HORATIO WALPOLE AND THE MAKING
OF THE TREATY OF SEVILLE,
1728-1730

DISSERTATION

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CHAPTER I

HORATIO WALPOLE AND THE MAKING
OF THE TREATY OF SEVILLE

The Treaty of Seville, concluded in 1729, has received relatively
little attention by historians. Those who have written on the subject
differ considerably in their evaluation of the treaty and of the key
figures involved. Arthur Wilson, in his work on Fleury's foreign policy,
believes the treaty was a victory for Fleury. Not only did the cardinal
restrain his allies from going to war, but he used various expedients to
achieve his ends and those of his allies. J. H. Plumb, on the other
hand, sees the treaty as Robert Walpole's first diplomatic triumph.
Plumb also gives credit to the duke of Newcastle, Secretary of State for
the South, and William Stanhope, British diplomat and ambassador to Spain.
Newcastle sent Stanhope to the Spanish court for the specific purpose of
concluding the negotiation. Plumb's view is similar to Lord Hervey's.
The latter, who was a courtier and closely associated with the adminis-
tration, claimed in his memoirs that Robert Walpole was the author of
the plan which William Stanhope successfully negotiated with Spain.

1Arthur M. Wilson, French Foreign Policy of Cardinal Fleury 1726-
198.
Frederick Oliver, a popularizer, yet considered reputable by historians, believes a major share of the credit belongs to Stanhope. According to Oliver, Stanhope was particularly skillful in his special mission to Spain and his efforts were benevolently supported by Fleury. Sir Richard Lodge agrees with Wilson, in that he considers Fleury the real author of the treaty, but he also gives great credit to Stanhope for helping to frame it in Paris, and to Benjamin Keene, the British representative at the Spanish court, who did so much to establish good relations with the Spanish minister, Patiño.¹

Only a few historians, such as Paul Vaucher, William Coze and the comte de Baillon find any significance in the fact that Robert Walpole's brother, Horatio, was then ambassador to the court of France, and as minister and plenipotentiary was officially engaged in negotiating the treaty. Though Plumb also recognizes Horatio's connections in both courts, his comments are generally disparaging. Moreover, as will be seen in later chapters, he ignores considerable evidence of Horatio's contributions not only to the negotiations but also to the defense of the ministry's foreign policy.

This discounting by historians of Horatio Walpole is curious. Not only did he enjoy a singularly close relationship with the ministers in England and France, but he brought considerable diplomatic experience, if not expertise, to his embassy. In his Apology, written a number of years after 1729, Walpole looked back on his role in the negotiations as


one of his great diplomatic triumphs. He asserted that he was the one who brought Cardinal Fleury around to approve the British version of the treaty, after contriving to meet him in private for many hours. He also made note of the queen's satisfaction with "his diligence, fidelity, & success in negotiations of so much perplexity and trouble, and [that she] was . . . pleased to give him distinguishing marks of her favor and protection."¹

In view of Walpole's remarks, the question arises about the part he actually played in the negotiations. Did he have a significant role, as he, himself, believed, or are the historians correct in their apparent dismissal of his efforts and influence? This, then, is the question and the focus of the following study.

Historiographical Background

Opinions of writers and historians about the quality and importance of the treaty itself differ. Basil Williams, at one end of the scale, considers it "the logical outcome of the treaty of Utrecht."² Oliver's views are mixed. The treaty itself was clear and without unnecessary loose ends. However, in Oliver's opinion, if the negotiators had been able to encompass more than they did, some of the great disasters that followed might possibly have been averted.³ D. B. Horn believes that the Treaty of Seville was due more to the insufficiency of the Spanish-Imperial alliance than to Fleury's diplomacy. The treaty was inherently

¹Apology, B.M., Add. MSS. 9132, fols. 90v-93.
²Basil Williams, "The Foreign Policy of England under Walpole," English Historical Review, XV, XVI (1900-1901), XVI, 326.
³Oliver, The Endless Adventure, II, 133.
weak because Britain and France had no prior agreement on how they would execute their promises to Spain.\(^1\) Schoell, at the opposite end of the scale, describes the treaty as an extraordinary, if not deplorable, monument to the instability of European politics.\(^2\)

Whether or not Schoell's description of the treaty is apt, his reference to the instability of European politics is significant, for herein may lie one explanation of the divergent views of the treaty and the men involved. There were so many conflicting interests, not only between the negotiating powers but also within the individual delegations, that it is remarkable any kind of an agreement was reached. The slow communications contributed to the difficulties, and as Plumb observes, this too was a weapon of diplomacy.

The prevarications and delays, the decisions taken only to be disavowed, the knowledge that the whole strategy of a diplomatic campaign might be changed by the changed opinion of one prince, inflated the respect in which diplomacy was held and led also to complications almost for their own sake, so that often the left hand of a prime minister scarcely knew what his right hand was doing.\(^3\)

Lodge, who considers himself "a fairly hardened explorer of diplomatic mazes," finds the tortuous negotiations, extending from the summer of 1728 to November 1729, most baffling.\(^4\)

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\(^3\) Plumb, Sir Robert Walpole, II, 14.

\(^4\) Lodge, "The Treaty of Seville," p. 32.
Some historians appear to accept Schoell's and Lodge's assessment of the unsettled and intricate conditions prevailing in Europe. Baudrillart, for one, considered it necessary to restrict his own investigation at the risk of distortion, even while recognizing that the period 1724–1729 was a fertile one for treaties throughout Europe. His focus is Hispano-French relations and his research is based on French and Spanish sources.¹ William Coxe and the comte de Baillon, who wrote about Anglo-French diplomacy in their respective and remarkably similar works on Horatio Walpole, are surprisingly reticent about the crucial eighteen months of negotiations that culminated in the Treaty of Seville. Though they both devote a chapter or more to each of Walpole's earlier years in Paris, neither one spends more than a few pages on the treaty and his final year as ambassador to France.²

A second reason for conflicting views may be found in the British press. This was a period of violent pamphlet warfare in England, one in which truth frequently died aborning. Leaders of the Opposition in Parliament, notably William Pulteney and Henry St. John, viscount Bolingbroke, led the attack on Robert Walpole and his administration in their paper The Craftsman. The rebuttal and counterattack appeared in the London Journal and elsewhere.³ There were, in addition, numerous


²William Coxe, Memoirs of Horatio, Lord Walpole, Selected from his Correspondence and Papers, and Connected with the History of the Times, from 1678 to 1757 (London, 1802); Comte [Charles] de Baillon, Lord Walpole à la cour de France 1723–1730, d'après ses mémoires et sa correspondance (Paris, 1867).

pamphlets reflecting a wide range of opinion. Many of these were written by hack writers who were in the pay of one side or the other. Thus any published account of a foreign or domestic minister was more than likely a distortion of an event to serve some political purpose. Since public knowledge of state affairs was frequently limited to whatever appeared in print, it is not surprising that some confusion should exist over the administration's policies and the men who were responsible for initiating and carrying them out. This overabundance of biased reports, whose authorship in most cases can only be surmised, creates difficulties for the historian.

Horatio Walpole professed little concern over public opinion, observing that five out of six pamphlets about individuals were false.¹ He spoke from personal experience for, as Robert's brother and also as an advisor on foreign affairs, he was included in the insults heaped on the administration by the Opposition. Unfortunately, according to Coxe, some men, such as Smollett, continued to carry on this malevolence in their own writing about Horatio Walpole.²

Horatio suffered further abuse at the hands of his nephew, Horace, and from Lord Hervey. The latter had joined Pulteney in the Opposition to Robert Walpole, but when George II chose Robert as his chief minister, Hervey changed sides. In return for his about-face, he was rewarded with several offices and in 1730 was admitted to the privy council. Hervey had a lot of influence with the queen, which Robert Walpole

²Coxe, Lord Walpole, p. 463.
used in order to gain the king.  

Effeminate in manner and appearance, Hervey took an almost feline delight in wittily clawing others.  

He admitted that Horatio was indefatigable in his work and an excellent source of information for his brother in drawing up treaties, but claimed he had

a most unclear head, no genius, no method, and a most loose, inconclusive manner of reasoning, he was absolutely useless to his brother in every capacity but that . . . of a dictionary. 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. A free, easy, cheerful manner of conversing made some people mistake him enough to think him good-natured; but he was far from it, and did many ill offices to people, and never that I heard of any good ones. Nor did he, with all the credit he was known to have with his brother, ever make one friend . . . Horace was envious, revengeful, in-veterate and implacable; but, from being afraid of his enemies, he had a behaviour towards them which many of them called good-humour, mistaking his timidity for serenity, and thinking, because he did not dare to strike, that he did not wish to wound.  

Horatio's "itch for meddling and his awkwardness in touching drew him into eternal difficulties and scrapes out of which his brother's power and dexterity united were oftentimes barely sufficient to extricate him."  

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4Hervey, Memoirs, I, 72-73.
Horace Walpole wrote along similar lines. He deplored Horatio's impulsiveness which led him to act in ways Horace thought inappropriate, thus lowering his dignity and making him the butt of laughter. In his opinion, his uncle was no more than "a dead weight on his brother's Ministry." Horace claimed his uncle knew something of everything but how to hold his tongue, or how to apply his knowledge. As interest was in all his actions, treaties were in all his speeches... His mind was a strange mixture of sense alloyed by absurdity, wit by mimicry, knowledge by buffoonery, bravery by meanness, honesty by selfishness, impertinence by nothing.

One of Horatio Walpole's firm supporters was his former secretary in Paris, Thomas Robinson, later Lord Grantham. Robinson declared

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1 Horace Walpole, a younger son of Robert, did not share his father's love of politics, nor was he a Norfolk squire but a man of quality, a connoisseur of art and writing. His reputation is based on his wit and his prodigious correspondence with a large circle of friends, most of whom were distinguished people either in the literary world or in society. D.N.B., XX, 627-32.


3 In his introduction to volume XXXVI, Lewis refers to the bloody civil wars of the House of Walpole between Horatio and his nephew, some of which were over inheritance. The result was that Horace, whether or not justified, tended to put his uncle in a very bad light. Lewis observes that the elder Walpole's successful embassies to The Hague and Paris show he was more than the unsavory buffoon pictured by Horace. Ibid., XXXVI, xiv.


Horatio could do little to please his nephew. Even besting a member of the House of Commons in an impromptu duel and then returning to the House so little moved that he was able to speak immediately on a bill, irritated his nephew, who saw it as a farce. However Horace Mann expressed his admiration of Horatio's sangfroid. Horace Walpole to Horace Mann, Arlington Street, 14 March 1743 O.S.; Horace Mann to Horace Walpole, n.p., 15 or 22 April 1743 N.S., Walpole's Correspondence, XVIII. 191-92, 207.

5 Walpole, Memoirs, I, 140-41.
that everything he knew about diplomacy he had learned from Walpole. He had lived in Walpole's house in Paris for seven years, serving him with heart and hand. Robinson claimed that if Walpole's dispatches were published, they would reveal his great capacity and zeal. In his opinion Walpole was a great master of the commercial and political interests of . . . his country; . . . It was the fashion of the opposition of this time, to say that he was the dupe of cardinal Fleury; his correspondence would shew, no man was ever less so. He negotiated with firmness and address; and, with the love of peace, which was the system of his brother, Sir Robert, he never lost sight of that great object, keeping up the sources of national strength and wealth.²

Viscount Percival also spoke well of Walpole.³ Horatio's long and rather violent defense of the administration in the House of Commons did not disturb him for he found there was "always good substance in his speeches though delivered without oratory." He felt the Walpoles and their families had been treated dishonorably, being made the subjects of ridicule. Horatio "had . . . an honest heart and love for his country . . . and he should not regard what gentlemen who were out of employment

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²Coxe, Lord Walpole, p. 463, citing Hardwicke's State Papers, II, 631.
³Viscount Percival, an Irish peer, was first earl of Egmont in the county of Cork. He was a member of the British House of Commons, a supporter of Robert Walpole, and a favorite in court circles. Egmont's Diary, I, v.; D.N.B., XV, 813-14.
⁴Egmont's Diary, III, 338.
and who wanted to get in again might say of him in the House, being satisfied in his own integrity."

Some later writers, far removed from the pressure of politics and particular interests, see Horatio Walpole as a victim of bad press, and they question the validity of earlier assessments of his ability and of his contributions to foreign affairs. Dureng believes he was abused by his enemies while overpraised by William Coxe. Horatio Walpole, in his opinion, was conscientious and tenacious, possessing the clear cool perception and the resolution which are the "apanage" of good British diplomats and therefore should be counted among the best. D. B. Horn is of similar persuasion. He observes that Walpole combined politics and diplomacy, and was Robert's "trusted advisor on foreign affairs." His conclusion is that even with his limitations, Horatio Walpole "was one of the better British diplomats of the century." Oliver, for all that he does not discuss Walpole in his evaluation of the negotiations of the Treaty of Seville, finds Horatio

the most industrious, the most persevering, the most definite in his views, the shrewdest and most disin'rested . . . His official and private letters are honourably distinguished among contemporary correspondence by their regard for international good faith . . . His narrative would need the historian's shears—for he was very prolix—but it would present a dramatic sequence of causes and events told vividly and illuminated by common sense.

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1Egmont's Diary, III, 339.
5Oliver, The Endless Adventure, II, 111.
Wilson and Plumb are more reserved in their evaluations. While admitting that Robert depended on his brother in diplomatic negotiations, and that Horatio's loyalty was beyond question, Plumb suggests that Robert Walpole's foreign policy might have been better had he relied on a cleverer man. Because Horatio was friendly, and simple of heart, he was easy to deceive. Wilson concurs with Plumb on the latter point. He claims Fleury's success in diplomacy was due to his ability to make those around him believe him a simpler man than he was. Fleury thus "duped Horatio Walpole at the very time when the latter was making capital with his government of the influence which he presumed that he exerted over the Cardinal." Wilson attaches no date to this remark; his source is Paul Vaucher's earlier work on Robert Walpole and Fleury. However, Vaucher does not indicate in his short section on the Treaty of Seville that Fleury was deluding Horatio when he accepted Horatio's conditions for the treaty. Moreover Vaucher notes that Horatio was aware of his waning influence on the cardinal and for this reason requested his government to relieve him of his post soon after the Treaty of Seville was signed. In his introduction Vaucher makes the point that it is easier today to perceive the extraordinary comedy of pious innocence which

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1 Plumb, Sir Robert Walpole, II, 17, 290.
2 Wilson, French Foreign Policy, p. 99.

See also the very secret letter Horatio Walpole and his fellow plenipotentiary, Stephen Poyntz, addressed to Lord Townshend, Secretary of State, from Paris on 16/27 December 1729, B.M., Add. MSS. 32764, fols. 473-74.
Fleury played with his old friends, the English, and with his collaborator, Chauvelin.¹

The question remains—why do so many historians give Horatio Walpole little credit for a negotiation he considered a personal achievement? In an effort to find some solution, the following study is an examination of Horatio Walpole's actions and views as they relate to the Treaty of Seville. The essential period begins with the opening of the Congress of Soissons and ends with the 1730 session of Parliament which formally approved the treaty. To clarify and establish Horatio Walpole's position and part in the negotiations, the following questions have been raised: Was Horatio Walpole personally engaged in developing the actual terms of the treaty? Was he completely under the supervision of the ministers in London or was he allowed some latitude? Where did his loyalties lie? Was he concerned about his own advancement, his prestige in comparison with other ministers? What were his relations with his fellow ministers and how did they regard him? Did he clearly perceive his position in the French court? The answers to these and other questions should not only reveal Walpole's role and contribution but determine to some extent whether Horatio Walpole was the experienced diplomat, vouched for by Robinson, or the bungling deadweight, as claimed by Lord Hervey and Horace Walpole.

Sources

Much of Horatio Walpole's diplomatic correspondence has been preserved in the Newcastle Papers and the Coxe Papers at the British Museum, and in the State Papers at the London Public Record Office. In

¹Vaucher, Robert Walpole, pp. iv-v.
addition, the Norwich Public Record Office has a number of letters exchanged by Lord Townshend, Secretary of State, and Walpole for the year 1728 in its Bradfer-Lawrence collection of Townshend's papers. Though relatively few letters from Walpole are at the Archives des Affaires Étrangères in Paris, their holdings include some correspondence between the French ministers in Paris and their representatives in London, as well as a number of memoirs and position papers on French foreign policy. Unfortunately the majority of memoirs and critiques are unsigned and apparently were copied by clerks. Without some kind of supportive evidence, there is no way of attributing these papers with any degree of certainty to a particular minister.

The French archives, British Museum and the London Public Record Office differ in their system of numbering manuscript folios. Some have the folio number start on the left page, continuing to the right, while others begin with the right page. For the sake of consistency, all folio numbers cited in this study are numbered from right to left. The State Papers, Regencies in the London Public Record Office have no folio numbers nor do the documents in the Bradfer-Lawrence collection. In these instances only the volume number or the name of the collection has been used to identify the source, as well as the names, places and dates of the document cited. Where correspondence bears the heading "private," "very private," or "secret," this notation has been included.

Because of the eleven-day difference between England's old calendar and the continent's adoption of the new style, all correspondence crossing the Channel show double or split dates, e.g. 11/22 August 1728, in lieu of the abbreviations O.S. and N.S. However letters exchanged in Europe, where this difference does not apply, bear the single new-style
date. Exceptions to this are in correspondence cited by writers who do not include this information, and in French documents. The French dispatches from England, for example, do not indicate which system was being used. In these cases the dates appear as given in the document or published work. Finally, to simplify the differences in determining the beginning of a new year, the new style has been adopted with January 1 marking the change in year.
CHAPTER II

WALPOLE'S DIPLOMATIC APPRENTICESHIP: 1706-1724

Horatio Walpole, known to friends and enemies alike as Horace, was born at Houghton, ten years before the Glorious Revolution. The fifth son of Robert Walpole, he was an admiring younger brother of Robert, later first earl of Orford. Robert returned his affection and the brothers enjoyed a close and harmonious relationship throughout their lives. Horatio Walpole received his formal education at Eton, which he attended from 1693 to 1698, and at King's College, Cambridge, where he became a Fellow in 1702. He obtained a B.A. in 1702-1703 and an M.A. in 1713. Although admitted to Lincoln's Inn in October 1700, he apparently spent little time there.

His political career began at the age of twenty-three, when he was returned to Parliament for Castle Rising in 1702. Four years later

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1 J. H. Plumb claims Horatio was the only one who could get money out of his brother, that his letters were "masterpieces of diplomatic tact." He was not one to nag or grumble to Robert, instead he expressed his pleasure at each success that came his brother's way, shared his own hopes and laughed at his poverty. In general, he reacted to life's circumstances in the same fashion as Robert. Plumb, Sir Robert Walpole, I, 109.


3 He was a member of the House of Commons for fifty-four years but not always for the same constituency. D.N.B., XX, 623-27.

Castle Rising was Robert Walpole's pocket borough, though not necessarily a peaceful one. Colonel Horatio Walpole of Beckhall and
he entered the diplomatic service as secretary to General James Stanhope, then envoy and minister-plenipotentiary to Charles III, titular king of Spain, in Barcelona. From 1707-1709 Walpole was chief secretary to Henry Boyle, Lord Carleton, who was Chancellor of the Exchequer and, for a period, was Secretary of State. In 1709 Walpole was assigned to the British embassy at The Hague as secretary to Charles, viscount Townshend, the British ambassador.

Walpole's acquaintance with Townshend dated back to his boyhood when the young viscount was a ward of his father. Townshend's subsequent marriage to Dorothy Walpole, Horatio's sister, in 1713, made their relations even closer. After George I came to the throne, Townshend was appointed Secretary of State for Northern affairs. Walpole then became an undersecretary in that department in 1714-1715. Like Townshend, Robert Walpole received advancement under George I. In 1715 he was named First Lord of the Treasury and Chancellor of the Exchequer. Horatio Walpole, in turn, became a secretary of the Treasury. Also in 1715, Horatio was posted to The Hague to assist William, Lord Cadogan in his application to the Dutch for armed support against an expected invasion of the Pretender's forces.

A few months after the conclusion of these negotiations, Horatio Walpole again left for The Hague. His return coincided with the

Hoste of Sandringham plotted and stirred up strife against their nephew, Robert. Plumb, Sir Robert Walpole, I, 46 and 49.

1Cokayne, Peerage, XII, pt. II, 328-29.


3Walpole was at The Hague twice in 1715. The first time he was sent to take Cadogan's place in January 1715 until his return in April.
conclusion of a new Barrier treaty with the Dutch and the Emperor. The Dutch were not particularly pleased with the terms, but George I's expansionist plans for Hanover dictated his pleasing the Emperor more than his satisfying the States. If it had not been for the rebellion in the North and the king's need for Dutch troops, the treaty might have been even more disadvantageous from the States' point of view. As it was, once the treaty was signed, the British needed to find some way of placating Dutch bitterness and also of preventing their joining France in an alliance that would have assured the overall guarantee of the Southern Netherlands' neutrality. In addition, the British wanted to protect the Protestant succession; if they could renew the Triple Alliance with the States and Empire, they would accomplish both objectives. This would also deter France from contemplating any further aggrandizement.

Walpole was sent to The Hague with the rank of minister and plenipotentiary to carry out these negotiations. On arrival he found that the Emperor had already angered the Dutch with his violation of the new treaty by ceding Limburg to the elector of the Palatinate. Therefore, Walpole then returned the following October 1715 and remained until October 1716. Horn, Diplomatic Representatives, pp. 161-62.


3 Horn, British Diplomatic Representatives, pp. 161-62.

4 Murray, An Honest Diplomat, pp. 87-88.
preparatory to a general treaty with the Emperor, the States agreed to an Anglo-Dutch treaty which renewed the alliance between the two countries. Walpole thought the Emperor might easily be included after this treaty was signed. However Charles VI considered it beneath his dignity to enter a treaty that had been concluded without him. ¹ The proposed solution was a new treaty, with the Emperor a principal contractor. But the Dutch wanted more than this; they wanted a treaty between the Maritime Powers and France. This was made official when the Dutch passed a resolution in April 1716 to enter simultaneous negotiations on two separate treaties, one with the Emperor and the other with France. ² The British refused to accept the plan on the grounds that it would create new disputes with the Dutch, who might be unwilling to accept England's conditions for concluding an alliance with France. ³ England's answer was in the form of an ultimatum, which they quickly carried out, for concluding a separate treaty with the Emperor, should the Dutch persist in what the British considered obstructionist measures. The Anglo-Imperial alliance was signed in June with a provision for inviting the States General to accede. ⁴ After learning the news, the Dutch made some adjustments in their idea of simultaneous negotiations. They agreed to accede to this treaty at the same time they signed a defensive alliance with

¹Murray, An Honest Diplomat, p. 158; Hatton, Diplomatic Relations, pp. 96-97. Hatton also points out that if the Emperor had signed the treaty it would have theoretically interfered with his ambitions in Italy. Diplomatic Relations, p. 97.

²Hatton believes George I's decision to abandon the Dutch can be traced to this resolution. Diplomatic Relations, p. 104.

³Murray, An Honest Diplomat, p. 149; Hatton, Diplomatic Relations, p. 104.

⁴Murray, An Honest Diplomat, p. 149.
Great Britain and France. However the latter negotiation foundered on the rocks of British suspicion of the French Regent's intentions and on British aversion to the Dutch maintaining the initiative in the negotiations. As a result, and unbeknownst to Horatio Walpole, England and France entered secret parleys. The secret talks were carried on at the same time the two countries and the States were engaged in open and supposedly valid negotiations.

This posting to the United Provinces provided Walpole with valuable experience because The Hague was an important center through which agents passed on their way to northern and eastern Europe. The British representatives assigned there were expected to read the dispatches, usually of a highly confidential nature, sent under flying seal. This information, added to that gathered by the British agents, greatly aided British intelligence. Moreover, it was the diplomatist's responsibility to keep the home government informed of the talk being circulated in diplomatic and political circles.

As Walpole's letters to Townshend reveal, some of the information was bought, though the actual financial transaction was more judiciously phrased, and some was simply picked up at parties. In the former instance Walpole would recommend that a particular individual could be of

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1Hatton, *Diplomatic Relations*, p. 107.
2Ibid., pp. 109-10.
3British diplomats at distant courts might send their dispatches to London under flying seal so they could be read by British diplomatic agents posted along the courier's route. In this way the ambassador in Paris read the dispatches sent from Madrid, and the envoy or ambassador at The Hague read those from eastern and northern Europe. Horn, *British Diplomatic Service*, p. 235.
4Ibid., pp. 18-19.
great service to the king, and then indicate the value by suggesting a certain amount be paid per annum. Information might be gleaned at a dinner or other entertainment from a remark dropped in an unguarded moment. The difficulty for the agent was in judging whether it was a genuine slip of the tongue, a deliberately misleading comment, or the offspring of more wine than capacity. Therefore, while joining in the conviviality, the diplomat had to be aware of all that passed around him and to select his own words with care. Walpole's early training in holding his liquor stood him in good stead. Though he occasionally drank to excess, he committed few if any indiscretions. The pace could be taxing. In one letter he reported that after being up all night at a masquerade-ball, he had spent the morning in a conference with the States.

In addition to gathering information, the diplomat was responsible for establishing good relations and communication with the men representing the Dutch government. Because of the decentralized political system, this was arduous and time-consuming. Holland was the strongest of the seven provinces making up the United Provinces. However, the

1In one letter, Walpole hoped Townshend would burn it because of the names mentioned, an indication of the secret and incriminating nature of the pension and the damage that could be done if word got out. Walpole to Townshend, The Hague, 20/31 December 1715, Murray, An Honest Diplomat, pp. 106-7.

Walpole generally wrote his public dispatches on Monday and Thursday, a day before he composed his private letters. They went by packet boat on Wednesday and Saturday, and with a good wind, reached England within twenty-four hours. When winds delayed departure, duplicate dispatches were sent from Ostend to Dover in addition to the Helvoetsly-Harwich route. Occasionally bad weather held up the instructions from England for days leaving Walpole without orders, and when they did arrive they were often obsolete. Ibid., p. 11.

2Ibid., pp. 13-14.

3Walpole to G. Tilson, n.p., 3/14 January 1716, ibid., p. 121.
other six provinces were not necessarily willing to accept Holland's decisions even though nothing significant could be done without Holland's approval. The result, as Walpole observed, was that there were "so many governours and so many different opinions, that they are not capable of entertaining any great or public notions." Thus the only way to get anything done in such a "distracted" state was "by slow & gentle means."

For Walpole, the two most important men connected with the Dutch government were Simon van Slingelandt and Anthonie Heinsius. Slingelandt, at that time, was secretary of the Council of State. His preeminence was due more to his ability and personality than to his office. Walpole considered him a man of good sense and appreciated his "Sincerity & openness" in their conferences. He held Slingelandt in such high regard that on one occasion, deciding it was in the king's service, he exceeded the injunction of secrecy and shared some papers Townshend had sent him. Anthonie Heinsius was the Grand Pensionary and President of the States of Holland. He was the highest authority in Dutch foreign policy.


2 Ibid. In another letter Walpole said because of the nature of the States' government, they must follow them by the scent, as hounds do a hare, until hard pressed, they are "forced to resign to measures that are necessary for their own salvation, and as soon as their fight [fright] is over you can't make them move a step farther to prevent a future danger." Walpole to Townshend, The Hague, 17/28 February 1716, ibid., p. 162.

3 Ibid., pp. 24-27.

4 [Walpole to Townshend], The Hague, 6/17 April 1716, ibid., p. 213. Walpole's confidence in the secretary was not misplaced for Slingelandt and Townshend were good friends. Murray notes that relations between Horatio Walpole, Townshend and Slingelandt were not as pleasant after the latter became the Pensionary in 1727 as they had been earlier, see pp. 33-35.
Diplomats consulted him privately before beginning any negotiations. ¹

Walpole felt the Pensionary seemed quite frank and spoke to him with
great confidence. ²

A contributing factor to the good relations between Walpole and
Heinsius was their shared suspicion of the French. Walpole feared that
if France were given the opportunity, that country would quickly return
to former designs. ³ In fact, the only reason he could see for the Re­
gent's concluding a treaty with England was to disarm the British so
that he might better carry out any project he may have planned with the
disaffected in England. He therefore suggested to Townshend that any
treaty with France should contain articles which, if France accepted and
carried out, would remove England's fears of the Pretender. If, however,
France were to reject them, this would reveal the Regent's "ill designs"
to the whole world. ⁴ After reading some French dispatches, Heinsius and
Walpole concluded the French had two designs in mind. One was to create
a division between the English ministers so that those opposed to the
treaty would be suspected of having personal reasons for not following
the king's true interest. The second was to stimulate anti-British

¹Murray, An Honest Diplomat, pp. 28-29; Hatton, Diplomatic Rela-
tions, pp. 22-23.

²Walpole to Townshend, The Hague, 28 January/8 February 1715,
Murray, An Honest Diplomat, p. 49. Heinsius was then seventy-four years
old, a man of integrity but less sharp than he had been in the past. His
vagueness tended to make matters more difficult for foreign diplomats.

Walpole's association with Heinsius was excellent preparation
for his later warm relationship with the venerable Cardinal Fleury.

³Walpole to Townshend, The Hague, 17/28 January 1716, Murray, An
Honest Diplomat, p. 129.

⁴Walpole to Townshend, The Hague, 30 March/10 April 1716, ibid.,
pp. 206-8.
sentiments in the Republic by insinuating that the British ministry was opposed to the alliance and could be expected to raise new obstacles.\(^1\)

Not everyone shared the Pensionary's anti-French bias. There was a pro-French party which sought friendly relations with France while maintaining their old ties with England. Slingelandt and Heinsius had a lot of confidence in one member of this group, Willem Buys, the Pensionary of Amsterdam and ambassador to France. They suggested to Walpole that he make Buys' acquaintance since he carried considerable weight in foreign affairs. This Walpole did, though with some reluctance, claiming he was more "an Ingenious Cox...b than a french man."\(^2\) But despite his antipathy, Walpole reported his meeting with Buys had been profitable, that the deference he had paid to Buys' opinion during the recent session of the States of Holland had had some effect on him.\(^3\)

Oddly enough where Walpole encountered some difficulties was with members of the anti-French or pro-Whig party in the States. The problem

\(^1\) Walpole to Townshend, The Hague, 26 June/7 July 1716, Murray, An Honest Diplomat, pp. 323-24.


\(^3\) Ibid.

In an earlier letter Walpole indicated his belief that Buys had "in a great measure contributed to make France send & support ye Pretender in Scotland, by his wise management in beleiving [sic] ye late French king was sincere to keep ye Peace at ye same time that he had framed a project to assiste ye Pretender in invading his Majestys dominions." And in spite of the Regent's recent measures, Buys continued to represent France to the States as seeking only friendship with the Republic. Walpole believed Buys had promised France he would bring the States to accept his proposal for neutrality and if successful, Walpole feared it would allow the Regent to aid the Pretender since it would remove any fear of the Dutch. Walpole to Townshend, The Hague, 31 January 1716, ibid., p. 130.
was not incompatibility but the abuse of confidence. At the Pensioner's request, Walpole had drawn up a paper giving his reflections on France's proposal for neutrality. He sent one copy to Heinsius and another to Townshend, keeping one for his own use on which he noted the day he had sent Townshend's copy. He shared his own copy with several friends whom he thought he could trust, including Lord Albemarle, who talked to him confidentially about neutrality, promising he would use his influence to oppose it. Walpole gave him his copy for private use only to discover Albemarle had passed it on to another friend, who in turn gave it to the French ambassador, Pierre Antoine de Castagnères, marquis de Châteauneuf. As Walpole told Townshend, he knew Albemarle was far from a good Whig but he had not thought him "so much a Frenchman." He concluded that the best way to handle the situation was to ignore it and continue to treat Albemarle civilly. The earl later, through a friend, denied he was in the French interest and hinted for some sign of the king's favor in behalf of his son. Walpole replied that Albemarle was in a position to support the defensive alliance which was then before the States of Holland. The following week Lord Albemarle was one of the first nobles to industriously promote the alliance. Therefore when the

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2 Ibid. Walpole predicted that a paper would be published by the French in answer to his so was not particularly surprised when he learned that the marquis de Châteauneuf was distributing privately among his friends a printed paper Réponse a un Papier envoyé a My Lrd Townshend [sic]. Walpole to Townshend, The Hague, 27 January/7 February 1716, ibid., p. 140.

William III made Arnold Joost van Keppel the first earl of Albemarle. He spent most of his time in the Netherlands and was governor of Doornik in 1713. Ibid., p. 125.
earl asked that his son be made a cornet of the guards, Walpole forwarded the request to Townshend with his personal endorsement.

Albemarle's friend, Duivenvoorde, posed a different problem. According to Walpole, Duivenvoorde's "pride & passion ... makes him open himself too freely sometimes in order to appear ... [the] more considerable; what he says, is immediately told to his ennemys." For this reason Walpole had a conference with Duivenvoorde and told him quite plainly that everything he discussed with the French ambassador was immediately passed on to others. He cautioned him about speaking to Châteauneuf on the project of a defensive alliance with France before the Pensionary could disclose it to the principal men in Holland and the other states. But nothing Walpole said could deter Duivenvoorde, who spoke to Châteauneuf the following day. All that Walpole could do was delay sending Duivenvoorde a copy of the answer to the French propositions until it was too late for him to pass it on to the French ambassador. In the meantime Walpole arranged for the Pensionary to inform the deputies of foreign affairs before Châteauneuf was able to reach his friends.

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1 Walpole to Townshend, The Hague, 13/24 and 20/31 March 1716, Murray, An Honest Diplomat, pp. 185-86, 196.

2 Walpole to Townshend, The Hague, 8/19 June 1716, ibid., p. 287.

3 Ibid. Duivenvoorde was the duke of Portland's son-in-law and one of the "chief ministers" of the Republic. Hatton, Diplomatic Relations, p. 26. In 1715-1716 he was one of the ambassadors to England. Duivenvoorde later broke away from Albemarle. Murray, An Honest Diplomat, p. 48.

As Walpole's actions suggest, the tactful disposition of such problems was part of a diplomat's routine. And he tried to give the ministry at home as clear a picture as possible of the disposition of men and affairs at The Hague, so that they could make their moves accordingly. But he also expected that they were doing the same for him. He was thus deeply disturbed to learn that Townshend had failed to keep him fully informed about the Anglo-Imperial treaty concluded in June. He remonstrated with his brother-in-law over the awkward position this placed him at The Hague. His associates would conclude that either he had been insincere in his statements or else was not deemed worthy of confidence by his own government. Whatever the interpretation, Walpole thought it only increased his burdens at The Hague which he would manage as best he could.¹

On 5 June Townshend sent Walpole a project for a treaty with France which he was to share with Châteauneuf and the high ranking officials in the Republic.² The king was clearly impatient to have the matter settled and thought the States should show their intention of proceeding hand-in-hand with him by agreeing to the project so that it could then be offered jointly to France. Walpole agreed this was desirable from


the standpoint of defeating any trickery on the part of France but felt
the States were not in the situation nor temper to do so. And if England
were to insist on an immediate accession, the "ill-intentioned" would
"cry out loudly that we do not treat them as a free people . . . that
we would prescribe & dictate to them the conditions upon whc they are to
make alliances wth other Princes concerning their own security without
giving them leave to judge of them."¹ The Dutch would hint that the king
had no intention of negotiating with France, and would then blame England
if the negotiations were cut off.² Townshend and George I apparently
concluded from his remarks that the States were as firm in their position
toward the king as they were accommodating toward the Regent. Walpole
took issue with this interpretation, claiming all he was doing was keep­
ing them informed in England of the various discussions about the defen­
sive alliance and that nothing had been settled. He sought to reassure
Townshend by reminding him that the very foundation of everything being
decided in these alliances was conceived in the strongest possible terms
in regard to George I and the interests of both nations. These would
always be inseparable and nothing would be done without the "concert &
joynt concurrence of the king."³

But once again the negotiations were to change hands. On 5 July
Abbé Guillaume Dubois, the Regent's former tutor, arrived quietly at The

¹ Walpole to Townshend, The Hague, 26 June/7 July 1716, Murray,
² Ibid., p. 307.
311-12.
Hague. 1 He was to supplement Châteauneuf in the same way James Stanhope, the Secretary of State for Southern affairs, was to take charge of the talks for England. However, the switch was not immediately apparent to either Walpole nor to Châteauneuf. Horatio, on 13 July, was instructed to send all information on the negotiations in progress to Stanhope and to Baron Andreas Gottlieb von Bernstorff, the Hanoverian minister, and that his orders would now come from Stanhope. In addition he was sent the full powers essential for negotiating a defensive alliance between the three countries. 2 As the summer progressed, the negotiations moved from The Hague to Hanover. By the end of August, Stanhope and Dubois had fairly well settled the terms of the alliance. 3

Up to this time one of the major obstacles for the British in any negotiation with France was the proposed guarantee of the Dutch

1 Hatton, Diplomatic Relations, p. 115. Dubois was personally acquainted with Stanhope and had been corresponding with him since March 1716. Ibid.

2 Murray, An Honest Diplomat, pp. 317-18. Since Stanhope was with the king in Hanover and Townshend remained in London, this change in Walpole's instructions would not necessarily have raised serious doubts about the procedure.

Hatton observes that both Stanhope and Dubois represented their rulers more than they did their countries, and that by the autumn of 1716 an Anglo-French alliance was increasingly essential for the personal policies of the Regent and George I. Hatton, Diplomatic Relations, p. 126.


