington, 19 August (NS) 1732.

<sup>87</sup> Simancas, Estado, Legajo 6907 (unfoliated), Keene to la Quadra, 9 January (NS) 1739. See the second annexed article to the Convention, Appendix 4.

<sup>88</sup> 'Y verificandose de todo la culpa en los Ministros de aquel Tribunal, espera S.M. que el castigo quese diesse a los que huviessen concurrido al atentado, que ha recordado, sirba de exemplar para en adelante, quedando por este medio restablecida la entera seguridad del sagrado de su Bandera, y la buena armonia y correspondencia que deica se continúe entre ambas Coronas sin la menor bulneracion.' PRO SP 94/127 (unfoliated), Protest of 5 January (NS) 1737, in Keene to Newcastle, 14 January (NS) 1737.



overboard. Keene harangued the Marquis de Torrenueva on how he would feel and act if the Spanish envoy in the United Provinces, St. Gil, got the kind of answers which Keene was so regularly given:

I askt him, how it would be relished in Spain, when in answer to the instances Mr. St. Gil might be ordered to make on this Subject, he should be told, that the States-General could [not] determine without hearing both Parties, That the Governor of Curaçao has not as yet sent the *Autos*, That he should be wrote to give an Account of these proceedings; and if unfortunately that Governor should be interested with the Captors, (as I was afraid happened but too often, with the Spanish Governors) and consequently should order his *Escrivanos* and Notaries to cook up a *Proces* in such terms as he thought fit to intimidate them into, would the Catholick King, and such zealous Ministers of His, as he, the Marquis, be satisfyed with such Replies? And this not only in one or two Cases, which might accidentally have fallen out, but in the course of several years spent in demanding Justice in vain? The same Cases might likewise happen with the Governors of His Majesty's Possessions, and then the Spanish Commerce would feel, what it was to have let the *Guarda Costas* have triumphed so long in their iniquities.<sup>89</sup>

The frustration of Keene's tone, and the implied threat of general reprisals, can be explained by the seeming impossibility of making the Spanish administration act with any urgency, however long the delay or however manifest the crimes committed on British ships. By the time of his harangue, several of the cases of the late 1720s had still not been resolved, and the City merchants and the British administration were pressing for action over some new and particularly horrid cases, involving the new and incendiary slogan of Britons being held as slaves. Keene was being urged, as a result of the City merchants' petition, to get action particularly on the most notorious cases, listed by Newcastle as those of the *Anne* galley (whose owners he had previously told not to meddle in affairs of state), the *Woolball* and the salt ships.<sup>90</sup> These last ships (the brigantines *Two Sisters*, *Hopewell* and four others), were part of the salt fleet when they were taken in March 1733 off Tortuga, and carried into Carthagena.<sup>91</sup>

Given the cumbersome processes of Spanish justice, it was necessary to produce evidence of very considerable delays indeed before Spanish diplomats could accept that justice was

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<sup>89</sup> BL Add Ms 32797, ff. 26-7, Keene to Newcastle, 27 January (NS) 1738.

<sup>90</sup> BL Add Ms 32796, f. 79, Newcastle to Keene, 4 November (OS) 1737.

<sup>91</sup> Details given in BL Add Ms 32796, ff. 89-94



not being - somehow, and very slowly - done. There was clearly a pressing need for a thorough and explicit renegotiation of the existing commercial treaties with Spain if these causes of offence were to be avoided. In September 1736, though he was then in Hanover, George II was preoccupied with the issue of improving the treaties with Spain, perhaps not least because the minister accompanying him was Horace Walpole, who was himself very enthusiastic for new and fully explicit treaties.<sup>92</sup> Despite the malpractice of Spanish officials overseas, and the 'tricking and chicaning temper of Patiño', the Spanish need for British recognition of Don Carlos did give the King some hope of a satisfactory settlement.<sup>93</sup>

The British public was to prove uninterested in the finer points of treaty relations, however, but was bound to be affected by the cruelties of a fresh wave of depredations between 1736 and 1738. This undoubtedly owed something to the laxity of royal control of colonial governors, but was also linked to new attempts to invigorate ancient monopoly rights. A royal *cedula* of 25 April (NS) 1736 reemphasised the governors' duty to expel all non-Spanish immigrants, and was reaffirmed, when relations with Britain had broken down, by a fresh *cedula* of 20 September (NS) 1739.<sup>94</sup> The older depredations cases could be represented as examples of justice delayed and denied, and so were important. Horace Walpole advised his cabinet colleagues that they 'may be such an Unreasonable delay of Justice as to fall under the Rules of Reprisals, tho' if granted..., may be the cause of such a Retalliation on the side of Spain, as to occasion Hostilities in the W. Indies, equal to War'.<sup>95</sup> In every respect, though, the cases which preoccupied both Ministry and Opposition were those which were unfolding at the time, some of them being presented by the captains concerned in a highly polemical and partisan way. Some of these instances deserved to be more notorious, however, than seems, judging by the press, to have been the case. Perhaps the public were really quite accustomed to the tortures and barbarity of the Caribbean. British privateers in those seas, and most notably the colonial crews out of New York, were notorious for their brutality, despite the code

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<sup>92</sup> PRO SP 43/19, H. Walpole to Keene, 31 August (NS) 1736.

<sup>93</sup> PRO SP 43/19, ff. 85-6, H. Walpole to Keene, 21 September (NS) 1736.

<sup>94</sup> González, *Cádiz y el Atlantico*, pp. 115-6.

<sup>95</sup> BL Add Ms 9131, f. 243, H. Walpole, 'Points, to be Consider'd with regard to the Depredations of Spain'.



of instructions of 1666 which forbade the maiming or cold-blooded murder of the crews of captured prizes.<sup>96</sup>

In May 1736 an English sloop commanded by Captain Weir, bedridden and 'maim'd of both arms' was robbed and plundered with the apparent connivance of the Deputy Governor of Santa Marta and the royal officers there. Weir and most of his crew were murdered.<sup>97</sup> Another Caribbean trader had an equally grisly story to tell, and one which caught the imagination of the City and of ministers. William Fisher was an unlucky passenger in early September 1736 aboard the sloop *Fanny* of Antigua, bound for St. Vincent to buy corn, and taken by a *guarda costa*, a sloop of 18 guns and around 70 men. Though the Spanish captain, Antonio, claimed to have a commission, he never produced it, and gave different accounts of his home port. This was a common complication, making it impossible to distinguish confidently between an excess of colonial zeal and actual piracy. Far away in Madrid, Keene and la Quadra were to reduce the problem to a simple basis: if depredations were committed by authorised Spanish agents then the King of Spain should provide compensation, whereas in the case of piracy the King of England could take the necessary steps to chastise the offenders.<sup>98</sup>

In the hostile waters of the Caribbean, matters did not look so simple to the shocked and confused victims. The *Fanny's* six white crew were stripped, whipped and put ashore on a desert island, the Grand Rocas, where after five days they were joined by another English sloop whose crew were treated in the same way. For nine days altogether Fisher and his companions lived on raw whelks and lobsters, before they were picked up by a Dutch sloop bound for Salt Island. Two days after this rescue, the same *guarda costa* seized the Dutch crew also and subjected them to the same treatment, with the additional sadistic flourish that they '... cut off the Dutch Captain's Right hand, & in the sight of this Deponent Broil'd it, and made the Dutch Captain eat it.'<sup>99</sup> The cruelties recounted by

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<sup>96</sup> R. Pares, *Colonial Blockade and Neutral Rights, 1739-1763* (1938), pp. 53-5.

<sup>97</sup> PRO SP 94/129 (unfoliated), Account enclosed in Newcastle to Keene, 13 January (OS) 1737.

<sup>98</sup> BL Add Ms 32794, f. 115, Keene to Newcastle, 8 February (NS) 1737.

<sup>99</sup> PRO SP 98/129 (unfoliated), Information of William Fisher, sworn at Antigua, 13 November (OS) 1736. Full details were lodged with la Quadra in December 1736, Simancas, Estado, Legajo 6900 (unfoliated).



Fisher were striking enough, but more important was the fact that this was a case in which the British and Spanish ideas of fair sailing came into conflict. The *Fanny* was driven by calms and contrary winds to the southward of Martinique, and after three days of losing way the master, Thomas Nanton, chose to stand further to the south until they could fetch their port. Effectively, they were making a very long tack out to sea. In Spanish eyes, they had deviated from a proper course and approached too near to Spanish coasts. Given the problems of wind and current in the Caribbean, this doctrine was one which, if seriously applied, would make it all but impossible for foreigners to trade in those seas.<sup>100</sup> Equally, the doctrine arose in circumstances of persistent and deliberate evasion. Dutch sea captains could justify being off Ste. Domingue by pretending to be bound for the Dutch colony of Curaçao, and to have been carried past it by the strong currents, or to have missed it in the night. Pares found that; 'In many instances the Dutch captains actually went through the ritual of missing Curaçao'.<sup>101</sup>

Another similar case was raised by the President of the Council of Jamaica in July 1737, the *St. James*, master John Curtis, which was seized without having traded anywhere in the Spanish possessions, or even going within 15 leagues of the Spanish coasts. This was a Bristol ship bound for Jamaica and captured 20 leagues south of Porto Rico. The governor of Porto Rico ignored all their protests and superintended the plundering and sale of the cargo of provisions, much of it bought by a Spanish man of war bound for Vera Cruz. Thanks to strong pressure from Keene, the officials of Porto Rico were reprimanded and ordered to make restitution, which was, as he said, 'a step farther than ever this Court yet took towards discouraging and chastising the fomentors and authors of such unjust and cruel practices'.<sup>102</sup> Torrenueva seems to have been really willing to stop future problems: but this would require good faith on both sides.<sup>103</sup> The Jamaica interest believed that all the virtue lay on their side, and all the vice on the Spanish. In reporting the *St. James* case, the President summarised their view of the conflicts:

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<sup>100</sup> Pares, *War and Trade*, pp. 23-4, is the deffest summary of this problem.

<sup>101</sup> Pares, *Colonial Blockade and Neutral Rights*, p. 206.

<sup>102</sup> BL Add Ms 32796, f. 268, Keene to Newcastle, 23 December (NS) 1737; confirmed by intercept, PRO SP 94/206, f. 37, Torrenueva to Geraldino, 22 December (NS) 1737.

<sup>103</sup> PRO SP 94/206, f. 11, Torrenueva to Geraldino, 2 December (NS) 1737.

I shall not pretend to make any other Remarks on this Treatment, than that we lay under great Disadvantages in these Parts. We act with Honour & Lenity towards them; They like Villains, & are but too well supported in their Robberys.<sup>104</sup>

To accept this picture one would have to ignore the extensive illicit trade in which the Jamaica merchants were prominent. As a description only of the legal processes, though, there was some truth in it, as was demonstrated in the following year. A Spanish register ship suspected of depredations was taken into Jamaica but released by the Governor, in the absence of positive proof. This episode, taken up forcefully by the *Craftsman*, did seem what Newcastle termed it, 'strong Proof of the Moderation of His Majesty's Governors, and Officers'. While the *Craftsman* thought the release was the result of craven ministerial policy, Newcastle seems actually to have been rather disappointed with the Jamaicans' decision, but willing to make the best possible use of it. To Keene he remarked: 'How far they acted prudently in so doing is a Question; But however it ought to be an Argument with the Spaniards to do the like on their Part'.<sup>105</sup>

As 1737 drew to a close there was little prospect of the Spaniards restraining their overseas officials. Another vessel named *Hopewell*, a schooner captained by John Harris, was seized by a privateer out of Porto Rico and Harris and his crew treated in a now familiar way. They were put ashore with only raw shellfish to sustain them, and in the course of their maltreatment by a second Spanish ship which found the abandoned crew, Harris's son was shot in the back and seriously wounded.<sup>106</sup> The number of such cases and their increasingly violent character swelled the chorus of outrage at what Horace Walpole called 'this crying, & insupportable Mischief'. The King's prompt orders to Keene to secure redress for the recent cases picked out that of the *Hopewell*, 'attended with the most cruel and aggravating Circumstances imaginable'.<sup>107</sup> Keene himself was disposed to see these attacks as negotiable, and many of his letters show a preoccupation, natural enough in the court where he was, with the minutiae of noble and royal

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<sup>104</sup> BL Add Ms 32796, f. 3, President to Newcastle, 13 July (OS) 1737; *Ibid* ff. 4-7, deposition of John Curtis,. The St. James case is in Simancas, Estado, legajo 6900 (unfoliated).

<sup>105</sup> BL Add Ms 32800, f. 72, Newcastle to Keene, 26 January (OS) 1739.

<sup>106</sup> *Ibid.*.

<sup>107</sup> BL Add Ms 32797, ff. 10-11, Newcastle to Keene, 7 January (OS) 1738.



behaviour.<sup>108</sup> Horace Walpole, closer to the mood of London, displayed a much stronger political instinct. In November he wrote to Keene in terms as urgent as those of the Opposition:

You will by this time have heard how great the Cry of the Merchants in England is on account of the violent Depredations that have been, & continue to be daily committed by the Spaniards upon our Commerce. Must we always be employed in negotiating Redress, & never receive any? The Nation will not bear this long.<sup>109</sup>

The list of complaints to the Spanish court which Newcastle had asked Keene to draw up was a necessary precaution, for the City merchants were soon to present a long list of their own, in support of their October petition. They had held daily meetings at the Ship Inn to collect information for a petition on all ships plundered since 1729.<sup>110</sup> The petition was to be addressed to the King, and the evidence they sought pointedly covered almost the whole of his reign. The tactic hit home, and was resented by the ministry, as can be seen by the indignant rejection of it in a ministerial pamphlet of 1739.<sup>111</sup> A printed version of their list, updated to December 1737, shows the potency of selectively using depredations as a weapon. The list gives 52 merchant ships taken or plundered by the Spaniards and claims that many others besides could be given, but that their full particulars are not known. This is odd, considering the vagueness of many of the cases which were included, eight of the ships not even being named. Four of the listed ships actually escaped capture, including one, the *Caesar*, which later appeared on the Captain's own deposition to have been engaged in smuggling cocoa.<sup>112</sup> What the list did clearly show was the great predominance of abuses committed by Spanish vessels operating out of Havana and Porto Rico. Keene believed that the problem lay in the self-interest of the governors there rather than in deliberate central policy.<sup>113</sup> These cases

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<sup>108</sup> BL Add Ms 32795, ff. 282-291, Affidavit of 11 July (OS) 1737 enclosed in Newcastle to Keene, 12 September (OS) 1737.

<sup>109</sup> BL Add Ms 32796, ff. 73-4, H. Walpole to Keene, 14 November (NS) 1737.

<sup>110</sup> *London Evening Post*, 11 March (OS) 1738.

<sup>111</sup> *The Original Series of Wisdom and Policy...* (1739), p. 49.

<sup>112</sup> PRO SP 94/128, (unfoliated), List of British Merchant Ships, Taken or Plundered by the Spaniards. BL Add Ms 32796, f. 221, Keene to Newcastle, 13 December (NS) 1737.

<sup>113</sup> BL Add Ms 32796, ff. 243-4, Keene to Newcastle, 13 December (NS) 1737.

however certainly made it difficult for the two countries to adjust their differences, especially given the cumbersome nature of colonial justice and the timidity of the leading Spanish ministers. However factious and contrived this tactic of the merchants may appear in hindsight, there is no doubting its power at the time.

The *London Evening Post* reported that when the House was given the list of 52 captures, some Members were close to tears. The atmosphere was obviously a heightened one, and the public gallery was full of women, who in this crisis seem to have come forward as strongly as they had during the Sacheverell affair of nearly twenty years before.<sup>114</sup> Perhaps, like the 'Church in danger' cry of the early century, this was a point at which the views of the masses and of the wealthy minority of women could coincide. In general, one would expect their outlook to be very different. If there was emerging at this time a cloudy sense of popular nationalism, there was still a marked divergence between ordinary people and the elite. This was a world in which people of any birth, breeding or education looked and sounded different to the masses. They held themselves differently. They were taught to comport themselves socially, to dance, perhaps to fence. The very way in which men or women of rank stood distinguished them at once.

The same was true in the sphere of the mind. Where the masses were fired by xenophobia and caricatures, with heroic stories drawn from schoolbook history, the elite were classicists. All their voluminous surviving correspondence shows the same tendency to lapse into Latin quotation or example in order to locate an idea or an emotion, or to give a metaphor for some current event. For one observer, the Patriot opposition indulged in a dangerous license for want of understanding the lessons of the downfall of the Roman Republic. Middleton's long-awaited life of Cicero was a timely publication, which might teach them the need for virtue and order. Tully, he hoped, would 'become known & Familiar even to the Goths and Vandals in Westminster Hall'.<sup>115</sup> Even Walpole, with a carefully cultivated image as a bluff Norfolk squire, had this indelible stamp of Eton upon him. He quipped and thought in Latin tags as readily as anyone in politics. He had a famous wager in the House with Pulteney over his accuracy in quoting from Horace.<sup>116</sup>

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<sup>114</sup> *London Evening Post*, 25 March (OS) 1738.

<sup>115</sup> BL Add Ms 35605, ff. 8-9, Thomas Clarke to Philip Yorke, 17 February (OS) 1739.

<sup>116</sup> Summarised and set in context by P.D.G. Thomas, *The House of Commons in the Eighteenth Century* (1971), p. 131.



This experience marked off the elite from the mass of their countrymen, and must have increased their sense of detachment and the value which they placed upon irony. They saw and judged by different standards. The latinity of their outlook is a vital aspect of the making of their mental world.<sup>117</sup> But this way of seeing the world was to a great extent confined to men.

Women, even women of rank, were usually denied this common grounding in the classics, which may partly explain their different approach to politics. They were also conditioned by the idea of a separate, private sphere as being their proper world, and by notions of what was and was not appropriate for women to discuss, and hold views on.<sup>118</sup> One of the disappointments of reading correspondence by and to women at this period is the thin quality of much of the comment upon political matters.<sup>119</sup> Views on dress, scandal and personalities dominate most letters. One can only speculate on the reasons why women should be so prominent in the public agitation over depredations. Unlike religion and food or other home-related issues, this was not typical of the aspects of politics which women seem to have been expected to make their own.<sup>120</sup> Perhaps on this issue their perceptions

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<sup>117</sup> This is not a congenial thought today, when classical learning is confined to very few, even among those who consider themselves educated. Some good work exists, though, to alert the non-latinist (like myself) to this vital context: e.g. R. Browning, *Political and Constitutional Ideas of the Court Whigs* (1982), and C. Kidd 'The Ideological Significance of Scottish Jacobite Latinity', in *Culture, Politics and Society in Britain 1660-1800* (1991), eds. J.M. Black & J. Gregory.

<sup>118</sup> I know of no good recent study of the education of women in this period. An interesting and wide-ranging sketch of the subject is M. Sonnet, 'A Daughter to Educate', in *A History of Women in the West, III, Renaissance and Enlightenment Paradoxes* (1993), eds. N.Z. Davis & A. Farge, pp. 101-31. There are some useful textual extracts, though mainly drawn from the 1790s, in V. Jones (ed), *Women in the Eighteenth Century. Constructions of Femininity* (1990). For a contemporary (male) exploration of the proper limits of a wife's behaviour in marriage, and of female intelligence and literacy, one could do worse than the voluminous works of Samuel Richardson; e.g. on the former, *Pamela* (4 Vols. 1740-1), I, Everyman ed., pp. 330-6, 401-9; on the latter, *The History of Sir Charles Grandison* (7 Vols. 1753), I, Letters IX - XIII.

<sup>119</sup> E.g. Lady Anson (BL Add Ms 35387), Lady Suffolk (BL Add Ms 22626 & 22628), Charlotte Digby (BL Add Mss 51340 & 51422).

<sup>120</sup> Margaret Hunt has offered valuable evidence on women, lower down the social scale, who were involved in opposition, radical and pornographic publication: 'Hawkers, Bawlers and Mercuries: Women and the London Press in the Early Enlightenment', in *Women and the Enlightenment* (1984), eds. M. Hunt, M. Jacob, P. Mack & R. Perry, pp. 41-68. Compare G. Sheridan, 'Women in the booktrade in eighteenth-century France', *British Journal for*



of patriotism were less shaped by ideas of republican and imperial Rome, and were nearer to the simpler assertiveness of the uneducated masses. Certainly there is evidence of xenophobia among the ladies of London society. The Prince of Wales, no doubt influenced by his active wife Augusta, led a campaign in late 1738 to involve upper-class women in the anti-government agitation. He urged society ladies to lead a boycott of all French wines and Italian songs, which were being patronised by the aristocracy, to the detriment of British talent and British purses. The fashion for foreign fabrics came in for the same treatment. The Prince and Princess, just before the King's birthday, ordered all the gentlemen and ladies of their court to wear only English manufacture. The *London Evening-Post* puffed the tactic:

If such Resolutions as these prevail, we may hope to find, that OPERAS, CLARET and CAMBRICKS, will become as distasteful to the *Polite*, as PENSIONS, EXCISES and STANDING ARMIES are to the *honest* Part of the BRITISH NATION.<sup>121</sup>

The campaign seems briefly to have captured the mood of society ladies, and there was a short-lived but determined campaign to introduce the wearing of muslin, and to receive no visits from gentlemen who drank French wines or patronised the Italian opera. It was clearly tied to Frederick's designs to promote the cause of opposition, and to foment the current troubles with Spain. On the day on which the wearing of muslin was to come into force, the Prince and Princess of Wales were enthusiastically greeted on a visit to Bristol in which much stress was laid on the Prince's respect for trade.<sup>122</sup>

Among those ships whose fate aroused so much indignation among London's female élite were two whose cases ushered in the next phase of public reaction, the *Loyal Charles* and the *Despatch*, taken in August 1737 near the Havana. Their capture when, as they claimed, they had only two pieces of logwood aboard to justify it, was offence enough.

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*Eighteenth-Century Studies*, 15, 1, 1992, pp. 51-70. Reflections on the problem of recovering the history of women at this time can be found in A.J. Vickery, 'The neglected century: writing the history of eighteenth century women', *Gender and History*, III, 1991, pp. 211-19. An outstanding historiographical survey is A.J. Vickery, 'Golden Age to Separate Spheres? A Review of the Categories and Chronology of English Women's History', *Historical Journal*, 36, 2, 1993, pp. 383-414.

<sup>121</sup> *London Evening-Post*, 14 November (OS) 1738.

<sup>122</sup> *London Evening-Post*, 18 and 23 November (OS) 1738.



But it was the circumstances of their imprisonment which launched the preoccupation in the London press with British seamen being kept as slaves. Slavery, and British seamen eating bug-ridden Spanish prison food, were images far more potent, in picture and ballad, than Jenkin's ear.<sup>123</sup> The very first letter from the captain of the *Loyal Charles*, Benjamin Wray, presented the events in a polemical way, reminiscent of the opposition newspapers of the day, which shows that he was aware of the political and popular dimension. He wrote to his owners a description of his being brought into Havana with colours at half mast and the Union downwards, with thousands jeering them ashore:

which I dare say will be thought very shocking to your selves & all true Englishmen in times of the most profound Peace, & having not the least Appearance of carrying on any Contraband Trade.<sup>124</sup>

Insults to the flag were particularly sensitive issues, as they affected the honour of the monarch who had a duty which could not be set aside to maintain 'the Privileges and Protection of His Flag'.<sup>125</sup> In this charged political atmosphere, and with a formal and much-publicised petition presented by the merchants of the City of London, the divided Walpole ministry had to decide how best to calm the storm. The diverse views of the inner cabinet prevented a firm and concerted response. Newcastle plunged in to give a forceful reaction, and Walpole hung back and belittled the scale of public concern. Key advisers such as Horace Walpole and Lord Hardwicke gave their different understandings of the overall diplomatic picture. Their royal master, at this point, favoured action and feared losing face by delay, a stance which may have been decisive.<sup>126</sup>

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<sup>123</sup> See e.g. the frontispiece to [Anon] *The Voice of Liberty: or, A British Philippic* (1738), reprinted in *Walpole and the Robinocracy* (1986), ed. P. Langford, p. 149; see below, chap 5.

<sup>124</sup> PRO SP 94/132 (unfoliated), Wray to Messrs. Drake, Pennant & Long, 25 August (NS) 1737.

<sup>125</sup> BL Add Ms 32796, f. 286, Newcastle to Keene, 19 December (OS) 1737.

<sup>126</sup> *Ibid.*, ff. 284-5.

George II wanted a rapid response to the complaints of the City merchants. Their petition was brought to him personally, at Hampton Court, by sixteen merchants and it touched him on a sensitive spot.<sup>1</sup> The protection of the trade of his subjects was one of his prime duties, yet his reign had opened with Spanish depredations and for ten years was plagued with them.<sup>2</sup> A confidential paper circulating among members of the cabinet was emphatic that the merchant outcry 'highly reflects Upon the Honour and Dignity of the Crown, in not being able to protect her Subjects'.<sup>3</sup> Black has commented on the value as an extra-parliamentary tactic of having the cry of the people reach the monarch.<sup>4</sup> This was a particularly effective ploy where the opponents were constantly attempting to distinguish between the monarch and his corrupt and overbearing servants. The Prince of Wales did not fail to fish in these troubled waters, aligning himself with the welfare of London trade and urging the City to 'strengthen the Ties between the King & his People', pointedly omitting any comment on the King's ministers.<sup>5</sup>

At one level, though, this reflected the reality of diplomacy. The formalities of royal intercourse and royal prestige were more than merely the form in which diplomacy was expressed. The privileged position and strong self-will of monarchs put pressures upon, and set limits to, the negotiations of their servants. Their involvement in business could make an important difference. George, even much later in his reign, had what Pares called 'an insatiable appetite for business'.<sup>6</sup> Philip was far less active. Former Spanish kings had

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<sup>1</sup> On 13 October (OS) 1737; Hervey, *Memoirs*, Vol 3, p.853. For the unmistakeable impatience of the King, see Simancas, Estado, Legajo 6900 (unfoliated), Newcastle to Keene, 7 January (OS) 1738.

<sup>2</sup> W. Laird Clowes, *The Royal Navy. A History, from the Earliest Times to the Present* (1898), Vol III, p. 48.

<sup>3</sup> BL Add Ms 9131, f. 268, H. Walpole, 'Considerations relating to the Navigation, and Commerce of Great Britain in America...'.

<sup>4</sup> J.M. Black, *The English Press in the Eighteenth Century* (1987), p. 129.

<sup>5</sup> Windsor RA Bootle Mss, RA 54042, Answer of the Prince of Wales to the Address of the City of London 1737.

<sup>6</sup> R. Pares, 'George III and the Politicians', in *The Historian's Business. And Other Essays* (1961), ed. R.A. & E. Humphreys, p. 108.



signed all the orders and despatches from their offices, but Philip V had always had his Secretaries sign them.<sup>7</sup> This inaction, as it arose from scruples about his legitimacy, and from his weak mental health, was a real danger to the course of business. Philip was an extreme instance of the personal influence of the crown on diplomacy. This was one reason why British commentators were hostile to Spain. Abel Boyer commented scathingly on the reluctance of the Spanish ruling caste to allow any court to declare him mad. They feared that the judiciary might in this way acquire the right to adjudge that the King was acting outside the law, 'and therefore these Despisers of the People chuse rather to submit in Theory to the arbitrary Commands of a downright Madman, than to place any legal Authority, or Supremacy in the People'.<sup>8</sup> Even at that period, though, probably the worst point of his deranged behaviour, Philip was capable of intervals of lucidity and energy in pursuing favourite projects. He was generally credited with pushing through the successful Oran expedition in 1732.<sup>9</sup> Keene commented on the constant danger of his arousing himself to action, when he would become extremely stubborn: 'on some times and occasions He awakens, as it were, at a dispatch'.<sup>10</sup> His morbid Religiosity and obsessive sex drives gave the means of managing him, but the task was never easy or predictable.

Because management was needed in the case of both Philip and George, the contrasting influences of Queen Caroline and Queen Elizabeth are a significant part of the politics of these years. Caroline was an important figure in the daily interactions of court life, and devoted many hours each day to swaying the thinking and the temper of her husband. The Prince of Wales later commented; 'No one could manage him but the Queen, and she with Tears and Fits'.<sup>11</sup> King George himself, not prone to be sensitive or generous to the merits of those about him, lamented her loss, in the first days of his widowerhood. He paid tribute to:

the great releife, & assistance\_ which he found from her calm, & masterly disposition & opinion, in his governing such an humoursome and inconsistent

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<sup>7</sup> BL Add Ms 32795, f. 45, Keene to Newcastle, 22 May (NS) 1737.

<sup>8</sup> *The Political State of Great-Britain*, Vol XLI, January-June 1731, p. 284.

<sup>9</sup> PRO SP 94/114 (unfoliated), Keene to Harrington, 9 July (NS) 1732.

<sup>10</sup> BL Add Ms 32796, f. 237, Keene to Newcastle, 13 December (NS) 1737.

<sup>11</sup> BL Add Ms 51437, f. 14, Dr. Ayscough's political journal, 3 May (OS) 1742.

people, that her presence of mind often supported him in trying times and her sweetness of temper would check & assuage his own hastiness & Resentment, that incidents of State of a rough difficult & a disagreeable nature would, by her previous conferences and consort with that able Minister Sir R. Walpole, be made smooth, easy, and palatable to him...<sup>12</sup>

Caroline was indeed an invaluable intermediary between Walpole and the King.<sup>13</sup> Her fatal illness brought immediate speculation that Walpole would suffer by the change, though in fact she recommended Sir Robert so earnestly on her death bed that George II relied on his minister more completely than ever.<sup>14</sup> Queen Caroline deputed for her absent husband, too, presiding over the Regency council in 1736-7 and taking a close interest in Spanish affairs.<sup>15</sup> The memoirs of Lord Hervey, the man closest to the Queen, show a sharp change in her temper and approach from February 1737, a change possibly associated with the illness which killed her in November of that year.<sup>16</sup> She seems to have aggravated the clashes with the Prince of Wales which were such a feature of the last months of her life.

The influence of Elizabeth was far greater. Where Caroline devoted to her husband monotonous hours in each day, it is safe to say that there were very few minutes in the day when Elizabeth risked being separated from her mentally unstable, melancholic husband. The fear that he would give way to his religious scruples and abdicate, as he had already done in 1724, never left her.<sup>17</sup> One could apply to the whole of Philip's later life

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<sup>12</sup> Wolterton (Walpole) Mss (unfoliated), 'Sketch of Mr. Walpole's conduct from ye accession of this family'. This appears to be the first draft, and a rather freer one as regards the royal character, of BL Add Ms 9132, ff. 96-8, 'Mr. Walpole's Apology'.

<sup>13</sup> Among numerous examples given by Hervey, one could cite *Memoirs* Vol 2, pp. 458, 560, 597-608.

<sup>14</sup> CUL Ch(H) Corresp 2716, Duke of Chandos to Walpole, 12 November (OS) 1737; BL Add Ms 9132, f. 96, 'Mr. Walpole's Apology'.

<sup>15</sup> SP 94/129, unfoliated, Newcastle to Keene, 13 January (OS) 1737.

<sup>16</sup> Hervey, *Memoirs* Vol 3, pp. 670-702 illustrates this change, and describes the Prince of Wales' affair.

<sup>17</sup> The best short treatment of the King is J. Lynch, *Bourbon Spain 1700-1808* (1989), chap 3 'The Government of Philip V'; the abdication episode is discussed there pp. 81-9, and in D.C. Seco Serrano (ed), *Marques de San Philip, Comentarios de la guerra de España e historia de su rey Philip V, el animoso* (1957), pp. 351-363. Fuller studies still worth reading are W. Coxe, *The Bourbon Kings of Spain* (1813) and, in more opinionated storytelling mode, E. Armstrong, *Elisabeth Farnese* (1892).



the description given in the early 1720s by the Duc de Saint-Simon of the 'endless togetherness' contrived by the Queen's vigilance:

Regarding state affairs, nothing could be hidden from her, for the king worked only in her presence; and was present at all private audiences; thus there was little she did not know... As a final touch, their Catholic Majesties shared a privy in all their residences, with their *chaises percées* placed side by side... Thus their lives were a continual *tête à tête*.<sup>18</sup>

In August 1737 Keene commented; 'The King is more in the Queen's power than ever; and I dare say she has no mind to abdicate'.<sup>19</sup> The more Elizabeth grew fat and suffered from bad legs, the more important it was to confine the King and keep him by her side.<sup>20</sup> If they could not hunt together, they must both enjoy entertainment indoors; 'as they grow tired of Field diversions, something was absolutely necessary to amuse him at home, to keep his mind as much in motion as his natural melancholy will allow it to be'.<sup>21</sup> The way was prepared by the early summer of 1737. Keene reported:

The least air imaginable keeps their Catholick Majesties from stirring out of their Appartements: Little or no business is done, and, what I never imagined I should see, the King hears Musick with patience.<sup>22</sup>

Elizabeth distracted and controlled the king with plays and operas performed by the royal children and through the music of the celebrated castrato, Farinelli. This protégé of the Prince of Wales, and darling of the Opposition opera, was all but kidnapped and imprisoned in the Escorial in the summer of 1737, remaining in his gilded cage for nearly twenty years to sing the same songs nightly for the delight of the King, his fellow inmate.<sup>23</sup> The mastermind of this dual captivity, Elizabeth, had ambitions for her sons in

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<sup>18</sup> L. Norton (ed), *Historical Memoirs of the Duc de Saint-Simon*, Vol III (1972), pp. 359, 356.

<sup>19</sup> BL Add Ms 32795, f. 223, Keene to H. Walpole, 19 August (NS) 1737.

<sup>20</sup> BL Add Ms 32795, f. 128, Keene to Newcastle, 1 July (NS) 1737; BL Add Ms 32797, f. 30, same to same, 27 January (NS) 1738.

<sup>21</sup> BL Add Ms 32795, f. 247, Keene to Newcastle, 2 September (NS) 1737.

<sup>22</sup> BL Add Ms 32795, f. 61, Keene to Newcastle, 27 May (NS) 1737.

<sup>23</sup> See e.g. BL Add Ms 32794 ff. 137, 148, Keene to Newcastle, 18 & 25 February (NS) 1737; , BL Add Ms 32795, ff. 61, 223, 235-6, same to same, 27 May, 12, 19 & 26 August (NS) 1737. The story is summarised in Armstrong, *Elizabeth Farnese*, p. 339.

Italy which made her a constant threat to the stability of European diplomacy.<sup>24</sup> Part of the British Opposition's hostility towards Spain came from the aversion to a queen 'who puts in Practice every Stratagem to accomplish her ambitious Designs'.<sup>25</sup>

The impact of the respective queens on the political situation can be seen in the midst of the discussion of the November memorial. Queen Elizabeth already arranged daily royal audiences for her favourite, Marquess Aníbal Scotti, 'a Man of as bad morals as Parts, of neither common Sense nor common honesty'. Scotti, like Elizabeth herself, was a Parmesan (and had been Parma's ambassador to Paris in 1719). He and her physician, Cervi, were increasingly to be her preferred channels of information.<sup>26</sup> Preoccupied by arranging a marriage for her eldest son, Elizabeth contrived in November to levy a heavy *indulto* on the value of the *flota*, homeward bound for Cádiz, to pay for it. Patiño had doubled the former level, to 9 percent, but Elizabeth now secured a swingeing levy of 20 percent.<sup>27</sup> Philip could be persuaded into this measure only by the ruling of a specially convened junta of clergymen, and the Queen was elated by her success.<sup>28</sup>

Caroline, in less obvious control of her spouse, was still a major influence, and almost always a constructive and moderating one. Lord Tyrconnel gave a glowing summary of Caroline: 'With Grandeur Amiable, with Power Affable, from whose Presence none ever went unpleas'd or unoblig'd away'.<sup>29</sup> Some allowance no doubt has to be made for the fact that Tyrconnel was a diplomat with his court to make. The most intimate picture which we have of the Queen comes from Hervey, who as a particular favourite of hers had also his own bias. Even so, Caroline was clearly a woman of intelligence and ability who used her gifts and sacrificed her hours to make the monarchy more successful. Her value became obvious in the sudden crisis of her illness and death. The Queen's death dislocated the political world in a number of ways, and not only because it removed an

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<sup>24</sup> Lynch, *Bourbon Spain*, pp. 75-6; J.M. Black, *The Rise of the European Powers 1679-1793* (1990), pp. 85-7, 154-5.

<sup>25</sup> *Craftsman* 11 June (OS) 1737.

<sup>26</sup> BL Add Ms 32796, f. 238, Keene to Newcastle, 13 December (NS); BL Add Ms 32799, f. 34, same to same, 29 August (NS) 1738.

<sup>27</sup> BL Add Ms 32796, f. 67, Keene to Newcastle, 11 November (NS) 1737.

<sup>28</sup> BL Add Ms 32796, ff. 53-4, Keene to H. Walpole, 4 November (NS) 1737.

<sup>29</sup> CUL Ch (H) Corresp 2724, Tyrconnel to Walpole, 24 December (OS) 1737.



important channel by which Sir Robert Walpole was accustomed to influence the King. Such a sudden change in key relationships can change perspectives and bring into being new combinations. The Queen was taken ill suddenly on November 9, a day on which an unsuspecting Sir Robert sent an attentive letter from Houghton regretting that he had no truffles to send to her. So quickly did the danger grow that three days later a relay of horses was ordered along his route to speed him from Norfolk to town.<sup>30</sup> The Queen died after an illness of twelve days on the twentieth of the same month.<sup>31</sup> Even as Horace Walpole was penning to Keene his views on the Spanish affair and the treaties between the two countries, news reached The Hague of the danger to the Queen.<sup>32</sup> Horace's shock was evident in the sudden breaking off of the letter; 'Having wrote what goes before, I was suddenly surprised and struck on a heap with the most melancholly news of Her Majesty's desparate (sic) Condition'.<sup>33</sup> His dismay and grief were believable, and stemmed from his own belief that he had been particularly favoured by Queen Caroline. Retrospectively he said of their relations:

the late Queen was pleased to honor him with more frequent conferences upon business of State, with a greater confidence and in a more gracious manner than, except to Sir R. Walpole, she showed to any other of the Ministers; would indulge him & require him to speak with freedom his sentiments on matters of the highest concern & moment which when they were not agreeable to her own she always pardoned, and often, upon reflection would approve & follow.<sup>34</sup>

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<sup>30</sup> BL Add Ms 12099, f. 8, Sir R. Walpole to the Queen, 9 November (OS) 1737; Wolterton (Walpole) Mss, Letters to Sir Robert Walpole, ff. 30-31, Andrew Stone to H. Walpole, 11 November (OS) 1737.

<sup>31</sup> The news was conveyed officially to Spain in two letters of George II of 1 December (OS) 1737, one in Latin to King Philip and one in French to 'Madame ma Soeur la Reine d'Espagne', BL Add Ms 32796, ff. 203-7; Simancas, Estado, Legajo 6900 (unfoliated).

<sup>32</sup> Harrington had sent him the first official news of the Queen's illness on the same day on which news reached the Hague with the English mails of 11 November; Wolterton (Walpole) Mss, Lord Harrington 1737-9 (unfoliated), Harrington to H. Walpole, 15 November (OS) 1737; PRO SP 84/369, f. 10, H. Walpole to Harrington, 15 November (OS) 1737.

<sup>33</sup> PRO SP 84/369, f. 6, H. Walpole to Keene, 15 November (OS) 1737.

<sup>34</sup> BL Add Ms 9132, f. 97, 'Mr. Walpole's Apology.' Memoir of his own life from 1715 to 1739.

To lose such an influential friend at the centre of power made it vital to be upon the scene and share in the mourning and the inevitable manoeuvring. Lord Hervey, ever an acute observer of littleness of behaviour, commented tartly on the pains taken by Newcastle and Princess Emily to keep Sir Robert Walpole away from the palace during the illness so that the King and Queen might feel neglected.<sup>35</sup> When Princess Emily was named as the chief mourner, rather than the Queen's hated first-born son, it gave grave offence to the reversionary interest.<sup>36</sup> At such times it was vital to be on the spot and able to influence events. From the first breaking of the news Horace Walpole's correspondence became one agitated endeavour to get permission to return to England, which he soon did, returning to The Hague only in the Spring of 1739. This alteration meant that for the crucial period ahead Walpole was on hand to give his advice in person, while Robert Trevor acted as envoy at The Hague.<sup>37</sup> Despite his genuine grief and his hasty return to the scene of action, Caroline's death brought a loss of influence with the King of which Horace Walpole himself was acutely aware, but the reason for which can only be guessed at.<sup>38</sup>

The Queen's death also highlighted at a critical point of negotiations the nature of personal relations between sovereigns, always important to the working of foreign policy at a period when the fiction of a European family of monarchs was still important. Affront would be caused by any coolness in the 'family' spirit, and Keene was instructed to look closely at the mourning observed in the Spanish court 'and every other Circumstance that relates to it'.<sup>39</sup> Though the Spanish court passed this test of ceremonial correctness, it was far less clear that it had the same concern for the substantive issues in dispute. Even at the height of this royal tragedy, the overriding impression given by the British court and ministry in these months is one of preoccupation with the Spanish disputes and the public

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<sup>35</sup> Hervey, *Memoirs* Vol 3, p. 882.

<sup>36</sup> See p. 59 above.

<sup>37</sup> Wolterton (Walpole) Mss, Lord Harrington 1737-9 (unfoliated), Harrington to H. Walpole, 22 November (OS) 1737.

<sup>38</sup> BL Add Ms 9132, ff. 96-8, 'Mr. Walpole's Apology'. If Hervey can be believed, and George II was really provoked to laughter by seeing 'poor Horace Walpole' and his clumsy way of crying, then perhaps the estrangement of the King had already happened; Hervey, *Memoirs* Vol 3, p. 917.

<sup>39</sup> BL Add Ms 32796, f. 203, Newcastle to Keene, 1 December (OS) 1737; *Ibid* ff. 306-7, Keene to Newcastle, 6 January (NS) 1738.



reaction to them. In Madrid, by contrast, the court seems to have given much less attention to these events. Court and ceremonial affairs were always likely to predominate over international negotiations. Commenting in January 1739 on la Quadra's delay in replying to a memorial, Keene blamed 'the diversions of the Court, or any other light occasions ... which I must beg leave to acquaint you, are sufficient to postpone much more important affairs'.<sup>40</sup> In March 1739, at a critical juncture and with war ever more likely, Geraldino sent his minister a full account of all the developments in London over the Convention of the Pardo. La Quadra did not trouble to read the British mail on its arrival, and only did so at all on Keene's direct urging. Meanwhile the latest letters from Paris about the impending royal wedding were 'greedily read as soon as received'.<sup>41</sup> What was important to la Quadra was what lay closest to the hearts of their Catholic Majesties.

Similarly in January and February 1738, faced with the crucial British Memorial, the Court did very little. Delays were caused which looked from Britain like deliberate provocation but were really due to the indolence, preoccupation and at times illness of the Bourbon King. A royal wedding was also in hand, an event far more engrossing to the Spanish court than the muffled cries of London merchants. Don Carlos, King of the Two Sicilies, was to marry Princess Mary Emily of Saxony, a surprise betrothal which put King Philip in raptures with his skill and secrecy. La Quadra was created a Marquis, and Scotti exulted to Keene; 'the world will now see that we know how to steer our Bark without Patiño'. Costly celebrations went on for days in Madrid and Naples, though they had to be paid for by the extraordinary and heavy *indulto* on the Cadiz trade, and though the officers of the army had been unpaid for eighteen months and the King's Household for five years.<sup>42</sup> For some weeks the King was also subject to fits of his mental illness, and required all the comfort that could be brought to him by Farinelli and by Elizabeth's planning of an opera at the Retiro to amuse him during Easter.<sup>43</sup> By May, while the world watched to see if the two powers would go to war, the Spanish King was so deranged that he would lie mute on the floor for two days together, and at other times attack his

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<sup>40</sup> BL Add Ms 32800, f. 3, Keene to Newcastle, 13 January (NS) 1739.

<sup>41</sup> PRO SP 94/133 (unfoliated), Keene to Newcastle, 30 March (NS) 1739.

<sup>42</sup> BL Add Ms 32797, ff. 5-7, Keene to Newcastle, 13 January (NS) 1738.

<sup>43</sup> BL Add Ms 32797, ff. 94-5, Keene to Newcastle, 24 February (NS) 1738.



ministers. The Queen was so dropsical that she had to be lifted into her chair by four attendants. Both were expected to die, and business slowed almost to a halt.<sup>44</sup>

The personal lives and troubles of both British and Spanish monarchs had their influence, then, on the course of events. George II at least recovered quickly from the upheaval in his domestic life, and certainly did not cease to involve himself in diplomatic business. Even in his distress, he wanted to see a remedy for the merchants' grievances. Quickly - perhaps too quickly - Newcastle responded to the petition of the City merchants by preparing a stiff Memorial to be presented by Keene in Madrid. In a private letter to Keene accompanying the Memorial, Newcastle urged that the king had a serious wish to promote good relations with Spain, and believed that only the problems in the West Indies stood in their way. The letter displays Newcastle's firm grasp of the position and the outlook of the Spanish ministers, and his summary is worth quoting at some length:

The present Situation of the Court of Spain with other Powers, the cool Foot they are upon with France, and the secret Enmity that they have towards the Court of Vienna, which discovers itself upon all Occasions, makes it improbable, that they should have any Designs at present to quarrel with us; But the Notions and Schemes of Mor. Patiño, to retrieve what he called the Spanish Trade in the West Indies, and, under pretence of hindering Contraband Trade, to endeavour to exclude other Nations, and particularly the English, from carrying on any there, may have so filled their Heads, that they may have resolved in that View, to continue these Practices, and may hope, by giving amusing Answers, and, now and then, forbearing, for some few months, to go on with them, that no great Inconvenience will arise to them from it.<sup>45</sup>

This was a combination of ideas typical of Newcastle: an appreciation of the diplomatic realities and of the meaning of patterns of behaviour, allied to a determination to produce a solution, in this case by a wholesale restructuring of commercial relations between the two powers. This meant amending or at least applying the existing treaties, though; principally the 1667 treaty which was designed to create peace in the Mediterranean and control such matters as the shipment of arms, and the 1670 treaty, which applied specifically to the Americas. In his haste to secure prompt action from Spain, Newcastle failed sufficiently to reflect on the treaty grievances which the merchants had elaborated in

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<sup>44</sup> PRO SP 78/218, ff. 99-100, Intelligence in Waldegrave to Newcastle, 26 May (NS) 1738.

<sup>45</sup> BL Add Ms 32796, f. 111, Newcastle to Keene, private letter, 4 November (OS) 1737.



discussions with the Lords of the Council. They had made great play with the safeguards of the Anglo-Spanish Treaty of 1667, not least because by that treaty brazaletto and logwood were specifically excluded from the list of goods which were to be regarded as contraband if carried on board English ships. This exemption, and the observation of the rules of visiting and search laid down in the treaty, seem to have been regarded by the merchants in their evidence to the cabinet as strong points of any future strategy for secure Caribbean trade.<sup>46</sup>

Newcastle echoed their judgement in the Memorial to be presented to the court in Madrid, stressing that the 14<sup>th</sup> article of the 1667 Treaty should be the rule of searching, and quoting it verbatim in Latin to demonstrate the point.<sup>47</sup> Newcastle's freedom of action in his own office, and Walpole's restricted interventions in the details of diplomacy, meant that, though there was consultation, it was more perfunctory than was usual for such an important policy paper. Hardwicke approved the draft, with comments which show that he was mainly concerned with the issue of legal proofs to accompany the complaints of depredations.<sup>48</sup> The ministry's treaty expert, Horace Walpole, then still at The Hague, does not seem to have seen a draft of the memorial until it had been sent, and was in two minds about it. On the one hand, he clearly wanted the ministry to take a stronger line with Spain, and in that light approved 'ye Strong, well reason'd and becoming Memorial'. He largely followed its wording in a stiff memorial which he himself sent to the States General.<sup>49</sup> On the other, he saw that it contained a dangerous mistake about the scope of the treaties concerned, and one which might give the Spanish ministers grounds for cavil. Horace took the liberty of suggesting 'to you alone':

I am apprehensive, that if the Spaniards have a Mind, instead of giving Satisfaction, to enter into a nice Discussion of your Memorial, They will observe perhaps, That the Treaty of 1667, and the Articles cited in it, have no

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<sup>46</sup> BL Add Ms 32796, ff. 100-106, Proofs and complaints accompanying Newcastle to Keene, 4 November (OS) 1737; PRO SP 94/129 (unfoliated), 'A Short State of the Several Seizures & Violences complained of by the Merchants of London Trading to the British Plantations in America & which were laid before the Lords of the Council in support of their Petition...'.  
<sup>47</sup> PRO SP 98/129 (unfoliated), BL Add Ms 32796, ff. 95-7.  
<sup>48</sup> BL Add Ms 32796, f. 62, Hardwicke to Newcastle, 31 October (OS) 1737.  
<sup>49</sup> Copy in Wolterton (Walpole) Mss, Lord Walpole's Original Draughts 1736-7 (unfoliated).

manner of regard, to the Navigation, and Commerce to the American seas and ports.<sup>50</sup>

Horace Walpole's idea was that the ministry should shift onto the ground of national rights; 'by ye Right of Nations they can have no manner of Pretence, to Stop, or seize a Ship carrying British Colours, upon ye High Seas, unless they suspect those Colours to be fraudulently made use of by an Enemy'.<sup>51</sup> In the week in which Walpole wrote to convey these views, the London press was busy considering the same issues. Not only was this the week in which Wall's inflammatory letter about the supposed invasion plan for Georgia appeared in the *London Evening-Post*, but the *Craftsman* led on the treaty issue. At first the emphasis on the treaties and on freedom from search was straightforward, but the following week, November 19 (OS), Newcastle's legal mistake had been picked out.<sup>52</sup> The Opposition were not inclined to let the Ministry forget their error. Pulteney later commented; 'it unfortunately happen'd, that *Those*, who ought to have defended our *Rights*, rather gave them up, from not understanding them'.<sup>53</sup> Over the next few months the issue of the treaties was to lead to much discussion among the ministers, their supporters and opponents, as well as in the wider diplomatic world. The reply to the memorial sent by the man charged with reinforcing it in Madrid must have dampened Newcastle's spirits. Keene inclined to believe that the merchants were wrong to cite 1667 and to labour the point of rules of search, when the (American) 1670 treaty gave to the Spanish no such rights:

I fear it will be found, first, That the said Treaty is not applicable to the present Case; and Secondly, That the interpretation the Merchants have put upon it, is giving authority to the *Guarda Costas* to do what no Treaty has yet given them authority to do, and what it is our business to prevent them from doing in America.<sup>54</sup>

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<sup>50</sup> PRO SP 84/369, f. 1, H. Walpole to Newcastle, 26 November (NS) 1737. The copy of this letter surviving in Keene's papers suggests that Walpole was by no means inclined to keep these reservations to himself; BL Add Ms 43422, ff. 128-134.

<sup>51</sup> PRO SP 84/369, f. 5, H. Walpole to Newcastle, 26 November (NS) 1737.

<sup>52</sup> *Craftsman*, 12 & 19 November (OS) 1737.

<sup>53</sup> [W. Pulteney], *A Review of All that hath pass'd between the Courts of Great Britain and Spain, Relating to our Trade and Navigation...*, London, 1739, p. 25.

<sup>54</sup> BL Add Ms 32796, f. 213, Keene to Newcastle, 13 December (NS) 1737.



The 1667 treaty had given wide powers of search because of the war then going on against the Barbary pirates, and the need to stop war supplies from being shipped by British vessels to the enemies of Spain. To extend to the Caribbean such wartime rights of stopping and searching would be fatal, he argued, because there would always be found on board enough illicit cargo to justify seizure. Newcastle, however, always touchy and inclined to suspect a conspiracy to place him in the wrong, would not retreat from his first decision. He countered Pulteney's printed *Questions* by compiling a long paper, laid before the Commons, to justify his citing of the 1667 treaty.<sup>55</sup> One supporter of Newcastle's, at least, Henry Etough, remained convinced by this insistence on the 1667 provisions, but most observers were not.<sup>56</sup> Horace Walpole blamed this confusion for the subsequent delay in replying to Spain:

the Council is divided with respect to the sense of the treaty of 1667 as to the West Indies, and his Grace must support what he has wrote, and Lord Chan[cello]r, between you and me, must support his friend.<sup>57</sup>

The view from The Hague was particularly clear. The Spanish minister there, St. Gil, was scathing on the corner into which the Secretary of State had painted himself. He had just read both the 1667 and 1670 treaties in the printed collection:

a book which I bought lately, and without which Ministers are liable to mistakes, like that in the present case, of which the English court being sensible, has, with reason, refused to impart the Answer to the bellowing people.<sup>58</sup>

La Quadra, too, had read his treaties. On the specific instructions, as he said, of King Philip, he pointed out that the 8th. Article of the 1667 Treaty contains a specific exception

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<sup>55</sup> BL Add Ms 33007, f. 122, Paper of Reasons to show that the Treaty of 1667 extends to America; given in full, Wolterton (Walpole) Mss, Political Tracts, (unfoliated), 'Reasons to shew that the General Regulations laid down in the Treaty of 1667 ... may extend to the West Indies, as well as to any part of Europe: And that it is for the Benefit of His Majesty's subjects, that they should do so'.

<sup>56</sup> BL Add Ms 9200, f. 62, Journal of Rev. Henry Etough, 1738.

<sup>57</sup> HMC, *Fourteenth Report*, Trevor Mss, p. 13, H. Walpole to Trevor, 28 February (OS) 1738.

<sup>58</sup> PRO SP 94/206, f. 112, St. Gil to Geraldino, 25 March (NS) 1738. The collection was probably that of Jean Dumont, *Corps Universel Diplomatique du Droit des Gens*, Amsterdam, 8 volumes, 1726-31.

which relates to the Indies. This made it clear that the rest of the treaty did not apply there. So did Article 23, referring to the Admiralty, a tribunal which had no existence in the Indies.<sup>59</sup> Horace Walpole himself certainly did not mark his disagreement with Newcastle only by his first, relatively tactful letter. This may have been a difficult period in his career, for he seemed to be experiencing some stress at this time. He left The Hague without any of the usual ceremony of leave-taking of fellow ambassadors, and was known, on his arrival in London, to be at odds with the other ministers.<sup>60</sup> The reason may well have been the mounting debate over the question of treaties with Spain, in which at this time Horace Walpole was certainly involved. Before the third week in January he had written for his cabinet colleagues and for the King two long and important papers on the depredations issue (and, like St. Gil and unlike Newcastle, he used collections of treaties to pin down the detail of the problem).<sup>61</sup> He saw that the nub of the issue was the right of free navigation on the high seas, and that the chances of maintaining peaceful trade depended on the state of friendship between the Bourbon powers. When Spain no longer needed to fear France, that country would no longer need to court England or to fear disobliging British traders.<sup>62</sup> Since Horace saw the wider diplomatic question as crucial, he believed that the way forward was to renegotiate the treaties between the two powers. Nothing less than a wholesale new understanding, based on unambiguous treaty agreements, would preserve the peace. In the mean time, he advised reluctantly that it did appear that the ministry could and should license the issuing to British merchants of letters of reprisal against Spanish shipping. Though jaundiced as to the probable success of the measure, and believing that it would be likely to lead to war with both France and Spain, he nonetheless saw it as unavoidable:

But yet if the Merchants will accept Letters of Reprisal, They cannot be refused them; the Cases of doing oneself Justice are so flagrant, & have

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<sup>59</sup> Article 23 'habla de *Almirantazgo* que es tribunal que no ay en Indias'. PRO SP 94/130 (unfoliated), la Quadra to Keene, 26 May (NS) 1738.

<sup>60</sup> PRO SP 94/206, f. 25, St. Gil to Geraldino, 17 December (NS) 1737; *Ibid.*, f. 27, Geraldino to St. Gil, same date.

<sup>61</sup> P.L. Woodfine, 'Horace Walpole and British Relations with Spain, 1738', *Camden Miscellany*, Vol XXXII, (1994), pp. 277-311.