George I was under additional pressure that summer in the North. The planned invasion of Scania was abandoned, in part because British ships could not be used to transport Russian troops since England was not at war with Sweden, and the Dutch refused to engage their ships in any offensive action. As a result the Russian army massed in Mecklenburg and might have to be quartered there during the coming winter, a prospect George I did not relish, since he himself coveted Mecklenburg. Hatton, Diplomatic Relations, pp. 121-25. The king particularly did not want the Czar to turn to France, if he settled in Mecklenburg. Walpole to Poyntz, The Hague, 23 October 1716, Murray, An Honest Diplomat, p. 360.
Barrier. The British were opposed, believing it would cause a rupture between the Emperor and the States that would increase England's difficulties. In an effort to avoid any dispute, Stanhope and the Hanoverian ministers proposed to conclude a separate alliance with France. The ministers in England, who had closer ties with the Dutch, objected on the grounds the States would feel that they had been abandoned by England. And as predicted, the Dutch leaders were unhappy. Heinsius complained to Walpole; he asked if "the States were to treat separately with France." Walpole reassured him, taking it upon himself to promise that once one of the difficulties between France and England, that is the destruction of Mardyke, had been settled in London, the alliance would be formally concluded at The Hague. While he realized that neither the king nor Stanhope intended to allow the States a major role in the negotiations, Walpole never envisioned that British honor would abuse the Dutch to the extent of not allowing them the opportunity to examine the terms of the treaty. But essentially that is the way it later worked out when the document, signed in Hanover by Dubois and Stanhope, was presented to the Dutch deputies for foreign affairs. It was deceptively called a project for a Triple Alliance.

1Hatton, Diplomatic Relations, pp. 129-30; Murray, An Honest Diplomat, p. 344.
2Hatton, Diplomatic Relations, p. 131.
3Ibid.
4Ibid., p. 137. The Dutch authorized the signing in December.
Walpole was caught in the painful position between a subject's loyalty to his sovereign, regardless of the justice involved, and his own ethical standards. He deplored the fact that some ministers had proposed an action that was not only impracticable but if executed would increase rather than solve difficulties. He hoped "to gett thro those troubles that at present embarass peoples minds, & masters" by firmly and "steadily pursuing what seems to me solidly right." Therefore he resolved to have nothing more to do with the treaty and asked Townshend to get him out. For "after having repeated so many solemn declarations to the States, that nothing of this nature should be done . . . without them," it would be infamous if he were to sign with Dubois. Walpole wrote to Stanhope in a similar manner, explaining he had pledged his faith, honor and conscience in the king's name to the States that nothing like this would occur. He felt that if he violated his sacred promises he could never show his face at The Hague again nor be of any further service to the king.

What made it particularly difficult for Walpole was his deep conviction that the treaty was wrong. He could not understand why England's

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2 Walpole to Townsend, The Hague, 14 October 1716, Coxe, Memoirs of Sir Robert Walpole, II, 103-5. Townshend was sympathetic to some extent but felt Walpole could not refuse to obey the king's positive commands. Poyntz to Walpole, Hampton Court, 9/20 October 1716, ibid., pp. 112-13.


This independence on the part of Walpole may account for Lord Hervey's remark that Horatio "hated following directions, though they were ever so good." Hervey, Memoirs, II, 73.
interests, as they related to Europe, should be subverted because of Mecklenburg. Though he recognized it was not his place to judge the king's reasons, he was far from optimistic about the outcome "of such Politicks."¹

The only hope Walpole had was that the delay in sending the appropriate powers would enable the States to sign at the same time as the British and French. But this was not possible despite all the Pensionary's pains to bring the States to an agreement.² Walpole was able to avoid the confrontation with the help of Lord Cadogan, who had been sent over to The Hague for the official signing. Cadogan had no objection to signing the treaty with Dubois in November. The treaty contained a face-saving provision for the States, promising to keep it a secret for a month so that the States could act, at which time the treaty would be rewritten and the earlier one would be suppressed.³

²Walpole to Poyntz, The Hague, 23 October 1716, ibid., pp. 359-60.
³Hatton, Diplomatic Relations, pp. 139-42.

Historians vary on their interpretation of this incident. Hatton indicates Walpole was primarily concerned with saving his own face and that of the Dutch; they all wished to avoid the ignominy of a formal separate conclusion, see p. 136. Murray admits Walpole may have been overly confident and bitter about being unable to conclude the negotiations honorably but feels Walpole was sincere in thinking the shift in British diplomacy was dangerous, see p. 16. Plumb, however, finds Horatio quite lacking in ability, and his anger over the situation was as much the product of his own simplicity as it was Stanhope's cunning. He claims Walpole could be counted on to respond like a friendly spaniel, welcoming the pat and never suspecting that it might become a blow. Plumb, Sir Robert Walpole, I, 239. Coxe claims his refusal demonstrates his unfailing attachment to his word and to truth, and it explains his success in dealing with ministers of all stripes and persuasions. Coxe, Lord Walpole, p. 465.
Walpole received permission from Hanover to return to England where he found a split in the ministry over foreign policy. The ministers in London were reluctant to sign a treaty with France as long as the French continued to shelter the Pretender and failed to destroy Mardyke harbor as agreed to in the Treaty of Utrecht. They also realized that the House of Commons would not willingly accept an aggressive and expensive foreign policy which would involve them in the North. But their point of view, and particularly their dependence on the Prince of Wales' support to carry on the king's business while he was on the continent, made their actions suspect in Hanover. The king's tendency to distrust his son's ambitions was strengthened by his Hanoverian ministers' hostility, Sunderland's jealousy of Townshend and Robert Walpole, and Stanhope's guile. As a result, George I believed that the delay in signing the treaty had no other basis than of disloyalty to him. The

1Hatton, *Diplomatic Relations*, p. 139.

2Charles Spencer, third earl of Sunderland, was an important Whig who had suffered under Tory rule. In August 1715 he was appointed Lord Privy Seal but had greater ambitions than a seat in the cabinet. He joined discontented Whigs to create dissensions in the ministry. He succeeded Townshend as Secretary of State and Joseph Addison was his under-secretary. D.N.B., XVIII, 751-57.


Townshend had written the king the latter part of November explaining this delay over the full powers, that it was due in part to the court's being held at Hampton Court, the lords' having left town, and the Abbé Dubois' pretenses on insisting the full powers should be countersigned by Townshend. He also claimed he was no accessory to Walpole's refusal to assist in signing the treaty, but rather he had advised him not to allow private reasons to interfere with the king's commands. Townshend to the King, 11/22 November 1716, Coxe, *Memoirs of Sir Robert Walpole*, II, 130-34.

The Triple Alliance, primarily a defensive treaty, was concluded and signed 4 January 1717. As agreed, the Dutch remained in ignorance
ministers in London sent Walpole to Hanover to correct this impression and to explain the difficulties as they perceived them. His reception by the king and Stanhope gave him every reason to feel his mission had been a success. It was only after his return to England that he learned Stanhope had deliberately misled him and that Townshend was dismissed from his office as Secretary of State. Confounded and indignant by the complete turn of events, Walpole immediately wrote to Stanhope declaring

I cannot think it necessary to appeal to your memory and conscience for what passed between you and me, and to consider upon what terms we parted; how earnestly you then wished I might succeed in the negotiation I undertook; and that it was an express agreement, that things should continue on the same foot they then were, until you heard from me. The measures that have been pursued at Hanover, since I came away, are so contradictory to these engagements, that you may think of treating me as you please; yet, I am willing to believe, that you have still soe much honour, . . . that you would have opposed . . . these proceedings; and . . . your influence with his majesty might have enabled you to prevent this unaccountable turn being taken.¹

He concluded by praising Townshend's fidelity and prudence in serving the king.²

Townshend was appointed Lord Lieutenant of Ireland, but his constant criticism of the ministry's foreign policy brought about his removal in April 1717. Robert and Horatio Walpole resigned their offices following Townshend's dismissal.³ The government remained in Whig hands but


² Ibid.

under the leadership of Stanhope and Sunderland. The Walpoles, meanwhile, joined the Opposition in Parliament. Beginning in 1717 Robert Walpole, frequently seconded by his brother, started to question government measures that came before the House of Commons.

The two Walpoles strongly disapproved of the Quadruple Alliance, which Stanhope and Dubois negotiated in 1718. Horatio made a long speech in the House of Commons against the alliance. He argued that the exchange of Sicily for Sardinia was a breach of the Treaty of Utrecht.¹ Nor did he believe the Emperor should receive Sicily before carrying out his promise to secure the succession of Tuscany and Parma for Don Carlos. His concern was that once Charles VI assumed control of Sicily he might change his mind about the future of these duchies.²

Just before he left office Horatio Walpole was given the life appointment of surveyor and auditor general of the plantation revenues (American) of the crown. D.N.B., XX, 624.


²Coxe, Lord Walpole, pp. 17-18. In his Apology, Walpole, speaking in the third person, noted that "the disagreeable events which followed the conclusion in execution of that Treaty on the part of the Imperial Court sufficiently justified Mr. Walpole's observation." Apology, B.K.; Add. MSS. 9132, fol. 82v and Coxe, Lord Walpole, p. 18.

This alliance was a compromise to get around the Emperor's refusal to accept the Treaty of Utrecht. The Emperor, France and England recognized Philip V as king of Spain; Philip V, in turn, was to surrender any claim to possessions ceded to Austria. Don Carlos, Philip's son by his second marriage to Elisabeth Farnese, was to inherit the Italian duchies of Parma, Tuscany, and Piacenza after the extinction of the present line of rulers. The duke of Savoy would exchange Sicily for Sardinia, the former to go to Austria. The Netherlands were nominally included but never formally joined. Spain did not sign until 1720, following an abortive attack on Sicily. The treaty provided for the meeting of a congress to settle the remaining questions in dispute. J. O. Lindsay, "International Relations" in The Old Regime 1713-1763, ed. J. O. Lindsay, VII of The New Cambridge Modern History, 14 vols. (Cambridge, 1957), 197-98; Ernest Satow, A Guide to Diplomatic Practice, 2 vols. (London, 1917), II, 38-39. Williams, "Foreign Policy . . . Walpole," XV, 480-81; Wilson, French Foreign Policy, pp. 10-13.
The Opposition Whigs took advantage of the poor relations between George I and his son, and paid court to the Prince and Princess of Wales. They also made use of the administration's weakness in the House of Commons. Robert Walpole succeeded in rousing the backbenchers to oppose some of the ministry's measures. He was particularly successful in defeating Stanhope's Peerage Bill by nearly a hundred votes. Walpole played on members' secret ambitions, convincing them that the Bill would not only create a closed oligarchy but would make the Lords completely independent of the Crown and of the Commons. ¹

Robert Walpole's return to power began in 1720. In that year he helped raise money in the Commons to pay off the king's debts and persuaded the Prince of Wales, much against his will, to make peace with his father. George I rewarded him with the post of Paymaster-General. But it was his astute handling of the South Sea Bubble crisis and the collapse of the stock market which brought him his reappointment as Chancellor of the Exchequer and First Lord of the Treasury in 1721. James Stanhope was forced to resign from office. Sunderland remained in the ministry until his death in 1722. ² The only survivor of the former administration was John, viscount Carteret, Secretary of State for Southern affairs. Townshend returned to his former post, Secretary of State for the North, and Horatio Walpole was appointed secretary to the Lord-Lieutenant of Ireland and then reappointed secretary to the Treasury. Horatio returned briefly to The Hague in May 1722. The Regent had given the British information of a plan to invade England. Walpole's mission

¹Dickinson, Walpole, pp. 51-53.
²Ibid., pp. 56-64.
was to obtain Dutch troops to aid in England's defense. Despite a less cordial atmosphere on the part of the Dutch, the States General passed a resolution to have three thousand men in readiness should the need arise.¹

The weak spot in their ministry, as far as Robert Walpole and Townshend were concerned, was Lord Carteret. As long as he remained in office, they could not be certain of their power. It was Townshend who discovered the means and occasion for removing Carteret, after the two Secretaries of State accompanied the king to Hanover in the summer of 1723.² The fact that both Secretaries were out of the country at the same time was, in itself, unusual. But Townshend, after his experience in 1716 when Sunderland and Stanhope engineered his dismissal from Hanover, thought it wiser to leave the direction of British affairs to Robert Walpole in England than to give Carteret the opportunity to intrigue against them from Hanover. Carteret had pleased the king with his idea of a marriage between the daughter of the countess of Platen, a favorite of the king, and Henry Phélypeaux, comte de Saint-Florentin, son of Louis Phélypeaux, marquis de la Vrillière, then Secretary of State.³

¹Coxe, Lord Walpole, p. 20.

²Townshend assumed the initiative in foreign affairs in the fall of 1723. According to Coxe, Townshend was frank, overbearing and impulsive. Not given to much reflection, he frequently advocated violent measures or a show of strength as the means to settle England's differences with European powers. Lord Hervey thought "no man was ever a greater slave to his passions than Lord Townshend, few had ever less judgment to poise his passions; . . . He was rash in his undertakings, violent in his proceedings, haughty in his carriage, brutal in his expressions, and cruel in his disposition, impatient of the least contradiction, and as slow to pardon as he was quick to resent." Plumb, Sir Robert Walpole, II, 60; Coxe, Memoirs of Sir Robert Walpole, I, 332; Hervey, Memoirs, I, 108.

³Louis Phélypeaux was dismissed from office in 1723; his son, then eighteen, succeeded him as Secretary of State until 1736, at which time he replaced Chauvelin as Garde des Sceaux. Coxe, Lord Walpole, p. 138.
As a condition for the match, George I asked that Phélypeaux de Vrillière be created a duke, and Cardinal Dubois seemingly gave his approval. Carteret, through his appointee in Paris, Sir Luke Schaub, pressed to bring the affair to a conclusion, but Dubois’ death and the subsequent change in the Regent’s intimate circle precluded this. Aware of the king’s interest in the marriage, Townshend conceived the plan of sending someone on a confidential mission to Paris to determine the true state of affairs, having Horatio Walpole in mind. George I concurred. Townshend was elated, especially since the king thought Horatio Walpole well qualified as "one who has acquitted himself well in former negotiations, and is acquainted with the general state of foreign affairs."  

Townshend had more in mind than the marriage. What he wanted was either Schaub’s recall or his recognition that of the two Secretaries of State, Townshend had the greater credit with the king. This would go far to remove all doubts about which group was in command of the administration and had the ear of the king. Townshend considered the game half won when George I agreed to his scheme and instructed Carteret to prepare Horatio Walpole’s credentials. To dispel any suspicion about the true nature of his assignment in Paris, his official papers declared his commission was to gain the accession of the king of Portugal to the Quadruple Alliance.

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3Townshend to Robert Walpole, Hanover, 25 September 1723, ibid., p. 270.

Walpole returned a full account of his impression of the French court soon after his arrival in Paris. Contrary to Schaub's report, Walpole maintained the French nobility, including the duc d'Orléans, was opposed to the elevation of Vrillière. In his opinion, Schaub had promised George I more than the French court was willing to deliver. The longer Walpole was in Paris that autumn, the more he disapproved of Schaub's behavior. Schaub was seemingly oblivious to the change in the French court's disposition following Dubois' death. The comte de Nocé had returned to court after his banishment by Dubois. Nocé, who detested Schaub, was an intimate friend of Orléans.

1Coxe, Memoirs of Sir Robert Walpole, I, 185-86.

Robert Walpole and Townshend had to determine which was the true account. Was the difference a matter of Schaub's concealing the Regent's consent to the dukedom from Horatio, or was it an outright misrepresentation of the situation? If the former, Schaub was guilty of impertinence only. But if it was the latter, then he was endangering the king's reputation, since George I might make the wrong move on the basis of Schaub's report. Robert Walpole to Townshend, Whitehall, 19/30 November 1723, Coxe, Memoirs of Sir Robert Walpole, II, 289.

The duke of Newcastle was impressed with Walpole's report, claiming he had never seen "a more able objectful scheme of foreign Politick" in his whole life. Undisturbed over the difference in the reports, he told Horatio "this is not the first time you have acted with a Sr. Minister in foreign affairs, who was willing to fancy things done a little sooner than they were. Witness yr Old Friend at the Hague." Newcastle to Walpole, Claremont, 29 November/10 December 1723, B.M., Add. MSS. 32686, fol. 428v.

2Walpole had little respect for Schaub. Whatever else happened he thought "the Jackanapes" should be recalled immediately. Walpole to Newcastle, Paris, 5/16 December 1723, B.M., Add. MSS. 32686, fol. 437.

Plumb notes Horatio Walpole might be prejudiced but he was also shrewd about the nature of men, particularly of men like Schaub who were far from subtle. Plumb, Sir Robert Walpole, II, 64.

3Townshend to Robert Walpole, Hanover, 21 September 1723, Coxe, Memoirs of Sir Robert Walpole, II, 267-68.

4Coxe, Lord Walpole, pp. 40-41.
Townshend had no intention of obstructing the marriage and Walpole was asked to stay clear of the negotiation if at all possible.¹ But when he saw that Schaub was misinforming members of the French court about Lord Carteret's position in the British cabinet, and that Schaub's pressure for the dukedom was putting an unnecessary strain on Anglo-French relations, Walpole felt obliged to speak to the due d'Orléans. The Regent appeared relieved to discuss his dilemma of being caught between the opposition of the French nobility and the happy anticipation of the British monarch.² Orléans' sudden death in December did not change this situation. The duc de Bourbon was equally distressed over his inability to satisfy George I on this point.³

The change in ministers in December left Walpole without an entrée to the duc de Bourbon, the new prime minister. Viscount Bolingbroke was eager to provide this service. In return he hoped to have his attainder reversed in England and to regain his peerage and estate. Townshend and Robert Walpole instructed Horatio to make proper use of Bolingbroke for the sake of the union between the two powers. But Horatio moved cautiously. He was familiar with Bolingbroke's ambitions and temperament, and was concerned about involving him in matters of state.⁴ After listening to the viscount's remarks on Bourbon's position on the marriage, Walpole politely declined Bolingbroke's offer to arrange a

¹Coxe, Lord Walpole, p. 34.
²Ibid., pp. 42-43.
³Coxe, Memoirs of Sir Robert Walpole, I, 187. After Orléans' death, the duc de Bourbon immediately requested the office of prime minister. Louis XV turned to Fleury who spoke in Bourbon's behalf and said it would be in the interest of the king to make this appointment. Coxe, Lord Walpole, p. 46.
⁴Coxe, Lord Walpole, pp. 60-61
meeting with Bourbon. Instead he went quietly to Versailles and, with the help of the marquis de Livry, had a secret audience with Bourbon. Walpole clarified the king's position, explaining it had never been his intention to entangle the marriage with public business. He also expanded on Bolingbroke's situation to show why he was not "a proper person" for the British "to intrust with matters of such confidence," and asked Bourbon to keep the audience a secret from him.

Walpole found his position in Paris increasingly difficult, particularly after the king of Portugal refused to accede to the Quadruple Alliance. Since he had no further business of a public nature, he felt it would be better for him to leave Paris. He and Schaub acted as if they represented two entirely different courts. At the same time Walpole tried to explain the king's real sentiments on the marriage, he found that Schaub, as British minister, presented an opposite view. It was left to the French court to decide which of them had the credit and spoke for the king.

Thinking it would bolster Walpole's position in Paris, the ministers in England gave him the title of envoy extraordinary and

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4 Horatio Walpole to Townshend, 5 January 1724, ibid., pp. 73-74.

Dureng notes that no dukedom was granted, see Le Duc de Bourbon, pp. 72-73.
plenipotentiary. But he found this more of a hindrance because of the interpretation placed on it by the French court.

A minister that is occasionally sent to act here, by virtue of a letter of cachet, as plenipotentiary for his master, is considered as having the credit and perhaps the secret of his court, and is regarded accordingly; but as soon as he is vested with the lowest character, that is admitted here, the friends under whose protection he is sent, are looked upon as not having the chief interest at home, or as having a mean opinion of the person they send. This is so true, that no crowned head, nay no republic, ever employs a minister in France, that they intend shall have credit, but that they make him ambassador extraordinary, or let him act as plenipotentiary by virtue of a private letter; that of a public envoy being no ways considered or respected here. This may look like pride or partiality in me; but I am afraid the application is too strong in the present case, with this difference only, that the credit and confidence I had at first by a private letter, is by the continuation of Schaub, . . . already become doubtful and precarious, and should I take upon me the public character of envoy, will be sunk to nothing.

For these reasons, Halpole decided against delivering the credentials. For these reasons, Halpole decided against delivering the credentials.2 The two men continued in Paris uncomfortably yoked for a few more months.

Meanwhile Walpole repeatedly asked to return to England.

The struggle in the ministry ended the spring of 1724. Lord Carteret was shifted from the office of Secretary of State to Lord-Lieutenant of Ireland. Schaub was recalled to England, leaving Horatio Walpole at the head of the British embassy in Paris.3 The new Secretary of

1 Horatio Walpole to Robert Walpole, Paris, 30/31 January 1724, Coxe, Lord Walpole, pp. 74-76.

2 Ibid. Horatio told his brother he had written to Carteret, acknowledging the receipt of his credentials, and observed that Carteret's letter "was the most dry, not to say the most impertinent, I ever read from a secretary of State to a minister." Ibid., p. 76.

3 Dureng, Le Duc de Bourbon, pp. 158-62.

Coxe maintains Walpole's letter of 22 March 1724 to Townshend, written presumably at the latter's request, in which he graphically described the state of affairs in Paris and Schaub's low standing in the community, was responsible for Schaub's recall. Lord Walpole, p. 79.
State for the South was Thomas Pelham-Holles, duke of Newcastle. He was chosen not for his experience in foreign affairs but for his political influence. He had almost complete control of sixteen seats and could use these to bolster Robert Walpole's position in the lower house. At times he appeared jealous of his fellow ministers, but he was hardworking, conscientious, and long-winded, with an abiding passion for detail.  

Despite the fact that heading the Paris embassy was not the most profitable diplomatic post, it was considered by contemporaries to be the most prestigious diplomatic appointment. For this reason, if for no other, Townshend and Robert Walpole were pleased to have this office filled by someone so closely connected, personally and politically, to their administration. Horatio Walpole, in turn, benefited from his close relations with the British ministry. His responsibilities soon expanded beyond that of an ambassador; he was more a secretary of state on mission. Letters were sent to him under flying seal for William Stanhope, British ambassador at Madrid, and Saint-Saphorin at Vienna, and others, which he could and did alter whenever he thought it appropriate. His standing at the French court was enhanced by his good relationship with Fleury, the bishop of Frejus and former tutor of the French

1 Plumb, Sir Robert Walpole, II, 75; Coxe, Memoirs of Sir Robert Walpole, I, 328-29. Dureng claims Newcastle was selected for his docility, and that it was expected the appointment would be temporary until Horatio Walpole succeeded him. Le Duc de Bourbon, p. 163.

Townshend was Newcastle's brother-in-law by a former marriage. Townshend's second marriage to Dorothy Walpole brought Newcastle into the Walpoles' circle. D.N.B., XV, 702-6.

2 Hervey, Great Britain and Europe, p. 39.

3 Hervey observed that the two Walpoles, the duke of Newcastle and Lord Townshend "were properly speaking, the whole old Administration at the death of the late King." Memoirs, I, 38. George I died in June 1727.
Walpole cultivated his acquaintance quite early in his embassy for he perceived that, contrary to popular opinion, the real power behind Louis XV was Fleury. By the end of 1724 Walpole's authority had increased to the point that ministers with business in France included him in their round of official visits.\(^1\)

Walpole had two residences in France in 1724. One was a country house about a league from Paris and the other a fairly new house in Paris, which he rented and furnished himself.\(^2\) Because of his small fortune, he was unable to support any magnificent display, but he did insist on setting a good table. Even when he was away from Paris he did not stint, claiming the best intelligence was gained from convivial conversation around a good table and he wanted to be sure his secretary was not deprived of any opportunities.\(^3\)

With his English rustic dress and manner, Walpole must have been a remarkable eccentric at the French court. His speech was candid and

\(^1\)Dureng, *Le Duc de Bourbon*, pp. 86, 164 and 168.

\(^2\)Because there were no permanent buildings for embassies, each minister was obliged to make his own housing arrangement. His residence served as living quarters for his family and as a place to carry on official business. Horn, *British Diplomatic Service*, p. 16.

unassuming, except when addressing the House of Commons. Then he tended to be verbosely encyclopedic on any topic relating to foreign affairs. He was the antithesis of the elegant polished gallants at the French court, who bowed and twirled, and engaged in light repartee. His French was rough for he had learned most of it on his own. However he apparently experienced little difficulty either in understanding the talk around him or in making himself understood. Fleury humorously observed that "il est diablement éloquent avec son mauvais français." He was the antithesis of the elegant polished gallants at the French court, who bowed and twirled, and engaged in light repartee. His French was rough for he had learned most of it on his own. However he apparently experienced little difficulty either in understanding the talk around him or in making himself understood. Fleury humorously observed that "il est diablement éloquent avec son mauvais français."2

Even in Paris Walpole maintained a schedule similar to that of a country squire. After an early rising, he devoted himself to the business at hand, preferring to compose his dispatches during the day so that his evenings were free for relaxation. Unlike the private life of his royal master or that of his brother his own was irreproachable. Married since 1720, he was the personification of a virtuous husband and a well-intentioned father.3

At the time Walpole was appointed ambassador, the Congress agreed to in the Quadruple Alliance had been meeting at Cambrai for two years. Most of this time had been spent debating the minutiae of protocol, including the precedence to be accorded cooks and lackeys.4 The lengthy preliminaries were really indicative of the inconclusive nature of the Congress. At most, it bought a little time by suspending the controversial issues. Spain did not receive satisfaction on Gibraltar nor on Don

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1 Coxe, Lord Walpole, p. 364.
2 Horn, British Diplomatic Service, p. 137; Coxe, Lord Walpole, p. 468. Coxe maintained Walpole was fluent in French and that Fleury's remark was directed at Walpole's accent. Ibid.
3 Coxe, Lord Walpole, pp. 465 and 469.
4 Wilson, French Foreign Policy, pp. 15-16.
Carlos's succession. England had changed her position on Gibraltar since 1720 and did not want the question raised at the Congress, or anywhere else for that matter. If Spain persevered in her demand, England insinuated it would produce nothing but more difficulties. 1 Feeling insecure


Gibraltar was a sensitive issue for the British ministers, who, like their predecessors in office, were more willing to return Gibraltar than was the general public. In 1718 Secretary Stanhope quietly made an offer of Gibraltar as a special inducement for Spain's joining the Quadruple Alliance. There was, however, a three-month time limit which expired 2 November 1718. Few people knew about the offer, including William Stanhope, who had been working on the negotiations with the Secretary. When Spain signed the treaty in 1720, Philip V expected, as did the Regent, that England would be willing to return Gibraltar. But James Craig, Secretary of State for the South, indicated that England no longer considered itself bound to this offer, particularly since Spain had gone to war in the interim. James Stanhope sped to Paris to discuss this with Dubois and the Regent. They agreed that Gibraltar and other matters would be settled at a later date. Stanhope apparently had in mind that Spain would offer an equivalent for Gibraltar. But this point was not settled before Stanhope's and Craig's unexpected deaths in February 1721. In the meantime France and Spain negotiated the Treaty of Madrid, which they signed in March 1721. The treaty contained two secret articles not revealed to England. One bound the Regent to use his influence at the impending congress to obtain Gibraltar for Spain. The other was to secure the admission of Spanish rather than Swiss troops in the garrison towns named in the Treaty of London, i.e., the Quadruple Alliance. Townsend was not in favor of Stanhope's policies but neither could he completely disavow them. Therefore George I, in May 1721, wrote a letter to Philip V, promising to bring the matter of Gibraltar before Parliament "upon the footing of an equivalent." Philip V refused to accept it so the king wrote the letter, omitting this phrase. He believed Parliament would never agree to part with Gibraltar, especially if Spain offered nothing in return.

In June 1721, Spain, France and England signed a treaty which guaranteed Don Carlos's succession to the duchies according to the provisions in the Treaty of London. Since one of these provisions stipulated the use of non-Spanish troops, France and England were not in accord on this point because of the secret article in the earlier treaty between France and Spain. The main objectives of the June treaty were to display a united diplomatic front to the Emperor, and to deter Spain from launching another attack in Italy. Charles VI continued to delay signing the necessary Letters Expectative, recognizing Don Carlos's right to succeed
in Italy, Charles VI procrastinated in granting Don Carlos permission to take possession of Parma and Tuscany. He was afraid Spain would use it to gain a foothold in the peninsula. For this reason he had encouraged Tuscany earlier to return to a republican form of government when the Medici line became extinct.\(^1\) On the other hand, concern for his own succession impelled the Emperor to propose that an article be included in the treaty drawn up by the Congress whereby the participating powers would all guarantee the Pragmatic Sanction. The Imperial minister ingeniously argued that George I could not in justice refuse this request since the Emperor had already been gracious enough to guarantee the succession of England, France and Spain. George I replied that, first, the Emperor had been given the Kingdom of Sicily in return for his guarantee and, second, the Pragmatic Sanction had been made after the Quadruple Alliance was signed. This made it outside the purview of the Congress.\(^2\)

The Emperor also met opposition from Spain, the United Provinces and Great Britain over the Ostend Company. Charles VI had encouraged

\(^{1}\)Williams, "The Foreign Policy . . . Walpole," XV, 258. The present grand duke who succeeded Grand Duke Cosimo III in 1723 gave no promise of having any heir as he steadily drank himself to death. Lindsay, "International Relations," p. 201.

\(^{2}\)Newcastle to Walpole, Whitehall, 30 April 1724, Legg, Diplomatic Instructions, IV 65-66; Satow, Guide to Diplomatic Practice, II, 41.
this company in an effort to stimulate commercial activity in the southern Netherlands. The claim was that the establishment of this company was contrary to the conditions laid down by the Treaty of Utrecht and the Barrier Treaty of 1715. The Ostend Company meant unwelcome competition for the East India Company, and Townshend came under considerable pressure from an official of the British company, Governor Edward Harrison, whose daughter was married to Townshend's son. In addition, the British blamed sluggish sales in 1724 and 1725 on the Ostend Company, claiming that goods from Ostend were being smuggled into England. But the French were relatively unmoved by the dispute and so no action was taken by the Congress.

While the attention of the Congress was primarily engaged with southern affairs, Townshend, reflecting George I's continued interest in the North, reminded Walpole that any disturbances in that area would affect the outcome of the negotiations. An interruption of the Congress would be a service to the Emperor. Therefore in an effort to protect British interests, England attempted to conclude two alliances, neither

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1 G. E. Hertz, "England and the Ostend Company," English Historical Review, XXII (1907), 256.
3 Wilson, French Foreign Policy, p. 125.

The subjects of France, England and the United Provinces were prohibited by their governments from investing in the Ostend Company and therefore could not share in its profits. As a result the Ostend Company assumed more of a national character, one that was foreign to the Maritime Powers and France. Hertz, "England and the Ostend Company," p. 262.

5 Townshend to Walpole, Whitehall, 23 March 1724, Legg, Diplomatic Instructions, IV, 56.
of which was successful. The treaty with France and Russia became snagged on the issue of Schleswig,¹ and that with France and Prussia was coolly received by both countries.²

¹Relations between Peter the Great and George I had deteriorated since 1716 when Russian troops entered Mecklenburg. After the Triple Alliance was signed, France persuaded the Czar to withdraw his troops from the duchy. But the Czar continued his animus toward George I, particularly after the king accepted the Emperor’s appointment to be a co-administrator of Mecklenburg because of a dispute between the nobility and the duke, who was also the Czar’s nephew by marriage. On the matter of Schleswig, England and France, as part of a peace settlement, had guaranteed Denmark’s right to the duchy in 1720. The duke of Holstein in the next few years gained the adherence of the Emperor and the Czar, his prospective father-in-law, to his claim for the restitution of Schleswig. In March 1724 Peter the Great and Sweden signed a treaty containing a secret article, which was soon public knowledge, whereby the two powers were jointly engaged on the duke’s behalf. Should they fail to obtain restitution, they named the Emperor as final authority on the question. Though George I opposed entering any discussion on Schleswig before concluding an alliance with the Czar, he indicated he would have no objections to the duke’s receiving some form of satisfaction as long as England and France were not included in the arrangement because of their formal engagement with Denmark. Sweden, 1689-1727, ed. James Frederick Chance, I, British Diplomatic Instructions 1689-1789, edited for the Royal Historical Society, Camden Third Series, XXXII (London, 1922), xxvii and xxxi; Mrs. D’Arcy Collyer, "Notes on the Diplomatic Correspondence between England and Russia in the First Half of the Eighteenth Century," Transactions of the Royal Historical Society, New Series XIV (1900), 152; Newcastle to Walpole, Whitehall, 6 and 9 April 1724 and Newcastle to Walpole, Windsor, 3 September 1724, Legg, Diplomatic Instructions, IV, 59-60, 62, 83-84; Wilson, French Foreign Policy, pp. 18-19. For a study of British-Hanoverian policy during this period, see James F. Chance, George I and the Northern War (London, 1909).

²In the autumn of 1723 Frederick William and George I had signed the Treaty of Charlottenburg, with a secret article in which George I promised to take care of the neutralization of Neufchatel in case of a war in the Empire and to favor Prussia’s pretensions to the succession of the duchies of Jülich and Berg. In return Frederick William promised to come to the aid of George I in Germany. Walpole thought Fleury had cooled off on this alliance because he did not relish the idea of guaranteeing the succession of Neufchatel to a Protestant power. Dureng, Le Duc de Bourbon, pp. 77-78; Legg, Diplomatic Instructions, IV, xxii. See also J. F. Chance, "Antecedents of the Treaty of Hanover," English Historical Review, XXVIII (1913), 692-96.
England was not alone in the pursuit of coalitions. Other powers were equally eager, particularly Spain. Dissatisfied by the failure of France and Great Britain to force the Emperor to accede to Spain's demands in Italy, Elisabeth Farnese decided to negotiate directly with Charles VI. An ambitious matchmaker and mother, she conceived the idea of a double union between the two families: Don Carlos to marry Maria Theresa, the eldest archduchess, whose dowry and inheritance would be the Austrian hereditary estates, and the title of king of the Romans for her husband; Don Philip to espouse Maria Anna, who would bring to the marriage the Italian estates. These could be increased by adding Parma, Piacenza and Tuscany that Don Carlos would renounce in favor of his brother. With this as their main objective, the Spanish monarchs secretly dispatched Baron Ripperda\(^1\) to Vienna in the fall of 1724 with instructions that should the Emperor agree to the marriages, Spain would recognize and support the Pragmatic Sanction as well as assist the Emperor's scheme for maritime and commercial development.\(^2\) Ripperda's mission was a well-kept secret. There was no indication that an alliance between Spain and the Empire was possible, let alone probable.

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\(^1\) Jan Willem Ripperda was a Dutch adventurer whose diplomatic career began in Madrid as the diplomatic representative of the United Provinces. After he became a naturalized Spaniard, he was chosen by the Spanish monarchs to be their secret envoy. Philip V and Elisabeth Farnese were so delighted with his negotiations with Charles VI, they gave him additional honors and offices. However, he proved inept at managing Spain's economic affairs and his rapid rise was matched by an equally sudden fall. Wilson, *French Foreign Policy*, pp. 37-40.

By the end of 1724 Walpole had completed his apprenticeship. In the preceding years he had acquired the essential skills for directing the operation of a major embassy. His personal acquaintance with most of the important men in England, France and the United Provinces was of inestimable value, particularly in Paris, the hub and nerve center of European diplomacy. His experience at The Hague and in Paris had taught him to perceive the spectrum of often conflicting interests in issues under consideration and to determine the effect these would have on the powers involved in the negotiations. He had learned to predict with some degree of precision the reaction of diplomats and officials to events according to their individual idiosyncrasies, personal biases, and national interests. Although he considered himself a loyal servant of the king, he did not equate this with blind subservience. Rather, he felt a man who was competent in an area should use his talents accordingly. He owed it to his sovereign to give his administration an honest assessment of a situation, even if it conflicted with a proposed policy. For this reason his dispatches and private letters, though always courteously phrased, often included observations and suggestions about the direction of foreign affairs and the dangers involved.

In regard to future negotiations, Walpole had been introduced to most of the major issues that were to occupy the Congress of Soissons. With the one exception of the Habsburg-Bourbon union, the question of

the eldest archduchess. He predicted it would be the end of the House of Austria and thought neither France nor Elisabeth Farnese would favor it. France would lose influence in Spain while that of the Emperor increased. The only barrier to a potential universal monarchy was Louis XV and his progeny. Elisabeth Farnese would oppose it for the Emperor's greater influence in Spain might mean sacrificing Don Carlos's future in Italy. Newcastle to Walpole, (secret) Windsor, 7 September 1724, Legg, *Diplomatic Instructions*, IV, 85-86.
Gibraltar, the abolition of the Ostend Company, and the establishment of Don Carlos in the Italian duchies had all been discussed and would re-appear at a later time. Because Europe was forced to regroup in response to the new and unexpected alliance initiated by the Spanish queen, these other matters were unresolved. They remained a threat or an irritant, depending on the national view and interest, and so were included in the articles of later treaties.
CHAPTER III

POLARIZATION OF EUROPE: 1725-1727

Europe in 1725 entered a phase of political contraction and division. Precipitating this phase, though not necessarily the foundation, was France's decision to return the seven-year-old Infanta, affianced to Louis XV. The French king's illness in February 1725 reminded the duc de Bourbon that if Louis were to die, the young duc d'Orléans, Bourbon's implacable enemy, would gain the crown. There was little chance for the duc de Bourbon to succeed to the throne unless the duc d'Orléans also died without an heir. Nor could he ignore another claimant in Philip V. Despite his renunciation, Philip V was eager to assume the French crown at the first opportunity and was not without supporters in the French court. Obliged to choose between gambling on the king's health or risking Philip's wrath, the duc de Bourbon decided the latter was less hazardous. Thus on 9 March 1725 the Spanish monarchs were informed of the repudiation of their daughter as the future queen of France. Several weeks later, 31 March, the French council selected Maria Leczinska, the

¹Walpole to Newcastle, Paris, 10 March 1725, Dureng, Le Duc de Bourbon, p. 497.

Even before the king's illness Bourbon had entertained the idea of returning the Infanta and of substituting his sister. Fleury, however, disapproved and Bourbon took no action. Coxe, Lord Walpole, p. 87.
twenty-two-year-old daughter of Stanislaus Leczinska, titular king of
Poland, for their prospective queen.¹

The Polish princess had not been the only candidate under considera-
tion. In March 1725 the French ambassador, the comte de Broglie,²
approached George I with a private letter from Bourbon proposing one of
the English princesses for Louis. The duc de Bourbon thought if England
concurred it would provide France extra protection from possible Spanish
action. Much to Fleury's relief, George I politely declined the honor on
grounds of differences of religion and English law. Fleury explained to
Walpole in confidence his fear that if the marriage had been concluded,
and the king were to die leaving minor heirs, the princess could have
been named Regent. This would have caused serious disturbances in France.³

¹Coxe, Lord Walpole, pp. 86-87; Dureng, Le Duc de Bourbon, p. 255;
Wilson, French Foreign Policy, pp. 32-35.

Dureng notes the king's health was poor even before this time
because of his habit of overeating and keeping late hours. Fleury offered
no opinion on the marriage decision, which was made one night after a
secret meeting between the ducs de Bourbon and Villars, and Norville, the
Secretary of State. But Fleury did take the precaution of posting some
military forces in the Pyrenees to forestall any retaliatory measures by
Spain. Thanks to the efforts of the Pope and the British minister, William
Stanhope, Philip's reaction was not as violent as had been anticipated.
See Le Duc de Bourbon, pp. 244-47 and 272.

²François-Marie, comte de Broglie, son of a marshal of France, was
a close friend of the duc de Bourbon. He replaced Chavigny as ambassador
to London in 1724, after Schaub had been recalled. Recueil des Instruc-
tions données aux ambassadeurs et ministres de France depuis les traités
de Westphalie jusqu'à la Révolution française, XXV-2: Angleterre, Vol. III
(1698-1791), ed. Paul Vaucher (Paris, 1965), 253-54; Dureng, Le Duc de
Bourbon, p. 94.

³Coxe, Lord Walpole, pp. 88-94; Dureng, Le Duc de Bourbon, pp.
248, 253-54, also Walpole to Newcastle, (secret) Paris, 13 March 1725,
pp. 501-11; Newcastle to Walpole, Whitehall, 1 March 1725, Legg, Diplo-
matic Instructions, IV, 95-98.

On his return from Paris in May 1724, Schaub offended George I
by indiscreetly suggesting a similar match. Coxe, Lord Walpole, p. 88.
Though Philip V did not resort to arms, he and the queen were understandably provoked by France's rejection of their daughter. They were thus in an unusually receptive mood to any proposal that would enable them to take some retributive action short of war. As chance would have it, Ripperda's courier appeared at the Spanish court with a draft of a treaty just when the news of the Infanta's return arrived from France. For this reason their majesties' response to the proposed treaty was almost a reflex action. In their eagerness to enter an alliance with the Emperor, they settled for considerably less than they had originally proposed. In fact all the Emperor really agreed to in the treaty signed 30 April and 1 May was little more than he had promised earlier in the Quadruple Alliance. He again recognized the right of Don Carlos to the Italian duchies of Tuscany, Parma and Piacenza, but made no provision for effecting his succession, a matter Spain had been demanding that the Congress should obtain at Cambrai. The treaty specifically excluded the Spanish crown from either sovereignty of guardianship over any Italian state. To placate Spain, the Emperor promised his friendly

1Hill, Diplomacy of the Age of Absolutism, p. 419.

The Spanish monarchs answered in kind by returning the two French princesses, one the widow of the former king, Luis, and the other the fiancée of Don Carlos. Lodge, "The Treaty of Seville," p. 15.

2Defensive alliance was signed 30 April 1725 and the treaties of peace and commerce on 1 May. Wilson, French Foreign Policy, p. 38.

3Durong, Le Duc de Bourbon, pp. 277-79; Wilson, French Foreign Policy, p. 37.

One of Spain's obstructive techniques had been to delay evacuating Sicily and Sardinia until Don Carlos received the investitures of Parma and Tuscany. Coxe, Memoirs of Sir Robert Walpole, I, 237.

4The Historical Register, containing an Impartial Relation of all Transactions, Foreign and Domestick, with a Chronological Diary of all
offices for the recovery of Gibraltar. In return Spain approved the
Pragmatic Sanction, promised the Emperor subsidies, and granted his sub­
jects, particularly the Ostend Company, the most favored nation status.
The marriage condition, so dear to Elisabeth Farnese, was postponed by
the Imperial ministers who claimed it should wait for quieter times since
it would alarm all Europe if any agreement were to be concluded then.¹

England learned of these negotiations from a letter intercepted
en route to Broglie from Morville, the French Secretary of State.² At
first the British dismissed the rumors as improbable, but by February
they began to think there was some substance to the reports.³ Newcastle
was not disturbed, believing if France and England remained together, the
negotiations between Spain and the Emperor would create no problems.⁴
In fact the feeling was that because of the great difficulties between
Spain and Charles VI, nothing would materialize.⁵ To Walpole, it seemed

¹Armstrong, Elisabeth Farnese, p. 180; Dureng, Le Duc de Bourbon,
p. 286, Hill, Diplomacy of the Age of Absolutism, p. 421; Williams,
"Foreign Policy . . . Walpole," XV, 492-93.

²Charles-Jean-Baptiste Fleurau d'Armenonville, comte de Morville
succeeded Châteauneuf in the United Provinces in 1719. After a distin­
guished embassy he was named Secretary of the Marine and Councillor of
State in 1722. He entered foreign affairs when Dubois was unable to com­
bine the functions of prime minister with those of Secretary of State.
Dureng, Le Duc de Bourbon, pp. 36-37.

³Newcastle to Walpole, Whitehall, 4 February 1725, Legg, Diplo­
matic Instructions, IV, 93.

⁴Newcastle to Walpole, (secret) Whitehall, 1 March 1725, ibid.,
p. 98.

⁵Newcastle to Walpole, Whitehall, 18 March 1725, ibid.
an "unnatural alliance." Great Britain recognized that a reconciliation could cause the break up of Congress, but by this time there was little prospect of successfully settling the differences at Cambrai, since Spain now refused to accept France as a mediator, and England was equally determined to act only in conjunction with France. However the British did not think an abrupt ending would significantly disrupt affairs in Europe. One of the objectives of the Congress had been to effect a reconciliation between the Emperor and Spain. Rather than precipitate hostilities, England predicted Charles VI would take time to consolidate his position by seeking additional allies such as Russia, Prussia, Sweden, Denmark and Poland.

When the treaty of peace and the commercial treaty were published in May, Walpole and others were amazed and suspicious. Walpole found it incredible that Philip V would have signed a treaty "so dishonourable and disadvantageous in every respect to the Crown of Spain" and from this came the conviction that there had to be "some secret Treaty, or Articles to flatter the Queen of Spain's vanity and ambition in favour of her son Don Carlos." This belief was greatly reinforced by the reports arriving

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1 Apology, B.M., Add. MSS. 9132, fol. 85.

2 Newcastle to Walpole, Whitehall, 18 March 1725; Legg, Diplomatic Instructions, IV, 100 and xxiii; Coxe, Memoirs of Sir Robert Walpole, I, 238-39.


4 Wilson claims only the defensive alliance of April 30 was kept secret and that the treaty of commerce was published at the same time as the peace treaty. See French Foreign Policy, p. 38.

in London from the British embassies in Madrid and Vienna. All indicated that the real basis for the treaty was a formal marriage contract between Don Carlos and Maria Theresa, the eldest archduchess. William Stanhope, the British ambassador to Spain, declared in June that a secret treaty containing a marriage contract, had been concluded at Vienna on the same date as the public treaty. England therefore declined the Emperor's invitation to accede to the treaty, first, because it had been secretively fashioned "in so unhandsome a manner towards them" and, second, because they really feared it contained stipulations that could "be of ill

In his letter to Newcastle, Walpole predicted that the queen would be disappointed at the end and "find she has given up the substance to catch at a shadow." Walpole to Newcastle, Paris, 15 May 1725, H.M.C. Report on the Manuscripts of Lord Polwarth, 5 vols. (London, 1911-61), IV, 313.

Walpole told the British plenipotentiaries he had never seen "such an extraordinary piece in my life, all things considered, in which there is no one alteration, addition or omission different from the Treaty of London but what is for the advantage of the Emperor and both dishonourable and disadvantageous to the Crown of Spain." Walpole to Earl of Marchmont and Lord Whitworth, Paris, 16 May 1725, Polwarth, IV, 314.

1William Stanhope served in Spain a number of years before his appointment as British ambassador to that court in 1720. He had strong political connections in that he was a cousin of the Duke of Newcastle as well as of the earl of Chesterfield. However he was not particularly popular with Robert Walpole because of his brother Charles, who had been secretary of the Treasury, and his kinsman James Stanhope, former Secretary of State. D.N.B., XVIII, 927-31. See also The Letters of Philip Dormer Stanhope, 4th Earl of Chesterfield, ed. Bonomy Dobree, 6 vols. (London, 1932), I, 59.


Plumb observes that Horatio Walpole in Paris, and the British ministers in Madrid, Vienna and Cambrai read more into the treaty than was actually there and that their speculations found fertile ground in the cabinet. They believed Austria had promised to help Spain retake Gibraltar and that Spain had given the Ostend Company the monopoly of trade to the Spanish Main. George I was particularly disturbed by the idea that Russia's extravagant claims in the Baltic would be supported by Spain and the Emperor. See Plumb's Sir Robert Walpole, II, 120.
consequence" to France and England at some later date. Their apprehension was in some respects vindicated. Once the treaty was ratified, Spain assumed a militant attitude, demanding that England restore Gibraltar immediately or suffer the loss of all her commercial privileges and alliances with Spain.

As predicted, the Treaty of Vienna brought about the dissolution of the Congress. When England learned that the Emperor had sent instructions to his plenipotentiaries to leave Cambrai at the same time as the Spanish ministers, Walpole was ordered to inform Lords Marchmont and Whitworth to withdraw, and to persuade France to do the same. In this way they could avoid the disagreeable situation of being functionless mediators. However the British plenipotentiaries had discerned the need to save appearances. They left Cambrai before Walpole's orders arrived.

1 Newcastle to Walpole, Whitehall, 4 May 1725, Legg, Diplomatic Instructions, IV, 106.

According to King, the Lord Chancellor, Robert Walpole believed the main reason Charles VI wished England to accede to the treaty was to guarantee his succession through the female line, and this England refused to do. Lord King, "Notes of Domestic and Foreign Affairs, during the last years of the reign of George I and the early part of the reign of George II," in The Life of John Locke, 2 vols. (London, 1830), II, 14.

2 Conn, Gibraltar in British Diplomacy, p. 77.

On 13 July, William Stanhope in Madrid received a civil declaration from Philip V assuring England that the matter of Gibraltar would in no way affect British privileges. Behind this declaration was the understanding that George I would continue to press Parliament to agree to the restitution of Gibraltar. But in only a matter of a few hours, during which the ratifications arrived from Vienna, Spain did an about-face. Stanhope received a letter at 2:00 A.M. demanding the prompt return of Gibraltar. Dureng, Le Duc de Bourbon, pp. 284-85.

3 Newcastle to Walpole, Whitehall, 4 May 1725, Legg, Diplomatic Instructions, IV, 106.
The French chose to remain a little longer, since their remaining was not as significant, Cambrai being French territory.¹

The recognized imperative from this moment was for Great Britain and France to work together and appear resolute in preserving the peace. They had to avoid any appearance of concern or uneasiness about the treaty and, above all, not do anything in compliance with either Spain or the Emperor which could in any way be interpreted as arising from fear or dejection.² After George I and Townshend arrived in Hanover in June, accompanied by the French ambassador Broglie, they immediately began work on a counter-alliance. Broglie, following orders from Paris, presented the French plan, drawn primarily from sections of articles signed at The Hague and the Quadruple Alliance, which in the past had amply satisfied British needs. These included guaranteeing the succession in both countries and promising aid in case of war. However the plan included nothing about English commercial interests nor promised support in the case of Spanish aggression. The British rejected it, claiming it weakened rather than strengthened the treaty. They particularly objected to the secret article directed against any guarantee of the Imperial succession, arguing it would not be secret for long, and could only lead to hard feelings when it became known.³

² Newcastle to Walpole, Whitehall, 4 May 1725, Legg, Diplomatic Instructions, IV, 105.

Dureng claims the reason France wanted this article about the succession was to prevent England from using it as an object of exchange to gain the abolition of the Ostend Company. Dureng, Le Duc de Bourbon, pp. 314-16.
Townshend drew up another plan that called for both kings to promise mutual protection and maintenance of all territories in their possession at the time of the signing of the treaty. This meant France for the first time would be engaged to support England's right to Gibraltar and Minorca, in addition to renewing her guarantee of the king's title to Bremen and Verden. Furthermore, Townshend called on France to join England in her campaign against the Ostend Company. There was no mention of the Pragmatic Sanction because the British wanted to hold this in reserve.¹ They believed the project was broad enough to please potential allies. The Dutch would approve of not extending any guarantees beyond present possessions and trade. France would be satisfied with a general promise not to engage in anything except in concert, which might apply to the Imperial succession. Finally, the king of Prussia, who was indicating some interest, would be pleased with the article referring to Jülich and Berg, even though it did not in reality guarantee his pretensions to those places.²

France responded to Townshend's plan with a counter-proposal, a modification of the British project. However there was a major omission which was France's formal guarantee of Gibraltar and Minorca. Walpole spoke to Morville about it and the French Secretary referred to some kind of management with Spain. He agreed to make a verbal promise about Gibraltar but would not put it into writing. Walpole therefore went to Fleury, on his own initiative, and he agreed to intervene personally. A few hours later Walpole received his written declaration, but again

¹Dureng, Le Duc de Bourbon, pp. 317-18.
²Townshend to Walpole, (private) Hanover, 16/27 July 1725, Legg, Diplomatic Instructions, IV, 114-15.
without any mention of Gibraltar. Dissatisfied, he returned to Fleury and explained how this action would only create distrust and suspicion of France in Hanover. As a result, the declaration was modified to include a guarantee of Gibraltar and British commerce. In return, Walpole gave a declaration promising if France were to suffer any attack because of this act of 16 August, it would be considered a casus foederis.¹

Townshend was correct in his belief that the article about Jülich and Berg would please Frederick William. The Prussian king arrived in Hanover on 27 July to discuss matters having no relation to the alliance, but after reading a draft of the projected treaty, he accepted it with only a few changes.² After four conferences with Townshend, Broglie and the Prussian ambassador, the treaty was completed and signed 3 September. At the last minute Prussia demurred against having to furnish help outside the Empire or against Spain but finally yielded the point.³ Townshend, who had objected to having a secret article about the Imperial succession in the French project, agreed that until they could determine the Dutch attitude, the article about Jülich and Berg should be kept a secret from them. He still maintained it would be difficult to keep it private, but George I feared the effect of the article on the Catholic princes in the Empire if it were not secret.⁴

¹Dureng, Le Duc de Bourbon, pp. 319-21. Dureng gives Horatio Walpole credit for saving the alliance and making the treaty possible.


³Dureng, Le Duc de Bourbon, p. 327.

⁴Townshend to Walpole, Gőhrde, 8/19 October 1725, Legg, Diplomatic Instructions, IV, 132-34.
Reflecting on the turn of events, Walpole said he would have gladly avoided his employment in so difficult and troublesome a station, as he foresaw it must certainly be, when the Emperor . . . [was engaged] with Spain his inveterate enemy against England and Holland his antient friends, which unavoidably forced those two powers into an union with France their antient enemy [sic], to disappoint the dangerous views of their old friend the Emperor.¹

Walpole's conviction that Charles VI was the nexus of the current ferment in Europe was shared by Townshend. In a letter to Newcastle, Townshend spoke of the king's concern about Spain and his fear the Spaniards were planning a blow against England, which in Townshend's opinion was the result of the Emperor's machinations behind the scenes. He was convinced that the Emperor was working on the Spanish queen's passions over her daughter's removal from France and had won her over to his side by promising to marry one of his daughters to Don Carlos.² Therefore, the whole objective of the Hanover Treaty, as far as Townshend was concerned, was to broaden the Anglo-French alliance so that it would attract powers such as the United Provinces, those in the North, and even some German states. Such an array would deter, if not frighten, the Emperor into assuming a more reasonable attitude.³

What England did not want was a showdown with Spain. The British hoped they could get a copy of the Hanover Treaty to Philip V before the Emperor could introduce misconceptions, such as that the treaty had been

¹ Apology, B.M., Add. MSS. 9132, fol. 85.
² King, "Notes of Domestic and Foreign Affairs," pp. 21-23.
formed to block the proposed marriage between the two families. This point was not even mentioned in the treaty. Townshend hoped that Philip V after reading it would recognize how advantageous it would be for him to join them.\(^1\) Charles VI, not surprisingly, raised some objections to the treaty. He maintained there was no marriage agreement between Don Carlos and one of his daughters, and charged it was all an invention to get the Empire stirred up against him.\(^2\)

The official publication of the Alliance of Hanover along with the Vienna treaties of commerce and peace in September 1725 produced a stir in England, particularly in the trading community. The English East India Company, for one, was beginning to feel the effects of competing with the Ostend Company.\(^3\) And though the growing indignation in Great Britain over the terms granted the Ostend Company may not have been the main reason Spain and the Emperor entered new negotiations, certainly this must have given impetus to the idea they could better serve their particular interests through additional mutual concessions and guarantees. Unknown to the rest of Europe, on 5 November 1725, Ripperda, for Spain, and Prince Eugene, Starhemberg and Sinzendorf, for the Emperor, signed a second Treaty of Vienna.\(^4\)

The new treaty remained a secret for years. Included in its terms was a double marriage agreement; two of the three archduchesses, none of

\(^1\)Townshend to Walpole, Gőhrde, 10/21 October 1725, Legg, Diplomatic Instructions, IV, 135.

\(^2\)These objections were made to Townshend by Count Starhemberg. Townshend to Walpole, Gőhrde, 18/29 October, Legg, Diplomatic Instructions, IV, 135.

\(^3\)Gibbs, "Britain and the Alliance of Hanover," p. 420.

\(^4\)Armstrong, Elisabeth Farnese, p. 186.
whom was identified, were promised to Don Carlos and Don Philip as soon as the girls were of age. The only mention of Maria Theresa was in an article stipulating that in the event Charles VI died before she reached marriageable age she was to wed Don Carlos. The fifth article prohibited joining any Habsburg territories with either France or Spain, and established the complete separation of the three crowns. Anticipating that the future held both the outbreak and possibly successful war against France, the tenth article detailed the partition of France. The Emperor would receive the Belgian provinces, Alsace and possibly Franche-Comté, while Spain would add Roussillon, Cerdagne and Lower Navarre to its territory. In another article the Emperor promised, in the event of war with England, to give Spain military assistance in the recovery of Gibraltar. The rest of the treaty, for the most part, was more a recapitulation of clauses of the former treaty including payment of subsidies and special privileges for the Ostend Company.1

Robert Walpole introduced the Treaty of Hanover to Parliament and Horatio Walpole opened the debate with a ninety-minute speech outlining the historical background of the negotiations, beginning with the king's

1 Armstrong, Elisabeth Farnese, pp. 186-87; Williams, "The Foreign Policy... Walpole," XV, 678.

Wilson indicates historians first learned of this secret and offensive treaty in 1843. I. S. Leadam credits Syveton for the discovery of the treaty in the Viennese archives and for the first printing. However four years before Syveton's Une Cour et un aventurier au XVIIIe Siècle: le Baron de Rinnelda appeared, Armstrong, in his book on Elisabeth Farnese, discussed the articles of the secret treaty which he had apparently located in Alcala, 3369. He noted at the time that Van Arneth had been unable to find a copy of this treaty for his book on Prince Eugene and thought the Imperial copy no longer existed. See Wilson, French Foreign Policy, p. 39; I. S. Leadam, The History of England from the Accession of Anne to the Death of George II (1702-1760), IX of The Political History of England, ed. by William Hunt and Reginald L. Poole, 12 vols. (London, 1909), IX, 325; Armstrong, Elisabeth Farnese, p. 187.
ascension to the throne and the developments leading up to the treaty itself. He noted that the king's objectives throughout this time had always been aimed at preserving the peace, protecting the British Protestant succession, and guarding the interests of his subjects. As an illustration, he claimed the reason George I refused to accede to the Treaty of Vienna was because it contained an article prejudicial to British commerce. The Emperor, in retaliation, declared he would not guarantee the Protestant succession. Walpole also pointed out the threat to the balance of power should there be a secret marriage contract between the two powers. If Charles VI and Louis XV were both to die without a male heir, the Empire and the French crown could devolve to Don Carlos. The Hanover Treaty was not only in agreement with the king's objectives but essential for the continuation of this policy.

Members of the Opposition in Parliament argued about the wisdom of breaking with Spain and the Emperor simply to aggrandize France. They

1 Historical Register, XI, 58-61.

Horatio Walpole frequently defended the administration's foreign policy in the House of Commons, and, in fact, was recalled to England specifically for this purpose since both Secretaries of State had seats in the House of Lords, and Robert Walpole disliked debating on foreign affairs. G. Gibbs, "Parliament and Foreign Policy in the Age of Stanhope and Walpole," English Historical Review, LXXVII (1962), 26.


Lord Hervey claimed Robert Walpole was opposed to the Hanover Treaty, that he saw little advantage in England's allying herself with a country that would never be a friend and thereby alienating powers with whom she might have enjoyed good relations. In addition, Walpole did not approve of England's having to meet the expense of a war without the hope of receiving some of the expected advantages of a military engagement. Hervey, Memoirs, I, 80-81, 111.
claimed the treaty would involve England in a war to protect the king's dominions, which was contrary to the Act of Succession. The debate continued in the House of Commons until 10:30 P.M., when it passed 285 to 107.

Spain's behavior, in one sense, supported some of the Opposition's arguments. During the latter part of 1725 the Spanish court had been considerably less militant about Gibraltar. This change was due largely to the efforts and influence of William Stanhope, the British ambassador. Philip V saw that the British king could do nothing about Gibraltar until he returned to England from Hanover and met with Parliament. However the Spanish king then expected George I to put the question of Gibraltar before Parliament as he had promised in his letter to Philip V in 1721. This pledge, according to Townshend, no longer held. He maintained it had been nullified by Spain's subsequent agreement with the Emperor.

But Stanhope and Horatio Walpole disagreed with Townshend. Stanhope contended there was some justification for Spain's actions in entering a pact with Vienna, considering that the English ministry had shown no

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1 Robert Walpole, in some respects, was prepared for the Opposition's arguments. By intercepting some foreign mail he had learned of the Pulteneys' great hopes of creating difficulties over foreign policy and that an Imperial minister had promised to furnish them with material for their arguments. Sir Robert Walpole to Lord Townshend, London, 29 November/10 December 1725, Coxe, Memoirs of Sir Robert Walpole, II, 492-93.

2 Historical Register, XI, 61-64.

Knatchbull reported he had left at 8:00 P.M. "being quite tired and being undetermined which way to vote, not being able to judge if the vote would prevent a war or occasion one and being sure it was against the Act of Succession." Knatchbull's Parliamentary Diary, p. 52.

3 Dureng, Le Duc de Bourbon, p. 349.

4 Conn, Gibraltar in British Diplomacy, p. 82.
indication throughout the years of fulfilling this promise. Walpole thought the question should be placed before Parliament that January. Not that he believed Parliament would vote to return Gibraltar, but he felt at least it would clear the English of this obligation, and possibly avoid a rupture with Spain. The British ministry, however, did not adopt the suggestion about Gibraltar. Thus George I made no mention of it in his address to Parliament.

The Hanover treaty met similar opposition in France, particularly from partisans of Spain, the supporters of Philip V. Just as some in England saw the treaty in terms of French advantages and aggrandizement, there were those in France who believed it was simply one more to add to the list of French accommodations to Great Britain. These included closing the Mardyke canal, expelling the Pretender, guaranteeing George I's possession of Bremen and Verden, and supporting particular trade concessions. The latter, though advantageous to the British, were injurious to other nations. The French fear, however, was the same as that

1 Conn, Gibraltar in British Diplomacy, pp. 82-83.

2 Ibid., pp. 83-84.

Conn notes that Townshend at the time seems to have approved Horatio Walpole's proposal but that it must have hit a snag somewhere since nothing more appears on the subject. His sources are Walpole's letter to Townshend, 2 December 1725 and Townshend's to Walpole, 19 December 1725, B.M., Add. MSS. 38504, fols. 113-116, 166-167.

3 The ministry may have feared that the embarrassment they could have suffered from the Opposition over this issue might be extended to their foreign policy. This in turn would jeopardize their gaining Parliament's approval of the Hanover treaty and voting the necessary supplies. As it turned out, the issue of Gibraltar was brought up a year later in Parliament. The Opposition wanted to make an inquiry regarding George I's promise to Philip V.

See above, p. 45 for background on Gibraltar and the king's letter.
expressed in England. They thought the treaty would result in an unpopular war, in this instance, a war with Spain.¹

Despite these gloomy predictions, the Treaty of Hanover did not give rise to any violence. One result may have been to draw the Vienna allies even closer.² Another result was Great Britain's immediate outfitting and dispatching three fleets. One fleet was directed to cruise along the Spanish coast to protect British shipping. England hoped its presence might also discourage Spain from launching an attack on Gibraltar.³ A second fleet was dispatched to the West Indies to blockade Portobello and prevent the return of the Spanish treasure ships.⁴ The third fleet was sent to the Baltic to protect Denmark and Sweden from any interference from Russia. England hoped this show of support would convince the northern powers to accede to the Treaty of Hanover.⁵

At the same time the British embarked on their naval demonstrations, France and Spain suffered governmental crises in the downfall of their two chief ministers, the duoc de Bourbon and Ripperda. In the case of Spain, Ripperda, after his triumphant return from Vienna, when he assumed the powers of first minister, attempted to prepare Spain for active

¹Dureng, Le Duc de Bourbon, pp. 342-44.
²Armstrong, Elisabeth Farnese, p. 186.
⁴Newcastle to Robinson, Whitehall, 11 April 1726, Legg, Diplomatic Instructions, IV, 151-53.
⁵Ibid., pp. 153-54.

Lord Hervey claimed the real reason for the fleet's appearance in the Baltic, though not the public one, was to protect Bremen and Verden. Hervey, Memoirs, I, 81-82.
military duty on insufficient funds. He started to fortify the frontier towns along the French and Portuguese borders, to stockpile supplies and construct magazines. But his inability to tap the necessary resources, and particularly his failure to provide the promised subsidies to Austria, led, first, to a clash with Count Königsegg, the Imperial minister at Madrid, and second, to his dismissal by the queen in May. In an unsuccessful attempt to escape arrest, Ripperda sought refuge in Stanhope’s house, where he revealed the existence and, albeit inaccurately, the

1 As early as December Stanhope had informed the British ministry that Ripperda was engaged in delaying tactics with George I “to make him suspend for some months his sea preparations, in order to their getting home in safety their galleons and flota, that are both expected at Cadiz by the end of June next, with an immense quantity of money, upon the reception of which all their possible means of carrying on a war utterly depends.” Stanhope to Townshend, Madrid, 27 December 1725, Coxe, Memoirs of Sir Robert Walpole, II, 582.

Stanhope repeated this in several letters and Dureng believes it was his dispatch of 15 March which had a decisive influence on Townshend, who justified his action in regard to dispatching the fleets on the basis of Stanhope’s reports and those from the consul in Cadiz. Dureng, Le Duc de Bourbon, pp. 445-47.

2 Conn, Gibraltar in British Diplomacy, p. 86; Coxe, Lord Walpole, p. 116; Dureng, Le Duc de Bourbon, pp. 434-35; Wilson, French Foreign Policy, pp. 39-40.

Stanhope assured Newcastle “that this stroke came from the queen (who is more attached than ever, if possible, to the court of Vienna) at the instigation of the German ambassador, which last, now publicly exclaims against Ripperda for having deceived the court of Vienna, and Ripperda himself, but last night, swore to me his disgrace came from thence for not sending them money, adding with the most solemn oaths, that had he done otherwise, the war had most infallibly been begun above three months since.” Stanhope to Newcastle, Madrid, 13 May 1726, Coxe, Memoirs of Sir Robert Walpole, II, 597.

conditions of the secret treaty between Spain and the Emperor.\(^1\) When news of Ripperda's arrest reached Paris, the Imperial minister quickly extended the Emperor's apologies for having negotiated with such a rogue.\(^2\)

Less than a month after Ripperda's fall, the duc de Bourbon was suddenly and summarily dismissed from office by Louis XV, who ordered him to retire to Chantilly. Ever since the Regent's death, Bourbon had been striving to conduct official business with the king without Fleury's being called in attendance. But all his efforts to undermine the king's confidence in his former tutor failed. Moreover Bourbon's domestic and financial measures had added to the turmoil in the French court. Thus early in the morning of 12 July, Horatio Walpole was awakened to read a personal letter informing him of the suppression of the office of the first minister, and assuring him that this would in no way affect the relations between the two countries.\(^3\)

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\(^1\) Conn, Gibraltar in British Diplomacy, p. 87.

Interestingly enough, Stanhope, despite his past doubts about Ripperda's sincerity and veracity, on this occasion believed Ripperda was speaking the truth. Newcastle sent Horatio Walpole in Paris an account of Ripperda's report and instructed Walpole to share it only with Fleury. Newcastle to Walpole, Whitehall, 16 June 1726, Legg, Diplomatic Instructions, IV, 173-74.

\(^2\) Coxe, Lord Walpole, pp. 116-17.

England's charge that the removal of Ripperda by Spanish soldiers from Stanhope's house was against the law of asylum was supported by other foreign ministers. Morville, though, thought Stanhope had gone too far and that the Spanish king would be found to have acted within his rights. Townshend and Robert Walpole treated the incident without acrimony. Dureng, Le Duc de Bourbon, p. 453.

\(^3\) Coxe, Lord Walpole, pp. 120-24.

Walpole reported to Newcastle that he had talked to Fleury earlier when the latter expressed dissatisfaction with Bourbon's policies, indicating "he could not sit easy and see things go on ... to the ruin of
Walpole, at Fleury's invitation, went to Versailles and discussed with him possible changes in the Conseil d'en haut. His chief concern was the position of Secretary of State. In an effort to convince Fleury to retain Morville, he pointed out the advantages of having a man whose only ambition was to be subservient to the person in power. He claimed that Morville "was supple and diligent and consequently would now shew the same fidelity and attachment to him as he had done before to M. le Duc, for fear of losing his station." On the other hand, if Fleury was considering Colbert de Torcy for the position, Walpole feared it "would occasion such a general alarm" in Great Britain because of the impression Torcy "had made in his former administration upon the minds of all good Englishmen, as a determined enemy to our present government, and established succession," and "that no reasons or allegations whatever of his having changed his measures and maxims" would remove their fears. Walpole added that because of his position under Louis XIV, Torcy might not "easily acquiesce with a subordination; and consequently he might embarrass the bishop, who would not be able to remove him afterwards so easily, as he

the State, which in a short time would be out of capacity to support itself, if other measures were not taken." Walpole suggested that perhaps the king would appoint him prime minister, but Fleury "declared there was no such design, and that he would never take that weight upon him." Coxe, Lord Walpole, p. 122.

According to Dureng, both Bourbon and Fleury were ambitious men seeking power, but that Fleury, with his good sense and broad vision, saw the time had come to end the domination of the princes. They were personal adversaries, but even more, they were enemies of the king and state. In this sense Fleury's action was in the tradition of pure monarchy. Dureng, Le Duc de Bourbon, pp. 458-59.

1Coxe, Lord Walpole, pp. 128-29.

2Ibid.
might be to keep him out of power at present." As a final fillip, Walpole reminded Fleury that Torcy was a Jansenist whose religious principles were opposite to those of the bishop. Fleury assured Walpole that Torcy was not being considered. He had other reasons for not wishing to appoint Torcy, not the least of which was that the Colbert family considered themselves superior to most of the great civil servants and Torcy would not wish to work under Fleury. Again Fleury declared he had no desire "to take on the style of a prime minister." Walpole, in passing this on to England, correctly predicted that the French administration would center around Fleury. He thought Fleury's power would be greater than anything enjoyed by the cardinals Richelieu and Mazarin, but without the formal title of prime minister.

Fleury's rise to power delighted the ministers in England, who believed him to be a supporter of British interests. And in view of Horatio's friendship with him, they felt assured of continuing good relations between the two powers, at least for the immediate future. In this

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1 Coxe, Lord Walpole, p. 129.
2 Ibid.
3 Bâillon, Lord Walpole, p. 225, citing the Duc de Luynes Mémoires, V, 113.
4 Coxe, Lord Walpole, p. 131.
5 Ibid.
6 Plumb, Sir Robert Walpole, II, 137.
7 In December 1725, at a time when others thought Fleury had been banished from the French court, Walpole demonstrated his loyalty by paying him a visit at Issy; a gesture Fleury fully appreciated. See Coxe, Lord Walpole, pp. 107-8. But their friendship also made them targets of ridicule. The Jacobites taunted Walpole, calling him the cardinal's dupe, and the Spanish queen publicly declared the cardinal was nothing but "a Poltroon ... governed entirely by the Heretic, Horace Walpole." Apology, B.M., Add. MSS. 9132, fol. 86r-v.
respect the British ministers were not disappointed. Fleury had apparently concluded it was in France's interest to cooperate with Great Britain in acquiring allies. The two powers succeeded in bringing the United Provinces to join them in a treaty in August 1726 in which they denounced the Ostend Company. In addition the Dutch were exempted from any guarantee of the treaties of Westphalia and Olivia, meaning they were not committed to support Frederick William's claim to the succession in Jülich and Berg.

Soon after the Dutch joined on the side of Britain and France, Frederick William defected from the Hanover Alliance. He believed his interests would be better served, particularly as far as Jülich and Berg were concerned, if he sided with the Emperor rather than opposed him. The Treaty of Wusterhausen, signed in October 1726, provided that Charles VI would use his influence with the Elector Palatine to arrive at a compromise settlement of Jülich and Berg. In return, Prussia accepted the

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1 Wilson notes Fleury's aims were to protect France and to decrease her dependence on Great Britain for her security. The first step was to build a coalition with England which would secure France and possibly act as a deterrent to any design Spain and Austria might entertain of initiating an armed attack. Fleury wanted France to regain her diplomatic equality with the other European powers and to find a way of peacefully reducing the tension in Europe and establishing a firmer basis for peace. Wilson, French Foreign Policy, pp. 149-51.

2 Hertz, "England and the Ostend Company," p. 268; Wilson, French Foreign Policy, pp. 152-53. England and France had agreed in a secret article to support Prussia's claims to Jülich and Berg, but considering the Dutch opposition on this head, they thought it advisable during the negotiations not to inform the Dutch of their agreement. Wilson, French Foreign Policy, pp. 154-55.

3 Prussia had been vacillating for months. Dureng claims Frederick William was afraid of the Emperor and feared that the Poles, Russians and Imperialists would elect to act together against him to strip him of his arms and territories. The rupture began when Prussia signed a treaty with the Czarina in August, two months before the Prussian king signed with Charles VI. Dureng, Le Duc de Bourbon, pp. 369-74.
Pragmatic Sanction and promised military aid.\footnote{1} Russia joined the Vienna allies in August 1726. By early 1727 the Vienna Alliance included many of the southern German states; that is, the Wittelsbach electors of Bavaria, Palatinate, Treves and Cologne.\footnote{2}

The Hanover allies had failed to win Sardinia but could count on Hesse-Cassel, and after March 1727, Sweden. Denmark signed a special convention the following month, agreeing to give the Hanover allies military assistance. Though they did not have as many allies as they wished, England and France could muster a larger army than the Vienna allies.\footnote{3} They also had greater unity of purpose. The Vienna allies were not as interested in protecting the Ostend Company as the British and Dutch were in abolishing it.\footnote{4}

\footnote{1}Leadam, History of England, IX, 327.
\footnote{2}Wilson, French Foreign Policy, pp. 156-57.
\footnote{3}Ibid., pp. 157-58.

Basil Williams claims the Vienna allies enjoyed a slight advantage in land forces but that the Emperor lacked mobility for he was unable to move troops from areas such as Hungary, Italy, or the Turkish border. The Hanover allies had great naval superiority. Contemporary accounts vary in their estimates of relative strength. James Fitz-James, duke of Berwick and a marshal of France listed the Imperial army at 166,814, Lord Hervey at 200,000; Berwick placed French forces at 230,038 and Harvey at 160,000. In the latter Hervey excluded 60,000 French militia. Lord Hervey's overall count indicates the Vienna allies outnumbered the Hanover allies 387,000 to 315,000. However if the French militia of 60,000 and the 20,000 British seamen were included, Hanover's forces outweighed Vienna's. Williams, "The Foreign Policy . . . Walpole," XV, 696-97.

Dureng notes that both Austria and France for all their activity in raising troops were not as strong as they appeared. Neither country was rich and the Austrian army was incomplete, half the cavalry was without horses and the Emperor lacked resources to sustain a long war. French finances were in poor shape in 1726 and war would have been a disaster had it begun that year. Dureng, Le Duc de Bourbon, pp. 416-23.

\footnote{4}Hertz, "England and the Ostend Company," p. 268.
Tension continued to mount between the two leagues. George I in his speech from the throne, 17 January 1727, reported having learned from reliable sources that one of the articles of the secret engagements between Spain and the Empire provided for placing the Pretender on the throne. This would be in exchange for the latter's agreement to surrender English trade to one power, and Gibraltar and Port Mahon to the other. Furthermore, Spain was planning to attack and besiege Gibraltar but these preparations were "chiefly calculated to amuse the World and to disguise the intended Invasion" of England.¹

Some members of the Opposition questioned the fact of an invasion, believing this was merely an attempt to justify the conduct of the ministers. In the debate that followed George I's speech in the lower House, one side argued about the danger of losing the India trade if England quarreled with Spain, while the other expressed reservations about the certainty of France's friendship. However the majority of 251 went along with the government's policy, convinced of the danger to England.² The House of Lords also supported the ministers but not without similar arguments. Some members refused to believe that Philip V had any intention of placing the Pretender on the throne, particularly after he specifically denied this point.³ Other members feared that because of the

¹Historical Register, XII, 62-64.