<sup>62</sup> *Ibid.*, pp. 299, 307-8; BL Add Ms 32795, ff. 361-2, H. Walpole to Keene, September 26 (NS) 1737.



subsisted so long, that such a refusal would make us appear a most Contemptible Nation with all our Maritime Power.<sup>63</sup>

This internal debate about Newcastle's memorial, though, did not affect the public diplomatic position, in which Spanish diplomats had to respond to what was in effect an ultimatum. The way in which the Spanish ministry received the Memorial was affected both by their own outlook on imperial trade and by their understanding of the motives of the English ministers. Keene assured Newcastle that la Quadra had considerable goodwill and desire for a settlement:

Not but that He with the rest of the Ministers have their heads filled with the prejudices of the illicit Commerce, which, they say, is daily carrying on in the Indies by His Majesty's subjects, as well as those of other Powers, to the great Detriment of His Catholick Majesty, and in violation of the most solemn Treaties.<sup>64</sup>

This insistence on traditional monopoly rights and (perfectly correct) belief in extensive illicit trading did not of course preclude a desire to reach an agreement with Britain. Indeed, just before the receipt of the Memorial, the response of the Spanish court had been very accommodating. Following Keene's early November representations, Geraldino was instructed to assure the British court that His Catholic Majesty would - after a strict and minute enquiry - restore captured effects or pay compensation, and also prevent future disorders.<sup>65</sup> Keene was pluming himself on his success in getting speedy action on the case of the *St. James*, including a mulct upon the Governor of Porto Rico.<sup>66</sup> The Memorial, however, stiffened the Spanish attitude, not least because Spanish ministers believed that much of the motivation of their British counterparts was tactical. Their actions were seen as an attempt to placate the opposition and to attract favourable

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<sup>63</sup> *Ibid.*, p. 309.

<sup>64</sup> PRO SP 94/128 (unfoliated), Keene to Newcastle, 13 December (NS) 1737.

<sup>65</sup> PRO SP 94/206, f. 11, Torrenueva to Geraldino, 2 December (NS) 1737.

<sup>66</sup> BL Add Ms 32796, f. 268, Keene to Newcastle, 23 December (NS) 1737; the orders are confirmed in PRO SP 94/206, f. 37, Torrenueva to Geraldino, 27 December (NS) 1737. The full surviving text makes it clear that this was a serious effort to control the *guarda costa* and the governors: '[el Rey] se expedieren las ordenes correspondientes, y otras al Govr. de Puerto Rico, y de la Havana, que tratan del Modo que han de obrar, y contenerse nuestros Armadores, para atasar las violencias que se refieren y ponderan', PRO SP 107/21 (unfoliated), same to same, same date.



publicity.<sup>67</sup> It was difficult for them to appreciate the constraints of politics in countries like Britain or the United Provinces.

Trevor put the issue starkly when he commented on a later proposal in the Dutch Republic to embargo trade to the Spanish West Indies. Though several political leaders would favour it, he said, it would be 'too unpopular and dangerous in a Trading that is to say pilfering Nation, and where the Populace is a real Sovereign'.<sup>68</sup> Crises involving popular clamour gave the ministry less leeway than usual, as the smaller fry of politics knew. One independent but loyal Whig member, having his interest menaced by a protégé of Admiral Wager's, was chided by a local ally for not pressing his case while the ministry was under attack; 'now those fears are over they will Act with their usual Insolence'.<sup>69</sup> For ministers in Spain, that kind of insolence was perhaps more common. Public opinion did make itself felt, and made it difficult for the King's advisers to countenance any diminution in national honour. Purely merchant or regional pressures, however, were different. The Spanish ministers, like the French, could expect to silence their own merchants at will.<sup>70</sup> The Spanish administration was more than usually unrepresentative of the nation which it served. Between 1726 and 1746, some 76 percent of officials in the office of the Secretary of State came from the Basque region, a preponderance which was known to run through the whole Spanish administration. Recruitment to administrative office was largely a closed circle of family and regional patronage.<sup>71</sup> In such a service it was not surprising that ministers had little sympathy with the grievances of interest

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<sup>67</sup> PRO SP 94/206, f. 4, Torrenueva to Geraldino, 28 November (NS) 1737.

<sup>68</sup> BL Add Ms 32800, f.137, Trevor to Keene, 26 February (NS) 1739.

<sup>69</sup> BL Add Ms 31142, f.212, Mr. Lord to Squire William Conolly, 27 April (OS) 1738. Conolly was MP for Aldeburgh on the Tory interest of Lord Strafford, whose daughter he had married, but was a genuinely independent (and wealthy) Whig; Sedgwick, *House of Commons* Vol 1, p. 571. The protégé was George Purvis, Conolly's fellow Member for Aldeburgh; *Ibid.* Vol 2, p. 377.

<sup>70</sup> E.g. the new *flota* ordered by Philip in 1731; the merchants protested against having to provide cargoes for the next fleet before they had received their profits from the last, but their protests were ignored and they had no redress. [A. Boyer], *Political State of Great Britain*, XLI, January-June 1731.

<sup>71</sup> 'Esta solidaridad familiar y regional demuestra que en la época de Felipe V el reclutamiento se opera casi en circuito cerrado.' D. Ozanam, 'La Diplomacia de los Primeros Borbones (1714-1759)', *Cuadernos de Investigación Histórica*, 6, 1982, p. 173.



groups. Torrenueva told Keene that 'we ought not to take the noise and clamour of our Subjects for well founded complaints; a language I perceive he has learnt from Mr. del Montijo'.<sup>72</sup>

There was in fact a source of information closer to home than the former ambassador in London. In April 1738 Keene reported to Newcastle what la Quadra had told him of how 'Geraldino has represented our Motions in England, as the effects of the Malice of those who oppose the Administration, joyned by what that Minister calls the Prince's party'.<sup>73</sup> The Duke wrote to Keene expressly to contradict, in energetic terms, this view of the case:

You may be assured , that there are no Grounds for that Suggestion; And that the present Dissatisfaction upon the repeated Injuries & Provocations from the Spaniards in America, is Universal & National; And that Nothing, but a full Satisfaction for what is past, and Security from the like Abuses for the future, can put an End to the general Uneasiness, & Resentment...<sup>74</sup>

Newcastle must, though, have known from letters intercepted the previous December, that this allegedly groundless suggestion had been deliberately conveyed to Geraldino by the Walpoles. Already in November, Geraldino had told Torrenueva that the Ministry needed a clarification of the treaty position regarding Georgia, 'and this before the next session of Parliament, in order to avoid the dispute which the opposite Party might raise about this affair'.<sup>75</sup> On 18 December 1737, Geraldino had a long conversation with Horace, on the day after his return from The Hague, in which the Spanish envoy was confirmed in his belief that Horace's main preoccupation was to safeguard the ministry from criticism in the next sessions of Parliament. Two days later he had a prolonged briefing from Sir Robert, to much the same effect. Both were urging Geraldino to secure some face-saving action from Spain in order to guard against political criticism. Newcastle was careful not to express this view in the formal office correspondence, always liable to be laid before Parliament in case of a crisis. In private comments, though, he did not disdain to have his secretary convey just such an idea to Keene . In August

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<sup>72</sup> BL Add Ms 32797, f. 27, Keene to Newcastle, 27 January (NS) 1738.

<sup>73</sup> PRO SP 94/130 (unfoliated), Keene to Newcastle, 7 April (NS) 1738.

<sup>74</sup> BL Add Ms 32797, f. 303, Newcastle to Keene, 13 April (OS) 1738.

<sup>75</sup> PRO SP 94/206, f. 4, Torrenueva to Geraldino, 28 November (NS) 1737.

1738 Stone wrote, on the Duke's instructions, to urge Keene to secure the recall of some of the offending Spanish governors, a mark of resentment which would 'look well, and have a good Effect at Home'.<sup>76</sup> The crucial distinction was that, whereas Newcastle insisted on the idea of public opinion as reflecting the sense of the nation, the Walpoles saw it as a creation of the interested partisans of Opposition. Sir Robert was explicit that the problem was:

the dissention between this Monarch and the Prince of Wales, and what the partisans of the latter were scheming in order to perplex Affairs as well foreign as domestick: & that these circumstances did oblige the Ministry to proceed with particular circumspection in order to destroy the impressions which the wickedness of their Adversaries was labouring to give to the Publick.<sup>77</sup>

Even in this first major confrontation with Spain, there were divisions within the ministry, both over the form of the memorial and over the nature of the domestic political challenge, which affected the course of diplomacy. Partly the problem was that, like his predecessor Montijo, Geraldino found the Walpoles more congenial and more approachable than Newcastle. Sir Robert especially, 'in whom I always experienced more clearness than in the other Ministers', was the first person to be approached for information.<sup>78</sup> It was certainly the vision of a ministry bound by the pressures of public clamour which Geraldino continued to give to his court, and to fellow diplomats:

In good truth I cannot help praising the wisdom with which the Ministry conduct themselves; but the freedom of the Nation in their way of talk, and the infinite number of printed publick Papers which make an impression upon the Commonalty, produce such effects, that the Government cannot help following the Current.<sup>79</sup>

He believed what Walpole told him, that ministers struggled to steer in a current channeled, at least in part, by the opposition; 'they are forced to quiet and give some satisfaction to the great outcries & noise of the people, Traders, & contrary party'.<sup>80</sup>

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<sup>76</sup> PRO SP 94/132 (unfoliated), Stone to Keene, 21 August (OS) 1738.

<sup>77</sup> PRO SP 94/206, f. 43, Geraldino to la Mina, 23 December (NS) 1737; *Ibid*, ff. 47-8, Geraldino to Torrenueva, 26 December (NS) 1737.

<sup>78</sup> PRO SP 94/206, f. 29, Geraldino to Torrenueva, 19 December (NS) 1737.

<sup>79</sup> PRO SP 94/206, f. 119, Geraldino to St. Gil, 11 April (NS) 1738.

<sup>80</sup> PRO SP 94/206, f. 128, Geraldino to St. Gil, 18 April (NS) 1738.



Prominent among the traders were the governors of the South Sea Company, the privileged monopoly which was at the heart of the dispute between Britain and Spain. Negotiations were already delicate and complex. The South Sea Company made matters far worse, partly because it was a constant irritant to the Spanish court, reminding them of their surrendered rights, and of the extensive illicit trade for which the Asiento trade was a cover. Partly also this was because of the Company's intransigence in insisting on a settlement of grievances on its own terms. The sheer bulk of the South Sea papers presented to Newcastle in May 1737 made him realise that the disputes with the Spanish court were 'not in any great likelihood to be soon concluded'.<sup>81</sup> Six weeks later the Governors of the Company told Newcastle that they had in fact reached a provisional agreement with Geraldino for settling grievances, but this was just another illusion of the false calm of that summer.<sup>82</sup> The Asiento company undoubtedly had grievances to complain of. One was that some of their trusted agents overseas had been persuaded, as they alleged, to convert to Catholicism, thus gaining full protection for any embezzlement committed against their employers. Another was the basic problem of the clumsy and partial motions of the Spanish administration. Wilful misunderstandings by Spanish officials repeatedly obliged the Company to seek from the Spanish King *cedulas* (warrants) explaining the original orders. Delay and loss were inevitable irritants in such a scheme of things.<sup>83</sup>

The Company was not easy to discipline, since its London contacts and active political involvement made it a dangerous adversary. Affronts to the Asientists had a habit of finding their way quickly into the London press. The details of the Company's negotiations were made familiar to a public who would ordinarily have had little idea of commercial practice and high finance. Complex disputes involved claim and counterclaim going back to the unresolved commission at Seville in 1732. The Company refused to pay the whole of the 'negro duties', the tax on the slave trade due to the Spanish crown, which amounted to thirty-three and one third *pesos* per negro, for an annual quota of 4,000 slaves. They based their refusal on the fact that the supposedly annual *flotas* (and

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<sup>81</sup> BL Add Ms 32795, f. 24, Newcastle to Keene, 5 May (OS) 1737.

<sup>82</sup> *Ibid*, f. 134, Newcastle to Keene, 23 June (OS) 1737.

<sup>83</sup> BL Add Ms 33032, ff. 43-49, 'Heads of Sundry Matters Necessary to the Establishment of the Assiento Trade'.

therefore the annual South Sea ship) did not always take place. Only seven annual ships actually ever sailed, partly because Philip was reluctant to grant a *cedula* for a new *flota* while the Company withheld payment. The main cause, though, was a lack of demand in the Indies, as the American markets were flooded by illicit trade, in which the Company had a not negligible share.<sup>84</sup> This tension was aggravated by a dispute, begun in 1733, about the rate of exchange at which payments for the slave duties should be made. The silver *real* coin had been demonetised, in Old Spain, in 1725, though in the Indies it continued to circulate as the main medium of payment. In 1726 a new, debased, silver *real* coin was issued at the devalued rate of exchange of ten, not the old eight, to the dollar. The Company received much of its cash in the heavier old silver *reales*, but wished to pay the Spanish Court in the new debased coins, yet at the old rate of eight to the dollar. Asiento payments were made, according to treaty, in 'pieces of eight' (*pesos*, or dollars), and the Spanish administration demanded that these should be 'hard' pieces of eight, or *pesos gordos*, worth ten of the new *reales*. Each dollar would therefore be worth four shillings and fourpence (52 pence), whereas by the Company's fraudulent reckoning the dollar was worth only three shillings and fourpence (40 pence).<sup>85</sup> The value of this piece of effrontery was considerable. The exact figures alleged did vary, and not all of the Company's transactions benefitted from this disputed exchange rate of the *real*, but assuming an average difference for each trading year of twelve pence between the two rates, the Asientists would gain one pound thirteen shillings and fourpence per slave, or a potential £6,600 per year. The company naturally had an interest in prolonging the dispute, and in retaining the duties due to Spanish crown. In an unusually neutral comment, the *London Evening-Post* reported:

Fresh Matter of Discontent every Day arises between the English and the Spaniards, the former frequently taking Spanish Ships in the American Sea, and the Court of Madrid stedfastly refusing to grant the Assiento Schedule to the South-Sea Company, upon Pretence that this Corporation scruples taking their Pieces of Eight at more than forty-one Pence each, whereas they are current in the Indies at fifty.<sup>86</sup>

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<sup>84</sup> L. Batchelor, 'The South Sea Company and the Assiento', *Bulletin of the Institute of Historical Research*, 3, 1926, pp. 128-30; E. Donnan, 'The Early Days of the South Sea Company, 1711-1718', *Journal of Economic and Business History*, 2, 1930, pp. 444-7.

<sup>85</sup> E.G. Hildner, 'The Rôle of the South Sea Company in the Diplomacy leading to the War of Jenkins' Ear, 1729-1739', *Hispanic American Historical Review*, 18, 1938, pp. 328-9.

<sup>86</sup> *London Evening Post*, 30 Dec (OS) 1737 to 1 Jan (OS) 1738.



The case of the Company was taken up by the politically aware people of London, far beyond the confines of the coteries who shared in its wealth and knew its back ways into parliament. This was certainly not public opinion in the national and spontaneous sense defined by Newcastle, but rather in that of Walpole, the pressure created by skilled practitioners who knew how to use their leverage. Royal issues were also involved, not least because George II was the nominal head of the Company, enjoyed its dividends and gave it his protection. The impact of the Company on Spanish royal pride was also significant. The South Sea Governors behaved like a second British government, an overlap of functions increased by the fact that the Company's agent in Madrid was none other than Benjamin Keene. In some respects, indeed, the South Sea Company did behave like a kind of English consulate abroad. The Company's factories were often the only source of advice, help or money available to British mariners in distress. Two South Sea factors in Carthagená, for example, were burdened with a stranded schooner in the summer of 1736. They lodged and fed the crew for over two months while the Governor there demanded more for repairs than the vessel was worth. When the crew finally left, the factors had to pay an array of duties and legal fees on their behalf.<sup>87</sup> This rôle, and the special access which the company enjoyed to British ministers, perhaps explains the high-handedness of their approach. Certainly the Governors' peremptory dealings with Patiño were a considerable irritant to the Spanish court, and the formality of their despatches both then and later makes them difficult to distinguish from the diplomatic papers of the day.<sup>88</sup>

The Asiento company wanted to pin down the Spanish monarch in such matters as the precise duration of the Asiento. The thirty years of the slave contract granted at Utrecht were to run out in 1744, but the Company wanted to reinterpret the agreement as being for thirty uninterrupted years of trading (excluding years of hostilities). Successive Courts of Directors had still never settled a figure either for the cost of the *represalias*; the seizures made in the Americas under a *cedula* of October 1722, and still not resolved despite the work of the commissaries in 1732-3. Keene summarized the problem retrospectively; 'it looks as if Every Direction had been willing to shift off the blow from

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<sup>87</sup> PRO SP 94/129 (unfoliated), Extract from a letter by Crowe & Ord, 23 July (NS) 1736,

<sup>88</sup> See e.g. BL Add Ms 33032, ff. 185-192, 'The Royal Asiento Company's Reply to the Answer given by His Catholick Majesty's late Minister M. Patiño to their Complaints of Grievances', 24 February (OS) 1737.

its own shoulders to saddle *Those* of their Succesors & this is what has brought Matters to Extremities'.<sup>89</sup> The company wanted full satisfaction for all its old claims for the *represalias* and, as a secure last resort for payment, wanted to be sure of having on its hands money due to the Spanish crown as negro duties.<sup>90</sup> Yet they calmly proposed that their own accounts should be accepted on a summary valuation, avoiding the tedious scrutiny of the full records.<sup>91</sup> Just as important in the bargaining process was their sharp practice over the rate of exchange of the dollar. Their position was that they were due to pay their accounts in Madrid, at the current, variable, exchange rate prevailing. Payment in the 'hard' dollars of the Indies was not in question, and not sanctioned by the treaties.<sup>92</sup> Of course, the treaty-makers could have had no foreknowledge of a devaluation twelve years later. La Quadra was right to complain of the accountancy practices of the Company and of their medley of dubious complaints and claims.<sup>93</sup> The Spanish crown, in turn, had grievances, which dated from the early 1730s, against the South Sea Company. There were duties on the slave trade which remained unpaid by the Asientists, and there was the issue of the Company's ships carrying goods from America on behalf of Spanish subjects, avoiding Spanish duties. There were also the numerous frauds of both the annual ships and slave ships, which carried saleable clothing and provisions far in excess of the quantities laid down in the Asiento treaty.<sup>94</sup>

The South Sea Court of Directors drew up a plan in June 1737, approved by George II at the end of July, which was designed to end these disputes. His Catholic Majesty should settle the account of the represaliated goods (seized in the conflict of 1727), and give orders for payment within a time satisfactory to the Company. Reasonable as the compromise must have seemed to ministers, that time was left dependent on the goodwill of the Company. Once (and if) they were satisfied, the Company would settle their

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<sup>89</sup> PRO SP 94/133, Keene to Couraud, January 1739.

<sup>90</sup> BL Add Ms 32797, f. 56, Paper by W. Smith, by order of the Directors of the South Sea Company, 9 February (OS) 1738.

<sup>91</sup> *Ibid.*, ff. 56-7, 67-8, Reports and paper.

<sup>92</sup> *Ibid.*, ff. 73-7, South Sea Company's Observations on the Answer given by the Marquis de Torrenueva to the Proposal of Mr. Keene.

<sup>93</sup> PRO SP 94/130 (unfoliated), La Quadra to Keene, 26 May (NS) 1738.

<sup>94</sup> PRO SP 94/131 (unfoliated), 'The pretensions of his Catholick Majesty', 1732, given to the Secretary's office by Stert, 23 September (OS) 1738.



outstanding debts in the negro trade at the full 52 pence per dollar, as claimed by Spain after the revaluation of that coin.<sup>95</sup> This plan was being pressed upon the British ministry by a more insistent message in December. An important proposal by Peter Burrell in February 1738 brought together the voluminous and legalistic paperwork of the Company's grievances, incorporated the June and December statements and finally quantified their demands. They computed the unpaid bill of *represalias* as being 1,521,394 dollars. Against this, they owed His Catholic Majesty for the negro duties on the Asiento trade between May 1722 and April 1727, some 666,666 dollars.<sup>96</sup> Even this was qualified, as they had been able to send only five and not ten annual ships in the period concerned; one of 500 tons and four of 650 tons, making in all 3,100 tons rather than 5,000. Such quibbles, which took no account of any extra profit from the voyages, may be regarded as purely bargaining positions, yet they could seem very definite concessions, even injustices, in the polemical press.

By this time the Company was firmly making conditions with which Philip V must comply. The Company insisted that he declare that the Asiento was not simply given for thirty calendar years, but for thirty trading years. The asientists were insisting, in other words, on the right to send a full thirty 'annual ships', and to ignore those years in which Philip had not authorised a sailing. But to prolong indefinitely the hated concessions of Utrecht was impossible for Philip.<sup>97</sup> The South Sea Company put its claims in a way to which the proud government of Spain could not submit. Even when a financial settlement seemed to be concluded in the autumn of 1738, the South Sea Directors saw fit to insist on securities for payment as if they were dealing with a foreign merchant of unknown credit. Such stipulations, Keene was told by an alarmed Spanish minister, 'were indecent and injurious to the honour of the Spanish Crown'.<sup>98</sup> One offensive aspect of the Company's case was taken up vigorously by Newcastle, no doubt sensing a way to make progress. The Company argued that, where a *cedula* to America did not produce payment

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<sup>95</sup> BL Add Ms 32795, ff. 335-9, Humble address of the Court of Directors of the South Sea Company to the King's most Excellent Majesty, 30 June (OS) 1737.

<sup>96</sup> *Ibid.*, ff. 67-72, Report of a Special Committee Containing a State of the Accots. of the *Reprisalias*, 9 February (OS) 1738.

<sup>97</sup> BL Add Ms 32797, ff. 64-5, P. Burrell & J. Bristow, Governor & Deputy Governor of the South Sea Company, explanatory address to the King, 21 December (OS) 1737.

<sup>98</sup> BL Add Ms 32799, f. 81, Keene to Newcastle, 8 September (NS) 1738.



within three months from the viceroy or governor concerned, Philip himself should pay in Europe. Newcastle insisted in his November 1737 memorial that this was in fact Philip's duty under the final settlement of the Treaty of Seville signed in February 1732. Keene was ordered strongly to insist on this duty, which was as much as to accuse Philip of lacking royal authority over his governors, and then to make him their purse-bearer.<sup>99</sup> The pride of even a normal Spanish ruler might have been expected to rebel at this treatment. In the case of a king so irrational and so eccentric as Philip, the consequences were bound to be harmful.

In the British case, the eccentricities of monarchy were less marked, and the dangers of relying on a hereditary system of government less apparent. The danger and the eccentricity were still there, however. There was one important way in which the family peculiarities of the House of Hanover affected politics adversely. This was the harm wrought by the tragi-comic conflicts of the king and queen with their son Frederick, Prince of Wales. The first signs of political trouble came with the prince's marriage in April 1736, exploited by Frederick to embarrass his father over the issue of his allowance. The Prince of Wales began to press his claim for an enlarged allowance of £100,000 from the Civil List. He made the demand into a test of loyalty among the coterie of Tories and opposition Whigs who surrounded him, and did his best to make his father George II seem mean and unreasonable. Frederick began to press his supporters to vote for the increase in early February 1737, Sir George Bubb Dodington first broaching the Prince's wants in a private conversation with Sir Robert Walpole.<sup>100</sup> The Lord Chancellor headed a deputation sent to the Prince to carry his father's message of disapproval, but despite the care which ministers had taken to soften the King's expressions as much as possible, Frederick simply declared that the matter was now out of his hands (implying that it was in those of the Opposition).<sup>101</sup> Walpole took the contest between father and son seriously, and when the motion for a settlement on the Prince came on, he resorted to unusual persuasions. He promised Watkin Williams Wynn, the leading Jacobite Tory, that if he or William Shippen would bring the Tories to vote against it, the ministry would provide

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<sup>99</sup> BL Add Ms 32796, f. 79, Newcastle to Keene, 4 November (OS) 1737.

<sup>100</sup> H.P. Wyndham (ed), *The Diary of the Late George Bubb Dodington* (1784), p. 320.

<sup>101</sup> Hervey, *Memoirs* Vol 3, pp. 672-80. BL Add Ms 35870, f. 31, record of the Prince's verbal answer, 21 February (OS) 1737.



£20,000 for the widow of the executed Jacobite the third Earl of Derwentwater, whose estates had been confiscated and sold. Williams Wynn refused to help her 'in so mean a manner' according to Edward Harley. In the debate itself, Walpole struck the pathetic note in his fears of a breach between father and son: 'He pretended almost to shed tears tho' as soon as he had carried his Question & the whole was over He turned the Affair into ridicule'.<sup>102</sup>

By the end of the month the immediate crisis was believed to be over, and the rumour was that the Prince was falling under the influence and using the purse of Aislalie, the ruined Chancellor of the Exchequer who had retired in disgrace after the South Sea Bubble.<sup>103</sup> The young cornet of horse, William Pitt, was dismissed from his place for his speeches on this occasion, and he and Lyttelton soon led an able and discomfiting group of Opposition critics.<sup>104</sup> They were encouraged by their patron Lord Cobham, who had been driven out by the ministry over the Excise Crisis of 1733 and who was so imbued with the 'Patriot' rhetoric of opposition that he built a 'Temple of British Worthies' to reflect it in his magnificent landscape garden at Stowe, the wonder of the age.<sup>105</sup> Among the busts placed in this garden feature were those of the heroes of the opposition press, Drake and Queen Elizabeth who had put the Spaniards in their place, Hampden who, a hundred years earlier, had resisted Ship Money (as Cobham had opposed Excise), and even a bust of the current London champion of the anti-Spanish cause, Sir John Barnard.<sup>106</sup> Prince Frederick began to gather around him at his Leicester House residence an opposition court,

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<sup>102</sup> CUL Add. 6851, quotations ff. 72 & 77, Edward Harley, 3rd. Earl of Orford, Parliamentary Journal, 1728-1751.

<sup>103</sup> CUL Ch (H) Corresp. 2667, Bishop of Chichester to Walpole, 28 February (OS) 1737; K. Darwen, 'John Aislalie (1670-1742): A Study in Augustan Politics and Hanoverian Finance', *Yorkshire Archaeological Journal*, XXXVII, 147, 1950, pp. 262-324.

<sup>104</sup> BL Add Ms 22626, f.118, Pitt to Hon. George Berkeley, 7 June (OS) 1736.

<sup>105</sup> P. Langford, *The Excise Crisis: Society and Politics in the Age of Walpole* (1975), p. 100; J.M. Price, 'The Excise Affair Revisited. The Administrative and Colonial Dimensions of a Parliamentary Crisis', in *England's Rise to Greatness, 1660-1763* (1983), ed. S.B. Baxter.

<sup>106</sup> For the rôle of the grouping gathered around Lord Cobham, see L.M. Wiggin, *The Faction of Cousins. A Political Account of the Grenvilles, 1733-1763* (1958), chapter 4. The garden iconography is detailed in M.I. Wilson, *William Kent. Architect, Designer, Painter, Gardener, 1685-1748* (1984), pp. 209-212, and T. Friedman, *James Gibbs* (1984), pp. 196-198.

frequented by those who had given up hope of employment under George II and who therefore bowed to the 'reversionary interest'.

The breach was completed by the scandals surrounding the birth of the Prince's daughter. When he took away the Princess, actually in labour, from Hampton Court on 31 July (OS) 1737, he insulted the crown and risked endangering the succession. The break was final, and bad relations were aggravated by disputes over the royal christening. The whole episode was so vital to the political élite that Hervey devoted to it the greater part of his memoirs of 1737.<sup>107</sup> The admixture of royal and popular politics in the whole of this episode is very instructive. Queen Caroline, at the height of her agitation over the Prince's behaviour, was 'really ashamed for the figure one makes in foreign Courts, when such a story is told of the affronts one receives in one's own family'.<sup>108</sup> At the same time, she accepted Walpole's advice to visit the child and do all possible honours to it, seeing that this would win the publicity battle at home:

though one does not care a farthing for them, the giving oneself all this trouble is *une bonne grimace pour la publique*; and the more impertinences they do, and the more civilities we show, the more we shall be thought in the right, and they in the wrong, when we bring it to an open quarrel.<sup>109</sup>

The King's final message to his undutiful son was delivered, with much trepidation, by the Dukes of Grafton and Richmond and the Earl of Pembroke on 10 September (OS) 1737, and specifically debarred the Prince from St. James's until he ceased to foment divisions by cultivating Opposition.<sup>110</sup> An official order went out that all those who paid their court to the Prince and Princess of Wales would not be admitted into the King's presence.<sup>111</sup> This ban made the Opposition officially into a rival court, and one which politicians could frequent without automatically being anti-Hanoverian. The astute and the ambitious at once rallied to Leicester House, and John Perceval, Viscount Egmont, even quickly

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<sup>107</sup> On the royal birth alone, Hervey, *Memoirs*, Vol 3, pp. 756-824; see the exchanges of letters between the Prince and his parents in August 1737, Windsor RA Bootle Mss, 54035-41, and in BL Add Ms 32795, ff. 352-7.

<sup>108</sup> Hervey, *Memoirs* Vol 3, p. 766.

<sup>109</sup> *Ibid.*, p. 767.

<sup>110</sup> Windsor RA Bootle Mss, 5043-4.

<sup>111</sup> BL Add Ms 35870, f. 36, Notice of 12 September (OS) 1737.



offered to give the Prince his own, adjacent, house to go with it.<sup>112</sup> This breach remained officially open until the reconciliation with Frederick which was forced upon the King after Walpole's fall. Privately, George continued to hate and mistrust all the Prince's followers. Even a long-time critic of the court such as Sandys found that simply to be attacked by Pitt was enough for the King, who told him; 'Since they piss upon you, I will stand by you'.<sup>113</sup> George determined in 1737 never to employ those who had made their court at Leicester House, a resolve which limited his freedom of action and bound him all the more firmly to Walpole.<sup>114</sup>

There was a great contrast in the openness of monarchy to public opinion in the two countries. At the head of an administration heavily weighted towards Italians and Basques, and himself a Frenchman, King Philip had always been despised by the mass of his adopted people. The ordinary people, early in the war with Britain, were violently against the French, 'whom they look upon as the Supporters and Abettors of the present Tyranny'.<sup>115</sup> As Philip's reign progressed he became increasingly isolated from these discontented subjects, seeing no-one without the Queen, and enmeshed in a court system which prevented almost all Spaniards from having the kind of direct access to the crown which had existed up to 1727.<sup>116</sup> In Britain by contrast, foreign envoys could be surprised by the freedom with which the king could be approached; 'the great liberty with which things are spoke and written in the very presence of the Sovereign'.<sup>117</sup> One great stimulus to this liberty was the influence of George II's Hanoverian connections on the minds of the 'Multitude'. By early 1737 George II had spent more than half a year in Hanover, never a circumstance likely to endear him to the British, and perhaps especially the London, public. He was rumoured moreover to be detained there not by affairs of state,

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<sup>112</sup> BL Add Ms 47012 A, ff. 1-4, Perceval to Col. Schutz, 13 September (OS) 1737.

<sup>113</sup> BL Add Ms 51437, f. 25, Ayscough's political journal, 3 December (OS) 1742.

<sup>114</sup> J.B. Owen, 'George II Reconsidered', in *Statesmen, Scholars and Merchants*, ed A. Whiteman, J.S. Bromley & P.G.M. Dickson (1973), pp. 126-7; shrewd comment on the tactical effects is found in H.P. Wyndham (ed), *The Diary of the late George Bubb Dodington* (1784), p. 305.

<sup>115</sup> PRO SP 78/224, f. 74, Waldegrave to Newcastle, quoting the French consul at Cádiz, 28 September (NS) 1740.

<sup>116</sup> PRO SP 78/227A, ff. 191-2, Information of the younger Sicilian abbé, Caracciolo, in Thompson to Newcastle, 16 May (NS) 1742.

<sup>117</sup> PRO SP 94/206, f. 45, St. Gil to Geraldino, 26 December (NS) 1737.

but by the charms of his newest mistress, Mme Walmoden. This was the King's most obvious infatuation, and caused even Queen Caroline herself unusual anxiety.<sup>118</sup> The mob allowed themselves great freedoms in denouncing their monarch's private pleasures. In December 1736 there took place an incident described with some amusement by Pulteney to Swift:

One Mrs. Mopp, a famous she Bone-setter and mountebank, coming to Town in a coach with six horses on the Kentish Road, was met by a Rabble of People, who seeing her very oddly and tawdrily dress'd, took her for a Foreigner, and concluded she must be a certain great Person's Mistress. Upon this they followed the Coach, bawling out, No Hannover Whore, no Hannover Whore. The Lady within the Coach was much offended, let down the Glass, and screamed louder than any of them, she was no Hannover Whore, she was an English one, upon which they all cry'd out, God bless your Ladyship, quitted the pursuit, and wished her a good Journey.<sup>119</sup>

The mob did not always mistake their target. When Mme Walmoden, to the open joy of George II, was installed in England, a crowd insulted her coach also, with cries of 'Hanover whore'.<sup>120</sup> Towards Christmas 1736 George II reluctantly decided to return to England, but the royal flotilla was caught in a severe storm and had to put back into the port of Helvoetsluys, where the King was detained for some weeks by westerly gales. Opposition newspaper *The London Evening-Post* commented drily: 'The Expence of Horses, Coaches &c waiting at Harwich, and on the Kentish Roads, for His Majesty's Return from Holland, is computed at above 125l. per Diem'.<sup>121</sup>

Freedom of speech about the sovereign was not confined to the press or to those in high office. The anti-Hanoverian sentiments of the public could be expressed in an indirect but unmistakeable manner. When the Prince of Orange was in London in 1734 on his marriage to the Princess Royal, the enthusiasm of the play-going audiences was highly selective. The Prince of Wales, who fancied himself the people's darling, was met with polite clapping, while 'the moment the Prince of Orange appeared, the whole house rung

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<sup>118</sup> Hervey, *Memoirs*, Vol 2, pp. 630-4.

<sup>119</sup> BL Add Ms 4806, f. 178, Pulteney to Swift, 2 Dec (OS) 1736.

<sup>120</sup> Windsor RA Stuart Mss, 207/133, Thomas Carte to Daniel O'Brien, 3 July (OS) 1738.

<sup>121</sup> *London Evening-Post* 30 December 1736 to 1 January 1737 (OS).



with peals of shouts and huzzahs'. It was not only inside the opera that the crowds paid these attentions. The King himself began to be:

very uneasy at distinctions of this kind that were paid him, and could not contentedly see, every opera-night from his own window, the coach of the Prince of Orange surrounded by crowds and ushered out of Court with incessant hallooing, whilst his own chair followed the moment after through empty and silent streets.<sup>122</sup>

Liberty could become license, and more direct insults might be offered to the crown, as was gleefully retailed by one young peer at Westminster School:

The last time the King was at Ranelagh Gardens he had this joke cut upon him, viz., two young fellows were walking by the King, one said to the other, 'where shall we sup?' T'other made answer, 'At the King's Arms.' 'Oh', says t'other, 'that's too full' (for the Countess of Yarmouth was with him). 'At the King's Head, then.' 'Oh, no,' says he, 'that's very empty.' On which the King made out of the Gardens directly, as well as the young fellows, and they say it caused a great disturbance.<sup>123</sup>

Though an unusual incident, this familiarity was only one aspect of the politicisation of public places in London, most evident in the rival Vauxhall Gardens. Visitors were presented with political allegories which favoured the outlook and supporters of the Prince of Wales. One motif added in the early 1740s was a series of large marine paintings by Peter Monamy. Patrons in the supper boxes could refresh their eyes with two of the rare examples of the Spanish war bringing glory to the British navy. One (of course) was the taking of Porto Bello by Admiral Vernon, and the other was the 1742 episode in which Capt. Tucker of the *Fowey* took a Spanish Register ship, the *St. Joseph*.<sup>124</sup> The King, especially when popular opinion in the capital boiled over into protests, was not insulated from these scenes. The court went every week to masquerades, opera, comedies

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<sup>122</sup> Both quotations Hervey, *Memoirs*, Vol 1, p. 282.

<sup>123</sup> Historical Manuscripts Commission 78, III, *Report on the Mss of Reginald Rawdon Hastings*, p. 37, Francis, Lord Hastings, to Selina, Countess of Huntingdon, 24 July (OS) 1742.

<sup>124</sup> T.J. Edelstein & B. Allen, *Vauxhall Gardens* (New Haven, 1983); L. Gowing, 'Hogarth, Hayman and Vauxhall Gardens', *Burlington Magazine*, XLV, 1953, pp. 9-15; A. Russett, 'Peter Monamy's Marine Paintings for Vauxhall Gardens', *Mariner's Mirror* 80, 1, February 1994, pp. 79-84.

and concerts, and George was never missing.<sup>125</sup> Since the King went so regularly into the places of entertainment in London, and mingled so freely with his subjects, he could hardly fail to be aware of the mood and prejudices of the vociferous London public.

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<sup>125</sup> PRO SP 107/25 (unfoliated), Andrié to King Frederick William I, 13 March (OS) 1739.



The clamour which reached the ears of George II was a chorus about Britons kept in Spanish slavery and fed on 'bug food'. The first mention of the problem came almost casually, in a letter from the Consul at Cadiz informing Keene that eleven sailors had been brought from America and imprisoned there, but that all but one had been released at Consul Cayley's instance.<sup>1</sup> For some time this episode was all but overlooked. In late February Sir Robert Walpole rebuked Geraldino over thirty-one English sailors, taken in Havana, brought to Spain in the *Fuerte* man of war, and now imprisoned in the Carraca in Cádiz alongside criminals condemned to labour.<sup>2</sup> What Walpole's political antennae had detected was to prove the beginning of a chorus of protest which would dominate the newspaper press and figure in ballads and cartoons for the next eighteen months. Britons, the cry began, were imprisoned by the ancient and cowardly enemy, and treated as slaves while the government tamely talked and offered commercial concessions. On March 7 (NS) a ship arrived in London bringing letters from several sailors: 'This news... has greatly augmented the Clamour of the Merchants, who have resolved to lay it, with the rest of their Complaints, before the Parliament on the 12<sup>th</sup>. Inst.'<sup>3</sup>

This was enough to stimulate Newcastle to action, sending on to Keene extracts from the letters and demanding the instant release of the sailors. Newcastle's urgency came from the 'Accounts here of the greatest Cruelties and Barbarities having been exercised against these poor people'.<sup>4</sup> These cruelties were in fact rather vague, and later proved to be poorly founded. They were enough, though, to generate an image of hapless slaves languishing in unsavoury foreign gaols. The captain of the *Loyal Charles*, Benjamin Wray, pushed along the concern about ill-treatment, in a long letter aimed at City sentiment; 'the *Loyal Charles* and the *Dispatch* is two as noted Ships among the Merchants as any out of London'.<sup>5</sup> An unnamed writer of one of the crew's letters commented on their conditions

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<sup>1</sup> PRO SP 94/130, (unfoliated), Keene to Newcastle, 6 January (NS) 1738.

<sup>2</sup> PRO SP 94/206, f. 99, Geraldino to La Mina, 10 March (NS) 1738.

<sup>3</sup> *Ibid.*.

<sup>4</sup> BL Add Ms 32797, f. 143, Newcastle to Keene, 2 March (OS) 1738.

<sup>5</sup> *Ibid.* f. 148, enclosed letter of Benjamin Wray, 1 February (OS) 1738.

in terms which seem to have been the origin of the charge of slavery; 'we are close confined, and work as the Slaves do, and We have very little victuals'.<sup>6</sup> It was not surprising that a low foreign diet would figure prominently in any such complaint. Eating beef and plum pudding, and drinking beer, was what defined the Englishman against not just the Spanish and French, but even their partner in the Union, the starveling oatmeal-eating Sawney the Scot. There was no one unpalatable foreign food with which the Spanish were conventionally associated. The usual caricature of the Spaniard (always depicted as a man) had more to do rather with his pride, shown by foppish, old-fashioned dress. It seems to have been taken for granted, though, that Spanish food *was* inferior, and an indicator of the difference between a free society and one tyrannised over by both Church and King.<sup>7</sup> This image of the well-fed Briton, though at this time it was regularly celebrated in renditions of Fielding's popular song, *The Roast Beef of Old England*, can never have been a very exact representation of the state of the common people.<sup>8</sup> Ironically, it was even less true of those who, as a result of this agitation, were sent on the campaign to the West Indies. The diet of the forces in the Caribbean was at least as bad as that in the Spanish prisons. One officer wrote home to complain that; 'our meet is salt as brine, our bread as it lays on the table swarms with Maggots, & the water here fluxes us all'.<sup>9</sup> Those who served in the expedition, unlike the news-reading public at home, quickly discovered how common 'bug food' was outside these islands.

The men concerned in the charge of slavery were the crews of the *Loyal Charles* and *Dispatch*. These vessels were returning from Jamaica loaded chiefly with sugar and rum when they were taken on August 5 1737 by a Spanish ship of twenty-four guns and 350

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<sup>6</sup> *Ibid.* f. 146, enclosed copy of anonymous letter of 22 January (NS) 1738.

<sup>7</sup> M. Duffy (ed), *The Englishman and the Foreigner* (1986), pp. 23-5, 134-7. The frontispiece to the 1738 poem, *The Voice of Liberty* in *ibid.* p. 135 uses as part of its caption the phrase 'the vanquished sons of Spain' to highlight the indignity of their attacks on Britons. The same words are used in 'Britannicus' [Mark Akenside], *A British Philippic* (1738), p. 7, as part of a routine Patriot onslaught on a ministry which has broken faith with the glorious past of Cavendish, Raleigh and Blake (p.10).

<sup>8</sup> Originally written for his *Don Quixote in England*, and enlarged and set to a new tune by Richard Leveridge in 1735. Theatre audiences sang it in the same way as modern football crowds chant their own repertoire; M.C. Battestin, with R. Battestin, *Henry Fielding. A Life* (1989), p. 114.

<sup>9</sup> BL Add Ms 34207, f. 11, Captain William Burrard to brother Harry, 26 April (OS) 1741.



men, and a sloop of ten guns and 100 men. They were imprisoned in Havana, and fed for three months on 'Turked Beef and magotty Bread', then sent to Cadiz where the food was horse beans and salt fish. The lodgings and company were equally disappointing:

we are put in Gaol every night among all manner of Villains, such as Thieves, Murderers, Turks, Fellows that has committed all manner of Villainy, where the Vermin is ready to eat us up, & in the Morning We are turn'd out with an Iron about our legs among the rest of the Slaves to wrought, & is told like Sheep out of a Pen.<sup>10</sup>

Another crew member wrote home to his wife about the 'Beans full of Vermin' and the bad conditions; a prison one hundred and thirty foot long and about thirty foot broad contained some 300 prisoners, with irons and chains.<sup>11</sup> In London, not having yet caught up with the latest developments, the *Craftsman* reported a petition about the ship seizures from the Jamaica merchants concerned. Both it and the *London Evening Post* printed the petition of the imprisoned sailors.<sup>12</sup> The *Craftsman* launched a violent editorial 'letter' on the meagre and ragged captives in the Havana:

Are our *brave English Mariners* to be thus abused, who have committed no Crime, and whom the *Spaniards* durst not look in the face upon equal Terms, were their Hands unty'd? Have *those poor fellows* forfeited their Liberty, because They happened to belong to a Ship, that had 8 or 10 tons of *Logwood*, or a few bags of *Cocoa* on Board, which perhaps were ship'd on Freight, and produced at *Jamaica*?<sup>13</sup>

More cynical readers might have questioned the force of that 'perhaps'. The London press was open to deliberate manipulation where the grievances against Spain were concerned. At the beginning of January the French ambassador in London was surprised to see in the *Daily Advertiser* a circumstantial account, apparently endorsed by himself, of the seizure of a French merchantman by the Spaniards. The man behind this piece of provocation was Oglethorpe, prominent among those who were trying to foment feeling against Spain. He had obtained a copy of the French captain's declaration, added to the

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<sup>10</sup> BL Add Ms 32797, f. 148, letter of Benjamin Wray, 1 February (OS) 1738, in Newcastle to Keene, 2 March (OS) 1738; an earlier letter by Wray was copied to Keene in *ibid.* f. 43, Newcastle to Keene 2 February (OS) 1738.

<sup>11</sup> *ibid.* f. 150, anonymous letter of 6 February (OS) 1738.

<sup>12</sup> *Craftsman*, 11 February (OS) 1738; *London Evening-Post*, 9 February (OS) 1738.

<sup>13</sup> *Craftsman*, 11 February (OS) 1738.

picture some darker shades of his own, and had it printed.<sup>14</sup> Any new matter which might force the issue against Spain was acceptable to the press. News of the prisoners in the Carraca therefore came as an unexpected windfall. It heightened the disgust already felt at Spain's tardy answer to the British memorial.<sup>15</sup>

Slavery was an ideal emotive topic with which to raise the still cool political temperature. All observers agreed, early in the session, that it would prove an easy one. As the Earl of Egmont saw it; 'there will be few or no struggles this session, wch. will be up as soon as possible'.<sup>16</sup> In mid-February, Horace Walpole was sanguine about the current Commons session; 'Our business in Parliament goes on so fast and glib that we go to dinner every day at 3 o'clock, and indeed I foresee nothing at present that should prevent our rising by the end of April'.<sup>17</sup> Even at the end of that month, Geraldino believed that 'The Session goes on at present as happily as the Government could wish'.<sup>18</sup> The skilful serial printing of letters from the British 'slaves', though, was generating a momentum which such political insiders had not at first appreciated. By late February it was obvious that ministers could not ignore harangues about innocent captives 'us'd like Slaves, and worked very hard, for a wretched Sustenance of Stock-Fish, rotten Beans, &c.'. <sup>19</sup> Two weeks after his optimistic account of the business of the House, Horace Walpole was ruefully driven to comment that;

some letters from Cadiz of the cruel treatment of the English that have been taken by using them like slaves have given leisure and occasion to set ill humours afloat, and the merchants have resolved to petition, and lay their

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<sup>14</sup> Cambis commented; 'Je m'aperçeu sur le champ de la malignité de cette Insertion qui tend a fomentier les plaintes des Anglois contre les Espagnols, et a faire croire au public qu'ils ne nous menagent pas plus que Eux... Il est bon d'observer que M. Oglethorpe est à la tête de Ceux qui crient contre les Espagnols, auxquels il a cepend. donné mille sujets de Plaintes...'. PRO SP 107/21 (unfoliated), Cambis to Amelot, 6 January (NS) 1738.

<sup>15</sup> PRO SP 94/206, f. 101, Geraldino to St. Gil, 11 March (NS) 1738.

<sup>16</sup> BL Add Ms 49689, f. 13, Egmont to Wm. Taylor, 11 February (OS) 1738.

<sup>17</sup> HMC, *Fourteenth Report* (Trevor Mss), p. 12, H. Walpole to Trevor, 14 February (OS) 1738.

<sup>18</sup> PRO SP 94/206, f. 97, Geraldino to St. Gil, 4 March (NS) 1738.

<sup>19</sup> *London Evening-Post*, February 25 (OS) 1738.



case before the Parliament in very strong terms, so that we shall certainly have some flame on that subject.<sup>20</sup>

The powerful West India merchants spread the flame very vigorously. They held a large meeting which deputed Alderman Perry to present their petition to the Commons, forcing a call of the House and a full discussion a week later.<sup>21</sup> In that debate Pulteney made effective use of naval history in his scornful comments on the prospect of the *guardacostas* blockading the Thames.<sup>22</sup> The merchants' petition cleverly linked the protection of the Crown to the issue of sailing a proper course, and the freedom of the seas. They argued that in effect the Spaniards were 'claiming and exercising the Sole Sovereignty of those Seas' as well as committing acts of cruelty. So early was the link made between Britannia's ruling of the waves, and the claim that Britons never will be slaves:

the Spaniards have paid so little regard to his Majesty's most gracious endeavours that they have continued their depredations almost ever since the Treaty of Seville and most particularly last year have carryed them to a greater height than ever they having arbitrarily seized severall Ships with their effects belonging to His Majesty's Subjects on the high Seas in the destined course of their Voyages to and from the British Colonys amounting to a very considerable value and the Captains or Masters of some of the said Ships were according to our last Advices and are (as we believe) at this time confined by the Spaniards in the West Indies and the Crews are now in Slavery in Old Spain where they are most inhumanly treated.<sup>23</sup>

The issue was sensitive enough for Keene to be rebuked several times for his laxity in handling the affair.<sup>24</sup> The *London Magazine* printed Keene's letter on the 'slaves'.<sup>25</sup> It was good for the ministry that opponents did not have the power to print his private views on

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<sup>20</sup> HMC, *Fourteenth Report* (Trevor Mss), p. 13, H. Walpole to Trevor, 28 February (OS) 1738.

<sup>21</sup> BL Add Ms 32797, f. 154, Newcastle to Keene, 3 March (OS) 1738; *London Evening-Post*, 4 March (OS) 1738; *Journal of the House of Commons*, 23, pp. 53-5.

<sup>22</sup> Debate of 3 March (OS) 1738, W. Cobbett, *Parliamentary History*, X (1812), p. 647.

<sup>23</sup> BL Add Ms 32797, f. 162; *Journal of the House of Commons*, 23, pp. 53-4, 'The Petition of diverse Merchants Planters and others Trading to and interested in the British Plantations in America on behalf of themselves and many others'.

<sup>24</sup> E.g. BL Add Ms 51388, ff. 58-9, Newcastle to Keene, 17 March (OS) 1738; BL Add Ms 32797, f. 283, same to same, 12 April (OS) 1738.

<sup>25</sup> *London Magazine*, April 1738, p. 202.

this clamour. He confided to Robert Trevor what it would have been dangerous to admit in London:

I never dare venture to speak my sentiments upon Depredations: Though to a friend like you, I may lay it down for a maxime, that there is great difference between Grounds for Complaints, and Proofs upon which a Dispute is to be justly and finally determined and Satisfaction granted. Had I had as many of the latter sort as I have of the former, I should venture to assure you, you should never have heard such clamour in England from Mr. Drake and his abettors.<sup>26</sup>

Geraldino was ordered by his court to present a very similar view: 'it will be found perhaps that the Parties themselves have abandoned their Claims from a Consciousness of their having but little right on their side'.<sup>27</sup>

Diplomacy had its own rhythms and demands. La Quadra had finally replied in February to Newcastle's memorial of late November 1737. In March, Newcastle had to send a further memorial, glossing as best he could the confusion over the treaties of 1667 and 1670, and explaining Britain's position in decided terms designed to bring on a resolution in one way or another. As well as strong protests against the colonial procedures, the letter made the issue one of freedom of navigation. Against the advice of Hardwicke, it was put in terms similar to those urged by the merchants. Newcastle stressed that this was a question of direct conflict between the pretensions of the two monarchs. It could almost be supposed that the Spanish crown was claiming sole sovereignty of the American seas: 'Mais une pareille Domination ou Souveraineté, est ce que les Rois, Predecesseurs du Roy mon Maître, n'ont jamais connu, et ce que Sa Majesté n'admettra jamais'.<sup>28</sup>

A vital point on which Spanish ministers insisted was that the claims of the merchants were affairs *inter partos* and that in equity the Council of the Indies had to hear the case

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<sup>26</sup> BL Add Ms 32797, f. 132, Keene to Trevor, 3 March (NS) 1738.

<sup>27</sup> Enclosed in PRO SP 94/130 (unfoliated), Keene to Newcastle, 15 April (NS) 1738. 'L'on ne pourra non plus faire paroître, que le Conseil des Indes... ait refusé d'administrer Justice aux Sujets de V.M. qui se sont présentés pour y suivre leurs Appellations, puisque celles qui n'auront point été déterminées ou qui auront été différées, c'aura été vraisemblablement à cause que les Parties les auront abandonnés, se reposant peut être peu sur leur Justice.'; BL Add Ms 32797, ff. 347-8, Geraldino's memorial, 20 April (OS) 1738.

<sup>28</sup> *Ibid.*, f. 194; BL Add Ms 32797, f. 172, Hardwicke to Newcastle, 9 March (OS) 1738.



of both sides and not just the appellant.<sup>29</sup> Newcastle's reply, in words which directly echoed Horace Walpole's January cabinet memoir, was that justice could not be expected in the Indies where 'la même partie est en même tems Plaintiff et Defendant'.<sup>30</sup> Montijo was indignant about the British insistence on speedy justice, which implied a prior acceptance that British claims were justified. Waiting for the *autos*, he said, was the only way and any other course was 'imposing Laws upon Spain'.<sup>31</sup> Nonetheless, the Spanish administration was conscious of the dangers involved in having only vaguely defined rules of capture and proof. The Fiscal of the Council of the Indies submitted a report, which Keene, thanks to his friends, saw before Montijo himself. Stimulated by the cases of the *Loyal Charles* and others, and by recent confidential orders sent to him to place the most favourable interpretation possible upon disputed cases, the Fiscal asked Philip V for clear published guidelines on procedure, fair sailing and so on; 'since without some such regulation, matters will remain in perpetual confusion, and there can otherwise be no other foundation for condemning a Prize, than mere probabilities'.<sup>32</sup>

Montijo's emphatic argument to Keene was that the best hope of a good understanding lay in leaving the authority for such matters with the Council of the Indies. Patiño was once again made to bear the posthumous blame. He had usurped the authority of the Council, and so encouraged the insolence of the colonial Governors. Now a better order was being restored.<sup>33</sup> Fearing the clamour and misrepresentation in England, Montijo was emphatic. He was also realistic about the consequences for Spain:

if you, says he, have a mind to regulate our Disputes in the Indies, you can never wish for better Intentions and Dispositions than ours now are; and if you have a mind to take advantage from our bad Situation and fall out with us, you can never look out for a better opportunity: In the first Case, You shall have all that can be asked or granted in reason and justice: But if you will not distinguish your Cases, but equally demand the Restitution of what belongs to the Guilty, as well as what belongs to the Innocent, it will be imposing so hard a law upon us, That a Nation, like ours, which has its

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<sup>29</sup> BL Add Ms 32797, f. 129, Keene to Newcastle, 3 March (NS) 1738.

<sup>30</sup> BL Add Ms 32797, f. 183, Projet d'une Lettre de Mor. Keene à Mor. de la Quadra, 17 March (OS) 1738.

<sup>31</sup> PRO SP 94/130 (unfoliated), Keene to Newcastle, 12 April (NS) 1738.

<sup>32</sup> *Ibid.*

<sup>33</sup> BL Add Ms 32797, ff. 334-5, Keene to Newcastle, 7 May (NS) 1738.

honour at heart, will not, nor can not suffer it; and sooner than to submit to such Conditions, we will sell the Plate and Vessels from our Altars to put Us in a Situation to resist you.<sup>34</sup>

Waldegrave's French informant in Madrid confirmed that there was indeed a great willingness to give redress for real grievances, but that the ministry would not submit tamely to unjust demands.<sup>35</sup> And the demands were largely seen as being unjust. The evidence of Benjamin Wray himself, whose case was at the centre of the agitation over slavery, was contradictory and evasive. La Quadra expressed himself surprised that it could be believed by 'un ministerio tan especulativo, experto, y circunspecto como el de essa Corte'.<sup>36</sup> On the Spanish side there were grievances just as jarring. When Keene spoke of compensation denied to shipowners in the form of *cedulas* which had not been complied with, la Quadra could retort that those given *cedulas* had acted in bad faith. The notorious 1732 case of the *Woolball* was a particular irritant. Even before restitution could have been made, and while a legal appeal was still lodged with the Council of the Indies, the British navy had retaliated by taking a Spanish register ship in the Bay of Campeche.<sup>37</sup> When the owners were granted a *cedula*, they loaded a ship, under Royal Navy protection, with a valuable cargo and went from one Spanish colonial port to another, under pretence of delivering the *cedula*, but really disposing of their goods.<sup>38</sup> La Quadra angrily denounced this episode to Keene. The particular object of his wrath, though, was the South Sea Company: 'nothing', he said, 'has been able to contain the Directors within the limits of their contract'. Their annual ship, the *Royal Caroline*, on its last voyage, abused its privileged position by bringing home over \$600,000 on the account of private persons.<sup>39</sup> Scepticism as to British claims was strengthened by the fundamental belief that only Spanish traders had any rights in the Indies other than those limited privileges which were specifically granted.<sup>40</sup> Such legal doubts and patriotic

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<sup>34</sup> *Ibid.*, f. 337.