²Knatchbull said he was influenced by Horatio Walpole's report that Spain had been the one to start acting against England by seizing British ships, valued at £250,000, which had been engaged in "fair trade." Knatchbull's Parliamentary Diary, pp. 59-60. See also Historical Register, XII, 68-73.

³Townshend claimed the safety of the state would not allow him to place the evidence before the House of Lords, but if they could see it, they would have no further doubts. Cobbett's Parliamentary History, VIII, 538 and 543.
conditions demanded by the Dutch for their accession to the Hanover treaty, France would not agree and would use it as an excuse to withdraw from the Alliance. This would leave Great Britain to shoulder the cost of an expensive war "with two of the greatest potentates in Europe." In addition they felt that the Dutch received

far greater advantages, than Great Britain, from the East India trade, and consequently being more concerned than we in the suppression of the Ostend Company, ought, at least to bear an equal share with us in the expenses of this war, and guaranty to us the possession of Gibraltar, in the same manner as Great Britain guaranties to them their barrier.\(^2\)

Townshend replied that the East India trade brought in about £300,000 a year and therefore England's interest in suppressing the Ostend Company was almost equal to that of the Dutch. As far as Britain's guaranteeing the barrier, the Dutch were equally engaged as guarantees for the Protestant succession.\(^3\)

Parliament, in a fractious mood, attempted to challenge the government's policy on Gibraltar and the Ostend Company. Word had reached them that George I had promised Philip V in 1721 to return Gibraltar to Spain. But the Opposition's motion to have all letters and papers relating to the restitution of Gibraltar placed before the House of Commons was voted down. Robert Walpole, while not denying that the king may have made a promise in the former administration, maintained "it was upon certain Conditions, which not having been perform'd, within the limited Time, were thereby become invalid."\(^4\) He considered the request unprecedented

\(^1\)Cobbett's Parliamentary History, VIII, 536.
\(^2\)Ibid.
\(^3\)Ibid., p. 538.
\(^4\)Historical Register, XII, 80-81.
since "the private Letters of Princes ... were almost as sacred as their very Persons." Undeterred, Parliament turned its attention to the Ostend Company. Again a motion requesting government documents sent to the Imperial court relating to the charter and the relevant replies was defeated. Horatio Walpole, after opposing the motion, spent an hour and a half justifying the steps taken by the government, notably from the Congress of Cambrai to the present, for preserving the balance of power and peace in Europe, particularly in the North.

While Parliament was in session the winter of 1727, Spain began a siege of Gibraltar. Great Britain had reinforced the garrisons in anticipation of such a move. Yet it came as a surprise to discover the siege was in force in February without a formal declaration of war. The British commander at Gibraltar solemnly informed the officer in charge of the Spanish forces that this proceeding was contrary to existing treaties. The Spanish general replied that everything that had been done up to that time was on Spanish territory, "and that if there was a Design to besiege the Place, the Attacks must not have been formed at so

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1 Historical Register, XII, 80-81. See also Knatchbull's Parliamentary Diary, pp. 61-62.

2 Historical Register, XII, 81.

Knatchbull joined the minority on this vote because the ministers had failed to carry out "the promise made the first day of the sessions that any papers should be forthcoming and the state of the nation looked into when Gentlemen pleased." He also observed that when Pulteney told Horatio Walpole that they planned to move for some papers the next day, Walpole said they could "call for as many as you will, the devil of one you shall have!". . . ." Knatchbull's Parliamentary Diary, p. 62.

3 The Historical Register reports the siege was "undertaken in Form upon the 22d of February." Historical Register, XIII, 2. Conn claims the siege began in December 1726 and continued through May 1727. Conn, Gibraltar in British Diplomacy, p. 89. The siege apparently continued after the Preliminary Articles were signed. It was one of the conditions of the Act of Pardo signed 6 March 1728.
great a Distance."\(^1\) Notwithstanding this disclaimer, it was a siege which continued into 1728. One reason Spain failed to take Gibraltar was that given by the Spanish commander: the trenches were so far back, Spain lost men in every attack.\(^2\)

England had even more reason to expect a war after the Spanish treasure ships slipped through the British blockade. For with the newly arrived money Spain could pay the Emperor at least a portion of the promised subsidies as well as hire the necessary seamen to equip the new ships Spain was reported to have built.\(^3\) But the anticipated conflict did not materialize because neither France nor the Emperor was willing to come to the aid of his ally over the siege of Gibraltar. France artfully claimed the siege was no more than a Spanish reprisal to Britain's

\(^1\) *Historical Register*, XIII, 1-2.


The siege had its humorous moments, thanks to the duke of Wharton who visited the Spanish battery "to show his Garter-Riband crying out a thousand times 'Long live the Pretender,' and using a quantity of bad language." He had been drinking brandy and refused to listen to suggestions that he withdraw until finally he was hit on the toe by a piece of shell. The report of this incident continues with the plaintive comment that "if the English do not have pity on us, we shall all have our beards grey before Gibraltar is taken." *H.M.C. Report XI*, Appendix Part IV: The Townshend Papers (London, 1887), 199.

A year later the duke of Wharton appeared in Paris to ask for clemency, promising to spend the rest of his life as a dutiful subject. Horatio Walpole told the duke that "considering the notoriety of his actions" he could make no promises but would forward his request if it were put in writing. The king however refused to consider Wharton's application and the duke turned once again to embrace the Pretender and Catholicism. Coxe, *Memoirs of Sir Robert Walpole*, II, 632-37.

\(^3\) *Historical Register*, XIII, 2-3.

Stanhope estimated Spain received eight million pieces of eight or less out of an expected thirty million. Newcastle to Walpole, Whitehall, 18 March 1727, Legg, *Diplomatic Instructions*, IV, 229.
blockade and therefore could not be considered a casus foederis. Charles VI withheld his assistance on the grounds that the siege would absorb the whole army in a single engagement, whereas if Spain were to mass troops in Catalonia, they would be ready to use against France at the first outbreak of war.¹

Not only were France and the Emperor unwilling to give military aid, but long before the siege had begun, the two powers had been exploring means to reduce tensions. Walpole reported to Newcastle in September 1726 that Fleury, in response to the Imperial minister’s proposition for signing an agreement “for a forbearance of hostilities,” had suggested the Emperor consider a proposal for suspending the commerce of the Ostend Company for a specific period of time. In the meantime Fleury proposed setting in motion “a negociation for accommodating that affair and all other matters that occasion the present jealousys and uneasiness, and tend to disturb the publick peace of Europe.”² Great Britain disapproved of this idea, believing that one effect would be to deter the Dutch from

¹Armstrong, Elisabeth Farnese, pp. 207 and 209.

France apparently wished to be disassociated with the British blockade after it failed, alleging they had objected to it from the first. Afterwards in a memorial they “represented against committing such an hostility, for this reason among others, that it would be impossible to prevent both the galeoons and the flota from returning to Spain, which they say the event has justified.” In reply, the British observed that though the fleet had been sent without their consulting the French, France had appeared “more concerned for the success of this measure ... than any body here; that when the court of Spain applied to them ... the French ministers, far from dissuading it, approved what we had done, and even prest us to persist in it with all possible care and application.” Newcastle to Walpole, Whitehall, 18 March 1727, Legg, Diplomatic Instructions, IV, 226.

²Newcastle to Walpole, Whitehall, 8 September 1726, Legg, Diplomatic Instructions, IV, 198-99. Newcastle in this letter refers to Walpole’s private letter of 30 August/10 September and repeats Walpole’s report on Fleury’s proposal.
acceding to the Hanover treaty, since the Ostend Company was their chief grievance and main reason for joining the Hanover Alliance. The British had feared that once the Spanish treasure ships were allowed to return unmolested, there would be nothing to stop the Imperialists from using the money to carry out "their pernicious designs." ¹

France, however, persevered. A series of proposals and counterproposals were exchanged between Spain and the Emperor on one side, and France, Great Britain and the United Provinces on the other, the winter of 1727. The Hanover allies proposed a cessation of all hostilities, a ten-year suspension of the Ostend Company's East India trade, an agreement to accept the regulations regarding rights and possessions as stipulated in the treaties of Rastadt-Baden, Utrecht and the Quadruple Alliance, and a seven-year truce. In return the Emperor offered a six-months' cessation of hostilities which would commence the day a new congress was called to settle the current differences. Gibraltar would remain in whatever state it was in at the time these articles were ratified until the matter was brought before the congress. Charles VI left open the idea of suspending the Ostend Company's charter with the exception of the ships which had left before the cessation. They were to return unhindered from the Indies as were the Spanish galleons. ²

The final version of the Preliminary Articles was an amalgamation of articles acceptable to both sides. The Ostend Company's charter was to be suspended for seven years. The contracting powers were to accept the conditions regarding the rights and possessions established by treaties and conventions prior to 1725. The latter agreement included commercial

¹ Legg, Diplomatic Instructions, IV, 199-200.
² Historical Register, XIII, 51-52.
privileges of the Maritime Powers and France, and permitted the unchal-
lenged return of the Spanish galleons and those ships of the Ostend
Company already at sea. All hostilities were to cease for seven years.
This would allow time to settle the conflicting interests. A congress
was to meet four months after the signing of the articles to determine
the respective rights of the contracting parties. It would follow the
ceremonial adopted at the Congress of Cambrai.¹

Convinced that Charles VI was playing for time in these negotia-
tions, the Hanover allies sent the Emperor an ultimatum on 9 May, giving
him thirty days to accept or reject their final proposal.² If he chose
the latter, the only alternative was war.³ The Emperor signified his
approval 21 May and the Preliminaries of Peace were signed in Paris ten
days later.⁴

Spain, however, balked over raising the siege of Gibraltar and
insisted that England recall the British fleets from the West Indies and

¹Historical Register, XIII, 52-56.
²Wilson, French Foreign Policy, pp. 164-65.
³There was a difference of opinion in France whether Charles VI
would accept the Preliminaries. The cardinal appeared to think he would,
but both Morville and Marshal Berwick believed war was almost a certainty.

⁴Wilson notes as a face-saving gesture, the Emperor was allowed
to change a few words. Wilson, French Foreign Policy, p. 165.

Morville, Fonseca, Boreel and Horatio Walpole signed for France,
the Empire, States General and Great Britain, with the understanding the
ratification would follow in two months. Because Spain had no represen-
tative in Paris nor the British in Vienna, Horatio Walpole in Paris and
the duque de Bournonville in Vienna, signed special and similar declara-
tions in June which included the Preliminary Articles verbatim and their
signatures were witnessed and endorsed by the attending ministers. His-
torical Register, XIII, 144-46. See also Baillon, Lord Walpole, pp. 280-
83.
the Spanish coast. Nor was Spain willing to restore the valuable Prince Frederick, belonging to the South Sea Company, which had been seized at Vera Cruz. They wanted to wait until the congress met and British contraband to the Indies was considered. In view of the fact that Spain had moved her posts closer to the town and fortifications of Gibraltar, England was unwilling to recall the fleets or reduce the garrison at Gibraltar until Spain agreed to execute simultaneously their obligations with England.

Just as these difficulties were developing, the ministry in England was faced with a major crisis in government. George I had a paralytic stroke while en route to Hanover. He died at his brother's, the bishop of Osnabruck's house on 12 June 1727. None of the ministers enjoyed good rapport with the former Prince of Wales, who had been heard to call Robert Walpole a rogue and rascal, and Horatio, a scoundrel and fool. The duke of Newcastle had earned his displeasure when the old king had overruled his son's wishes and named Newcastle for his grandson's second sponsor. As for Townshend, George II believed it was because of "the warm of his temper . . . his scanty genius, the strengths of his passions and weakness of his understanding" that Europe was in such a sorry state of affairs.

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1 Conn, Gibraltar in British Diplomacy, pp. 90-91; Historical Register, XIII, 58-60.

The cargo on board the Prince Frederick was estimated to be worth two million livres sterling. See Schoell, Histoire abrégée, II, 215.

2 Conn, Gibraltar in British Diplomacy, p. 91.


When Horatio Walpole received the news, he informed Pleury, who advised him to return to London. He could then receive his orders in person from the new king, and fully explain the situation in France. On his arrival in England he found his friends uneasy about the future, particularly after George II announced his intention to appoint Sir Spencer Compton, head of the Treasury. Walpole was coolly received by George II, who was displeased at his leaving his post without orders. However after a two-hour audience in which Walpole thoroughly described the situation in France and delivered the cardinal's letter, the king's demeanor warmed perceptibly. On 4 July Robert Walpole was reappointed First Lord of the Treasury, Newcastle and Townshend remained Secretaries of State, and Horatio Walpole received new credentials. At George II's request he delayed his return to Paris for several weeks in order to assist with the king's first session of Parliament.

After Walpole returned to Paris he found affairs were taking a turn for the worse. Spain's refusal to raise the siege or give any indication of good faith threatened the new settlement. In addition, Charles VI, according to reports, was ignoring the stipulations in the Preliminaries regarding the Ostend Company by outfitting two more ships at Ostend. The British deduced from this that they should reinforce rather than withdraw their fleets as agreed in May.

1 Coxe, Lord Walpole, pp. 151-52.

For all his antipathy toward Horatio Walpole, Hervey thought this meeting between George II and Walpole helped turn the scales in favor of keeping the old ministry in office. Hervey, Memoirs, I, 41.


3 Newcastle to Walpole, Whitehall, 1 August 1727, Legg, Diplomatic Instructions, VI, 5.
The Vienna allies were not the only powers creating difficulties. The cardinal shook the relatively firm rapport between France and England with his decision to dismiss Morville from the office of Secretary of State. No doubt one reason Fleury decided on the change was to placate Philip V. Ever since the duc de Bourbon's decision to return the Infanta, Philip V had taken a strong dislike to Morville which was intensified by the latter's devotion to British interests. An equally strong motive was the cardinal's wish to strengthen his control over the administration. In place of Morville, Fleury appointed Germain-Louis Chauvelin, who was also Garde des Sceaux. Walpole was understandably disturbed by Morville's dismissal. But Fleury remained firm, claiming Chauvelin would be entirely devoted to him and completely under his direction. To convince Walpole of this point, the cardinal called Chauvelin in to declare in Walpole's presence that he would be working under Fleury's guidance to maintain his political system, and would do his best to be worthy of Walpole's confidence and friendship. Walpole was aware that Chauvelin's appointment might be an indication of a change in the cardinal's policy.

1 Wilson, French Foreign Policy, p. 177.
2 Coxe, Lord Walpole, pp. 162-63; Wilson, French Foreign Policy, p. 176.

Morville had offended the cardinal on various occasions, not the least of which was engaging in a cabal with the duc de Bourbon to unite the princes of the blood against the administration. Coxe, Lord Walpole, p. 163.

According to Horatio Walpole, Chauvelin became Garde des Sceaux through intrigue in Parlement. See Wilson, French Foreign Policy, p. 178, citing Walpole's letter to Newcastle, Paris, 16 August 1727, B.N., Add. MSS. 32751, fol. 246.

3 Coxe, Lord Walpole, p. 164.
4 Baillon, Lord Walpole, p. 311.
But on the basis of his long association with Fleury, he did not believe he was deceived in thinking the cardinal was as firm as ever in their common cause. ¹

Chauvelin came from a noble family, active in military and civil service. He was a lawyer, and at the time of his appointment, had been president à mortier of the Parlement of Paris.² He was reputed to be an authority in public law, partly because of his personal collection of valuable manuscripts on the subject. Fleury needed a law officer to help him with a domestic issue, that is, the acceptance of the bull Unigenitus. The cardinal was interested in enforcing religious conformity as laid down in this bull, but there were indications that the Parlement of Paris and the crown might come into conflict over this matter.³ In addition to being knowledgeable in law, Chauvelin was also an efficient worker. He had a quick mind and tongue, was witty but he lacked patience. For this reason, those who had to work with him, including foreigners, often found it easier to submit to his authority rather than challenge him and suffer his wrath.⁴

¹Wilson, French Foreign Policy, p. 181, citing Walpole's letter to Townshend, n.p., 26 August 1727, B.M., Add. MSS. 32751, fol. 296.
²Coxe, Lord Walpole, p. 163.
³Wilson, French Foreign Policy, pp. 177-78.
⁴Vaucher, Robert Walpole, pp. iii-iv. Vaucher notes on p. iv that Fleury found Chauvelin useful in another way. When contrasted with Chauvelin's tarnished image, Fleury appeared all the more innocent in the eyes of the British.

Wilson believes Chauvelin's appointment was Fleury's first step toward removing France's diplomatic dependence on England. Fleury gained great advantage from Chauvelin's brusquerie. He was able to conveniently combine the "actual unity of direction with an occasional show of what seemed to be divided responsibility." Wilson, French Foreign Policy, pp. 179, 187-88.
Chauvelin was never popular with the British ministers, but as long as Fleury remained in charge they felt they could successfully defend their interests. This belief was put to the test in the Rottembourg affair. In September, following Spain’s agreement to a public reconciliation with France, Brancas was appointed French ambassador to the Spanish court and Rottembourg was sent to Madrid as ambassador-extraordinary. Chauvelin prepared Rottembourg’s instructions. Fleury read a portion to Walpole which concerned the restoration of the Prince Frederick. However in his reading, the cardinal omitted additional instructions to the effect that Louis XV was demanding the restitution of the Prince Frederick only par un principe de fidélité and that Spain might consider other solutions including turning the ship over to a neutral power like the United Provinces. Walpole expressed some concern about the vessel but Fleury reassured him that France would stand by England’s pretensions in this affair. Orders were sent to Rottembourg on 3 and 10 November along the agreed lines. Walpole saw a draft of a letter from the French


2Wilson, French Foreign Policy, p. 175.

3Recueil des Instructions, Espagne, XII-2, 131-35; Wilson, French Foreign Policy, pp. 175-76. Rottembourg was also given to understand that Spain might be voted some compensation by the Congress for the loss of Gibraltar. Ibid.

4Coxe, Lord Walpole, p. 165.
ministers to Rottenbourg, the first part of December, where they explicitly stated that the allies could "never agree to have it discussed at the Congress, whether the Prince Frederick be a lawful Prize or no, nor whether his Majesty is to give satisfaction to Spain for the pretended damages which that crown may have suffered" as a result of the British fleet's presence in the West Indies.¹

Unlike France, the British had no one of ambassadorial rank at the Spanish court. William Stanhope had returned to England in March 1727.² Benjamin Keene³ had been appointed minister plenipotentiary at Madrid in September 1727 but was not accepted by the Spanish monarchs. Rottenbourg, therefore, acted for both France and England in Spain. His objective was to gain that court's acceptance of the Preliminaries. After some negotiations, Rottenbourg signed an article drafted by the marqués de la Paz⁴ by which Spain agreed to return the Prince Frederick on the condition that a congress should first decide whether or not Spain had the right to hold it as a security in view of the damages suffered from

¹H. Walpole to Keene, Paris, 2 December 1727; B.M., Add. MSS. 32753, fol. 76v.
²D.N.E., XVIII, 927-31.
³Benjamin Keene, son of a merchant, was appointed agent for the South Sea Company at Madrid and in 1724 was promoted to British consul. Through the influence of Robert Walpole he was given the higher post of minister plenipotentiary in 1727. Horn, British Diplomatic Representatives, p. 134; D.N.E., X, 1189-1190.
⁴Don Juan Bautista Orendayn, marqués de la Paz was Spanish Secretary of State for foreign affairs from 1724 to 1734. Wilson, French Foreign Policy, p. 425.
the British blockade. Keene and the Dutch minister, Van der Meer, both gave their reluctant consent to the article.¹

The British were incensed when they heard this news. From Keene's report, Walpole discovered that Rottembourg had "subverted the whole, and made his declaration a Guaranty in a great measure agreeable to the late extravagant propositions of Spain" which had been rejected earlier.² He complained to Chauvelin that Rottembourg had in effect made George II promise something neither he nor Broglie, the French ambassador, had put in writing.³ When Fleury began defending Rottembourg's actions on the grounds that the Conseil d'en haut had approved it and spoke of the French merchants' great need of the effects from the Spanish flotilla,⁴ Walpole asked if Rottembourg's honor should be placed before the commitments of Louis XV. Walpole suggested to Newcastle that one way to prod Fleury to take proper action was for the British and Dutch ministers to act together. This would show him their countries could not continue much longer in the present uncertain state in which they bore the expenses of a war without any end in sight.⁵

¹Armstrong, Elisabeth Farnese, p. 220; Conn, Gibraltar in British Diplomacy, p. 91.


³Ibid., fol. 197.

⁴Spain rigidly controlled its colonial trade and at regular intervals sent an escorted Flota from Cadiz to Portobello and Vera Cruz. French merchants were permitted to invest capital in this trade. When the ships returned to Cadiz and the cargoes on board were distributed, the merchants received a share in proportion to their investment. Lodge, "Treaty of Seville," p. 12.

The ministry adopted Walpole's idea and instructed him to show the cardinal "in a friendly, but Strong manner... the inconveniences that have and must arise to the Allies, from these repeated Disappointments and Delays, which make it necessary to support almost the Expen­ce of a War, without doing the same prejudice to those that are against us." Walpole was also to point out that it could be fatal to the Han­over Alliance if they did not act in concert. As a result of this pressure, Fleury chose to side with the Hanover allies and disavowed Rottembourg's agreement.

The first few months of 1728 were spent negotiating an act that would tactfully nullify Rottembourg's agreement and commit Spain to put the Preliminary Articles into execution. Elisabeth Farnese held out as long as possible but there were too many forces working against her. Philip V was ill at the Pardo; the Imperial minister was pressing for peace; Fleury was openly siding with England; and the Spanish treasury was too low to support anything except peace. The queen had no choice but to agree. According to the terms of the Convention signed at the Pardo on 6 March 1728, England agreed to withdraw the British fleets from Spain and the Indies, and to allow Spain to bring their complaints about contraband trade before the congress for adjudication. In return Spain

1 Newcastle to Walpole, Whitehall, 14/25 December 1727, Add. MSS. 32753, fol. 458v and Legg, Diplomatic Instructions, VI, 15.
2 Ibid.
3 Armstrong, Elisabeth Farnese, p. 220; Wilson, French Foreign Policy, p. 189.
4 Armstrong, Elisabeth Farnese, p. 221; Conn, Gibraltar in British Diplomacy, pp. 92-93; Wilson, French Foreign Policy, p. 189.
consented to lift the siege of Gibraltar, return the Prince Frederick, and restore British commerce to the conditions stipulated in the Asiento treaty and reaffirmed by the Preliminary Articles.¹

The Preliminary Articles and the Convention did not affect the polarization of Europe since both leagues remained intact and continued to actively seek new allies. Europe was an armed camp. Neither side dared give the other an advantage by decreasing its own military forces. The agreements, however, were significant for they officially brought an end to the hostile activities of Great Britain and Spain in particular. Had these continued they might have embroiled all of Europe in a war. With the guns temporarily spiked, the European powers had the opportunity to consider less militant methods for settling their disputes at the coming congress.

¹Historical Register, XIII, 146-49.

Fleury complained to Walpole about England's delay in sending "pleinpouvoirs" for signing the declaration at Madrid, fearing too long a delay could give rise to difficulties. Walpole explained that the full powers had been sent as quickly as possible. The council met the day after the declaration arrived in England, and a courier was dispatched to Paris the same day it was approved. The only change they had made was to insert a clause making it reciprocal, that both kings were under mutual obligation in respect to matters discussed and decided at the Congress. Walpole expressed his mortification over the reference in Fleury's letter that the world was surprised over their delay, and asked the cardinal what would the world think of England if the king and his ministers had not included their reasonable and just demand for reciprocity. Fleury to Walpole, Versailles, 20 February 1728, Walpole to Fleury, London, 15/26 February 1728, A.A.E., Corr. Pol, Angleterre, Supplement 364, fols. 51-56, 150-54.

Parliament was in session considering the National Debt when the news reached England. Robert Walpole had the floor, answering a charge from the Opposition to give an account of the money spent in secret service. After receiving word from Townshend that Spain had signed the Convention, he immediately informed the House and claimed the money had been spent in obtaining peace. Coxe, Memoirs of Sir Robert Walpole, I, 296-97; Cobbett's Parliamentary History, VIII, 647-50.
CHAPTER IV

THE CONGRESS OF SOISSONS: AN UNSUPPORTED PROMISE

The concept of a congress as a vehicle for peacefully resolving the problems of Europe was antithetical to political realities. As the Congress of Cambrai clearly revealed, very little could be accomplished without the active support of the participating members. This, of course, was difficult when national interests took precedence over that of the European community. In fact support for a congress was directly related to whatever promise it offered of advancing, or at least protecting, special interests. Thus some nations had reservations about the wisdom of calling such a convention. This was the case after the Preliminary Articles were signed and the contracting powers agreed to hold a second congress. No amount of rhetoric could dispel the doubts troubling more than one government. Even among the Hanover allies there was a deep distrust arising from disparate aspirations and unequal dependence. The British and Dutch governments were particularly vulnerable to any adverse disposition of their affairs. Unlike France, they had to answer to their people for political policies.

In England writers in anti-government publications such as The Craftsman and members of the Opposition played up the latent distrust of France. For this reason, Horatio Walpole, in his parliamentary defense of the ministry's unpopular policy of maintaining troops in peacetime, adroitly avoided any reflection of France's token support of
Britain's territorial and commercial interests. These interests included the retention of Gibraltar and the trading privileges which had been granted at Utrecht in 1713 and confirmed by subsequent treaties. The abolition of the Ostend Company was of more recent origin and was part of the Preliminary Articles. George II, as elector of Hanover, was concerned with the affairs of the Empire, particularly in continuing as a co-administrator of Mecklenburg. Any of these rights could be disputed at the Congress. Great Britain needed their allies' support to protect and defend these interests.

One difficulty for England was that some of these rights were eroding the good relations with France and the States. Britain's extraordinary advantages in commerce, as Walpole observed, produced "a popular clamour & has had a great effect upon the subjects of Holland & France." If these were formally discussed at the Congress, he predicted England could be greatly embarrassed. Trade was a major concern for all the powers because it produced the money for armies which in turn increased the ability of princes and nations to serve their own interests. The large trading companies wielded considerable political power. Both the

1. Historical Register, XIII, 77-78.


3. Ibid.

4. Daniel Defoe, A Plan of the English Commerce being a Compleat Prospect of the Trade of this Nation, as well the Home Trade as the Foreign (2nd ed., [1730]; Reprints of Economic Classics, New York, 1967), pp. 54 and 68.
East India Company\textsuperscript{1} and the South Sea Company were hand-in-glove with the government, influencing foreign policy whenever their commerce was involved.\textsuperscript{2}

With so much at stake, England preferred doing without a congress and negotiating directly with the ministers then assembled in Paris. Cardinal Fleury, however, was adamant on this point. He did not share Britain's fear that the Congress would waste valuable time and increase Europe's problems. The British ministry therefore instructed Walpole to do what he could to shorten the period the Congress would meet. It was left to his discretion whether he should hint to the cardinal to set a closing date.\textsuperscript{3}

Unlike the British, the Dutch were in favor of a congress and thought it the best means for obtaining a permanent peace in Europe.\textsuperscript{4} Their major concerns were the abolition of the Ostend Company, the execution of the Barrier Treaty, and the recognition of their century-old right to maintain a garrison in the town of Emden. In addition, they

\textsuperscript{1}L. S. Sutherland, "The East India Company in Eighteenth Century Politics," \textit{Economic History Review}, first series, XVII, no. 1 (1947), 23.

\textsuperscript{2}British commerce apparently suffered some loss at this time according to Charles Wilson who notes her financial position was more critical than the figures on visible trade would indicate. See Wilson's article "Treasure and Trade Balance," \textit{Economic History Review}, second series, II, no. 2 (1949), 159.

In England, the French ambassador, François-Marie, comte de Broglie, reported that the British appeared to have less money. France replied that this might be due to a diminishment of their commerce. Broglie to [Chauvelin], 18 June 1728 and [Chauvelin] to Broglie, 24 June 1728, A.A.E., Corr. Pol., Angleterre, 362, fols. 236-40, 245r-v.

\textsuperscript{3}Newcastle to Walpole, (private) Whitehall, 14/25 March 1728, B.M., Add. MSS. 32754, fol. 502r-v.

thought the Congress should settle the issue of the Emperor's succession and establish the Spanish princes in Italy as stipulated in the Quadruple Alliance. Neither of their allies agreed with them on these last two points. England was afraid it would lead to a general discussion of European problems and France refused to consider being a guarantor of the Imperial succession.¹

France had different reasons than the States for desiring the Congress. Not having any concern beyond that of protecting their merchants' goods from being unfairly taxed when the Spanish galleons returned, France was free to make the most of any opportunity to improve their relations with other powers. Fleury professed to ask nothing from France's neighbors except peace.² For Horatio Walpole, there were two dangers in this situation. One was that since France had nothing to lose, they might wish to continue the Congress indefinitely. Fleury's refusal to consider setting a termination date gave support to this thesis, though Chauvelin offered a plausible explanation. If the Spanish galleons were to return after the close of Congress, it might endanger the return of the effects on board which would be a blow to the wealth of France. The second danger was that "the more uncertain, loose, or undetermined the rights and pretentions of England and Holland ..., the more dependent they will be on France."³ Walpole was convinced that Britain's dependence on France

¹Wilson, French Foreign Policy, p. 192.
²Ibid., p. 105.

Wilson notes that Antoine Pecquet, the younger, premier commis, in his memorial, advocated spinning out the Congress. See Wilson, French Foreign Policy, p. 199.
was the real objective of some Frenchmen, excluding the cardinal. Re-
resenting England's wealth and commerce, they planned to foment jealousy
in the Dutch republic and in this way isolate England by detaching the
United Provinces. This would allow France to assume the direction and
ascendancy in European affairs.  

Because of this general distrust of French foreign policy, the
British felt it was all the more important to keep their one friend in
the French ministry firmly on their side. They therefore instructed
Waldegrave, who was filling in for Walpole, to agree to any site for the
Congress that Fleury thought convenient, providing the other powers agreed. The Imperial minister suggested Paris but the cardinal opposed it, feeling
"it would make him liable to more Business than he could bear." He
rejected Cambrai on the grounds of inconvenience. Being a fortified com-

Horatio Walpole received a copy of an intercepted letter from
Chauvelin who suggested the Congress be spun out by bringing up the matter
of George II's engagement to the duke of Holstein of an equivalent for
Schleswig. Newcastle to Walpole, (private) Whitehall, 29 April/10 May
1728, B.M., Add. MSS. 32755, fol. 386 and Legg, Diplomatic Instructions,
VI, 22-23.

1 Walpole to Newcastle, (private), Paris, 3/14 April 1728, B.M.,
Add. MSS. 32755, fol. 205r-v. He named Marshal d'Huxelles as the private
head of this group to win Dutch support by showing how advantageous it
would be for them to side with France rather than England. Walpole to

Nicholas de Lave du Blé, marquis d'Huxelles, was both a diplomat
and a French marshal. Under the Regency he was president of the Conseil
des affaires étrangères. Grand Larousse Encyclopédique, 10 vols. (Paris,

2 Newcastle to Waldegrave, Whitehall, 15/26 February 1728, B.M.,
Add. MSS. 32754, fol. 306r-v. Walpole had returned to England for the
opening of Parliament.

3 Newcastle to Waldegrave, Whitehall, 2/13 February 1728, Walde-
grave to Newcastle, Paris, 17/28 February 1728, ibid., fols 208r-v,
322r-v.
hours and sending out their dispatches. All the powers accepted his choice of Soissons, situated twenty-two leagues from Paris. Fleury and the other ministers could commute between the two places whenever necessary.

In a conference between Fleury, Walpole and the Dutch ministers regarding procedures for the Congress, the cardinal proposed that Spain might prefer to give their pretensions relating to England to the Imperial ministers, who would pass them on to France. England would receive them from France and return their answer along the same route. Walpole immediately rejected the proposal, claiming it had too much of an air of mediation. He thought if Spain continued to be fractious toward England, France could lend their good offices to ease the situation, but any proposition submitted must be in the name of all the allies. He believed the British and Dutch plenipotentiaries should assert firmly in their conversations with the French ministers that France, as far as the rights of

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1 Waldegrave to Newcastle, Paris, 17/28 February 1728, B.M., Add. MSS. 32754, fol. 322r-v.

2 Horatio Walpole's Report on the Conference, 12/23 March 1728, B.M., Add. MSS. 32754, fol. 485. Chauvelin reported later that the reason Soissons had been chosen instead of Paris was to prevent the Spanish faction at the French court from interfering and misrepresenting the disposition of France to the Spanish plenipotentiaries. Foyntz to Delafaye, Paris, 30 May/9 June 1728, P.R.O., S.P. 78/188, pt. 1, fol. 128v.

the British monarch and the United Provinces were concerned, was a party and a guarantee, not a mediator.  

The allies, however, accepted two other proposals from Fleury. The first concerned the ceremonial and police rules which would prevent any disorder during the Congress. The plenipotentiaries in Paris adopted the regulations followed at the Congress of Cambrai, excepting the part referring to a mediator. The second was that all demands and answers should be made in writing in order "to avoid the warmth of verbal debates."  

Hoping to protect their flanks by predetermining the matters for consideration, the British repeatedly pressed the cardinal to agree to a plan of action. Walpole pointed out to Fleury the advantage of having a written plan of instructions for the plenipotentiaries to observe at the Congress which would be based on the Preliminary Articles. He felt this would deter Charles VI from attempting to separate the allies, if not make him more reasonable in regard to the Ostend Company. Moreover it would discourage Spain from drawing up any extraordinary pretensions. To give weight to his argument, Walpole observed that such a plan would reassure the Dutch who were becoming uneasy over the lack of agreement among the allies. Though Fleury agreed in principle that the Preliminaries should

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be the basis of the Congress, he was reluctant to put the particulars in writing. His reason was that such an agreement could not remain secret for long, given the nature of the Dutch government. Neither Walpole nor Newcastle accepted this. Newcastle thought a document could be drawn up by the ministers in Paris that would not have to appear before the States General.¹

Throughout the spring of 1728 Fleury listened to Walpole's repeated remonstrances on England's behalf. But they had little effect beyond the cardinal's verbal assurance that France would remain true to their obligations in their joint treaties. Fleury agreed to the proposal for similar instructions to allow the plenipotentiaries to act as one at the Congress.² However the instructions drawn up by the French ministers and described by Chauvelin were in general terms based on a strict adherence to France's engagements and those of their allies. No reference to particular matters was included. Chauvelin indicated this was in accordance to Fleury's orders. The cardinal did not think it possible to commit himself in advance and planned to send orders only when a specific pretension was raised at the Congress. This was a feasible solution for the cardinal, considering the short distance from Soissons to Compiègne or Versailles,³ but it placed the allies at a distinct disadvantage. When Walpole saw the French instructions in writing he found them even more

¹Newcastle to Walpole, (private) Whitehall, 21 March/1 April 1728, B.M., Add. MSS. 32755, fol. 59v.
general in tone than Chauvelin had indicated. They tended to prescribe France's good offices rather than pledge their acting in harmony in a common cause.¹

The British and French ministers in Paris tried to minimize the differences in their respective instructions. Neither power wished to endanger the prospect of a general peace and both were concerned about their commercial interests. They found agreement on the abolition of the Ostend Company but not on the issue of Gibraltar. England, considering this point already settled by the Hanover treaty and the Preliminary Articles, instructed Walpole to reject any mention of the place.² But France could see no way of preventing Spain from raising this point at the Congress. Fleury did not want to aggravate Spain by refusing to support the restitution of Gibraltar and thus endanger French commercial interests, nor did he wish to alienate England by pressing for its return to Spain. Under these circumstances the cardinal tried to be as noncommittal as possible.³ However the British ministers finally obtained a new declaration from the French king, though it fell short of their request. He informed his plenipotentiaries

of his indispensable obligation . . . to maintain His Majesty in the Possession of Gibraltar, and an Instruction to them to represent jointly with the Allies to the Ministers of Spain, that the King's Right to that Place is so clearly and

¹Walpole to Newcastle, (private) Paris, 1/12 May 1728, B.M., Add. MSS. 32755, fol. 416r-v.

²Newcastle to Walpole, (private) Whitehall, 21 March/1 April 1728, ibid., fols. 61v-62.

³Wilson, French Foreign Policy, p. 198; Conn, Gibraltar in British Diplomacy, pp. 95-96.
unalterably established by the Treaties antecedent to the year 1725... that it cannot be called in doubt.¹

They also agreed that the Congress should consider the issue of contraband trade and the restitution of prizes. Fleury believed Spain had the obligation to return the British ship, the Prince Frederick, but he also thought this should be the occasion to propose remedies for contraband trade which increased British profits at the expense of other powers including France.²

In view of Fleury's vacillation over what the British considered their unquestionable rights and privileges, the ministers in England turned their attention to the United Provinces. Lord Townshend and Slingelandt, the Pensionary, exchanged letters and papers, outlining the objectives and points to be considered at the Congress. They agreed that their respective ministers in Paris should coordinate their instructions for the plenipotentiaries. Great Britain promised to second the Republic on matters such as the affair of Emden, which could not be considered as properly included in the Preliminary Articles, in return for Dutch support of George II's interests in the Empire, should they come before the Congress.³ Walpole favored this development. He thought if the king and


²Wilson, French Foreign Policy, p. 197.

Pensionary could agree to concert on these affairs, it would bring the cardinal over to their way of thinking. Walpole also thought that the closer England and the States could act, the more difficult it would be for France to come between them.

Great Britain soon learned from their allies that the protective umbrella, the Preliminary Articles, was not without holes, the largest one being the word "pretensions." At the time the Preliminaries were drawn, the English understood it to refer only to contraband trade. They had rejected Rottembourg's attempt in 1727 to expand its meaning to include "unreasonable demands." Therefore when Walpole met with Fleury to discuss how the reciprocal pretensions were to be handled at the Congress, he was staggered by the cardinal's suggestion that Spain would probably renew her demand for indemnification of the English blockade of Portobello. The British thought the Preliminaries had effectively blocked such action, however the Pensionary saw nothing in the declaration signed at the Pardo which prohibited Spain from bringing any pretensions, just or unjust, to the Congress. According to Slingelandt, the only way to stave off such an attempt was for Fleury to impress the


5 Newcastle to Walpole, (private) Whitehall, 29 April/10 May 1728, ibid., fol. 384.
Imperial ministers that such an action on the part of Spain would compel England to publish the reasons for stopping the galleons. This would neither please the court of Vienna nor advance a general peace. The British ministry agreed with the Pensionary's conclusion. They predicted if Spain were to pursue this course it could break up the Congress.¹

In April Walpole pressed the British ministry to send over at least one of the plenipotentiaries to assist him in the negotiations being carried on in Paris for the coming Congress.² Approximately a month later William Stanhope and Stephen Poyntz arrived in France.³ Both men were experienced diplomats. Stanhope had served as Britain's ambassador at the Spanish court for seven years until a rupture between the two countries forced his recall in 1727. On his return to England in March he was appointed vice-chamberlain and a member of the privy council.⁴ He had one political liability; his older brother Charles had been secretary to the Treasury in the former administration and had lost his post as a result of the South Sea crisis. However the fact that the duke of Newcastle and the earl of Chesterfield were also kinsmen more than offset whatever negative association this may have had for Robert Walpole and Townshend. Broglie reported that Stanhope was a man of consequence, who, before leaving for France, had had several private conferences with the

¹Newcastle to Walpole, (private) Whitehall, 29 April/10 May 1728, B.M., Add. MSS. 32755, fols. 384-85.
³Walpole to Newcastle, Paris, 30 April/11 May 1728, ibid., fol. 413.
⁴B.M., XVIII, 927-31.
king and enjoyed his confidence. Stephen Poyntz, like Horatio Walpole, received his education at Eton and King's College, Cambridge. He obtained his M.A. in 1711, two years ahead of Walpole. Poyntz's connection with the ministry was through Lord Townshend. Poyntz had been a tutor for Townshend's sons and his confidential secretary when Townshend was at The Hague. The latter position was Poyntz's introduction to diplomatic service. In 1724 Poyntz was appointed envoy-extraordinary and plenipotentiary to Sweden.

The three ministers reportedly worked well together. Poyntz commented on the perfect harmony between himself and his colleagues. Stanhope informed Newcastle that though he occasionally disagreed with Horatio's opinions, no one should think they did not get along well. He maintained they lived in strictest friendship and cordiality. Excluding the French delegation, Poyntz boasted that the British commission was the only one to enjoy a good understanding. They were careful to keep each other fully informed, particularly when separated, by making copies of the dispatches from England and forwarding them to Soissons or wherever the other members were situated. Whenever possible they all signed the

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2 D.N.B., XVI, 278-79.

3 Poyntz to Delafaye, Paris, 8/19 May 1728, P.R.O., S.P. 78/188, pt. 1, fol. 103.

4 Stanhope to Newcastle, Soissons, 20 June/1 July 1728, B.M., Add. MSS. 32756, fol. 356r-v.

5 Poyntz to Delafaye, Soissons, 21 June/2 July 1728, P.R.O., S.P. 78/188, pt. 1, fol. 162v.

joint dispatches drawn by Walpole. Should one of them differ with the opinions expressed in the official dispatch, he would send a private letter giving his views in the same diplomatic pouch.

The Dutch ministers were less communicative with one another than the British. Walpole noted that Van Hoey was kept in the dark on some matters by his colleague Mr. Pesters. Of the two, Walpole much preferred working with Mr. Pesters because Van Hoey fawned on the French ministers and was ready to agree to anything the cardinal or Garde des Sceaux proposed. If Van Hoey had to choose between supporting Walpole or Chauvelin, Walpole was certain he would side with Chauvelin, regardless of any instructions he might receive from the States General. Walpole thought this attitude could give the cardinal a poor impression of any joint opinion put forward by the British and Dutch plenipotentiaries. Sicco van Goslinga, who arrived in June, was therefore a welcome addition to the Dutch commission. Walpole found him an "open, honest, & sensible Minister, [who] gave me the strongest assurances of acting in concert with His Majesty's Plenipotentiary's [sic] during the Congress."

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1 Walpole to [Tilson], Paris, 19/30 July 1728, Bradford-Lawrence, Townshend Papers.


3 According to the Repertorium, Ernst Pesters was chargé d'affaires from 17 June 1727 to 10 April 1728. Abraham van Hoey, the Dutch ambassador, was first dispatched 24 November 1727 and was recalled 30 May 1747. Repertorium, II, 243.


5 Walpole to Newcastle, Paris, 11/22 May 1728, ibid., fol. 531v.

6 Walpole to Newcastle, Compiègne, 30 May/10 June 1728, B.M., Add. MSS. 32756, fol. 144v.
The Spanish delegation appeared the least united, reflecting in part the uncertain state of political affairs in Spain. The marqués de Santa Cruz, a cordial and well-intentioned Spaniard, thought it was in Spain's true interest to improve relations with England, an idea Walpole endorsed and encouraged by going out of his way to cultivate his friendship. The Spanish minister responded by sharing with him his belief that the Emperor had no intention of living up to his promises to Spain, not even in regard to Don Carlos's succession in Tuscany. Santa Cruz had a similarly low opinion of his fellow ministers. He thought Barrenechea "a cunning little designing Minister, without any knowledge of affairs" and claimed that the duque de Bourronville, head of their commission and Spanish ambassador at Vienna, was completely under the influence of the Imperial ministers. In his opinion, this was not necessarily consonant

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Goslinga, an experienced diplomat, was one of three plenipotentiaries representing the United Provinces at the Congress. The other two were Cornelius Hop, former ambassador to the French court, and Steven Hurgronje. Nieuw Nederlandsch Biografisch Woordenboek, eds. P. C. Molhuysen and P. J. Blok, 10 vols. (Leiden, 1911-37), II, 601-602; III, 623-24; VIII, 625-26.

1 Walpole to Newcastle, Paris, 25 March/5 April 1728, B.M., Add. MSS. 32755, fol. 98.

Barrenechea may have been cunning but he also had a sense of humor. Poyntz reported that Barrenechea in jest offered to recommend some servants for the British ministers, an offer they politely refused. Poyntz to Delafaye, Paris, 8/19 May 1728, P.R.O., S.P. 78/188, pt. 1, fol. 104v. However the British gratefully received and rewarded Barrenechea's secretary who slipped them abstracts of memorials and instructions sent to the Spanish ministers. Stanhope and Walpole to Newcastle, (very secret) Paris, 2/13 July 1728, ibid., fols. 190-91.
to the best interests of Spain. The difficulty for the Spanish commission was that only Bourronville had the confidence of the queen, and thus full knowledge of Spain's intentions. Rather than share this information with his colleagues, he assigned each minister a separate area of the negotiations. Bourronville may have thought he had no choice, if he wished to keep Spain's plans for the Congress a secret, but his actions increased the dissension and dissatisfaction of his colleagues. The British and Imperial ministers were quick to profit from the situation by playing on the ideological fears and loyalties of the individual ministers.

To those on the outside, the Imperial commission appeared similarly divided. But here there was a question whether their disunion was more simulated than real, the objective being to keep the allies in a constant state of suspense. For no apparent reason Baron Pentenriedter and Count Sinzendorf seemed to switch their positions and behavior. Before Sinzendorf's arrival in Paris, Pentenriedter had been "pacifick, moderate and calm" in manner. But later, in a conference with the cardinal and Count Sinzendorf, Pentenriedter assumed a haughty and imperious attitude, even

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3 Philipp Ludwig, Count von Sinzendorf was the Austrian Chancellor and a plenipotentiary to the Congress. The Repertorium indicates he arrived in July 1728 but judging from Walpole's letters, he was in Soissons when the Congress opened. Repertorium, II, 61.

daring to contradict Sinsendorf, the Imperial Chancellor. Sinzendorf also changed his personality. Fleury thought him "the most extraordinary Minister he had ever seen" for where he had talked the day before "in the most haughty and menacing Strain, was on a sudden all Honey and Sweetness; ... with many half and broken Sentences (as is his Way)." On the same occasion Pentenriedter assumed a sneering and offensive tone, Sinzendorf would adopt a quiet manner, letting his subordinate run unchecked. The British ministers thought the erratic behavior of the two Imperial ministers might have been a deliberate attempt to intimidate Fleury. Whatever the reason, the Imperial ministers expended more time and energy in rhetoric than in business.

The French commission as Poyntz observed, was really three in one, the one being Fleury. Walpole had great affection and admiration for the cardinal. He was fully convinced of his integrity and good intentions toward England. However he recognized Fleury's short-comings, not the least of which was his natural caution and timidity, attributable to his

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1 Stanhope, Walpole and Poyntz to Newcastle, (very private) Soissons, 21 June/2 July 1728, E.M., Add. MSS. 32756, fol. 386v.

2 Stanhope, Walpole and Poyntz to Newcastle, (very secret) Soissons, 9/20 June 1728, ibid., fols. 239v-40.

3 Stanhope, Walpole and Poyntz to Newcastle, (very private) Soissons, 21 June/2 July 1728, ibid., fols. 387v-88 and 389v.

Baron Fonseca, the Imperial ambassador at Paris, seems to have assumed little initiative in these affairs. After Baron Pentenriedter's unexpected death in July, Fonseca took his place at the Congress. Historical Register, XIII, 224.

4 Poyntz to Delafaye, Soissons, 21 June/2 July 1728, F.R.O., S.P. 78/188, pt. 1, fol. 162v. The other two members were the conte de Brancas Céréste, French ambassador to Sweden and the marquis de la Mothe-Fénelon, French ambassador at The Hague. Satow, A Guide to Diplomatic Practice, II, 43.
advanced age. 1 After meeting the cardinal for the first time, Stanhope and Poyntz returned mixed reports. Stanhope agreed with Walpole that Fleury meant well, but he heartily deplored his lack of vigor and spirit. 2 Poyntz thought the cardinal honest, sincere, and direct in his speech, and was concerned to find such strong marks of age, making him appear worn-out. 3

Whether or not justified, Fleury's age was blamed for his apparent passivity. Townshend, ever a man of action, complained that if the cardinal were really alive, he would be more responsive to masterly reason. Realizing there was no way of making Fleury younger or inspiring him with vigor, Townshend thought the only way to bring him around to their way of thinking was to show him that Europe was behind them. It was Townshend's impression that the cardinal loved being on the popular side of a question. 4

Few if any of his contemporaries thought of Fleury in terms of statesmanship. Lord Hervey considered him at best a prudent minister, "disinterested and conscientious, candid, open, steady; and unfeignedly pious," but he "was not a man of the first-rate parts, the brightest talents, or the utmost elevated genius." 5 Perhaps one reason Lord Hervey

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2 Stanhope to Newcastle, Paris, 8/19 May 1728, B.M., Add. MSS. 32755, fol. 519r–v.
3 Poyntz to Delafaye, Paris, 8/19 May 1728, P.R.O., S.P. 78/188, pt. 1, fol. 103v.
4 Townshend to Walpole, Hampton Court, 18/29 July 1728, Bradfer-Lawrence, Townshend Papers.
5 Hervey, Memoirs, I, 83.
was unimpressed by Fleury was that many in England thought the cardinal completely governed by Walpole.¹

But for all his years, his lack of vigor, and his moments of indecision, Fleury's influence was recognized by the European powers. Nothing his allies could say prevented other governments from treating the cardinal as they would a mediator and sending their foreign ministers to confer with him. He became the sounding board for self-serving arguments and the channel for tentative proposals. His proclaimed policy was peaceful conciliation. He posed no problems except in the few instances where French interests were concerned.

Chauvelin, the Garde des Sceaux and Secretary of State, assisted Fleury. Though not a member of the French commission, he was active in foreign policy, drawing up memorials for the cardinal on proposals and possible negotiations. Unlike Fleury, Chauvelin was neither liked nor trusted by the foreign ministers. Walpole thought him

an eloquent Litigious Lawyer, that thinks the Business of negociating is disputing and endeavours to take advantage of everything, I believe he has no Principles at all, & if he has, I apprehend they are not at all favourable to us,


Historians, while acknowledging Fleury's charm and air of simplicity, maintain there was more beneath the surface than contemporaries observed. He has been described as avid for prestige and power, a man who would brook no rivals and thus his ministers were generally little more than submissive clerks. He took pleasure in foreign negotiations, in duping foreign ministers including Horatio Walpole, and in cunningly making a profit from his apparent timidity. He was devoted to his king and country, and in their interests employed whatever artifice the occasion demanded. Plumb, Sir Robert Walpole, II, 137-38; Vaucher, Robert Walpole, pp. iv-v, 120-21, 292; Wilson, French Foreign Policy, pp. 95-100.
... he is all Subjection and Obedience in his Eminence's Presence; but haughty and positive when he is not by.  

Chauvelin's eloquence was not necessarily an advantage. Poyntz indicated that he spoke so fast, his thoughts could not keep up with his words and this weakened the impact of his smooth expressions. Another reason the British ministers distrusted the Garde des Sceaux was the anglophobia he occasionally revealed in his conversation. While Chauvelin did not always oppose Britain's interests, his support appears to have been the exception rather than the rule. For the British, he was an obstacle around which they worked. They listened to his arguments in order to learn what advice he was giving the cardinal. The final authority however was always Fleury.


Baillon thought Walpole's portrait of Chauvelin was the exception to his usual impartial descriptions, that is he treated him severely and with some exaggeration. Baillon, Lord Walpole, p. xxi.

See above, p. 84, regarding Chauvelin's appointment.

2 Poyntz to Delafaye, Paris, 8/19 May 1728, P.R.O., S.P. 78/188, pt. 1, fol. 103.

3 Poyntz to Townshend, Paris, 20/31 May 1728, Bradfer-Lawrence, Townshend Papers.

Historians agree to some extent with the British ministers' evaluation of Chauvelin. He did dislike the English, however Wilson believes that it was Fleury who influenced Chauvelin rather than the opposite as Walpole maintained. Wilson claims Walpole was unwilling to admit he had been mistaken in the cardinal and had been duped. He therefore laid the blame on Chauvelin for wheedling the cardinal into accepting an anti-British policy. According to Vaucher, Chauvelin was suspicious of British proposals and he looked for ways to shake off the yoke of the English alliance. In this respect his policy differed from that of Fleury. See Wilson, French Foreign Policy, pp. 183-84; Vaucher, Robert Walpole, p. 31.
Even though the foreign ministers flocked around the cardinal, Fleury had neither the resolution nor the personality to compel them to agree on the agenda for the Congress. The Preliminary Articles supposedly laid the groundwork, but the arguments for circumscribing the meaning of "pretensions" revealed flaws in its construction and thus eroded its authority. Moreover the Hanover allies exhibited a double standard. Great Britain, for example, was adamant that Spain should abide by the Preliminaries when drawing up their demands. But when it came to British affairs, England was willing to bend the rules and agreed to support Dutch demands not covered by the Preliminaries, in return for similar favors. Without some basic agreement on what matters were to be considered by the Congress, there was little chance of its playing a determining role for peace. Meanwhile the European powers scrambled to make what profit they could while affairs remained in a state of flux.

Spain had two major grievances against England, the restitution of Gibraltar and the practice of contraband trade. Britain was willing for the Congress to consider the latter, with the understanding it would be reciprocal. Both sides would enter their complaints on the issue, present their evidence and abide by the verdict. The British counted on the protection of their treaties. Whatever they lost as a result of Spanish pretensions they expected to recoup when they presented their own list of grievances. England was not as cooperative on the question

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1See above, p. 100.

2Instructions for William Stanhope, Horatio Walpole and Stephen Poyntz, Plenipotentiaries to the Congress to be held at Soissons, St. James', 30 April/11 May 1728, B.M., Add. MSS. 32756, fols. 70v-73; Legg, Diplomatic Instructions, VI, 31-34.
of Gibraltar. The British position was that the Preliminary Articles and
the Act of Pardo clearly precluded the Spanish court from raising this
point at the Congress.¹ There was no question that Spain thought other­
wise. For this reason Walpole took the precaution of sending for a list
of all the mutual defense treaties George I had signed with states and
princes of Europe.² From these and the extracts of the articles of
guarantee, he could build a case on behalf of England should Spain
manage to bring it to the Congress. Charles VI, however, was unlikely
to support Spain's claim to Gibraltar. According to Pentenriedter, he
had only promised his good offices for its restitution. Nor could the
Emperor do more than this, as Walpole reminded the Imperial minister,
considering the fact that Charles VI was one of the guarantees of Eng­
land's right to Gibraltar by virtue of former treaties.³

England's obstinacy was not without hazard. As Poyntz observed,
should they succeed in carrying their point of Gibraltar, Spain would try

¹ Newcastie to Walpole, (private) Whitehall, 14/25 March 1728,
B.M., Add. MSS. 32754, fol. 499v.

² Walpole to Delafaye, Paris, 19/30 May 1728, P.R.O., S.P. 78/188,
pt. 1, fols. 116-17. Walpole suggested Benjamin Keene in Spain be sent
a similar list.

³ Walpole to Newcastle, Paris, 9/20 March 1728, B.M., Add. MSS.
32754, fol. 463r-v.

On the other hand, if the Vienna allies insisted on making the
demand for Gibraltar, the British thought it would allow them in turn
"to make as many Demands upon the Emperor & Spain, as there can be the
least colour or foundation for." These would include the grievances of
the princes of the Empire and the rights of Italian princes. Newcastle
to the Plenipotentiaries, Whitehall, 3/14 June 1728, B.M., Add. MSS.
32756, fol. 155r-v.
to bring them to submission by injuring their commerce. 1 Doubts had al­ready been raised in England, particularly by members of the Opposition. In 1727 The Craftsman had asked whether Gibraltar really secured Britain's commerce to Italy, Africa and the Levant, and questioned the cost, espe­cially when friends and enemies thought it should be returned.2 These speculations were passed on to Fleury who shared with Walpole Broglie's report that Britain's wealthiest merchants thought Gibraltar should be restored to Spain. Walpole conceded there were some of this opinion in England but their numbers were few in comparison to the bulk of the popu­lation who thought otherwise.3

Some powers thought the problem of Gibraltar could be solved by the offer of an equivalent. Walpole firmly denied the possibility when the matter was brought up.4 Poyntz, on the other hand, thought England would suffer no injury should Spain offer them "in an amicable manner" an equivalent for Gibraltar and agree to leave it in their possession until

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2 The Craftsman, I, no. 34, 218, Friday, 7 April 1727; ibid., no. 36, 220-23, Monday, 10 April 1727.


Walpole's reply apparently made little impression on the French ministers. They agreed with Broglie's observation that the British min­istry, by the way they interpreted the issue, had been among the first to put almost invincible obstacles in the way of returning Gibraltar. [Chauvelin?] to Broglie, n.p., 24 June 1728, A.A.E., Corr. Pol., Angle­terre 362, fol. 244v.

4 Walpole to Newcastle, Compiègne, 30 May/10 June 1728, B.M., Add. MSS. 32756, fol. 149r-v.
the king and Parliament could consider it.¹ The Dutch were also in favor of an expedient. As Townshend sourly remarked, the Pensionary thought everyone except the Dutch should agree to make sacrifices. Thus England should be willing to give up Gibraltar and trade for the good of Europe.² With no resolution in sight, Gibraltar was like an indigestible lump lodged in the craw of Europe.

Unlike Spain, Charles VI professed to have no business for the Congress to consider.³ But since he had included the Pragmatic Sanction in his plan of demands at Cambrai, the British wondered what the allies' position should be if it were raised by the Imperial court. Fleury refused to consider the point, declaring it was no time to enter an engagement of this nature and risk offending the princes of the Empire. Dissatisfied with his reply, they revised their question and asked him what he would say should Don Carlos be named the Emperor's successor. The cardinal continued to equivocate, saying he would neither accept nor reject the proposal but would suggest to the Emperor that it might be

²Townshend to Walpole, Hampton Court, 8/19 July 1728, Bradfere-Lawrence, Townshend Papers.

Newcastle sent the ministers a copy of the Pensionary's letter and reported the king's surprise that the Dutch should think England ought to consider an expedient when the king had never been anything but firm in his resolution to maintain possession of the place. Newcastle to the Plenipotentiaries, Hampton Court, 11/22 July 1728, B.M., Add. MSS. 32757, fols. 136r–v.

³Walpole to Newcastle, Paris, 24 May/4 June 1728, B.M., Add. MSS. 32756, fol. 90. The Emperor had no demands, that is, he could not "demand" approval of his succession through the female line at the Congress because it was contrary to Salic law.
considered at a time when conditions were more settled in Europe. Fleury, however, believed the Imperial court would never permit this matter to be brought before the Congress.

The Emperor favored a short Congress for almost the same reasons as Great Britain. Like England, he found it costly maintaining troops in peacetime, particularly without new subsidies to defray expenses. Furthermore he could lose more than he would gain since the United Provinces, Great Britain and the princes of the Empire all had grievances of one kind or another. Their protests of his actions posed a threat to his interests and an impingement of his prerogatives.

The Dutch were displeased about the Emperor's failure to carry out the Barrier Treaty and his military finesse in the town of Emden. England and France, as parties and guarantees to the Barrier Treaty, were resolved to stand by their engagement to the States. The Dutch could choose between applying directly to the Emperor or bringing their grievance to the Congress. As for the problem of Emden, now that Dutch ministers discovered later when they received a copy of the Spanish instructions, slipped to them by Barrenechea's secretary, that Spain planned to support the Imperial ministers and get the Congress to guarantee the Emperor's succession. Extract of the Spanish Instructions, Stanhope and Walpole to Newcastle, 19/30 July 1728, P.R.O., S.P. 78/188, pt. 2, fol. 234.

1 Waldegrave and Walpole to Newcastle, (private) Paris, 19/30 March 1728, B.M., Add. MSS. 32755, fols. 43v-44.

2 Walpole to Newcastle, Paris, 8/19 April 1728, B.M., Add. MSS. 32755, fol. 250v.

The British ministers discovered later when they received a copy of the Spanish instructions, slipped to them by Barrenechea's secretary, that Spain planned to support the Imperial ministers and get the Congress to guarantee the Emperor's succession. Extract of the Spanish Instructions, Stanhope and Walpole to Newcastle, 19/30 July 1728, P.R.O., S.P. 78/188, pt. 2, fol. 234.


4 Newcastle to Walpole, (private) Whitehall, 21 March/1 April 1728, B.M., Add. MSS. 32755, fol. 64v. It was decided at a conference with the Dutch that they would renew their application to the Emperor to execute
security and their right to garrison the place were threatened, England felt obliged to support them under their engagement with the States dating back to the reign of James I.¹ The situation was most awkward for the Dutch, as Goslinga observed, since the Imperial troops had not actually attacked Emden and therefore not given the States a legitimate reason for using force to dislodge them. If the Dutch opened hostilities with the Emperor, they feared he would retaliate by seizing their seigneuries. But should they take no action at all, they stood to lose the people's confidence for failing to protect their rights and lands.²

Trapped between the opposing forces, the only solution for the States was, with the aid of their allies, to bring the matter before the Congress. In this way they could satisfy the inhabitants of Emden and bring pressure on the Emperor without endangering their own proprietary rights.

¹ Newcastle to Walpole, (private) Whitehall, 21 March/1 April 1728, Newcastle to Walpole, (very private) Whitehall, 21 March/1 April 1728, B.M., Add. MSS. 32755, fols. 64v-65, 67; Report on the Conference, 12/23 March 1728, B.M., Add. MSS. 32754, fol. 486v.

² Newcastle to Walpole, Compiègne, 30 May/10 June 1728, B.M., Add. MSS. 32756, fols. 144v-45.

In the conference between Fleury, Walpole and the Dutch ministers, it was suggested that Charles VI may have secretly encouraged the disruption in Emden if only to oblige or disoblige the States, depending on their conduct. B.M., Add. MSS. 32754, fol. 486v.

See also King's account of Walpole's conference and Newcastle's two letters of 21 March/1 April 1728 in "Notes of Domestic and Foreign Affairs," pp. 58-62.

Soon after the Congress opened France joined Great Britain on the Emden affair. Sinzendorf failed to see why France should be concerned in Ostfrise. Fleury explained that since Dutch safety was involved, France would stand by the States. Walpole to Newcastle, (private) Compiègne, 15/26 June 1728, B.M., Add. MSS. 32756, fols. 304v-305.
Charles VI could expect difficulties from the British and Dutch over his granting an octroi for the Ostend Company. They alleged this was contrary to provisions in the Treaty of Utrecht and the Barrier Treaty of 1715.¹ Pentenriedter explained that the Emperor supported the Ostend Company to enable the Low Countries to meet their financial obligations—heavy taxes, old debts, and maintenance of garrisons and barrier towns. Recognizing that they had no alternative to trade, the Emperor, as father of his people, considered it his duty to assist them.² But to the United Provinces and Great Britain, the Ostend Company was a threat to their commercial interests. Even the Opposition, usually unfriendly

¹The Dutch drew up a legal argument dating back to the Treaty of Münster. The main points were that the treaty limited the trading rights of the Castilians, (and in this case they argued that Castilians meant all Spanish subjects including those in the Spanish Netherlands) by barring them from extending their commerce beyond the limits they had at that time. They maintained these restrictions still held even though the Barrier Treaty had passed the sovereignty of the Spanish Netherlands to the Emperor. Hertz, "England and the Ostend Company," p. 272.

²Even Sinzendorf admitted to Fleury that the Treaty of Münster, though far from clear, was favorable to the States on this point. Walpole to Newcastle, Paris, 24 May/4 June 1726, E.M., Add. MSS. 32756, fol. 87.

However the Austrian position, which Hertz draws from MacNany's Freedom of the Subjects of the Austrian Netherlands (1723), is a little stronger than Sinzendorf indicated. First, the article of the Treaty of Münster applied only to Spanish subjects living within Spain proper; second, if the Emperor was sovereign of the Low Countries, he ruled as successor to Charles II in a limited capacity, that is, as duke of Brabant or count of Flanders and not as the king of Spain; third, the Barrier Treaty placed no restrictions on the Flemings outside the boundaries of the Low Countries; and, fourth, all sovereign people have the inherent right to trade in any part of the world. Hertz, "England and the Ostend Company," pp. 272-73.

The Ostend Company received its charter in 1723 under the name Société impériale et royale des Indes; the Imperial government had political control but the company enjoyed considerable economic freedom.
to the East India Company because of its ties with the government, sided with the administration in advocating the suppression of the Ostend Company. The author of *The Importance of the Ostend Company Consider'd* (1726) claimed if the company was not destroyed, England's trade would be ruined and the House of Austria would control the British seas. He argued that the United Provinces and Great Britain held the balance of power in Europe. Their interests were inseparable if not reciprocal. Should Holland's trade fail, England would gain nothing. The Austrian Netherlands would take over Holland's commerce, leaving England to face a financial loss and a strengthened popish interest.

France supported her allies' opposition to the Ostend Company but Fleury was reluctant to press for a complete abolition. Pentenriiedter indicated the only reason the Emperor had agreed to a seven-year suspension was out of complaisance to the cardinal and that such a break actually meant an abolition of the company. England, on the other hand, claimed that the suspension provided for in the Preliminaries was only termed this to save the Emperor's honor. Since it appeared that the Low Countries were preparing for a revival of trade, the Hanover allies should insist on a complete abolition. Fleury eventually consented to this and

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1 Sutherland, "The East India Company . . .," pp. 27-28.
2 *The Importance of the Ostend Company Consider'd* (London, 1726), Folger Library.
4 Newcastle to Walpole, (private) Whitehall, 21 March/1 April 1728, B.M., Add. MSS. 32755, fol. 64.
directed the French plenipotentiaries to insist on a complete dissolution of the company's commerce. ¹

The Emperor might be faced with grievances from within the Empire even though few if any were covered by the Preliminary Articles. Fleury thought that once the objects of the Preliminaries had been concluded they might bring up the succession of Jülich and Berg on the grounds that it could disrupt the general pacification.² It was also reported that the four electors were dissatisfied over the actions of the Imperial court. George II thought if he could encourage this disposition and eventually count on them, their four votes added to his as elector of Hanover would give them a majority in the Electoral College and the Imperial Diet, and this would be a curb on the Emperor.³ The king, in his own right, was displeased with the Imperial court over the administration of Mecklenburg. Originally George I and the duke of Brunswick-Wolfenbuttel had shared this responsibility. But when the new decree was made in 1728, it was issued by the Aulic Council rather than the Imperial Diet

¹Stanhope, Walpole and Poyntz to Newcastle, Paris, 18/29 May 1728, B.M., Add. MSS. 32756, fol. 18.

In March Pentenriedter had mentioned the possibility of an equivalent for the abolition of the Ostend Company, as did Sinzendorf several months later. The difficulty was that Charles VI did not wish his ministers to advance any proposals and run the risk of having them rejected by the States and their allies. Yet the Dutch, because of the nature of their government, could not ask the States General to approve a proposition for an equivalent without first knowing whether or not it was acceptable to the Emperor. Walpole to Newcastle, Paris, 9/20 March 1728, B.M., Add. MSS. 32754, fol. 456v; Stanhope, Walpole and Poyntz to Newcastle, (very secret) Soissons, 9/20 June 1728, B.M., Add. MSS. 32756, fol. 232v.

²Walpole to Newcastle, Paris, 8/19 April 1728, B.M., Add. MSS. 32755, fol. 252r–v.

³Newcastle to Walpole, Whitehall, 13/24 June 1728, B.M., Add. MSS. 32756, fols. 272–73.
and the Council added a third prince, the king of Prussia.\(^1\) George II could do little, however, without a firm commitment from France. Fleury, ever the tortoise to Britain's hare, wanted time to explore the situation in the Empire before taking any steps.\(^2\) By remaining free, Fleury increased his power and influence on the direction of affairs. George II, in the meantime, continued to solicit dissident princes for measures to counter Imperial threats.\(^3\)

With many of the major European ministers gathered in Paris the spring of 1728, the stage was set for the Congress in June but not the script. The ministers had the lines from their instructions but they were uncertain about their roles and relationships. No one was officially in charge. There was even some question as to who would deliver the opening remarks. The only certainty was that the Congress of Soissons would open as scheduled.

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\(^1\)Wilson, *French Foreign Policy*, p. 195.

\(^2\)Walpole to Newcastle, Compiègne, 30 May/10 June 1728, B.M., Add. MSS. 32756, fol. 145r-v.

France had entered a secret treaty with Bavaria in November 1727. Louis XV agreed to help raise Charles Albert to Imperial dignity when there was a vacancy. In a separate qualification, the elector of Bavaria was to receive a million livres if he signed a treaty with the other Wittelsbach electors "for strengthening peace within the Empire." With this incentive he initiated the "Electoral Union" in April 1728 which included the electors of Bavaria, Palatinate, Treves and Cologne. France apparently took no part in this and Chavigny, the French plenipotentiary at Ratisbon, was seemingly unaware of it. Wilson, *French Foreign Policy*, pp. 193-94.

\(^3\)George II thought of renewing the negotiation for a marriage between Prince Frederick and the Princess Royal of Prussia. Fleury thought Prussia, rather than returning to the Hanover allies, would report it to the Emperor to gain credit with him. Walpole to Newcastle, Compiègne, 30 May/10 June 1728, B.M., Add. MSS. 32756, fol. 143r-v.
CONGRESS OF SOISSONS: THE HOLLOW PERFORMANCE

Shortly before the Congress opened, the foreign ministers began to gather at Soissons. The British plenipotentiaries arrived the 12th of June, Stanhope and Poyntz from Paris, and Walpole from Compiègne. Preceding them were the French plenipotentiaries, Fénélon and Brancas, who served as official hosts to the Congress. The ministers were greeted by a twelve-canon salute on their arrival and a welcome from the local Intendant and some members of the magistracy. After the cardinal arrived on the 13th, the plenipotentiaries decided to open the Congress the following day but not to transact any business. The ministers assembled at the castle at 11:00 on the morning of the 14th, where Fénélon and Brancas were on hand to meet them. Count Sinzendorf and Baron Pentenriedter, the last to arrive, were greeted at the foot of the staircase by the Intendant. The French plenipotentiaries met them at the head and escorted them into the hall where the other ministers were informally seated in elbow chairs at a round table.\(^1\)

Sinzendorf made the opening speech, observing that the Emperor's consent to hold the Congress was proof of the sincerity of his desire to procure peace for Europe. He spoke of the Emperor's confidence in the cardinal, "that he could not do better than to refer himself to the Advice

\(^1\)Historical Register, XIII, 225 and 228; Stanhope, Walpole and Poyntz to Newcastle, Soissons, 8/19 June 1728, B.M., Add. MSS. 32756, fols. 210v-11.
of a Mediator whose Sincerity is so well known: That the Desire of a general Peace had prevailed over all the Considerations that might have stagger'd the Emperor."¹ Fleury returned a courteous reply. He reminded the ministers that their business was not "to limit the too far extended Dominions of certain Powers" but rather "to pacify the Troubles arisen by Jealousy."² He felt there should be no difficulty as long as they approached the negotiations "with Sentiments of Justice and Sincerity," adding that he was hopeful of a happy issue because of the manner in which they had removed all disputes regarding the ceremonial. His advice was to allow "Sentiments of Moderation" to prevail when accommodating reciprocal grievances.³

Following the first meeting, the ministers left to re-assemble at the cardinal's residence where they were "splendidly treated." Poyntz reported that "the Cardinal who preached against luxury entertain'd us with 60 Dishes at each course."⁴ Fleury may have made more of an impression with his method of entertaining than he did with his speech. Whatever the reason, the foreign ministers were quick to emulate him. Sinzendorf "gave a great Feast" on the 15th and the duque de Bournonville

¹Historical Register, XIII, 226. According to the British ministers Sinzendorf gave a careless, disconnected speech which was unremarkable except for "the abject Court he made to France and the Cardinal." Stanhope, Walpole and Poyntz to Newcastle, Soissons, 8/19 June, B.M., Add. MSS. 32756, fols. 210v-11.

²Historical Register, XIII, 226.

³Ibid., p. 226-27. The Register's account was probably drawn from a separate paper giving an account of the proceedings mentioned by the British ministers in their letter of 8/19 June 1728. Stanhope, Walpole and Poyntz to Newcastle, Soissons, 8/19 June 1728, B.M., Add. MSS. 32756, fols. 210v-11.

⁴Historical Register, XIII, 228; Poyntz to Tilson, Soissons, 9/20 June 1728, Bradfer-Lawrence, Townshend Papers.
"magnificently entertained" the plenipotentiaries the following day. Poyntz was unable to compete since his kitchen had yet to be built.¹

The first official business for the Congress was the Dutch demands, presented at the end of June. Sinzendorf received them in a civil manner but Pentenriedter was heard to mutter a few words "that were by no means polite."² Probably the least palatable grievance from the Emperor's point of view was their request that the suspension of the Ostend Company be changed to a permanent cessation, in accordance with the trade rights granted by the Treaty of Münster and confirmed by the Treaty of Utrecht. They also asked that Austria be excluded from trade in the East Indies and Spanish dominions, and that restrictions be made in Austria's treaty of commerce with Spain. Moreover they wanted Spain to allow them the same trading privileges they had enjoyed in the past and to make reparations for injury and loss.³ The Spanish envoys gave an encouraging reply, saying Spain would consider with Austria the necessary amendments to their commercial treaty and that Dutch complaints would be forwarded

¹Historical Register, XIII, 228-29 for calendar of events and Poyntz's letter to Tilson, Soissons, 9/20 June 1728, Bradfer-Lawrence, Townshend Papers.

²Poyntz reportedly "gave a splendid Entertainment to most of the ministers" in August. Historical Register, XIII, Report from Soissons, 19 August 1728, 234.

³Lord Hervey claimed the cooks of the plenipotentiaries did more work than the secretaries. Hervey, Mémoirs, I, 107.

²Stanhope, Walpole and Poyntz to Newcastle, (very private) Soissons, 21 June/2 July 1728, B.M., Add. MSS. 32756, fol. 390v.

to Madrid. Count Sinzendorf and the Dutch ministers discussed the arrears in the subsidies owed to the States and the problem of the Ostend Company, which the Imperial minister insisted the Emperor had the right to grant. Sinzendorf hinted that if the Company was suppressed this would mean less income for the Emperor, and without their trade, the Austrian Netherlands would find it more difficult to make up the arrears in subsidies. But he spoke in such a rambling fashion the Dutch were unable to determine if any of his comments were actually overtures for an equivalent.

Meanwhile the Dutch learned that Emden had been blockaded by Imperial troops and was threatened with sedition from within. They feared the residents and their garrisons might be compelled to use force against the Emperor's troops. The States wanted the Hanover allies to persuade the Emperor to adopt a gentler method than the one laid down by the Aulic Council, which declared the inhabitants had forfeited their privileges, liberties and estates. When the news first reached Soissons, the allies thought the matter should be discussed by the ministers who had rejoined Fleury at the French court rather than at Soissons, since it was not properly speaking a situation included in the Preliminaries.

Walpole and the Dutch minister, Cornelius Hop, tried to impress Sinzendorf in Paris that before the burgesses were required to make their

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1French translation of Spanish reply, Soissons, 24 June/5 July 1728, P.R.O., S.P. 78/188, pt. 1, fol. 184r-v.


3Poyntz to Newcastle, Soissons, 9/20 July 1728, B.M., Add. MSS. 32757, fol. 111r-v.

4Poyntz to Newcastle, Soissons, 28 June/9 July 1728, B.M., Add. MSS., 32756, fol. 493.
submission, they should know the exact terms, as these affected their lives, property and form of government. Since this would take time, they suggested that orders be sent to the commissioners to withdraw their troops and suspend all acts of violence until the submission had been regulated. They emphasized that the States had no wish to support the burgesses in a defiance of the Imperial decree. Sinzendorf agreed to write to Count Königsegg at The Hague, but when Hop showed Walpole a copy of Sinzendorf's letter, he was very disturbed, as was the cardinal. The count had claimed there was a positive agreement between the Emperor and France not to permit Emden or any matter relating to the Empire to come before the Congress. The cardinal promised the British ministers he would write the States clarifying his position. He further conceded that whatever affected the rights and interests of the allies, or was founded on the treaties of Westphalia and guaranteed by France, could, if necessary, be brought to the Congress. Sinzendorf then presented his own report on Emden, claiming there had been no violence from the 150 troops nor any obstruction in the commerce or communication between the town and

1 Extract Walpole to Chesterfield, Paris, 15/26 July 1728, B.M., Add. MSS., 32757, fol. 299.


Poyntz learned of this through Goslinga and Gedda. Pénelon's reluctance to support the Dutch on the grounds they had agreed to submit this dispute to the Emperor and therefore had no reason to complain against the decision of the Aulic Council gave credence to Sinzendorf's claim about the agreement with the cardinal. Poyntz to Newcastle, Soissons, 9/20 July 1728, ibid., fols. 111v-13v.