<sup>35</sup> *Ibid.*, f. 360, Waldegrave to Newcastle, 10 May (NS) 1738.

<sup>36</sup> PRO SP 94/130 (unfoliated), La Quadra to Geraldino, 23 May (NS) 1738.

<sup>37</sup> PRO SP 94/114, (unfoliated), Keene to Harrington, 19 September (NS) 1732.

<sup>38</sup> BL Add Ms 32797, f. 325, Keene to Newcastle, 7 May (NS) 1738; see Pares, *War and Trade*, pp. 26 & 35.

<sup>39</sup> PRO SP 94/130, (unfoliated), la Quadra to Keene, 26 May (NS) 1738.

<sup>40</sup> *Ibid.*: 'bajo las Leges fundamentales de España, sin dar entrada en ellas a las Naciones extranjerar'.



feelings among the ministers in Spain, though, were more than matched by the high resentment of their opponents in England.

From such frayed and intractable materials the ministry had to plait the tangled strands of diplomacy, and to determine whether it was to be peace or war. In January 1738 Newcastle took a strong line, making demands on the Spanish and depending heavily on the compliance of Montijo. He and the king wanted the seized British ships releasing at once:

His Majesty did indeed expect, and does still, That those Ships, which have been lately taken, should be immediately released; And not go the roundabout way, which has hitherto been so ineffectually practised.<sup>41</sup>

But it was simply impossible for the Spanish administrative system to work with that speed. And in any case he overestimated the influence of Montijo. Newcastle wanted the commissions of the *guardacostas* revoked, and the colonial officials responsible to be speedily punished:

His Majesty observes in one of your Letters, that Mr. Montijo told you that if our Complaints were founded, he should be glad to make some signal example of the severest chastisements and it is to be hoped that he will be as good as his word.<sup>42</sup>

Important private assurances were forthcoming, but a change in the handling of individual cases would take a long time to be apparent to the British public, and it is hard to see how Newcastle could expect a radical change in the whole procedures of colonial law.<sup>43</sup> The king waited 'with great Impatience' for a reply to the Memorial, the key to the diplomatic problem.<sup>44</sup> When the Spanish reply did come, belatedly, on February 21 (NS), it brought a fresh round of problems.<sup>45</sup> The governors and royal officers were to be gingered up, and sent full details of the various cases complained of. However, la Quadra was unequivocal

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<sup>41</sup> BL Add Ms 32796, f. 284, Newcastle to Keene, 19 December (OS) 1737, in post January 19 (OS) 1738.

<sup>42</sup> *Ibid.*, f. 287.

<sup>43</sup> BL Add Ms 32797, ff. 225-8, Keene to Newcastle, 15 April (NS) 1738, Keene to Stone, same date.

<sup>44</sup> BL Add Ms 32797, f. 10, Newcastle to Keene, 7 January (OS) 1738.

<sup>45</sup> La Quadra's reply to Keene is given in PRO SP 94/130 (unfoliated) and BL Add Ms 51388, ff. 48-56.

in dismissing the relevance of the 1667 Treaty, which had nothing to do with the commerce of the Indies 'since all Nations are excluded from trading and navigating to any Port in His Majesty's Dominions in America'.<sup>46</sup> In a sweeping rebuttal of the English doctrine of freedom of the seas, la Quadra insisted that the British commerce had rights of navigation only while sailing a due course to their own colonies, 'and their Ships liable to a Seizure and confiscation, if it be proved that they have altered their Route, without necessity, in order to draw near to the Spanish Coasts'.<sup>47</sup> The letter closed by affirming that his Catholic Majesty would defend his subjects if they were threatened in any way by Britain. King George's response was an immediate rejection of the idea that British shipping could in any way be confined to certain shipping lanes only. Spain continued to insist that ships could be stopped and searched if they were found in a 'suspicious latitude'.

This issue was discussed repeatedly in the letters of the following months. In the confines of St. Stephen's Chapel, or the chamber of the Lords, lined with tapestries of Britain's naval greatness, the absolute freedom of the seas was not to be questioned. For Spanish ministers the position was more complex, and they were in no mood to give up rights which had been, as they thought, accepted in the past. La Quadra made his case by pointing out that the term was used in a royal *cedula* of December 1732 which was not at that time contested. The *Woolball* was restored to Britain mainly on the grounds that it was not taken in a suspicious latitude, so 'la referida expresion de rumbo sospechoso' was one which the British had not challenged when they had the opportunity.<sup>48</sup> However, with the merchants already fanning the flames of discontent, and the reading public afire with notions of Britain's universal dominance of the oceans, it was politically quite impossible to accept that large areas of the seas were effectively closed to British shipping, unless they allowed rights of search.

The demand for specific action could no longer be resisted. Reprisals must be granted at last. Newcastle wrote to tell the beleaguered Keene that the king had offered to the

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<sup>46</sup> PRO SP 94/130 (unfoliated), La Quadra to Keene, 21 February (NS) 1738.

<sup>47</sup> *Ibid.*

<sup>48</sup> PRO SP 94/130 (unfoliated), Keene to Newcastle, 28 May (NS) 1738; PRO SP 94/130 (unfoliated), extract of Report by Fiscal of the Council of the Indies, in Keene to Newcastle, 15 April (NS) 1738.



injured merchants Letters of Reprisal, 'which is what His Majesty thinks he could not justly any longer delay'.<sup>49</sup> No small part of the pressure came from the press, rather than the merchants who had first started the idea.<sup>50</sup> It was a device unlikely to bring much profit to the merchants themselves, and demanded a risky initial investment in arming and manning a suitable vessel. As late as July 1739 the merchants were refusing to spend in this way for fear of a patched-up peace which would waste their money. It was deemed especially newsworthy when eventually one custom-built privateer was launched.<sup>51</sup> If any merchants did choose to make this investment, however, it might be the beginning of war.<sup>52</sup> The prospect of reprisals was seen by Spanish diplomats in just the same way as it struck Horace Walpole when he earlier advised on the issue. It was a move which would take relations out of the hands of the diplomatic class, and put the issue of war or peace to the hazard of arbitrary and chance actions by aggrieved individuals. The leading figures in the Spanish administration all believed, in any case, that reprisals would not be legal because the necessary time had not elapsed without justice being done to the original complainants.<sup>53</sup> But for this untimely warmth, hinted Montijo, much might be done. There were faults on both sides, he told Keene, and 'our Contrabandists ought to be punished, and some of their Governors hanged'.<sup>54</sup> Reprisals certainly made a rupture more likely, and brought nearer the prospect of war with both France and Spain, as Walpole had argued they would.<sup>55</sup>

He would have been confirmed in his view could he have seen the glee which the news brought to the camp of the Pretender. James III described the move as 'un grand acheminement à une rupture'.<sup>56</sup> Edgar, his secretary in Rome, saw the letters of marque as

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<sup>49</sup> BL Add Ms 32797, f. 142, Newcastle to Keene, 2 March (OS) 1738.

<sup>50</sup> *Common Sense*, 18 February (OS) 1738.

<sup>51</sup> *Craftsman*, 21 July (OS) 1739, *London Evening-Post*, 24 & 31 July (OS) 1739.

<sup>52</sup> Wolterton (Walpole) Mss, Papers of Lord Waldegrave 1738-9 (unfoliated), J. Burnaby to Trevor, March 7 (NS) 1738.

<sup>53</sup> PRO SP 94/206, f. 113, St. Gil to Geraldino, 1 April (NS) 1738; PRO SP 94/130 (unfoliated), BL Add Ms 32797, f. 217, Keene to Newcastle, 12 April (NS) 1738; *Ibid.*, la Quadra to Geraldino, May 1738.

<sup>54</sup> BL Add Ms 32797, f. 218, Keene to Newcastle, 12 April (NS) 1738.

<sup>55</sup> P.L. Woodfine, 'Horace Walpole and British Relations with Spain, 1738', in Royal Historical Society, *Camden Miscellany*, XXXII, pp. 279-81, 303.

<sup>56</sup> Windsor RA Stuart Mss, 206/33, James to Daniel O'Brien, 15 April (NS) 1738.

'the next thing to a declared War, and may very probably produce one'.<sup>57</sup> British diplomats abroad were dismayed to receive the gist of la Quadra's reply and news of reprisals at the same time.<sup>58</sup> Certainly the news struck Geraldino in London very forcibly, and there is no doubt of its impact on his masters in Madrid. He did his best to persuade his court not to make too much of it, but lamented the timing of this decision, just when an accommodation might have been likely.<sup>59</sup> Keene prided himself, at such a difficult time, that he had 'made no sort of Concessions, nor given any advantages that could be retorted upon me'.<sup>60</sup> This applied to the vexed issue of Georgia as well as to the complaints of commerce. Britain and Spain alike had an interest in an accommodation in America, not least because both wished to thwart the ambitions there of other powers, including Russia.<sup>61</sup> La Mina, the Spanish ambassador in Paris, found Fleury unsympathetic to the more warlike ideas which he put forward on his own initiative.<sup>62</sup> The Spanish ministry privately conceded the point forcibly made by Horace Walpole, that nothing in the Treaties of 1667 or 1670 related to the limits of Georgia.<sup>63</sup>

Commissaries were appointed in March to settle the boundaries of Georgia and Florida. (Keene first knew that he was one when la Quadra told him). Torrenueva insisted upon the demolition of those forts, in the region claimed by Spain, which had been recently built by Oglethorpe in an obvious attempt to preempt the findings of any commission. Geraldino had carried out his instructions to have commissaries appointed, but had suppressed the request for demolition, which would have prevented any progress.<sup>64</sup> Such delicate negotiations were easily upset. Keene nonetheless remained optimistic that a rupture would be avoided, despite reprisals. He confided, in unbuttoned remarks to

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<sup>57</sup> *Ibid.*, 206/39, Edgar to George Kelly 17 April (NS) 1738.

<sup>58</sup> Wolterton (Walpole) Mss, Papers of Lord Waldegrave 1738-9 (unfoliated), J. Burnaby to Trevor, 7 March (NS) 1738.

<sup>59</sup> PRO SP 94/206, f. 107, Geraldino to St. Gil, 18 March (NS) 1738.

<sup>60</sup> BL Add Ms 32797, f. 224, Keene to Newcastle, 15 April (NS) 1738.

<sup>61</sup> BL Add Ms 32795, ff. 326-7, Newcastle to Keene, 12 September (OS) 1737.

<sup>62</sup> PRO SP 28/218, ff. 25-6, Waldegrave to Newcastle, 17 May (NS) 1738.

<sup>63</sup> BL Add Ms 32795, f. 250, H. Walpole to Keene, 3 September (NS) 1738; PRO SP 94/130, (unfoliated), la Quadra to Geraldino, 28 November (NS) 1737 (sent 23 December (NS) 1737).

<sup>64</sup> BL Add Ms 32797, f. 167, Keene to Newcastle, 17 March (NS) 1738.



Andrew Stone; 'It is pretty plain They would not fall out with Us at present, notwithstanding their late blusterings about Georgia.'<sup>65</sup> Spain had no obvious allies other than the Queen's son, the King of Naples, which was Keene's chief diplomatic reason for thinking that bold action was not likely. Keene obtained the best intelligence he could about Spanish military preparations, and though early warnings were being sent off to the Caribbean he found no other significant preparations, and thought there was little to fear from the Spanish fleet.<sup>66</sup> His other source of comfort came from private assurances from Montijo that His Catholic Majesty was sure that the British grievances would be amicably settled, if only they had patience. Further, 'He could safely assure me, that no such proceedings would be suffered for the future'.<sup>67</sup>

The British public mood, though, at least as it was assiduously presented in print, was too violent to be so easily satisfied. The nation, cried the press, was being humiliated and its sailors enslaved by the cowardly and treacherous Spaniards. It was enough to prompt a major editorial change in a leading opposition newspaper. The *London Evening-Post* adopted for the first time in April 1738 the established *Craftsman* format of a leader in the form of an indignant front page letter. Significantly, this 'letter' was on the subject of British slavery:

When we look back to the GLORIOUS DAYS of Queen *Anne*, and see both France and Spain stretching out their Hands and supplicating her Mercy, what humble Thoughts ought we not to have of the Vicissitude of human Affairs, at seeing the Subjects of Great Britain *now chain'd down as slaves in the Dungeons of Spain?*

P.S. When the 71 ENGLISH SLAVES return home, I hope they will bring some of their FETTERS and BUG-FOOD along with them; and also let us know, if they can, how many Englishmen more are still left SLAVES in Spain and America.<sup>68</sup>

Sure enough, a week later, the returned sailors - thirty-one and not seventy-one in number - appeared at the Royal Exchange with their bags of beans, part-eaten by bugs.<sup>69</sup> The

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<sup>65</sup> BL Add Ms 32797, f. 227, Keene to Stone, 15 April (NS) 1738.

<sup>66</sup> BL Add Ms 32798, ff. 44-50, Keene to Newcastle, 26 May (NS) 1738.

<sup>67</sup> BL Add Ms 32797, ff. 225-6, Keene to Stone, 15 April (NS) 1738.

<sup>68</sup> *London Evening-Post* 1 April (OS) 1738.

<sup>69</sup> *Ibid.*, 8 April (OS) 1738.

depositions of the various crew members were sworn before Sir John Barnard, the Lord Mayor.<sup>70</sup> Shortly afterwards they were given £200 from the King's bounty, and a further £80 raised by the City merchants.<sup>71</sup> The sufferings of the prisoners seemed to Torrenueva to be exaggerated, as they received one silver *real* (nearly six pence) a day for subsistence, the same rate given to a private soldier in the British army.<sup>72</sup> They ate the standard prison (and indeed Spanish army) diet, and the one who was made to wear a leg iron did so because he had tried to escape.

The Commons' hearing of the merchants' petition was held at an extremely excitable time. The fullest House of Commons for many years, 468 Members, gathered for the debate.<sup>73</sup> The Opposition concentrated their attack on a resolution that searching British ships on the open seas was contrary to treaty, a resolution defeated by 256 votes to 209. However Pulteney skilfully posed a series of questions covering the whole ground of complaints collected by the merchants, as well as the treaty questions. The Committee of the House set up to appraise them was emphatic in its conclusions:

The British Ships have been unlawfully seized on the open Seas, plundered, and confiscated, The Sailors robbed, inhumanly tortured, imprisoned, & made Slaves to the grievous loss of the Merchants, the Obstruction of the Commerce, and the Dishonour of the Nation.<sup>74</sup>

The impact of this debate may be gauged by the change in the *London Evening Post*. Not only did the paper from then on adopt the front-page format of the *Craftsman*. It also became more explicitly political and anti-ministerial, supplanting its rival in the range and force of its attacks. It was the issue of slavery, and the theatre of violent Commons debate, which seem to have galvanised the *Evening Post*.

The impetus of protest did not fade away in Parliament, either. The Lords, on 17 April (OS) called to have laid before them copies of Newcastle's draft memorial of 4 November

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<sup>70</sup> BL Add Ms 32797, ff. 295-7, Depositions sworn 10 April (OS) 1738.

<sup>71</sup> *Ibid.*, 20 & 29 April (OS) 1738.

<sup>72</sup> BL Add Ms 32797, f. 202, Keene to Newcastle, 31 March (NS) 1738; PRO WO 24/197 (unfoliated), 'Establishment of the Forces...'.

<sup>73</sup> *London Evening-Post*, 30 March (OS) 1738, *Craftsman*, 1 April (OS) 1738. The petition is given in BL Add Ms 32797, ff. 256-8.

<sup>74</sup> BL Add Ms 35875, ff. 374-5, 'Mr. P----'s questions'.



(OS) 1737, together with any other possible memorials or letters of that period, and la Quadra's reply of 10 February (OS) 1738, with Newcastle's reply to that in turn on 17 March (OS).<sup>75</sup> The volume of material, and the refusal of both Houses to accept papers in French without their translation, meant a virtual prison sentence for the personnel of the Secretary of State's office. Couraud complained; 'I have scarce stir'd from my Confinement at the Office since the Parliament first met this Year'.<sup>76</sup> Not only was this enquiry in effect a public review of the whole course of recent diplomacy with Spain. The Lords also made it an excuse to air the question of slavery once more, calling before them Captains Wray, Delamotte and Kinslaugh to testify about their capture near Havana.<sup>77</sup> Newcastle was still paying the price for his error over the treaties. He produced a paper, given to the Commons, attempting to show how the 1667 treaty really applied to the West Indies.<sup>78</sup> It did not convince either House. In the Lords, Carteret brought in the same resolution about freedom from search on the high seas which had been voted down in the Commons. If a Jacobite observer is to be believed, he enjoyed a complete triumph:

Ld. Carteret explained the Articles of those Treaties in so clear and satisfactory a manner to the House, & shewed so plainly the mistakes made by our Ministers with regard to the true meaning thereof in their letters on the subject, that it was not possible to make any reply to him. There was a perfect silence in the House after this speech for a quarter of an hour, whilst the Lords in the Ministry conferred together & with Sr RW who said there was nothing to be done in the case, but to give up the question & let Carteret's amendment pass.<sup>79</sup>

In a full House, led by the Prince of Wales, their Lordships went into committee and then produced a proposal designed to put pressure on the ministry. A committee of named peers was set up to prepare (in the Prince's own house) an Address to the crown and

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<sup>75</sup> *Journals of the House of Lords*, XXV, p. 216; request granted 19 April (OS); *ibid.*, p. 220; full list of papers given 25 April (OS), *ibid.*, pp. 226-8.

<sup>76</sup> BL Add Ms 32798, f. 105, Couraud to Keene, 29 May (OS) 1738.

<sup>77</sup> *Journals of the House of Lords*, XXV, p. 228.

<sup>78</sup> Wolterton (Walpole) Mss, Political Tracts, (unfoliated); R. Chandler, *The History & Proceedings of the House of Commons from the Restoration to the Present Time* (1743), X, p. 160, 'Reasons to show that the General Regulations laid down in the Treaty of 1667, between England and Spain, with regard to the Navigation, may extend to the West Indies...'.  
<sup>79</sup> Windsor RA Stuart Mss, 206/106, Carte to O'Brien, 4 May (OS) 1738.

report back to the House. Among them were Newcastle and Hervey, as well as Carteret and Chesterfield. The main point of the Address was the concluding promise to support the King, if diplomacy failed, 'in all such Measures as shall become necessary, for the Support of Your Majesty's Honour, the Preservation of our Navigation and Commerce, and the common Good of these Kingdoms'.<sup>80</sup> Newcastle may have been willing to see such brisk resolutions as a way of stiffening his negotiating position. Certainly soon after he sent a copy of them to Keene, saying; 'you will make use of This, to shew the Sense of every Part of the Legislature on this great and important Question'.<sup>81</sup> The culmination of this wave of parliamentary indignation was votes by the Commons to allow the ministry to raise an extra 10,000 sailors, and to provide the sum of £500,000 to pay for them.<sup>82</sup>

Despite these debates, the evidence of the 'persons, produced by the Merchants', the skill with which the Opposition seized their chance to occupy the popular and high ground, and the pressure for war implicit in the unprecedented vote of supply, the ministry decided on a final attempt to avert extremes. Keene was told that 'the King has determined to make one further and final attempt' to avoid a rupture.<sup>83</sup> Keene was instructed to press home particularly a conviction that George II was really keen to avoid a conflict, and to stress the king's belief that Philip also wanted to avoid war. This belief was not entirely justified, however. The clamour in Britain made Elizabeth stubborn. News filtered through to Waldegrave, by way of '101', that the Queen relied on Jacobitism to embarrass the British if they did push matters to extremes. She was unconcerned about the present troubles with Britain, 'and says, that, if we force her to a War, She can raise such troubles in England, as will make us sick of it'.<sup>84</sup> With Elizabeth in such a mind, friendly approaches alone from the Hanoverian and protestant king were by no means likely to win her over. Nor were these overtures unmixed. At the same time as royal kinship and prestige was pressed hard into service to prevent a diplomatic breakdown, the British ambassador was made to insist on the principle of freedom of the seas:

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<sup>80</sup> BL Add Ms 35875, ff. 377-80; *Journals of the House of Lords*, XXV, p. 238.

<sup>81</sup> BL Add Ms 32798, f. 9, Newcastle to Keene, 8 May (OS) 1738.

<sup>82</sup> *Journals of the House of Commons*, XXIII, pp. 138 & 141.

<sup>83</sup> BL Add Ms 32797; quotations ff. 246 & 247, Newcastle to Keene, 12 April (OS) 1738.

<sup>84</sup> BL Add Ms 32798, f. 6, Waldegrave to Newcastle, 16 May (NS) 1738.



no British ship should be stop'd, search'd, detain'd, seized or confiscated, that is not actually sailing and trafficking in the Ports and Havens, which have Fortifications, Castles, Magazines, or Warehouses, or in other places possessed by the King of Spain.<sup>85</sup>

This principle, representing a fundamental divide between the policies of the two countries, might alone have been enough to bring war. Nonetheless, Newcastle's proposal at this stage, for a convention to remedy grievances, began a new phase of negotiations with at least the hope of compromise.<sup>86</sup> The same letter in which the convention was proposed contained full plans for a large-scale armament, with ten thousand seamen to be raised and a squadron sent into the Mediterranean. Though on the brink of hostilities, Newcastle was also insisting that la Quadra be reassured that all these preparations were purely defensive. At the same time he threw out optimistic long-term thoughts about a complete commercial renegotiation, and arrangements for keeping good relations in Europe. Horace Walpole's proposals for a thorough overhaul of the treaty position, as well as Newcastle's indecisive and miscellaneous approach, can be seen in all this.<sup>87</sup> Shifting his ground to the Treaty of 1670, and insisting on freedom of navigation everywhere but in the actual overseas ports of Spain, Newcastle mixed overtures of a general settlement with assertive demands of restitution for past offences. As a final thought he enclosed the sworn deposition of Benjamin Wray of the *Loyal Charles*, with its contentious charges of trickery by which his ship was sold at one third of its value, after he was made to sign papers in Spanish, a language which he did not understand.<sup>88</sup>

Newcastle's correspondence was far from welcome to Spanish ministers. St. Gil in Paris found the instances which Keene was required to forward in Madrid, provoking; 'the explanations and expressions in it are not over and above decent'.<sup>89</sup> If Keene is to be believed, he read out this letter to la Quadra 'in a tone that did not diminish any of its Spirit'.<sup>90</sup> St. Gil argued, a little unreasonably, that the British ministers ought to have considered the inexperience of their-Spanish counterparts in their posts, which they held

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<sup>85</sup> BL Add Ms 32797, f. 251, Newcastle to Keene, 12 April (OS) 1738.

<sup>86</sup> *Ibid.*

<sup>87</sup> *Ibid.*, ff. 250-2.

<sup>88</sup> PRO SP 94/132 (unfoliated), Newcastle to Keene and enclosures, 15 April (OS) 1738.

<sup>89</sup> PRO SP 94/206, f. 127, St. Gil to Geraldino, 18 April (NS) 1738.

<sup>90</sup> PRO SP 94/130 (unfoliated), Keene to Newcastle, 7 May (NS) 1738.

merely temporarily, awaiting the appointment of a more experienced and able minister to combine the offices of Indies and the Marine. In any case, they should not be so hasty to condemn the Spanish parties in the Caribbean, 'for God did not condemn the Devil in the terrestrial Paradise without hearing his Defence'.<sup>91</sup> The cases of unjust seizure, though, were not really the nub of the problem. When Keene spiritedly read out his letter of complaint to la Quadra, the Spanish minister had nothing to say until the passage which demanded that orders go out to the colonial governors not to stop and search shipping. At this point he abruptly broke in:

Then, says he, the King must leave open the Indies to all Interlopers, if foreign Ships may be skimming our Coasts as they think fitting: Is it possible for His Majesty to line them with Troops for so many leagues together, as may be necessary to prevent Strangers from landing and trading with the Inhabitants?<sup>92</sup>

Despite this concern, the Spanish view of the way ahead was at this point fundamentally the same as that of the British ministry. Keene reported:

I find they are absolutely of His Majesty's opinion, (though without knowing it, at least from me) That some Convention, some fixed and established Regulations, should be agreed upon, whereby our Trading Vessels may be sure of following their honest designs without the least hinderance or interruption, and the *Guarda Costas* know their precise Duty, without neglecting their Coasts, or doing Us any Injury.<sup>93</sup>

The source of this idea may have been Horace Walpole, as St. Gil had been told by him in late March that this was 'the most useful and important' issue.<sup>94</sup>

One Spanish envoy who shared the British outlook was Geraldino. He committed himself very early to the prospect of a settlement. Despite the Pretender's belief that the Irishman was well inclined to the Jacobite cause, (he ordered approaches to be made to Fitzgerald), the Spanish envoy does appear to have been genuinely seeking a settlement.<sup>95</sup> He was noted in French diplomatic circles for his love of England, so that even on the brink of

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<sup>91</sup> PRO SP 94/206, f. 139, St. Gil to Geraldino, 29 April (NS) 1738.

<sup>92</sup> BL Add Ms 32797, f. 322, Keene to Newcastle, 7 May (NS) 1738.

<sup>93</sup> *Ibid.*, f. 327.

<sup>94</sup> PRO SP 94/206, f. 111, St. Gil to Geraldino, 25 March (NS) 1738.

<sup>95</sup> Windsor RA Stuart Mss, 207/43, James to Col. Cecil, 28 May (NS) 1738.



war it was believed that he would be able to hold back his court.<sup>96</sup> British ministers do seem to have trusted Geraldino, and confided in him with unusual freedom. Keene had to complain that his task was made harder when Geraldino was shown, and of course forwarded to Madrid, copies of the material which Keene was to present, and the words he must use.<sup>97</sup> Geraldino told Stert in June that he had authority to accept these figures, and made the same offer to Sir Robert.<sup>98</sup> He soon after admitted that he had no direct authority to do so, but felt sure that his Court would approve. An Irishman, friendly to England and under the influence of direct discussions with Walpole, was behaving in a way far removed from the punctilious caution of the Madrid court, and this was bound to lead to trouble. All this came at a time when the views of the Walpoles were leading Geraldino to assure his court that the clamour in London came only from a clique led by the parliamentary Opposition. The ministers, he said, were quite aware of the points to be made in behalf of Spain, but 'cannot convince the vulgar'.<sup>99</sup> There was certainly truth in the latter comment. Waldegrave spent three months in England for his health, from early February, and gave Keene a first-hand account:

people are very warm in England, I was a witness to it, and I can tell you in confidence that it was as much as the King's servants could do to keep the generality within the bounds now prescribed to you.<sup>100</sup>

The Pretender's agent in Paris, George Robinson, reported in very similar terms; 'the greatest part of our merchants and almost all our Sea faring people are exasperated to the highest degree, every where & openly threatening revenge'.<sup>101</sup> La Quadra had not the same interest as the Jacobites in exaggerating popular protest, and was more cynical. He favoured a clear regulation in the Indies for the future so that all concerned would know the legal bounds of their position. In this way, 'to make use of his own Phrase, our people in Coffee houses shall know whether their Ships shall be lyable to be taken, or not'.<sup>102</sup> The

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<sup>96</sup> BL Add Ms 32801, f. 304, Waldegrave to Newcastle, 2 November (NS) 1739.

<sup>97</sup> BL Add Ms 32796, f. 227, Keene to Newcastle, 13 December (NS) 1737.

<sup>98</sup> PRO SP 94/131 (unfoliated), Stert to H. Walpole, 5 June (OS) 1738.

<sup>99</sup> PRO SP 94/206, f. 143, Geraldino to St. Gil, 29 April (NS) 1738.

<sup>100</sup> BL Add Ms 32797, f. 309, Waldegrave to Keene, 27 April (NS) 1738.

<sup>101</sup> Windsor RA Stuart Mss, 206/58, Robinson to James, 21 April (NS) 1738.

<sup>102</sup> BL Add Ms 32798, f. 255, Keene to Newcastle, 2 August (NS) 1738.

signals being sent out from England were very confused, and amply justified Newcastle's characteristic mood, compounded of anxiety and optimism.

There seems in this tense atmosphere to have been a kind of tacit encouragement to English sailors to assert themselves against the Spanish. Merchant sailors in Spanish ports had long been harrassed by the Guards of the Tobacco Rent, who sometimes seized even the personal tobacco of the sailors under cover of looking for smuggled goods. In May 1738 a group of English sailors caused a serious affray, beating up the tobacco Guard in Malaga. When they were arrested, the British consul, who had himself been involved, abusively demanded their release, sword in hand. Despite these loutish provocations, King Philip agreed to let the sailors go.<sup>103</sup> A similar clemency was extended the following month to sailors released on Consul Cayley's request, despite, as Keene admitted in cipher, being 'taken on board a Dutch ship, employed, by their own Confession, in a clandestine Trade'.<sup>104</sup> There seemed good reason for Cardinal Fleury's amusement and calm certainty that both sides were really wishing to avoid war. He told Waldegrave; 'I do not believe you will go to War; for you have neither of you a mind to it, and would be equally glad to bring yourselves off with honour'.<sup>105</sup> La Mina was encouraging the Jacobites in Paris with long-term hopes, but even he warned them that hostilities were not likely as yet.<sup>106</sup> La Quadra too was giving his private opinion that there would be no war.<sup>107</sup>

The reality of Spanish moderation and a mutual desire for compromise was not enough. It could not compete with the appeal of the image of brave Britons languishing in foreign gaols and, even worse, eating foreign food. This was just the issue which was likely to fan the flames of extravagant claims of British naval dominance over the seas of the world. One of the opportunist publications of 1738 was a pamphlet containing an English translation of Milton's Latin work of 1655, *A Manifesto of the Lord Protector....* This reminder of a more vigorous and successful era, when England had won Jamaica, was

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<sup>103</sup> PRO SP 94/130 (unfoliated), la Quadra to Keene, 24 May (NS) 1738.

<sup>104</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 9 June (NS) 1738.

<sup>105</sup> PRO SP 78/218, f. 90, Waldegrave to Newcastle, 25 May (NS) 1738.

<sup>106</sup> Windsor RA Stuart Mss, 207/29, St. Quentin [Daniel O'Brien] to James, 26 May (NS) 1738.

<sup>107</sup> BL Add Ms 32798, f. 47, Keene to Newcastle, 26 May (NS) 1738.



joined to a poem from the commencement of the reign of George II. James Thomson's poem *Britannia*, originally written in 1727, made up most of the pamphlet. In it, Thomson gave ringing expression to notions of national destiny and power:

And is a *Briton* seiz'd! and seiz'd beneath  
The slumbring terrors of a *British* Fleet?  
Then ardent rise! Oh great in vengeance rise;  
O'erturn the proud, teach rapine to *restore*:  
And as you ride sublimely round the world,  
Make every vessel stoop, make every state  
At once their welfare and their duty know.  
This is your glory; this your wisdom; this  
The native power for which you were design'd  
By fate, when fate designed the firmest state,  
That e'er was seated on the subject sea.<sup>108</sup>

The echoes of the famous speech which Shakespeare gave to John of Gaunt are no accident. The Patriot poets of this era were developing a rich imagery, rooted in Elizabethan verse traditions.<sup>109</sup> The bellicose set of mind of the London public in early 1738 was clearly highly infectious. When the young Tory Samuel Johnson came down to the capital to make his way in the world, he fell at once under its spell. His first great poem, *London*, was a close adaptation of Juvenal, and therefore a high-genre way of demonstrating his skills. It was also, in the themes which it contained, a kind of compendium of the Opposition way of viewing the nation's ills. Published on 12 May (OS), just after the great Parliamentary debates on depredations, it linked the corruption of the ministry and the debauching of the national character to, on the one hand, upper class vices such as masquerades and the Italian opera, and on the other hand to the cowardly truckling to Spain.<sup>110</sup> The lure of Britannia's great Elizabethan glories drew in even Johnson:

In pleasing Dreams the blissful Age renew,

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<sup>108</sup> *A Manifesto of the Lord Protector... Wherein is shewn the Reasonableness of the Cause of this Republic against the Depredations of the Spaniards... To which is added Britannia, a Poem by Mr. Thomson 1st published 1727 (1738)*, p. 37, lines 184-94.

<sup>109</sup> *Richard II*, Act II, Scene 1; B. Goldgar, *Walpole and the Wits: the Relation of Politics to Literature, 1722-1742* (1976) offers a stimulating survey, stressing wit rather than the more ponderous writings, which actually abounded. This imbalance is corrected in C.H. Gerrard, 'The Patriot Opposition to Sir Robert Walpole: A Study of Politics and Party, 1725-1742', unpublished D.Phil. thesis, Oxford, 1986, pp. 1-71, 241-303.

<sup>110</sup> E.L. McAdam (ed), *Works of Samuel Johnson*, Vol. VI, *Poems*, (1964), pp. 47-61.

And call Britannia's Glories back to view;  
Behold her Cross triumphant on the Main,  
The Guard of Commerce, and the Dread of *Spain*,  
Ere Masquerades debauch'd, Excise oppress'd,  
Or *English* honour grew a standing Jest.<sup>111</sup>

The infection of patriotism was catching for more than merely authors. Sailors were flocking to volunteer for the fleet in May and June. At Spithead alone, nine large ships lay fully manned and ready for sea, a rare luxury for naval commanders. Couraud commented; 'I never knew the Sailors enter so fast'.<sup>112</sup> Even those on the profitable East India run, normally very resistant to pressing, volunteered in the hope of some action against the Spaniards.<sup>113</sup> That this was quite uncharacteristic can be seen in the enormous difficulties faced by the fleet once war was actually imminent. Vernon complained in July 1739 of being sent 'a pack of the wretchedest Vermin that ever were sent to vindicate the Honour of the Nation... more likely to infect ships than to do good'.<sup>114</sup> Even when the war began, the navy could be manned only by a vigorous resort to pressing, and during most of 1740 the Impress Service was discussed by the ministry as a matter of urgency.<sup>115</sup>

The hatred of the Spaniards strong enough to cause this massive volunteering was increased by anti-catholicism and vice versa. The mid-1730s saw a brief but nationwide anti-popery scare.<sup>116</sup> This was partly caused by the narrow avoidance of war with Spain in 1735, caused by British support for Portugal. As the French had done so well in the War of Polish Succession, and a Bourbon-supported Jacobite invasion seemed possible, it is not surprising that Britons felt vulnerable, and saw the Franco-Spanish threat in religious terms. Black has shown how, due to these anxieties, 'the press spent the summer of 1736

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<sup>111</sup> *London*, ll. 25-30.

<sup>112</sup> BL Add Ms 32798, f. 25, Couraud to Keene, 17 May (OS) 1738.

<sup>113</sup> *London Evening-Post*, 1 June (OS) 1738.

<sup>114</sup> BL Add Ms 40287, f. 3, Vernon to Wager, 20 July (OS) 1739.

<sup>115</sup> E.g. , BL Add Ms 33004, ff. 13-14, 25-6, cabinet minutes, 21 September (OS) 1739 and 24 January (OS) 1740; BL Add Ms 28132, ff. 44-6, Norris journal, 25 September (OS) 1740; PRO CO 5/41, f. 71, Cathcart to Newcastle, 25 July (OS) 1740. On manning in general, N.A.M. Rodger, *The Wooden World. An Anatomy of the Georgian Navy* (1986), pp. 145-82.

<sup>116</sup> C. Haydon, *Anti-Catholicism in Eighteenth Century England, c. 1714-80* (Manchester, 1993), pp. 41-6, p. 189.



discussing the need for a Protestant League'.<sup>117</sup> Thomson's bellicose ideas, then, rode the current of the times, and found their most famous expression in *Rule Britannia* in the first year of the war. Britannia was proudly assured:

All thine shall be the subject main,  
And every shore it circles thine.

And of course, she was exhorted:

Rule, Britannia, Britannia rule the waves:  
Britons never will be slaves.

Thomas Arne's masque, *Alfred*, in which the song first appeared, was performed at a garden party given at Cliveden by the Prince of Wales on 1 August (OS) 1740.<sup>118</sup> The music could scarcely have been heard in a more breathtakingly English scene, looking out from the terrace over the formal gardens to the sweep of the Thames below. It must have been an ideal setting for the expression of ideas deeply rooted, not just in the recent sufferings of sailors in Cadiz, but in the way in which Englishmen defined their special glory, their diet and way of life. It is an interesting comment on the mixed nature of this dawning patriotism that the man who did so much to foment it spent the Easter of 1738, at the height of the agitation over British slavery, in clownish amusements:

when P.F. about Easter spent a fortnight at Cliffden, he spent all his time in hunting a duck with an owl tied on his back, & baiting cats in the river, they being either put into a large bowl, or on a plank with a slit in which the cats tail was fixed; or else at nine pins, having made an alley for the diversion of himself & the Country fellows: such are his ways of making himself popular among them.<sup>119</sup>

This affords a glimpse of the cruel side of popular culture, in which the torture of animals figured prominently, and against which Hogarth campaigned so vigorously. The prince was shrewd enough to flatter the mob in its habits and prejudices, and ministers also could not afford to oppose them. The political nation was far from docile, at least in the capital. The London pressure groups, and the London press, who were to be so important over

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<sup>117</sup> J.M. Black, 'The Catholic Threat and the British Press in the 1720s and 1730s', *Journal of Religious History*, 12, 1983, p. 378.

<sup>118</sup> A. Scott (ed), *Musica Britannica. A National Collection of Music*, XLVII, *Alfred. Thomas Augustine Arne* (1981), pp. xv - xxiv, 143-9. I am grateful to my Music colleague, Dr. Graham Cummings, for this reference.

<sup>119</sup> Windsor RA Stuart Mss, 206/106, Carte to O'Brien, 4 May (OS) 1738.

the next few years, were certainly highly visible to ministers and their supporters as they went about their daily business at Westminster.<sup>120</sup> London offered particular opportunities to those who could profit from discord and unrest. It was the setting for the most turbulent scenes of vice and criminality, in what contemporaries took to be a rising crisis of public disorder. Pressure for harsher use of the 'bloody code' came not least from London: 'Nothing can put a Stop to the great Number of Robbers, but the Gallows'.<sup>121</sup> In a large city without police, mob action was regularly resorted to, where the views of the masses differed from those of their rulers. It was not surprising that establishment commentators wrote with massive condescension of the uneducated and violent mob.<sup>122</sup>

Even the political writers who depended on popular support shared this viewpoint. A leading Opposition newspaper commented ironically on one riotous gallows rescue at Tyburn. The mob prevented the corpses from being handed over to the anatomizing surgeons; 'these ordinary Wretches having a terrible Opinion of being Otamiz'd'.<sup>123</sup> Disorder could be used to frustrate government decrees, most obviously in the open flouting of the Gin Acts and the mobs who resisted the impressment of young men into the navy.<sup>124</sup> Informers under the 1736 Gin Act gained half of the ten pound fine levied on

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<sup>120</sup> See e.g. G.A. Cranfield, 'The London Evening-Post, 1727-1744: a Study in the Development of the Political Press', *Historical Journal*, VI, 1, 1963, pp. 20-37; N. Rogers, 'The Urban Opposition to Whig Oligarchy, 1720-1760' in *The Origins of Anglo-American Radicalism* (1984), eds. M. & J. Jacob.

<sup>121</sup> Quotation *London Evening-Post*, 4 November (OS) 1738; J.M. Beattie, *Crime and the Courts in England 1660-1800* (1986); D. Hay & F. Snyder (eds), *Policing and Prosecution in Britain 1750-1850* (1989); M. Reed & R.A. Wells (eds), *Class, Conflict and Protest in the English Countryside, 1700-1880* (1990); J. Styles, 'Sir John Fielding and the Problem of Criminal Investigation in Eighteenth Century England', *Royal Historical Society Transactions*, 5 ser, 33, 1983, pp. 127-50.

<sup>122</sup> H.T. Dickinson, *Liberty and Property. Political Ideology in Eighteenth Century Britain* (1977), pp. 151-2.

<sup>123</sup> *London Evening-Post*, 19 January (OS) 1738; P. Linebaugh, 'The Tyburn riot against the surgeons', in *Albion's Fatal Tree. Crime and Society in Eighteenth Century England* (1975), eds. D. Hay, P. Linebaugh & E. Thompson; P. Linebaugh, *The London Hanged. Crime and Civil Society in the Eighteenth Century* (1991), part two.

<sup>124</sup> Two particularly striking instances of resistance to the press gang were reported to Walpole: CUL Ch (H) Corresp 2898, 2969, Collector of Customs, Scarborough, to Walpole, 28 July (OS) 1738; Wager to Walpole, 21 September (OS) 1740.



unlicensed gin sellers, but beatings by the mob made it a precarious gain.<sup>125</sup> The Bow Street magistrate Colonel de Veil had to read the Riot Act and call out a guard of soldiers to protect two informers and bring them to court. The mob threatened to pull down the Justice's house, and the one informant who fell into their hands was 'almost ready to expire, being terribly beat, cut and bruis'd, and all over Mire, that it was impossible to guess he was a Man but by his walking, he being (as it seem'd) one entire Lump of Dirt'.<sup>126</sup> Though the various societies for the reformation of manners were moribund by the late 1730s, this was not because the evils of prostitution, theft and gin-addiction were removed. Rather, the public reaction against informants removed the chief weapon of the reformers.<sup>127</sup> This turbulent city was the stage on which the mob, led by the 'Cits', played out their violent politics. Since London was the residence of all Members for several months each year, and of ministers and courtiers for far longer, this stamp of public opinion was bound to be pressed with disproportionate force upon the minds of politicians.

Perhaps, in a larger sense, this public opinion was 'real', and not merely the product of a specific London setting and agitation. Despite the deeply flawed character of Prince Frederick, and the short-sighted partisanship of the Patriots, the jingoistic song which he sponsored has survived. Its chorus, at least, is recognised and sung everywhere in Britain even today. Linda Colley has explored the growth of a 'radical patriotism', based on chauvinism, imperialism and a demonstrative protestantism, and deployed for the purposes of protest and criticism of government.<sup>128</sup> Such an idea certainly fits the mixture

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<sup>125</sup> E.g. the case of the three informers beaten half-dead and unable to find refuge anywhere but the lock-up; *Craftsman* 11 February (OS) 1737; P. Clark, 'The "Mother Gin" controversy in the early eighteenth century', *Royal Historical Society Transactions*, 5 ser, 31, 1981.

<sup>126</sup> *London Evening-Post*, 17-19 November (OS) 1737.

<sup>127</sup> T.C. Curtis & W.A. Speck, 'The Societies for the Reformation of Manners: a case study in the theory and practice of moral reform', *Literature and History* 3, 1976; R.B. Shoemaker, 'Reforming the City: the Reformation of Manners Campaign in London, 1690-1738', in *Stilling the Grumbling Hive. The Response to Social and Economic Problems in England, 1689-1750*, (1992), eds. L. Davison, T. Hitchcock, T. Keim & R.B. Shoemaker.

<sup>128</sup> L. Colley, 'Radical patriotism in eighteenth century England', in *Patriotism: the making and unmaking of British national identity*, 3 Vols. (1989), ed. R. Samuel, Vol. 1, pp. 169-87; Colley, *Britons. Forging the Nation 1707-1837* (1992), pp. 371-2; Colley,

of xenophobia and national assertion of these years. Though based upon misinformation and interested actions, and worked upon by both Opposition leaders and the press, the national feeling which existed cannot simply be discounted.<sup>129</sup> Narrow self-interest, sensationalism and ignorance may have played a part, but so they do in the politics of every modern state, yet the views of the wider public are taken seriously.<sup>130</sup> In Black's words: "Negative" drives, arising from hostility and fear, play a major role in many movements, ideologies and tendencies, and that was certainly true of British public culture in this period, more specifically of the patriotism of that age'.<sup>131</sup> That patriotism was also reinforced by a very widely spread idealisation of an earlier Tudor order. This was a potent body of myths in an age when the working poor still looked to statutes that were predominantly Tudor for the protection of their jobs, property, food prices and right to poor relief.<sup>132</sup> It could well be that in the agitation over 'slavery' one is seeing the emergence of attitudes rooted in beliefs about national history, and which form a genuine, though crude and divisive, national consciousness.<sup>133</sup>

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'Britishness and Otherness: an Argument', *Journal of British Studies*, 31, 1992, pp. 316-26.

<sup>129</sup> Generalisation on this subject is difficult, and full allowance needs to be made for specific local interests and concerns. Nicholas Rogers has shown, for example, that in Bristol, with its interest in the Atlantic trade, the late 1730s saw a growth of Country opposition which drew on the weavers, manufacturers and a swing of 'middling opinion'. In Norwich, on the other hand, the Tory interest failed to extend its base of support. Rogers, 'Popular Jacobitism in Provincial Context', in *The Jacobite Challenge* (1988), eds. E. Cruickshanks & J.M. Black, pp. 132-6. The lives of many must have been centred far more on locality, harvests, health and death. E.g. Arthur Jessop, a West Riding apothecary, recorded in his diary almost no comment on the nation and its politics; C.E. Whiting (ed), *Two Yorkshire Diaries*, Yorkshire Archaeological Society, Records Series, CXVII (1952), pp. 29-30, 48, 61.

<sup>130</sup> A combative refutation of those who dismiss pro-imperial attitudes among the masses is K. Wilson, 'Empire of Virtue. The imperial project and Hanoverian culture c. 1720-1785', in *An Imperial State at War. Britain from 1689 to 1815* (1994), ed. L. Stone, pp. 128-64.

<sup>131</sup> J.M. Black, *British Foreign Policy in an Age of Revolutions 1783-1793* (1994), p. 507.

<sup>132</sup> For an instance of the power of appealing to Tudor protections, in the dawn of the factory age, see the mass of evidence from West Riding clothiers in *Report from the Select Committee on the Woollen Manufacture of England*, 4 July (OS) 1806.

<sup>133</sup> A.D. Pettit, 'A Various Opposition', examines the mythopoeic literary representation which runs throughout what he rightly calls 'a motley aggregate' of high and low writings.



Public opinion alone, though, could not wreck this kind of diplomacy. What was more likely to sabotage these involved negotiations was their dual nature. Both the British government and the South Sea Company were to be satisfied, and both alike, in their different ways, managed to grate upon the sensibilities of the Spanish administration. By late April 1738 Keene had received his full instructions and claims from the Company which he represented, but had to write for clarification of his diplomatic orders, since there was an obvious clash of interest between the nation and the traders.<sup>134</sup> The details of the accountancy in any case bore no relation to the probable cost to the nation of a war. Waldegrave admitted as much freely to Cardinal Fleury; 'but I observed that vindicating the Honour of a Nation, and the obtaining of Justice tho for trifles were always looked upon as sufficient Cause of War'.<sup>135</sup> If war was to be avoided, there would have to be some new impetus to negotiation, and it would need to be supported by both ministers and Company agents. That impetus came with the plan put forward by two of the commissaries appointed under the Treaty of Seville, Arthur Stert and Geraldino, in what was at first described as a 'private transaction', but seems to have originated with Sir Robert Walpole.<sup>136</sup> The long and testy reply of la Quadra to Newcastle's latest memorial brought out a last initiative perhaps born of desperation. The beginnings were not auspicious. As well as the difficult state of relations with Spain, Walpole had deep personal concerns. His beloved mistress Molly Skerrett had enjoyed only three months as Lady Walpole before her untimely death plunged Sir Robert into a 'deplorable and comfortless condition'.<sup>137</sup> Rumour at once suggested that he would be shaken from office, a premature speculation but one which showed how deeply affected Walpole was known to be by his loss.<sup>138</sup> Both the optimism of March, when he was newly married, and the inactivity of June, when he was freshly bereaved, can be traced to Walpole's private life.

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<sup>134</sup> BL Add Ms 32797, ff. 244-5, Keene to Newcastle, 21 April (NS) 1738.

<sup>135</sup> PRO SP 78/218, f. 163, Waldegrave to Newcastle, 11 June (NS) 1738.

<sup>136</sup> Quotation PRO SP 94/32 (unfoliated), Newcastle to Keene, 21 June (OS) 1738. Stert's deliberations are referred to in the Secretary of State's office as 'the New Plan'; BL Add Ms 33007, f. 124, List. The best summary of the origins of the Stert plan, using Spanish sources to which I have not had access, is J.O. McLachlan, *Trade and Peace with Old Spain*, pp. 110-13.

<sup>137</sup> H. Walpole to Trevor, HMC, *Fourteenth Report*, Trevor Mss, p. 17.

<sup>138</sup> Windsor RA Stuart Mss, 207/68, T. Carte to D. O'Brien, 8 June (OS) 1738.

Stert gave an account to Horace Walpole of his first tentatives to Geraldino. He had floated the idea that perhaps the Company could be paid in Madrid, and His Catholic Majesty could take on himself the trouble and delay of obtaining the money in the Indies. La Quadra had been in favour of it, though deterred by Keene's presenting the plan only verbally and by the apparent British determination to have immediate payment at source. As soon as he got this relatively emollient answer from Madrid, Geraldino entered eagerly into the discussions. He wanted, through Stert, to deal personally with Walpole. Stert first approached to Admiral Wager, a Walpole supporter within the divided ministry. Wager told Sir Robert that Geraldino 'does not care to shew his letter [from la Quadra] to the Duke of Newcastle', despite the fact that Newcastle was the Secretary of State with direct responsibility for Spain.<sup>139</sup> Geraldino went to Sir Robert, at the height of his wife's last illness. From there he went, much chastened, back to Stert:

he called upon me and told me what had passed, and that it was the most disagreeable Visit he ever paid him, whether it was occasioned by the dislike Sr. Robert had to the Reply from Spain, or whether it proceeded from the Concern he was under for the Indisposition of his Lady, or from both, he could not tell.<sup>140</sup>

Walpole was to continue ill and in low spirits until the autumn, though he gave the Stert plan as much support as he could.<sup>141</sup> At least the plan was now officially adopted by the cabinet, though Newcastle was a reluctant supporter of it. Hardwicke wrote to urge the Duke to promote it, reminding him that; 'It is not now a Nostrum of Mr. Stert's'.<sup>142</sup> Walpole's bereavement may have made him more careless than usual about offending Newcastle, or preserving the appearance of cabinet unity. Geraldino reported the meeting at which Walpole offered to make the new plan official, and send it in writing to la Quadra. Newcastle, present at the meeting, 'said that no answer would be given definitely till His Britannic Majesty's opinion was known, Sir Robert replied that he already knew his master's views, which answer seemd to surprise the Duke not a little'.<sup>143</sup> To have

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<sup>139</sup> BL Add Ms 19030, f. 369, Wager to Walpole, 3 June (OS) 1738. Stert carried the letter in person.

<sup>140</sup> PRO SP 94/131 (unfoliated), Stert to H. Walpole, 5 June (OS) 1738.

<sup>141</sup> *Ibid.*, pp. 22-3.

<sup>142</sup> BL Add Ms 32690, f.300, Hardwicke to Newcastle, 16 June (OS) 1738.

<sup>143</sup> McLachlan, *Trade and Peace*, p. 113, citing Simancas, Estado, Legajo 7622, Geraldino to la Quadra, 3 July (NS) 1738.



Walpole and the King pushing forward a negotiation in Newcastle's own field of responsibility, and the Duke not even aware of developments, was a serious breach in ministerial relations.

This unharmonious period was the one in which the crucial decision for war or peace had to be made. Horace Walpole appears genuinely to have balanced between the two; 'apparent popularity, dignity, and glory present themselves at first sight on one side; but does not cruel disappointments, destruction and disgrace threaten ... the conclusion of such glorious resolutions[?]'.<sup>144</sup> The decision was all the more fraught with danger because of the upsurge of national feeling and the demonstrative mood of the country. The *Craftsman* happily commented on the gap between 'the Popularity of the Kingdom' and that of 'the ruling Powers, for the Time being'. It pointed to the riots in Edinburgh, the West Country, the Northern coalfield and, in London, theatre riots in Drury Lane and gin riots everywhere as evidence of robust national disaffection. The mob might be wrong to act as it did, but their riots showed that the nation was restless on many counts; 'above all, the *Spanish Depredations*; about which the People have so chafed Themselves, that They have hardly Patience to wait till our *vigilant* and *wise Ministers* have made Proper Remonstrances'.<sup>145</sup>

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<sup>144</sup> HMC, *Fourteenth Report*, Trevor Mss, p. 18, H. Walpole to Trevor, 13 June (OS) 1738.

<sup>145</sup> *Craftsman*, 17 June (OS) 1738.

The vigilance and wisdom of the ministers did not lead them to send 'proper remonstrances' from the gundecks of the fleet. Instead they decided to pursue this final expedient towards an accommodation. George II appointed a group, consisting of Hardwicke, Harrington, Walpole, Wager and Newcastle, to push forward the Stert plan.<sup>1</sup> Only twelve days after his wife's death Walpole had a private meeting with Stert and Geraldino.<sup>2</sup> The main outcome of it was agreement to a proposal made by Geraldino, that if a plan was produced agreeable to His Catholic Majesty, plenipotentiaries should immediately be appointed to settle, at Madrid, all the differences between the two countries.<sup>3</sup> The task then was first of all to produce an acceptable plan of financial settlement. Stert at first calculated the claims of the British merchants at £343,277, though he gave his opinion that the true figure could not be more than £200,000. Spain's total demands came to £180,000, though £142,000 of this was for Spanish men of war taken by Byng in 1718, and the commissaries put the true value of this compensation as around £40-50,000. (£60,000 was eventually included under this head.) Stert at first suggested a compromise of taking £120,000 off each figure, leaving the Spanish claim at only £60,000.<sup>4</sup> These figures of course could not be precise. They amounted to suggestions for reasonable compromise; figures at which both parties could settle without feeling too aggrieved. As such they passed around the inner circle of ministers, along with drafts of the instructions to be sent to Keene.<sup>5</sup>

Reasonable compromise was difficult to achieve however, given the mutual misunderstanding of the two courts, remote from each other in time and outlook. It would inevitably be difficult to conclude such agreements at a distance, with infrequent and slow communications, and swayed by the very different ethos and preoccupations of the two courts. In June and July, for instance, the daily gossip of London court circles centred on

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<sup>1</sup> BL Add Ms 32798, ff. 165-9, Newcastle to Keene, 21 June (OS) 1738.

<sup>2</sup> BL Add Ms 32798, f. 186, meeting of 16 June (OS) 1738.

<sup>3</sup> PRO SP 94/132 (unfoliated), paper H.

<sup>4</sup> PRO SP 94/131 (unfoliated), 'Offers from Spain'.

<sup>5</sup> BL Add Ms 32798, ff. 152, 156-7, Hardwicke to Newcastle, 19 June (OS) 1738; Newcastle to Walpole, 19 June (OS) 1738.



yet another cause of friction between George II and the Prince of Wales. The birth of a male heir, the future George III, was a predictable source of tension within the Hanoverian dynasty. At once, the *Craftsman* engaged in pointed comment on the blessings to be expected (implicitly, in contrast to the reigning monarch) from his being bred up to rest in the affections of his people.<sup>6</sup> There was a specific problem, too. The infant George had been baptised privately as an emergency measure, when his life was thought to be in danger.<sup>7</sup> George II resented this action having been taken without reference to him and refused to name godparents or sanction any arrangements for this important ceremonial.<sup>8</sup> Trivial as these family tensions might be, they occupied a good deal of the time and the talk of ministers. The concerns of the Spanish court were different. At the point of active discussion of the Stert-Geraldino plan, Keene observed a new and more hawkish mood in Spain.<sup>9</sup> It might be due to encouragement from France, he thought, but could not proceed from any new resources found in Spain, for they had none.<sup>10</sup> Fleury's health became more than usually important when France's peaceful policy was in doubt, and there was a minor scare soon afterwards when the Cardinal, who had eaten well, fainted in a hot and crowded church.<sup>11</sup> Observers continued to link the Bourbon powers. When Fleury's health recovered in March, it had been assumed that he would bring Elizabeth to her senses.<sup>12</sup> The real case, though, seemed to be that the Spanish ministers had finally taken their stand on the question of national pride.