The reason George II was concerned about Emden was his fear that either through illness and/or succession the king of Prussia, who had a garrison of 500 men in Emden, might gain control of the river Ems. Ibid., fol. 113v.
country. In view of this contrary account Fleury suggested the Dutch send someone to visit Emden and return a direct report. 1

The inherent weakness of the Congress was revealed by the fact that important affairs such as Emden were seriously debated outside Soissons, or more specifically wherever the cardinal was in residence. Whenever he left Soissons, the foreign ministers were quick to follow. This left few men with sufficient authority to manage the business at the Congress. Since Fleury left Soissons the same day the Dutch presented their memorial, they had little opportunity to enter effective negotiations. His brief returns were also significant for they indicated either some business was at hand or that he wished to give the appearance of it. 2 The artificiality of the meetings and the hiatus in official negotiations were readily apparent in the reports to England. The news from Soissons amounted to little more than recitals of social events and the gossip making the rounds. One rumor that the cardinal and the plenipotentiaries were expected for a grand conference was so fervently believed it brought

1 Stanhope and Walpole to Newcastle, (private) Paris, 25 July/5 August 1728, B.M., Add. MSS., 32757, fols. 269v-70.

2 The British observed the only reason Fleury and Sinzendorf returned to Soissons for the Dutch demands was "to colour the inaction of the Congress by the Appearance of having some publick Business transacted at our Conferences . . ." Stanhope, Walpole and Poyntz to Newcastle, Soissons, 21 June/2 July 1728, B.M., Add. MSS. 32756, fol. 371.

Ironically, the cardinal, who had overruled England's arguments against holding the Congress, through his actions undermined its flimsy foundations. Had he remained at Soissons, the Congress might have fulfilled its prescribed function, but his flying visits only served to advertise its impotence.
some of the ministers in Soissons to the castle gate at the appointed hour for a nonexistent meeting. 1

The inaction of the Congress was particularly trying on those outside Soissons like The Hague. 2 The tendency was to blame Spain, especially since for all their talk, the Spanish plenipotentiaries were slow in presenting their demands. This gave rise to the fear that the Congress might break up without successfully negotiating a treaty. 3

But the Spanish ministers’ poor performance at the Congress was directly related to the unsettled conditions in Spain. The king’s health had been a matter of concern for months. In March he was reported improved 4 but the following month the news was mixed. The comte de Rottenbourg maintained the king had looked well when he last saw him but other sources noted the king’s unnatural and insatiable appetite and his unclear mind. 5 By June there was no question that Philip V had suffered a relapse. His overriding desire was to abdicate in favor of his son, the prince of Asturias, and retire from court with the queen. But she refused 6 and prevailed on him to cancel his letter of abdication. 7 She

1 Historical Register, XIII, Report from Soissons, 19 August 1728, 233.

2 Ibid., Report from The Hague, 13 August 1728, p. 232.

3 Ibid., Report from The Hague, 20 August 1728, p. 233.


5 Walpole to Newcastle, Paris, 8/19 April 1728, B.M., Add. MSS. 32755, fol. 250v.

6 Walpole and Poyntz to Newcastle, (very secret) Soissons, 9/20 June 1728, B.M., Add. MSS. 32756, fol. 243v.

7 Walpole to Newcastle, (private) Compiègne, 14/25 June 1728, ibid., fol. 292.
also put him under special observation to prevent his writing another letter or escaping in his coach. Philip V therefore remained in bed, letting his nails and beard grow, dressed up in his wife's "linnen." 

As his madness progressed he became increasingly violent, howling in the night, crying out he was dead. His physical condition suffered similar deterioration as his abdomen and legs swelled, but he refused to allow a physician or surgeon near him.  

The queen's position was far from enviable. She suffered from her husband's violence, complaining about his scratching and pinching her in bed. One night he almost choked her to death when he got out of bed, determined to abdicate, and found all the doors locked. The queen endured these enormities in order to protect her interests and those of her sons. If Philip V abdicated, all political power would go to her stepson who had no reason to concern himself or Spain in protecting and furthering her rights. She was forced to think of steps to save her family. In March there had been reports that she and her minister Patiño were collecting all the money they could find for her use should the king die. She even considered gaining possession of Aragon by sending some troops to be quartered there under officers loyal to her, and of starting a

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2 Walpole to Townshend, Fontainebleau, 15/26 August 1728, ibid., fols. 472v-73.

3 Stanhope and Walpole to Newcastle, (private) Paris, 2/13 July 1728, ibid., fol. 32.

revolt through publishing the restitution of their ancient privileges. Fleury thought her quite mad and completely unaccountable. Mad or not, she knew her security depended on her husband's remaining in power and that everything hinged on his health and her ability to manage him. Furthermore she had to be careful not to weaken Spanish support in her pursuit of family interests. For this reason she refused to give any clear answer about raising the siege of Gibraltar, long a tender point to Spain.\(^1\)

Despite Pentenriedter's denial, the Hanover allies believed Charles VI had great influence over the Spanish court. Walpole thought if the court of Madrid was really in the hands of true Spaniards, they would be eager to enjoy the advantages of peace with England.\(^3\) When the comte de Rottembourg returned to France, he supported the allies' contention that the queen was completely governed by the Imperial minister, Count Königsegg, though Rottembourg observed that occasionally she became suspicious of the Emperor's sincerity in his engagements to her. Yet for all her distrust she agreed to remain united with the Emperor, and gave him a year to fulfil his promises to her. Rottembourg thought that in time the Vienna allies could be separated but this could not be done by the ministers or the Congress. He felt the key was securing her son's


succession to the duchies of Parma and Tuscany, a point which had only been mentioned to the queen in her husband's presence. On those occasions she had passionately denied having any family interests to consider. However Rottembourg thought if she had been consulted alone, she would have given a different answer.¹

Walpole questioned the veracity of some of Rottembourg's statements. On the one hand he indicated the queen was the complete mistress of affairs in Spain yet in conversation with others Rottembourg confessed there were often serious "misunderstandings" between the royal couple. Moreover, contrary to Rottembourg's report that the king was improved, Pentenriedter informed Walpole that Philip V was incapable of carrying on any business.²

If the queen depended on the Emperor to protect her sons' interests, he relied on her to remain vigilant and keep the prince of Asturias off the throne. For just as the prince had no interest in helping his stepmother and her family, neither did he have any reason to maintain Spain's alliance with the Empire. Once Philip V either abdicted or died, the Emperor had little chance of receiving the promised subsidies. This symbiotic relationship was stronger than ever in August as the king's condition remained unstable. Brancas, the French ambassador, reported


² Interestingly enough, Walpole did not question the truth of Fleury's account of his own conference with Rottembourg, particularly when the cardinal failed to mention Rottembourg's thoughts for gaining the queen. Instead Walpole blamed Rottembourg for not making a complete report to Fleury. Ibid., fols. 366-67.
the queen was more than ever devoted to Charles VI and completely governed by his minister Königsegg.¹

Admittedly Philip V's illness may have prevented his minister, the marqués de la Paz, from forwarding important papers to the Spanish plenipotentiaries,² but there is some question whether the Spanish memorial would have been ready in June or July, considering Bournonville's method of operation and the division in the Spanish commission. Not only were the ministers assigned separate sections of the memorial by Bournonville, but he "corrected" their work as soon as it was completed, throwing everything into confusion.³ Had the ministers been able to consult their court for official clarification on policy, some of the difficulties attending the Spanish memorial might have been resolved. But this was not possible because the king's condition had thrown into question which faction at court had the direction of Spanish affairs. The ministers knew if the queen was in charge, that Bournonville's pro-Imperial policy prevailed. However if the king were sufficiently recovered, there was a chance that the Spanish interests supported by Santa Cruz and Barrenechea would be in the forefront. Spain's apparent practice of sending two sets of instructions, one to all the ministers and the other to Bournonville with secret orders by the authority of the queen,

¹Stanhope and Walpole to Newcastle, Paris, 7/18 August 1728, B.M., Add. MSS. 32757, fol. 413.
²Stanhope, Walpole and Poyntz to Newcastle, (very secret) Soissons, 9/20 June 1728, B.M., Add. MSS. 32756, fol. 244r–v.
³Poyntz to Stanhope and Walpole, Soissons, 14 July 1728, B.M., Add. MSS. 32757, fol. 78v. Poyntz thought at the rate they were going it would be impossible to get anything concluded.
did nothing to improve relations within the commission nor instill confidence in the Spanish court.¹

The British ministers were not slow to find advantage in this situation. Santa Cruz, alienated by Bournonville’s high-handedness and his attachment to Imperial interests, and out of touch with the court in Madrid, turned to the British ministers for information about Philip V’s health. In return he shared his thoughts on the negotiations and his plans regarding the Spanish memorial.² Convinced it was Sinzendorf’s purpose to force Spain to break relations with England, Santa Cruz thought he could circumvent this by delaying the memorial.³ If he could get the court of Spain to correct and approve the memorial before bringing it to the Congress, he would gain two months’ grace. In the meantime he expected Bournonville to be called back to Spain, which would leave him, Santa Cruz, the principal Spanish plenipotentiary. Santa Cruz had an ally in Barrenechea. He had written so effectively to Spain about Bournonville’s concern for Imperial interests that Bournonville was sent

¹Stanhope and Walpole to Newcastle, Paris, 7/18 August 1728, B.M., Add. MSS. 32757, fols. 413-14.


³Poyntz to Newcastle, Soissons, 9/20 July 1728, ibid., fol. 113v.
orders to press Sinzendorf for a declaration of his master's intentions to Spain.¹

Santa Cruz and Barrenechea were joined by a Spaniard named Macanes. According to the British report Macanes was knowledgeable in trade and the Spanish court. He was one of the few men allowed to correspond with the Spanish ministers and his letters were read by their majesties in Madrid. Macanes renewed his acquaintance with some Sicilian priests,² then living in Paris, under the mistaken impression they had private intelligence with the cardinal. They did not correct this notion any more than they admitted to being in the pay of the British. Instead they welcomed his overtures, and in their discussions brought him around to their view that Spain would gain more by renewing her friendship with England than she would from joining any other power, including France. British strategy and influence over Santa Cruz actually devolved on the Sicilian abbots, about whose "steady and unvariable attachment . . . to his Majesty's advantage" the British ministers could not say enough.³ For where Santa

¹Stanhope and Walpole to Newcastle, Paris, 17/28 July 1728, B.M., Add. MSS. 32757, fols. 200-201. Walpole noted that Santa Cruz was not completely candid, since he did not tell him he had agreed to show the Spanish memorial to Fleury before sending it on to Spain. This Walpole learned in a conference with the cardinal. Stanhope and Walpole to Newcastle, Paris, 25 July/5 August 1728, ibid., fol. 275v.

²The two abbots, Platania and Caraccioli, at one time had assisted Philip V, furnishing him with memorials and advice in private audiences. They were against the Austrian connection. The queen used the Inquisition to remove them from Spain. They ended up in Paris. Coxe describes them as "men of great political sagacity." For Horn they were "the notorious Sicilian abbots" who operated a kind of private information service for England, France and Spain. William Coxe, Memoirs of the Kings of Spain of the House of Bourbon, 3 vols. (London, 1831), II, 366-67; Horn, British Diplomatic Service, p. 266.

Cruz and Barrenechea, wishing to act as true Spaniards, deferred to Macanes' superior knowledge and credit at the Spanish court, he in turn, relied on the Sicilian priests, convinced of their better understanding of affairs. All this was to serve Britain's primary purpose of discouraging Spain from bringing to the Congress what to England were outrageous demands, particularly their claim to Gibraltar.

Because Gibraltar was of major concern to England, the Vienna allies thought they could use it to their advantage in view of the government's sensitivity to public opinion. Therefore Bournonville and Sinzendorf, depending on their immediate objective, alternated between threatening and placating England in their concern for Gibraltar. Though Santa Cruz and Barrenechea sympathized with the British, their remonstrances carried little weight in the Spanish court. In the meantime Great Britain was kept in painful suspense.

At first the Spanish ministers were ordered not to propose any pretension until they had received satisfaction on the restitution of Gibraltar. But as the summer wore on, Bournonville was allowed greater latitude and could, if he wished, waive making the demand for Gibraltar at the Congress. Fleury apparently was not apprised by Bournonville of

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1 Stanhope, Walpole and Poyntz to Newcastle, Paris, 30 July/10 August 1728, B.M., Add. MSS. 32757, fols. 330–33. Alternate spellings of Macanes are Meckanese, Meckenese, Macanas and Macanaz.

2 Comte de Broglie thought the ministers could not possibly propose the restitution of Gibraltar after all that had been said about it in Parliament. Broglie to [Chauvelin?], London, 26 July 1728, A.A.E., Corr. Pol., Angleterre 363, fol. 39v.


this change in his instructions. Instead Bournonville hewed to the same line "that Spain could never give up that point" and that France was under obligation to support them. The British did not know what to make of the situation, whether to believe Sinzendorf, who had informed Stanhope of Bournonville's new freedom, or Bournonville, who claimed Spain would never relinquish this point. They suspected the two ministers might be contriving to confuse matters but considering the state of affairs at the Spanish court, they could not be certain. Santa Cruz inadvertently added to the confusion when he reported that it was Sinzendorf who was pressing them to complete their memorial, especially about Gibraltar. The tension was eventually eased by Fleury's report that Sinzendorf had learned through Königsegg at Madrid of the queen's reluctant decision not to press Spain's claim to Gibraltar at the Congress.

Had the queen decided otherwise, the British were prepared to respond in kind. During June and July, when their anxiety was at its height, they proposed to answer Spain's attempt to blacken England's

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1Walpole to Newcastle, Paris, 12/23 July 1728, B.M., Add. MSS. 32757, fol. 139v.
2Stanhope and Walpole to Newcastle, Paris, 9/20 July 1728, ibid., fol. 124v.
3Newcastle to the Plenipotentiaries, (private) Hampton Court, 18/29 July 1728, ibid., fol. 176r-v.
4Stanhope and Walpole to Newcastle, Paris, 17/28 July 1728, ibid., fol. 200r-v. The British told Santa Cruz that at the same time Sinzendorf was pressing the Spanish ministers to complete their memorial he was trying to convince the Hanover allies of his efforts to delay the Spanish demands. Santa Cruz was clearly annoyed and said he knew about Sinzendorf's tricks. As for Bournonville, Santa Cruz claimed the duke "was under the greatest uneasiness and chagrin imaginable." Ibid.
Townshend suggested they could easily justify England's sending squadrons to the West Indies and along the Spanish coast, and plead their conviction that Spain intended to invade England without provocation in the interest of the Pretender. As for Spain's claim for damages, he thought England might return the compliment and ask for a reimbursement of all monies spent for their defense as a result of Spain's violation of treaties.

The agitation over the Spanish memorial and the behavior of her ministers fulfilled Britain's earlier forebodings about a congress. What the major powers had overlooked in their planning was that fruitful and effective negotiations could only be carried on by ministers fully supported by their governments. This was out of the question for Spain. The often incompatible aims of the factions in the Spanish court prevented their ministers from pursuing any coherent policy. Until Spain's political situation stabilized, negotiations involving that court were at best speculative and conditional. As a result, the powers, as early as June, began investigating possible options in an effort to circumvent some of the obstacles blocking a peaceful settlement. The Vienna allies brought two proposals to the cardinal. One, the marriage between the Imperial family and the Spanish Bourbons, was broached by Bouronville in an atmosphere of deep secrecy. The second, a project for a provisional treaty, was introduced by Sinzendorf. These proposals probably received more attention the summer of 1728 than any matter pending at the Congress.

1 Newcastle to the Plenipotentiaries, Hampton Court, 11/22 July 1728, B.M., Add. MSS. 32757, fol. 137r-v.

2 Townshend to Walpole, Hampton Court, 18/29 July 1728, Bradfer-Lawrence, Townshend Papers.
Bournonville, after first gaining the cardinal's promise of confidentiality, asked for his opinion about a marriage between Don Carlos and the Emperor's daughter. He maintained no contract or treaty had been signed but that Charles VI had given his most solemn assurances to the queen who had her heart set on the marriage. For this reason she wanted to know what the cardinal's views were on the matter. Fleury replied that as a subject of France, he had no objection to seeing the House of Bourbon so honored, provided appropriate measures were observed to prevent too formidable a power from appearing and upsetting the balance of power. But when the duke pressed him to put his consent in writing, Fleury refused, saying he was obliged by the Hanover Alliance not to enter into an affair of such consequence without consulting his allies. However Bournonville opposed Fleury's sharing the secret, even though the Vienna allies were acting in concert in the matter. Sinzendorf, in a separate conference with the cardinal, seconded Bournonville's request that Fleury put his answer in writing, though he was more concerned that the queen should agree to postpone the marriage for another four or five years. Otherwise he seemed to feel the question was more Bournonville's concern than his.

After thinking it over for several days, Fleury informed Stanhope of his meeting with Bournonville. Later the three British ministers

1When Fleury heard the rumors about a secret marriage agreement in 1726 he did not believe them. He thought he had proof that the Emperor had promised two daughters to the duke of Lorraine. Recueil des Instructions, Escaene, XII-2, 116.

2Stanhope believed there was more of a contract between the queen and the Emperor than Bournonville was willing to admit, considering Ripperda's report and the one written by the Sicilian priests after Philip V had shown them the original treaty. Stanhope, Walpole and
agreed that Walpole should visit the cardinal and have him repeat the story. At the conference Walpole told Fleury that contrary to Bournonville's assertion, the marriage was not a purely personal and family affair. It was a matter of consequence to Europe, and by enjoining the cardinal to secrecy, the proposal threatened to disrupt the union and harmony of the Hanover allies. The British were sincere in their belief that this threat was a real one. For how could the Vienna allies expect France to settle such an important point without the knowledge and consent of her allies and yet not antagonize the British and Dutch. They were convinced their exclusion was part of a deliberate attempt by the Vienna allies to sew dissension and distrust in the ranks of the Hanover Alliance.

Once Fleury had informed the British, he thought the Dutch should be included in the secret. The difficulty was how to do this without its becoming public knowledge. After some discussion they agreed to bring Goslinga to a conference and he would inform the Pensionary. Hop was not included since he would have immediately passed it on to the leading men.

Poyntz, (very secret) Soissons, 9/20 June 1728, B.M., Add. MSS. 32756, fol. 238r-v.

Fleury later came to the same conclusion for when he pressed the Spanish minister about the marriage, suggesting he was in error and not familiar with the secret, Bournonville became quite warm and said he had seen the instructions and that the eldest archduchess was not specifically named. Fleury interpreted this as a clear admission that Charles VI was obliged to marry one of his daughters to Don Carlos. Stanhope and Walpole to Newcastle, Paris, 17/28 July 1728, B.M., Add. MSS. 32757, fols. 191v-92.

1Stanhope, Walpole and Poyntz to Newcastle, (very secret) Soissons, 9/20 June 1728, B.M., Add. MSS. 32756, fol. 238r-v.

2Ibid.
in Amsterdam. Also excluded were Santa Cruz and Barrenechea, and the ministers of Prussia and Bavaria. Fleury had briefly considered informing the latter two but decided against it.

Goslinga and the British ministers did not particularly approve of the cardinal's conduct with Bourronville. Yet they doubted he would go any further on the marriage without their knowledge and consent for they sensed that Fleury felt he had "overshott himself in his Engagement ... & in giving separately and hastily so much Encouragement to it." The problem confronting the Hanover allies was what to do with the secret now that they shared it. What measures, if any, could they take to protect the balance of power? What would they gain from the Vienna allies

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1Stanhope, Walpole and Poyntz to Newcastle, (very secret) Soissons, 9/20 June 1728, B.N., Add. MSS. 32756, fols. 23lv-32. Though excluded from the secret, Hop on his own talked to Sinzendorf about the Ostend Company and insinuated that if Holland was satisfied on that point, they might consent to the marriage of Don Carlos. For some reason Sinzendorf did not pay much attention to this, but when Hop repeated his words to Fleury, giving it as an example of Dutch willingness to oblige the Emperor "in a small matter," Fleury and Chauvelin were surprised and the latter asked Hop if he really considered the marriage a small matter. Stanhope, Walpole and Poyntz to Newcastle, (very private) Soissons, 21 June/2 July 1728, ibid., fol. 384v.

2Stanhope, Walpole and Poyntz to Newcastle, (very secret) Soissons, 9/20 June 1728, ibid., fols. 226v-42v.

Poyntz felt that through Fleury's "wrong management," the game had been "more than half plaid out of . . . [their] hands and thrown away," and that they had lost some of their negotiating strength because the cardinal's infinite eagerness for a general pacification "had hurried him into this rash and inconsiderate step." Poyntz to Townshend, Soissons, 8/19 June 1728, Bradfer-Lawrence, Townshend Papers.

Walpole, on the other hand, blamed "the malignant influence of Chauvelin" for Fleury's action on the marriage question. Walpole to Townshend, Soissons, 9/20 June 1728, ibid.
in return for their consent to the marriage? Would it be to their advantage to bring it out in the open and possibly before the Congress? All these questions were explored in letters and papers exchanged by the ministers in England, the Pensionary, and the British ministers in France.

In a paper entitled "Considerations relating to the marriage between Don Carlos and the eldest archduchess . . ." sent to Townshend, Walpole outlined some of the difficulties this would have for Europe. He noted that the objectives for the Spanish queen and the Hanover allies were incongruent except where the satisfaction of one side could only be gained by satisfying the other. Even though the queen was indifferent to the outcome of those matters in dispute at the Congress, she would not allow any settlement until she had been satisfied on the marriage. However Walpole thought it was more than a matter of quid pro quo. For should the Emperor decide to follow through on the marriage and propose it to the allies, how could they possibly respond without alienating either the princes of the Empire of the queen through the Emperor? If they consented to the marriage to please the queen, they would need to include enough reservations and stipulations to preserve the balance of power and satisfy the electors. With these they might gain the Imperial princes, yet at the same time these conditions could be so inhibiting to the Emperor, he would feel them an injury to his honor and refuse. As a result the allies, particularly England, would feel the queen's displeasure since she would blame them for placing such obstacles in the path of the marriage. Walpole was certain if the queen were forced to choose between the Hanover allies and the Emperor, she would side with the latter, for only he had the power to advance her children in the
event of Philip V's death. If, on the other hand, the allies did not stipulate proper conditions for the marriage, they would pay for pacifying the queen by having to face the dangerous consequences to the balance of power.

The alternatives were equally discouraging. The allies could make the queen a counterproposal for advancing her family, possibly promising the immediate reversion of Tuscany and some other Italian possessions to Don Carlos. But should Charles VI refuse this, it might lead to war, and Walpole doubted if the allies, particularly the cardinal, were that firmly resolved in their wish to separate the Vienna allies. Should the matter come to the Congress, the outcome of the debate could also end in a rupture in relations. The allies would then have no recourse except arms to prevent the consequences of the marriage and to get satisfaction for their respective interests pursuant to the Preliminaries which had not been obtained at the Congress. For Walpole the allies' lack of resolution was the key to why nothing would be determined at the Congress, and why things would be "flung into a heap of confusion and incertitude." The allies would be obliged "to keep up their forces, without doing anything, a situation as uneasy to the Subjects of England and Holland as an actual war, and so much the more so because they see no end of it." ¹

¹"Considerations relating to the marriage between Don Carlos and the eldest archduchess and the notion of a Provisional Treaty," 8/19 July 1728, Bradfer-Lawrence, Townshend Papers.

George II made a similar statement before Parliament the following January on the point that in view of the state of uncertainty "some may be induced to think, that an actual war is preferable to such a doubtful and imperfect Peace." Historical Register, XIV, 75.

In this same paper Walpole spoke of the possible advantage for the allies from the secrecy of the proposal. If the Spanish court agreed
In all probability Walpole arrived at this conclusion after sifting through the cardinal's remarks and weighing them with those of the Pensionary. Fleury had had second thoughts about the marriage and its effect on France. He realized that rather than gain Spain, France would lose out to the Emperor. The disadvantages therefore outweighed the implied compliment to the Bourbon family. The Pensionary inferred from the reports he had received that Charles VI wanted the marriage as the basis of the negotiations at the Congress, meaning if the allies agreed to it then the rest of the differences would be settled without further difficulties. But as Newcastle observed, Slingelandt's interpretation was at variance with Sinzendorf's and Bournonville's insistence on keeping the proposal a secret from the allies. The Pensionary suggested to accept Fleury's verbal consent but failed to follow through on their promise to make things easy for the allies at the Congress, the cardinal could charge them with deception and insist on revealing the secret to his allies. However, should Spain propose the marriage directly, the allies must let the queen and Emperor see that the conditions and restrictions sought by the European powers were related to preserving the balance of power and not to preventing the marriage. He hoped this would deflect some of the queen's ill will, though doubted they would gain her. The big question in his mind was how determined Charles VI was to conclude the marriage with Don Carlos. Walpole thought the Emperor might wait a few years to see how some events fell out and then take appropriate measures. "Considerations . . . Treaty," 8/19 July 1728, Bradfer-Lawrence, Townshend Papers. Walpole's own conclusion was that Charles VI had some reservations about the marriage, thinking it too dangerous at the present time, but acknowledged that Stanhope did not agree with him on this. Walpole to Townshend, Paris, 13/24 July 1728, ibid.

1 Walpole to Newcastle, (private) Compiègne, 14/25 June 1728, B.M., Add. MSS. 32756, fol. 293v.


3 Newcastle to Walpole, Whitehall, 24 June/5 July 1728, B.M., Add. MSS. 32756, fol. 399.
England could help settle affairs if they would make concessions in their trade and give up Gibraltar. Walpole disagreed. He claimed it all revolved around the queen's wish for the marriage and the allies' fear of its political consequences, and therefore neither England's commerce nor their claim to Gibraltar would have any effect on the outcome. Unless something happened in Spain, or the queen lost confidence in the Emperor, he saw little hope of anything being settled.¹

By the end of July no action had been taken, and the question was an irritant to both alliances. Despite pressure from the British and Dutch ministers, Fleury was adamant about not revealing the secret. This worried the Dutch, particularly the Pensionary, who was concerned about the political consequences once the news reached the men of Amsterdam that Hop had been excluded from the early deliberations.² The Vienna allies appeared equally at odds, though the British suspected this was more assumed than real. They deduced that the queen wished the marriage brought to the Congress to gain the allies' consent but the Emperor was opposed, finding it neither convenient nor advisable. Consequently Bouronville took a middle-of-the-road position, following the queen's orders to press Sinzendorf and Fleury on the marriage, though not to the point of disobliging Charles VI. As long as the marriage question remained a secret, the cardinal would not give his written consent since he felt it should be hedged with conditions for preserving the balance of

¹ Walpole to Townshend, Paris, 13/24 July 1728, Bradfer-Lawrence, Townshend Papers. As for himself, Walpole found the prospect of the marriage alarming and prayed he would never be involved in any negotiation about it. Walpole to Townshend, Soissons, 20 June/1 July 1728, ibid.

power. Yet he could not draft these provisions without the knowledge and concurrence of his allies. 

Sinzendorf hoped to postpone any discussion of the marriage until the Congress was concluded. But the British were opposed to this idea, fearing they would lose the Dutch, regardless of the outcome at Soissons. If the States were dissatisfied with the Congress, they might lose trust in the Hanover allies and perhaps join with the Emperor, who, in turn, could grant them the abolition of the Ostend Company. If, on the other hand, they received satisfaction at the Congress, the Dutch might no longer be interested in joining England and France in further actions, not being a people overly concerned about "distant Contingencies." This reasoning had little effect on Fleury who shared with Sinzendorf the desire to see matters swiftly concluded. Neither the count nor the cardinal wished the marriage question aired because this would obstruct negotiations in what appeared to them a promising solution, that is the Provisional treaty.

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1 Stanhope and Walpole to Newcastle, Paris, 18/29 July 1728, B.M., Add. MSS. 32757, fol. 205r-v.


3 Stanhope, Walpole and Poyntz to Newcastle, (very private) Soissons, 21 June/2 July 1728, B.M., Add. MSS. 32756, fols. 392v-93.

4 Stanhope and Walpole to Newcastle, Paris, 18/29 July 1728, B.M., Add. MSS. 32757, fol. 205v.
Sinzendorf first approached Fleury on the idea of a suspensive treaty soon after the cardinal had revealed Bournonville's secret proposal to the British ministers. In this instance, however, there was no problem of confidentiality since Sinzendorf was merely sounding "his broken & imperfect notions of a provisional Treaty for preserving the Tranquillity of Europe founded upon the Preliminarys."¹ He felt some means should be found to conclude matters at the Congress, and wished the cardinal to consider some plan, as he himself would be doing.² Fleury gave the matter some thought and came up with numerous advantages for the Hanover allies. The British would not have to worry about the question of Gibraltar since it would not be mentioned at the Congress. It would relieve the uncertainty about the French effects on board the Spanish galleons because the Spanish monarchs would not interfere with the proper distribution of the galleons' cargo on their return to Spain. Moreover, the allies might be able to reduce their expenses during the period the Provisional treaty was in effect, if they all agreed to dispense with the extraordinary forces. As for the threat posed by the Vienna Alliance, there was the strong possibility that Philip V would either abdicate or die in the near future and this would end the union between that country and the Emperor.³

Chauvelin thought the treaty was really the only way England could come to a true reconciliation with Spain, since any debate at the Congress

²Ibid., fol. 292.
over their respective pretensions would produce "great heat and animosity." But "a Provisional or Suspensive treaty . . . would calm matters" and in the course of time allow a better understanding between the two countries.¹ The British perceived that Chauvelin was trying to get them to give an early approval by showing how preferable it was to having the question of Gibraltar discussed at the Congress. He tried to put everything that would please them in as strong a light as possible. They offered little in response, sensing that the same advantages he extolled could be easily diminished in subsequent negotiations.²

In the weeks that followed, Fleury became so firmly attached to the idea of a provisional treaty based on the Preliminaries, that he suggested that Count Sinzendorf should be "flattered and caressed" in an effort to conclude the negotiations before he returned to Vienna. Once back at the Imperial court, the cardinal feared he might obstruct a peaceful settlement rather than advance it. Meanwhile, as the British dryly observed, Chauvelin "by his dextrous management and skill in negotiation" tried to convince them "that every step is previously concerted with us," that Sinzendorf dictated his thoughts upon the treaty and the allies would be free to manage it as they wished. They concurred with the last part because of their conviction that preserving a close union with the Hanover allies was one of the cardinal's guiding principles.³

¹Stanhope and Walpole to Newcastle, Paris, 17/28 July 1728, B.M., Add. MSS. 32757, fol. 196.
²Ibid., fol. 197r–v.
The British and Dutch had mixed reactions about the Provisional treaty. Goslinga thought unless some great event occurred in favor of the allies, there was no choice except that of war or a provisional treaty. Furthermore their options were considerably reduced by the cardinal's attitude toward war. Therefore they must submit to the treaty.\(^1\) Townshend was slightly more positive. The idea tempted him for it meant a speedy end to the negotiations but he saw several drawbacks. Judging from the way the treaty was conceived, there was a danger England could end in a worse position than the one occupied earlier. He questioned its effect on the Hanover Alliance, fearing France might consider themselves "fairly disengaged" by the accomplishment of this treaty. Thus he felt the treaty should be "plainly decisive, and strongly guaranteed," and the king not left in any suspense with Spain or the Emperor, nor the Dutch unsecured on their points. Finally, he was concerned about the effect on the English nation. As a matter of self-protection he suggested matters be conducted in such a manner as to absolve them from blame should a safe and honorable treaty not be obtained.\(^2\)

Neither of the British ministers in Paris responded with any enthusiasm to the proposal. Stanhope attempted to put as good a face on the project as possible. He observed that the Provisional treaty would grant them time to enjoy their possessions and allow them to profit from the secret of the marriage proposal either by thwarting it or in gaining some advantages in return for their consent. If England rejected the treaty

\(^1\) Foyntz to Stanhope and Walpole, Soissons, 14 July 1728, B.M., Add. MSS. 32757, fol. 78v.

\(^2\) Townshend to Walpole, Whitehall, 23 June/4 July 1728, Bradfer-Lawrence, Townshend Papers.
and the Congress was continued, they might lose more than they would gain, especially if the marriage question was not raised. He admitted his rationalization was based on the fact "that nothing better would be got not so much the game's not being in our hands, as from the weakness of our partner with whom we are to play it."¹

Walpole was skeptical. Given a choice, he would have opted for a plan couched in plain and simple language, succinctly and explicitly setting forth the terms for adjusting the pretensions of the allies. But when he had attempted this before the Congress opened, the French ministers and the Pensionary and Greffier had let it drop, considering it neither useful nor necessary. Like Stanhope, he foresaw difficulties ahead for England at the Congress. Should those nations who envied Britain their commerce prevail, they might induce the British to accept terms less advantageous than those stipulated in the Preliminaries. This, without question, would produce an outcry in Great Britain from the directors of the South Sea Company and their influential friends in Parliament. However Walpole doubted if the Provisional treaty would establish cordial relations with Spain as long as Gibraltar remained in British hands.²

Nor did he agree with Fleury's reasoning that once the treaty was signed and Congress concluded, France would have a better opportunity to take preventive measures by entering a new union with the Imperial princes. Whether France or the Emperor would have the greater advantage to engage the princes of the Empire, once the Congress was ended, was a toss-up in


²Walpole to Townshend, Paris, 8/19 July 1728, Bradfer-Lawrence, Townshend Papers.
Walpole's opinion. But there was no question that the treaty offered the Emperor certain advantages. The longer the Congress was in session the greater the chance something detrimental such as the marriage question or Philip V's threatened abdication or death, might occur. Furthermore, the treaty would save the Emperor's honor. He would not have to agree to an abolition of the Ostend Company but only to a renewed suspension according to the Preliminaries.¹

After exploring all sides of the question, Walpole acknowledged the arguments were moot, that England had little choice in the matter, since the cardinal was really "bent upon" the Provisional treaty, despite their evidence of "the inconveniencys of letting slip this opportunity of the Congress to embarass the Emperor in all points."² Therefore he thought they should consider a few protective measures. First, the period of years fixed in the treaty should be satisfactory to all the allies. Second, the wording of the treaty should leave "no room for future chicane and dispute" in regard to their rights, possessions and commercial privileges. He thought the cardinal would be cooperative on this second point because he was increasingly fearful of the consequences to France from the marriage. And if England and the States made it clear "of their being more or less disposed . . . against the marriage, . . . according to the care, that shall be more or less taken in the Provisional Treaty of their interests," it would have a promising effect on Fleury.³ Third and


²Ibid.

³Ibid.
last, to offset the treaty's transitory nature and to prevent problems arising at its expiration, Walpole suggested that France and England, and possibly Holland, if their government allowed it, should sign a private treaty renewing the Hanover Alliance and their respective guarantees. If they could remain united, he thought time was on their side in view of the violent situation in Spain. But he was aware that buying time was expensive in terms of money and the inconvenience to the nation to remain for any length of time in such an uncertain state.

Soon after the ministers in England learned of the proposed treaty they began pressing for one with a broader basis than the Preliminary Articles. Not content with securing their commercial privileges and evading the problem of Gibraltar, they wished to protect and possibly advance their interests in northern Europe. Directly related to this was their concern about the balance of power in the North and their fear that either through acts of omission or commission, the Emperor and the king of Prussia would increase their influence in that area at the expense of the elector of Hanover. Therefore, in accordance with Newcastle's instructions

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1"Considerations . . . Treaty," 8/19 July 1728, Bradfer-Lawrence, Townshend Papers. In a private letter to Newcastle, Walpole reported Fleury's proposal after the completion of the Provisional treaty, for the two countries to "enter secretly into the strongest Engagements never to give their Consent to the Marriage or to the Guarantee of the Emperor's Succession but with a joint Consent which should likewise be done with the knowledge & approbation of the Pensionary." Walpole to Newcastle, (private) Paris, 28 June/9 July 1728, B.M., Add. MSS. 32756, fol. 498v.


Townshend agreed with Walpole regarding his remarks on commerce and the need for clear terms. He thought they must take care not to "meet with the same difficulties and interruptions after the provisional treaty, . . . as we had after the Preliminary:" for if they had to explain the new negotiations "this whole Nation will cry out upon us here,
151
to sound out the cardinal on matters such as Mecklenburg and Schleswig, 1
the British ministers had conferences with Fleury and Chauvelin. They
pointed out to the French ministers that unless some precaution was taken
by an article in the treaty, new disturbances could arise in the Empire
while the treaty was in force. They presented arguments showing the
need to make use of this opportunity to settle affairs to the allies' satis-
faction before the Congress was concluded. In this regard they
brought up the matter of Mecklenburg. They suggested since Sinzendorf
wanted nothing more than to conclude a peace before his return to Vienna,
that it would be a simple procedure for him to arrange for the commission
to continue in Mecklenburg on the same footing, particularly since the
new Imperial decree including Prussia was yet to be implemented. They
proposed that an article be included in the treaty or that Sinzendorf
sign a declaration to that effect. The cardinal thought their idea of
a declaration was the more feasible one. 2

as being Duped. This is therefore a point that must be thoroughly under-
stood between us and Spain, & no room left for chicane & after Debates.”
Townshend to Walpole, Hampton Court, 15/26 July 1728, Bradfer-Lawrence,
Townshend Papers.