The stiffness of the Spanish position was evident in a new doctrine enunciated by their ministry, and which the British press later found difficult to understand: the idea of a rule of proportion. It was a matter of national honour, not of logic. It was bad enough that in all the early stages of the British complaints, the justice and good intentions of his Catholic Majesty had been called into question.<sup>13</sup> Now fresh humiliations were offered as

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<sup>6</sup> *Craftsman*, 8 July (OS) 1738.

<sup>7</sup> BL Add Ms 32798, f. 89, Couraud to Keene, 25 March (OS) 1738.

<sup>8</sup> PRO SP 107/22 (unfoliated), Cambis to Fenelon, 1 July (NS) 1738.

<sup>9</sup> BL Add Ms 32798, f. 55, Keene to Newcastle, 29 May (NS) 1738.

<sup>10</sup> BL Add Ms 32798, f. 204, Keene to Newcastle, 7 July (NS) 1738.

<sup>11</sup> BL Add Ms 32798, f. 226, Waldegrave to Keene, 28 July (NS) 1738.

<sup>12</sup> PRO SP 78/217, f. 113, Burnaby to Couraud, 19 March (NS) 1738.

<sup>13</sup> 'No comprehende su Majd. como puedan abultarse tan siniestramte. estas ilaciones, que pasan a poner en duda la rectissima intencion con que hà distribuido, y distribuye

financial terms were being dictated. If Britain's claims and those of Spain were to be abated, said the Spanish ministers, the cuts must be in direct proportion to one another, rather than two-thirds off the Spanish claim and only one-third off that of Britain. This was understandable from the point of view of ministers being presented with a whole agreed and detailed set of accounts, which they had to present to the King as a *fait accompli*. La Quadra's first response was that 'there was a sort of Precision, which would not be agreeable to a Prince of his Master's Temper, who could not well brook with having a certain Project chalked out to him, to which no variation was to be made'.<sup>14</sup> They did not object to the amounts, said Keene, though la Quadra threw out sarcasms on the British 'giving yourselves the trouble to make our Account for us'.<sup>15</sup> But they were adamant on the principle of equal treatment. La Quadra, only newly raised to his dignity of Counsellor of State, and a man of common birth, had little room for manoeuvre amidst the prejudices of the Spanish court and nobility. Keene emphasised the significance of this aspect of the negotiations:

They think and insist in the strongest terms, that their honour is engaged not to admit of any other rule of Abatement than that of a common one between both Nations. No arguments I have been able to use have had force enough to get this Notion out of their Heads. This they say is only an equal and just Composition, and as I have hinted before, they look upon their Honour now to be so much engaged, that they will run all hazards rather than admit of any other Method than that proposed.<sup>16</sup>

La Quadra, after accepting some judicious amendments of detail by Keene, put forward two plans for securing due proportion, of which the one with the higher final figure owed to Britain was accepted.<sup>17</sup> If the British merchants' £343,000 was to be abated only by £143,000, then Spain's claimed £180,000 should be abated by £75,128, a reduction of approximately forty two percent in each case. This meant that Britain was due £200,000

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siempre su justicia.'; PRO SP 94/130 (unfoliated), la Quadra to Keene, 26 May (NS) 1738, giving Philip's comments on Keene's letters of 28 February, 1 March, 7 April & 5 May (NS) 1738.

<sup>14</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 19 July (NS) 1738.

<sup>15</sup> BL Add Ms 32798, f. 249, Keene to Newcastle, 2 August (NS) 1738.

<sup>16</sup> PRO SP 94/131 (unfoliated); BL Add Ms 32798, ff. 224-5, Keene to Newcastle, 28 July (NS) 1738.

<sup>17</sup> BL Add Ms 32799, f. 36, Newcastle to Keene, 21 August (OS) 1738.



and Spain was owed £104,872. That last figure was assigned over to the Crown of Great Britain, leaving the remainder to pay in money: £95,128.<sup>18</sup> This was accepted by the cabinet as equitable and unanswerable, if one really wanted peace.<sup>19</sup> Such was the loose arithmetic of the famous £95,000, which was formally agreed as the balance owed to Britain at a meeting at Lord Harrington's in early August, between Walpole, Newcastle, Harrington and Geraldino.<sup>20</sup> Ministers in Spain had little control of the details of the deal, and complained that the calculations had all been made at a distance, and some Spanish claims omitted.<sup>21</sup>

The precise figure of course was always open to grievance on both sides, and gave a convenient handle to the British Opposition. The *London Evening-Post* later dwelt at length on this issue, and wondered if Spain wanted compensation for its Armada while they were about it.<sup>22</sup> Pulteney made withering comments on the false logic by which the claims of merchants were offset by a compensation of £60,000 for something quite distinct, the exploit of destroying the Spanish fleet twenty years earlier. The resulting total to be paid by Spain was an easy target for him, too. Taking away the £68,000 which the South Sea Company was to pay on behalf of Philip V, he derided the 'remaining £27,000, a prodigious Sum, ... to be paid by *Spain*'.<sup>23</sup> Pulteney called on public opinion to judge what was done on their behalf: 'All, that the *People without Doors* can wish, or desire is, that if there is any Thing doubtful in those *superior Acts of State*, They might be better inform'd, especially where their Interest is so manifestly concern'd'.<sup>24</sup> This supposed interest may not have been so manifest to more detached observers, but it sounded well.

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<sup>18</sup> PRO SP 94/131 (unfoliated), 'Offer from Spain'.

<sup>19</sup> BL Add Ms 32799, f. 45, Enclosure in Newcastle to Keene, 21 August (NS) 1738.

<sup>20</sup> BL Add Ms 32799, f. 48, Minute of a meeting at Lord Harrington's, 9 August (OS) 1738; PRO SP 94/132 (unfoliated), Newcastle to Keene, 21 August (OS) 1738.

<sup>21</sup> PRO SP 94/131 (unfoliated); Spanish document enclosed in Keene's 'Plan de Dn. Arturo Stert, Londres Abril de 1738': '... pues passa par los Calculos, ô, presupuestos que se han echo sin conocimiento suio en Inglaterra; en que no deja de reconoces se algun agravio acia la España, y que se omiten algunas pretensiones que tenia que alegar'.

<sup>22</sup> *London Evening-Post*, 27 February (OS) 1739.

<sup>23</sup> [W. Pulteney], *A Review of All that hath pass'd between the Courts of Great Britain and Spain, Relating to Our Trade and Navigation...* (1739), p. 31.

<sup>24</sup> *Ibid.*, p. 30.

When ultimately even the £27,000 was not paid by Philip, there was much scathing comment on the ministry's fatal generosity towards Spain.

The ministers indeed were negotiating all these details under sustained pressure of press comment and expectation. Small informal meetings could escape the notice of the press, but there was no concealing the cabinet meeting of the day preceding the final decision. This gathering of great office-holders was taken to be the important conference, which would decide between war and peace. It was commented on in all the leading Opposition journals, which had been careful to keep the whole progress of talks and letters before the eyes of their readers.<sup>25</sup> The *London Evening-Post* reprinted from the *Utrecht Gazette* a full page letter purporting to be the ministry's reply to la Quadra's last letter to Keene. 'We cannot say that this Extract is genuine; if it be, we hope our Ministers will soon give Don Diego a still more British Answer from the Muzzles of our Guns and the Mouths of our Cannons.'<sup>26</sup> The ballad-mongers were promoting the same views. One popular ballad of 1738 depicted Sir Robert and Horace Walpole negotiating with Geraldino, the '*Irish Don Diego*'. Don Diego keeps them waiting in a cold antechamber while he shits (a satisfying reversal of the usual rôle played by such great men), then scorns to compromise and demands huge payments in order not to attack British shipping. The frontispiece to this ballad was the original of a print later elaborated and sold separately as *Slavery*. It showed (in the ballad version) three glum British sailors in the shafts of a two-wheeled cart, while a curly-moustachio'd Spaniard wields a whip and Walpole holds back the British lion.<sup>27</sup> Such images of indignity no doubt did much to create a fierce mood among the London populace. Among the London merchants, though, Horace Walpole saw a different attitude; 'a good many of those who were so clamorous for justice and honour,

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<sup>25</sup> E.g. *London Evening-Post*, June 13 & 15, August 10 (OS) 1738, *Craftsman*, August 12 (OS) 1738.

<sup>26</sup> *London Evening-Post*, 10 August (OS) 1738.

<sup>27</sup> *The Negotiators. Or, Don Diego brought to Reason. An excellent New Ballad. Tune of, Packington's Pound* (1738). *Slavery* uses the same foreground scene, though with four men pulling a plough, and places Jenkins and his ear in the middle distance, with a Spanish ship firing on a British merchantman in the centre background; reproduced in M. Duffy (ed), *The Englishman and the Foreigner* (1986), pp. 136-7, and also (slightly misdescribed) in P. Langford (ed), *Walpole and the Robinocracy* (1986), pp. 150-1.



beginning to reflect upon the consequences of a rupture on account of trade, &c, grow uneasy at the apprehension of it'.<sup>28</sup>

This unease was increased by the growing likelihood that Britain would be alone in demanding justice from Spain. Until the summer of 1738 it could perhaps be said that three powers were at odds with Spain over trade in the Caribbean; Britain, the United Provinces and France. It was increasingly evident, though, that Britain alone would persist in its grievances. Keene lamented that 'the Dutch will abandon Us in this Conflict, and get private advantages by our fighting for a Cause in common to both Nations'.<sup>29</sup> This view, echoed in numerous published caricatures over the next few years, was a resigned comment on the defection of a traditional but never warmly trusted ally. The Dutch, like the British, suffered depredations at the hands of Spain, but despite some strong early protests they took the pragmatic view that they would lose more than they gained by proceeding to arms.<sup>30</sup> The States General made stiff representations to la Quadra about specific cases.<sup>31</sup> They were very slow to enforce them with any vigour. Keene was robustly critical of their inaction:

It was pity, and I speak it as a good Hollander, That when we began to make Preparations, They did not order their Admiralties to careen but a couple of Frigats; it would have done Us both Service, and Them honour, by enlivening a little their reputation in this Country, which, between Us, ... has been low nay dead for many years.<sup>32</sup>

Admiring the justice of Keene's reading of the Dutch mind, Trevor pointed out the little chance there was of stronger action: 'The losses they reclaim are not very considerable,

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<sup>28</sup> HMC, *Fourteenth Report*, Trevor Mss, pp. 20-1, H. Walpole to Trevor, 1 August (OS) 1738.

<sup>29</sup> BL Add Ms 32797, f. 227, Keene to Stone, 15 April (NS) 1738. An incisive appraisal of the Dutch position is H.L.A. Dunthorne, 'The Alliance of the Maritime Powers, 1721-1740', unpublished Ph.D. thesis, London, 1978, pp. 110-16.

<sup>30</sup> BL Add Ms 32794, f. 8, Trevor to Keene, 17 January (NS) 1737; *ibid.*, f. 133, same to same, 14 February (NS) 1737; *ibid.*, f. 143, same to same, 21 February (NS) 1737.

<sup>31</sup> BL Add Ms 32795, ff. 363-6, Extrait du Registre des Resolutions de L[eurs] H[autes] P[ui]ssances les Seigns. Etats Generaux des Provinces Unies des Pais Bas, 23 September (NS) 1737; BL Add Ms 32796, ff. 259-62, Waldegrave to Newcastle, 18 December (NS) 1737; BL Add Ms 33007, ff. 116-20, Remonstrance of States General to la Quadra, 18 February (NS) 1738.

<sup>32</sup> BL Add Ms 32798, f. 83, Keene to Trevor, 2 June (NS) 1738.

neither have they the best opinion of their plaintiffs' causes. Besides they have begun to turn the tables upon the Spaniards, by tacit and unavowed Reprisals'.<sup>33</sup> These included sending out two warships to protect Dutch commerce, and fitting out three privateering vessels in Curaçao, which soon captured and killed one famous *guarda costa* captain, Brassovant.<sup>34</sup> Trevor believed that their tactics were too half-hearted; 'the Dutch must begin to robb more cautiously or more irresistibly than They do at present'.<sup>35</sup> But whether or not it was perfectly carried out, this was a very natural method of dealing with the problem. So much so, in fact, that the Dutch found it difficult to believe, Trevor thought, in England's determination to do otherwise. 'And as they look upon the present clamour in England only to be a *feu de paille*, they are in no hast to burn their fingers in it.'<sup>36</sup> In August Keene was able to remark to Trevor; 'We have now gotten a little life into your *Matadores*; but how late and aukwardly does it come!'<sup>37</sup> Even this sign of life, however, was to fizzle out in a memorial.<sup>38</sup> It was obvious to seasoned diplomatic observers, though, that this would not last, and that the Dutch, like the French, would make the greatest gains by staying out of war and profiting from the carrying trade.<sup>39</sup>

Dutch neutrality was not a certainty or a matter of course, especially as the Dutch ambassador in Madrid, Van der Meer, was meddlesome and created misunderstandings.<sup>40</sup> Indeed, Philip V personally in 1740 vetoed a proposed joint Franco-Spanish Jacobite adventure, fearing that it could bring in the Dutch.<sup>41</sup> But neutrality was always the most likely outcome. The Dutch were buoyed up not only by the prospect of a lucrative neutral

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<sup>33</sup> *Ibid.*, f. 147, Trevor to Keene, 26 June (NS) 1738.

<sup>34</sup> BL Add Ms 32794, f. 351, Trevor to Keene, 25 April (NS) 1738; BL Add Ms 32795, f. 286, General Matthew to Board of Trade, 14 June (OS) 1737.

<sup>35</sup> BL Add Ms 32799, f. 215, Trevor to Keene, 20 November (NS) 1738.

<sup>36</sup> *Ibid.*, f. 148.

<sup>37</sup> BL Add Ms 32799, f. 11, Keene to Trevor, 18 August (NS) 1738.

<sup>38</sup> BL Add Ms 32799, f. 288, Harrington to Keene, 23 November (OS) 1738; *ibid.*, ff. 290-314, memorial; *ibid.*, ff. 325-6, Keene to Newcastle, 15 December (NS) 1738.

<sup>39</sup> PRO SP 107/22 (unfoliated), D'Acunha to Azevedo, 22 August (NS) 1738.

<sup>40</sup> St. Gil in The Hague complained that; 'no llega aquí correo de España en que no venga alguna considerable novedad fomentada de dicho Vander Meer'. PRO SP 107/22 (unfoliated), St. Gil to Geraldino, 4 November (NS) 1738.

<sup>41</sup> Windsor RA Stuart Mss, 228/175, Sempill to James III, commenting on a letter in Philip's own hand, 28 November (NS) 1740.



trade in case of an Anglo-Spanish war, but by the logic of commercial profit in the Caribbean. The Spanish ministers themselves complained that they were the losers in the balance of depredations, due to the seizures made by Dutch privateers out of Curaçao.<sup>42</sup> Trevor found a general nonchalance about the prospect of either war or peace in the United Provinces, since on the one hand Dutch traders did not greatly fear molestation by Spain, and on the other the present position was profitable enough to make it worthwhile to put up with occasional seizures. The merchants, he said, 'make their party good with the *Guarde-Côtes*, and in spite of now and then a mischance, find their account largely upon the *Ballance*'.<sup>43</sup> The Dutch public and merchants were easily calmed, despite some horrid examples of atrocities in the Caribbean.<sup>44</sup> Despite ideas of an old alliance of northern protestant powers, and sympathies going back to 1688 and beyond, Britain was effectively alone in the process of negotiation with Spain. The only obvious alternative was an active alliance with Prussia, which would involve making concessions (at the expense of Hanover) over Jülich and Berg. Horace Walpole was an active proponent of this strategy, which however came to nothing.<sup>45</sup>

A further complication, which might cause British merchants to be even more cautious, but was certain to chafe the patriotic populace, was the rôle of France. The best guess of those in the know was that the solidarity of the two Bourbon powers would lead Fleury to support Spain in case of a conflict, even though he greatly disliked the Queen of Spain.<sup>46</sup> When Newcastle sent a stiff memorandum to Spain, following the Parliamentary debates of the late spring, a copy was shown by Waldegrave to Fleury. He not only approved the message on diplomatic grounds, but 'he was pleased at the Mortification this Letter

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<sup>42</sup> BL Add Ms 32799, ff. 5-6, Keene to Newcastle, 18 August (NS) 1738.

<sup>43</sup> BL Add Ms 32800, f. 246, Trevor to Keene, 9 April (NS) 1739.

<sup>44</sup> It will be remembered that it was a Dutch captain who, in November 1736, was made to eat his own hand; PRO SP 98/129 (unfoliated), information of William Fisher, in Newcastle to Keene, 24 March (OS) 1737. See above, p. 99.

<sup>45</sup> He laid out his arguments in discussion papers when Frederick William's death became imminent; 'Project of a Grand Alliance founded upon a good Understanding between His Majesty & the King of Prussia, Oct 5 1740'; 'Some thoughts on the Utility of an Alliance with Prussia occasion'd by the approaching Death of that King, 1740'; both in Wolterton (Walpole) Mss.

<sup>46</sup> PRO SP 78/218, f. 265, Waldegrave to Newcastle, 2 July (NS) 1738.

would be to the Queen of Spain, and to the Pride of the Spanish Nation'.<sup>47</sup> Yet France and Spain, linked by the Bourbon Family Compact, had much in common. The trade of Spain alone was a valuable consideration, since most of its commerce was in other hands. France and Britain had each around ten consuls in Spain, while Spain had, even in 1750, only ten consuls anywhere, and several of those were recent appointments.<sup>48</sup> Spanish treasure was shipped in French bottoms, and France enjoyed an extensive market for its exports in Spain, so that for this reason alone war with Spain was likely to lead to conflict with France.<sup>49</sup> To set against that, relations between France and Spain were generally cool, partly because of the high *indulto* levied in November 1737 on the French ships trading to the Spanish colonies.<sup>50</sup> Part of the coolness came from a typically slight but significant diplomatic incident. Louis XV had been told of the intended marriage of Don Carlos, but asked to remain silent on it. Meanwhile, the Spanish and Neapolitan ambassadors whispered the whole affair abroad, giving the appearance that France, the senior Bourbon partner, had not been consulted. Fleury was furious at this, since it unsettled his king, and the episode probably marked the height of his disillusionment with Spain.<sup>51</sup> The Queen of Spain returned all of Fleury's dislike with interest, and was handicapped by dealing with him through an ambassador, La Mina, whose relations with the Cardinal were at their worst in the summer of 1738.<sup>52</sup> Waldegrave was told that Fleury 'looks upon him [La Mina] as a *Brouillon* sent hither to perplex their Domestick Affairs'.<sup>53</sup> Bussy (101) was told by Fleury himself in May 1738 that France was 'as ill as

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<sup>47</sup> The Cardinal's judgement was; 'Vous vous conduisez bien sagement, la lettre est forte, mais vous ne pouvez la faire autrement'. PRO SP 78/217, f. 243, Waldegrave to Newcastle, 2 May (NS) 1738.

<sup>48</sup> D. Ozanam, 'La Diplomacia de los Primeros Borbones (1714-1759)', *Cuadernos de Investigación Histórica*, 6, 1982, p. 188

<sup>49</sup> BL Add Ms 32798, f. 49, Cayley to Keene, 13 May (NS) 1738; BL Add Ms 9131, f. 271, H. Walpole, 'Considerations relating to the Navigation, and Commerce of Great Britain in America...'.

<sup>50</sup> BL Add Ms 32796, f. 9, Waldegrave to Newcastle, 14 October (NS) 1737; BL Add Ms 32796, f. 237, Keene to Newcastle, 13 December (NS) 1737. This grievance was lessened by an explanatory *cedula* early in 1738; *ibid.*, f. 300, same to same, 30 December (NS) 1737.

<sup>51</sup> PRO SP 78/217, ff. 1-3, Fleury's private conversation, reported in Waldegrave to Newcastle, 11 January (NS) 1738.

<sup>52</sup> PRO SP 78/217, f. 225, Waldegrave to Newcastle, 1 May (NS) 1738.

<sup>53</sup> BL Add Ms 32798, ff. 101-2, Waldegrave to Newcastle, 6 June (NS) 1738.



possible with Spain'.<sup>54</sup> The leading Jacobite agent in Paris commented dolefully on 'cette malheureuse meffiance qu'ils ont les uns des autres'.<sup>55</sup> By contrast, there were numerous indications that the French minister wished to be well with Britain.<sup>56</sup> Relations were soured from February to at least May by a minor but irritating issue. A Bill was introduced in the Dublin Parliament which increased the penalties for those who lured away Irishmen to serve abroad as soldiers. This was particularly damaging to France because of her Irish Regiments, and the French ambassador tried hard to persuade the British ministry to obstruct the passage of the proposal.<sup>57</sup> The confessional barrier between the two countries emerged clearly over this issue also: Fleury alleged that the Bill was a device to allow the Irish protestants to seize the estates of the catholics.<sup>58</sup>

But there was common ground as well, in the commercial grievances of both powers against Spain. Hardwicke approved the advice of Horace Walpole that Waldegrave should concentrate on this issue in his talks with French ministers.<sup>59</sup> Keene was proved correct, however, in his more sceptical assessment:

The truth is they have but few [ships] that go to their Plantations, and they are large, well armed, and not easily mastered by a *Guarda Costa*: & Besides as the French Ministry can stop the Cryes of the Merchants when they think fitting, they never fail to do so when they contradict any private view they may have to sooth this Court.<sup>60</sup>

At this stage of the dispute, though, Cardinal Fleury was toying with the idea of a French mediation between Britain and Spain. His main concern seems to have been to prevent the British navy scoring a decisive victory over Spain, and so altering the balance of perceived power in Europe.<sup>61</sup> The Sicilian abbés seem to have judged his approach rightly, telling Waldegrave that 'in his Heart he is an enemy to the English, but will ever act in the

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<sup>54</sup> BL Add Ms 32797, f. 360, Waldegrave to Newcastle, 10 May (NS) 1738.

<sup>55</sup> Windsor RA Stuart Mss, 208/43, O'Brien to James, 21 July (NS) 1738.

<sup>56</sup> E.g. PRO SP 78/217, ff. 1-3, Waldegrave to Newcastle, 11 January (NS) 1738.

<sup>57</sup> PRO SP 107/21 (unfoliated), Cambis to Amelot, 10 February (NS) 1738; same to same, 10 March (NS) 1738.

<sup>58</sup> PRO SP 78/217, f. 223, Waldegrave to Newcastle, 1 May (NS) 1738.

<sup>59</sup> BL Add Ms 32797, f. 204, Hardwicke to Newcastle, 22 March (OS) 1738.

<sup>60</sup> BL Add Ms 32796, f. 226, Keene to Newcastle, 13 December (NS) 1737.

<sup>61</sup> PRO SP 107/22 (unfoliated), Paretti to Fitzgerald, 20 May (NS) 1738.

patching way'.<sup>62</sup> He was even willing to take a close interest in the proposal of a defensive alliance between Britain and France, a project which was in abeyance while he was ill in the Spring, but was still being actively discussed at the end of May, though Maurepas in the following month frankly told Waldegrave that there was no prospect at all of France signing such an agreement.<sup>63</sup> Fleury seems at this time to have entertained very decided ideas of the pivotal peacemaking rôle of France, ideas which grew later into a settled scheme of French mediation, even dictation to the parties.<sup>64</sup> While this was his favoured policy, he was not inclined to encourage the Jacobites. Waldegrave looked very closely into their movements, but cautiously believed assurances that 'the Cardinal is *dans la bonne foy*, When he disclaims meddling with the Pretender's Affairs'.<sup>65</sup>

An arrogant France giving the law to Europe was bad enough. An active alliance of France and Spain to help the Pretender had also to be feared. James himself was unusually optimistic: 'We are certainly in a great Crisis... I am sure I shall endeavour to make the most of all that may fall out'.<sup>66</sup> As early as January 1738, Daniel O'Brien in Paris was authorised to negotiate with La Mina about the terms of a treaty which Spain would be offered in return for help in a successful invasion. O'Brien assured the Spanish ambassador that it would actually be in Britain's interests to give back Gibraltar, though there might need to be some equivalent given in exchange for returning Port Mahon.<sup>67</sup> James was even more encouraging; 'si la Cour d'Espagne contribue a cet evenement je ne prevois pas qu'il y auroit la moindre difficulté a la restitution de Portmahon & Gibraltar'.<sup>68</sup> Prominent Jacobites spent the summer hoping for an early Anglo-Spanish conflict, not doubting that French aid would then be forthcoming, to give them 'a speedy

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<sup>62</sup> PRO SP 78/218, f. 154, Waldegrave to Newcastle, 31 May (NS) 1738.

<sup>63</sup> BL Add Ms 32796, ff. 275-6, Waldegrave to Newcastle, 20 December (NS) 1737; PRO SP 78/218, f. 118, same to same, 31 May (NS) 1738; *ibid.*, f. 195, same to same, 15 June (NS) 1738.

<sup>64</sup> *Ibid.*, f. 120, Waldegrave to Newcastle, 31 May (NS) 1738; BL Add Ms 33007, f. 193, same to same, 23 November (NS) 1739.

<sup>65</sup> BL Add Ms 32798, f. 70, Waldegrave to Newcastle, 31 May (NS) 1738; *ibid.*, f. 72, Waldegrave to Stone, 31 May (NS) 1738.

<sup>66</sup> Windsor RA Stuart Mss, 207/44, James to Hay, 28 May (NS) 1738.

<sup>67</sup> Windsor RA Stuart Mss, 204/17, O'Brien to James, 13 January (NS) 1738.

<sup>68</sup> Windsor RA Stuart Mss, 206/33, James to O'Brien, 15 April (NS) 1738.



and merry meeting'.<sup>69</sup> The Duke of Ormonde prompted James to take serious soundings among his supporters in Scotland and England as to the planning of an invasion aided by France and Spain, while he urged that some person 'of consideration' in Holland should try to keep the Dutch neutral.<sup>70</sup> Reviews were undertaken of the failure of past invasion attempts, of the numbers and training of the British troops, and of possible strategies for defeating Britain in the Caribbean.<sup>71</sup> No doubt James was shrewd enough, and sufficiently seasoned by past disappointments, not to place too much trust in the assurances he received from some of his correspondents. It was easy to make court to the Pretender by claiming that even the 'Hanoverians' were disaffected, and cowed only by the standing army.<sup>72</sup> By the late summer, James placed little faith in the general and confused accounts he was receiving from his adherents in Britain, but he was much more confident of foreign support.<sup>73</sup>

Increasingly, Stuart hopes came to centre on Fleury's probable death, and the livelier and more warlike policies which would almost certainly follow.<sup>74</sup> In the French ministry, Amelot promised a favourable reception to any plans for joint action which might be proposed by Spain, though the Pretender had great reason to fear that support for him might be weakened by King Philip's 'usual ails'.<sup>75</sup> The Stuart court lamented that without strong leadership from Philip, there was no single strong minister who might be 'capable de quelque chose de Grand; au moins si Patigno etoit en vie j'en esperais d'avantage'.<sup>76</sup>

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<sup>69</sup> Windsor RA Stuart Mss, 208/4, Edgar to Sir Charles Wogan, 12 July (NS) 1738. The whole summer's correspondence in that volume shows an optimism and activity which had been noticeably lacking in previous years.

<sup>70</sup> Windsor RA Stuart Mss, 208/85, memorandum sent by Captain Hay to Rome, July 1738.

<sup>71</sup> Windsor RA Stuart Mss, 208/86 & 93, Col. Arthur Bret's memorial, brought by Lord Sempil, July 1738, Capt. William Hay to James, July 1738; *ibid.*, 209/53, memoir by father Begon de St. Martin to Cardinal Acquaviva, 9 September (NS) 1738.

<sup>72</sup> E.g. Windsor RA Stuart Mss, 206/80, Francis Bulkeley to James, 28 April (OS) 1738.

<sup>73</sup> Windsor RA Stuart Mss, 208/149, James to Ormonde, 20 August (NS) 1738.

<sup>74</sup> E.g. Windsor RA Stuart Mss, 210/55, 56 & 118, James to Hay and to Ormonde, 21 October (NS) 1738, James to Ormonde, 3 November (NS) 1738.

<sup>75</sup> Windsor RA Stuart Mss, 209/57 & 110, James to Ormonde, 10 September (NS) 1738, James to Owen O'Rourke, 26 September (NS) 1738.

<sup>76</sup> Windsor RA Stuart Mss, 207/16, James Murray [Dunbar] to O'Brien, 21 May (NS) 1738.

Despite the disappointing lack of enthusiasm for his cause in Madrid, though, James considered his hopes of foreign assistance to be good, and certainly better than his hopes of action from the Jacobites in England. James wrote to encourage the zeal of his leading supporters, and in a letter meant to be circulated among them he added in his own hand a note to urge them to promote the great design:

Affairs are now come to that pass betwixt Spain & the English Government, that a rupture is lookd upon to be almost unavoidable, What is certain is that it may happen from one day to another, & Therefore it is of the greatest Consequence to my friends with you to take such measures out of hand, as may put you in a readiness to receive Foreign assistance, & enable you to give the Court of Spain such particular & satisfactory informations of the state of the Kingdom, as may encourage that Court to act for us.<sup>77</sup>

The more apparent it became that Walpole had patched up an inglorious compromise with Spain, the more confident did the Pretender's advisers become that this was indeed going to be a crucial period of national disillusionment.<sup>78</sup> The Highland chiefs of Scotland, at least, were in good heart and hoping for a speedy invasion.<sup>79</sup> Still, though, the signals from the English Jacobites were equivocal. They were clearly hoping for a political crisis, but were far from offering hope of direct action to overturn the existing system. James sadly concluded; 'I am sorry to think that nothing less than the immediate hand of Providence can inspire a desirable courage & union into our friends on t'other side, but I fear I am not mistaken'.<sup>80</sup>

Though the year ended in disillusionment and postponed hopes for the exiled Stuart court, there was a real possibility that the turn of British politics might signal a great change in their fortunes. Walpole's ministry was keenly aware of the revival of Jacobite hopes and plans, and of the danger of a Franco-Spanish invasion in the event of war.<sup>81</sup> Only a

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<sup>77</sup> Windsor RA Stuart Mss, 209/6-7, James to Lord Orrery, William Shippen & Watkin Williams [Wynn], James to Col. Cecil, 28 August (NS) 1738.

<sup>78</sup> Windsor RA Stuart Mss, 209/169 & 175, Edgar to George Kelly, 8 October (NS) 1738, James to O'Rourke, 10 October (NS) 1738.

<sup>79</sup> Windsor RA Stuart Mss, 210/82, Young [Lord John Drummond] to James, 10 October (NS) 1738.

<sup>80</sup> Windsor RA Stuart Mss, 210/178, James to Hay, 12 November (NS) 1738.

<sup>81</sup> E.g. CUL Ch (H) Corresp 2783-6, Governor Joseph Sabine to Newcastle, Gibraltar, 1 & 7 July (OS) 1738, Consul Parker to Wager, Corunna, 13 & 25 July (NS) 1738; BL Add



settlement, with or without the aid of French mediation, could be relied upon to avert the threat of an active alliance between France and Spain. It was little wonder that there should be divided counsels in the ministry. Walpole was anxious to secure a financial settlement which would seem fair to Spain, and give no cause for future grievances. Rumour was rife that his cabinet colleagues were greatly divided over his strong pacific inclinations.<sup>82</sup> Newcastle was more determined to put an end to all the causes of conflict, even at the cost of war. Parliament had, after all, provided the means of war, and the public was ready, even eager, to see them employed. Waldegrave explained to Keene the Duke's thinking:

Our Ministry is under a violent Dilemma: If they take the King of Spain's word, and He keeps it, well and good; if He does not, they will be blamed and censured for not using the means put into the King's hands, for obtaining satisfaction. Surely there never was a greater ferment than the present in Europe.<sup>83</sup>

His letters, even at the height of preoccupation with the Stert-Geraldino plan, in August, never cease to stress the issue of the freedom of the seas, 'the first, and principal Consideration'.<sup>84</sup> Newcastle ordered his secretary Andrew Stone to write privately to Keene, in a letter which even a Parliamentary enquiry could not demand to see, urging him to make this his first priority and to obtain, if he could, some signal punishment for the Spanish colonial governors. So long as Spanish ships visited British merchant vessels at sea, war would remain likely.<sup>85</sup> This was a reasonable position, and consonant with Horace Walpole's advice on the need for a complete renegotiation of the treaties between the two powers. Even when the convention was first signed, Horace urged; 'That it will

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Ms 32798, ff. 95-100, letters of Sample and others in Waldegrave to Newcastle, 3 & 6 June (NS) 1738.

<sup>82</sup> Windsor RA Stuart Mss, 206/58, George Robinson to James, 21 April (NS) 1738. He cites the information both of Knight in London and an employee of Waldegrave's in Paris.

<sup>83</sup> BL Add Ms 32798, f. 130, Waldegrave to Keene, 17 June (NS) 1738. This fear is referred to in a most private letter, PRO SP 78/218, f. 164, Waldegrave to Newcastle, 11 June (NS) 1738.

<sup>84</sup> PRO SP 94/132 (unfoliated), Newcastle to Keene, 21 August (OS) 1738.

<sup>85</sup> PRO SP 94/132 (unfoliated), Stone to Keene, 21 August (OS) 1738.

be a very lame Friendship, and a plaistered Business if Spain will not absolutely stipulate a freedom of Navigation without Searching our ships in the American Seas'.<sup>86</sup>

But Newcastle's concern also seems to have stemmed from more fundamental and persistent differences within the ministry. Bolingbroke in early February had contended that the split between Walpole and Newcastle was irreconcilable. He urged Wyndham to cultivate his links with Newcastle, and especially Hardwicke, to topple Walpole: 'I love the chancellor much, and I should therefore be very sorry to see him become the crutch of a battered minister'.<sup>87</sup> Montijo saw the same breach in the ministry, telling Keene in August; 'I see how affairs stand. We must not press too hard upon your administration; they are not all of the same sentiments'.<sup>88</sup> Waldegrave, Walpole's protégé in Paris, wrote to Keene:

This I know that the sober part of the Administration, Sr Robert Walpole is of the number, would do their best to avoid coming to a rupture: some foreseeing the dangerous consequences of it, whilst others, of a more military disposition, push the contrary way.<sup>89</sup>

Hardwicke was, inevitably, called in to examine the papers concerning the Stert negotiations, and to bridge the differences emerging within the inner circle. In mid-August 1738 he approved the pragmatic compromise reached, despite the anomalous nature of various parts of the agreements. Most of his efforts, clouded by a bad cold, were devoted to persuading Newcastle not to stick at trifles and to approve the wording of Walpole's draft of a letter officially offering the proposal. Newcastle's own draft was not very dissimilar, he said, 'and surely at this time it is not worth while to dispute about small matters'.<sup>90</sup> Three days later Hardwicke tried once more to press the Duke into preserving harmony:

Think coolly & deliberately of the thing it self, its circumstances, & this critical juncture with regard to the King's affairs. As to any little appearance

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<sup>86</sup> BL Add Ms 32799, f. 116, H. Walpole to Keene, 7 September (OS) 1738.

<sup>87</sup> Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole Earl of Orford* (3 Vols. 1798), III, p. 507, Bolingbroke to Sir William Wyndham, 3 February (NS) 1738.

<sup>88</sup> *Ibid.*, p. 509, Keene to Walpole, August 1738.

<sup>89</sup> BL Add Ms 32798, f. 302, Waldegrave to Keene, 11 August (NS) 1738.

<sup>90</sup> BL Add Ms 32799, f. 19, Hardwicke to Newcastle, 15 August (OS) 1738.



of being out of humour, Your Grace knows better than I on how slight a matter such appearances sometimes turn.<sup>91</sup>

Hardwicke indeed seems to have succeeded in keeping together the jarring ministerial colleagues throughout the negotiation. In late August, Newcastle congratulated him that all would continue to go well 'by a Continuance of your Advice on one Side [Newcastle's], & your powerful Interposition of ye other [Walpole's]'.<sup>92</sup> A crucial showdown was reached in the negotiations, over whether or not Geraldino would include in the negotiations a full reappraisal of the issue of free navigation and the treaties. Even Walpole took a stand with his colleagues on this point:

Sr Robert wth all ye firmness imaginable, & we all told Him, there was an End of ye whole Affair, for Sr Robert & all of us told Him, without that, it was in vain for Him to expect we would or coud agree. He took time to consider, & is to give Mr. Walpole His answer tonight. Sir R is very positive, not to yeild, & sd. very rightly, yt if we did, all ye world would say, we had given up our Rights for 95<sup>th</sup>, When we were in a Condition to force them to admitt them.<sup>93</sup>

Meanwhile the Spanish objection was not that Geraldino was demanding but that he had gone in so deep at all. At first they did not realise that their envoy was one of the initiators of the scheme, and Keene was careful not to tell them.<sup>94</sup> Both la Quadra and Montijo, though, were angry with Geraldino for exceeding his powers and committing them to an arrangement which might well entangle and embarrass the crown.<sup>95</sup> The Spanish ministers were not satisfied with the payment by the South Sea Company of its debts, and did not choose to separate the two transactions. They insisted on associating the overdue negro duties with the £95,000 compensation payment. Since the Company had on its hands a great deal of money, £68,000, owing to the Spanish crown, it seemed reasonable to make the Asientists act as Spain's paymaster. Along with this rational scheme went a great deal of pent-up antagonism toward the Company. Keene observed to Newcastle; 'It is not

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<sup>91</sup> *Ibid.*, f. 27, Hardwicke to Newcastle, 18 August (OS) 1738.

<sup>92</sup> BL Add Ms 35406, f. 39, Newcastle to Hardwicke, 25 August (OS) 1738.

<sup>93</sup> *Ibid.*.

<sup>94</sup> BL Add Ms 32798, f. 251, Keene to Newcastle, 2 August (NS) 1738.

<sup>95</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 2 August (NS) 1738, and BL Add Ms 32798, f. 258, private letter of same date.

easy for me to express to your Grace half the wrath They throw out against the said Company on this Occasion'.<sup>96</sup>

With a convention almost agreed, the Company did its best to earn these Spanish compliments.<sup>97</sup> The plan put forward by the Company on 30 June (OS) 1737 had not been ratified by the King of Spain, and that of 21 December (OS) 1737 was not even consented to by the Spanish ambassador, and yet it was the Company's last word. This humble address (and rarely can a document have been more misnamed) demanded 'strong and effectual' *cedulas* to be immediately sent for payment to the Viceroy of Mexico and Peru. They were to furnish payment every six months in instalments, to pay off the whole compensation claimed within three years. On the non-payment of any instalment, the Spanish crown should pay in Europe within three months. On any failure by Philip to pay, the Company was to be entitled to hold back the sum from the negro duties. Further, in order to make that possible, his Catholic Majesty was to declare that the Asiento should continue for thirty full trading years, not counting any years in which the negro trade was obstructed.<sup>98</sup> The Company refused to act as Philip's paymaster until both their papers of demands had been agreed by the Spanish crown. Indeed, they accepted their part in a national negotiation only conditionally, coolly adding various provisos of their own about the manner of payment of compensation for the *represalias* by the Spanish crown. They agreed to pay the negro duties at 52d per dollar, but only when his Catholic Majesty had settled the *represalias* account to their satisfaction, and also given *cedulas* for the full thirty annual ships envisaged in the Utrecht treaty.<sup>99</sup> These arrogant demands amounted to dictation to the Spanish King, something which his ministers would hardly dare to tolerate, even if the king's mental health had been more robust.

A great complication in this tricky stage of the negotiations was the state of Philip's mind. The army reforms of March 1738 had to be managed very tenderly so as to avoid disgusting the King with the business of carrying on government. He had to be persuaded

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<sup>96</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 29 September (NS) 1738.

<sup>97</sup> 'The South Sea Company formed the one stumbling block to an agreement'; E.G. Hildner, 'The Role of the South Sea Company in the Diplomacy leading to the War of Jenkins' Ear, 1729-1739', *Hispanic American Historical Review*, 18, 1938, p. 336.

<sup>98</sup> BL Add Ms 32799, ff. 56-8, humble address, 21 December (OS) 1737.

<sup>99</sup> BL Add Ms 32799, ff. 50-3, Newcastle to Geraldino, 16 August (OS) 1738.



to make cuts and reforms without being informed clearly of such existing practices as paying for non-existent troops. Knowing about such corruption might 'make Him fonder of leaving the Government than continue in it, even as easy as it is rendered to Him by the pains of Her Catholick Majesty'.<sup>100</sup> In May, Philip's mental disturbance was so violent that he was almost unapproachable, while Elizabeth was so dropsical that there were fears that she would choke. The ministers delayed their answers to England, and made them evasive and general, for fear of being found in the wrong if and when their master and mistress recovered and resumed control of negotiations.<sup>101</sup> In July and August Philip was able to discuss business in the mornings, but after that became more and more bizarre in his behaviour. He would howl frightfully, sometimes imitating Farinelli, who for the past twelve months had sung to him after dinner the same five Italian airs of his first ever performance at the Court.<sup>102</sup> Philip's instability, and the total seclusion of the court at this time, must have heightened the sense of unreality which diplomats saw in Elizabeth's policies.

The royal wedding festivities for the King of Naples were draining the financial resources of the country, and the popularity of the Bourbons was at its nadir, yet Elizabeth talked and planned as if the nation were ready for war. She seemed to believe in a plot by the British to favour the Empire and attack her in Italy.<sup>103</sup> Certainly she feared the use of a Royal Navy squadron to cut her off from Italy, and when she heard of George II's orders to fit out another twenty men of war she blurted out after mass; 'On a envie de nous faire peur'.<sup>104</sup> Keene summarised her position at this point, immured with her mad consort, taking her facts from la Quadra and Montijo, but making her decisions with her Italian favourites, Scotti and Cervi<sup>105</sup>:

It is in these Circumstances that the Queen of Spain exposes Herself and this Country to the consequences of a Rupture between the two Nations, which it

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<sup>100</sup> BL Add Ms 32797, f. 127, Keene to Newcastle, 3 March (NS) 1738.

<sup>101</sup> PRO SP 78/218, ff. 99-100, Intelligence from court ladies in Spain, in Waldegrave to Newcastle, 26 May (NS) 1738.

<sup>102</sup> BL Add Ms 32798, f. 259, Keene to Newcastle, 2 August (NS) 1738.

<sup>103</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 1 September (NS) 1738.

<sup>104</sup> BL Add Ms 32798, f. 290, Waldegrave to Newcastle, 10 August (NS) 1738; PRO SP 94/131 (unfoliated), Keene to Newcastle, 29 August (NS) 1738.

<sup>105</sup> BL Add Ms 32799, f. 34, Keene to Newcastle, 29 August (NS) 1738.

is probable she would not do, did she give Herself either more time to consider of them, or had other Heads to assist her... She must know the general disgust there is against their present proceedings, but this indeed does not give Her any great uneasiness, because She likewise knows, that the Nation is abject and low-spirited enough to suffer even more than they do. Her Finances she must be sensible are in an extreme disorder, and yet She must provide money to supply the enormous extravagances committing at Naples.<sup>106</sup>

However abject the nation seemed to Keene, the Spanish court was not immune from the pressure of public opinion, expressed in salons, circles and clubs, and also in clandestine periodicals and satires. Dissidence was rife, especially in such regions as Aragon and Catalonia, since the dynasty was still perceived there as an alien one.<sup>107</sup> Philip, as the uncle of Louis XV, was unpopular, though never as much so as Elizabeth, and both were subjected to especially intense criticism between 1737 and 1743. In 1738, satire focussed particularly on the acquisition of the kingdom of Naples for Prince Charles, and the burdens this would impose on Spain. The other topic was the majority of the Prince of Asturias (later Ferdinand VI). This was regarded by critics as the point at which Philip, according to an old promise, should abdicate in favour of a Spanish-born heir.<sup>108</sup> Fleury tried to head off an abdication, fearing that Ferdinand 'may be too much a Spaniard and independent on the French'.<sup>109</sup> Ferdinand was fated to remain patiently in the wings while his stepbrothers, Elizabeth's children, were given kingdoms and prestigious appointments of State, yet remained alienated from the country which they helped to rule. The Infante Don Philip was bred up by his French attendants to despise Spanish ways: 'Every thing must be French to please him: He does not even care to speak his own Language but when he is entirely forced to it'.<sup>110</sup> There were limits to how far such monarchical outsiders could safely go in flying in the face of their people.

By late August the strain on the Spanish ministers was telling, especially as they felt themselves to be under pressure from the British naval threat, and obliged to remain firm

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<sup>106</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 2 August (NS) 1738.

<sup>107</sup> T. Egido López, *Opinion Publica y Oposicion al Poder en la España del Siglo XVIII* (1971), pp. 35-9, 103.

<sup>108</sup> *Ibid.*, pp. 79-80, 118-9, 175-9.

<sup>109</sup> PRO SP 78/219, f. 82, Waldegrave to Newcastle, 24 September (NS) 1738.

<sup>110</sup> BL Add Ms 32794, f. 190, Keene to Newcastle, 18 March (NS) 1737.



in their latest resolutions. Keene was constantly watched while in public, and his letters intercepted.<sup>111</sup> Soon afterwards several people in Madrid were imprisoned merely for spreading the rumour that the King intended to reabdicate his throne.<sup>112</sup> This was not an atmosphere in which ministers could easily make humiliating concessions. Geraldino had made just such a concession, fearing that the agreement would break down over the refusal of the Asientists to pay their share of the money until Philip had accepted the demands expressed in their June and December 1737 papers of grievances. He had taken it upon himself to say that His Catholic Majesty would still pay the £95,000, in cash in London, if the South Sea Company were obstructive.<sup>113</sup> Quite apart from the poor finances of Spain, this was objectionable on grounds of pride, since that court believed that it had an absolute right to the money to be paid on their behalf by the Company. Keene reported; 'They have got it into their heads that such a step would have the air of buying a Peace with England'.<sup>114</sup>

One way for the Spanish ministers to show strength while still accepting this unauthorised settlement was to insert restrictions upon their cash payment. By September the Spanish ministers were floating the idea that if they had to pay in such circumstances they would punish the Company by cancelling the Asiento.<sup>115</sup> It was a move easy to understand from the viewpoint of Madrid. The King would be withdrawing a privilege from a defaulting company, in response to many slights and indignities. More experienced ministers, though, would have been unlikely to allow the notion to gain ground. The Asiento was not a royal privilege only, but was granted in a formal treaty between Spain and Britain. To revoke it unilaterally was a fateful step. Once the Court had begun to discuss this possibility, however, it was a measure too tempting to be taken from the grasp of Philip and Elizabeth. Both alike constrained by royal pride and public pressures, the Spanish ministers were not free to truckle to the Asientists, and the British ministers were not free to truckle to Spain. For some months, the British opposition papers had been trying to

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<sup>111</sup> BL Add Ms 32799, ff. 29-34, Keene to Newcastle, August 29 (NS) 1738.

<sup>112</sup> Keene to Newcastle, September 8 (NS) 1738, PRO SP 94/131 (unfoliated).

<sup>113</sup> BL Add Ms 32799, f. 61, Geraldino to Newcastle, 17 August (OS) 1738; *ibid.* f. 37, Newcastle to Keene, 21 August (OS) 1738.

<sup>114</sup> BL Add Ms 32799, f. 109, Keene to Newcastle, 15 September (NS) 1738.

<sup>115</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 29 September (NS) 1738.

rouse a suitable level of resentment in their readers. The *Craftsman* in the spring bemoaned their apathy over depredations: 'We are so much degenerated from our brave and virtuous Ancestors, that many Persons hear, and discourse of those infamous Practices with more Coolness and Indifference than of the *Mail* being plunder'd, or some other Robbery on the High-way'.<sup>116</sup> This coolness was banished with the summer heat. Now every issue of the London press was full of pressure to settle the disputes with a dash, and preferably with a brisk (and of course successful) war. Naturally, the Elizabethan motif was constantly in use.<sup>117</sup> The *Craftsman* was typical in resenting the insults and cruelties of Spain, 'the more sensibly felt, as they come from a *People*, whose Power we have always scorn'd and subdued, whenever brought to a Trial'.<sup>118</sup> Caleb d'Anvers purported to believe:

*The Gentlemen in the Administration* seem to be at last in Earnest; and no idle Rumours shall convince Me, as much a *Malecontent* as I am represented, that all this Bustle is to end in *Preparations* only, or a *Spithead Expedition*.<sup>119</sup>

It was clear that, as Parliament had voted funds for arming the fleet, the government would face great discontent in the next parliamentary session if no blow had been struck against Spain.<sup>120</sup> If the ministry was to send the country's forces beyond Spithead, though, it would have to have a clear idea of the kind of war which it wanted to fight. The main options were obvious, and discussed in the *Craftsman*.<sup>121</sup> Seizures on the Spanish mainland were likely to be of no value, as even that newspaper admitted. To capture the *flotas* on the seas would be the next step (and Cromwell had never missed them). Thirdly, captures should be made in the Indies - of Havana, la Cruz and Panama, or at least of several lesser and lucrative places - which would be easy for a free government, offering liberation to the local peoples.<sup>122</sup>

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<sup>116</sup> *Craftsman*, 18 March (OS) 1738.

<sup>117</sup> E.g. *Common Sense*, 22 July, 5 August (OS) 1738.

<sup>118</sup> *Craftsman*, 19 August (OS) 1738.

<sup>119</sup> *Ibid.*.

<sup>120</sup> BL Add Ms 32799, f. 71, Waldegrave to Newcastle, 4 September (NS) 1738.

<sup>121</sup> *Craftsman*, 3 June (OS) 1738.

<sup>122</sup> *Ibid.*.



For the past year, ministers had been giving thought to these possibilities too, but the decision was not an easy one to take. Montijo advised Philip that he should rather bow to Britain's demands than try to fight a short war, but that in a long war Spain would bring Britain to submit on terms favourable to Spain.<sup>123</sup> Bussy pointed out to Waldegrave that all the problems of coming to a workable understanding with Spain would still exist even after a long war. He correctly foresaw that only a decisive war would make any substantial change in their relationship: and since Spain lacked the naval power of Britain, and would take care not to come to fixed sea battles, there was no chance of a speedy and definite victory.<sup>124</sup> The same idea was prevalent in the Spanish ports, as Keene reported; 'it is the opinion of every body here, that the Spanish Naval Forces will keep out of risk and danger as much as is possible'.<sup>125</sup> In the popular mind, the power of the British navy was beyond challenge. The Portuguese ambassador in Paris caught this idea shrewdly; 'I have ever observed that the bulk of that Nation think, that by arming a huge Fleet, they have conquered the whole World'.<sup>126</sup> Yet the true position, as he observed, was more delicate, and the rhetoric of Britannia's rule of the waves was misplaced.<sup>127</sup>

The dilemma of British ministers was caught in some highly prescient comments by the older Sicilian abbé, Platania, shortly before his death in June 1738. Platania agreed with the common view that 'the greatest Treasure of the Crown of England is the Credit of her Naval power'. But he argued that this credit meant the reputation of being able to do two things: to engage other navies, certainly, but also to be able so to annoy any enemy power that they must sue for peace. If England once lost more than it gained in a conflict with Spain, and was unable to force Spain to put an end to the war, this naval credit would be sunk:

it would be the greatest evil that could befall England, in so much as the World would no longer entertain the high opinion it has hitherto had of her

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<sup>123</sup> BL Add Ms 32798, ff. 257-8, Keene to Newcastle, 2 August (NS) 1738.

<sup>124</sup> BL Add Ms 32799, f. 78, Waldegrave to Newcastle, 8 September (NS) 1738.

<sup>125</sup> BL Add Ms 32798, f. 48, Keene to Newcastle, 26 May (NS) 1738.

<sup>126</sup> PRO SP 107/22 (unfoliated), D'Acunha to Azevedo, 22 August (NS) 1738.

<sup>127</sup> The constraints on naval planners are examined in P.L. Woodfine, 'Ideas of Naval Power and the Conflict with Spain, 1737-1742', in *The British Navy and the Use of Naval Power in the Eighteenth Century*, (1988), ed. J.M. Black & P.L. Woodfine, pp. 73-83.

Naval Forces, and that they alone were sufficient to make the other Powers hold England in the highest Respect...

Therefore whoever means to make war with Spain ought first to have some good and solid Project for a great Operation with a reasonable probability for the safety of its Execution, and of Consequence enough, if it succeeds, to oblige Spain to sue for Peace, and to give more ample satisfaction than any she has offered in her Negotiations.<sup>128</sup>

The outcome of the war, though he did not live to see it, amply justified his prediction.<sup>129</sup> At this early stage the British ministers were making little progress in considering the specific form of a great project against Spain. An attack on the Spanish mainland, quite apart from the fact that it would bring France immediately into the war, was not practicable. Because of the severe problems of regional unrest in Castilian-Bourbon governed Spain, the Spanish land forces were numerous and well organised, though not well paid. They could rely, thanks to the planning of Patiño, on strongly fortified towns and the largest proportion of mobile horse troops of any army in Europe.<sup>130</sup> There was no doubt about the shaky financial state of the nation's armed forces, and much of the naval bustle and preparation of 1737-8 was more designed for show than for use.<sup>131</sup> Yet there were also serious attempts being made in Spain to reform both the navy and merchant marine. In March 1737 a new post of High Admiral of Spain was created, and given to the Infante Don Philip, who, with enthusiastic support from his mother Queen Elizabeth, set about making changes.<sup>132</sup> The Admiralty, in existence from 1737 to 1748, and not again until 1807, had total authority over the fleet, its construction, navigation, materials and manning.<sup>133</sup> Though the spending increases and reforms in supply took time to show an effect, the changes in manning were immediate. Spanish sailors throughout the kingdom were now 'matriculated', in a version of the French system of registration

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<sup>128</sup> PRO SP 78/218, ff. 268-70, Intelligence report in Waldegrave to Newcastle, 2 July (NS) 1738.

<sup>129</sup> A definitive modern study of the war is R. Harding, *Amphibious Warfare in the Eighteenth Century. The British Expedition to the West Indies 1740-1742* (1991).

<sup>130</sup> BL Add Ms 32798, ff. 43-8, Keene to Newcastle, 26 May (NS) 1738.

<sup>131</sup> BL Add Ms 32794, f. 190, Keene to Newcastle, 18 March (NS) 1737; PRO SP 94/130 (unfoliated), Keene to Newcastle, 16 June (NS) 1738.

<sup>132</sup> BL Add Ms 32794, f. 189, Keene to Newcastle, 18 March (NS) 1737.

<sup>133</sup> J.P. Merino Navarro, *La Armada Española en el Siglo XVIII* (1981), pp. 1-25.



whereby all seamen could be called up quickly for naval service. Sailors who were not matriculated in one of the three departments, Cádiz, Ferrol and Cartagena, could not serve on profitable passages to America, or in rented or private ships.<sup>134</sup> To make this system more useful, the High Admiral decreed that the *matriculados* should be alternately employed in ships of war and in merchant ships, with a record kept of their service.<sup>135</sup> As yet there were only the beginnings of the great naval revival, which took off after 1748, but even the first improvements were significant.<sup>136</sup> Despite the financial problems of the country, it would be no simple matter to invade Spain, or even to harass her ports, where defensive precautions were strongly under way.<sup>137</sup>

Horace Walpole had warned of the difficulties of a war with Spain in his two cabinet memoirs of January. Indeed, he predicted that it would be hard to bring such a war to a distinct end. The nature of the trade of the two countries suggested caution as to the kind of war which would result:

Their *Guarda Costas* are difficult to be met with by our Men of War, & if taken, are not worth any Thing; And as to their Galeons, Flota, & Register Ships, They carry the Riches of other Nations; the Spaniards have but one tenth part in Them, And two thirds, or one half, at least, of all Those Rich Loadings belong to the French; And therefore the Consequences of proceeding to seize these valuable Ships, will be consider'd before too vigorous a Measure be pursued: — On the other side since the great perfection, & encrease of our Settlements, & intercourse of Trade between our Colonies with one another, & between Them, & Great Britain, Our Navigation, & Commerce in those Parts is so large & Extensive, that the Spaniards, in revenge for our taking one *Guarda Costa* from them, which may be worth nothing, will soon seize, or take a vast number of our own Rich Vessells, belonging to ye Merchants of London, Bristol & Liverpool, together with the Effects of the S. Sea Compa.; ...And if a Rupture should ensue, our Commerce would be exposed in all Parts, to Privateers of all Nations, carrying Spanish Colours.<sup>138</sup>

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<sup>134</sup> Merino Navarro, *La Armada Española*, pp. 83-6.

<sup>135</sup> BL Add Ms 19030, ff. 315 & 331, order of Infante Don Philip to Don Alexo Guttierres de Rucaleava, 27 November (NS) 1737.

<sup>136</sup> Merino Navarro, *La Armada Española*, pp.

<sup>137</sup> PRO SP 94/130 (unfoliated), Keene to Newcastle, 16 June (NS) 1738.

<sup>138</sup> BL Add Ms 9131, ff. 235-7, 'Points, to be Consider'd with regard to the Depredations of Spain'.

A naval war was an emotive part of the 'blue water' thinking which went back to the opposition to the costly continental campaigns of Marlborough. The Hanoverian ministry was thought to favour expensive wars in northern Europe, tying down resources in subsidies and creating a larger standing army at home. The way to success and freedom lay rather in naval conquests overseas.<sup>139</sup> The prospects for a successful war were not nearly so clear to those whose job it was to do the planning as they were to the talkers in coffee shops and the buyers of satiric prints. Popular ideas of the prospects of war were rooted in the notion of the impotence of Spain, and especially of the Spanish colonists. One of the British government's early intelligence assessments nicely summarised the optimistic view of colonial strength on both sides; 'the Spaniards have no force in the West Indies, but what may be entirely destroyed the first year, by our Men of War, who need stay but one year there, and leave the Rest to our Plantations to do'. The plantations were to drive out the peninsular Spaniards at less expense than they had faced in providing ships for Queen Anne's wars, and 'will be very well Satisfyed with what Plunder they get for their Labour'.<sup>140</sup> As well as the belief in lucrative plunder, two other ideas underlay this optimistic assessment. One was the notion that one galley manned 'with such brave people as the Americans are' would beat five French or Spanish galleys, and the other was the belief that the colonial subjects of New Spain were ripe for an overthrow of their masters, and would heartily join the invaders.<sup>141</sup>

The belief in treasure is central to understanding the appeal of a war against Spain in the popular mind. The distinguishing feature of the Spanish empire was its command of huge quantities of gold and especially silver, shipped regularly in bullion fleets to the Old World; some fifteen million *pesos* in 1737 alone.<sup>142</sup> Drake's raid on Nombre de Dios, and

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<sup>139</sup> D.A. Baugh, 'Great Britain's "Blue Water" Policy, 1689-1815', *International History Review*, 10, (1988), pp. 33-58.

<sup>140</sup> BL Add Ms 19036, ff. 10-11, [possibly Capt. Cole], 'List of Reasons for a War against Spain', June 1738.

<sup>141</sup> *Ibid.*

<sup>142</sup> J. Lynch, *Bourbon Spain 1700-1808* (1989), gives a useful summary table of treasure figures, p. 155. A more detailed breakdown by individual years, but given in *piastres*, is M. Morineau, *Incroyables gazettes et fabuleux métaux. Les retours des trésors américains d'après les gazettes hollandaises (XVI<sup>e</sup> - XVIII<sup>e</sup> siècles)* (1985), p. 368. The years after 1735 were poor by historical standards, but even so amounted to (roughly) 8.3 million *pesos* in 1736, 15 million in 1737, 8 million in 1738, and 7.5 million in 1739 and 1740.



his captures of the *Cacafuego*, the *San Felipe* and the *Santa Anna* were fabled examples of the seizure of this wealth. Few Britons in the 1730s doubted the ability of the Royal Navy to do perform similar feats. One scholar has recently claimed that an interest in treasure alone was dead after 1727, and that the war which began in 1739 was aimed at 'permanency and real security' in the form of colonial captures.<sup>143</sup> This is a misleading formulation, as an interest in treasure remained pronounced well into the 1740s, and colonial captures were often valued for the treasure they would yield. There was good reason to remain excited about Spanish treasure in the late 1730s, even though the most productive years of the Indies were over. In October 1737 news reached Horace Walpole in The Hague of a newly-discovered silver mine in Mexico.<sup>144</sup> Though Keene could find no good evidence of this, the rumour was enough to stimulate still further the interest in Spanish bullion.<sup>145</sup>

There were four possible types of treasure ships to capture. The galleons (*galeones*) were the ships of the fleet sent out in late summer to the great fairs at Cartagena and Portobello, trading centres of the Viceroyalty of Peru. The *flota* was the similar fleet sent in the early summer to the Central American fair at Veracruz. They of course sailed only when markets were not saturated with illicit goods, and fairs were actually held. Both fleets joined up in Cuba in the early spring after their departure from Old Spain, and returned together laden with bullion and specie. In years when the great fleets did not sail, the *azogues* ships made the journey instead, carrying out mercury for silver smelting, and bringing back the royal bullion which had accumulated since the last sailing. The consolation prize for predatory sailors were the register ships (*registros*), licensed by Philip to trade for specific purposes, and usually carrying valuable luxury cargoes. The value of the treasure fleets was bound to stimulate cupidity: the thirteen *flota* and *azogues* ships of 1737 brought in, according to Keene, 'between 14 and 15 millions in gold and silver, about 2 millions in Fruits; and about 4 millions of Piastres...'.<sup>146</sup>

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<sup>143</sup> D. Crewe, *Yellow Jack and the Worm* (1993), pp. 2-3.

<sup>144</sup> BL Add Ms 32795, f. 376, H. Walpole to Keene, 3 October (NS) 1737.

<sup>145</sup> BL Add Ms 32796, ff. 27-8, Keene to H. Walpole, 21 October (NS) 1737.

<sup>146</sup> BL Add Ms 32795, Keene to Newcastle, 2 September (NS) 1737.

The first, and as it proved delusive, British plan in 1739 was to capture the two *azogues*, a lightning stroke which would at once both ruin Spanish finances and amply compensate Britain for all the costs of armament. It was George II who ordered the *azogues* to be seized, a decision made as soon as Walpole gave him the intelligence that the treasure ships were on their way back to Cádiz.<sup>147</sup> Admiral Haddock's orders to commit this aggression were sent out four months before war was declared, immediately upon the expiry of the time stipulated for Spain to pay its agreed compensation.<sup>148</sup> Admiral Vernon's orders, two months later, were amended to request him particularly to intercept the treasure coming from the Indies.<sup>149</sup> Talk of seizing some of the treasure fleets continued well into the war, with observers abroad and especially the Opposition at home convinced that Britain's navy had such command of the seas that no such fleet could escape them. Bussy in 1740 'talked mightily, that the King was *le Dieu de la Mer*, and would be Master of their Commerce, Treasure &c...'.<sup>150</sup> Horace Walpole disparaged the idea of colonial gains such as this, but even those in the ministry could not absolutely discount the possibility of a lucky seizure. The *Craftsman* even after two years of war was insisting that the war with Spain could be made as profitable as the discovery of America by Columbus was to the Spaniards.<sup>151</sup> A year later, one pamphleteer still clung to the idea that the navy must inevitably capture a great part of the Spanish treasure.<sup>152</sup>

These heady ideas often went along with the very prevalent notion of the goodwill of Spain's colonial subjects towards Britain, and their dislike of their own masters. Shortly before the declaration of war, the inner cabinet listened to a proposal to seize the treasure ships at Manila, and subsequently to keep Manila by treating the natives well.<sup>153</sup> The *Craftsman* pinned its hopes on taking British liberties to American shores.<sup>154</sup> The overseas subjects of Bourbon despots were thought to be ripe to enjoy the blessings of the happy

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<sup>147</sup> BL Add Ms 28132, f. 19, Norris journal 20 June (OS) 1739.

<sup>148</sup> BL Add Ms 19030, ff. 418-9, 'Orders sent to Haddock...', Kensington, 6 June (OS) 1739.

<sup>149</sup> BL Add Ms 32692, f. 222, Newcastle to Vernon, 13 August (OS) 1739.

<sup>150</sup> BL Add Ms 32693, f. 360, Newcastle to Harrington, June 1740.

<sup>151</sup> *Craftsman*, 22 August (OS) 1741.

<sup>152</sup> 'Philalethes', *The Profit and Loss of Great Britain and Spain...* (1742), p. 62.

<sup>153</sup> BL Add Ms 28132, f. 56, Norris journal, 18 October (OS) 1739.

<sup>154</sup> *Craftsman*, 3 June (OS) 1738.



British establishment in Church and State. For these reasons, both Admiral Anson's fleet sent into the Pacific, and Cathcart's expedition to the Caribbean, carried printed manifestos which it was hoped would subvert the allegiance of the discontented subject peoples of the New World.<sup>155</sup> One anonymous experienced seaman in central America believed that it would be easy to take Panama; 'Millions of miserable People wou'd bless their Deliverers; their Hearts and their Mines wou'd be open to us'.<sup>156</sup> Admiral Vernon found, though, that the Spaniards there had seen the error of their ways since the menace of the Darien scheme, and managed to conciliate the natives.<sup>157</sup> The native populations of Cuba and Hispaniola in particular were believed to 'hate the Spaniards mortally'.<sup>158</sup> One army commissary on the West Indies expedition opined that the people there 'love and esteem the English above any other Nation ... they have a great Opinion of our Integrity & honour & Regret our being Hereticks'.<sup>159</sup> This was not perhaps so slight an objection as such advocates believed. It was unlikely to escape the notice of subject colonial peoples that the English were of an alien religion and language, and that their slaveowning practices in the West Indies did not make them the best advocates of freedom and respectful treatment. An object lesson lay close at hand in Minorca, where the blessings of protestant rule were stubbornly resisted. The cabinet were well aware that if a Spanish army landed there, the local population would rise and join them.<sup>160</sup> The army officer charged with assessing the state of defence of Port Mahon in the early months of the war reported that the natives misguidedly detested the British:

at present the Islanders from their Religion are so influenced by the Priests, that they are insensible of the Blessings They enjoy, and such is their Aversion to Hereticks, that They prefer Poverty and oppression, under a Roman Catholick Prince, to Riches and Freedom under a Protestant one; but

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<sup>155</sup> PRO SP CO5/12, f. 77, printed bill in Spanish, detailing the British case about depredations, and promising freedom of religion; BL Add Ms 33028, ff. 387-93, Lord Cathcart's instructions; BL Add Ms 19030, ff. 470-2, 'Heads of a manifesto decided aboard the Centurion'.

<sup>156</sup> BL Add Ms 32694, f. 88, 'An Account of the Havana & other Principal Places belonging to the Spaniards...', August 1739.

<sup>157</sup> BL Add Ms 40287, f. 14, Vernon to Newcastle, 31 January (OS) 1740

<sup>158</sup> BL Add Ms 19036, f. 7, 'The Force of Spain...', June 1738.

<sup>159</sup> BL Add Ms 40287, f. 73, Opinion of David Campbell..., 12 January (OS) 1741.

<sup>160</sup> BL Add Ms 28132, ff. 153-4, Norris journal, 25 February (OS) 1740.

particularly on all Occasions of Differences, the Confessors are prompted to exert their Authority among those Bigots.<sup>161</sup>

Though the idea of a widespread uprising in the Americas continued to be popular among the West Indian planters, propounded for example by Governor Trelawney, it was never more than wishful thinking.<sup>162</sup> The Jacobites were no more, but certainly no less, realistic in their hopes of promoting a successful insurrection in Jamaica, using the Maroons of the interior, after which rebellion would sweep through all Britain's other possessions.<sup>163</sup>

Less comment is needed on the jingoistic notion of the strength of the British tar or soldier compared with the cowardice of the puny Spaniards.<sup>164</sup> This was a staple of the press comments on the British seamen kept as prisoners in Cadiz: their plight was all the more unnatural because only their chains could make them inferior to their captors.<sup>165</sup> They were 'a *People*, whose Power we have always scorn'd and subdued, whenever brought to a Trial'.<sup>166</sup> The odds on British pluck were even stronger overseas: an eyewitness at Campeche claimed to 'have seen one of our Seamen in a quarrell, make half a score of them fly'.<sup>167</sup> This prejudice was equally strong among both the masses and their betters. Horace Walpole the younger gleefully described a perfect example of it early in the war, when a rumour circulated in Naples that Admiral Vernon had captured

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<sup>161</sup> BL Add Ms 35406, f. 182, Major Whiteford's account of the fortifications of Port Mahon, 11 April (OS) 1740.

<sup>162</sup> F.J. Manning, 'The Duke of Newcastle and the West Indies. A Study in the Colonial and Diplomatic Policies of the Secretary of State for the Southern Department', unpublished Ph.D. thesis, Yale, 1925, Vol. 2, pp. 488-502.

<sup>163</sup> 'Il paroît en Premier Lieu qu'il seroit aise de proffiter des bonnes dispositions des habitants en faveur du Roy Jacques pour pratiquer un Soulevement dans le pays en sa faveur quy seroit soutenu aisement par les Negres Rebelles des Montagnes sy en leur donnant des armes on leur prometoit la liberté et un petit terrain à chaque famille pour Recompence apres la Guerre.'; Windsor RA Stuart Mss, 209/53, Memoir presented to Cardinal Acquaviva, 9 September (NS) 1738.

<sup>164</sup> Anyone willing to brave the excruciating verse can find ample evidence of this idea in C.H. Firth (ed), *Naval Songs and Ballads*, Navy Records Society, XXXIII (1908), pp. 170-186.

<sup>165</sup> *Craftsman*, 11 February (OS) 1738; see above, p.138.

<sup>166</sup> *Craftsman*, 19 August (OS) 1738.

<sup>167</sup> BL Add Ms 32694, f. 77, An Account of the Havana & other Principal Places belonging to the Spaniards....



Portobello. The Prince di Santo Buono, chamberlain to King Charles and the son of a Spanish governor in the Indies, refused to believe the news. 'Having seen Porto Bello himself, he pronounced it impregnable, if there were any men in it: Lord Deskfoord told him he did not know that, but there were five hundred Spaniards.'<sup>168</sup> Their liberties, it was believed, gave Britons heroic valour, while 'nothing but want of Thought can make these Slaves to arbitrary Power brave...'.<sup>169</sup> Such views explain the early confidence that it would be enough to have the 'West Indies let loose on ye Spaniards'.<sup>170</sup>

The beggarly state of the troops of Spain was also a matter of comment. Waldegrave reported, a year into the war; 'By all accounts the Spanish Troops are in a miserable Condition, the Common Soldiers are naked, and the officers look like beggars and are not much better'.<sup>171</sup> The impression was confirmed by a band of twenty-nine prisoners brought ashore a year later. *The Champion*, in the person of Fielding's partner Ralph, commented; 'They appear to be a pack of abandoned Wretches, ragged and dirty'.<sup>172</sup> Along with this disparagement went the notion that the defences of Spain in the Americas were weak and ill-manned. Oglethorpe was confident that he could take the Havana with only two battallions, with help from his Indians and from Vernon's fleet. The garrison was weak and made up of discontented and unpaid troops, and the town full of women, children and priests.<sup>173</sup>

Both ideas were flattering to British prowess, but unfounded. The state of military readiness in Central America was very different from what it had been in Elizabethan

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<sup>168</sup> W.S. Lewis (ed), *Yale Edition of Horace Walpole's Correspondence*, Vol 17 (1955), p. 7, Horace Walpole jr. to Sir Horace Mann, 23 April (NS) 1740.

<sup>169</sup> BL Add Ms 35605, f. 161, Lord Deerhurst to Philip Yorke, 11 July (OS) 1743.

<sup>170</sup> BL Add Ms 32993, f. 59, 'To be proposed to the Cabinet Council', 3 June (OS) 1739. BL Add Ms 40287, f. 10, Wager to Vernon, 19 July (OS) 1739; 'The West Indies, I mean our Part of it, you see, is let loose upon the Spaniards, and I hope they will be able to do them some Mischief'.

<sup>171</sup> PRO SP 78/224, f. 51, Waldegrave to Newcastle, 24 September (NS) 1740.

<sup>172</sup> *The Champion*, 23 July (OS) 1741. The best short summary of that newspaper's structure and outlook is M.C. & R. Battestin, *Henry Fielding. A Life* (1989), pp. 257-89.

<sup>173</sup> CUL Ch (H) Corresp 2942 & 2948, Oglethorpe to Walpole, 25 January & 2 April (OS) 1740.

times.<sup>174</sup> It was true that the Spanish preparations there lacked glamour, and were all geared towards defence, but the leading scholarly study of the subject concludes that this was a strength which ensured success against both invaders and internal rebels throughout the century. The defensive Spanish 'army of settlement' (*ejercito de dotacion*) did its duty.<sup>175</sup> There had been a considerable effort of defence reorganisation during the reign of Philip V, and especially in Patiño's time, involving the spending of large sums on fortifications, and laying down rules for the conduct of them.<sup>176</sup> Though this was well enough known, the significance of static fortifications, 'the backbone of the defence', according to Richard Harding, was underestimated both then and by later historians.<sup>177</sup> British observers tended to estimate the strength of the colonial defences by the numbers of troops sent out from Old Spain.

More than four hundred soldiers were sent out to the Havana in July 1737 to reinforce its critical garrison.<sup>178</sup> The force assembled there was indeed so considerable that it at once gave rise to suspicions of a great expedition against Georgia.<sup>179</sup> Just as relevant to the state of the colonial defences was the level of sickness there, and in early 1738 there was raging in the West Indies 'an epidemical distemper, little less than a plague', which killed many of the recently arrived European soldiers.<sup>180</sup> This did not, however, automatically mean that the garrisons were defenceless. Disease took a greater toll of non-acclimatised Europeans than of those brought up in those regions, whose resistance was far greater.

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<sup>174</sup> K.R. Andrews, *Elizabethan Privateering. English Privateering during the Spanish War 1585-1603* (1964), pp. 171-5.

<sup>175</sup> 'Toda su estructuaricón y su funcionamiento va dirigido a conseguir la máxima eficacia en la defensa de las Indias contra todo peligro, tanto externo como interno... En definitiva, los establecimientos ingleses sobre el territorio americano fueran mínimos, luego quiere decir esto que el sistema defensivo español funcionó, mejor o peor, pero el Ejército de América cumplió su cometido.' J.M. Fernández, *Oficiales y Soldados en el Ejército de America* (1983), p. 167.

<sup>176</sup> J.M. Fernández, *Oficiales y Soldados*, p. 51.

<sup>177</sup> The rôle of fortifications is scrupulously evaluated in Harding, *Amphibious Warfare*, pp. 154-69.

<sup>178</sup> BL Add Ms 32795, ff. 49-50, Keene to Newcastle, 1 July (NS) 1737.

<sup>179</sup> BL Add Ms 32797, ff. 273-5, anonymous letters of 10 & 20 February (OS) 1738, enclosed in Newcastle to Keene, 12 April (OS) 1738.

<sup>180</sup> BL Add Ms 32797, ff. 35-6, Keene to Newcastle, 3 February (NS) 1738, BL Add Ms 32798, f. 50, Cayley to Keene, 13 May (NS) 1738.



The colonists, too, were far more involved than formerly in the defence of their main towns, and Spanish documents show a continuous readiness among the governors and chiefs.<sup>181</sup> Though regular troops gave added strength, the colonial militia were themselves not a negligible force when defending suitably fortified places, and the creole sergeant class were the backbone of the more efficient modern garrisons.<sup>182</sup> This would always give the Spanish system of defence an important advantage against freshly arrived bodies of troops from the Old World.<sup>183</sup> The popular British vision of treasure-stores defended only by inferior and cowardly poltroons was destined to fade before the reality of hardened colonials defending their own property, and with tropical disease and climate to help them.<sup>184</sup>

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<sup>181</sup> Fernández, *Oficiales y Soldados*, pp. 173-4.

<sup>182</sup> Fernández, *Oficiales y Soldados*, pp. 31-2.

<sup>183</sup> The entire range of British difficulties in attacking Spanish commerce and possessions, including the effects of disease and the seasoned Spanish colonial militia, was incisively predicted by the remarkable Sicilian abbés; PRO SP 78/218, ff. 148-54, paper enclosed in Waldegrave to Newcastle, 6 June (NS) 1738.

<sup>184</sup> D. Crewe, *Yellow Jack and the Worm. British Naval Administration in the West Indies, 1739-1748* (1993); R. Harding, *Amphibious Warfare*; J.R. McNeill, 'The Ecological Basis of Warfare in the Caribbean, 1700-1804', in *Adapting to Conditions. War and Society in the Eighteenth Century* (1986), ed. M. Ultee.

However bitter the later reality may have been, it was the alluring vision of war which animated the public in the summer of 1738, and which ministers had to contend against. Geraldino complained of the difficulty of negotiating 'in a Country where reason and justice cannot prevail, unless accommodated to the opinion of the people'.<sup>1</sup> Nonetheless, the negotiations were at first successful. Couriers arrived from Spain on 13 August (NS) 1738, with the crucial reply to the proposals which Geraldino had shaped and approved. Horace Walpole summarised the ministry's early response to this Spanish answer; 'it is not so satisfactory as was to be wished, but it is such as requires great consideration whether it deserves the hazarding the consequences of a war...'.<sup>2</sup> This was a critical point, at which ministers had to decide whether peace was worth obtaining at the price of concessions and political difficulty at home. Geraldino noted the highly unusual departure from cabinet routine occasioned by the despatches:

As the Ministry here were already informed of them, they had called a Cabinet Council, which mett at noon & did not rise till after 5, tho' the regular practice of that Council is to make themselves acquainted with the Affairs at their first meeting, and to put off to another the voting upon them.<sup>3</sup>

Some of the vexed issues would have to be left to plenipotentiaries to settle later on, but within three more weeks the negotiations for a convention between the two countries were concluded. On 9 September (NS) 1738 Geraldino signed, on the authority of a special full power from his sovereign, a convention of preliminary articles for a full definitive treaty. On the British side, George II gave full powers to a working group of the Lord Chancellor, the two Secretaries of State, and Sir Robert Walpole.<sup>4</sup> Though considerable further negotiation of detail remained, agreements had been reached and signed which could lay out a path to peace, if both parties were determined to pursue it. In both Britain and Spain, though, that determination was flawed. The rumour in London

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<sup>1</sup> PRO SP 94/206, f. 179, Geraldino to St. Gil, 1 July (NS) 1738.

<sup>2</sup> HMC, *Fourteenth Report*, Trevor Mss, p. 21, Horace Walpole to Trevor, 19 August (NS) 1738.

<sup>3</sup> PRO SP 94/206, f. 199, Geraldino to St. Gil, 19 August (NS) 1738.

<sup>4</sup> PRO SP 94/206, f. 217, Geraldino to St. Gil, 12 September (NS) 1738.



was that the ministers were divided about the wisdom of the convention, until Walpole took it on himself to see it through.<sup>5</sup> Geraldino at least was delighted at his part in averting a bloody war, after eight months of tedious diplomatic effort.<sup>6</sup> La Quadra on the other hand, far removed from the atmosphere of London, was very cool about the agreement signed on his behalf by his ambassador, and disposed to amend the details of payment as far as he could.<sup>7</sup> He told Keene, 'That his Catholick Majesty was extremely surprised at receiving a Convention already signed and sealed, when He had no knowledge antecedent of such a Convention, nor had given his Minister the authority he had assumed to himself'.<sup>8</sup> This was a real feeling of the Spanish court, and not simply a negotiating stance. Spending money freely for intelligence, Keene was assured by his 'friend' and all the other informants he could find that the Spanish ministry had now gone as far as they would in order to avoid war:

They think they do not sacrifice a Little of their Pride in accepting, in the manner they have done, a Convention which they pretend does still contain many Expressions to their disadvantage, besides its having been signed without the least previous knowledge on this side, and by a Minister without sufficient authority.<sup>9</sup>

It was a time when delicate negotiations required the utmost goodwill and skill in those concerned, and it may have been unfortunate that both Keene and Walpole lacked their customary resilience. Keene was ill during most of October and November, and the volume of his letters and apparent business falls off noticeably.<sup>10</sup> No doubt his enthusiasm for his arduous labours was diminished when his requests to be promoted to the rank of Ambassador and Plenipotentiary were turned down.<sup>11</sup> Walpole's heart may not have been fully in his work, either, at this time. Ill and in low spirits throughout August and

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<sup>5</sup> *Craftsman*, 23 September (OS) 1738.

<sup>6</sup> *Ibid.*, f. 223, Geraldino to St. Gil, 23 September (NS) 1738.

<sup>7</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 29 September (NS) 1738.

<sup>8</sup> PRO SP 94/131 (unfoliated), Keene to Newcastle, 13 October (NS) 1738.

<sup>9</sup> *Ibid.*, Keene to Newcastle, 13 October (NS) 1738.

<sup>10</sup> *Ibid.*, *passim*.

<sup>11</sup> *Ibid.*, Keene to Newcastle, 13 October (NS) 1738.

September, he was reported to be recovered in mid-October.<sup>12</sup> The following month, though, Walpole reported to Hardwicke the death of Sir Charles Turner, 'the oldest friend and acquaintance I had in the world'.<sup>13</sup> From this period onwards, Walpole seems to have followed a rhythm in which he would recover his old form, or produce some strong parliamentary performance, only to relapse into ill-health.<sup>14</sup>

The difference made by individuals in diplomacy is hard to document from the surviving, largely formal papers, but is likely to be significant. Less easy to assess is the impact of opinion outside the small circle of the court. It was clear that at a time when diplomatic compromise was within the grasp of the ministry, public opinion was more hostile than ever to the idea of even the smallest concession. The agreements reached in September were only a small distance away from a workable accord between the powers. Yet xenophobia in Britain was at its height, against not just Spain but also - even especially - France. This aversion was strongest among the lower orders: the wealthy (a much resented fact) went abroad, consumed French food and wines, and patronised French plays and Italian operas. It was not merely a visceral prejudice, however. Anti-French feeling was fuelled and justified by ideas of the contrast between British liberties and foreign popery and tyranny. Black has argued that; 'Europe was a stage depicting what would happen to Britain were it to be misgoverned...'<sup>15</sup> There was also a keen awareness of the threat from French trade. One subscription paper, which joined a newsheet to a part publication of the Old and New Testament, was roused to unusually explicit political comment by French commercial rivalry. After a report on restrictions imposed at Marseilles on British ships, the *London and Country Journal* denounced the French as the

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<sup>12</sup> HMC, *Fourteenth Report*, Trevor Mss, pp. 20-23, sundry letters from H. Walpole; PRO SP 94/206, f. 233, Geraldino to St. Gil, 14 October (NS) 1738.

<sup>13</sup> BL Add Ms 35586, f. 137, Walpole to Hardwicke, 25 November (OS) 1738.

<sup>14</sup> He was prone to sudden fits, for which he was treated with 'quinquina'; PRO SP 107/27 (unfoliated), Ossorio to Marquis d'Ormea, 4 May (NS) 1739. The symptoms included shivering, sweating and vomiting, and from 1739 onwards they frequently recurred. See e.g. BL Add Ms 15946, f. 35, Newcastle to H. Walpole, 11 September (OS) 1739; PRO SP 107/32 (unfoliated), Sohlenthal to de Schulin, 25 September (NS) 1739.

<sup>15</sup> J.M. Black, 'The Challenge to Autocracy: the British Press in the 1730s', *Studi Settecenteschi*, 3-4, 1982-3, p. 111. He makes the case for a genuine fear of standing armies and an absolutist state.



real enemy; 'Surely this will make us rub the Film off our Eyes, if anything can'.<sup>16</sup> The *Evening-Post* also saw the French as the root of the trouble.<sup>17</sup> So apparently did the London crowd. At the Haymarket theatre, a visiting French company found it impossible to present their entertainment. The barracking was begun early, and obstinately maintained: 'the Cry on one Side the Galleries was, *No Soupe Maigre*, and the other Side answer'd in a different Tone, *Beef and Pudding...*'. The players struggled to be heard, and in desperation 'to please the Audience, one of the Mademoiselles fairly shew'd her A—— but it being *Foreign Goods* gave no Content'.<sup>18</sup> Only a subsequent subscription among the nobility enabled the Gallic troupe to leave the country.

This demonstrative popular hostility flared up just as the final stage of negotiations was reached. In mid-November the prospect of agreement seemed to have vanished. The Spanish ministry attached various explanations and conditions to the agreements reached in London, to the extent that George II could not accept their complex and strained ratifications.<sup>19</sup> On some points la Quadra was persuadable. He had softened his court's position over freedom of the seas, and Georgia for example.<sup>20</sup> On the question of the South Sea Company's demands, though, and in particular the Spanish determination to cancel the Asiento as a last resort, la Quadra was adamant. Philip was to ratify the convention not as it stood, but only insofar as it conformed to the explanations annexed by Spain, which were not to be altered.<sup>21</sup> The Spanish resolve to, in effect, annul a treaty,

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<sup>16</sup> 20 February (OS) 1739.

<sup>17</sup> *London Evening-Post*, 12 August (OS) 1738.

<sup>18</sup> *London Evening-Post*, 12 October (OS) 1738

<sup>19</sup> PRO SP 94/132 (unfoliated), Newcastle to Keene, 13 November (OS) 1738.

<sup>20</sup> BL Add Ms 32799, ff. 144-53, Keene to Newcastle, 13 October (NS) 1738.

<sup>21</sup> 'Por tanto en virtuo dela presente apruebo, y ratifico todo la comprehendido en la mencionada Convencion en lo que no se opone, ô, contraviene a la Explicacion añadida alos Articulos 1º y 2º. Segun queda Expuesta, literalmente, y sin ampliacion alguna, y en cuyos Terminos se han de entender observar y practicar los puntos concernientes a ella, y no como están en la Convencion.', PRO SP 94/132 (unfoliated), in Newcastle to Keene, 13 November (OS) 1738.

caused a formal cabinet meeting to be held to decide upon the heads of the next letter to Keene.<sup>22</sup>

The ministry needed to keep the South Sea business entirely distinct from the negotiations between the two crowns, no easy matter since both negotiations were so intertwined. Geraldino believed that the delays were entirely due to the private and impertinent demands of the South Sea Directors. When he protested to the ministry, he was told that the Company interested the public so much that its demands could not be disregarded.<sup>23</sup> At one point in November, after Newcastle's hurried departure from an inner cabinet meeting, Walpole sent to know if they had agreed to send to Keene copies of various papers relating to the Asientists' claims on Spain. Newcastle in some alarm insisted that they must adhere strictly to the method proposed, to keep the affairs of the Company and those of the Government absolutely separate.<sup>24</sup> This was impossible to do, as was embarrassingly obvious when negotiations broke down, but the delicate balancing act had to be attempted.

An internal balance had also to be preserved within the inner cabinet. Newcastle leaned heavily on his brother Pelham and on Lord Hardwicke, who in turn had to palliate every cause of offence, and reconcile and explain Newcastle constantly to Walpole, and vice versa. The advisers involved in framing letters for Spain, and Walpole's dislike of Newcastle's stiff and pugnacious drafts, are made clear in a letter from Pelham in mid-November:

This morning we read over your dispatches together, and Sir Robert, I can assure you, not only in the conclusion, but as he went along, approved of every paragraph in your letter. I did not tell him that I had your original

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<sup>22</sup> BL Add Ms 32799, ff. 244-5. Present were the Archbishop of Canterbury, the Lord Chancellor, Lord President, Lord Privy Seal, Lord Steward, the Duke of Devonshire, Lord Pembroke, Lord Ilay, Lord Harrington, Sir Robert Walpole and the Duke of Newcastle.

<sup>23</sup> PRO SP 107/22 (unfoliated), Geraldino to St. Gil, 18 November 1738. His exact words were: 'A lo que este Ministerio me respondio, declarando que por lo respectivo a los Negocios Publicos de cuye acomodamto. hacia side el objecto do la Convenzn. no se le Ofrecia reparo alguno, que pudiesse embarazar el Cauxe [sic] de las ratificaz<sup>nes</sup>: pero que la Comp<sup>a</sup> del Asiento interesaba tan considerablem<sup>te</sup> al comun que no podia el Ministerio desatenderla'.

<sup>24</sup> BL Add Ms 32799, f. 211, Newcastle's draft comment, endorsed on Pelham to Newcastle, 5 November (OS) 1738.



draught, nor did he insinuate that you had any assistance in forming it. I am glad you took Lord Chancellor's alterations; for though they don't make any great difference in the substance of what you wrote, yet it makes your orders introduced in a manner more agreeable to the present system, than your way of writing was; what I mean is, yours had more of what Sir Robert calls 'invita Minerva'.<sup>25</sup>

An undated letter from the same period shows the nature of the struggles in the inner circle. Newcastle complained to Hardwicke about his apparent tendency to withdraw (not unreasonably, the Lord Chancellor might have felt) into the duties of his own office. It was a cry for help against 'measures started in a hurry, often first in the closet, executed with precipitation'. Without the aid of both Pelham and Hardwicke, he complained, he could not 'resist by myself the torrent'. 'My brother has all the prudence, knowledge, experience, and good intention, that I can wish or hope in a man, but it will, or may, be difficult for us alone to stem that which, with your weight, authority and character, would not be twice mentioned.'<sup>26</sup> Such tensions were all the more unfortunate, given the extreme delicacy of the entire Convention discussions. Since negotiations began in earnest, the British and Spanish couriers had even been travelling together, so as to avoid any misunderstandings or frictions caused by letters arriving at different times.<sup>27</sup>

While these careful steps were being taken to ease the two countries towards a genuine settlement, there came a new provocation certain to stimulate the prejudices of the public. A fresh case emerged of a Briton being held prisoner in Cádiz, an incident well timed to revive memories of the 'slaves' of the previous year. Captain Jason Vaughan of the ship *Sarah* was detained in prison though his crew were quickly released, and no unusual or cruel treatment was reported.<sup>28</sup> A Jacobite observer in Cádiz expected benefits from the timing of the sailors' return: 'as in all probability they may arrive about the opening of the Parlement I am hopefull this will occasion new Clamours'.<sup>29</sup> This it speedily did, not least

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<sup>25</sup> W. Coxe, *Memoirs of the Administration of the Right Honourable Henry Pelham* (2 Vols, 1829), I, pp. 11-12.

<sup>26</sup> All quotations from W. Coxe, *Memoirs of the Administration of the Right Honourable Henry Pelham* (2 Vols, 1829), I, p. 40, Newcastle to Hardwicke, nd.

<sup>27</sup> BL Add Ms 32799, ff. 286-7, Waldegrave to Keene, 28 November (NS) 1738.

<sup>28</sup> BL Add Ms 32800, f. 45, Keene to Newcastle, 26 January (NS) 1739.

<sup>29</sup> Windsor RA Stuart Mss, 211/161, Edward Marjoribanks to Edgar, 16 December (NS) 1738.

because the *Sarah* was taken some fifty-five leagues out to sea. The *Craftsman* launched an editorial setting the stakes impossibly high in any treaty negotiations. 'Caleb d'Anvers', from his own chambers, demanded that there must be no 'SEARCH of our *Ships* at Sea, though but a Cable's Length from the *French* or *Spanish* Ports'.<sup>30</sup> Vaughan's seizure, though, was not an instance of depredations in the customary mould. Indeed the case was aggravated by the fact that the ship was taken by a Spanish warship, a snow on her way from Carthagen to Havana, and the British flag insulted. Spain's colonial forces, on a war footing, and awash with rumours that war had begun, seem to have jumped the gun.<sup>31</sup>

Vaughan wrote to his owners from prison, in strongly political terms, urging that the government should use action, not memorials.<sup>32</sup> The letter was speedily reprinted in the press.<sup>33</sup> The *London Evening-Post* in particular took up the incident as fiercely as those 'slavery' cases which had brought it to the fore in the previous year. The *Craftsman* took a rather quieter approach. That paper had recently lowered the temperature of its readers by moving away from depredations and emphasising much more the question of commerce. It had devoted several weeks to the issue of how to increase the nation's trade, the chief conclusion being that it was absolutely impossible for there to be a genuine peace with our chief commercial rival, France.<sup>34</sup> Though this was suited to the prejudices of its readers, it was not such an immediately striking approach as that of its rival. The *Craftsman* was somewhat in decline at this time, though it continued to be the newspaper which foreign diplomats read and sent abroad, as representing the sense of the Opposition, if not the nation.<sup>35</sup> At home it was outdone by the *London Evening-Post*, which had been taken over by J. Meres in 1737 and soon transformed.

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<sup>30</sup> *Craftsman*, 30 December (OS) 1738. On the uses of the eidolon Caleb d'Anvers, and its intended associations, see S.R. Varey, 'The *Craftsman* 1726-1752. An Historical and Critical Account', unpublished Ph.D., Cambridge 1977, pp. 61-4.

<sup>31</sup> PRO SP 94/134 (unfoliated), Anthony Welden to Court of Directors of South Sea Company, 6 August (OS) 1738.

<sup>32</sup> BL Add Ms 32800, f. 81, Vaughan to owners, 4 December (NS) 1738.

<sup>33</sup> *London Evening-Post*, 30 December (OS) 1738; [A. Boyer], *The Political State of Great Britain*, LVII, January 1739, pp. 29-31; *Craftsman*, 6 January (OS) 1739.

<sup>34</sup> *Craftsman*, 25 November to 16 December (OS) 1738.

<sup>35</sup> J.M. Black, *The English Press in the Eighteenth Century* (1987), pp. 227-8



Late in the summer of 1738, the *London Evening-Post* was still in the shadow of the senior publication, approvingly quoting the *Craftsman* as the voice of the people.<sup>36</sup> Thereafter it rapidly developed its own voice, cynical about the moneyed interest, shrewd on ministerial manipulation of the news, and stridently anti-French.<sup>37</sup> Meanwhile 'Caleb d'Anvers' was feeling the pressure of competition, and reduced to complaining about the uneven effect of the stamp duty. This tax hurt law-abiding papers like his own, but was evaded by a dozen unstamped sheets circulating at a halfpenny or a farthing: why, he plaintively asked, was the government not punishing these bare-faced offenders?<sup>38</sup> G.A. Cranfield has argued that the *Post* was influential particularly in the country, as it gave more news than the *Craftsman*, which relied on a heavy diet of editorial opinion. Soon the *London Evening-Post* was drawn upon heavily by almost the entire country press, both for its news items and for its distinct Patriot politics.<sup>39</sup> Its more polemical style made it very effective in London, too. In 1740 it was seen by one agent of the Pretender as the leading voice of the 'malecontents', and Meres was described as himself a professed Jacobite.<sup>40</sup>

Faced with the varied press assault over Vaughan, ministers must have wished that they could share the nonchalance of Cardinal Fleury. Speaking frankly to Waldegrave, he said; 'he had always let the People say what they would, but did what he pleased. That the King was a good deal in the same way, and did not mind what People thought'.<sup>41</sup> British political life was very different. Though Keene soon procured the release of Vaughan, and earned his gratitude with other favours, the wronged captain's return home was bound to cause a sensation, which would promote the cause of opposition.<sup>42</sup> In poignant contrast to the sufferings of British sailors, the well-manned navy lay idle. Admiral Balchen at Christmas went to Portsmouth to strike his flag. He had spent four months in Plymouth in

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<sup>36</sup> *London Evening-Post*, 19 August (OS) 1738.

<sup>37</sup> *London Evening-Post*, 24 August, 9 September (OS) 1738.

<sup>38</sup> *Craftsman*, 2 December (OS) 1738.

<sup>39</sup> G.A. Cranfield, 'The *London Evening-Post*, 1727-1744: a Study in the Development of the Political Press', *Historical Journal*, VI, 1, 1963, pp. 20-37.

<sup>40</sup> Windsor RA Stuart Mss, 2227/186, Cockburn to Edgar, 27 October (OS) 1740.

<sup>41</sup> PRO SP 78/219, f. 224, Waldegrave to Newcastle, 8 December (NS) 1738.

<sup>42</sup> PRO SP 94/133 (unfoliated), Vaughan to Keene, 10 February (NS) 1739.

the same plight as the forlorn sailor in the current popular print, 'The British Hercules'. Leaning disconsolately on an anchor within sight of the moored Spithead fleet, the sailor holds in his hand a paper bearing the words; 'I wait for orders'.<sup>43</sup> One lady there expressed the, no doubt common, regret at having passed up the chance of easy conquests in the Caribbean; 'Admiral Stuart I reckon is sorry that he should not have one Feast upon the Spaniards before the Peace was made'.<sup>44</sup> The Vaughan case, by contrast, drove home the realisation that any feasting that might be going on was at British expense. It unavoidably therefore became entwined in the national negotiations. In the same full cabinet meeting which advised the King to accede to the final form of the convention with Spain, the ministers discussed the application of the proprietors of the *Sarah*.<sup>45</sup>

Newcastle's letters to Keene capture the frustration of the ministry's position. On the one hand they wished to promote good relations even to the extent of an alliance, implicitly against France, which 'might tend to the Preservation of the Balance of Power in Europe, and prevent any one from aggrandising itself in such a Manner, as to become formidable to the rest'.<sup>46</sup> At the same time they had to insist in peremptory fashion on Spain's putting a stop to all such depredations, and giving guarantees for the future.<sup>47</sup> The timing of the Vaughan case, stiffening British demands and highlighting the issue of freedom of the seas, made it much more important as a contributory cause of war than that of Jenkins's ear. It was obvious to ministers, in any case, that freedom from search was the crucial problem, and they had given a great deal of thought to ways in which to secure some acceptable rule of navigation. It lay within the province of Horace Walpole to advise how this could be incorporated into a future treaty, though of course Newcastle was bound to set out his own ideas. Hardwicke advised on these, but was anxious that Horace should not know it. He told the Duke in October 1738, when returning detailed draft comments:

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<sup>43</sup> P. Langford (ed), *Walpole and the Robinocracy* (1986), pp. 160-1.

<sup>44</sup> BL Add Ms 22256, f. 44, Juliana Cleveland to Lady Anne Strafford, 29 December (OS) 1739.

<sup>45</sup> PRO SP 94/134 (unfoliated), cabinet meeting 22 January (OS) 1739.

<sup>46</sup> BL Add Ms 32800, f. 77, Newcastle to Keene, 26 January (OS) 1739. The ministry's views on France and the balance of power are discussed in J.M. Black, *Natural and Necessary Enemies. Anglo-French Relations in the Eighteenth Century* (1986), pp. 34-5.

<sup>47</sup> *Ibid.*, ff. 72-4.



Mr. Walpole made me a Visit last night. I said not one Syllable of your Project, or of my having seen one Word of it, therefore I begg your Grance not to give any hint of my being at all privy to it.<sup>48</sup>

The final negotiation of the Convention signed at the Pardo on January 1739 was attended with confusion and delay entirely typical of the preceding discussions. This critical convention could not command the entire attention of the Spanish court so long as there were religious festivals, family marriages or even ceremonial pleasures to absorb their Majesties' attention. Keene was fated to meet with 'Birthdays and other Amusements, which have busied their Majesties at this Critical Juncture'.<sup>49</sup> The different sense of priorities at the two courts can be vividly seen at this time. George II, acutely aware of the voice of the London people and of the approach of a new session of Parliament, saw the convention with Spain as the chief business of his government.<sup>50</sup> Next only to that was his anxiety to prevent France from disturbing the balance in Europe during the Anglo-Spanish disputes. He was urging his ministers to see if 'some stop cannot be put to the Torrent of their Success at present'.<sup>51</sup> Philip and Elizabeth had other preoccupations, constantly together as they were and secluded in their stately apartments at the Pardo, to which foreign ambassadors, and many Spanish courtiers, had to make a daily sixteen mile round journey. An exasperated Keene burst out in indignant comment:

Can you well believe that such is the Infatuation here that more serious Moments have been spent in choosing Patterns for Lacing & embroidering the Uniforms they have given to all the officers of the Household, than in thinking of our Affairs?<sup>52</sup>

Another absorbing topic for the Spanish court - far more absorbing to la Quadra than his letters from Geraldino - was the negotiation of marriages which would tie France and Spain doubly together.<sup>53</sup> This was no less than the marriage of a Spanish princess to the

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<sup>48</sup> BL Add Ms 32799, f. 172, Hardwicke to Newcastle, 9 October (OS) 1738.

<sup>49</sup> BL Add Ms 32800, f. 4, Keene to Newcastle, 13 January (NS) 1739.

<sup>50</sup> BL Add Ms 32800, ff. 76-7, Newcastle to Keene, 26 January (OS) 1739.

<sup>51</sup> BL Add Ms 32800, ff. 24-37, quotation f. 31, Newcastle to Waldegrave, 5 January (OS) 1739.

<sup>52</sup> PRO SP 94/133 (unfoliated), Keene to Couraud, January 1739.

<sup>53</sup> See above, p. 114.

French Dauphin, and a French princess to the Infante Don Philip.<sup>54</sup> It was a sign of the rapprochement between the two powers, despite Fleury's continued dislike of Elizabeth; 'the name of Bourbon makes him overlook all private grudges'.<sup>55</sup> Such a development was so important to Britain that Newcastle even authorised Waldegrave to pay Bussy the 50,000 livres which he demanded for fuller information.<sup>56</sup> The payment must have seemed poor value when, three weeks later, Louis XV made a public announcement of the marriage (a single one only as yet), between his eldest daughter and the francophile Don Philip.<sup>57</sup> Dynastic marriages such as this were part of the fabric of diplomacy. Along with this one went detailed negotiations for a most-favoured-nation treaty between France and Spain, well advanced by April, which would guarantee French support for the King of Naples.<sup>58</sup>

The one British issue which did constantly occupy the attention of the Spanish court was the tricking conduct of the South Sea Company, resentment of which runs through all the Spanish discussions. The Company had refused, even with an international agreement awaiting signature, to concede two points on which Spain insisted. One was to accept as legitimate the debt due to the illegal private profit made by the *Royal Caroline* in 1732. The other was to pay their debts at the rate of fifty-two pence sterling per dollar.<sup>59</sup> The invincible obstinacy of the Company's stand was highly offensive.<sup>60</sup> No sooner was the Convention signed than the Directors denied that they had agreed in the past that they actually owed £68,000 to the Spanish crown. Their case was that this sum was agreed only conditionally, on the basis that first Philip V should settle the account of the

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<sup>54</sup> Intelligence of it was first given by the surviving Sicilian abbé, Caracciolo; PRO SP 78/219, f. 284, Waldegrave to Newcatle, 24 December (NS) 1739.

<sup>55</sup> BL Add Ms 32800, f. 66, Waldegrave to Keene, 3 February (NS) 1739.

<sup>56</sup> BL Add Ms 32800, ff. 112-5, Newcastle to Waldegrave, 1 February (OS) 1739.

<sup>57</sup> PRO SP 78/220, f. 78, Waldegrave to Newcastle, 25 February (NS) 1739.

<sup>58</sup> BL Add Ms 32800, ff. 262-8, Waldegrave to Newcastle, 20 April (NS) 1739. Horace Walpole had lively fears of the outcome; HMC *Fourteenth Report*, Trevor Mss, p. 28, H. Walpole to Trevor, 17 April (OS) 1739.

<sup>59</sup> Simancas, Estado, Legajo 6907 (unfoliated), la Quadra to Keene, 29 December (NS) 1738.

<sup>60</sup> '... hace vèr una obstinación invincible en la compañía à no pagar lo que tan legitimamente debe', *Ibid.*



*represalias*, and give to the Company satisfactory security for their reimbursement.<sup>61</sup> In trying to palliate this offence, Keene must have given still further umbrage. He reminded la Quadra that the Directors had a mandate from the General Meeting of the Company. They ran the risk of censure by that body if they settled the accounts before the court of Spain saw fit to answer the Company's queries.<sup>62</sup>

Keene urged la Quadra to sign the convention as soon as possible, and then appoint ministers to thrash out, with himself, the disputed balances. Though he promised that it would take not more than eight to ten days to put an end to this 'affaire epineuse', the Spanish minister was not impressed.<sup>63</sup> To put the House of Bourbon to the question of a group of London merchants, and to represent their censure as more important to the Directors than that of the King of Spain, cannot have seemed appropriate to the minister who was one of Spain's most newly-made *grandees*. La Quadra replied curtly that the Company were in breach of the *Asiento* agreement, by not paying. The proposal to suspend it (in itself a concession, since the original London document spoke of cancelling it) was merely a response to the *Asientists'* breach of faith.<sup>64</sup> This view of the question was simply not negotiable, and Keene's defence of the notorious conduct of the Company was unlikely to change la Quadra's mind.<sup>65</sup>

Indeed, Keene, in his dual capacity as ambassador and South Sea Company representative, was virtually accused of bad faith. La Quadra protested that nothing less

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<sup>61</sup> CUL Ch (H) Corresp 2833, Burrell & Bristow to Geraldino, 25 January (OS) 1739.

<sup>62</sup> '...ce sont les Directeurs qui ont été chargés de la Négotiation au nom & de la part de la Compagnie, laquelle ayant dans une Assemblée generale, donné plein pouvoir à Ses Directeurs desterminer ses Differends avec la Cour d'Espagne sous telles & telles Conditions, ces Messieurs n'ont pû, sans se départir de leurs Instructions, & s'exposer au ressentiment d'une Assemblée générale, s'engager au payement des 68 mille livres sterling, dans le tems que la Cour d'Espagne avoit jugé à propos de ne point s'expliquer sur plusieurs Articles que la Compagnie regarde comme de la derniere Importance.' Simancas, Estado, Legajo 6907 (unfoliated), Keene to la Quadra, 30 December (NS) 1738.

<sup>63</sup> *Ibid.*

<sup>64</sup> 'Para convencimiento de [eso], bastara el expresar à V.S. que à la Suspension del Asiento, que estraña por nueva amenaza, hè dado la Compañía anteriormente sobrado motivo con la falta de cumplimiento en sus mas sustanciales Capítulos.' Simancas, Estado, Legajo 6907 (unfoliated), la Quadra to Keene, 1 January (NS) 1739.

<sup>65</sup> PRO SP 94/133 (unfoliated), Keene to la Quadra, 2 January (NS) 1739.

than their full demands would ever satisfy the Company, and that the powers given Keene by London as a plenipotentiary seemed only to allow him to accept any fresh advantages, but not to agree to just proposals.<sup>66</sup> Writing privately to Walpole, Keene was himself quite frank about the errors of the Company:

Every set of Directors has been shifting off the bad day upon their Successors and when they could hold it out no longer they took refuge to a General Court and by providing for their own Security or rather for avoiding a little Clamour, They have I fear put the Comp<sup>a</sup> affairs into an irretrievable Condition.<sup>67</sup>

In this atmosphere of mistrust a new and constricting form of diplomacy was imposed on Keene, and on the other ambassadors in Madrid. La Quadra announced that he would accept no further verbal representations, but wanted to have written instances only of all matters which he must present to the King.<sup>68</sup> The change seems to have originated with the Spanish King himself. Philip feared that by sending only a verbal reply to one of la Quadra's letters, Keene was trying to overreach him, giving assurances which he would later deny.<sup>69</sup> The clerk-like Spanish minister was thus given an ideal way in which to avoid any personal blame for misunderstandings in the delicate negotiations which were highly likely to cause some royal resentment.

For Keene, this new and stilted method was a particular blow, since many things might be spoken which could not be put into writing 'without running the risk of offending the superstitious delicacy of this Court'.<sup>70</sup> A further blow was that Montijo, the most tractable and informed of the ministers, was set aside by the influence of la Quadra's chief adviser, Don Casimiro Ustaritz, first *commis* in the War Office:

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<sup>66</sup> '... nada la satisface no ser del todo delo que pretende; y que las facultades que se aseguró en aquella Corte. La verie conferido a VS., sola parece que fueron para pretender y admitir ventagas, pero no para acordar lo justo.' Simancas, Estado, Legajo 6907 (unfoliated), la Quadra to Keene, 4 January (NS) 1739.

<sup>67</sup> CUL Ch (H) Corresp 2860, Keene to Walpole, 24 April (NS) 1739.

<sup>68</sup> BL Add Ms 32800, f. 4, Keene to Newcastle, 13 January (NS) 1739.

<sup>69</sup> PRO SP 94/133 (unfoliated), la Quadra to Keene, 5 January (NS) 1739, Keene to la Quadra, 6 January (NS) 1739.

<sup>70</sup> *Ibid.*



And these two together have so filled their heads with the *Grandeur* of the Spanish Monarchy, the injury it receives from Foreigners and Foreign Commerce, and how much it has been trickt in former Negotiations, with such like Common Place, that this Court is much more Intractable than in any other period of time that I have known it.<sup>71</sup>

This stiffness must have owed something also to the rising influence of Don Joseph Quintana, then a Councillor in the Supreme Council of the Indies. He was to become Secretary of the Indies only in March, but his signature appears alongside that of la Quadra on drafts of some of the crucial and inflexible letters to Keene in early January.<sup>72</sup> Soon afterwards, la Quadra named Quintana as one of the plenipotentiaries who would negotiate the full settlement after the signing of the Convention.<sup>73</sup>

Since the Spanish court was intractable, Keene did his best to make the South Sea Company tractable. He failed: 'Other Countries and Companies would have given as large a Sum as what is askt for the good will of a Court to let them carry on a winkt-at Commerce, but our Directors would not so much as bribe the Court of Spain with its own Money...'.<sup>74</sup> His rôle as ambassador did at least allow him an access on Asiento business to Spanish ministers which a mere Company agent would not have had. But it was a severe complication at such a time. He confided to the Company's factor in Havana that he had not been able to settle their affairs as he would wish, 'nor adjust them at the same time with those of the Nation in general'.<sup>75</sup> Keene's exasperation with the South Sea Company, and with the public pressure in England, shows through in every private letter:

It is with the company as with the rest of the nation; no minister can possibly please them, till they are happy enough to be an overmatch to all the powers in Christendom, and oblige them to give us all we want, and refuse them all they desire, be it just or not.<sup>76</sup>

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<sup>71</sup> BL Add Ms 32800, f. 14, Keene to Newcastle, 13 January (NS) 1739.

<sup>72</sup> Simancas, Estado, Legajo 6907 (unfoliated); e.g. letters of 1, 4 & 6 January (NS) 1739.

<sup>73</sup> PRO SP 94/133 (unfoliated), la Quadra to Keene, 10 January (NS) 1739.

<sup>74</sup> PRO SP 94/133 (unfoliated), Keene to Couraud, January 1739.

<sup>75</sup> BL Add Ms 32800, Keene to Welden, 28 February (NS) 1739.

<sup>76</sup> W. Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole Earl of Orford* (1798), III, p. 521, Keene to Walpole, 24 April (NS) 1739.

In writing to the Directors themselves he was more circumspect than this. His letters were always liable to be called for and laid before Parliament, and even leaked publicly. In May, when he had to tell them that the Spanish court would not pay their share of the £95,000, he sent the letter first to the Office. This, as he told Couraud, would 'give our Masters Time to take such Measures as they shall think proper with the Directors, before the whole town be acquainted with the Contents of the Spanish Answer, as they will be the Moment it is communicated in Broad Street.'<sup>77</sup> He confined himself in January, when it was clear that further negotiation was impossible, to simply informing the Directors of His Catholic Majesty's declaration, to be attached to the Convention, that he would suspend the Asiento unless the Company paid, without further negotiation, the £68,000 due.<sup>78</sup> This declaration may have seemed unavoidable in Madrid. Yet it put into the hands of the Directors, men constantly swayed by the London merchant community, the power to cause an international incident.