1 Newcastle to the Plenipotentiaries, (very secret) Hampton Court,
15/26 July 1728, B.M., Add. MSS. 32757, fol. 157r-v.

2 Stanhope and Walpole to Newcastle, (private) Paris, 25 July/
5 August 1728, B.M., Add. MSS. 32757, fols. 272-74v.

England was afraid if the king of Prussia was allowed a foothold
in Mecklenburg and his troops admitted there, he would soon have complete
control. This would upset not only the princes in Lower Saxony but also
the kings in Denmark and Sweden. Newcastle to the Plenipotentiaries,
(very private) Hampton Court, 26 July/6 August 1728, ibid., fols. 302v-303.

The British believed they were in the right legally in this mat-
ter for the princes and states of the Empire were obliged to obey only
those decrees of the Aulic Council which conformed to the laws and con-
stitution of the Empire. In the case of Mecklenburg, the Imperial
In regard to the affair of Schleswig, the British argued that France was under the same obligation to Denmark as England. It therefore disturbed them to see France displaying a partiality to the duke of Holstein for there was some suspicion that Charles VI and the king of Prussia were trying to win Denmark away from the Hanover Alliance. France's new attitude offered Denmark little incentive to remain loyal. The British failed to see what France hoped to gain from espousing the duke's cause. Regardless of his strong claim to the Swedish throne, they saw little chance of his succeeding to it. Not only could events work against him but his health was so poor it was more than probable the Swedish resolution violated those laws since it absolved the duke of Mecklenburg's subjects from their oath of fealty and placed the country under the Emperor's direction and therefore, according to England, it was unconstitutional. Only the Diet of Ratisbon had the authority to impose such a decree. In situations like this the prince who suffered an injury could bring his complaint to the Diet, but the duke of Mecklenburg was in no condition to do so. And because France was eager to conclude the Provisional treaty at an early date, England was afraid the princes would not have sufficient time to act on the matter. They were also concerned that once the Provisional treaty was signed the Emperor would feel free to ignore any ruling from the Diet and that the Imperial princes would be too weak to make an effective protest against his arbitrary actions.

Charles Frederick of Holstein-Gottorp had a strong claim to the Swedish throne and an even more immediate one to the Duchy of Schleswig, which Denmark had seized from his father in the northern war. After he married the elder daughter of Peter the Great, the duke gained an ally. When Russia entered an alliance with Austria in 1726, Charles VI added his support to the Czar's for the duke's claim to the duchy. However, England and France had negotiated a treaty that gave Schleswig to Denmark and they were joint guarantees. Moreover England had a particular interest in upholding the treaty, since Hanover had obtained Bremen and Verden on the condition that Denmark receive Schleswig. Lodge, "Treaty of Seville," p. 7. See above, p. 48.
monarchs, or at least the queen, would outlive him. Moreover, no matter what France did on the duke's behalf, the British were convinced he would always feel himself more indebted to the Emperor and the Vienna allies. That Denmark should now be expected to give an equivalent for Schleswig appeared singularly unjust to England, particularly since they had surrendered territories to gain it in the first place. For this reason George II wished to disassociate himself from whatever France planned to do in support of the duke. The king considered himself absolved of any responsibility for an equivalent and counted on France to see "that no part of such an unreasonable burden should be laid upon him."¹

Of less immediate concern than Mecklenburg and Schleswig, yet one which could affect the balance of power, was the succession of Julich and Berg. These fragments of the Cleve inheritance had been acquired by

¹A separate paper Newcastle enclosed to the Plenipotentiaries, Hampton Court, 31 July/11 August 1728, B.M., Add. MSS. 32757, fols. 356-58v.

Townshend noted that the declaration the king had signed with the Danish monarch about bearing a share of the equivalent was very weak but that it might cause hard feelings should the king of Denmark press for it, since George II could not think of submitting to it. Townshend had little good to say about the duke of Holstein and wondered why the "King should be embarrass'd, Denmark irritated, our Friends in Sweden hurt & wounded for the sake of a prince who has no ways deserv'd that Encouragement & zeal for his Interests at our hands; & who in all probability will never have it in his power to be of any use to Us or to France. And therefore I hope that care will be taken that his pretensions may not interfere to the embroiling our peace; but that they may be left upon the foot they are during the Term of the Provisional Treaty should there be a necessity of agreeing to this project." Townshend to Walpole, Hampton Court, 26 July/6 August 1728, Bradfer-Lawrence, Townshend Papers.

In a separate note to Walpole, Tilson reported that it was the king's idea to add the words "should there be a necessity of agreement to this project," which showed his reluctance to come into the Provisional treaty. Tilson to Walpole, Hampton Court, 26 July/6 August 1728, ibid.
the Neuburg princes, but for lack of a male heir the line was approaching extinction. The king of Prussia contended they should come to him under the treaty of mutual inheritance that ended the war of the Cleve succession. Opposing his claim was the House of Wittelsbach, which held the electorates of Cologne, Trier, Bavaria and the Palatinate. They were determined to keep the union of Jülich and Berg with the Palatine which the Neuburg princes had acquired in 1685, and in this they were supported by France and the United Provinces. The latter feared any increase in Prussia's power, particularly along the frontier.\(^1\) Anticipating that Charles VI might attempt to sequester Jülich and Berg, Townshend, in a letter to the Pensionary, proposed as a countermeasure that they turn to the fourteenth article in the Treaty of Cleves signed in 1666 by the elector of Brandenburg and the duke of Neuburg in the event of a dispute. While the matter was being settled he proposed that the prince of Sulzbach should take possession of the duchies as the next heir.\(^2\) Townshend thought the most promising solution to the problem was the separate treaty the cardinal was preparing to make with the four electors.\(^3\)


Though the last Neuburg elector survived until 1742 his succession was a frequent topic of debate in the years preceding his death. Ibid., p. 9.

\(^2\) When Walpole asked about the prince's claim, Chauvelin told him the elector's two brothers, the bishop of Ausburg and the elector of Treves were the next in line. Walpole to Townshend, Fontainebleau, 17/28 August 1728, B.M., Add. MSS. 32757, fol. 486. According to Lodge, Charles Theodore of Sulzbach was the unquestioned heir. See "Treaty of Seville," p. 9.

\(^3\) Newcastle to the Plenipotentiaries, (very private) Hampton Court, 26 July/6 August 1728, B.M., Add. MSS. 32757, fols. 303v-304; Legg, Diplomatic Instructions, VI, 38-39.
Fleury, however, found the negotiations far from smooth. One problem was the dispute between France and the elector Palatine over the sovereignty of some districts in Alsace. Another was the matter of subsidies which the electors required to maintain their troops for their security, and if necessary to come to the aid of their allies. Since England could not grant subsidies in peacetime there was little Walpole could offer the cardinal. Undeterred, Fleury promised to continue the negotiations, aware that the Imperial court was actively soliciting the electors to renew their treaties with the Emperor before they expired.¹

When Chauvelin shared his rough draft of what he termed "the Cardinal's Sentiments for framing a treaty" with the British, they learned to their surprise that no provision had been made for preventing troubles in Mecklenburg, Ostfrise, Berg and Jülich after the close of the Congress. The Garde des Sceaux explained that Fleury did not think Charles VI would consent to an article on these matters, particularly when there was no way of phrasing it so that it did not adversely reflect on the Emperor's actions or that of the Aulic Council.² As Chauvelin read through the project, article by article, the British ministers offered suggestions or corrections which he carefully noted. Yet when he returned the project a few days later they observed only a few changes had been made, and some of these were quite unexpected. One article over choosing the commissioners

¹Walpole to Townshend, Fontainebleau, 15/26 August 1728, B.M., Add. MSS. 32757, fols. 474v-75v.

²Stanhope and Walpole to Newcastle, (private) Paris, 26 July/6 August 1728, ibid., fols. 276v-78v.
brought on a rather heated discussion. The British claimed that they understood from the original wording, *de part et d'autre*, that only the parties involved in each dispute would name the commissioners to settle the matter. Now, however, they found it to read, *de toutes parts*, intending that all the contracting parties had a right to select the commissioners. They were certain George II would never approve but Chauvelin was firm. He told them quite plainly that France was concerned over the complaints between Spain and England and wanted to be sure "that England should not extend their privileges of the Assiento treaty further than the strict stipulations and letter of that treaty."  

In this he was joined by the Dutch minister Hop whose expressions clearly "shewed how much he desired to have an end put to the Assiento treaty, while he pretended at the same time, that since it was granted, the English nation ought to enjoy it, but without any further advantageous explanations and extensions beyond the strict letter of the treaty." The cardinal settled the question when he joined the group, stating that it was immaterial to him how the commissioners were selected and if the British objected, it should be changed. The article was accordingly made to agree with the initial understanding of the British ministers.


2Ibid., fol. 326v.

3Ibid., fols. 326v-27v.

The British ministers suspected that Hop and Chauvelin had collaborated on this change in the wording and that Hop only changed his position when he saw that Pleury was not going to support Chauvelin on this point. Ibid.

The argument over the phrases might be what Walpole had in mind in his paper "Considerations . . . Treaty," when he wrote that care
While they failed in their efforts to rephrase the fourth article so that it would appear in more general terms, that is, for adjusting the differences of the princes of the North without mentioning specifically the Danish king or the duke of Holstein, the British were successful in having a clause placed at the end of the article "for preserving the tranquility of the North, and for taking care that no disturbance may happen on that account." In the final analysis there was little the British could quarrel with for the project was, as planned, a confirmation and extension of the Preliminary Articles. The Ostend trade was suspended for an undetermined number of years, hostilities were postponed for the same period, provisions were made for adjusting differences and settling complaints, and the question of Gibraltar was ignored. The only difficulties which Townshend saw were in connection with Schleswig and Mecklenburg. The king wanted specific assurances that he was under no obligation to contribute to an equivalent for Schleswig, if the

should be taken in the wording to prevent any opportunity for future trickery or disputes over their commercial privileges and other rights. Written 8/19 July 1728, Bradfer-Lawrence, Townshend Papers.

A further refinement appears in a project of a treaty drawn up in September. In the event that the two commissioners were unable to reach an agreement, some mediators might be authorized by their respective princes. Thus the French or Imperialists could act as arbitrators between Spain and England or Spain and the United Provinces. In the same way the British and Dutch could be mediators in those disputes in which they were not a party. A.A.E., Mém. et Doc., France 499, fols. 67-73.

1 Stanhope, Walpole and Poyntz to Newcastle, Paris, 30 July/10 August 1728, B.M., Add. MSS. 32757, fol. 328r-v.

2 There was a difference of opinion about the term of years. The British and Dutch proposed fifteen years beyond what had been stipulated in the Preliminaries but Fleury, thinking Sinzendorf would not agree, lowered it to ten or twelve years. The space was left blank until Fleury could determine the number of years Sinzendorf would accept. Ibid., fols. 333v-34.
decision was made in favor of the duke of Holstein. In the case of Mecklenburg he wanted some security from the Imperial court that the Commission would remain solely in the hands of the king and the duke of Wolfenbuttel until the differences had been settled there. Should Sinzendorf object to making a formal declaration, George II was willing to accept a letter addressed to the cardinal to the same effect, providing a copy was sent to the king along with a letter in the name of Louis XV promising assistance if the Imperial court refused to honor Sinzendorf's promise.¹

Interestingly enough, the odd men out in these negotiations were the Spanish ministers. Bournonville went along with Sinzendorf but displayed little enthusiasm. He told the cardinal that he doubted if Spain would accept the project. Santa Cruz and Barrenechea were offended because the treaty had been projected and settled by the cardinal and Sinzendorf without any consultation with them. They brought their complaints to Fleury who managed to smooth things over. In an effort to salve their pride and to appear zealous in Spain's interests, they proposed adding a few new demands. However Fleury reassured the British on this point. He promised that the project would go to Brancas, the French

¹Townshend to the Plenipotentiaries, Hampton Court, 5/16 August 1728, B.M., Add. MSS. 32757, fols. 399-401; Legg, Diplomatic Instructions, VI, 39-41.

When Walpole approached Fleury on Townshend's recommendations, as usual, the cardinal was reluctant to put anything in writing but he assured Walpole that it was his understanding the crown of Denmark was responsible for any satisfaction owing the duke of Holstein. He promised he had no intention "de couper la bourse à la Majesté." Fleury reported he had spoken to Sinzendorf about a letter on Mecklenburg but there was no reference in Walpole's dispatch of a letter from the French king. Walpole to Townshend, Fontainebleau, 15/26 August 1728, B.M., Add. MSS. 32757, fols. 473v-74.
ambassador in Madrid, without any changes regardless of what the Spanish ministers put in writing. When Santa Cruz and Barrenechea stopped by Walpole's house to report on this conference and their proposal for increasing the demands, he reminded them that this would inevitably lead to the controversy they wished to avoid. England would be forced to answer their charges and bring some new complaints against Spain.¹

Chauvelin reported that Santa Cruz and Barrenechea were against the Provisional treaty because they did not wish to lose their appointments, and that they planned to present some extravagant claims in order to protract the negotiations at the Congress.² Even if Bournonville was in favor of the treaty, Chauvelin maintained he lacked the courage to oppose his fellow ministers. Stanhope deduced that this was a subterfuge Chauvelin had adopted with the idea of frightening the British about Spain's intentions in order to make them more amenable to the treaty as it was then drawn.³

¹Stanhope and Walpole to Newcastle, Paris, 7/18 August 1728, B.M., Add. MSS. 32757, fols. 411-12v.

²Santa Cruz told Poyntz he regretted "seeing so much of the Business of the Congress cutt off and left to the Commissarys, and seemed to wish to have some Demands inserted on the part of Spain, purely for the sake of prolonging his stay here." At the same time Santa Cruz said he had been named minister for England and Barrenechea for Holland. Stanhope and Poyntz to Townshend, Soissons, 17/28 August 1728, ibid., fol. 491.

³Stanhope to Townshend, Paris, 9/20 August 1728, ibid., fols. 427-28. He also thought Chauvelin was convinced the queen would not refuse the treaty since it was so strongly recommended by Sinzendorf. And because France had privately agreed to an article allowing Spanish garrisons in Tuscany, Stanhope thought this was indicative that France considered the treaty practically concluded. Ibid.

According to the Sicilian priests, Macanes, Santa Cruz and Barrenechea had all written the Spanish court in support of the project. They hoped Philip V would not reject it before their letters arrived. On the other hand, Santa Cruz told Brancas, the French plenipotentiary, that
Without waiting for the final approval of their respective governments, the ministers in Paris decided to send the project across the mountains like a trial balloon. Chauvelin had his doubts as to whether Spain would accept it but felt the time had come to discover what it would take to continue the peace.¹ Toward the end of August they dispatched their couriers to Madrid with copies of the proposed treaty. Count Sinzenhof sent one to Count Königsegg. He told Stanhope there were instructions included for the count to press the Spanish court to agree to the treaty.² The French ministers forwarded a draft to Brancas and the British, by the same courier, sent Benjamin Keene a copy so he could follow the developments at the Spanish court.³

The project of a provisional treaty was unexceptional in that nothing new was proposed or conceded by the participating powers. It was, however, the first real attempt to establish direct contact with the Spanish court and find some areas of agreement since the opening of Congress. Chauvelin recognized that the British and Dutch would have preferred a definitive to a provisional treaty. The latter left some matters open for later examination which Parliament might wish to avoid. Moreover

¹Chauvelin to [Fénelon and Brancas], Versailles, 13 August 1728, A.A.E., Mém. et Doc., France 498, fols. 203-204.

²Stanhope to Townshend, Paris, 9/20 August 1728, B.M., Add. MSS. 32757, fol. 428.

³Walpole to Townshend, Fontainebleau, 15/26 August 1728, ibid., fols. 47lv-72.
it kept the two Maritime Powers dependent on France. But, as Chauvelin observed, the British no doubt recognized, as did the French, that the situation in Spain would not allow a fixed plan. What England stood to gain was a tolerance of their possessions that tacitly included Gibraltar. The States would obtain a longer suspension of the Ostend Company. As for France, according to Chauvelin, they would benefit in the release from the threat of war.¹

The fact that Paris rather than Soissons was the center of these negotiations is indicative of how ineffectual or impotent that organization had become. The Congress was not so much forgotten as ignored. But once the project was on its way to Spain, the ministers in Paris turned their attention back to the Congress, wondering whether or not it should be continued. Walpole asked Townshend's secretary to consider the possible consequences should the Congress remain open without anything to do.² On the other hand, the French ministers were reluctant to take any steps until they had heard from Spain. They thought if the Congress were continued, it would give Spain time to consider their proposal without any feeling of coercion. The British agreed but insisted the Spanish court should be informed that this was the only reason for keeping the Congress open. They did not want Spain to entertain the illusion that matters relating to commerce could be examined or discussed at Soissons.³

The Congress thus continued at Soissons but without any immediate function.

² Walpole to Tilson, Fontainebleau, 14/25 September 1728, Bradfer-Lawrence, Townshend Papers.
³ Stanhope and Walpole to Newcastle, Fontainebleau, 14/25 September 1728, B.M., Add. MSS. 32758, fol. 165.
CHAPTER VI

THE PROVISIONAL TREATY CONSIDERED: SEVEN
MONTHS IN LIMBO

One of the rumors at Soissons in September and October of 1728 was that matters would be completed at Fontainebleau rather than at the Congress. Reinforcing this was the decision to reduce the number of meetings at the castle to one a week, as long as most of the plenipotentiaries were away at Paris or Fontainebleau. For those in Soissons, it was a vacation of sorts, but many wondered just how long the Congress would remain in session. Some ministers thought the end was in sight. But the less optimistic members took note of the large quantity of firewood stacked on the riverbank behind the castle, in readiness for the coming winter. The consensus was that ultimately it depended on Spain. Nothing could be concluded at Fontainebleau or Soissons without the cooperation and consent of the court of Madrid.

Thus in the fall of 1728 the actions and decisions of the Spanish monarchs assumed greater significance. It was vitally important that the Hanover allies be informed of every development at that court. France depended on their ambassador, the marquis de Brancas, and the United Provinces, on the Dutch ambassador, Francis Van der Meer, for full reports.

1Historical Register, XIII, 238-39.
But England had no one of ambassadorial rank at the court and continued to rely on the services of Benjamin Keene, a Norfolk protegé of Robert Walpole. Because Keene's rank of minister plenipotentiary was below that of Brancas and Van der Meer, he was often at a disadvantage when matters affecting England were brought before the Spanish court. He was unable to act directly and independently of his fellow ministers. Everything he wrote concerning national interests had to be shared with Brancas. On at least one occasion the two ministers returned conflicting accounts of an audience they had had with the queen. Brancas informed his court that the Spanish queen had taken offense over the wording in Keene's memorial on the subject of Spanish armament. After reading the same document, Walpole found nothing in it that should have disturbed her. Keene agreed and explained that apparently Brancas had failed to give the full picture of his audience with Elisabeth. She had been most reasonable about his memorial and in no way interpreted it as an attack on the Spanish king's rights.

Aware of the difficulties Keene faced in Spain, Walpole kept him as fully informed as possible. He explained the various parts of the Provisional Treaty and cautioned him not to listen to any alteration or addition the Spanish ministers or Brancas might propose, particularly regarding commissioners. England's official position was that the differences between Spain and the other countries were to be settled by commissioners appointed by Spain and the power involved. In this way England

1 See above p. 87.

and Spain could explore and decide on the settlement of the grievances for both nations without the intervention of another power.¹

Walpole did not trust Brancas any more than he had his predecessor, Rottemhourg. He observed to Keene that most of the French ambassadors who went to Spain

always had particular interests of their own in view, either relating to themselves or their family, and that altho' in the beginning they behave extremely well with regard to their instructions and the design of their mission, yet they make it only a foundation to make themselves considered and to gain a credit and confidence in that court, and . . . they by degrees abate of their zeal in the service for which they are sent . . . and therefore it has been always remarked that the French ministers there have set out well at first but have miscarried at last.²

Walpole reported that it was no secret that Brancas had gone to Spain with the idea of being made a grandee. With this in mind, there was reason to believe that Brancas was bending more to the queen's interests than he was toward those of France.³

Brancas learned in his audience with the Spanish monarchs that neither one approved of the project sent from Paris. The queen declared

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¹ Walpole to Keene, Fontainebleau, 22/23 August 172[8], B.M., Add. MSS. 32762, fol. 234v. This letter has been misdated in the Newcastle Papers. Both the content and heading indicate Walpole wrote it in 1728 rather than 1729. In August 1729 he was at Puteaux and Paris, not Fontainebleau.

² Walpole to Keene, (private and particular) Fontainebleau, 20 September 1728, B.M., Add. MSS. 32758, fol. 100.

³ Ibid., fol. 100v.
that everyone's interests had been protected with the exception of Spain. The cardinal, who "had one foot in the Grave," wanted the honor of a peace regardless of its merits; Count Sinzendorf wished only to return to the Imperial court to protect his influence with the Emperor; the English continued in possession of everything they desired and could again carry on contraband trade; while the Dutch were satisfied that the additional years for suspending the Ostend trade was tantamount to a suppression of the company. As for Philip V, he thought more provisions should be added to the project but did not elaborate any further. It was Keene's impression that things were falling the same way they had before the Declaration of the Pardo was signed. The Spanish monarchs would certainly propose some additions that could never be accepted, but in the end they would finally give their consent.

Spain's reply did little to advance the cause of peace in Europe. The wording was so loose and general, the ministers in Paris found it unintelligible in parts and subject to numerous interpretations. Instead of accepting or rejecting the project, Philip V took the position that it was only the starting-point of a negotiation. He talked vaguely of additional demands and explanations, and argued that the project left too many points for the commissioners to handle. He thought some matters should be brought to the Congress. But just what these matters were, he failed to say, nor did he indicate what parts, if any, of the project

1Keene to Walpole, Madrid, 6 September 1728, B.M., Add. MSS. 32758, fols. 69v-70.

2Ibid., fol. 70.

3Ibid., fols. 71v-72.
Spain would accept. The only point the Hanover allies deduced was that Spain would insist on Spanish garrisons in the places in Italy destined for Don Carlos. Bournonville reinforced this impression. He indicated that if the troop problem could be included as an article in the Provisional treaty, Spain would find it easier to reach an agreement on the remainder of the treaty.

The question of Spanish garrisons had been raised earlier in April by Fleury when it appeared that Charles VI might place his troops in Tuscany. The cardinal had asked Horatio Walpole whether something should not be proposed in terms of Swiss or even Spanish garrisons in some towns in accordance with the Quadruple Alliance. Walpole advocated using Spanish troops. Not only would this give the Hanover allies credit with the Spanish queen, but might even embarrass the Emperor. If Charles VI really intended that Don Carlos should succeed to Tuscany, he would have little grounds for refusing to allow Spanish troops in some of the principal towns. George II was inclined to agree with Walpole, though he was in no hurry to do anything about the garrisons. However, if given a choice between Spanish and neutral troops, he preferred the former since it would free France and England of any financial obligation for their support. In August Chauvelin revealed that France had privately agreed

1 Stanhope and Walpole to Newcastle, Fontainebleau, 7/18 September 1728, B.M., Add. MSS. 32758, fols. 58v-59.
2 Stanhope and Walpole to Newcastle, Fontainebleau, 14/25 September 1728, ibid., fol. 159r-v.
4 Newcastle to Walpole, (private) Whitehall, 16/27 April 1728, ibid., fol. 301v.
to an article by the Spanish ministers for putting Spanish garrisons into Tuscany. ¹

After receiving Spain's muddled response to the proposed Provisional treaty, the ministers in Paris began work on revising the project. The cardinal and Garde des Sceaux drew up some proposals they hoped would satisfy all parties. Stanhope and Walpole thought Fleury's attempt more plausible on paper than in practice. They feared some difficulty might be raised by the grand duke and his sister, and that the Emperor could misconstrue it as a threat to his claim of Tuscany as a fief of the Empire. Even Bourbonville considered it neither feasible nor effective as far as Don Carlos's succession was concerned.² Chauvelin's effort was modest in scope. His proposal called for the official recognition of Don Carlos as heir to Tuscany and it avoided any mention of troops. Sinzendorf, not surprisingly, thought his court would accept it.³

The British and French ministers drew up a separate article to accompany Chauvelin's proposal. In it they promised to work with Spain and Charles VI to execute the articles in the treaty of 1718 relating to Don Carlos's succession. If nothing was completed after six months of negotiation, France and England agreed, as they had in their treaty of


This agreement no doubt hardened Spain's position on the use of Spanish troops in Italy. For France's earlier agreement with Spain on this issue in the Treaty of Madrid of March 1721, see above, p. 45.

² Stanhope and Walpole to Newcastle, Fontainebleau, 14/25 September 1728, B.M., Add. MSS. 32758, fols. 162v-63.

1721, not to oppose the introduction of Spanish garrisons in those states intended for Don Carlos. Chauvelin suggested giving Bournonville a copy of this secret article to take back with him to Madrid but with the understanding that it was merely a thought rather than a solid proposal from the allies. Furthermore, Bournonville would be warned that the allies were considering other measures should Spain continue their present stance.

As the queen had observed in her remarks of the Provisional treaty, the Dutch were more concerned about the total suppression of the Ostend Company than in any other article. The danger for France and England was that if they failed to press this point, they could lose Dutch support on other measures. Earlier in the summer, when the Provisional treaty was under consideration, Fleury and Walpole discussed the difficulty of negotiating with the Dutch. Fleury believed that if they worked for a suspension of the Ostend commerce for a specific term of years, it would make the Dutch republic more dependent on France and thus more amenable to entering into other negotiations with them, that is acts designed to protect the balance and security of Europe. But as Walpole pointed out, much depended on the Emperor's actions. If he were to agree to the

1Enclosed in the British dispatch, 14/25 September 1728, B.M., Add. MSS. 32758, fol. 181.

2Stanhope and Walpole to Newcastle, Paris, 14/25 September 1728, ibid., fol. 166v.

The ministry in England approved the draft of the secret article on the condition that Spain must accept the rest of the Provisional treaty. Newcastle to Stanhope and Walpole, Windsor Castle, 20 September/1 October 1728, ibid., fol. 216v.

3See also the Historical Register, XIII, Report from The Hague, 298.
abolition of the Ostend Company and settled other matters in dispute, he could gain so much credit with the United Provinces they would be even more hesitant to enter a treaty that might offend him. Walpole's misgivings, however, came to nothing since Charles VI refused to consider a complete suppression of the company.

Sinzendorf contributed some ideas about the Ostend Company which the allies viewed with great suspicion. From the way he phrased the article, it seemed to make the suspension of the Ostend East India trade dependent upon an accommodation between the Emperor and the Dutch for settling the tariff of the Netherlands. The difficulty with this was that the sixth article of the project limited the negotiations on the tariff to a period of a year. Sinzendorf's article thus left the way open for possible chicanery. By delaying these negotiations on the tariff, the Emperor might reopen the trade after the year was up, pretending that the tariff accommodation had been a condition for his suspending the trade. The allies were uncertain whether Sinzendorf was being devious or if this was another example of his difficulty with language. But after the couriers arrived from Vienna and Madrid, the French ministers reported that Sinzendorf was reluctant to enter into any conferences


2 England's commercial interests were also involved in this matter. In November, Chammorel, the French secretary in London, reported that the East India Company had made considerably higher profits than in the past as a result of the suspension of the Ostend Company. Chammorel to [Chauvelin], London, 29 November 1728, A.A.E., Corr. Pol., Angleterre 366, fols. 276–77.

3 Newcastle to the Plenipotentiaries, Hampton Court, 3/14 September 1728, B.M., Add. MSS. 32758, fols. 28–29.
with them. On those occasions when he was obliged to talk, he spoke in such a "dark & unintelligible a Style, that they could not conclude any thing from what he said; All his Discourse being incoherent, interrupted by broken Sentences, with a string of Adverbs, . . . without speaking one Clause in a clear or consequential manner."¹

Notwithstanding the British and French support on the Ostend article, the Dutch were far from cooperative about the remaining articles of the treaty. Fleury complained about this "unreasonable spirit of selfishness in the states manner of negociating as if everything which regarded their interest was immediately to be done to their satisfaction, without their being at all equally engaged and concerned for the interest of others."² Walpole thought their provincial view of affairs stemmed more from the Dutch minister Hop than from the Pensionary. It was Hop who sought special advantages for the States yet was unwilling to grant similar consideration to the allies. What seemed most extraordinary of all to Walpole was the Dutch attitude that they could and should remain aloof from the affairs in the North. Walpole declared if any nation was concerned in northern commerce it was the United Provinces. The peace

¹Stanhope and Walpole to Newcastle, Fontainebleau, 28 October/8 November 1728, B.M., Add. MSS. 32759, fol. 65v.

Wilson believes that Sinzendorf fell into a trap set by the French to separate the Emperor and Spain when he sent the project of a treaty to Vienna, the latter part of September. The treaty, though developed by all the ministers in Paris, was based fundamentally on the French ministers' Idées Générales. Charles VI rejected the project with a great display of loyalty to Spain, but his real reason, according to Wilson, was that he had not been offered any compensation for suppressing the Ostend Company. Wilson, French Foreign Policy, pp. 203-4.

²Walpole to Newcastle, Fontainebleau, 27 August/7 September 1728, B.M., Add. MSS. 32757, fol. 566v.
and tranquility in that area was due more to the joint efforts of Britain and France than to the Dutch republic. In fact the expense had been borne by others. As long as he had been minister in Paris, Walpole maintained he had acted "with as much zeal for the service of the States as their own ambassadors could do, and perhaps with as much success."  

Later that fall the Dutch assumed a more conciliatory position. The Hanover allies had learned that five ships were being outfitted at Ostend, and that two or more seemed destined for the Indies. As a result the States authorized their East India Company to seize any ships that might be equipped for service with the Ostend Company. They instructed their ministers in Paris to unite with the other ministers on means for preventing additional ships of the Ostend Company from putting out to sea. The United Provinces could not afford to antagonize their allies unduly, especially when the outcome of the Ostend Company remained in doubt.

Aware of the advantages to be gained if a breach could be made between the Emperor and Spain, Walpole and Stanhope explored the possibility

1 Walpole to Chesterfield, Fontainebleau, 8 September 1728, B.M., Add. MSS. 32758, fols. 15v-17. Walpole felt so confident of his position he told Chesterfield if he were to communicate his letter to the Pensionary, Slingelandt, knowing Walpole as he did, would realize that he spoke out of "zeal for the mutual interest of both nations, which is the basis of their mutual security." Ibid., fol. 17.

2 Walpole to Townshend, Fontainebleau, 23 August/3 September 1728, B.M., Add. MSS. 32757, fol. 538r-v; Newcastle to Walpole, Hampton Court, 3/14 September 1728, B.M., Add. MSS. 32758, fol. 35v.

3 Poyntz to Stanhope and Walpole, Soissons, 4 November 1728, B.M., Add. MSS. 32759, fol. 48r-v.
of treating separately with Charles VI. Sinzendorf appeared interested since it would enable him to return to Vienna with a finished agreement. But his consent was not without hazard. He maintained he could sign nothing that forced Spain to agree to a new condition. What he had in mind were the two articles in the project relating to the appointment of commissioners for settling the commercial disputes. The British ministers were reluctant to exclude them. They did not want to risk being left alone to face and settle the remaining points with Spain at the Congress, particularly after everything regarding the interests of their allies and the Emperor had been settled. However, after weighing the advantages, Stanhope and Walpole endorsed the plan. Not only would the Emperor be signing without Spain but also his signature would make him an ally and a guarantor of all the king's rights and possessions. These included the commercial privileges and Gibraltar. The ministry in England agreed but cautioned them to specify that when Spain acceded to the treaty, the two articles relating to the commissioners must be included.

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1 Stanhope and Walpole to Newcastle, Fontainebleau, 7/18 September 1728, B.M., Add. MSS. 32758, fol. 58r-v.
2 Stanhope and Walpole to Townshend, Fontainebleau, 25 August/5 September 1728, B.M., Add. MSS. 32757, fol. 546v-47.
3 Stanhope and Walpole to Newcastle, Fontainebleau, 14/25 September 1728, B.M., Add. MSS. 32758, fols. 164-65v.
4 Newcastle to Stanhope and Walpole, Windsor Castle, 20 September/1 October 1728, ibid., fols. 214-15.

Townshend had given the ministers similar instructions a week earlier. If they signed separately with the Emperor, he advised them to be certain "to have whatever shall be agreed on, settled in such a manner, as shall give good grounds to hope, that either Spain will be obliged to comply with the Terms proposed, or that the present Confidence between the Courts of Vienna & Madrid, will be broke upon their Refusal;" Townshend to the Plenipotentiaries, Windsor Castle, 12/23 September 1728, ibid., fols. 108-9; Legg, Diplomatic Instructions, VI, 42-43.
The Spanish ministers in Paris naturally opposed any such action by Sinzendorf and the Hanover allies. Santa Cruz asked the cardinal to give his word that he would not sign without Spain. Fleury refused, saying if the allies signed, he would do the same. But to the chagrin of the allies, just when they thought a settlement was in sight, Sinzendorf turned against the idea. The decision had been made in Vienna. Prince Eugene told Waldegrave, the British ambassador, that the Emperor would not conclude without Spain. At the same time the allies learned that some remittances had been sent to Vienna by the Spanish court. England feared this decision would make Spain less tractable than ever.

The outlook was far from promising, as Walpole informed his brother. Sinzendorf either would not or could not clarify the Imperial court's position on the Provisional treaty. Despite his protestation that he could not sign without Spain, Sinzendorf did not rule out the possibility of a change in the future. Walpole thought his indecisiveness was partly due to a fear of disobliging the Spanish court. Moreover Sinzendorf was not certain how much support he had in Vienna. There were

1Stanhope and Walpole to Newcastle, Fontainebleau, 29 September/10 October 1728, B.M., Add. MSS. 32758, fol. 321r-v.

2Tilson to Walpole, Whitehall, 28 October/8 November 1728, Bradfer-Lawrence, Townshend Papers.

3Newcastle to Stanhope and Walpole, Whitehall, 6/17 November 1728, B.M., Add. MSS. 32759, fol. 111r-v; Legg, Diplomatic Instructions, VI, 44-45.

As a matter of fact Spain had already decided not to take any resolution on the project, regardless of the additions, until Bournonville returned to Madrid. They wanted to learn from him what advantages, if any, there were for Spain to have Congress dissolved before the matters agreed to by the Preliminaries had been discussed and settled. Translation of letter from the marqués de la Paz to Count Königsegg, Madrid, 17 October 1728, P.R.O., S.P. 78/188, fols. 591-92v.
rumors that his enemies there had been taking advantage of his absence to destroy his standing with the Emperor.¹

After some deliberation, Sinzendorf decided he should return to Vienna and re-establish his influence in the Imperial court.² Before his departure the British ministers pressed him about the continued delay in the negotiations. They claimed the Imperial court was now as much to blame as Spain and spoke of the need to conclude matters. Sinzendorf was dismayed when they hinted of the possible necessity to enter some measure with their allies. He begged them not to take any precipitate action because "the Emperor must not be left like a Bird upon a Branch."³ He promised on his return to Vienna to try and bring things to a "Determination."⁴

Meanwhile the dispatches from Spain showed the Imperial court shifting their course on foreign policy wherever it seemed profitable. Thus Sinzendorf's attempts at an accommodation in Paris were disavowed by the Imperial minister in Madrid. Königsegg reassured the Spanish monarchs that the Emperor would continue to support their just pretensions and that he would never abandon them nor sign any instrument without their consent.⁵ The inference was clear; Charles VI would not act as he

¹Horatio Walpole to Robert Walpole, Paris, 30 October/10 November 1728, B.M., Add. MSS. 32759, fols. 92-93.
²Stanhope and Walpole to Newcastle, Fontainebleau, 28 October/8 November 1728, ibid., fol. 69v.
³Stanhope and Walpole to Newcastle, Paris, 19/30 November 1728, ibid., fols. 244-45.
⁴Ibid., fol. 245.
⁵Keene to Newcastle, Madrid, 19/30 November, ibid., fols. 266v-67v.
had in 1727 when he signed the Preliminary Articles without Spain. However, Keene thought the Imperial court was behaving exactly as it had before the Preliminaries, that is, acting one way before the Hanover allies and another with Spain.¹ The Imperialists, as he observed, have endeavoured to content us in France with a more than ordinary Forwardness to come to a Conclusion, and when Matters were supposed to be ripe enough for Execution and Spain began to complain of some secret Negotiations, and to insist seriously upon the Placing Spanish Garrisons in Italy (an Article which the Emperor will scarce ever consent to) He thinks it necessary for the maintaining his Allyance to fall in with their Maxims and to object against a Plan which had been changed and managed by his Cheif [sic] Ministers as it may fairly be imagined by his Consent, and certainly He never could have calculated this Alteration of his Proceedings for a better Time than that of the Arrival of the Galleons.²

Keene’s reference to the arrival of the Spanish galleons was in the figurative sense. Neither he nor the other foreign ministers expected the ships to arrive at Cadiz for several months. However, since they would be well loaded with treasure and goods from the West Indies, they gave the Imperial court an added incentive to remain on the best possible terms with Spain.

According to Keene, the Spanish court was elated over the latest declaration from the Emperor to stand by them.

¹Keene to Newcastle, Madrid, 19/30 November, B.M., Add. MSS. 32759, fol. 268v.

²Keene to Newcastle, Madrid, 19/30 November 1728, B.M., Add. MSS. 32759, fols. 268v–69.
[Now] ... nothing can ... be well denied Him, The Pay-
ment of the Subsidies in arrears & the Continuation of Them
for the Future will meet with no Difficulty; and ... Spain
was never more content with the Emperor than they are at
present, and indeed, it was never more worth his while to
court and Caress them.¹

The British ministers had reported earlier that the Emperor was short
of funds and in need of the Spanish subsidies.² Thus Charles VI's
declaration, while it thwarted the negotiations, might well ease the
financial difficulties of the Imperial court. Keene thought these ex-
pressions of friendship would continue until Charles VI had received his
share of wealth from the galleons. Moreover "by knowing when to yeild
[gic] to the Allyes of Hanover, and when to flatter the Court of Spain
with fresh Hopes and Assurances, The Emperour will endeavourse to keep
Affairs in a continual Suspense, as advantageous to Himself as it is
prejudicial to other Powers."³ Such news offered little hope that Spain
would agree to an accommodation with the Hanover allies on reasonable
terms.⁴

France had no desire to upset the Spanish court because French
businessmen had considerable investment in the galleons and the ministers
did not want them put in jeopardy. For this reason Fleury and Chauvelin
were notably unenthusiastic about England's proposal to send a joint
declaration to the Emperor and Spain. The British wished to limit the
period of time in which the two courts could consider the Provisional

¹Keene to Newcastle, Madrid, 19/30 November 1728, B.M., Add. MSS.
32759, fol. 269.