On 6 January (NS) 1739, Philip V decided to sign the Convention of the Pardo, complete with the modifications under discussion, and laid out in la Quadra's letter of 29 December.<sup>79</sup> The Spanish King's final declaration, reserving the right to cancel the asiento, and making his protest an intrinsic part of the signing of the Convention, stood out as the most conspicuous and easily grasped part of the whole document. Keene had the choice only of accepting the agreement as it stood, though, or breaking off all talks.<sup>80</sup> Like the Opposition in England, the Spanish ministers had made a stand: 'Their party is taken; They think the honour of their Crown would be sullied, and that it would be buying a Peace if They did not act as they have done.'<sup>81</sup> On 14 January (NS) 1739 Keene accepted and sent home the final form of the Convention. The British ministers were later much criticised for accepting a convention clogged with such a condition, but their view was that one-sided declarations could give no new rights, and could not bind two parties. The King reserved the right to complain if the Asiento were to be withdrawn in an

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<sup>77</sup> PRO SP 94/133 (unfoliated), Keene to Couraud, 18 May (NS) 1739.

<sup>78</sup> CUL Ch (H) Corresp, 2829, Keene to Peter Burrell, 13 January (NS) 1739; Geraldino formally informed the Company soon afterwards; *ibid.*, 2832, Geraldino to Burrell & John Bristow, 3 February (NS) 1739.

<sup>79</sup> PRO SP 94/133 (unfoliated), la Quadra to Keene, 6 January (NS) 1739.

<sup>80</sup> BL Add Ms 32800, f. 9, Keene to Newcastle, 13 January (NS) 1739.

<sup>81</sup> BL Add Ms 32800, f. 9, Keene to Newcastle, 13 January (NS) 1739.



unsatisfactory way, and meantime it was not right to ruin the agreement for the sake of a trifle.<sup>82</sup> In effect, the new Convention of the Pardo was the same as the agreement signed the previous September, but with everything relating to the South Sea Company taken out for separate settlement.<sup>83</sup> The view of the foreign diplomatic community in London, if the Polish envoy is representative, seems to have been that the Company's grievances were only a subsidiary affair, and that the Convention would soon be signed.<sup>84</sup>

For some days, reported the Danish envoy, the leading ministers were so busy over the Convention as to be all but invisible.<sup>85</sup> Sir Robert Walpole at least seems to have believed that his favoured scheme had finally been a success. He thought the problem of Spain would soon be over, and the ministry could turn to cultivating an alliance with Prussia.<sup>86</sup> The British cabinet formally read the papers, comparing them with the drafts sent to Keene, and noted that Geraldino was ordered to make sure that the Declaration was read and acknowledged by them before the Convention was signed. Despite this unusual stipulation, they took the formal decision to advise the King to sign on those terms.<sup>87</sup> A fortnight later the Convention had to be presented to Parliament and defended in great detail. This was the first point at which the Opposition would enjoy the opportunity to take an active part in proceedings.

Before then, opponents had little to do other than ransack the pages of history for impossibly demanding precedents of national grandeur, from Henry VIII to Elizabeth, Cromwell and Queen Anne.<sup>88</sup> Their frustration can be detected in the pages of the

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<sup>82</sup> PRO SP 94/134 (unfoliated), Newcastle to Keene, 26 January (OS) 1739.

<sup>83</sup> PRO SP 107/23 (unfoliated), Geraldino to St. Gil, 27 January (NS) 1739.

<sup>84</sup> PRO SP 107/23 (unfoliated), Philippe Frederic Steinheil to de Debrosse, 27 January (NS) 1739.

<sup>85</sup> PRO SP 107/23 (unfoliated), Sohlenthal to Scholin, 19 January (OS) 1739.

<sup>86</sup> Walpole, after a private conversation, confided [the French is Andrié's]; 'Nous voici j'espère bientôt débarassés des affaires du Sud, nous penserons a celles du Nord'; PRO SP 107/23 (unfoliated), Andrié to King of Prussia, 19 January (OS) 1739.

<sup>87</sup> PRO SP 94/134 (unfoliated), cabinet meeting 22 January (OS) 1739. Present were Walpole, Newcastle, Hardwicke, Harrington, Grafton, Wilmington, Godolphin, Pembroke, Ilay, the Duke of Devonshire, the Archbishop of Canterbury and Sir Charles Wager.

<sup>88</sup> *Ibid.*, 13 January (OS) 1739.

*Craftsman*, which show that the idea of a secession from Parliament was already being considered. In late January came the first threat that if Parliament did not endorse its 'good advices', the Opposition Members might withdraw from the Commons.<sup>89</sup> The same issue complained that Parliament nowadays met as late as the middle of that month, and that even the 18 January session was now prorogued to the first of February.<sup>90</sup> On one point at least, the *Craftsman* was content. It emphasised repeatedly that the whole negotiation was Walpole's: 'ONE MINISTER (in this *Affair* particularly, and, perhaps, in *others*) hath taken the whole Guidance and Direction upon *Himself*; so that the *Glory*, or *Infamy* of it, belongs entirely to HIM'.<sup>91</sup> Walpole was keenly aware of the pressure on him, and the special efforts being made by the Opposition over the Convention, and he spent the first half of February busied day and night in his preparations for the fray.<sup>92</sup>

When finally Parliament did meet to consider the Convention, it was made the occasion for an enquiry into the whole course of government action over the past months of recess.<sup>93</sup> The most notable challenge came from the House of Lords, still usually regarded as the senior chamber, and where the ministry was relatively weak, while the Opposition could draw on the formidable debating skills of such men as Carteret and Chesterfield.<sup>94</sup> The considerable independence of many wealthy magnates, as well as the occasional presence of the Prince of Wales, made the Lords unpredictable to manage. The Convention was first laid before the Lords on 5 February (OS) 1739.<sup>95</sup> Clumsily, the ministry tried to have the Convention received without Philip V's damaging protest annexed to it. Carteret opened the debate by putting skilful pressure repeatedly on Newcastle to admit the existence of such an annexed declaration by Spain.<sup>96</sup> Finally

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<sup>89</sup> *Craftsman*, 27 January (OS) 1739.

<sup>90</sup> *Ibid.*.

<sup>91</sup> *Ibid.*.

<sup>92</sup> PRO SP 107/24 (unfoliated), Andrié to King of Prussia, 13 February (OS) 1739.

<sup>93</sup> BL Add Ms 33033, ff. 392-405 details the proceedings on the Convention.

<sup>94</sup> The rôle of the Lords is persuasively reevaluated in J.M. Black, 'The House of Lords and British Foreign Policy, 1720-48', in *A Pillar of the Constitution. The House of Lords in British Politics, 1640-1784* (1989), ed. C. Jones, pp. 113-36.

<sup>95</sup> E. Timberland, *The History and Proceedings of the House of Lords, from the Restoration in 1660 to the Present Time* (1740), 6, pp. 1-16.

<sup>96</sup> *Ibid.*, pp. 1-8.



trapped into the admission, and into promising to table the Spanish protest, Newcastle made the best of his case by pleading something that had been his constant refrain in negotiation. The South Sea Company's affairs were a separate issue, and 'we can never suppose that their private Transactions, and the Concerns of the Nation, depend upon one another'.<sup>97</sup> But patently they did. The Spanish protest was duly produced on 22 February (OS) 1739, and caused enormous indignation, as it was believed to invalidate the whole preceding Convention.<sup>98</sup>

The next day, the Lords first tabled a stiff petition from the merchants of the City of London, and decided to hear in four days' time the case of those who had suffered by Spanish depredations.<sup>99</sup> By 27 February, the upper House had laid before it a formidable body of papers, letters and representations.<sup>100</sup> The House then called before it Arthur Stert, and injured merchants and seamen, notably Copithorne and Vaughan.<sup>101</sup> It also heard petitions from merchants and planters, the trustees of Georgia and the Lord Mayor, Aldermen and Common Councillors of the City of London.<sup>102</sup> The Prince of Wales ostentatiously attended in person, from early in the morning, to hear them.<sup>103</sup> The need for a complete freedom of navigation, without which all trade to Britain's colonies would be impossible, was an article of faith for the West India lobby, and was the main demand running through the hearings.<sup>104</sup>

The case of Vaughan and the *Sarah* was still the most contentious and topical at this sensitive point. The Lords hearing began with the petition of Richard Copithorne, whose *Betty* galley was seized in the Mediterranean in 1727, and went directly on to the newest case in the King's reign, hearing a sworn statement from the mate of the *Sarah*, John

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<sup>97</sup> *Ibid.*, p. 9. The arguments against Newcastle were skilfully rehearsed later in [W. Pulteney], *A Review of All that hath pass'd between the Courts of Great Britain and Spain...* (1739), pp.56-8. -

<sup>98</sup> *Ibid.*, pp. 23-34.

<sup>99</sup> *Journal of the House of Lords*, 25, pp. 304-5.

<sup>100</sup> Among others, *Journal of the House of Lords*, 25, pp. 295, 299, 303.

<sup>101</sup> *Journal of the House of Lords*, 25, pp. 304-5.

<sup>102</sup> BL Add Ms 33033, ff. 392-99.

<sup>103</sup> *London Evening-Post*, 1 March (OS) 1739.

<sup>104</sup> BL Add Ms 33033, ff. 400, proceedings of Parliament, 19-27 February (OS) 1739.

London, and a letter from Vaughan in prison.<sup>105</sup> The issue of the *Sarah* also complicated the negotiations with Spain. Representations were forcibly being made to the Spanish court, to their no small irritation, while Keene had also to persuade them to comply with the conditions laid down in the agreement.<sup>106</sup> These two types of diplomatic approach did not go well together. Seen from the Opposition viewpoint, the Vaughan case gave perfect support to their argument that the Spanish crown was not willing to enforce any convention, or to control its servants overseas.

This point was expressly made in the next phase of the adjourned debate, on 1 March (OS), in a protest against the address to the throne accepting the Convention. The protest also laid great stress on freedom from search and on the lack of satisfaction given by the Convention for past depredations.<sup>107</sup> This angry document, in ten heads, was presented by the Duke of Bedford, on behalf of the merchants of the City of London, who thronged the entrance to the House and noisily lobbied peers as they entered.<sup>108</sup> When eventually the protest was voted down, Bedford put forward a dissentient motion. Supported by the Prince of Wales, voting as Duke of Cornwall, this critical resolution in turn attracted forty supporters.<sup>109</sup> In the course of the debate, Lord Chesterfield used the Armada, and Elizabeth's naval greatness, to striking effect. About nine at night, said the Bishop of Bangor, he enlivened the spirits of all with his speech:

One of his Arts was to turn ye Eyes of ye Audience upon ye Tapestry, & bid them remember ye transactions of that immortal Navy & then he ask'd, whether there were any History looms at work now — He hop'd not, with great emphasis.<sup>110</sup>

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<sup>105</sup> BL Add Ms 33033, ff. 398-9, papers of proceedings in Parliament, 27 February (OS) 1739.

<sup>106</sup> BL Add Ms 32800, f. 229, Newcastle to Keene, 20 March (OS) 1739.

<sup>107</sup> *Journals of the House of Lords*, 25, pp. 307-9. Vaughan's case was point five of the protest, *ibid.*, p. 308.

<sup>108</sup> Timberland, *History and Proceedings*, 6, pp. 35-9. The debate is given extensively in *ibid.*, pp. 35-185. His date of 23 February (OS) for the whole proceedings is an error.

<sup>109</sup> BL Add Ms 33033, ff. 344-6, Newcastle's notes of proceedings in Parliament, 1 March (OS) 1739. Timberland's printed account of the vote (*History and Proceedings*, 6, p. 188) gives only 39, omitting Bridgewater.

<sup>110</sup> BL Add Ms 35605, f. 11, Bangor to Philip Yorke, 2 March (OS) 1739. See Timberland, *History and Proceedings*, 6, p. 131.



The ministry won the Lords vote on a humble address of thanks by 95 to 74, but a powerful discontent was building up.<sup>111</sup> On the same day, Vaughan arrived in London from his Spanish prison, and less than a week later he and his crew in person gave evidence of their treatment to the House.<sup>112</sup> In the Lords debates over the Convention, some previously staunch Court supporters now moved over to the Opposition.<sup>113</sup> On the crucial Convention vote itself, though, four of them went back to the Court: Lord Strafford calculated that but for this, the ministry's majority in the chamber would have been only five, rather than thirteen.<sup>114</sup> Feelings ran so high that ministerial supporters and foreign envoys were insulted by the populace, and managed to leave the House only after eleven at night. The fracas outside the Lords which led to this was caused by the brawls of coachmen in the crowded street. The sedan chair of the Prince of Wales was overturned and smashed, though he was not hurt, and the fighting and chaos which ensued did not end until after midnight.<sup>115</sup> It was a revealing episode, at a time when the Opposition were still pressing, with little hope, for an increase in the Prince's allowance.

In the Commons, too, the debates aroused great interest and were seen as a great crisis which Walpole would require all his stability to survive.<sup>116</sup> The view from within the ministry is caught in some comments by Admiral Wager, scrawled on a copy of the Spanish declaration. The people of England, he said, were never united for the Glorious Revolution. That is to say, they did not know what was good for them:

What assistance did they give the Prince of Orange or what would they have done had he brought no troops with him[?] They ran mad for Dr. Sacheverell. For the Excise and now for no search, tho knew nothing of either.<sup>117</sup>

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<sup>111</sup> BL Add Ms 35875, f. 428, Hardwicke's notes on session of 1 March (OS) 1739.

<sup>112</sup> *London Evening-Post*, 3 March (OS) 1739; their evidence was presented to a Committee of the whole House on 6 March; *The National Dispute; or, the History of the Convention Treaty* (1739), p. 35.

<sup>113</sup> PRO SP 107/25 (unfoliated), Sohlenthal to Schulin, 3 March (NS) 1739: he named Argyle, Essex, Scarborough, Lovel, Limerick and four bishops.

<sup>114</sup> BL Add Ms 31149, ff. 416-8, 'A list of Lords present at the Convention'. Strafford named the waverers as Lothian, Lymington, Essex and Lovell. Thirteen was the majority of Lords actually present, the vote being 71 to 58; including proxies, it was 95 to 74.

<sup>115</sup> *Ibid.*, Andrié to King of Prussia, 6 & 20 March (NS) 1739.

<sup>116</sup> *Ibid.*, Sohlenthal to Schulin, 6 March (NS) 1739.

<sup>117</sup> BL Add Ms 19030, f. 398.

Whether they understood it or not, the masses certainly took the slogan to heart. James Murray, concerned at possible popular reaction to a Jacobite invasion supported by Spanish troops, advised the Pretender, on landing, to make a declaration of free navigation.<sup>118</sup> The pressure on the ministry was increased by the first rumours of an Opposition campaign to animate the spirit of the merchants, in London and the other leading towns. The plan was to persuade them to hold meetings which would approve specific written instructions to their MPs.<sup>119</sup> This dangerous intrusion of the provinces into Westminster politics shocked Geraldino, though the full impact of it was bound to be delayed, as such a major protest took time to organise.<sup>120</sup> Even the beginnings of orchestrated discontent in London, though, must have been an irritant to the ministry at the height of its efforts to persuade the public of the merits of the Convention. Those efforts were sardonically summarised by the *London Evening-Post*:

Within these few Days near 20,000 Ministerial Pamphlets, in Defence of the *Convention* &c, have been dispersed, and given away *gratis* among the *Excisemen, Custom-House Officers, and other Officers, Civil, Ecclesiastical, Military, &c.* which has fallen the Price of *Waste-Paper*.<sup>121</sup>

An incident reported in that same week shows that, among the seafaring community at least, the press had succeeded in making freedom from search the paramount issue. It also gives an authentic glimpse of the rude politics of the lower orders:

Last Week a Sailor belonging to a West-India Man was married; and his Brother Sailors that attended as Bridesmen wore Cockades in their Hats, inscribed thereon, NO LIMITS; and the Women that walked as Bridesmaids had on their Breast Knots, NO SEARCH BUT IN PORT.<sup>122</sup>

The news of all this furore over the Convention found Keene in despairing mood. He confided to Walpole; 'this single Instance of the Heigth (sic) of the Folly and Madness a sensible Nation may be pusht to against its evident Interest, is sufficient to disgust me against all publick Business for the future...'.<sup>123</sup>

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<sup>118</sup> Windsor RA Stuart Mss, 220/73, James to Ormonde, 2 February (NS) 1740.

<sup>119</sup> PRO SP 107/24 (unfoliated), Sohlenthal to de Schulin, 24 February (NS) 1739.

<sup>120</sup> PRO SP 107/25 (unfoliated), Geraldino to St. Gil, 10 March (NS) 1739.

<sup>121</sup> *London Evening-Post*, 6 March (OS) 1739

<sup>122</sup> *The London & Country Journal*, 6 March (OS) 1739.

<sup>123</sup> CUL Ch (H) Corresp, 2860, Keene to Walpole, 24 April (NS) 1739.



Something like a disgust infected even the administration. The Prussian envoy reported a serious argument between Newcastle and Walpole. Newcastle was angry that Walpole had intervened so much in negotiating the Convention, which should have been the responsibility of the Secretary of State for the South. Walpole in turn saw such protests as a challenge to his dominance - a language which he is more than once reported as using - and demanded to know if Newcastle wanted to combat him? Significantly, if this report is true, Walpole went straight to George II to apply the necessary discipline. It took a threat of dismissal by the King to bring Newcastle to heel, and Andrié heard that for four hours the Duke was indeed removed from office. One cannot rely on the details of Court rumours, but it seems at least quite clear that there was a serious rift in government support for the Convention: 'le Duc veut absolument la Guerre avec l'Espagne, et plusieurs autres du parti de la Cour s'en sont détachés pour desapprouver la Convention avec l'Espagne'.<sup>124</sup>

Despite the discontent manifested on the streets, in the provinces, in the cabinet and in both Houses, though, the ministry did win the debate in the Commons on 8 March (OS) 1739 over the Convention.<sup>125</sup> It was, according to Edward Harley, who was in the Commons for seventeen hours, 'the fullest House and the longest sitting that has been known of many years'.<sup>126</sup> The debate was led off for the government by Horace Walpole (in a speech of two hours) and concluded by Sir Robert, supported by twelve other speakers, among them Henry Fox, Henry Pelham and Sir Charles Wager. The Opposition case was laid out by Sir Thomas Saunderson, with Sir William Wyndham rounding off the debate, after the contributions of eleven speakers including William Pitt, Sir John Barnard and William Shippen. The Prince of Wales was for some time in the gallery, and his presence was cleverly played on by his chief supporter, George Lyttelton.<sup>127</sup> The ministry won by 260 votes to 232. The report stage of the debate followed a similar pattern, with

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<sup>124</sup> PRO SP 107/25 (unfoliated), Andrié to King of Prussia, 6 March (NS) 1739.

<sup>125</sup> R. Chandler, *The History and Proceedings of the House of Commons from the Restoration to the Present Time* (1743), XI, pp. 1-70.

<sup>126</sup> CUL Add. 6851, f. 115, Edward Harley, parliamentary journal, 8 March (OS) 1739.

<sup>127</sup> Chandler, *History and Proceedings of the House of Commons*, XI, pp. 35-6.

Pulteney speaking for the first time in opposition to the motion, and the ministry won the vote by 244 to 214.<sup>128</sup>

Opposition spokesmen, though on the losing side, managed, so far as one can see from the surviving accounts, to win the oratorical contest. Once again, the Vaughan case was adduced as proof of Spain's intent to give up none of her old ways. William Pitt, in a passionate harangue, urged; 'You have heard from Captain Vaughan at your Bar, at what Times these Injuries and Indignities were continued, as a kind of explanatory Comment upon the Convention Spain has thought fit to grant you'.<sup>129</sup> Referring such matters of undoubted right as freedom of navigation to plenipotentiaries was bad in itself. After all, as Pitt declared, this was judging, as if on the same footing, two entirely different kinds of thing:

On the Part of Spain, an Usurpation, an inhuman Tyranny claimed and exercised over the American Seas; on the Part of England, an undoubted Right by Treaties and from God and Nature, declared and asserted in the Resolutions of Parliament...<sup>130</sup>

And furthermore these rights, added Pulteney, were being referred by Walpole to Keene and Castres, 'two Creatures of his own, distinguished by no one Qualification, but a blind Obedience to his Commands'.<sup>131</sup> Pulteney's, and the whole Opposition's, alternative to the Convention was war. 'Under Queen Elizabeth, Sir, we neither had, nor did we stand in need of Allies ... Let us for once change our sneaking Conduct, and all will be well.'<sup>132</sup> Alderman Willimot, one of the four London MPs, gave a pithy endorsement of this belligerent stand; 'A just and well conducted War can never bring our Trade into any Danger'.<sup>133</sup>

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<sup>128</sup> BL Add Ms 35875, ff. 432-3, 'Speakers in House of Commons', 10 March (OS) 1739; HMC *Fourteenth Report*, Trevor Mss, p. 26, H. Walpole to Trevor, 9 March (OS) 1739; PRO SP 107/25 (unfoliated), Sohlenthal to Schulin, 9 March (OS) 1739.

<sup>129</sup> Chandler, *History and Proceedings of the House of Commons*, XI, p. 33.

<sup>130</sup> Chandler, *History and Proceedings of the House of Commons*, XI, pp. 32-3.

<sup>131</sup> *Ibid.*, p. 62.

<sup>132</sup> *Ibid.*, p. 64.

<sup>133</sup> *Ibid.*, p. 68.



The ministry's victory could not disguise the fact that they had passed the measure in the face of all that was known about popular opinion. It could fairly be said that, right or wrong, the bulk of the nation were against the Convention, while their supposed representatives voted for it. Crucial to this government majority were the votes of around two hundred placemen and office-holders. The Convention vote had turned into the clearest exemplar of Patriot arguments about corruption and tyranny. The most devastating tactic of the Opposition at this time was the simplest: the widespread publishing of the division list on the Convention, with added comment. Annexed to the name of each MP who voted for it was the office, pension or other tie which bound him to the Court.<sup>134</sup> It was a device far more eloquent than the shrill rhetoric of place and corruption, liberally spattered with capital letters, which had become such an accustomed diet. This was corruption at work, in a specific instance, and it meant that subservient placemen were humbling the nation before the cowardly Spaniards. The demonologising of the Convention meant that nothing less than a full performance of its terms by Spain could keep the administration safe from criticism.<sup>135</sup>

The almost immediate result of the passing of the Convention was that the Patriots, Tories and supporters of the Prince of Wales carried out their threat to secede from Parliament. Going so far as to allege that the whole House was bought, and that they could therefore do nothing in it, Pulteney and Wyndham carried the rhetoric of the Place Bill to its ultimate conclusion.<sup>136</sup> Foreign observers feared that the secession might lead even to rebellion.<sup>137</sup> Bolingbroke certainly expected a good deal from it, on the grounds that it would 'bring the dispute to fix on this single point, the personal interest of Walpole,

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<sup>134</sup> Printed in pamphlet form and in several journals, e.g. *Gentleman's Magazine*, 9, 1739, pp. 304-10.

<sup>135</sup> Trevor had already predicted that non-performance by Spain would 'throw Oil upon the Flame of the Nation', and 'leave no more room for calm, & prudential Counsels'; BL Add Ms 32800, f. 136, Trevor to Keene, 26 February (NS) 1738.

<sup>136</sup> PRO SP 107/25 (unfoliated), Philippe Frederic Steinheil to King of Poland, 24 March (NS) 1739.

<sup>137</sup> PRO SP 107/27 (unfoliated), Fagel to Hop, 5 May (NS) 1739; PRO SP 107/29 (unfoliated), de Wasner to Prince de Lichtenstein, 6 July (NS) 1739; PRO SP 107/28 (unfoliated), Wasenberg to Gyllenborg, 26 June (OS) 1739.

in the eyes of the whole kingdom'.<sup>138</sup> This tactic, though, was bound to arouse at least ambiguous feelings among parliamentarians, and it must have been in reality a godsend to Walpole, who was both a wily adversary and a good House of Commons man. It was noted by one closer to the scene of action than Bolingbroke that the secession played into the hands of the ministry. It allowed them to close the Parliamentary session early, and escape embarrassment as the deadline for the Spanish settlement drew nearer without any sign of payment.<sup>139</sup> Harley, though a constant opponent of the administration, called it 'an Idle Project, contrary to all the Rules & Being of Parlt. & not approved of without Doors & in the Country'.<sup>140</sup> It was indeed unpopular in the country, and difficult to defend. Not only were Members absenting themselves from their duties, but they were acting as a faction. A pamphlet produced in the autumn to explain and gloss the secession was reduced to denying that it had been an organised party measure at all:

It was only a Kind of *silent Protest*, and in the most decent Way, to recover That, without which all must be lost. Besides, I am assur'd that it arose from no previous Concert amongst any of the Members, but was the Result of every Gentleman's private Judgement of Things, and the impossibility of stemming the Torrent.<sup>141</sup>

When Wyndham and his supporters and allies announced their withdrawal, Sir Robert was stimulated to a remarkable performance in the House. According to his brother; 'Sir R. We. in a more masterly dextrous and able manner than I ever heard him, answered Sir W. Win.'s speech to the satisfaction and great applause of the whole House and even of his enemies, without carrying things to extremities.'<sup>142</sup> So extreme was Wyndham's own speech that rumour said it was designed to put him in the Tower, and so inflame the mob.<sup>143</sup> Party feeling was certainly intense enough for this to be plausible. One London

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<sup>138</sup> W. Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole Earl of Orford* (3 Vols. 1798), III, p. 525, Bolingbroke to Wyndham, 23 July (NS) 1739.

<sup>139</sup> PRO SP 107/27 (unfoliated), Utterodt to King of Poland, 5 May (NS) 1739.

<sup>140</sup> CUL Add 6851, f. 116, Harley parliamentary journal.

<sup>141</sup> [B. Robins], *An Address to the Electors ... Occasion'd by the late Secession...* (1739), p. 56. The pamphlet ran through four editions in 1739, which may indicate the interest in its subject rather more than the strength of its arguments.

<sup>142</sup> HMC *Fourteenth Report*, Trevor Mss, p. 26, H. Walpole to Trevor, 16 March (OS) 1739.

<sup>143</sup> PRO SP 107/25 (unfoliated), Hop to Fagel, 24 March (NS) 1739.



lawyer believed that only the seventeenth century could show 'more melancholy instances of party rage than the present'.<sup>144</sup>

At this time, though, Walpole at least seems to have thrived on the conflict, and been in high spirits. He was on his best form in Parliament.<sup>145</sup> His resilience is probably the explanation for an odd episode in which Walpole played a joke on the Jacobites. While the Jacobite agent Carte was in Boulogne, he was sent for, on 1 April, by 'Jeremy' (Walpole), on a very exciting errand. Walpole urged him to lose no time in going to Rome to consult the Pretender about securities for the protestant religion, and for good treatment of George II's family, 'a qui jeremy avoit tant d'obligations, mais qu'il ne pouvoit plus soutenir encore longtemps'.<sup>146</sup> Within three weeks, though, he went abruptly from good health to a violent illness in which his life was despaired of.<sup>147</sup> The joke upon the Pretender's party lasted longer than the buoyancy which created it. Carte persisted in believing that this was a serious approach, though O'Brien in Paris did his best to disabuse him. Curiously, James did write a letter to show to Walpole, and Carte returned with it in late August, hoping soon to be able to fix the date of James's restoration.<sup>148</sup> This was in any case a time of high Jacobite hopes, with war between Britain and Spain imminent. The Pretender's adherents in Spain were jubilant, spreading rumours of a powerful new expedition to be mounted against England.<sup>149</sup> Prince Charles had even ordered a set of highland clothes.<sup>150</sup> To have suborned the leading Hanoverian minister would have made success seem doubly sure. It was probably this odd episode which reached the ears of the exiled Bolingbroke at the opening of the war. He gave dark hints that Walpole was in league with the country's enemies, in his preparations to avoid justice

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<sup>144</sup> BL Add Ms 35605, f. 12, Thomas Clarke to Yorke, 31 March (OS) 1739.

<sup>145</sup> PRO SP 107/25 (unfoliated), Hop to Fagel, 24 March (NS) 1739.

<sup>146</sup> Windsor RA Stuart Mss, 216/39, 'St. Quentin' [O'Brien] to James, 8 June (NS) 1739.

<sup>147</sup> PRO SP 107/27 (unfoliated), Alt to Prince William, 1 May (NS) 1739, Wasner to d'Ulfeld, 1 May (NS) 1739; PRO SP 78/222, f. 149, Waldegrave to Couraud, 6 May (NS) 1739.

<sup>148</sup> Windsor RA Stuart Mss, 217/13 & 32, 'St. Q' to James, 24 August (NS) 1739, Carte to James, 31 August (NS) 1739.

<sup>149</sup> BL Add Ms 32692, f. 233, Consul Parker to Newcastle, 13 August (NS) 1739.

<sup>150</sup> Windsor RA Stuart Mss, 218/35, Drummond to Edgar, 9 November (NS) 1739.

for his 'treachery'.<sup>151</sup> Though this language of conspiracy and corruption was common in Opposition letters, Bolingbroke may well have been persuaded by his Jacobite informants that Walpole was literally a traitor. Cardinal Fleury was more realistic, and was decidedly of the opinion that the 'Jeremy' affair was a trick, but a harmless one.<sup>152</sup> Only nine months after the initial approach, though, did James finally abandon hope of Walpole's good intentions.<sup>153</sup>

It was easier for Walpole to sew confusion among the Jacobites than to bring the Convention to a safe conclusion. In the fevered atmosphere of the Parliamentary debates and the agitation over the *Sarah*, the South Sea Company finally resolved not to pay the £68,000 due from them on behalf of the crown of Spain. The decision was made on 1 March (OS), the day of Vaughan's arrival in London and of the long and passionate Lords debate on the Convention. It was communicated to Keene on the day when the Opposition seceded from the House.<sup>154</sup> Nothing could subsequently move the Company from its resolve. Walpole himself spoke to the Directors of the South Sea Company, but could not persuade them to pay the £68,000. Ignoring considerations of national interest, they persisted in their objections to the *cedulas* which Geraldino showed them.<sup>155</sup>

The rage of party was a great complication in the work of diplomacy. Even uncontentious initiatives could be thwarted by the petty accidents of political life. Ministers were sounding out the prospects of a defensive alliance with Portugal, which still had disputes, notably over Buenos Aires, with Spain. These overtures, however, met with an unfortunate check at the very beginning. The Portuguese ambassador was taking his leave of the Court of St. James's, and was disobliged by the size of his leaving present. On the casual advice of the Duke of Grafton, it had been set at £350, whereas the French and

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<sup>151</sup> W. Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole, Earl of Orford* (3 Vols. 1798), III, pp. 549-50, Bolingbroke to Wyndham, 1 November (NS) 1739.

<sup>152</sup> Windsor RA Stuart Mss, 217/44, O'Brien to James, 3 September (NS) 1739.

<sup>153</sup> Windsor RA Stuart Mss, 219/111, James to O'Brien, 5 January (NS) 1740. The rumour of Walpole's dealings with the Pretender is examined in P.C. Yorke, *The Life and Correspondence of Philip Yorke Earl of Hardwicke* (3 Vols 1913), I, pp. 204-5. He did not have access, though, to most of the evidence cited above.

<sup>154</sup> BL Add Ms 19030, ff. 410-12, Royal Assiento Company Directors to Keene, 17 March (OS) 1739.

<sup>155</sup> PRO SP 107/30, St. Gil to Geraldino, 17 July (NS) 1739.



Spanish ambassadors received £500. Though the sum was changed, after a Portuguese protest, to give equal standing to their envoy, the incident was noted.<sup>156</sup> Newcastle continued, though, to cultivate the new ambassador, Sebastião Joseph de Carvalho e Mella (later Marquis of Pombal). A series of confidential talks with Carvalho and Azevedo culminated in a dinner at Lord Harrington's, along with the Walpoles, Wager and Stert. They began the meal at 3 pm, and with the cloth taken away, Wager and Stert retired, while the innermost circle, complete but for Hardwicke, discussed a possible league with Portugal against Spain; 'those Ministers, assuming the voice of the King their Master, made us a formal tho' general overture of the said Alliance'.<sup>157</sup> Though destined to failure, this overture does reveal the workings of this kind of diplomacy, and the thinking of the ministry, at a time when Britain badly needed allies.

The negotiations of the commissaries in Spain went on, and one long-standing technical problem at least was solved. Hitherto, Geraldino's mail had been arriving from Madrid several days ahead of Newcastle's letters of the same date. This was because despatches by the Spanish ordinary went via Waldegrave in Paris, for his information, an arrangement which meant that they lost a post in arriving in England. From late March 1739 the Spanish mail was finally to go direct, though Keene was charged to send to Waldegrave copies, or at least summaries, of all important mail.<sup>158</sup> This minor advance was vastly outweighed by the ministerial changes in Spain. La Quadra and Ustariz managed a kind of coup when Torrenueva assured Queen Elizabeth that the revenues were in a very poor state, and that the money which she needed for the proposed royal marriages could not be found. His two rivals managed to float a loan among their own friends of the two million ducats needed, and Torrenueva found himself removed from most of his duties.<sup>159</sup>

The man who took his place as Secretary of State for the Indies was Quintana, which was bad news for Keene, already struggling with him as a commissary under the Convention of the Pardo. Quintana was 'an Enemy to all Strangers, and has his head full of Spanish Smoke', and was likely to be extremely rigorous in his treatment of the South Sea

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<sup>156</sup> CUL Ch (H) Corresp, 2889, Carvalho to Guedes Pereira, 28 June (NS) 1739.

<sup>157</sup> CUL Ch (H) Corresp, 2890, Carvalho to Guedes Pereira, 30 June (NS) 1739.

<sup>158</sup> BL Add Ms 32800, f. 227, Newcastle to Keene, 20 March (OS) 1739.

<sup>159</sup> BL Add Ms 32800, ff. 174-5, Keene to Newcastle, 9 March (NS) 1739.

Company.<sup>160</sup> The new appointee as Minister of Finances in succession to Torrenueva also brought an unwelcome shift in the Spanish ministry. Ituralde, a newcomer in politics of whom at first Keene knew only that he was very old and very rich, proved to be an effective new broom. He cut down profiteering on government contracts so sharply that several leading commercial houses went bankrupt. He also banned the holding of two or more offices under the crown, a practice so common that he became instantly unpopular.<sup>161</sup> Small as these beginnings were, they gave an immediate boost to the royal revenues. Keene believed that these savings had a great influence on the thinking of the leading ministers, encouraging them to believe that they could at least hold out for a long defensive war against Britain.<sup>162</sup> Spain, he feared, was to be ruled by three or four mean and stubborn people who thought they had revived the grandeur of the monarchy, and whose heads were full of 'Romantick ideas they have found in old Memorials and Speculative Authors'.<sup>163</sup> If Spanish ministers were swayed by the allure of grand gestures, so were the British people 'out of doors'. A great naval appropriation had been made in 1738, yet only inglorious talks seemed to follow. Public irritation at this was pronounced: 'Was a Hundred sail of Ships fitted out with no other View, but to induce the *Spaniards* to treat?'<sup>164</sup>

The British commissaries came under mounting pressure from opinion in both countries, while they pursued the detail of complex and sensitive commercial rights. Typical of the scope for evasion and misunderstanding was Newcastle's rather disingenuous quibble on the wording used by the Spanish commissaries. He instructed Keene and Castres to clarify what their opposite numbers meant by searching for contraband goods, resting his case on the fact that the plentiful trade between British subjects and the Spanish colonies was all illicit, and so technically did not exist: 'As there is no Trade, there can be no Contraband Goods, And consequently no Right to look, or search for any'.<sup>165</sup> As months of such

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<sup>160</sup> *Ibid.*, f. 175. Quintana had been the main influence in policy towards the Company since the death of Patiño; *ibid.*, f. 180, Keene to Burrell & Bristow, 9 March (NS) 1739. See above, p. 22.

<sup>161</sup> BL Add Ms 32800, f. 291, Keene to Newcastle, 24 April (NS) 1739.

<sup>162</sup> *Ibid.*.

<sup>163</sup> *Ibid.*, f. 294.

<sup>164</sup> *Common-Sense, or, The Englishman's Journal*, 28 April (OS) 1739.

<sup>165</sup> PRO SP 94/134 (unfoliated), Newcastle to Keene and Castres, 8 May (OS) 1739.



fruitless talks passed, Keene found the struggle harder. He complained to Stone in April; 'I am laying in a stock of Patience and Resolution to go thro' the rest of the fiery Tryal and give me what appointments you please I am sure there is not a sensible man in Europe that will envy my situation'.<sup>166</sup> His situation became worse in the following month, when Newcastle obtained intelligence of a treaty being negotiated between France and Spain. Keene was now told of 'another Circumstance, of which you have been hitherto uninformed', that the Office had had, since 1734, a copy of the 1733 Family Compact between the Bourbon powers, and that its provisions were clearly directed against Britain:

Which is a Proof, that the Views of Spain against his Mty., & his Dominions, were always the Same, whenever they could hope to have an Opportunity of compassing them; and that offensive Engagements against the King, & his Subjects, were always the Cement of their Union with France.<sup>167</sup>

Despite the scale of his responsibilities, Keene was still left to hint in vain for promotion or some other financial assistance, and to deplore his uncomfortable position. He told Stone; 'What I am sure to have enough of is, Ribaldry and Scurrility from the publick in return for the uneasiest Life Man ever yet passed in the Service'.<sup>168</sup> Though he assured Couraud that he hated 'whining and complaining', he was driven to do a good deal of it.<sup>169</sup> He certainly continued to be the target of ribaldry and abuse. The *Craftsman* attacked him for being too lowly in rank to make a fitting ambassador:

In former Times it was always usual, upon such important Occasions, to employ Men of the *highest Rank* and *Eminence*; who, by their *Dignity*, might add a Weight to their *Negotiations abroad*; and, by their *Fortunes*, give a Pledge to their *own Country* for the Integrity of their Conduct — This was certainly a wise Precaution, which ought always to be observ'd; for a Man of *mean Birth*, and *low Fortune*, may be tempted to sacrifice the *publick Interest* to *his own*; or, at least, become the subservient Tool of a *Minister*, by whose indulgent Hand He was rais'd.<sup>170</sup>

In the English press and satirical prints Keene was firmly established as 'Don Benjamino', the underhand servant of Spain and accomplice of Walpole and Geraldino in evil designs

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<sup>166</sup> PRO SP 94/133 (unfoliated), Keene to Stone, 24 April (NS) 1739.

<sup>167</sup> PRO SP 94/134 (unfoliated), Newcastle to Keene, 8 May (OS) 1739.

<sup>168</sup> PRO SP 94/133 (unfoliated), Keene to Stone, 9 June (NS) 1739.

<sup>169</sup> PRO SP 94/133 (unfoliated), Keene to Couraud, 9 June (NS) 1739.

<sup>170</sup> *Craftsman*, 15 September (OS) 1739.



to betray the nation.<sup>171</sup> All that was needed to complete the picture of his bad faith was that Spain should renege on the Convention which this trio had designed. Gradually it became clear that this, too, would happen. On 19 May (NS) 1739 the Austrian envoy at The Hague heard from normally good sources in Madrid that there was now no intention of paying the £95,000.<sup>172</sup> At home, the ministry had to adjust to the growing likelihood that the Convention would fail. Their best hope was to deal with the breakdown of the agreement without the added pressure of a Parliament in session. Though Parliament was due to rise in early June, many Bills still depended on the approval of the Lords. Though the secession of the Opposition had nullified the Commons, the mood in the Lords continued resolute and angry: in late May a motion was made there upon the Spanish delay in paying.<sup>173</sup> The resolution that this was a high indignity to his Majesty was staved off only by putting the previous question. Those in the know feared that there would be no further room for 'management' if the Spanish despatch bearing the resolve not to pay should reach London before the end of the sitting.<sup>174</sup>

The crisis of the negotiations soon came, though it did fall in the parliamentary recess. Just as the plenipotentiaries in Spain finally gathered for their first meeting in form, their tentative agreements were shaken by Newcastle's fateful decision to keep Admiral Haddock's fleet in the Mediterranean.<sup>175</sup> Newcastle seems at first to have hoped that this move would placate the public at home, but be overlooked by Spain. He first told Keene of the decision late in March, but asked him to take no notice of it to his court. Though Geraldino was alarmed about it, Newcastle had assured him that no aggressive measures were being planned, and if necessary the Spanish court could be told the same thing by Keene.<sup>176</sup> It had been assumed in Spain, however, that the fleet would be withdrawn, its presence made necessary only by disputes which the Convention was meant to resolve.

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<sup>171</sup> E.g. *Craftsman*, 13 October (OS) 1739. See for example the print of January 26 (OS) 1739, 'The School of POLITICKS, or Pantaloon made a MINISTER', in *Walpole and the Robinocracy* (1986), ed. P. Langford, pp. 154-5.

<sup>172</sup> PRO SP 107/27 (unfoliated), C.C. d'Ulfeld to de Wasner, 19 May (NS) 1739.

<sup>173</sup> BL Add Ms 32801, f. 40, Stone to Keene, 31 May (OS) 1739.

<sup>174</sup> BL Add Ms 32801, ff. 59-60, Waldegrave to Keene, 22 June (NS) 1739.

<sup>175</sup> BL Add Ms 32800, f. 373, Newcastle to Keene, 8 May (OS) 1739. *Ibid.*, f. 343, Keene and Castres to Newcastle, 11 May (NS) 1739.

<sup>176</sup> PRO SP 94/134 (unfoliated), Newcastle to Keene, 20 March (OS) 1739.



The Spanish court themselves had sent pacific orders to the Indies, and stood down their own forces in Europe. The countermanding of Haddock's orders to leave the Mediterranean was bound to be damaging, when the Spanish court was already irritated with the South Sea Company, and could little afford to lose face or to seem intimidated by Britain. The loss of face would be real, as Keene commented:

The truth is, that they have unarmed the greater part of their Ships, given liberty to their Officers to leave their Regiments and their Destinations, and will be ashamed either to trust to our Word, or to discover their lightness in having altered their military measures before the Departure of Admiral Haddock, by being obliged to renew them.<sup>177</sup>

The Spanish ministers were 'most heartily nettled', and their resolve not to pay the £95,000 stipulated in the Convention was first made explicit in response to this naval gesture.<sup>178</sup> Keene spoke to Vilarias and Quintana at Aranjuez, and was told that 'his Catholick Majesty could not pay that Sum as long as our Squadrons remained upon his Coasts, ready at a moment's warning to fall upon Him'.<sup>179</sup> Quintana defended their action by arguing simply that they could not be seen to be browbeaten.<sup>180</sup> The Spanish view was the very plausible one that Haddock's squadron was being maintained in the Mediterranean as a sop to British popular feeling.<sup>181</sup> If this was really Newcastle's motivation, then he paid a high price for the chance of a little popularity out of doors. The threat posed by Haddock had its most profound effect on Philip rather than on the London multitude. Further arguments were put forward on the Spanish side, Montemar claiming that the size of the British fleet (twenty-seven warships) meant that Spanish ports

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<sup>177</sup> PRO SP 94/133 (unfoliated), Keene to Newcastle, 24 April (NS) 1739.

<sup>178</sup> BL Add Ms 32800, f. 347, Keene and Castres to Newcastle, 11 May (NS) 1739.

<sup>179</sup> BL Add Ms 32801, ff. 30-1, Keene to Newcastle, 9 June (NS) 1739.

<sup>180</sup> *Ibid.*, f. 32.

<sup>181</sup> 'La detenzion de la Escuadra Ingleza en el Mediterraneo, despues que se havia resuelto su regresso a este Reino, ha Exsitado el Sentimiento del Rey y retardado el cumplimiento de lo Estipulado por n[uest]ra parte, lo que yo procuré remediar aqui luego que supe de havia resuelto contramandar de la Escuadra pero a este Ministerio le parecio preciso segun la disposizion de Esta Nation.' PRO SP 107/28 (unfoliated), Geraldino to St. Gil, 16 June (NS) 1739.

had to be closed, and Spanish ships had to be fitted out, in all costing far more than the £95,000.<sup>182</sup>

This was not the nub of the matter, however. Contemporaries saw the whole dispute over depredations in terms of the honour code of gentlemen. Trevor commented; 'The Dilemma between a senseless Quarrell, & an ignominious Discretion does not appear to me less delicate in Publick than in Private Life'.<sup>183</sup> Spain's position was a response of pride to intimidation. Geraldino did his best to persuade the British ministry that his Catholic Majesty could not help resenting Haddock's fleet being continued on its station, but could not 'beat out of their heads that Chimera, that we had other objects in view, and that the complaint about the Squadron was but a pretext'.<sup>184</sup> The Spaniards were now asserting that they had always made it clear that the money would not be paid so long as the British fleet remained in the Mediterranean and the West Indies.<sup>185</sup> At this point war became all but inevitable. Newcastle, very angry over what he regarded as a new principle enunciated by the Spanish ministers, ordered Keene to have no further meetings with the Spanish plenipotentiaries, since the deadline for payment had passed. No further answers were needed, since George II had now decided 'immediately to pursue hostile Measures for doing Himself and the Nation justice'.<sup>186</sup> Diplomacy was at an end, and the question was simply when war would be formalised, and what form war would take.

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<sup>182</sup> PRO SP 107/28 (unfoliated), St. Gil to Geraldino, 16 June (NS) 1739.

<sup>183</sup> BL Add Ms 32800, f. 21, Trevor to Keene, 15 January (NS) 1739. The values implied in Trevor's words are explored in A.N. Gilbert, 'Law and Honour among Eighteenth Century British Army Officers', *Historical Journal*, 19, 1, (1976), pp. 75-87.

<sup>184</sup> CUL Ch (H) Corresp, 2891, Geraldino to St. Gil, 30 June (NS) 1739.

<sup>185</sup> BL Add Ms 32801, f. 31, Keene to Newcastle, 9 June (NS) 1739.

<sup>186</sup> PRO SP 94/134 (unfoliated), Newcastle to Keene, 14 June (OS) 1739. A ciphered draft letter of the same date has three columns of news about the war preparations being made in England, struck out in what appears to be Walpole's hand, with the comment; 'I don't see any reason why Keene should be informed of the measures that are taken here for our defense, or for acting against Spain, and therefore believe it best to leave all this out, to the marq at the end of this paragraff'.



The first planning for war had already taken place in cabinet. Even Walpole agreed that it would be better to act at once than to have Spain belatedly pay the £95,000 (and remove Britain's chief grounds for war) but cancel the Asiento. Haddock was to be ordered at once to lie off Cádiz and 'comit all kinds of Hostilities at Sea', with similar orders to Commodore Brown's squadron, which was also to try to seize the galleons or *flota*.<sup>1</sup> Reprisals were once again publicised. A proclamation was printed in the *London Gazette* that letters of marque and reprisal would be granted against Spanish subjects and also other nationals living in Spanish possessions - 'cosa sin exemplar', said Geraldino, and likely to cause a stir.<sup>2</sup> A last pamphleteering attempt was made to conquer the anti-Spanish prejudices of the masses, and their predilection for war, one especially vehement production being *Examination of the Popular Prejudices*.<sup>3</sup> That, and many of these papers, according to Horace Walpole, were actually 'wrote at the instigation and encouragement of Geraldino', though 'fathered upon the Ministers and their friends'.<sup>4</sup>

Further publications attempted to promote the case of Spain. The British reprisals prompted in Spain a declaration of retaliation, issued at San Ildefonso on 20 August (NS) 1739, and soon afterwards published.<sup>5</sup> It was an important self-justificatory summary of the position of the Spanish court. The essential points, it argued, were that England, 'agitada de sus intestinas divisiones', had sent back Haddock to Gibraltar with manifest ill intent, and had supported the unjust pretensions of the South Sea Company. The document was expanded and printed in London, almost certainly at the instigation of

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<sup>1</sup> BL Add Ms 32692, f. 64, Hardwicke to Newcastle, 2 June (OS) 1739.

<sup>2</sup> PRO SP 107/30, Geraldino to St. Gil, 24 July (NS) 1739.

<sup>3</sup> Attacked in the *Craftsman*, 31 March (OS) 1739.

<sup>4</sup> HMC *Fourteenth Report*, Trevor Mss, p. 37, H. Walpole to Trevor, 30 November (OS) 1739.

<sup>5</sup> 'Hemos determinado, que igualmente se represalien en nuestros Dominios, y por nuestros Vassallios, en los parages que los encuentren, los Navíos, bienes, y efectos del Rey, y Subditos de la Gran Bretaña.' *Gaceta de Madrid*, 34, 25 August (NS) 1739, in PRO SP 94/133 (unfoliated), Keene to Newcastle, 31 August (NS) 1739.

Geraldino, in fifty-three pages of parallel French and English texts.<sup>6</sup> This manifesto induced gloomy forebodings in the *Craftsman*, which had so long agitated for war. Now, it felt, war was 'a melancholly Consideration, in our present Circumstances, laden with an *heavy Debt*, oppress'd with a Multitude of *grievous Taxes*, depriv'd of many valuable Branches of *foreign Trade*, and consequently declining in our *Manufactures at home*'.<sup>7</sup>

As well as reprisals and naval preparations, military precautions were taken in England itself. Eight regiments of foot were brought over from Ireland and augmented to full strength, and pressing for the navy was put in force.<sup>8</sup> It was perhaps natural that speculation immediately began about the purpose of the army: it was rumoured that the ministry knew of a Jacobite plot.<sup>9</sup> Certainly that danger was not far from the minds of ministers. Horace Walpole, when in company with the Dutch ambassador, burst out revealingly 'that the greatest part of the Malecontents were Jacobites in their heart'.<sup>10</sup> Another decision taken at this early stage was to put the coasts on a war footing by placing an embargo on all shipping.<sup>11</sup> The nature of élite government could hardly be better revealed than by the way in which this measure was abandoned. The Duke of Richmond was greatly involved in the Newcastle collier fleets, having inherited a duty of eight pence per ton on all the output of the Great Northern coalfield. He wrote to his closest friend the Duke of Newcastle to ask for urgent help. His 'farmer' of the coal vend duties told him that unless the embargo was lifted at once, he would be bankrupted, in which case Richmond stood to lose at least £3,125, '& then your humble servant is f—k'd ... pray thinke of this, & procure me redress of my greivance, which if not done imediatly, that which I have told you will inevitably happen'.<sup>12</sup> Ten days later, following three meetings of the cabinet in one day, the embargo on shipping was lifted.<sup>13</sup>

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<sup>6</sup> *His Catholick Majesty's Manifesto, Justifying his Conduct in relation to the late Convention, with his Reasons for not paying the £95,000* (1739).

<sup>7</sup> *Craftsman*, 15 September (OS) 1739.

<sup>8</sup> BL Add Ms 32692, ff. 64-5, Hardwicke to Newcastle, 2 June (OS) 1739.

<sup>9</sup> PRO SP 107/28 (unfoliated), Wasenberg to Gyllenborg, 26 June (NS) 1739.

<sup>10</sup> PRO SP 107/30 (unfoliated), Hop to Fagel, 31 July (NS) 1739.

<sup>11</sup> BL Add Ms 32692, ff. 77-9, papers.

<sup>12</sup> BL Add Ms 32692, f. 158, Richmond to Newcastle, 20 July (OS) 1739.

<sup>13</sup> PRO SP 107/31 (unfoliated), Carvalho to Guedes, 11 August (NS) 1739.



With the decision taken to commit hostile acts against Spain on the seas, the rôle of chance in foreign affairs came to the fore. The chance of winning the prize of Spanish treasure was part of the uncertainty: a lucky seizure of the *azogues* might have brought Spain to settle at once.<sup>14</sup> One foreign envoy believed that the ministers had been counting on capturing the treasure ships.<sup>15</sup> Against that, Trevor equably commented that by missing the *azogues* the British insurers had kept their profits, and we had not provoked the French; 'Our insurers put 30 *percent* into their pockets, instead of losing 70; and the old Cardinal will be less teased and animated by his countrymen to make a common cause with Spain...'.<sup>16</sup> France was equally likely to contemplate joining the war if Britain were to be too lucky in its conquests. A decisive defeat of Spain might be impossible for the French minister to tolerate. In 1738, la Mina had roundly asked Fleury; 'laissez vous écraser l'Oncle du Roy?'. The Cardinal could not entirely dismiss this appeal to Bourbon pride.<sup>17</sup> Nor did he wish to see Britain extend its empire at the cost of Spain. The Secretary of State's office began keeping a tabulated record of Fleury's comments to Waldegrave about British gains in the Indies.<sup>18</sup>

The Cardinal's stand was unchanged so long as the British were active in that region. He was content to see British seizures of ships and goods, he told Waldegrave, but could not countenance any colonial gains, which would disturb the existing balance; 'Pillage and plunder as much as you can, but don't possess yr. selves of any places belonging to the Spaniards - this he added was his Doctrine and what he consented to with all his heart...'.<sup>19</sup> It was a consistent doctrine, and it was one of the risks of the great expedition later planned to the Indies that, if it succeeded, it would almost certainly draw France into

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<sup>14</sup> This was one of the considerations put forward in an intelligence report of June 1738; BL Add Ms 19036, f. 7.

<sup>15</sup> 'C'est un grand coup de manque pour l'Angleterre que de n'avoir pas se saisir des vaisseaux des Assogues, cette cour en a été d'autant plus fâchée qu'Elle ne doutoit point qu'ils ne lui echaperoient pas', PRO SP 107/32 (unfoliated), Ossorio to de Solar, 2 September (NS) 1739.

<sup>16</sup> HMC, *Fourteenth Report*, Trevor Mss, p. 541, Trevor to H. Walpole, 20 August (OS) 1739.

<sup>17</sup> PRO SP 78/218, f. 166, Waldegrave to Newcastle, 11 June (NS) 1738.

<sup>18</sup> PRO SP 78/221, ff. 276-9.

<sup>19</sup> PRO SP 78/222, f. 233, Waldegrave to Newcastle, 3 April (NS) 1740.

the war. Walpole was warned by '101' that if Britain succeeded in capturing and garrisoning Cartagena then Fleury would be compelled to go to war.<sup>20</sup>

From another viewpoint, though, the chances of an unintended conflict with France looked less if war were to be conducted in the Caribbean than in Europe. Small clashes of French and British ships were already happening in home and Mediterranean waters in the autumn of 1739. Haddock in his blockade of Cádiz was stopping and searching French vessels, while armed French merchantmen were firing on British merchant ships 'out of a gaité de coeur'.<sup>21</sup> When the French ambassador protested against having vessels searched and papers confiscated, the British reply was firm, yet included reassurances about abiding strictly by existing treaties.<sup>22</sup> Such conflicts, though, could easily escalate. The French Jacobites were certainly excited at the prospect of a rupture between Britain and France over the episode.<sup>23</sup> This was the fear also of the influential Hardwicke, who in August told the Duke of Newcastle that :

As to the Question, what should be done with the Fleet after the Affair of the Azogues is over, I wish you would turn it in your thoughts whether, in regard to our Situation with France, any Hostilities, by way of *Revenge* or *Vindictive Justice*, may not be more advisably carried on in the West-Indies than in Europe, — I mean against the dominions of Spain.<sup>24</sup>

The affair of the *azogues* meanwhile suspended other planning. Walpole told his brother; 'We think and talk of nothing but the Azogues: a few days must clear that point, and then we must look forward'.<sup>25</sup> The *azogues* arrived safely in Spain on 13 August (NS) 1739 with cargoes worth seven millions of hard dollars, putting into Santander rather than Cádiz, their usual port.<sup>26</sup> Two lateen-rigged advice boats, *tartanas*, had been sent out to

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<sup>20</sup> PRO SP 36/56, f. 110, Newcastle to Harrington, 12 June (OS) 1741.

<sup>21</sup> BL Add Ms 19030, ff. 434-5, draft of 'An Answer to Mons. Cambis', September 1739.

<sup>22</sup> BL Add Ms 32801, ff. 252-4, Couraud to Waldegrave, 6 September (OS) 1739.

<sup>23</sup> Windsor RA Stuart Mss, 217/111, George Robinson to James, 28 September (NS) 1739.

<sup>24</sup> BL Add Ms 32692, f. 235, Hardwicke to Newcastle, 13 August (OS) 1739.

<sup>25</sup> W. Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole, Earl of Orford* (3 Vols. 1798), III, p. 534, Walpole to H. Walpole, 28 August (OS) 1739.

<sup>26</sup> BL Add Ms 32801, Keene to Newcastle, 17 August (NS) 1739.



warn them to change their course for the harbours of Galicia.<sup>27</sup> For a little while it was thought that Admiral Vernon's fleet might attack the *azogues* in harbour, and insurance was taken out in London on the ships as they lay in port, but nothing came of it.<sup>28</sup> With the chance of early treasure seizures gone, Hardwicke pressed the case for some Caribbean attack still further:

I entirely agree with Your Grace that in some Way or other our Fleets should be put upon action. You know my notion is, in ye West-Indies, and, as they have no winter there, the Season of the Year makes that the more proper. But Your Grace & I can only press that in general, and, if our Admirals & Men of Skill in that Way do not reduce it to some precision, & fix on some particular *Designs*, it will be of little effect.<sup>29</sup>

Despite agreement on the first military preparations, the splits within the ministry continued. Walpole was still against war, and could express himself with spirit. In mid-June he found himself by chance next to Lord Strafford, one of the plenipotentiaries responsible for signing the Peace of Utrecht, and an assiduous courtier who nonetheless always voted against the ministry. Strafford asked Walpole why he was so opposed to war, 'sur quoi le premier repondit avec énergie, c'est pour ne pas faire une aussi mauvaise paix que celle d'Utrecht'.<sup>30</sup> Though Hardwicke was generally seen as being in the Duke of Newcastle's camp, he did still try to exert his influence to bring unity to the squabbling cabinet. His best chance came at the point when the Convention broke down over Spain's refusal to pay. In a private meeting 'to settle what should be proposed tomorrow night in Cabinet', Hardwicke heard Walpole begin in a 'strain of melancholly & complaints':

I endeavoured to show him that his difficulties arose chiefly from a fixed opinion in many, & from a Suspicion in some of his Friends, that nothing would be done against Spain — that this might be discerned from the differences in our Divisions upon matters relative to that great affair & any other Court points.<sup>31</sup>

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<sup>27</sup> PRO SP 107/30, Vander Meer to States General, 23 July (NS) 1739. Despite this intercept, which told British ministers of their intentions, these fast-sailing vessels were the only ones encountered by the *azogues*.

<sup>28</sup> BL Add Ms 32692, f. 256, Hardwicke to Newcastle, 26 August (OS) 1739.

<sup>29</sup> BL Add Ms 32692, f. 257, Hardwicke to Newcastle, 26 August (OS) 1739.

<sup>30</sup> PRO SP 107/28 (unfoliated), Utterodt to Count de Bruhl, 15 June (OS) 1739.

<sup>31</sup> BL Add Ms 32692, f. 64, Hardwicke to Newcastle, 2 June (OS) 1739.

This effect of cabinet disunity was indeed a serious one. Disagreements persisted over the military options available. Haddock's fleet was penning up the outward-bound *flota* in Cádiz. That fleet had aboard so much cargo belonging to French merchants that seizing it would be likely to cause a war with France. Walpole, supported by Harrington, wanted Haddock to be ordered into the Mediterranean, to allow the *flota* to sail unmolested and perhaps even persuade Fleury to sign a formal neutrality.<sup>32</sup> Newcastle called this 'a strange Notion, which he must be beat out of'.<sup>33</sup> He and Hardwicke wanted Haddock to seize the richly laden fleet, a capture which would delight the public. In the event, by the chance of the sea, the *flota* escaped. People began to learn that; 'the Sea is so large, the Winds are so uncertain, and the Routes so different wch. Ships may ... take, that the Chance of taking prizes is very doubtful & precarious'.<sup>34</sup> If a 'blue water' strategy was to be employed, it had to produce some gain. As time went by, the demand grew for some return on the vast expense of military preparations. 'Mankind is now convinc'd', wrote Chesterfield, 'that neither our Land nor Sea forces are to be made any other use of, than to make the Nation feel some of the expence of a War, to make them the more willing to accept of a very bad Treaty...'<sup>35</sup> Something positive, Newcastle was convinced, needed to be done:

For Godsake, My Dear Lord, lett us putt our Fleets upon some Action, some where, or all will be called a Farce, & we shall be said, to have delayed Vernon, yt the Azogues might escape.<sup>36</sup>

By the summer of 1739, the divisions within the ministry were public knowledge, at home and abroad. Trevor wrote to Horace Walpole of how 'the opinion of the chancellor's and the Duke of Newcastle's having not only a sett of ideas, but of friends too, distinct from those of your excellency and your brother, is so prevelent here [The Hague], even

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<sup>32</sup> BL Add Ms 35406, f. 138, Newcastle to Hardwicke, 12 August (OS) 1739.

<sup>33</sup> BL Add Ms 35406, f. 137, Newcastle to Hardwicke, nd, c. 6 August (OS) 1739.

<sup>34</sup> Wolterton (Walpole) Mss, Political Tracts, 'Note of facts relating to ye Expeditions for America', f. 9.

<sup>35</sup> Wolterton (Walpole) Mss, Letters and Papers of Sir Robert Walpole (unfoliated), Chesterfield to Stair, 22 July (OS) 1739.

<sup>36</sup> BL Add Ms 35406, f. 141, Newcastle to Hardwicke, 26 August (OS) 1739.



amongst sensible and unbiassed men'.<sup>37</sup> It may be true, as Reed Browning has said, that; 'There is no evidence that the duke ever tried to have Walpole ousted'.<sup>38</sup> But Newcastle does seem to have decided that Walpole was losing the will to continue at the head of affairs. In the Duke's letters at this time, even amid the insecurities and anxiety, one can discern also the kind of decisiveness and self-belief that can come in mid-career to holders of high office. On many disputed points, he was confident that he was right, and that Walpole was wrong. In 1739, Newcastle was forty-six years old, while Walpole was sixty-four. A comparison of the two men in the hunting field would provide a fitting eighteenth-century analogy for their relative strengths at this time. Newcastle was still riding vigorously, and was one of only five riders to be up with the hounds after a headlong chase of ten miles.<sup>39</sup> Walpole, a passionate lover of the chase, could still manage to get in at the kill, no longer by hard riding, but by his intimate knowledge of the country around Houghton and of the habits of foxes.<sup>40</sup> Newcastle had an appetite for political business and for power which was hardly to flag for the remaining twenty-nine years of his life. He had furthermore the pressure of his huge debts; he needed the emoluments and the credit of high office. Walpole, by contrast, his zest for the struggles of politics weakened by the loss of his wife and by intermittent bouts of severe illness, must have seemed to be reaching the end of his public career.

Newcastle was looking forward to new combinations of ministers, and increasingly influenced by his friends among the Opposition, especially Carteret and Argyll.<sup>41</sup> He was also in fundamental disagreement with Walpole's reading of the public temper. Sir Robert was still trying to defend or even revive the Convention, and seeking to avoid war. Newcastle was certain that it was too late for any further attempts at compromise:

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<sup>37</sup> W. Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole, Earl of Orford* (3 Vols. 1798), III, p. 542, Trevor to H. Walpole, 28 August (OS) 1739.

<sup>38</sup> R. Browning, *The Duke of Newcastle* (1975), p. 103.

<sup>39</sup> T.J. McCann (ed), *The Correspondence of the Dukes of Richmond and Newcastle 1724-1750* (1984), Sussex Record Society Vol. 73, p. 26, Newcastle to Richmond, 28 November (OS) 1738.

<sup>40</sup> W. Coxe, *Memoirs of the Administration of the Right Honourable Henry Pelham* (2 Vols. 1829), I, p. 12, Pelham to Newcastle, 15 November (OS) 1738.

<sup>41</sup> Hervey, *Memoirs*, III, pp. 733-4.

The Times won't bear it... And if we go on in despising what people think & say, we shall not have it long in our power, to direct what Measures shall be taken... A little yielding to times, a plain dispassionate State of our Case, with proper assurances to the Publick, that right Measures & vigorous Ones, shall be undertaken against Spain, might have a good Effect before the parliament meets, but if we are to go on in extolling the Convention, I say it with great Concern, it will not do, & we shall feel ye consequences of it.<sup>42</sup>

Pushing ambitiously forward within the ministry, and looking to new allies, Newcastle was touchier than ever, and felt betrayed at any sign of desertion by his old friends. It was enough for Hardwicke to be reserved with him about a private conversation which he had shared with Walpole to draw forth an impassioned letter of remonstrance.<sup>43</sup> Glimpses of his manoeuvring can be caught, for instance in the correspondence between the two Secretaries of State. It was customary for letters from and to the Secretaries to be shown to Walpole, and indeed read in cabinet. Newcastle and Harrington, however, were exchanging letters on policy so entirely private that if Harrington wanted Walpole to know their thoughts about France, he had to write a separate, spurious, letter which could be shown without revealing what else the original had contained.<sup>44</sup> Once the decision for war was inevitable, though, there was a temporary harmony. Walpole seemed to recover his spirits and the most striking splits in the ministry were for a while bound together. Newcastle observed to Hardwicke at Michaelmas that 'Sr. R. is in seeming good Humour with us'.<sup>45</sup>

This good humour was destroyed by that bane of eighteenth-century political life, contests over appointments. The promotion of Lord Hervey, Newcastle's enemy, was the first such incident. In the autumn of 1739, Walpole proposed to make Hervey Lord Privy Seal, in succession to the Earl of Godolphin. After more than ten years as Vice-Chamberlain, spent in often highly tedious and yet sensitive attendance on the King, Hervey could hardly be denied his post. Indeed, he was entitled to feel disobliged at waiting until 1 May 1740 to take up his new appointment. Newcastle, however, feared that the balance of the inner circle would tip against him if Hervey had entrée to the cabinet. Even more, he

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<sup>42</sup> BL Add Ms 35406, f. 159, Newcastle to Hardwicke, 30 September (OS) 1739.

<sup>43</sup> BL Add Ms 32693, ff. 28-30, Newcastle to Hardwicke, 9 January (OS) 1740.

<sup>44</sup> BL Add Ms 32693, f. 472, Newcastle to Harrington, 11 July (OS) 1740.

<sup>45</sup> BL Add Ms 35406, f. 155, Newcastle to Hardwicke, 28 September (OS) 1739.



feared that Hervey, and not himself, would come to be the chief government spokesman in the House of Lords.<sup>46</sup> His arguments to Hardwicke were the *ad hominem* pleas of political in-fighting. Hervey was, he said, the only man who had 'ever presumed to behave indecently' to Hardwicke in the Lords, and had behaved notoriously badly to Grafton. Together with Pelham and Newcastle himself, he hinted, these two were the targets of Walpole's malice. The leading minister, knowing that he was on the way out through 'age, Health or other Circumstances', designed to make life uncomfortable for the four of them when he was gone.<sup>47</sup> They should all four offer to resign, and force Walpole to give up Hervey's appointment.

Though Newcastle's fluttering anxieties were not without their ludicrous side, this threat of group resignation by a connection within the ministry, forcing the hand of both Walpole and the King, was part of the range of high politics at this time. The scheme came to nothing, and indeed Newcastle's financial circumstances would not permit him to offer his resignation at all seriously, even if he had managed to persuade his colleagues that the occasion warranted the step. Nonetheless the incident reveals very serious tensions within the administration. The Duke, as always, felt slighted by his friends, who automatically assumed that he was in the wrong. Sir Robert cared nothing for making a breach in the ministry, said Newcastle, thanks to the 'Profest disinclination, and dissatisfaction, that he has with me'. And in a holograph postscript he believably added; 'these are my own pure, genuine, thoughts'.<sup>48</sup>

This contest over Hervey soured relations within the ministry at the very time when the declaration of war with Spain was being considered. The framing of the declaration of war itself was handled by Newcastle in such a way as to largely bypass the Walpoles and cause further bad feelings between him and them. Newcastle's draft, approved by the cabinet, laboured the issue of Spain's alleged infractions of the 1670 treaty, and played down the central rôle of the Convention of the Pardo as an attempt to resolve these grievances. In Horace Walpole's view, the declaration as drafted by Newcastle, as well as

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<sup>46</sup> BL Add Ms 35406, ff. 164-5, Newcastle to Hardwicke, 14 October (OS) 1739.

<sup>47</sup> *Ibid.*, ff. 165-6.

<sup>48</sup> *Ibid.*, ff. 168-9.

being ill-organised and illogical, reflected the views of Carteret and others by whom the Duke was increasingly influenced. Horace Walpole was angered by:

his Grace's unkind intentions in passing ye Draught, in this manner; I can't forbear saying that I was struck extreamly much with the perusall of it, as what seem'd to favour & support ye notions of some favourite Lords to his Grace, that are in opposition, rather than to justifie the advice & proceedings of those with whom he is tyed in ye ministry.<sup>49</sup>

However it was drafted, there was no doubt of the popular acclaim waiting to greet the declaration of war. The Swedish envoy was shocked by the glee with which the public greeted what was normally regarded as a calamity; 'on ne sçauroit exprimer la joye et le contentement que la populace a témoigné sur un evenement qu'on regarde d'ailleurs comme un des plus grands malheurs qui peut arriver à une Nation'.<sup>50</sup> The patriotism which was investing the name of Britons with such resonance was bound to be boosted by the prospect of a foreign war. Even small incidents contributed to augment it:

On Tuesday last when Windsor Herald at Arms read his Majesty's Declaration of War against Spain, at the Royal Exchange, there was a Circumstance that many People, who observ'd it, were greatly pleas'd with, viz. the Moment that he had pronounced the last Words, the 'Change Clock struck, and the Chimes play'd,

*Britons strike home,  
Revenge, Revenge, your Country's Wrongs.*<sup>51</sup>

Scenes of glee and public rejoicing were reported when the news reached Oxford, and when the Declaration was read in Portsmouth the band also played 'Britain strike home'.<sup>52</sup> This did not mean, however, that the nation was now united behind the administration. The discontent with the ministry augmented even with the coming of war. Part of the explanation may have lain in the sudden change to very severe weather, the worst of the century. Two bad winters, in 1739-40 and 1740-41, with a failed harvest between them, were sure to increase dissatisfaction with the government. So, at least, the

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<sup>49</sup> BL Add Ms 35586, f. 205, H. Walpole to Hardwicke, 14 October (OS) 1739.

<sup>50</sup> PRO SP 107/33 (unfoliated), Wasenberg to Gyllenborg, 23 October (NS) 1739.

<sup>51</sup> *London Evening Post*, 23-5 October (OS) 1739.

<sup>52</sup> *Ibid.*, 27-30 October (OS) 1739.



Jacobites hoped.<sup>53</sup> High prices and severe conditions certainly led to riots, like the ones at Peterborough and Kettering.<sup>54</sup> One foreign envoy believed that there was a 'general discontent all over the Nation'.<sup>55</sup> Another more accurately commented; 'La Ville de Londres n'a pas depuis longtemps donné des preuves si remarquables de son mecontentement, et l'on juge par là des sentiments du reste du Royaume'.<sup>56</sup>

One challenge at least served to bolster the standing of the ministry. Pulteney put down a motion in February for an address to the King, to lay before the House all the papers concerning the Convention. He made it clear that it would lead to a secret Committee of Enquiry. The debate was a triumph for Walpole, who applied the threat personally to himself. 'When the Affair was over Sr Ro. thanked many of the Members for their Attendance & accepted of their congratulations, as if He had been really tryed & acquitted'.<sup>57</sup> One striking performance was not enough, however, and as discontent continued, so did cabinet divisions. During the whole of 1740 the continuing splits within the ranks of the administration occupied a great deal of time and nervous energy in high places. In March, Newcastle managed, without benefit to himself, to disoblige the Walpoles. Horace Mann, recommended by his patron, Horace Walpole senior, after whom he was named, gained an appointment as envoy in Florence in March 1740.<sup>58</sup> But the confirmation of his post was delayed, and caused an angry and revealing outburst from the premier minister's brother:

some personall management that you have for some body else (a Principle that runs thro' ye conduct of publick business preferable to any other

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<sup>53</sup> Windsor RA Stuart Mss, 221/163, Cockburn to Edgar, 14 April (NS) 1740. There was appalling dearth and sickness in France also; PRO SP 78/223, f. 16, Waldegrave to Couraud, 16 May (NS) 1740.

<sup>54</sup> The Kettering corn riot was organised under cover of a 500-a-side football match. PRO SP 36/50, f. 418, John Creed to Newcastle, 19 May (OS) 1740.

<sup>55</sup> PRO SP 107/32 (unfoliated), Hop to Fagel, 18 September (NS) 1739.

<sup>56</sup> PRO SP 107/33 (unfoliated), Wasenberg to Gillenborg, 2 October (NS) 1739.

<sup>57</sup> CUL Add. 6851, f. 3, Harley journal, 21 March (OS) 1740.

<sup>58</sup> BL Add Ms 32802, f. 87, Horace Mann to Newcastle, 6 March (NS) 1740. Mann, who is best known to history for his forty-six year correspondence with Horace Walpole junior, was from a Suffolk family related to, and dependent on, the Walpoles. W.S. Lewis, W.H. Smith & G.L. Lam (eds), *Horace Walpole's Correspondence with Sir Horace Mann*, I, (1954), pp. xxix-xl.

consideration) will at last ruin this young Gentleman for being unfortunately related to our family, this is not warmth, these are cool deliberate thoughts, and it is indeed come to pass, that neither my Brother Walpole nor my self dares propose any thing, or speak in favour of any person directly, where your Grace is concerned... knowing that our recommendation purely for being ours must be a clog to ye thing...<sup>59</sup>

In June, Horace Walpole was busy trying to persuade Hardwicke to change the 'unaccountable behaviour' of Newcastle towards Sir Robert. Hold back for a year, at least, was his message, and do not force the leading minister to resign with an election in the offing.<sup>60</sup> The cabinet squabbles were all the more open because George II was absent in Hanover. Hardwicke called for a show of unity on that account:

It is my firm Opinion that now especially whilst the King is abroad (who when he was here was a kind of Centre of Unity, at least his final opinion concluded every body else) ye utmost Endeavours should be us'd to preserve harmony & good Agreement.<sup>61</sup>

Newcastle, though, was becoming too confident of his supporters to listen to such advice, especially in July 1740, after he had seen a flattering letter written by Hardwicke to the Duke of Somerset, supporting Newcastle and Pelham.<sup>62</sup> Henry Pelham added his voice to that of Hardwicke, trying to placate both Newcastle and the Walpoles.<sup>63</sup> Neither party was getting its way fully in cabinet, and this was bound to lead to frustration with the process of decision-making. Newcastle, complaining in October that Sir Robert was putting criticisms of him into the King's head, stood up for his right to argue in cabinet, and received a telling reply:

I said to him, Lord Harrington present, 'When measures are agreed amongst us, it is very right that every body should support them; but not to have the liberty of giving one's opinion before they are agreed, is very wrong.' He said shortly 'What do you mean? This war is yours, you have had the conduct of it. I wish you joy of it.'<sup>64</sup>

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<sup>59</sup> BL Add Ms 32693, f. 203, H. Walpole to Newcastle, 13 April (OS) 1740.

<sup>60</sup> BL Add Ms 9176, f. 56, H. Walpole to Hardwicke, 16 June (OS) 1740.

<sup>61</sup> BL Add Ms 32693, f. 326, Hardwicke to Newcastle, 8 June (OS) 1740.

<sup>62</sup> BL Add Ms 35406, f. 209, Newcastle to Hardwicke, 19 July (OS) 1740.

<sup>63</sup> BL Add Ms 9176, ff. 57-8, H. Pelham to Hardwicke, nd.

<sup>64</sup> BL Add Ms 9176, f. 145, Newcastle to Hardwicke, 25 October (OS) 1740.



An active Jacobite officer reported to the Pretender's secretary in autumn 1740 that the Council of Regency were completely divided, 'suspecting and blaming each other's party'.<sup>65</sup>

The cleavages in the ministry were aggravated by calling in the influence of George II. Walpole still had the ear of the King, and criticised Newcastle in the closet when he could not defeat him in cabinet. The Duke in his turn did his best to turn the King against Walpole's supporters. The favour of the King, 'he that governs all', was most mercurial where Hanover interests were concerned.<sup>66</sup> Horace Walpole, in one of many complaints of this period, offered a clear idea of how these rivalries and tensions were played out around the King's apartments:

I give, when in town, my Opinion of foreign matters, in the private conferences; but as it is not always agreeable to narrow electoral views, it is I believe, seldom followed, and indeed minded till it is too late; and when it is not agreeable, by what another person [Sir Robert] hears in the closet about me, care is taken by the reporters to let me have the merit of it.<sup>67</sup>

It was easy to make court to the King where cabinet decisions were disagreeable to him. Horace Walpole commented on this kind of behaviour; 'Some few of us meet and seem entirely to [agree], but a different language or at least deference governs some in the Closet afterwards'.<sup>68</sup> Splits between ministers on personal grounds made the problem worse, and Horace was almost certainly aiming his criticism at Lord Harrington. Though Harrington owed Horace Walpole obligations, they were no longer friends by 1740.<sup>69</sup> It was Harrington, Horace thought, who most 'has either disliked or made an ill use of my thoughts, and sometimes has done both'.<sup>70</sup> By that Spring, Horace was entirely disillusioned with the 'weak, absurd, distracted, and contradictory counsels and motions

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<sup>65</sup> Windsor RA Stuart Mss, 227/44, Col. Arthur Bret to Edgar, 10 October (OS) 1740.

<sup>66</sup> Quotation, *ibid.*, p. 243, same to same, 22 August (OS) 1741.

<sup>67</sup> W. Coxe, *Memoirs of Horatio, Lord Walpole* (3rd. ed., 2 Vols. 1820), I, p.230, H. Walpole to Trevor, 15 July (OS) 1741.

<sup>68</sup> HMC, *Fourteenth Report*, Trevor Mss, p. 61, H. Walpole to Trevor, 18 November (OS) 1740.

<sup>69</sup> HMC, *Fourteenth Report*, Trevor Mss, p. 55, H. Walpole to Trevor, 30 September (OS) 1740. See above, pp. 55, 69-70.

<sup>70</sup> *Ibid.*, p. 64, same to same, 6 January (OS) 1741.

of those whose steadiness and union is more necessary than ever for the preservation of the whole'.<sup>71</sup>

Those counsels were particularly distracted over the wisdom of a large combined expedition to the West Indies. It was not clear to the Walpoles that any kind of military action was the answer to the British grievances. British demands arose from their abuse of a weakness in the Spanish imperial system of trade. Full commercial negotiations, and workable treaties, were the only real solution.<sup>72</sup> To produce that solution, the fear of losses in Italy was more likely to work upon Elizabeth than any attacks in the Indies. In October 1742 the fear of joint British-Austrian ventures in Italy led at once to offers to Carteret, through St. Gil, of conciliatory treaty terms. Spain expressly offered to concede to British ships the right of free navigation.<sup>73</sup> If military force were the only way to compel a full negotiation, though, it was still not clear that an unprecedentedly large and costly expedition was the best means available. Keene cautioned that it was impracticable, in view of the fortifications of the main Spanish strongholds, and the fact that disease and climate ruled out the use of sieges. A privateering war, and annoyance of the coasts both of Old and New Spain, he argued, was what Spain most feared.<sup>74</sup> The views of the two most important ministers were highly polarised. Walpole wanted above all to maintain forces at home sufficient to defend the country, while Newcastle was strongly attracted to the idea of a major Caribbean expedition. A range of plans was being considered, including an attack on St. Augustine and ventures into the South Seas to take the Acapulco ships in the Philippines.<sup>75</sup> Walpole preferred this Manila expedition, as it would involve less weakening of British defences than the combined expeditionary force that would be required to take the Havana, Cartagena or any other desirable Spanish possession in the Caribbean.<sup>76</sup> The Jamaica merchants were urging that a large fleet be

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<sup>71</sup> *Ibid.*, p. 73, same to same, 27 May (OS) 1741.

<sup>72</sup> PRO SP 94/206, f. 111, St. Gil to Geraldino, 25 March (NS) 1738; BL Add Ms 35406, f. 55, Newcastle to Hardwicke, 22 October (OS) 1738.

<sup>73</sup> BL Add Ms 32082, f. 348, Intercept, Marquis de Villarias to St. Gil, 22 October (NS) 1742.

<sup>74</sup> BL Add Ms 32801, ff. 118-22, Keene to Newcastle, 14 July (NS) 1739.

<sup>75</sup> BL Add Ms 19030, f. 432, Wager, minute, 6 September (OS) 1739; BL Add Ms 33004, f. 10, cabinet minute 6 September (OS) 1739.

<sup>76</sup> BL Add Ms 28132, ff. 59, 82, Norris journal, 23 October & 22 November (OS) 1739. The best discussion of all the options, detailed and carefully considered, is R. Harding,



sent to the West Indies at once, to 'make such an Eclat in that Part of the World, that ... the Spanish Ships will be embargoed'.<sup>77</sup>

The mere sending of a fleet, though, without some effective plan of conquest, was not enough. Both ministers and their opponents still had keen memories of Admiral Hosier's fleet, blockading the *flota* and rotting ingloriously off Portobello in 1726-7 as yellow fever decimated its numbers.<sup>78</sup> What could be produced as a better plan was still unclear. The loose and hopeful nature of the early planning discussions can be seen in Admiral Norris's note of the thinking in October about what came to be the Anson expedition to the South Seas:

it was the general sentiment that about three Ships properly maned mout maintain them selves for some time in the severall parts of the South Sea, and very much annoy the Spanish coasting trade, ... in those Seas and get a good dole of buty to maintaine them selves: and mout find some proper Iland; to carrene [haul down ships and clean their hulls] and be of yoose to them; and if in their compliments they had five hundred soldiers; it would often be of youse to compell towns on the Sea Cost to submit to them and raise great Contribution.<sup>79</sup>

The King was pressing his ministers for some 'undertaking of consequence'.<sup>80</sup> Hardwicke became tired of their piecemeal way of discussing the war, at broken hours, and always at odds. He proposed in December a small steering group to put forward concrete proposals.<sup>81</sup> Newcastle meanwhile read attentively Swift's classic pamphlet statement of the 'blue water' policy, *The Conduct of the Allies* (1711), and moved a step closer to the Tory way of thinking.<sup>82</sup> He was becoming increasingly concerned about the government

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*Amphibious Warfare in the Eighteenth Century. The British Expedition to the West Indies 1740-1742* (1991), pp. 20-42.

<sup>77</sup> BL Add Ms 32692, f. 290, William Wood to Newcastle, 12 September (OS) 1739.

<sup>78</sup> Sir H.W. Richmond, *The Navy as an Instrument of Policy 1558-1727* (1953), pp. 382-7, offers a good account of the Hosier débacle, in which 4,000 seamen, including Hosier himself, died.

<sup>79</sup> BL Add Ms 28132, f. 52, Norris journal, 16 October (OS) 1739.

<sup>80</sup> *Ibid.*, ff. 52-3.

<sup>81</sup> BL Add Ms 32692, ff. 523-4, Hardwicke to Newcastle, 16 December (OS) 1739.

<sup>82</sup> BL Add Ms 35406, f. 157, Newcastle to Hardwicke, 30 September (OS) 1739.

having been granted so much money in Supply, without any tangible gain to show to the public:

I dread the Consequences, of an Expensive but necessary preparation, without having done any Thing, or seeming to have any real solid plan for that purpose. It can only be done in the W. Indies, & there the author of the Conduct of ye Allies, says we should have carried our Arms ye last Warr. ... I am always answer'd, that it is improper to say we will undertake some Thing, or some Expedition in the W. Indies, till we know what. Lett us determine to do something; we shall soon find out what may be undertaken.<sup>83</sup>

Pressure for results was increasingly felt. It was expressed at its simplest in a letter from 'Jack Meddler' early in the new year; 'What is the Reason that, with such a formidable Naval Force as we have fitted out, so little has hitherto been done against Spain?'<sup>84</sup> The ministry's answer was by then finally decided. In mid-December a Caribbean expedition was fixed upon, to be led by Lord Cathcart, with an escort squadron of twenty-five ships under Sir Chaloner Ogle.<sup>85</sup> The precise objectives of the expedition were left, wisely and in accordance with precedent, to the judgement of the commanders in the field. Richard Harding has successfully refuted the classic, and highly critical, account given by Admiral Richmond of this slow and erratic exercise in planning. 'The six months delay between June and December 1739, which looks, superficially, like a case of appalling mismanagement, is much more understandable when viewed against the conditions prevailing in the summer and autumn of 1739.'<sup>86</sup> Harding's work illuminates the huge financial and logistical problems in the way of an eighteenth-century administration seeking to plan a major war offensive. He rightly argues that the Walpole ministry could not have begun to build up material and armaments on the necessary scale, without

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<sup>83</sup> BL Add Ms 35406, f. 158, Newcastle to Hardwicke, 30 September (OS) 1739.

<sup>84</sup> *The Daily Post*, 4 January (OS) 1740. A series of issues of the paper derided the argument of the ministerial pamphlet *The Grand Question...* and pressed for a substantial combined operation in the Caribbean; *ibid.*, 8, 10, 15 January (OS) 1740.

<sup>85</sup> BL Add Ms 28132, ff. 100-01, Norris journal 17 December (OS) 1739. The detailed planning was handed over to a small group of leading army and navy commanders, including Cathcart.

<sup>86</sup> Harding, *Amphibious Warfare in the Eighteenth Century*, p. 38. H.W. Richmond, *The Navy in the War of 1739-48* (3 Vols, 1920), I, pp. 76-81.



prejudicing diplomatic efforts by alienating Spain, and indeed without raising to fever pitch the expectation of the public.<sup>87</sup>

However, this argument is not meant to explain away all the very considerable delays in planning. War was overwhelmingly likely from April 1739. Horace Walpole had first presented a long and important discussion of the possible war options to the cabinet in January 1738.<sup>88</sup> The fact that detailed planning was handed over to a steering group only in mid-December 1739 does suggest serious flaws in the efficiency of cabinet government at this date. All major decisions were concentrated in a few hands, and there was some truth in the belief of opponents that too few hands were involved. Plans for waging war were discussed in a small group, Hardwicke arguing that it had never been the practice to bring such secret matters before a large number of ministers.<sup>89</sup> The benefits of specialisation of function were not achieved, and nor was there an adequate body of crown servants able and free to provide detailed analyses of the various options favoured by ministers. Senior secretaries such as Stone and Couraud spent vast amounts of time on routine labours of translation, judicial applications and patronage matters. Walpole, the great all-rounder, and Hardwicke, torn in so many directions at once, both men strongly preoccupied by domestic politics, symbolise the shortcomings of ministerial decision-making in foreign policy. The division of the office of Secretary of State into a Northern and Southern Department, each combining foreign and domestic policy, of course made decisive action less likely.<sup>90</sup> Newcastle, dealing with foreign affairs amidst a welter of concerns for his own finances, his friends and his ambitions in the inner circle, had also to deal with a mountain of papers on everything from criminal appeals to clerical patronage.<sup>91</sup> Such a system made coherent planning difficult, and where ministers were

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<sup>87</sup> Harding, *Amphibious Warfare in the Eighteenth Century*, pp. 22-6.

<sup>88</sup> P.L. Woodfine, 'Horace Walpole and British Relations with Spain, 1738', *Camden Miscellany*, XXXII, (1994), pp. 277-311.

<sup>89</sup> BL Add Ms 32692, ff. 538-9, Hardwicke to Newcastle, 27 December (OS) 1739.

<sup>90</sup> For comment on Newcastle as a 'classic instance' of the problems which this posed, J.M. Black, *British Foreign Policy in the Age of Walpole* (1985), pp. 57-8.

<sup>91</sup> An exhaustive statistical discussion of clerical income and patronage, though one weighted heavily to the end of the reign of George III, is P. Virgin, *The Church in an Age of Negligence: Ecclesiastical Structure and Problems of Church Reform 1700-1840* (1989). More up-to-date and widely based discussions can be found in the work of Stephen Taylor: e.g. 'Whigs, Bishops and America: the Politics of Church Reform in Mid-

divided by rivalries it was almost impossible. It is hard to believe that a unified ministry would have failed to reach, by the summer of 1739, some consensus on which contingency plans to explore in anticipation of war. Newcastle, in substance, was right; had they determined to do something, they would have been better able to find out what was feasible.

The fact that he was right to insist on decisive planning has been obscured by the fact that the scheme which he so much favoured, a large combined operation in the West Indies, turned out so very unsuccessfully.<sup>92</sup> The 6,000 men embarked in Lord Cathcart's transports in early August 1740 left the Channel only at the end of October. They straggled to their Caribbean rendezvous finally just before Christmas, over a year after Vice-Admiral Vernon's exploit of sacking Portobello at the very start of the war. By the time they were all gathered, Cathcart had just died, replaced by the efficient but self-doubting Brigadier-General Wentworth, who proved incapable of coping with Vernon's highly politicised and obstructive ideas of what should be done. Vernon's priority at this time was to keep his fleet manned and ready for any possible attack by a French fleet which might be sent against him. The expeditionary force attacked Cartagena in early March 1741, and after a flattering initial naval success, failed when Vernon more or less coerced the army commanders into a suicidal attack on Fort St. Lazar. By May 1741 the troops were back in Jamaica, and from mid-July to early December 1741 they were tied up in a fruitless attempt to capture Cuba. The design was to take Santiago, but Vernon would only land the army impossibly far away in the good anchorage of Guantanamo Bay. In mid-January 1742 there arrived 3,000 recruits, to make good the extensive losses by disease, and to produce some success from such an enormous venture. They were used only in the least promising of all the schemes attempted, an attack on Portobello which Vernon deliberately sabotaged. Around 7,000 soldiers, British and American, died (over ninety percent of them from disease) for no gain at all and at great expense. The remnant finally returned to England in January 1743, by which time the separate 'blue water' war had been swallowed up in the Continental campaigning which was soon to lead to victory

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Eighteenth-Century England', *Historical Journal*, 36, 2, (1993), pp. 331-356; *The Church of England c.1689-c.1833. From toleration to tractarianism* (1993), eds. J. Walsh, C. Haydon & S. Taylor.

<sup>92</sup> The best account of the campaign is R. Harding, *Amphibious Warfare in the Eighteenth Century. The British Expedition to the West Indies 1740-1742* (1991).



for George II in person at Dettingen. The expedition was certainly a failure. Despite Vernon's great success in throwing the odium on Wentworth, and releasing to the public his own highly unreliable gloss on events, it was seen to be a failure for the navy. The imagined world-beating power of Britain's mighty ships proved to be deceptive. Two of Hardwicke's correspondents were disgusted that 'a Nation that has a Royall Navy able to defie all ye Popish Powers in Europe' should have done so little.<sup>93</sup> Meanwhile, the success of Spanish privateers on the lucrative British trade in home waters was very notable, and led to loud merchant protests.<sup>94</sup> Despite the pride in the nation's great warships, those 'floating animated castles' could only succeed if they were correctly deployed.<sup>95</sup>

The expedition, once resolved on, and even before its cost and failure became apparent, brought further and truly irreconcilable divisions. The ministry was already plagued by breaches and hurt feelings. In small face-to-face meetings, opposing views were bound to be more starkly polarised, and clashes more frequent, than they might have been in a larger cabinet. Walpole could contain himself no longer when the Council of Regency (the King still being in Hanover) discussed the ships needed for Ogle's expedition. An accident to the clean and sheathed *Grafton* (70 guns) led Wager to propose sending the 50 gun *Salisbury* instead:

Sr. R. W. upon that peevishly & with an air of discontent, said, What; may not one poor Ship be left at home? Must every Accident be repaired for ye W. Indies, & none be consider'd that relates to what will be left here?<sup>96</sup>

This was the introduction to a harangue of twenty minutes, always ending in the point that Walpole believed the French fleet might attack England, and wanted to keep some ships back from Ogle's fleet — but dare not. Newcastle was clearly right to lament this display of temper as bad for cabinet government:

When the first Minister shall arraign all ye measures, & declare He will not He dare not have them altered, & these Declarations made, not to private Friends, but unnecessarily, uncalled for, at a publick Meeting, of the Regents

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<sup>93</sup> BL Add Ms 35586, f. 261, A & B to Hardwicke, 23 July (OS) 1740.

<sup>94</sup> E.g. CUL Add 6851, f. 10, Harley journal, 21 March (OS) 1740.

<sup>95</sup> BL Add Ms 35605, f. 23, Yorke to Lord [?], 27 August (OS) 1739.

<sup>96</sup> BL Add Ms 35406, f. 237, Newcastle to Hardwicke, 1 October (OS) 1740.

of the Kingdom, who are not to advise the King, but have the Executive power lodged by his Majesty in them.<sup>97</sup>

When the King returned he tried to scold his ministers into harmony, telling Newcastle and Hardwicke:

As to the Business in Parliament, I don't value the Opposition, if all those in my service act together, & are united, but if they thwart one another & create difficulties in the carrying on the publick Business, then indeed, as to that purpose, it would be another case.<sup>98</sup>

As Walpole had just emerged in high spirits from an hour in the closet, Newcastle 'easily saw, from whom this came'.<sup>99</sup> Though the Duke was disingenuous to fix all the blame on Walpole and Hervey, he was right to deplore the state of animosity and confusion which existed:

How can Business go on this way, What is agreed amongst us, is often equally overhauled afterwards, both by Lord H. & Sr. R. if it is not quite agreeable to their own Inclinations. And, when we have reason to fear, that our united Credit with the King, may hardly be sufficient to induce His Majesty to do quite right, in this great Conjunction, *One* will govern all, & fill the King's Head with complaints & unreasonable jealousies of part of his servants.<sup>100</sup>

Nor does the premier minister seem to have become reconciled to the war or the expedition. Even after the die was cast, and the costly expedition had begun to be mounted, Sir Robert did not abandon hopes of a settlement with Spain. He conducted a private negotiation through Geraldino in Spain, employing Walpole's 'very devoted man', Sir Robert Brown.<sup>101</sup>

Pressure from outside the ministry did not relax. Typical of the press interest in the war was the set of detailed proposals put forward in the *Gentleman's Magazine*, including

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<sup>97</sup> *Ibid.*, f. 239.

<sup>98</sup> BL Add Ms 35406, f. 271, Newcastle to Hardwicke, 25 October (OS) 1740.

<sup>99</sup> *Ibid.*.

<sup>100</sup> *Ibid.*, f. 272.

<sup>101</sup> Quotation *Egmont Diary*, ii, p. 286. BL Add Ms 32802, f. 12, Waldegrave to Newcastle, 21 January (NS) 1740. (Confirmed by an extract of it taken by Coxe, BL Add Ms 9176, f. 6.) On Brown, see R. Sedgwick, *House of Commons*, I, p. 496.



plans of the main enemy harbours in Central America, special pull-out maps of the region, and details of both British and Spanish defences.<sup>102</sup> The early phase of apparent government inaction had made an easy target for Opposition critics. The Convention of the Pardo had already made the ministry extremely unpopular. Now the people had to bear higher taxes, without any apparent sign of military results. The secession of the Opposition from Parliament had not done them any good in the country, but they now had great hopes of the campaign to send instructions to MPs. This campaign, mooted as early as February 1739, was given fresh impetus by a struggle within the City of London. Sir George Champion, MP for Aylesbury and also an Alderman, next in line of seniority to be Lord Mayor, had voted in favour of the convention of the Pardo. This brought to a head a long-standing conflict between the Common Council and the pro-ministerial Aldermen.<sup>103</sup> In the mayoral election of September 1739, Champion was set aside. The liverymen took part in a campaign for greater political influence, of which instructions to MPs were an offshoot. The Lord Chancellor was confident that Champion had been displaced for reasons specific to the City's power conflict, as much as for his support of the Convention. He urged Newcastle not to be too melancholy; 'And this one may venture to be sure of, that it will be impossible, at the next Election, to make that Cry go so far *out of London* as the Excise'.<sup>104</sup>

If the cry did not resound through the country, it was not for want of trying. The campaign began on 1 October (OS) 1739, with the instructions to the four London Members; this was followed by York on 6 October, where the Common Council specifically said that they were inspired by the London example.<sup>105</sup> Without prior planning, such a prompt response would have been impossible. Sixteen constituencies, mostly those with large electorates, presented instructions before the end of the year, with a view to forcing through a Place Bill in the 1740 session of Parliament.<sup>106</sup> The tactic so

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<sup>102</sup> *Gentleman's Magazine*, X, March 1740, pp. 143-9, May 1740, pp. 241-3.

<sup>103</sup> The clearest short discussion is N. Rogers, *Whigs and Cities. Popular Politics in the Age of Walpole and Pitt* (1989), pp. 59-66.

<sup>104</sup> BL Add Ms 32692, f. 350, Hardwicke to Newcastle, 1 October (OS) 1739.

<sup>105</sup> *The Second Part of Great Britain's MEMORIAL. Containing a Collection of the Instructions, Representations &c &c* (London, J. Watson, 1742), pp. 49-56.

<sup>106</sup> A useful table of the constituencies which sent instructions at various dates is in N. Rogers, *Whigs and Cities. Popular Politics in the Age of Walpole and Pitt* (1989), p. 244.



nearly succeeded that the Bill was lost by only sixteen votes. The debate went on until eleven o'clock at night, 'with a great deal of obloquious declaration, especially by the youngsters of the Prince's family in behalf of it'.<sup>107</sup> Ministers were driven to using all the disciplinary aids they had. Newcastle wrote a very stiff letter to one cool Court Member remaining in the country. He reminded him of his obligations to the Duke and pointed out that if he did not cooperate it would be noticed; 'I have told the King, that I would send a Messenger down to You; I have promised Sir Robert Walpole, to use my utmost Credit with you, to bring you up'.<sup>108</sup>

Another series of instructions, in July and August 1740, followed the failure of the Place Bill.<sup>109</sup> A yet more strident instruction was given by the City in the autumn of 1742, in the aftermath of the collapse of the Patriot coalition. The Lord Chancellor's son thought this document 'a *chef d'oeuvre* for fury, & disaffection. I think the Rulers of the Half-Moon-Club have exhausted all their venom in it'.<sup>110</sup> It was so violent indeed that the French ministry promised itself great advantages from Britain's internal divisions.<sup>111</sup> The instructions sent by the various provincial towns in 1739-40 all bore a distinct family resemblance, and were a kind of summary of Patriot views. In particular they stressed the need for MPs to voice the genuine views of their constituents, uninfluenced by places or pensions. They appealed in general to their MPs to stem the 'Flood of Corruption and Court Influence, which for many Years has prevail'd, and almost overspread the Land'.<sup>112</sup> Instructions sent from constituencies to guide their Members on important political issues were a method used at times since the Exclusion Crisis, though not without some disquiet

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<sup>107</sup> BL Add Ms 9176, f. 25, H. Walpole to Trevor, 1 February (OS) 1740.

<sup>108</sup> BL Add Ms 32693, ff. 51-2, Newcastle to Sir William Ashburnham, 1 February (OS) 1740.

<sup>109</sup> They can best be compared in *Great-Britain's Memorial. Containing a Collection of the Instructions, Representations, &c &c of the Freeholders and other Electors of Great-Britain, to their Representatives in Parliament, for these Two Years past* (London, J. Watson, 1741). The list is completed by a continuation, now extremely rare, *The Second Part of Great Britain's MEMORIAL...* (fn. 99, above). The only accessible copy in Britain seems to be that in the Wren Library, Trinity College, Cambridge. I am grateful to the librarian for making this available to me.

<sup>110</sup> BL Add Ms 35396, f. 79, Yorke to Birch, 24 October (OS) 1742.

<sup>111</sup> PRO SP 78/227B, f. 461, Thompson to Newcastle, 10 December (OS) 1742.

<sup>112</sup> *Great Britain's Memorial*, p. 29.



over their propriety.<sup>113</sup> MPs were not supposed to be simply the obedient agents of their constituents, but were held to speak for the sense of the nation.<sup>114</sup> There can be no doubt, though, that instructions did place pressure on MPs to stand out in opposition to the Government. Further, like the increasing prominence of the press, the use of instructions in this systematic way widened the boundaries of the political world. Polemical constituency campaigns brought more people within the ambit of active political discussion, and made managerial politics harder. The tactic caught the imagination of the Jacobite historian, Carte. By using it, he assured the Pretender, the Opposition would be masters of the kingdom within a year. He proposed the 'setting up in all Market Towns or larger Parishes Clubs of *Independent Electors* (for that is the spirit which will take and spread like wildfire at this time, and *ffree parliaments* may be the cry), for conveying instructions to them...'.<sup>115</sup>

The instruction campaign did indeed spread, though it did not meet with the success in Scotland that was proposed for it, under the aegis of the Duke of Argyll, who had become increasingly estranged from the ministry.<sup>116</sup> Argyll had been rumbling discontentedly since 1737, when he attacked Walpole's punishment of the city of Edinburgh in the aftermath of the Porteous riots. He had opposed the Court in the March 1738 debates on depredations. Deprived of his offices in 1740, he was a dangerous opponent in the House of Lords. Argyll's military experience made him more than normally influential when he passed strictures on the government's plans and record. And his experience of cabinet government gave an authority to his strictures on the faulty working of the ministry. In December 1740, in a debate on a motion to call for all the instructions sent to Haddock (in order to find out why he had done so little), Argyll not only reviewed all the failures of the ministry, but placed the whole blame on the practice of having a small inner cabinet of

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<sup>113</sup> Useful short discussions can be found in H.T. Dickinson, *Liberty and Property* (1977), pp. 157-9; N. Rogers, *Whigs and Cities. Popular Politics in the Age of Walpole and Pitt* (1989), pp. 240-2.

<sup>114</sup> The fullest recent discussion of these ideas is P. Kelly, 'Constituents' Instructions to Members of Parliament in the Eighteenth Century', in *Party and Management in Parliament 1660-1784* (1984), pp. 169-89. Kelly does not explore the instructions of 1739-41 themselves, but does offer a valuable context in which to set them.

<sup>115</sup> Windsor RA Stuart Mss, 216/109, Carte plan, July 1739.

<sup>116</sup> Wolterton (Walpole) Mss, Letters and Papers of Sir Robert Walpole (unfoliated), Stair to Chesterfield, 10 July (OS) 1739; Chesterfield to Stair, 22 July (OS) 1739.

ministers, dominated by one man. The Privy Council of old, in which gentlemen of rank could lend their weight to national proceedings, had been usurped by 'Men who have neither Birth, Quality, nor Character ... for the sake of multiplying Salaries and gaining Votes'.<sup>117</sup>

This was the characteristic voice of those who led the campaign for instructions, though in the event Argyll may have disappointed their hopes. The Patriots do seem to have been really agitated by the darkest fears for the constitution. Stair, busily planning the manoeuvres, wrote to the Duchess of Marlborough:

old as I am, I am afraid there is appearance that I may live longer than my Country's Liberty, in ye mean time whilst there is room to work I shall contribute my small endeavours for preserving our Country with spirit & activity, if other people of more weight do their parts as becomes them, no body can tell what may happen, at any rate tis better dye like men than indolently to repent our fate.<sup>118</sup>

The instruction campaign was belittled by the supporters of the ministry, who did their best to present it as an unparliamentary interference of low people in the affairs of the nation. One clever sixpenny ballad blamed the petitioning scheme on Bolingbroke. The purpose of the campaign was clear; 'Let ENGLAND be *ruin'd* but WALPOLE *must fall*'.<sup>119</sup> And the commercial towns were simply puppets jerked about on a former traitor's strings:

Let *Petitions* be drawn — let L--D-N begin,  
Each *Port* in the Nation will follow, but *Lynne*.  
What the *City* shall say, *Myself* will prepare,  
And it will be approv'd, — for I'm sure of the M—r.<sup>120</sup>

Of course, the instructions were not spontaneous outpourings of urban sentiment. They required careful organisation and tactical planning by people who knew local issues and

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<sup>117</sup> E. Timberland, *The History and Proceedings of the House of Lords from the Restoration in 1660, to the Present Time* (1742), p. 572, debate of 8 December (OS) 1740. Argyll's speeches were regular and usually protracted. See *ibid.*, pp. 675-93.

<sup>118</sup> Wolterton (Walpole) Mss, Letters and Papers of Sir Robert Walpole (unfoliated), Stair to Duchess of Marlborough, 28 July (OS) 1739.

<sup>119</sup> *Lord B—ke's SPEECH Upon the Convention. To the tune of A Cocker there was* (1739), p. 7.

<sup>120</sup> *Ibid.*, p. 6.



local figures.<sup>121</sup> But the feelings on which the organisers drew were real enough; anti-Hanoverian, and espousing the cause of trade against the sneers of wealthy, mostly landed, placemongers. The ministerial ballad's depiction of the City merchants, as 'makers of scales' and 'sellers of leather', was part of a regular denigration of trade and of the merchant opposition. The administration scornfully published a list of the Common Councilmen of London and their trades, in which Virginia merchants of £30,000 and more a year were called 'tobacconists', and Scarlet Dyers called 'rag dyers'.<sup>122</sup> These antagonisms augmented the fury of xenophobia and the assertive sense of national history and pride which drove the public to reject the whole basis of the ministry's dealings with Spain.

As war plans began to be put into action, yet more opportunities arose for the Patriots, whose efforts were entirely directed at winning the 1741 General Election, and overthrowing Walpole. The French ministry were very keen to follow the movements of the Opposition at this crucial time, as the ministry found out. The French merchant, Silhouette, who had been introduced for the purpose, was in the confidence of the leading Patriots, and sent intelligence from them under cover of the French diplomatic mail direct to '101'. Bussy, however, did not reveal that to Newcastle, who learned it from another agent at the French court, Guyot.<sup>123</sup> Such interference by foreign diplomats in the internal affairs of other countries was by no means unusual, as Black has shown.<sup>124</sup> On this occasion, however, it put the French ambassador, de Cambis, in a difficult position, and he duly had discretion imposed upon Silhouette.<sup>125</sup> Though the Opposition gained nothing from their flirtation with France, their numbers were usefully increased by the defection in spring 1740 of George Bubb Dodington, disappointed by Walpole's refusal to support him for a peerage.<sup>126</sup>

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<sup>121</sup> H.T. Dickinson, *Liberty and Property*, pp. 188-90; N. Rogers, *Whigs and Cilles*, pp. 243-6.

<sup>122</sup> *London Evening-Post*, 10 March (OS) 1739.

<sup>123</sup> BL Add Ms 32801, ff. 356-8, Newcastle to Waldegrave, private and particular, cipher, to be opened by himself, 27 December (OS) 1739.

<sup>124</sup> J.M. Black, *The Rise of the European Powers 1679-1793* (1990), pp. 174-7.

<sup>125</sup> BL Add Ms 32802, ff. 15-16, Waldegrave to Newcastle, 21 January (NS) 1740; BL Add Ms 9176, f. 25, Waldegrave to Newcastle, 29 January (NS) 1740.

<sup>126</sup> R. Sedgwick, *House of Commons 1715-1754* (1970), I, pp. 500-03.

Dodington saw that unity among the Opposition was essential, and that this meant taking in the Tories in a generous spirit rather than grudgingly using them and making empty promises of office. He drew up a long paper on the tactics for the 1741 General Election, which is a shrewd and practical document, despite being driven by an animus against Walpole, 'a Genius nothing superior in Manners, or Abilities, to a shrewd country Attorney'.<sup>127</sup> Dodington put forward various ideas for boosting parliamentary attendance and promoting a spirit of unity through clubs, frugal entertainment, and offering accommodation to poorer Country MPs. The key method for achieving unity, though, was to change the language of party:

There is but one Point more that occurs to me, and that calls for our most serious, and most united Endeavours, & will, I fear, baffle them all. It is to extirpate the name of Whig & Tory from amongst us. Those two simple sounds have cost the Nation above 100 millions, & will, if not timely prevented, cost us our Liberties at last. There is a fascination in them, that is astonishing.<sup>128</sup>

He appealed in the meantime for a real and generous unity of both parties, and the dropping of one kind of common Patriot discourse. 'I mean that of what immaculate Whiggs we are, tho' we act against the Court; how unsullied, how unpolluted with Toryism, tho' we act with the Tories; that we desire as little as the Minister, to see any of them in power...'<sup>129</sup> These expressions are an interesting comment on the reality of the much-vaunted Patriot alliance. This was not the longed-for goal of a genuine non-party coalition concerned only for the national good. In the event, though the Opposition saw Walpole driven into war, and later forced from office, they did not succeed in doing away with party names and party loyalties.

Ministerial Whigs were quite clear about the vitality of the Tory party, and saw it as a Jacobite one. 'It is usually said take away the Torys that joyn them & the Jacobites would make a very slender appearance. I am just of the contrary opinion take away the Jacobites

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<sup>127</sup> BL Add Ms 9175, f. 110, 'Scheme for an Association to redress Grievances and the Tyranny of a Minister', 29 May (OS) [1741].

<sup>128</sup> *Ibid.*, f. 117.

<sup>129</sup> *Ibid.*, f. 118.



& where will you find a Tory.'<sup>130</sup> The Jacobite view of the Tories was more inclusive; 'The Tory Party (if they can properly be called a party who have the body of the people of a Kingdom on their side) consists of all the true & sincere members of the Church of England'.<sup>131</sup> Bolingbroke by contrast insisted that Jacobitism, 'this trite expedient', was a stale device of the ministry to smear opponents.<sup>132</sup> Walpole, he said, 'must know that the Jacobite party in Britain is an unorganized lump of inert matter, without a principle of life or action in it'.<sup>133</sup> This was not too far removed from the assessments given to the Pretender, at least of the English Jacobites, with their 'unhappy tendency to sloth and melancholy'.<sup>134</sup> But though it was unlikely that an invasion would ever be heartily supported in England, it did not mean that one would not be attempted, at least in Scotland, the focus of much of the Pretender's planning.<sup>135</sup> The ministry certainly had to take a close interest in the movements of those attached to the exiled Stuart court.<sup>136</sup> The events of 1745 seem to discredit Bolingbroke's appraisal of the Jacobite threat, but in early 1740 he was probably correct. James himself sadly concluded in February:

It was right in me to provide for all events, but I own I am now fully persuaded that there is no real design of serving my Cause by what is doing in Spain, & that all that is only meant to give jealousy to the English Governmt. & perhaps to hinder in particular their sending Troops to America.<sup>137</sup>

Bolingbroke went further in his dismissal of Jacobite sentiment, and continued to labour the idea that party feeling as such was extinct. He wrote to Marchmont at the beginning of 1740 that 'these Partys subsist no longer, neither in appearance, nor reallity, tho'

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<sup>130</sup> BL Add Ms 51390, f. 4, Charles Hanbury-Williams to Stephen Fox, 28 October (OS) 1739.

<sup>131</sup> Windsor RA Stuart Mss, 216/111, 'A scheme [by Thomas Carte] for restoring your Majesty to your own subjects', July 1739.

<sup>132</sup> W. Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole, Earl of Orford* (3 Vols. 1798), III, p. 551, Bolingbroke to Wyndham, 18 November (NS) 1739.

<sup>133</sup> *Ibid.*, p. 555, Bolingbroke to Wyndham, 25 January (NS) 1740.

<sup>134</sup> Windsor RA Stuart Mss, 212/19, Sempill to Edgar, 22 December (NS) 1738.

<sup>135</sup> E.g. Windsor RA Stuart Mss, 214/50, memorial of Lord John Drummond to James, February 1739; *ibid.* 218/160, James to Sempill, 14 December (NS) 1739.

<sup>136</sup> E.g. BL Add Ms 32802, f. 25, Newcastle to Waldegrave, 22 January (OS) 1740; BL Add Ms 33004, f. 25, cabinet meeting 24 January (OS) 1740.

<sup>137</sup> Windsor RA Stuart Mss, 220/128, James to Ormonde, 16 February (NS) 1740.



knaves & fools amuse & are amus'd by ye names'.<sup>138</sup> On the same page, though, he inconsistently denounced the 'obstinate Torys' as deserving no consideration. And a year later he made it clear that the opposition was really a coalition of parties. He was complaining of the breakdown of that coalition over the unsuccessful motion to remove Walpole from the King's presence and councils. It was an ill-managed attempt, in which even Pulteney, the leader of the debate, was seen to be half-hearted. Edward Harley and his brother, sons of the Earl of Oxford who had himself been impeached and imprisoned through the influence of Walpole, denounced the motion and left the House.<sup>139</sup> Like them, and to Bolingbroke's annoyance, many of the Tories could not brook any measure which looked like a bill of pains and penalties:

The conduct of ye Torys is silly, infamous, & void of any colour of excuse; and yet the truth is, yt the behaviour, & language of some of those who complain, I dare say, very lowdly on this occasion, has prepared it, and given Shippen, who disliked ye Coalition from ye first as much as Walpole, a pretence to make his fools break it.<sup>140</sup>

Bolingbroke knew that the Opposition was in truth a coalition, and, like Dodington, he wanted fair treatment for the Tories. They, and the true Country Whigs, were likely to be abused by ambitious courtiers out of place, such as Carteret and Pulteney:

Long before I left Britain it was plain that some persons meant that the opposition should serve as their scaffolding, nothing else; and whenever they had a glimpse of hope that they might rise to power without it, they shewed the greatest readiness to demolish it'.<sup>141</sup>

The death of Sir William Wyndham, by a fall from his horse in July 1740, was a serious blow to those who hoped for systematic opposition. Only his influence, Lyttelton believed, had kept the Tory party united behind national measures; 'it is much to be feared that Resentmt. Despair, & their Inability of conducting themselves, may drive the Tories back into their old Prejudices heat & Extravagance'.<sup>142</sup> For the critical period, though, Tory cohesion persisted. It was thanks to Patriot assurances, seconded by the rising heir,

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<sup>138</sup> BL Add Ms 37994, f. 1, Bolingbroke to Marchmont, 1 January (NS) 1740.

<sup>139</sup> CUL Add 6851, ff. 24-6, Harley journal, 13 February (OS) 1741.

<sup>140</sup> BL Add Ms 37994, f. 1, Bolingbroke to Marchmont, 26 March (NS) 1741.

<sup>141</sup> BL Add Ms 37994, f. 16, Bolingbroke to Marchmont, 6 April (NS) 1742.

<sup>142</sup> BL Add Ms 35586, f. 273, G. Lyttelton to Bolingbroke, 30 July (OS) 1740.



Prince Frederick, 'that the tories turned up to vote in such numbers and with such partisan unanimity in December 1741 and January 1742'.<sup>143</sup> The Prince of Wales, through his symbolic leadership of the Patriots, his courting of the Tories, and his powerful influence in Cornwall, was crucial to the effective defeat of Walpole in the 1741 General Election. Without Tory organisation and commitment, Walpole's untenably narrow majority would have been much wider. However, the fears of Dodington and Bolingbroke were amply realised after the fall of Walpole, when it quickly became plain that the Tory scaffolding was indeed to be demolished.<sup>144</sup> Hanbury Williams was with Lord Longsdale in Bath in the summer of 1742, and found; 'He laughs very much at the Scheme of a Broad bottom & says tis the most impudent thing that can be utterd to say there are no partys left in this Kingdom'.<sup>145</sup> The break between Argyll and Carteret caused the old Whig-Tory animosity to break out anew, according to the information received by Cardinal Fleury.<sup>146</sup>

So long as the Patriot coalition held together, though, both success and failure would serve their cause. They could hardly lose ground by anything other than a sweeping and total victory over Spain, since popular belief in the might of the fleet was so extravagant. The same belief caused some ministerial writers to be optimistic about the event of war. A poem attacking Pulteney asserted that success for Cathcart would ruin the Patriots:

But if mean while shou'd Happy Fate,  
And Stars benign consent to wait,  
On *Cathcart's* Expedition:  
*Most* will rejoice at the Success,  
B-b's Friends increase, and yours grow less -  
Then Farewell Opposition.<sup>147</sup>

Expectations of the British navy were high, even among seasoned diplomats. Sir Everard Fawkener wrote from Constantinople:

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<sup>143</sup> L. Colley, *In Defiance of Oligarchy. The Tory Party 1714-60* (1982), p. 231.

<sup>144</sup> In 1744, Lord Hardwicke was proposing to the cabinet the same strategy to combat Carteret which the Opposition had practised in 1740-2, promising to bring in the Tories but without allowing them any real prospect of office: BL Stowe Mss 254, f. 1, 'Minute of a Cabinet Paper by Lord Chancellor Hardwicke in Decr. 1744 on the then posture of public affairs'.

<sup>145</sup> BL Add Ms 51390, f. 14, Charles Hanbury-Williams to Stephen Fox, nd [early June 1742].

<sup>146</sup> BL Add Ms 22542, f. 50, Fleury to Frederick II, 29 March (NS) 1742.

<sup>147</sup> *An Epistle from a Noble Lord to Mr. P—y* (1740), p. 8.

A tryal of what our Fleet can do may bring us to a more fixt Dependence on it than at certain times we have been disposed to have, to me it seems as essentially necessary to our Safety and Welfare as Parliament or Magna Charta, and I should be glad to see it wove into and become a fundamental part of our Constitution.<sup>148</sup>

Bringing the fleet to a trial, however, proved far from easy. The first disappointment was that the *azogues* were missed. Next, the Cathcart expedition was slow to sail; as the Opposition alleged, 'withheld by Orders, to their Country's Shame'.<sup>149</sup> Military preparations took a great deal of time, and it was not possible with wooden sailing ships to keep the seas at all times, and to be sure of encountering the enemy at the right time and in favourable conditions. So long as the navy was inactive or unsuccessful, the ministry was the target of abuse. The long delays in the sailing of the Cathcart expedition aroused great discontent.<sup>150</sup> Due to an exceptional run of adverse winds from mid-June to the end of October, Norris and Ogle were unable to sail farther than Torbay.<sup>151</sup> Walpole kept among his papers an anonymous tirade against naval inaction; 'We have a fine Fleet. What do they do? Why they fight at Spithead. Twenty or 30 Men of War go to the Mediterranean to see what o'Clock it is, & as many to the West Indies on the same Errand'.<sup>152</sup> The most successful Opposition pamphlet of the day began with this same point:

Is *She*, who for so many Ages rode  
*Unquestion'd* Monarch of the *Water-Flood*...  
 Is She now sunk to such a *low Degree*,  
 That *Gaul* or *Spain* must *limit* out her *Sea*?  
 That she must ask *what Winds* her Sails shall fill,  
 And steer by *Bounty* who once steer'd *at Will*?  
 Whilst the vast *Navies* rais'd for her Support,  
*Nod* on the *Main*, or *rot* before the *Port*.<sup>153</sup>

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<sup>148</sup> BL Add Ms 9176, f. 17, Fawkener to Trevor, 12 January (OS) 1741.

<sup>149</sup> *Yes, They Are; Being an Answer to Are these Things so?* (1740), p. 3; see also *The Champion*, 19 November (OS) 1741.

<sup>150</sup> P.L. Woodfine, 'Ideas of naval power and the conflict with Spain', p. 74.

<sup>151</sup> The ministry called for a full list of the winds on each day in that period; CUL Ch (H) Mss, P17/11, 'Account of Winds from 18th. June 1740 to 31 Oct. following'.

<sup>152</sup> Wolterton (Walpole) Mss, Letters & Papers of Sir Robert Walpole (unfoliated), letter from Bordeaux, 1739, signed W.R..

<sup>153</sup> [J. Miller] *Are these Things So?* (1740), pp. 2-3.



Adverse winds caused the return of the fleet in July 1740, which 'raised a more hellish spirit in the Citty, than what was before'.<sup>154</sup> It was believed that the ministry was trying to patch up a peace and call off hostilities. The darkest visions were entertained by Patriot opponents. Pulteney wrote to Swift that the nation was becoming an armed camp, with forty thousand troops and four million pounds raised, yet 'in all probability nothing will be done; I have not the least Notion that even our own Expedition under Lord Cathcart is intended to be sent, any where'.<sup>155</sup> He summed up his gloomy forebodings:

our Situation is very extraordinary, Sr Robt. will have an Army, will not have a War, & cannot have a Peace; that is the People are so averse to it, that he dares not make one. But in one year more, when by the Influence of this Army, & our Money, he has got a new Parliament to his liking, then he will make a Peace, & get it approved too be it as it will; after which I am afraid we shall all grow tired of struggling any longer, & give up the Game.<sup>156</sup>

One young officer on the Cathcart expedition celebrated the eventual sailing of the fleet in derivative, but therefore revealing terms. His verses, banal as they were, are interesting for their blend of contempt for Spain, an appeal to Elizabethan achievements, and a distrust of the ministry:

From the *charm'd Port* escap'd at last,  
Each Fear of *peaceful Orders* past,  
BRITANNIA's awful Navy rode the Main...

Shall the weak *Spaniard*, in Decay,  
The feeble Evening of his Day,  
With you amid the stormy Deep contend?  
*He*, whom in his *meridian Height*,  
While yet but *dawn'd* your Naval Might,  
My HOWARDS, DRAKES, and RALEIGHS taught to bend?<sup>157</sup>

In brisk contrast to ministerial lethargy was the capture of Portobello by Admiral Edward Vernon, 'the *godlike Man*', in October 1739.<sup>158</sup> Vernon had claimed in 1729, after the failure of Hosier's expedition against Portobello, that he could take the place with six

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<sup>154</sup> Windsor RA Stuart Mss, 226/48, Cockburn to Edgar, 24 July (NS) 1740.

<sup>155</sup> BL Add Ms 4806, f. 209, Pulteney to Swift, 3 June (OS) 1740.

<sup>156</sup> *Ibid.*

<sup>157</sup> *The Expedition. An Ode* (1740), pp. 5-6. He died in the attack on Fort St. Lazar, Cartagena.

<sup>158</sup> *Ibid.*, p. 5.

ships and three hundred men. He was brought out of half-pay retirement in July 1739 at the instance of his patron Wager, and placed in charge of the Caribbean fleet. The hopes of the Opposition rested on Vernon, as Pulteney piously assured him: 'God prosper our arms with success & make you the instrument of retrieving the honour of your country'.<sup>159</sup> On 22 November (OS) he did exactly what he had promised a decade before, taking the surrender of Portobello after an attack with just six ships.<sup>160</sup> This feat, so conformable to current notions of the power of Britain's fleets, was also an implicit riposte to the ministry of which Vernon was such a critic. The Lords address of congratulation did not fail to include this important detail.<sup>161</sup> In the very first month of the war (and not least because of the unprepared state of the Portobello garrison) a signal naval victory had been won, in just the fashion which the Patriots had declared to be the birthright of Britons. Cardinal Fleury ('Mr. Wilkins' in Jacobite code) was said to be greatly struck by the victory; 'I did not imagine that he would have been so much affected as he really was upon the news of their having taken Porto Bello, and of the shouts of joy that his correspondent wrote were echo'd through London on the occasion'.<sup>162</sup>

The unbounded acclaim for Vernon's exploit was increased by the fact that he was a Patriot Whig critic of the government, and was widely believed to have been sent to the West Indies by Walpole only because he was expected to fail, or in order to get him out of the way. The victory was celebrated in a variety of pottery forms and gave its name to the Portobello Road in London, while Vernon's head appeared on inn signs all over the country.<sup>163</sup> The eventual failure of the combined expedition, and Vernon's return home, prompted in Charles Hanbury-Williams the wishful thought that 'it may be as useful to the Patriots to cry him down as it has been to cry him up & it may be as necessary to hang him on a gallows as it has been to hang him on a sign post'.<sup>164</sup> Kathleen Wilson has

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<sup>159</sup> B. McL. Ranft (ed), *The Vernon Papers*, Navy Records Society, XCIX, (1953), p. 39, Pulteney to Vernon, 25 November (OS) 1739.

<sup>160</sup> Ranft (ed), *The Vernon Papers*, pp. 30-7.

<sup>161</sup> PRO SP 36/57, f. 151.

<sup>162</sup> Windsor RA Stuart Mss, 221/140, Sempill to James, 4 April (NS) 1740.

<sup>163</sup> K. Wilson, 'Empire, Trade and Popular Politics in Mid-Hanoverian Britain: the Case of Admiral Vernon', *Past & Present*, 121, 1988, pp. 85-7.

<sup>164</sup> BL Add Ms 51390, f. 19, Hanbury-Williams to Stephen Fox, c. 9 June (OS) 1742. A discussion of the reverses of the expedition, which shows Keene to have been right in his



demonstrated the rôle of imperial sentiment in this popular acclaim, and shown that 'the Vernon agitation was a crucial factor in the constellation of forces bringing down Walpole's ministry in 1742'.<sup>165</sup> Immediately, as Gerald Jordan and Nicholas Rogers have shown, Vernon, with his supposed bluff and frank character, was eulogised in a highly political way.<sup>166</sup> The fortunate admiral was depicted as 'the embodiment of patriotism in the classical sense of the term. He was valorous, incorruptible, public spirited, a counterpoint to Court corruption and timidity, detested by "sly State Rogues"'.<sup>167</sup> Specifically, Vernon's success was celebrated as a blow against Walpole. Among the many medals struck to celebrate the capture was one which shows on the reverse; 'The British glory revived by Admiral Vernon and Commodore Brown', in the form of a depiction of the two men. The obverse of the medal, however, is more striking. It shows the Admiral pushing aside a devil, complete with cloven hooves, pitchfork and horns, with the legend; 'Make room for Sir Robert', and below it, 'No Excise'.<sup>168</sup>

It was not surprising that constituencies vied with one another in 1741 to have Vernon for their Member, and that he was elected for three seats. Belief in him persisted, even after his eventual failure in the West Indies, which he did his best to blame upon his opposite number, the pro-ministerial General Wentworth.<sup>169</sup> Vernon's first exploit was still being celebrated, and used to attack the government. In 1743 Thomas Birch saw, in the workshop of the sculptor Rysbrack, a bust of Vernon commissioned by the Duchess of

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early advice, is J. de Zulueta, 'Health and Military Factors in Vernon's Failure at Cartagena', *Mariner's Mirror*, 78, 1992, pp. 127-41.

<sup>165</sup> *Ibid.*, p. 81.

<sup>166</sup> G. Jordan & N. Rogers, 'Admirals as Heroes: Patriotism & Liberty in Hanoverian England', *Journal of British Studies*, 28, 3, July 1989, pp. 202-7.

<sup>167</sup> *Ibid.*, p. 208.

<sup>168</sup> A number of these medals, from the collection of the Museo Naval de Madrid, are reproduced in L. Suárez de Lezo, 'Los Flecós de la Historia. Las Medallas del Almirante Vernon', *Revista de Historia Naval*, 29, 1990, pp. 99-124.

<sup>169</sup> Ample evidence exists to suggest that Vernon's own temperament, political animus and obstructive actions contributed largely to the failures of the expedition; P.L. Woodfine, 'The War of Jenkins' Ear: a New Voice in the Wentworth-Vernon Debate', *Journal of the Society for Army Historical Research*, LXV, 262, 1987, pp. 67-91; R. Harding, *Amphibious Warfare*.

Marlborough, a veteran and bitter antagonist of the Walpole ministry.<sup>170</sup> The long inscription praised Vernon, while accusing the ministry of treason, concluding; “while the British Counsels were under the influence of France, Vernon humbled both her & Spain”. You may be sure, her Grace has not omitted the usual Cant of *Six Ships only*.<sup>171</sup> Vernon’s next success was given the same treatment. When the outworks of Cartagena were taken, Vernon sent news of his capture hastily - too hastily - home.<sup>172</sup> The Admiral’s brave and celebrated counterpart, the lieutenant general of the Spanish fleet and commander of Cartagena, Don Blas de Lezo, became briefly an embodiment of the defeated Spanish poltroon of Patriot myth. ‘Don Blass’ was burned in effigy on bonfires and satirised in medals.<sup>173</sup> Pro-Vernon celebrations remained a form of anti-ministerial protest. In Rochester even a year later, when hope and rumour alike must have grown tired, Vernon was given a peal of bells for the supposed surrender of Cartagena, and voted a peer by the title of Earl of Orford. In Maidstone and other towns in Kent there were illuminations for King Charles’ festival, with the oak boughs and other Jacobite symbols made over to Vernon.<sup>174</sup>

The passions and favourite themes of the Opposition still dominated the way in which the public received, and understood, the news of the war which they had been so eager to begin. Only slowly did they begin to see that naval action was not the answer to Britain’s commercial grievances, any more than the fall of Walpole was the single answer to the nation’s political ills.

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<sup>170</sup> For the Duchess’s activities and views at this time, see F. Harris, *A Passion for Government. The Life of Sarah Duchess of Marlborough* (1991), pp. 313-33.

<sup>171</sup> BL Add Ms 35396, f. 98, Birch to Yorke, 4 June (OS) 1743.

<sup>172</sup> B. McL. Ranft (ed), *The Vernon Papers*, Navy Records Society, XCIX, (1958), pp. 206-14, Vernon to Newcastle & Wager, 1 April (OS) 1741. He had to admit his and (as he stressed) Wentworth’s failure in *ibid.*, pp. 226-31, same to same, 26 April (OS) 1741.

<sup>173</sup> L. Suarez de Lezo, ‘Flecos de la Historia: Guardia en línea baja’, *Revista de Historia Naval*, 2, 4, (1984), pp. 23-31.

<sup>174</sup> BL Add Ms 35605, f. 122, J. Lawry to Yorke, 29 May (OS) 1742. See N. Rogers, ‘Riot and Popular Jacobitism in Early Hanoverian England’, in *Ideology and Conspiracy: Aspects of Jacobitism 1689-1759* (1982), ed. E. Cruickshanks, pp. 70-89; P. Monod, *Jacobitism and the English People, 1688-1788* (1989), pp. 195-232.



## Conclusion

A sense of disillusioned moralism is the characteristic note of those who looked back, even over the space of only a few years, to the end of the Walpole ministry and the hysterical campaign against Spanish depredations. With hindsight, the black and white issues of depredations and freedom of navigation began to look more disputable. Commodore Walker reflected on the storm over a French polacre which he had taken in a Moorish port in the mid-1740s, an act which was held to infringe existing treaties. His remarks say much about the experience of his generation:

Such rencounters abroad are generally acted in a disputed latitude, and are a latitude of dispute to their owners at home; whilst king, minister, and people must take their word at the first instance of the hair-breadth distances in debate, or measurements at sea. Restitution is then the word, before the right is proved. At the partial disappointment, the Antigallic nation is told to cry revenge; and if the minister still keeps his temper, a Cromwell's ghost is wanted to take upon him the new war.<sup>1</sup>

The grievances of the South Sea Company, too, lost in hindsight their emotive appeal. The intransigence of the Company, heightened by the assertive merchant community of London, was seen to have been destructive of normal diplomacy. At the end of the War of Austrian Succession, in which the Spanish war was subsumed, Lord Hardwicke drew the lesson that the nation had been gulled by their self-interested obstinacy:

We have tried Negociation for above Twenty Years, two references to Commissaries, & a War, partly on their account, & all in vain. And I suppose no Man in his Sences will think of Entering into another War to prove the pretended Ballance of their Accounts.<sup>2</sup>

The bravado of the 1730s, with its aggressive belief in the might of the British navy and the cowardly inferiority of the Spaniards and French, gave way also to a more sombre and doubting note. Even a spokesman for the London merchant community, when towards the end of the war he gave an account of the evolution of power and commerce, had only a gloomy and negative summary to offer of Britain's current position:

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<sup>1</sup> H.S. Vaughan (ed), *The Voyages and Cruises of Commodore Walker* (1928), p. 102.

<sup>2</sup> BL Add Ms 9132, f. 157, Hardwicke to H. Walpole, 13 December (OS) 1750.

the Nation in general accumulated Riches at Home, and commanded Respect abroad; a new Scene of Power started out of Commerce, and the wide Ocean owned the Sovereignty of Imperial *Britain*; a Dominion which some few Years ago was not purely chymical. There was a Time when our Superiority at Sea was uncontestable, and the Influence that had upon the other Powers of *Europe* very conspicuous.<sup>3</sup>

The clamour 'without doors', whipped up by the Opposition for its own ends, and which had been such a striking part of the context of foreign policy, now seemed wholly destructive. Edmund Burke, looking back over the century, found only one war to have been 'the fruit of popular desire', the war with Spain in 1739. He claimed to have carefully examined the original documents:

They perfectly satisfied me of the extreme injustice of that war... Some years after, it was my fortune, to converse with many of the principal actors against that Minister, and with those, who principally excited that clamour. None of them, no not one, did in the least defend the measure, or attempt to justify their conduct, which they as freely condemned as they would have done in commenting upon any proceeding in history, in which they were totally unconcerned.<sup>4</sup>

Though Burke, fearing the turbulence of revolutionary contagion, saw the popular clamour of the 1730s as wrong and manipulated, one can also discern in it a longer-term trend. The voice of the public, misguided and jingoistic as it might have been, was an authentic echo of an under-educated populace. One of the striking features of a polity controlled by the nation's aristocracy was that this voice, the cry of 'our governors the mob', was so attentively listened to in the domain of high politics.<sup>5</sup> In seeking constantly to placate the public, Newcastle differed only in degree from Walpole's more managerial approach to politics. For both men, the opinions of the masses were an inescapable part of the political calculations which they had to make.

The sustained political onslaught of those years of opposition, and the self-interested character of some of the leading opponents, led to a kind of moral hangover. The effects

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<sup>3</sup> R. Campbell, *The London Tradesman* (1747), p. 285.

<sup>4</sup> E. Burke, *Thoughts on the Prospect of a Regicide Peace, in a series of Letters* (1796), p. 24.

<sup>5</sup> T.J. McCann (ed), *The Correspondence of the Dukes of Richmond and Newcastle, 1724-1750*, Sussex Record Society, 73, (1984), p. 162, Richmond to Newcastle, 9 January (OS) 1745.



were felt almost at once, with disillusioned contemporaries complaining; 'how miserably have our new *Ministers* conducted our Affairs both at Home and Abroad, since, from *masked Patriots*, they are become unmasked Courtiers?'<sup>6</sup> Henry Etough in his journal recorded, when he came to the year 1739; 'This Year is ever to be remembered with horror and aversion. From hence we can date a series of Woes and calamities ineffable and intolerable'.<sup>7</sup> Lord Egmont, surveying in a combative speech the havoc caused by taking into the administration the leaders of the Opposition, demanded to know:

What could be expected from a Change like this founded not *on ye Reason* but *ye Passion* of Mankind, framed not out of *Abilities* to do service to ye Publick, but out of *faculties* only qualified for Mischief?... Nothing from that Hour has been done steadily, nothing wisely, nothing successfully, nothing nobly...<sup>8</sup>

Yet the Whig 'old corps' survived the fall of Walpole, and by the mid-1740s their dominance under Henry Pelham was once again secure. To combat Carteret in December 1744, Hardwicke calmly proposed to the Cabinet the same strategy that had led in 1742 to the downfall of Walpole; bring in the Tories, but placate the Whigs by allowing their new allies no real prospect of office.<sup>9</sup> The managerial continuity of the King's ministers was reinforced by the success of the Hanoverian régime in 1745-6, in beating off the most sustained armed challenge which the Jacobite claimants to the throne were ever to mount.

A regretful moralism may not be the appropriate note. Not all the problems which faced Britain's navy in the 1730s could be solved, but by and large the government adapted traditional practice to good effect.<sup>10</sup> Ministers and naval administrators learned useful lessons, and the logistical improvements of the 1740s paved the way for the successful

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<sup>6</sup> *Seventeen Hundred Forty-Two. Being a Review of the Conduct of the New Ministry the last Year*, (1743), p. 51.

<sup>7</sup> BL Add Ms 9200, f. 63.

<sup>8</sup> BL Add Ms 47091, f. 6, Egmont, undated note of speech [c. 1746].

<sup>9</sup> BL Stowe Ms 254, f. 1, 'Minute of a Cabinet Paper'.

<sup>10</sup> D.A. Baugh, *British Naval Administration in the Age of Walpole* (1965); D. Crewe, *Yellow Jack and the Worm. British Naval Administration in the West Indies, 1739-1748* (1993); J. West, *Gunpowder, Government and War in the Mid-Eighteenth Century* (1991); J. Brewer, *The Sinews of Power. War, Money and the English State, 1688-1783* (1989).



operations of the Seven Years' and Revolutionary Wars.<sup>11</sup> The balance of national policy did ultimately tip towards empire, and overseas conquest. Nor was the pressure of misguided public opinion the only cause of the war, or of the defeat of the Walpole ministry. Developments in Spain, as well as in England, were intrinsic to diplomacy, and to the failure of compromise. The delicate nature of royal prestige, ill adapted to commercial negotiations and concessions, was part of the story. The personalities involved in discussions, from the monarchs to the ministers to the envoys, all had their changing contribution to make to the outcome. The nature of the international situation, including the attempted revival of Spanish power, the dominant position of France, and Britain's loss of allies or significant support abroad, was the essential context. Spanish doctrines of imperial monopoly were an inflexible element which bedevilled all the talks. The threat from the exiled Stuart court, and the use made of it by France and Spain, as well as by political opponents in Britain, had an influence. The rôle of the Prince of Wales in the Opposition made splits within the British royal family important, just as the maternal ambitions of Queen Elizabeth in Italy, and the illness and waywardness of Philip, swayed events.

So many elements of diplomacy were out of the hands of the British ministers. Equally, they did contribute to their own ill luck. Newcastle's unlucky stumbles in stressing the (inapplicable) Treaty of 1667 in his first major memorial to the Spanish court, and in ordering Haddock's fleet to stay in the Mediterranean in the spring of 1739, both provoked and unsettled the Spanish court. Cabinet divisions were widely rumoured, bolstering the confidence of domestic critics and giving heart to the most absentee Opposition MPs. Those same divisions gave encouragement to Jacobites at home and abroad, and to Spanish ministers who had pressures of their own with which to contend. Leaks from the cabinet, not least those from Walpole, confiding his own view of policy to Geraldino, made matters worse. Conflicting arguments were put to the King, which tended to clog diplomacy. In general, one senses in the British ministry a certain irresolution and vulnerability. Ministers were unable to control the powerful City, and in

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<sup>11</sup> Harding, *Amphibious Warfare in the Eighteenth Century*, pp. 198-201; R. Middleton, *The Bells of Victory: the Pitt-Newcastle Ministry and the Conduct of the Seven Years War, 1757-1762* (1985); D. Syrett (ed), *The Siege and Capture of Havana: 1762*, Navy Records Society, 114, (1970); M. Duffy, *Soldiers, Sugar and Seapower: The British Expeditions to the West Indies and the War against Revolutionary France* (1987).



general gave the Opposition the sense that, finally, it might be possible to win. These intangibles of the personalities and interactions of ministers were as real as, and helped to shape, the undoubted pressures of the populace, and the tactics of Opposition. These and other contributory factors cannot be easily summarised in order of importance, but in a chronological examination of diplomatic exchanges I have tried to show their significance as it varied over time. Even so, the heated negotiations over smuggling and depredations very nearly succeeded in producing a workable commercial and diplomatic settlement. With all these complicating elements, the remarkable thing is how very narrow was the failure of the pragmatic and compromising policy backed by Walpole.

## Appendix 1

### The Merchants' Petition of 11 October (OS) 1737

The Humble Petition of the Merchants and Planters in behalf of themselves and others trading to, and interested in the British Colonies in America

Sheweth

That the fair and lawfull Trade of your Majesty's Subjects to the British Plantations in America, hath been greatly interrupted for many Years past, not only by their Ships having been frequently stopt and searched but also forcibly and arbitrarily seized on the high Seas by Spanish Ships fitted out to cruise, under the plausible pretence of guarding their own Coasts.

That the Commanders thereof with their Crews have been inhumanly treated, and the Ships carryed into some of the Spanish Ports, and there condemned, with their Cargoes, in manifest Violation of the Treaties subsisting between the two Crowns.

That notwithstanding the many Instances made by your Majesty's Ministers at the Court of Madrid against the Injurious Treatment, the late and repeated insults of the Spaniards upon the persons and properties of your Majesty's Subjects lay your petitioners under the Necessity of applying again to your Majesty for Relief.

That by these violent and unjust proceedings of the Spaniards the Trade to your Majesty's Plantations in America is rendred very precarious, and if any Nation be suffer'd thus to insult the Persons of your Majesty's Subjects, and plunder them of their property, your Petitioners apprehend it will be attended with such an Obstruction of that valuable Branch of Commerce, as will be very fatal to the Interest of Great Britain.

Your Petitioners therefore humbly pray your Majesty, that your Majesty will be graciously pleased to procure speedy and ample Satisfaction to your Subjects for the Losses they have sustained. That no British Vessels be detained or Searched on the High Seas by any Nation, under any pretence whatsoever. And that the trade to



America may be rendered secure for the future by such Means, as your Majesty in your great Wisdom shall think fit.

And your Petitioners shall ever pray &c.

**List of the Petitioners:**

Pr. Delamotte  
Wm. Baker  
Jo. Harries  
John Leale  
Nath. Basnett  
Roger Drake  
James Knight  
Jno. Ashley  
James Douglas  
Geo. Spence  
R. Boddicott  
Steph. Winthrop  
Charles Hallifax  
Tho. Somers  
David Barclay & Son  
Jno. Scott  
Wm Black  
Samuel Stanfield  
Saml. Sidebotham  
Jno. Chapman  
J. Bowers  
Isaac Diaz Fernandes  
Moses Nunes Brandon  
Judah Supiño & Son  
Samuel Baker  
Wildm Rider  
Robert March  
Simon Jacob  
Robert Holmes  
Henry Davy  
David Wilkie  
Edwin Somers  
S. Bethell  
John Warner  
Thos. Herbert  
Saml. Turner  
David Currie

Beeston Long  
Thos. Tryon  
Alexr. Dundas  
Thomas Butler Senr.  
John Wilmer  
Thomas Hyam  
Richard Fenton  
John White  
H. Douglas  
Wm Fenton  
Benj. Ball  
Ant. Hooper  
David Mike  
David Barclay Junr.  
R. Cooke  
E. Wright  
Robert Scott  
Richard Buller  
Bob. Bostork  
Thomas Pitts  
Alexander Johnston  
Wm Higgins  
Wm Bendysk  
Richard Friend  
Thos. Delamotte  
Benononi Hancock  
Jno. Locke  
Smith & Bonovrie  
Augustus Boyd  
Robt. Lidderdale  
Wm Tryon  
Wm Barnett  
Colin Campbell  
John Keith  
Wm Perrin  
Sam. Bonham  
Ri. Coope

Wm Coleman Junr.  
Abram. Payne  
Samuel Pennant  
A. MacDowall  
John Paul  
Alexd. Roberts  
David Crichton  
Tim. Cockshutt  
Tho. Sandford  
Wm Jones  
Edm. Boehin  
Henry Norris Jr.  
Marmd. Hilton  
Lane & Smethurst  
James Buchanan  
Moses Lainces  
John Gregory  
Plomer Gardiner & Rolleston  
Alexander Coutts  
Da. Barclay  
John Spieker  
Wm Adair  
John Browne  
George Newland  
Rond. Frye  
Richd. Wainhouse  
Law. Williams  
Clere Talbot  
Henry Lyons  
Barrington Buggin  
Peter DuCane  
James Randall  
Richard DuCane Junr.  
John Bell  
Cha. Pole  
Thos. Beckford  
Francis Garissen  
Papillon Ball

Wm Bowden  
Saml. Osborne  
Wm Crombies  
Benj. Fisher  
Thos. Ayscough  
James Kenchell  
John Tomlinson  
Jno. Dover  
Tho. Truman  
John Curtin  
Daniel Flezney  
Thos. Sentence  
Eliahm Palmer  
Saml. Pitte  
Hen. Barham  
Calverley Bewicke  
Jer. Allen  
Richard Beckford  
Henry Long  
John Beach  
Edwd. Clarke Parish  
John Fowler  
T. Hanbury  
Geo. Lewen  
Jno. Gibbon  
Wm Whitaker  
Davy Dreholt  
Abel Tonnereaux  
P. Simond  
John Godfrey  
Wm Coleman  
Wm Dunbar  
Wm Wilson  
Sam. Frys  
Jno. Elliot  
John Small  
Wm. Brannnd



## Appendix 2

### Projet du Memoire à presenter par Mons. Keene au Roy d'Espagne

Le soussigné Ministre Plenipotentiaire de Sa Majesté Britannique a reçu Ordre du Roy, son Maitre, de représenter à Votre Majesté, Que, nonobstant les Instances reiterées, qu'Il a faites à Votre Majesté, par Ordre de sa Cour, pour la Restitution des Vaisseaux et Effets des Sujets de Sa Majesté, qui leur ont été injustement enlevés, et la Satisfaction et le Dedommagement des Violences, Depredations, Duretés et Cruautés, qui ont été exercées contre eux en Violation du Droit des Gens, et des Traités, qui subsistent entre les deux Couronnes, par les Gardes de Côtes de Votre Majesté, ou Vaisseaux munis de Commissions Espagnoles, ou portant Pavillon Espagnol, aux Indes Occidentales, nulle Restitution ou Satisfaction n'a été obtenue jusqu'à présent, quoique des Assurances et des Promesses, à cet effet, aient été fréquemment données. Et c'est avec une extreme Douleur, que le Soussigné se trouve obligé en conséquence des Ordres du Roy son Maitre de représenter à Votre Majesté, que les differents Ordres et Cédulas, qu'elle a bien voulu, par un effet de sa haute Sagesse & Justice, donner, et ensuite renouveler, sur les Representations et Reparation dans plusieurs Occasions notoires, qui, par la Nature de leur Cas, et les preuves, qui en ont été apportées, paroissent à Votre Majesté le demander, ont été eludés, evadés, ou rendus entièrement inefficaces pour l'Accomplissement des Vues equitables de Votre Majesté, dont Il est en état de donner un Detail circonstancié de telle Manière, et à telles Personnes, qu'il plaira à Votre Majesté d'Ordonner.

Le Mecontentement que Votre Majesté avoit bien voulu temoigner de ces injustes et violents procedés avoit donné au Roy le plus grand Sujet d'esperer qu'ils auroient entierement cessés. C'est donc avec autant de Surprise que de Chagrin, que Sa Majesté vient de recevoir des Avis, que ces Violences ont été renouvelées et reiterées, l'Année Dernière, d'une Maniere aussi peu soutenable que par le passé, par ou le Commerce legitime des Sujets de Sa Majesté aux Indes Occidentales, et la libre Navigation de ces Mers'là, auxquels ils ont un Droit incontestables, se trouvent extremement genés et interrompus, comme il paroitra evidemment par les Pieces, qui accompagnent ce Memoire.

Le Soussigné a Ordre du Roy, son Maitre, de faire aussi remarquer à Votre Majesté, que les Manières Illicites, pratiquées par les Gardes de Côtes, ou autres Vaisseaux, munis de Commissions Espagnoles, ou portant Pavillon Espagnol, en arretant, examinant et detenant les Vaisseaux appartenant aux Sujets de Sa Majesté, en pleine Mer, et sous pretexte d'examiner, s'ils n'ont point de Marchandise de Contrabande abord, sont la Source principale de toutes ces plaintes; procédé, qui est directement contraire à ce qui est prescrit par l'Article 14 du Traité 1667, comme la Regle, qui doit etre observée par tous les Vaisseaux des deux Nations, qui pourroient se rencontrer dans des Bayes, ou en pleine Mer; comme on peut voir plus amplement par le dit Article, qui est icy inseré mot à mot.

#### Art 14

*Quod Naves Bellicae, sive ad Regum praedictorum alterutrum, sive ad Instructores privatos eorundem alterutri Subditos spectent, obviam factae Navibus Mercatoriis, aut Stationem aliquâ agentibus, aut in alto Mari Vela facientibus, extra Tormenti Majoris Iactum subsistent, neque proprius (ut hâc Distantiâ Spolii et Violentiae Occasio omnis praecidatur) accedent: Scapham vero, si lubet, duosque aut tres solummodo Classarios ad Mercatoriem emittent, quibus, ubi Navem Conscenderint, Literas Salvi-conductus exhibit Navarcha vel Patronus, Chartarum etiam Marinarum juxta Formulam in Calce hujus Tractatus subjiciendam conceptarum Copiam faciet; ex quibus non solum de Mercimoniis, quibus onusta est Naves, sed etiam de Domicilii et Residentiae in atteurtrius Regis Dominiis loco, ut et de Navarchae aut Patroni, necnon Navis ipsius Nomine certiores fient; duabus quippe Patronibus hisce, quales sint Merces Navi impositae, au interdicte scilicet, sive Contrabandae, quis Magister vel Patronus, qualis denique Navis ipsa sit, satis dignosci poterit; Tales porro Literae et Chartae Marinae Fide et Autoritate eo Magis indubitata valebunt, quod tim ex parte Regis Hispaniarum Certificationibus quibusdem contra signatis (si necesse fuerit) munientur, quarum virtute authenticae magis fient, et adulterinae pro veris nemini obtrudi poterunt.*

Le Roy ne doute nullement, que Votre Majesté, dont la Justice et la Disposition à observer les Traités, sont si bien connus, ne donne sans delai, les Ordres les plus efficaces a tous Vaisseaux autorisées par Votre Majesté, ou par ceux, qu'Elle employe, ou aux Vaisseaux qui jouissent, en aucune maniere, de la protection du pavillon de Votre Majesté de s'abstenir de tels procédés à l'avenir, et de se regler, à cet égard, selon ce qui est si



amplement, et si clairement, prescrit par le dit Traité, comme Ils en seront responsables à leur peril.

Le Soussigné a encore l'Honneur de représenter à Votre Majesté, que l'usage, que l'on fait d'une telle Visite, est aussi peu à justifier que la Visite elle meme; Comme par Exemple, ainsi qu'il est arrivé très souvent, de saisir et detenir un Vaisseau et sa Cargaison, sans aucun pretexte ou Ombre de Raison que ce soit; Et dans d'autres Occasions de saisir et confisquer un Vaisseau et toute sa Cargaison, parce qu'on y a trouvé quelque Marchandise en quelque petite Quantité que ce fût, d'une Espece, qui est du Crû des Colonies Espagnoles; Laquelle Circonstance ne suffit pas pour decider que telle Marchandise soit prohibée ou de Contrabande; Et même en cas que des Marchandises, veritablement de Contrebande, fussent actuellement trouvées abord, Il est pourvû par les Termes exprès des Articles 15 et 23 du Traité 1667, que ni le Vaisseau, ni aucune partie de sa Cargaison, hormis les Marchandises de Contrebande mêmes, sera confisqué, comme il paroît par la copie suivante des dits Articles.

#### Art 15

*Si quae Merces aut Bona prohibita é Regnis, Dominiis aut Terrotoriis alterutrius Regis exportantur per populos aut Subditos alterius, in isto Casu, sola Bona prohibita, et nulla alia Fisco addicentur, neque etiam praeter hanc paenam incurret istiusmodi Delinquens, in forte e Regnis aut Dominiis Regis Magnae Brianniae Nummos aut Monetam Regioni propriam, aut Lanam, aut etiam Terram quam vocant Fullorum; ex Dominiis veró Regis Hispaniarum Aurum aut Argentum, sive signatum sit, sive non signatum, subducat, aut exportet; In quibus Casibus Regionis cujusque hinc inde Leges vim suam et effectum debitum obtinebunt.*

#### Art 23

*Et casu quo in Navibus istiusmodi Merces prohibitae, Vulgó Contrabandae infra designatae mediantibus Rationibus supradictis, apprehendi contigerit, Nave extrahentur, denuntiabuntur, et coram Judicibus Admiralitata aut aliis competentibus Fisco addicentur; ita tamen ut Navis ipsa aliaeque libera Merces et permissae quae in istiusmodi Navi reperiuntur, nullatenus ex eâ Causâ, arrestentur aut confiscentur.*

Le Soussigné a aussi l'Honneur de remarquer, a cette Occasion, que les Articles susmentionnés sont si clairs et précis en prescrivant la Methode de parvenir à la Decouverte des Marchandises de Contrebande en cas qu'il s'en trouve abord des Vaisseaux de l'une ou de l'autre Nation et en fixant les Amendes et Peines qui doivent s'ensuivre, que le Roy son Maitre est pleinement persuadé, que Votre Majesté fera donner incessamment les Ordres les plus efficaces pour qu'on ait soin qu'à l'avenir le dit Traité soit ponctuellement observé aussi à cet egard: Et le Soussigné ne sauroit se dispenser de remarquer que la Conduite des Gardes de Cotes Espagnoles, et des autres Vaisseaux susdits a souvent été accompagnée de plusieurs Circonstances les plus aggravantes et les plus enormes, en ce qu'ils n'ont pas seulement violé les Traités les plus solennels qui subsistent entre les deux Nations, mais meme ont agi, en plusieurs Rencontres, d'une Maniere barbare et inhumaine envers les Sujets de Sa Majesté, lorsque meme après la Recherche la plus rigoureuse et la plus exacte, Ils ont trouvé à propos de relacher leurs Vaisseaux.

Le Soussigné ayant ainsi eu l'Honneur d'exposer à Votre Majesté les Griefs et Torts que les Sujets de Sa Majesté ont soufferts de la part des Gardes de Côtes Espagnoles &c Il ne lui reste qu'à ajouter, qu le Roy, son maitre se promet de la Sagesse, pieté et bonne Foy connus de Votre Majesté et de sa Disposition à observer ponctuellement les Traités, qui subsistent entre les deux Couronnes, qu'on aura soin de faire punir exemplairement, et sans Delai, les Auteurs de ces Actes de Violence et de Barbarie, afin d'empêcher que d'autres n'osent commettre de tels Exces à l'avenir; Et que Votre Majesté fera rendre, de la Manière la plus efficace, la Satisfaction requise aux Sujets du Roy, pour toutes leurs pertes et Dommages; et qu'Elle donnera les Ordres les plus précis pour prevenir de tels procedés, et pour faire observer ponctuellement les Traités; lesquels doivent servir de Regle aux Sujets des deux Couronnes. C'est dont le Roy, son Maitre, ne doute pas que Votre Majesté ne reconnoisse la Necessité, pour faire cesser les frequentes et justes plaintes des Sujets de Sa Majesté, et pour assurer, et affermir l'Harmonie et l'Amitié, qui subsistent si heureusement entre les deux Couronnes.

Si, contre toute Attente, ces Instances, qui sont fondées sur la Justice, et les Traités, n'auroient pas l'Effet désiré, le Roy, son Maitre, se trouvera dans la Necessité de procurer à ses Sujets la Satisfaction qu'ils sont en droit de demander, en vertu des Traités, et du Droit des Gens.



## Appendix 3

*London Evening Post*, 30 December - 1 January (OS) 1737.

Extract of a Letter from an English Gentleman at the Havanna to several Merchants in Bristol, dated Aug 26, 1737

Gentlemen,

I make bold to trouble you with this, to make you sensible I am not negligent of embracing all Opportunities of Writing, more than for what good News I can acquaint you with. Our Affair here goes on very slowly, but am afraid the Spaniards will make our Vessel a Prize; for they stick at nothing, notwithstanding my Plea, that I receiv'd what Money they found on Board from the Company's Agents at Jamaica. I acquainted you in my last Advices after what Manner and where we were taken; the same Cruizer has since taken and brought into this Place, the *Loyal Charles*, Capt. Way, and the *Dispatch*, Capt. de la Mott, both from Jamaica, bound for London, and they will make Prizes of them both, altho' they have not found anything contraband on board them: So, Gentlemen, I can't tell how things may be at Home, whether Peace or War, but I am sure 'tis open War here on their Parts. I should have come away by this opportunity, were it not to wait the Issue of my Trial, and to have something to satisfy the Insurers, tho' I don't know but at the same Time I run a Risque of my Liberty; for if a War breaks out I am doom'd to Imprisonment: I shall take the next Opportunity that offers to come home, or go any where rather than stay here. I am now on Shore at the English Factory, which gives me a more convenient Opportunity of writing than when on Board.

P.S. Since my Arrival here there have been no less than 8 or 900 soldiers imported, and more expected, who are now going to embark on a Vessel for Cape St. Augustine; so that it's time for Carolina and Georgia to keep a good Look-out.

## Appendix 4

### The Convention of the Pardo, January 1739

Whereas Differences have arisen, of late Years, between the two Crowns of *Great-Britain* and *Spain*, on account of the Visiting, Searching, and Taking of Vessels, the Seizing of Effects, the Regulating of Limits and other Grievances alledged on each Side, as well in the *West-Indies*, as elsewhere; which Differences are so serious, and of such a Nature, that, if Care be not taken to put an entire Stop to them for the present, and to prevent them for the future, they might occasion an open Rupture between the said Crowns: For this Reason his Majesty the King of *Great-Britain*, and his Majesty the King of *Spain*, having nothing so much at heart as to preserve and corroborate the good Correspondence which has so happily subsisted, have thought proper to grant their Full Powers, viz. his *Britannic* Majesty to *Benjamin Keene*, Esq; his Minister-Plenipotentiary to his Catholic Majesty, and his Catholic Majesty to *Don Sebastian de la Quadra*, Knight of the Order of *St. James*, Counsellor of State, and First Secretary of State and of the Dispatches; who, after previously producing their Full Powers, having conferred together, have agreed upon the following Articles.

**Art. I.** Whereas the ancient Friendship, so desirable and so necessary for the reciprocal Interest of both Nations, and particularly with regard to their Commerce, cannot be established upon a lasting Foundation, unless Care be taken, not only to adjust and regulate the Pretensions for reciprocal Reparation of the Damages already sustained, but, above all, to find out Means to prevent the like Causes of Complaint for the future, and to remove absolutely, and for ever, every thing which might give Occasion thereto; it is agreed to labour immediately, with all imaginable Application and Diligence, to attain so desirable an End; and for that Purpose there shall be named on the part of their *Britannic* and Catholic Majesties respectively, immediately after the signing of the present Convention, two Ministers-Plenipotentiaries, who shall meet at *Madrid* within the Space of six Weeks, to be reckoned from the Day of the Exchange of the Ratifications, there to confer, and finally regulate the respective Pretensions of the two Crowns, as well with regard to the Trade and Navigation in *America* and *Europe*, and to the Limits of *Florida* and of *Carolina*, as concerning other Points, which remain likewise to be adjusted; the whole according to the Treaties of the Years 1667, 1670, 1713, 1715, 1721, 1728, and



1729, including That of the Assiento of Negroes, and the Convention of 1716; and it is also agreed, that the Plenipotentiaries so named, shall begin their Conferences six Weeks after the Exchange of the Ratifications, and shall finish them within the Space of eight Months.

**Art II.** The Regulation of the Limits of *Florida* and of *Carolina*, which, according to what has been lately agreed, was to be decided by Commissaries on each Side, shall likewise be committed to the said Plenipotentiaries, to procure a more solid and effectual Agreement; and during the Time that the Discussion of that Affair shall, last, Things shall remain in the aforesaid Territories of *Florida* and of *Carolina*, in the Situation they are in at present, without increasing the Fortifications there, or taking any new Posts; and for this Purpose, his *Britannic* Majesty and his catholic Majesty shall cause the necessary Orders to be dispatched immediately after the signing of this Convention.

**Art. III.** After having duly considered the Demands and Pretensions of the two Crowns, and of their respective Subjects, for Reparation of the Damages sustained on each Side, and all Circumstances which relate to this important Affair; it is agreed, that his Catholic Majesty shall cause to be paid to his *Britannic* Majesty, the Sum of 95,000 *l.* Sterling, for a Balance, which has been admitted as due to the Crown and the Subjects of *Great-Britain*, after Deduction of the Demands of the Crown and Subjects of *Spain*; to the End that the above-mentioned Sum, together with the Amount of what has been acknowledged on the Part of *Great Britain* to be due to *Spain* on her Demands, may be employed by his *Britannic* Majesty for the Satisfaction, Discharge, and Payment of the Demands of his Subjects upon the Crown of *Spain*; it being understood nevertheless, That it shall not be pretended, that this reciprocal Discharge extends, or relates to the Accounts and Differences, which subsist, or are to be settled between the Crown of *Spain* and the Company of the Assiento of Negroes, nor to any particular or private Contracts that may subsist between either of the two Crowns, or their Ministers, with the Subjects of the other, or between the Subjects and Subjects of each Nation respectively; with Exception, however, of all Pretensions of this Class mentioned in the Plan presented at *Seville*, by the Commissaries of *Great-Britain*, and included in the Account lately made out at *London*, of Damages sustained by the Subjects of the said Crown, and especially the three Particulars inserted in the said Plan, and making but one Article in the Account, amounting to 119,512 Piasters, 3 Reals and 3 Quartils of Plate; and the Subjects on each Side shall be entitled, and shall have Liberty to have Recourse to the Laws, or to take

other proper Measures, for causing the abovesaid Engagements to be fulfilled, in the same Manner as if this Convention did not exist.

Art. IV. The Value of the Ship called the *Woolball*, which was taken and carried to the Port of *Campechy* in the Year 1732, the *Loyal Charles*, the *Dispatch*, the *George*, and the *Prince William*, which were carried to the *Havanna* in the Year 1737, and the *St. James* to *Porto Rico* in the same Year, having been included in the Valuation that has been made of the Demands of the Subjects of *Great Britain*, as also several others that were taken before; if it happens, that, in consequence of the Orders that have been dispatched by the Court of *Spain* for the Restitution of them, Part, or the Whole of them have been restored, the Sums so received shall be deducted from the 95,000 *l.* Sterling, which is to be paid by the Court of *Spain*, according to what is above stipulated: It being, however, understood, that the Payment of the 95,000 *l.* Sterling shall not be, for that Reason, in any manner delayed; saving that what may have been previously received shall be restored.

Art V. The present Convention shall be approved and ratified by his *Britannic* Majesty and by his Catholic Majesty; and the Ratifications thereof shall be delivered and exchanged at *London* within the Space of six Weeks, or sooner, if it can be done, to be reckoned from the Day of the signing.

In witness whereof, We the under-written Ministers-Plenipotentiaries of his *Britannic* Majesty and of his Catholic Majesty, by Virtue of our Full Powers, have signed the present Convention, and caused the Seal of our Arms to be affixed thereto. Done at the *Pardo* the 14th Day of *January*, 1739.

B. Keene,  
S. de la Quadra

#### First Separate ARTICLE.

Whereas it has been agreed by the first Article of the Convention, signed this Day, between the Ministers-Plenipotentiaries of *Great Britain* and *Spain*, that there shall be named on the Part of their *Britannic* and Catholic Majesties respectively, immediately after the signing the abovesaid Convention, two Ministers-Plenipotentiaries, who shall



meet at *Madrid*, within the Space of six Weeks, to be reckoned from the Day of the Exchange of the Ratifications; their said Majesties, to the End that no Time may be lost in removing, by a solemn Treaty, which is to be concluded for that Purpose, all Cause of Complaint for the future, and in establishing thereby a perfect good Understanding, and a lasting Friendship between the two Crowns, have named, and do by these Presents name, viz. his *Britannic* Majesty, *Benjamin Keene*, Esq; his said Majesty's Minister-Plenipotentiary to his Catholic Majesty, and *Abraham Castres*, Esq; his said *Britannick* Majesty's Consul-General at the Court of his Catholic Majesty, his Plenipotentiaries for that Purpose; and his Catholic Majesty, *Don Joseph de la Quintana*, his Counsellor in the supreme Council of the *Indies*, and *Don Stephen-Joseph de Abaria*, Knight of the Corder of *Calatrava*, Counsellor in the same Council, and Superintendant of the Chamber of Accounts, who shall be immediately instructed to begin the Conferences: And whereas it has been agreed by the third Article of the Convention signed this Day, that the Sum of 95,000 *l.* Sterling, is due, on the Part of *Spain*, as a Balance to the Crown and Subjects of *Great Britain*, after Deduction made of the Demands of the Crown and Subjects of *Spain*; his Catholic Majesty shall cause to be paid at *London*, within the Term of four Months, to be reckoned from Day of the Exchange of the Ratifications, or sooner if it be possible, in Money, the above-mentioned 95,000 *l.* Sterling, to such Persons as shall be authorized, on the Part of his *Britannic* majesty, to receive it.

### Second separate ARTICLE

Whereas the underwritten Ministers Plenipotentiaries of their *Britannic* and *Catholic* Majesties have this Day signed, by Virtue of full Powers from the Kings their Masters for the Purpose, a Convention for settling and adjusting all the Demands, on each Side, of the Crowns of *Great Britain* and *Spain*, on Account of Seizures made, Ships taken, *etc.* and for the Payment of a Balance that is thereby due to the Crown of *Great Britain*; it is declared, that the Ship called the *Success*, which was taken on the 14th Day of *April* 1738, as she was coming out from the Island of *Antigua*, by a *Spanish* Guarda Costa, and carried to *Porto Rico*, is not comprehended in the aforesaid Convention; and his Catholic Majesty promises, that the said Ship and its Cargo shall be forthwith restored, or the just Value thereof to the lawful Owners; provided that, previous to the Restitution of the said Ship the *Success*, the Person or Persons interested therein do give Security at *London*, to the Satisfaction of *Don Thomas Geraldino*, his Catholick Majesty's Minister

Plenipotentiary, to abide by what shall be decided thereupon by the Ministers Plenipotentiaries of their said Majesties, that have been named for finally settling, according to the Treaties, the Disputes which remain to be adjusted between the two Crowns; and his Catholic Majesty agrees, as far as shall depend upon him, that the above-mentioned Ship the *Success*, shall be referred to the Examination and Decision of the Plenipotentiaries; his *Britannic* Majesty promises likewise to refer, as far as shall depend upon him, to the Decision of the Plenipotentiaries, the Brigantine *Sancta Theresa*, seized in the Port of *Dublin*, in *Ireland*, in the Year 1735. And the said underwritten Ministers Plenipotentiaries declare by these Presents, that the 3d Article of the Convention signed this Day, does not extend, nor shall be construed to extend to any Ships or Effects that may have been taken or seized since the 10th Day of *December* 1737, or may be hereafter taken or seized; in which Cases, Justice shall be done according to the Treaties, as if the aforesaid Convention had not been made; it being however understood, that this relates only to the Indemnification and Satisfaction to be made for the Effects seized, or Prizes taken, but that the Decision of the Cases, which may happen, in order to remove all Pretext for dispute, is to be referred to the Plenipotentiaries, to be determined by them according to the Treaties.

These separate Articles shall have the same Force as if inserted Word for Word in the Convention signed this Day: And shall be ratified in the same Manner.

In Witness whereof, We the underwritten Ministers Plenipotentiaries of his *Britannick* Majesty, and of his Catholick Majesty, by Virtue of our full Powers, have signed the present separate Articles, and have caused the Seals of our Arms to be affixed thereto. At the *Pardo*, Jan. 14, 1739.

B. Keene  
Sebastian de la Quadra.



Copy of the Declaration made on the Part of the King of Spain, before he ratify'd the Convention.

*Don Sebastian de la Quadra*, Counsellor and first Secretary of State of his Catholic Majesty, and his first Plenipotentiary for the Convention which is treating with the King of *England*, by Order of his Sovereign, and in Consequence of his repeated Memorials and Conferences that have pass'd with *Don Benjamin Keene*, Minister Plenipotentiary of his *Britannic* Majesty, and having agreed therein with reciprocal Accord, that the present Declaration shall be made as the essential and precise Means to overcome the so much debated Disputes, and, in order that the said Convention may be signed, does declare, in due Form, that his Catholic Majesty reserves to himself, in its full Force, the Right of being able to suspend the Assiento of Negroes, and for dispatching the necessary Orders for the Execution thereof, in case the Company does not subject herself to pay, within a short Term, the 68,000 *l.* Sterling, which she has confess'd is owing on the Duty of Negroes, according to the Regulation of 52*d.* *per* Dollar, or on the Profits of the Ship *Caroline*; and likewise declare, that under the Validity and Force of this Protest, the signing of the said Convention may be proceeded on, and in no other Manner. Wherefore, upon this firm Supposition, and that it may not be eluded on any Motive or Pretext whatsoever, his Catholic Majesty has been induced thereto.

*Pardo*, 10th of *Jan.* 1739.

Don Sebastian de la Quadra.'

The Convention and separate Article, were ratify'd under the Hand of His *Britannic* Majesty, *Jan.* 24; and of his Catholic Majesty *January 15. N.S.* 1739, and were concluded pursuant to full Powers dated at *St. James's*, *Nov. 9*, 1738, at the *Pardo*, *January 10*, 1739.

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Add.Ms. 32774	Diplomatic correspondence 1731
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##### Hardwicke Papers

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