²Stanhope and Walpole to Newcastle, Fontainebleau, 28 October/8
November 1728, ibid., fol. 68r–v.

³Keene to Newcastle, Madrid, 19/30 November 1728, ibid., fol.
269r–v.

⁴Ibid., fol. 268.
treaty. If, after an agreed date, no motion had been made by these pow­
ers, England wanted to break off all negotiations and take other measures
to get justice. It was not a question of the cardinal's loyalty to the
Hanover allies but France dared not force the issue and possibly bring
on a rupture with Spain. What the French ministers wanted was time for
the galleons to arrive and for the indulto declared on the cargo.¹

The British considered the French argument about the galleons
exceedingly weak. They were afraid if Spain ever got wind of it, they
would lose any chance for a reasonable settlement. Newcastle asked:

Is it to be imagined that, in the present posture of Affairs,
when they [Spain] know the Concern the French have in the
Galleons, and the Influence That has always had on their
Councils, the King of Spain would suffer the Effects on
board those Ships to be distributed to the French, in order
to take off the only Obstruction, as it is to be hoped,
that there is in France to their acting with any Spirit
against Spain? and would not the French get their share of
those Effects much sooner, by taking some vigorous Resolu­
tion that might bring about a general Reconciliation?²

Fleury conceded that the galleons were much on his mind. He felt, however,
that such a declaration as the British proposed might push the Emperor
and Spain into extreme measures. He knew Charles VI did not want a war
and would not fight unless he had money. The only way Spain could pro­
vide the funds was to seize the galleons' effects.³ Thus, because of the

¹Stanhope and Walpole to Newcastle, Fontainebleau, 28 October/8
November, 29 October/9 November 1728, B.M., Add. MSS. 32759, fols. 66v–69,
91; Newcastle to Stanhope and Walpole, Whitehall, 6/17 November 1728,
ibid., fol. 114r–v; Legg, Diplomatic Instructions, VI, 46.

²Newcastle to Stanhope and Walpole, Whitehall, 6/17 November 1728,
B.M., Add. MSS. 32759, fols. 117v–18; Legg, Diplomatic Instructions, VI,
47.

³Stanhope and Walpole to Newcastle, Paris, 16/27 November 1728,
B.M., Add. MSS. 32759, fols. 228v–29.
galleons, it appeared that the negotiations would be spun out by France as well as by the Vienna allies. Stanhope and Walpole began to think the galleons might well determine the outcome of affairs. Walpole despaired of getting any action from the allies. He feared the Dutch ministers might soon "appear as weak, & faint-hearted as the French & then we shall stand alone."^2

Another idea the British briefly entertained was to threaten a return to the Congress. Stanhope and Walpole were instructed "to fling out this Hint to the Cardinal, in such a manner, that he may by no means imagine you mention it as if it were an eligible thing for the Allies to go back to the Congress, but only as what might frighten the Court of Vienna."^3 This idea stemmed from the ministry's conviction that the Imperial court had initiated the Provisional treaty in order to prevent the grievances of the Empire, as well as other matters relating to the Emperor's interests, from being debated at Soissons. However, nothing materialized. Fleury was reluctant to do anything until they had heard again from Spain. The only commitment he was willing to make was in respect to Spain's answer. If this reply proved unsatisfactory, then

^1 Stanhope and Walpole to Newcastle, Paris, 19/30 November 1728, E.M., Add. MSS. 32759, fol. 246.

^2 Walpole to [Delafaye?], Paris, 17/28 November 1728, P.R.O., S.P. 78/188, pt. 2, fol. 368. Walpole reported that he would try to "animate the Cardinal with new spirit & vigor." Ibid., fol. 368v.

^3 Newcastle to Stanhope and Walpole, Whitehall, 6/17 November 1728, E.M., Add. MSS. 32759, fol. 114; Legg, Diplomatic Instructions, VI, 45.

^4 Newcastle to Stanhope and Walpole, Whitehall, 6/17 November 1728, E.M., Add. MSS. 32759, fol. 113v; Legg, Diplomatic Instructions, VI, 45.
he thought the Hanover allies should meet and come to a decision on how to bring matters to a conclusion.¹

The British failed in their attempts to stir the Hanover allies into assuming the initiative. Neither the United Provinces nor France was willing to take any further action for fear of jeopardizing whatever progress had been made with the Vienna allies. The negotiation had virtually come to a halt and no wedge had been driven between the Emperor and Spain.

Walpole and Stanhope deduced that it was not so much the disputes relating to the Congress that were delaying the negotiation as it was some differences between the two courts. They suspected that the queen was putting pressure on the Emperor to declare himself on the marriages.² In their opinion it would be to her interest to sign the Provisional treaty before pressing the Emperor on this matter. They felt she would be in a stronger position for making him declare himself if she had the support of the Hanover allies. Then, if he refused to allow the marriages, the queen, with the aid of the allies, might obtain other advantages for herself and her family, regardless of the Emperor.³

The Spanish monarchs, however, were not ready to consider anything less than marriage. In September they had again sought a favorable declaration from Fleury. He resisted, as he had in the past, on the grounds that he could do nothing of such importance without the knowledge and


²Stanhope and Walpole to Keene, Paris, 29 November 1728, ibid., fol. 242v.

³Stanhope and Walpole to Keene, Fontainebleau, 18 October 1728, B.M., Add. MSS. 32758, fol. 373r–v.
consent of his allies. 1 Two months later Bourronville indicated that Spain might "oblige the Emperor to speak plain one way or other" on the marriage. 2 Sinzendorf maintained, should this arise, that the Emperor would refuse to return them an explicit answer. 3

The British ministers were at a distinct disadvantage on the marriage question. Because they were not supposed to be in on the secret, every scrap of information was second-hand at best. It was only through some references dropped by the cardinal that they concluded he was engaged in a secret correspondence with the Spanish monarchs, one from which even Chauvelin was excluded. Fleury's unflattering remarks about the Spanish court reassured them that he was in no mood to change his position and give his consent. 4

Spain was in a difficult position, especially since the queen's marriage ambitions were not included in the Preliminaries. If the Spanish

1 Walpole to Newcastle, Fontainebleau, 27 August/7 September 1728, B.M., Add. MSS. 32757, fol. 567.


3 Stanhope and Walpole to Newcastle, Paris, 19/30 November 1728, ibid., fol. 245v.


Stanhope, as it turned out, was correct when he told Newcastle he thought everything revolved around the marriage. If France were to give a favorable reply, Stanhope thought the queen would then put pressure on Charles VI to execute his promise. Spain would break with whichever side disappointed them. Where Stanhope erred was his guess that there might be no difference between the Emperor and Spain on the marriage. He suspected it could be a ploy to get the marriage and the Emperor's succession settled before the Vienna allies would negotiate on matters relating to the other powers. Stanhope to Newcastle, (private) Paris, 28 November/9 December 1728, B.M., Add. MSS. 32759, fols. 321-23.
court approved the Provisional treaty. Spain would have to surrender any claim to Gibraltar. This was a heartfelt issue in Spain. Should the queen give way on it, she would not only be accused of using the nation to advance her own interests but would also increase the opposition against her.\(^1\) On the other hand, if Spain rejected the project outright, it could antagonize the Hanover allies. They might even retaliate with another blockade, threatening the return of the galleons. Without the wealth on board, Spain would lose their tenuous hold over the Emperor and France. For these reasons Spain followed the policy of delay.

Keene correctly noted in November that the Spanish court had decided to play for time. Though he was unable to speak to Bournonville on his return to Madrid and after his initial audience with the king and queen, Keene did learn from Brancas that the Spanish ambassador thought a general peace would be signed in March, some five months in the future.\(^2\) This seemed an excessively long period but Keene soon saw that the Spanish court was determined to spin out the negotiations until the galleons arrived.\(^3\)

\(^1\)Keene to Newcastle, Madrid, 14/25 October 1728, B.M., Add. MSS. 32758, fol. 432r-\(^v\).

\(^2\)Keene to Newcastle, Madrid, 28 October/8 November 1728, B.M., Add. MSS. 32759, fol. 79r-\(^v\).

\(^3\)Keene to Newcastle, Madrid, 11/22 November 1728, ibid., fols. 206v-207.

Keene noted earlier that everything had been held in suspense after the news reached Spain that Louis XV was ill with small pox. Those closely connected to the Spanish court believed Philip V, regardless of his renunciation, would press his claim to the French crown. His son, the prince of Asturias, would be his heir in France, and Don Carlos would succeed him in Spain. Keene to Newcastle, Madrid, 20 October/8 November 1728, ibid., fols. 79v-81.
From the viewpoint of the Hanover allies, the situation in December appeared serious. Fleury, who before had expressed so much confidence in a peaceful settlement, told the British ministers there was little hope for this.  

France began preparing for war. Orders were sent for filling the magazines and checking the artillery. The cardinal thought that "far from having any views of disbanding their Forces, ... the Allys should rather prepare to encrease them." This was contrary to everything Fleury had been saying and it was far from clear what had occasioned his reversal. The ministers could not determine if it arose from the behavior of the Imperial court, from some mysterious action by Spain, or from some special intelligence unknown to them. All they could report was that Fleury thought a war quite probable.

This uneasy condition of being neither at war nor at peace presented a problem for the British ministry. Parliament would be meeting in January, and it was evident by November that the government could not report much progress in the negotiations. They had expected these to be satisfactorily concluded before the year was out, but it appeared that a settlement was further away than ever. Newcastle thought it would be

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2 Stanhope and Walpole to Newcastle, Paris, 26 November/7 December 1728, B.M., Add. MSS. 32759, fol. 297v.
3 Ibid., fols. 297v-98v.

Without consulting their allies, the British had been beefing up their navy. The British ministers were instructed to tell Fleury, if he raised any questions about the additional ships, that it was due to "the present uncertain State of Affairs, & the unaccountable proceedings of the Spaniards." Newcastle to the Plenipotentiaries, Hampton Court, 3/14 September 1728, B.M., Add. MSS. 32758, fol. 31r-v.
beneficial if the cardinal were to show more vigor.¹ Fleury was sympathetic but not helpful with his wait-and-see policy. He hoped by the time Parliament met, Spain would have obliged the Emperor to clarify his position regarding Spanish interests.² But there was little change when Stanhope and Walpole were recalled to England in December to attend Parliament and report on the Congress of Soissons.³

In his opening address, George II explained that because at the Congress

the various and extensive Views, which fell under consideration, in settling and reconciling the different Interests and Pretensions of so many different Powers, appeared to be a Work of so much Time and Difficulty, ... the Project of a Provisional Treaty was thought of as a proper Expedient; which being concerted and negotiated among the Ministers of the principal Powers, ... was approved of by me and my Allies, not without reasonable Hopes of the Concurrence of the Imperial Court, and the Court of Madrid.⁴

¹Newcastle to Stanhope and Walpole, Whitehall, 6/17 November 1728, B.M., Add. MSS. 32759, fols. 116v-17v.
²Stanhope and Walpole to Newcastle, Paris, 16/27 November 1728, ibid., fol. 228v.
³Newcastle to Stanhope and Walpole, Whitehall, 3/14 December 1728, ibid., fols. 343-44. Poyntz was to remain in Paris during their brief absence.
⁴Historical Register, XIV, 75.

Fleury was not in favor of having the project of the Provisional treaty brought before Parliament unless it was absolutely necessary. And if it were presented, then not as a plan that Sinzendorf had settled and approved. The cardinal thought this would act against the Imperial minister in Vienna and Madrid. Poyntz to Newcastle, (very private) Paris, 3/14 January 1729, P.R.O., S.P. 78/190, fols. 44v-45.

Fleury had faith in Sinzendorf's good intentions and did not want anything to hinder the Imperial minister from working out an accommodation at the two courts. Poyntz to Newcastle, Paris, 18/29 December 1728, B.M., Add. MSS. 32759, fol. 460.
He was obliged to add that they had yet to hear definitively from either the Emperor or Spain, and that until then, "the Fate of Europe," was still in suspense. He recognized that this uncertain state was difficult to bear and that some might think

an actual War is preferrable to such a doubtful and imperfect Peace. But as the Exchange is very easy to be made at any Time, . . . I hope you will believe, that a just Regard for Ease and Interest of my People alone prevailed upon me, rather to suffer some temporary Inconveniences, with the daily Prospect of obtaining a safe and honourable Peace, than too precipitately to kindle a War in Europe, and to plunge the Nation into still greater and unknown Expenses.  

Parliament indicated they were behind the king, and if the only way they could obtain peace was "in a just and necessary War," then they would support him with cheer and zeal in the prosecution of it.  

Parliament's answer was reassuring but the real test was whether or not they would vote the necessary supplies. William Pulteney and William Shippen of the Opposition spearheaded the attack against the ministry. They argued against maintaining a large standing army when there was no threat of an invasion. This, they claimed, was inconsistent with the laws and constitution of England. To buttress their point they used the examples of Charles I and James II to prove that standing armies in times of peace had led to problems. Horatio Walpole answered some of their arguments for the ministry. He pointed out

that when peace or war was doubtful, it was not prudent to shew we were afraid, and so to give the French an opportunity to fly off, if they should be so inclined, when by keeping in

1Historical Register, XIV, 75-76.
2Ibid., p. 78.
3Ibid., pp. 112-13; Knatchbull's Parliamentary Diary, p. 81.
the state of force you were in they could have no reason, and insisted much on the fidelity of the French and defied one instance of their wavering to be shewn, and ran into a debate and narration of the whole negotiation for many years. 1

As the debate mounted, Walpole declared several times that one reason the Vienna allies delayed executing the Provisional treaty was in hopes that reports of the divisions in England were true. The Opposition insisted the delay was due to the "blunders and misconduct of the ministers and plenipotentiaries." 2

As Walpole indicated in his speech, the uncertainty of affairs led some members to raise questions about the fidelity of France. They wanted to know what demands, if any, Great Britain had made for assistance during the siege of Gibraltar. Horatio Walpole spoke several times on this point, explaining that soon after the siege opened, they had entered negotiations with the Emperor to prevent a war, and this resulted in the Preliminary Articles. France had given all possible reassurances of support in case of a rupture and war had been declared. But no succours had been asked since the Preliminary Articles had made it unnecessary. 3

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1 Knatchbull's Parliamentary Diary, p. 81.
2 Ibid., p. 82.
3 Ibid., pp. 83-84; Egmont's Diary, III, 345-46.

Immediately following his defense of France, Walpole wrote Fleury about the debate. He explained that the insinuations against France had been started by members of the Opposition. Parliament, however, was satisfied with the assurances from members in the government, and the king remained firm in his belief of France's fidelity. At the same time, Walpole warned the cardinal that matters were coming to a crisis and they could not remain much longer in the present situation. He reviewed the history of the negotiations and the lack of action in the Imperial and Spanish courts. His thought was that the allies should come to a joint resolution to take action, just as they had done so successfully in 1727 in negotiating the Preliminary Articles. Walpole to Fleury, London, 6/17 February 1729, P.R.O., S.P. 78/193, fols. 61-69v.
From this Parliament went on to question the Anglo-Spanish trade and the negotiations regarding Gibraltar. They heard petitions from merchants trading in America and the West Indies, who protested Spanish seizures and depredations of their ships and goods. The administration's attempts to play down these complaints met with little success. A motion was made and carried for the Commons to make an address to the king "to use his utmost Endeavours to prevent such Depredations; to procure just and reasonable Satisfaction for the Losses sustain'd."

Parliament wanted to determine from official papers Britain's right to Gibraltar and Minorca. They called for documents going back to George I's reign, including his letter to Philip V in which he promised "to make use of the first favourable Opportunity to regulate this Article [i.e. the restitution of Gibraltar], with the Consent of my Parliament." After a long debate in the Lords, it was moved that "effectual Care should

1 Historical Register, XIV, 122, 126-27; Knatchbull's Parliamentary Diary, pp. 86-87.

2 The Historical Register reports that some men in power hired writers to belittle the losses of the merchants and even "to justify the Depredations of the Spaniards, . . . But . . . it is a Misfortune for Ministers of State to be sometimes obliged to employ, at least connive at Mercenary Scribblers, who generally overshot their Aim, and, in the End, bring Scandal and Reproach upon their Masters." Historical Register, XIV, 143.

3 Ibid., pp. 143-44; Knatchbull's Parliamentary Diary, p. 92. See also Gibbs, "Parliament and Foreign Policy . . . Walpole," pp. 31-34, where he notes that the government was apparently caught unawares by Parliament's decision to examine the papers in connection with the Anglo-Spanish trade. They were particularly concerned over the instructions of the commanders of the squadrons in respect to the blockade in 1726 and the correspondence with the Secretaries of State. There were sections in these letters the ministry did not want Parliament to know and so they had to be read and edited carefully. They wished to avoid anything that might raise questions about the reliability of France.

4 Historical Register, XIV, 144-45. See above, pp. 45 and 66-67 for background on Gibraltar.
be taken in the present Treaty, That the King of Spain do renounce all Claim and Pretension to Gibraltar and the Island of Minorca, in plain and strong Terms." The House of Commons was invited to join in the resolu-
tion. After the lower house heard the resolution, they spent a day in debate before voting to accept it.

Parliament, despite the efforts of the Opposition, passed the needed supplies. Horatio Walpole hoped this would convince the Imperial court that Parliament was behind the king and determined to conclude matters by peace or by war. He knew the Imperial ministers in London might give their court a different impression because they talked primarily with members of the Opposition. They thus became "entangled in a wilderness of errors," and "by getting false lights" thought they would learn more about the situation than those who knew "the true state of things" in England.

Townshend, on the other hand, did not want Fleury to be misled into thinking that because funds had been voted, it meant Parliament was unanimous in its support. Rather, he attributed it to the zeal of the chief men in both houses who were convinced that the measures taken were

1 Historical Register, XIV, 144-45.

2 Khatchbull reports there was a discussion in the lower house on how they should manage this conference with the Lords. They agreed it should be done in the usual way, that is the lords were to enter with their hats off. The lord who was to speak would put his hat on and re-
main standing. The Commons would receive them with their hats off. Khatchbull's Parliamentary Diary, p. 92.

3 Ibid., pp. 92-93. See also the Historical Register, XIV, 146-
48. George II in return said he would take care to secure his undoubted right to the two places.

the right ones but expressed anxiety over the uncertain state of affairs. He therefore wrote two letters to Poyntz on the same day. One was a moving report about the difficulties in Parliament and the need to have France agree to some method of ending affairs, one way or the other. There was a veiled threat that if France failed to do this, England would have to find some means of reducing her expenses abroad. All of which was expressed in a personal and confidential manner. But as his second letter indicates, the first was designed for the cardinal's consumption. Townshend's objective was to get Fleury to commit himself in the event Spain refused to sign the Provisional treaty.¹

On 24 March some members of the privy council met at Townshend's house. Horatio Walpole read a paper on the history of the negotiations. The members discussed and approved the proposal that the British ministers be directed not to return to the Congress except to sign the Provisional treaty. They suggested that the cardinal be informed of this decision in confidence. By this means they hoped to bring an end to the negotiations. Meanwhile Horatio Walpole was to put the instructions into proper form for final approval of the council at their next meeting on 29 March.²

According to the instructions for the British plenipotentiaries issued 31 March 1729, the ministers were to inform the cardinal of the great uneasiness in England over the long negotiations and the need to bring them to a conclusion one way or another. They were to sound him

¹Townshend to Poyntz, Whitehall, 21 February 1729, Coxe, Memoirs of Sir Robert Walpole, II, 638-41.

²King, "Notes of Domestic and Foreign Affairs," pp. 84-85. Those present, in addition to Stanhope and Horatio Walpole, were the dukes of Newcastle, Devonshire and Grafton, the earl of Scarborough, Lord Townshend, Lord Trevor, Sir Robert Walpole and King, the Lord Chancellor.
out on what action he thought the Hanover allies should take after the galleons arrived.  

Accompanying these instructions was a paper tracing the course of the negotiations from the signing of the Preliminaries up to the present. In brief, it noted the concern of the European powers that the snail-like pace of the Congress would spin out the negotiations beyond the time allotted by the Preliminaries. For this reason, the ministers in Paris had drawn up the project of a Provisional treaty for a general pacification. Such a treaty would avoid the threat of an inconclusive settlement at the Congress. The Hanover allies had approved the project but had yet to receive a commitment from the Vienna allies, despite the fact that an Imperial minister had been one of the principal authors of the treaty. Whatever the reason behind this delay on the part of the Emperor and Spain, England's position was that the Hanover allies should agree not to return to the Congress, particularly since the term set by the Preliminaries had expired through no fault of their own. This paper supplemented the official instructions and was designed as an aid to the ministers in their discussions with the cardinal.  

In the short time Stanhope and Walpole were in England, Poyntz reported that Fleury was less pessimistic about affairs. Even though preparations for war continued in France, the cardinal had returned to

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1 Instructions for William Stanhope, Horatio Walpole and Stephen Poyntz, ambassadors extraordinary and plenipotentiary at the Congress of Soissons, P.R.O., S.P. 78/190, fols. 331-35; Legg, Diplomatic Instructions, VI, 50-52.

2 P.R.O., S.P. 78/190, fols. 337-44v. This paper has neither a title nor an author, but in view of the fact that Horatio Walpole presented his paper on the history of the negotiations on 24 March, it seems reasonable to assume that much if not all of this exposition and the drafting of the instructions was his work.
his former optimistic outlook. Sinzendorf had written him from Vienna promising to keep the Emperor steady in his decision against the marriage, regardless of the disappointment to the queen. Poyntz feared the cardinal would be lulled into a false sense of security between Sinzendorf's letter and Bournonville's assurance that Gibraltar would not appear in the negotiations. It was not that Poyntz doubted Fleury's sincerity, but he feared that this optimism, combined "with the natural softness of his temper, and with the credulity, which his own honesty has often betrayed him into, may draw him on insensibly, with the best intentions in the world to hearken to new amusements, till the time of action be past." Poyntz thought it absolutely necessary that Stanhope and Walpole should return to Paris and "animate" the cardinal. In fact Fleury had agreed that when the two ministers returned to Paris they would form a plan for finishing affairs the coming summer.

England found little reason to share the cardinal's optimism. Not only had the Vienna allies failed to return an answer to the project, but the air was full of conflicting rumors. One report claimed the Emperor

1 Poyntz to Newcastle, (very private) Paris, 16/27 February 1729, P.R.O., S.P. 78/190, fols. 230-34.
2 Ibid., fol. 229.
3 Ibid., fol. 230. Poyntz wrote of his high hopes that when his fellow ministers arrived we would "raise the Cardinal to a higher note by setting the tune ourselves, than by leaving it to him to do it; however we must take care not to overstrain the pitch by beginning in too high a key." Poyntz to Delafaye, Paris, 28 February/11 March 1729, ibid., fol. 293.
4 Poyntz to Newcastle, Paris, 28 February/11 March 1729, ibid., fol. 280v.
was trying to prevent Spain from coming to an agreement.¹ But Waldegrave, on the other hand, wrote that the Imperial court had sent a courier to Spain to convince the Spanish monarchs they should agree to the treaty.² Poyntz was informed that the Emperor not only opposed going to war but had notified Spain that he could do little to assist that court should it decide to open an offensive.³ Yet several weeks later the news was that Charles VI, through his minister Fonseca, wished Spain to know he would support their pretensions, even at the risk of war.⁴

The possibility of a war was a popular topic among the ministers. Sinzendorf told Waldegrave in Vienna that despite England's boast of the fidelity of their allies, some would refuse to enter combat if the need arose. The Imperial minister blamed the Dutch for pushing matters to extremities by their stand on the Ostend Company.⁵ Even Fleury, for all his optimism, spent time studying a map of the frontiers of France and Germany.⁶ However the cardinal did not think the Dutch would go to war.

¹ Newcastle to Poyntz, Whitehall, 20 February/3 March 1729, P.R.O., S.P. 78/193, pt. 1, fol. 94r–v.
² Waldegrave to Finch, Vienna, 26 February/9 March 1729, B.M., Add. MSS. 9161, fol. 46v.
³ Poyntz to Newcastle, (very private) Paris, 31 January/11 February 1729, P.R.O., S.P. 78/190, fol. 145r–v. Waldegrave reported that Spain was pressing the Imperial court to enter a war but that they lacked ships and were in debt to the army. Charles VI had hopes of receiving subsidies when the galleons arrived. What direction the Imperial court would ultimately go was difficult to predict. Waldegrave to Keene, Vienna, 1 January 1729, B.M., Add. MSS. 32759, fol. 478.
⁴ Newcastle to Poyntz, Whitehall, 20 February/3 March 1729, P.R.O., S.P. 78/193, pt. 1, fol. 94r–v.
⁵ Waldegrave to Townshend, Vienna, 12/23 February 1729, B.M., Add. MSS. 9161, fol. 32.
⁶ Poyntz to Newcastle, 25 February/8 March 1729, P.R.O., S.P. 78/190, fol. 261.
because their taxes had fallen short of the amount needed to support troops.¹ The Dutch, on their part, entertained similar doubts about France's resolution to fight.² Some ministers did not think France would go to war because Louis XV would have to head the French army. There he would be without the guidance of the cardinal and more under the influence of the military men.³

The two contentious powers, England and Spain, came close to reopening the hostilities. In Paris, the Spanish ministers became uneasy over the printed accounts of ships being outfitted in England. They feared the British might be planning to use them against the return of the galleons. When Santa Cruz approached Poyntz on the matter, Poyntz said he had no specific information but that it was customary for the government to have a number of guardships ready in the spring. He added that the uncertainty of affairs and the violence of the Spanish privateers in the West Indies might make it necessary for Parliament to seek redress

¹Poyntz to Newcastle, Paris, 12/23 March 1729, P.R.O., S.P. 78/190, fol. 313v. Hop, the Dutch minister, confirmed this. He said because the States' fund for their army had dropped, they would have to reduce their forces immediately. Poyntz to Chesterfield, Paris, 21 March/1 April 1729, ibid., fol. 354.

²Poyntz to Newcastle, Paris, 12/23 March 1729, P.R.O., S.P. 78/190, fol. 314. Poyntz thought the mutual distrusts could be corrected by having the cardinal and the Pensionary open their minds to each other "through our canal" when Stanhope and Walpole arrived in Paris. Ibid.


According to Wilson, Britain put pressure on France to declare war on Spain but France resisted, knowing war would enable England to extend their commerce and increase their maritime supremacy. The only way to prevent this was for France to use some of their own warships. Thus it was decided that the best tactic for France was to do nothing, a policy that would inconvenience England. Wilson, French Foreign Policy, p. 212.
through arms, should the negotiations miscarry.¹ This answer was approved in England. Newcastle reported that they had no particular expeditions planned but that the king wanted to show his subjects and his allies that he was in a condition to defend and support them, regardless of what might be attempted.² Upon hearing that Spain was contemplating sending a squadron to take over Jamaica, with the view of later exchanging it for Gibraltar,³ George II considered taking some preventive measures of his own. Newcastle wrote that England was sending two men of war with two battalions of foot soldiers under convoy. The British calculated this force would be large enough to defend the island but not of a size to give umbrage to Spain.⁴ In the months that followed, the two powers seemed engaged more in a war of nerves than of arms. Spain watched to see if George II would carry out his resolution to ship a thousand men to the British plantations. Meanwhile, waiting at Cadiz for embarkation orders, were eleven men of war and six battalions. Keene, who saw the Spanish ships in port, declared that "their equipage is more fit for galleys than men of war."⁵

¹Poyntz to Newcastle, Paris, 11/22 February 1729, P.R.O., S.P. 78/190, fols. 178v-79v.
²Newcastle to Poyntz, Whitehall, 18 February/1 March 1729, P.R.O., S.P. 78/193, fol. 89; Legg, Diplomatic Instructions, VI, 49.
³Newcastle to Poyntz, Whitehall, 18 February/1 March 1729, P.R.O., S.P. 78/193, fols. 89v-90; Legg, Diplomatic Instructions, VI, 49-50.
⁴Newcastle to Poyntz, Whitehall, 18 February/1 March 1729, P.R.O., S.P. 78/193, fol. 91.
⁵Keene to Newcastle, Seville, 1/12 May 1729, B.M., Add. MSS. 32761, fol. 82r-v.
Throughout the winter of 1729, Keene did his best to impress the Spanish court with the gravity of the situation. He had George II's speech to Parliament translated into French and dispersed as many copies as possible. He informed Bouronville that Parliament had granted the king fifteen thousand sailors for the year. This, however, was not an indication that England wanted war. Rather, it revealed how anxious the British people were over the delays in the negotiations on the part of the Spanish court. Bouronville replied that Spain could do nothing until they heard from Vienna, probably around the middle of March.

Despite the efforts of the Hanover allies, Spain continued to ignore the negotiations. One excuse offered was the removal of the court from Madrid to the Portuguese border where there was an exchange of princesses. Don Ferdinand, the prince of Asturias, was wed to the Portuguese princess, and the Spanish Infanta was married to the prince of Brazil. A second reason for the delay, though not publicized as such, was the queen, herself. Since Philip V was again threatening to abdicate, this time as soon as the negotiations were completed, it was to the queen's advantage to delay matters, at least until she had heard from the Emperor on the marriage question. The queen at this time was the major source of power. The grandees had little influence on the government and Philip V

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1Keene to Newcastle, Cadiz, 19 February/2 March 1729, B.M., Add. MSS. 32760, fol. 209v.

2Ibid., fol. 210v.

3Wilson, French Foreign Policy, p. 204.

4Keene to Poyntz, Cadiz, 24 March 1729, P.R.O., S.P. 78/190, fol. 375.

5Ibid., fol. 376v.
was so dependent on her, he would not let her out of his sight for a single moment.¹

The queen, in her own hand, had written to Vienna about the marriage agreement. She needed to know if the Emperor was willing to carry out that portion of their treaty.² In February, Charles VI wrote that the archduchesses were too young. He explained that German women matured later than Spanish.³ Poyntz wrote Keene in March in code that the Emperor was not going to declare his choice of a husband for the archduchess until she was of age. Keene was to keep this information private but should watch the queen carefully to see what effect this would have on her.⁴ Poyntz was correct for in that same month Charles VI sent the queen a

¹Keene to Newcastle, Cadiz, 19 February/2 March 1729, B.M., Add. MSS. 32760, fol. 211.
²Extract Keene to Poyntz, Badajoz, 22 January 1729, F.R.O., S.P. 78/190, fol. 164.
³According to an earlier report from Brancas, Charles VI had offered his second daughter. Considering the hazards of mortality, Fleury thought this marriage would cause almost as much of an uproar as a match with the eldest. If, however, the Emperor were to offer his youngest daughter, born in 1724, Fleury believed it would be acceptable to the European powers, though in all probability not to the queen. Poyntz to Newcastle, (very private), Paris, 3/14 January 1729, ibid., fol. 47.
⁴Whether or not nationality had anything to do with this, Waldegrave admitted that the archduchesses looked two years younger than their real age. Waldegrave to Poyntz, Vienna, 26 February 1729, ibid., fol. 36v.
⁵Poyntz to Keene, Paris, 10 March 1729, B.M., Add. MSS. 32760, fol. 234.
polite, and this time explicit, refusal of Don Carlos as his prospective son-in-law.¹

After the Imperial courier arrived in Madrid, Keene observed that the queen saw how little she could count on the Emperor, "and her resentment now throws her upon the Allies of Hanover."² The Spanish monarchs began making tentative advances toward an accommodation, one that would guarantee Tuscany and Parma for Don Carlos. Keene perceived by this that the article relating to the marriage had been the real reason for the delays in the negotiation. If the guarantee and the agreement regarding Spanish troops in Italy had been foremost in their thoughts, they would have made some overtures much earlier.³

This change in their attitude was far from a complete capitulation. Gibraltar was much on their minds and they rejoiced when the Opposition in Parliament had demanded to see George I's letter to Philip V. However Keene immediately dashed their hopes by explaining that the nation would find no obligation to return Gibraltar in the king's letter. Since Spain's

¹Wilson, French Foreign Policy, p. 206.

²Keene to Newcastle, Cadiz, 25 March/5 April 1729, B.M., Add. MSS. 32760, fol. 304v.

³Ibid., fols. 304v-305.
claim rested on this letter, such an interpretation nullified the basis of their claim. Spain was not ready to admit defeat on this issue but they ceased to press the matter.

The monarchs again turned their attention to the question of garrisons in Italy. Neutral troops, as agreed to in the Quadruple Alliance, were unacceptable. It made them dependent on the financial support of the Emperor and other contracting parties. Should these payments cease, the troops would desert, leaving the provinces defenseless. Brancas passed on to Fleury a proposal from the Spanish king. In return for a guarantee of the duchies in Italy for Don Carlos, Philip V would settle the other points in dispute. This guarantee was to be a conditio sine qua non. The queen wrote privately to Fleury proposing that if France would agree to the Spanish garrisons, Spain would place only a fourteen percent duty on the cargo aboard the galleons. The cardinal thought her proposal absurd since she made no attempt to explain how these garrisons were to be introduced in Imperial territory.

Spain, however, was in a good position. The galleons had arrived at Cadiz with an estimated eighteen million pounds in silver alone. The

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1 Keene to Poyntz, (private) Seville, 21 April 1729, B.M., Add. MSS. 32760, fol. 351v.

2 Armstrong, Elisabeth Farnese, p. 234.

3 Keene to Newcastle, Cadiz, 25 March/5 April 1729, B.M., Add. MSS. 32760, fol. 303r-v.


5 Keene to Newcastle, Cadiz, 19 February/2 March 1729, B.M., Add. MSS. 32760, fol. 208r-v.

Keene reported that the ships were in poor shape on their arrival. They mistook the canon salute to the king for an engagement with the
cardinal wrote Brancas to warn the queen that if the effects were not delivered immediately, the French nation would call for war as loudly as the English, and that she could count on "France's doing its worst."\(^1\)

The French ambassador informed Fleury that in all probability there would be no delivery of the cargo aboard the galleons until the cardinal returned a decision on Philip V's proposal. Spain would hold the goods as security against any difficulties France might raise.\(^2\)

The Hanover allies were concerned that Spain would elect to seize the effects outright or else charge a high indulto or duty on them. One rumor going around was that Philip V was resolved to charge all his expenses relating to commerce and for bringing home the galleons. This would come to an immense sum, according to Patiño, the Spanish minister.\(^3\)

An extravagant indulto would be contrary to the Preliminaries, and the British hoped in that case it would rouse the French nation against Spain.\(^4\)

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\(^1\) Poyntz to Newcastle, Paris, 12/23 March 1729, P.R.O., S.P. 78/190, fol. 314v.

\(^2\) Keene to Newcastle, 25 March/5 April 1729, B.M., Add. MSS. 32760, fol. 305r-v.

\(^3\) Keene to Newcastle, Cadiz, 19 February/2 March 1729, B.M., Add. MSS. 32760, fol. 210v.

Joseph Patiño was minister of marine and finances. He was considered to be capable and incorruptible. *Recueil des Instructions, Espagne*, XII-2, 136.

\(^4\) [Newcastle] to the Plenipotentiaries, Whitehall, 10/21 April 1729, P.R.O., S.P. 78/193, pt. 1, fol. 129.
However a low duty would not leave Spain with enough money to pay the arrears to the Emperor, the army, civil list and the household.\(^1\)

France, naturally, did not believe that Philip V's proposal had any relationship to the commercial interests in the galleons. In a private letter to Brancas, Chauvelin maintained that the question of the indulto and the delivering of the effects were distinct from any such proposition and should not be made the condition. He indicated that while an indulto of fifteen percent would not be considered moderate, it might be accepted provided the cargo was immediately delivered.\(^2\)

Regardless of such talk, the truth was that the initiative remained with Spain. The allies could not declare war without losing their share of the cargo. All they could do was to wait for the Spanish court to explain what they meant by way of an accommodation, that is what price Spain would exact from them in return for a negotiated settlement.

\(^1\)Extract Poyntz to Delafaye, n.p., 13/24 March 1729, B.M., Add. MSS. 32760, fol. 270.

\(^2\)Keene to Newcastle, Seville, 17/28 April 1728, *ibid.*, fols. 366v-67.
CHAPTER VII

SPAIN'S RESPONSE TO THE PROVISIONAL TREATY

Upset as they were over the Emperor's rejection of the marriage agreement, the Spanish monarchs were not so blinded by anger as to fling themselves unreservedly into the arms of the Hanover allies. Perhaps they had learned some caution in treating with foreign powers after seeing how poorly the swiftly-negotiated treaty of Vienna had protected their interests. Whatever the reason, Spain seemed in no hurry to come to any decisions on the matters in dispute. From April until August 1729 the Spanish ministers, La Paz and Patiño, worked sporadically on the negotiations. First they treated with France, then with England. Finally, unable to separate the allies, they negotiated with them jointly.

Fleury received a letter from La Paz asking that France give a clear and positive answer in respect to the effectual introduction of Spanish troops into Tuscany and Parma. Until this point was settled, Spain would not conclude a treaty. The flaw, as the British ministers observed, was that Spain seemed to expect the Hanover allies to secure the Spanish garrisons without promising anything in return except to renew the negotiations at the Congress.¹ In fact the ministers were not sure whether La Paz meant the actual introduction of garrisons, as it

¹Stanhope, Walpole and Poyntz to Newcastle, Paris, 14/25 April 1729, P.R.O., S.P. 78/190, fols. 408-409v. See above, p. 197 for proposal from Philip V to Fleury.
seemed from his letter, or merely the guarantee of them, as reported by
Brancas and Keene. ¹ The cardinal, in his reply, reported that he had
not shown La Paz's letter to the king because its style was unsuitable
to his dignity;² nor could he do anything about the Spanish garrisons
until he had consulted with his allies.³ But he did propose that if
Spain would agree to place things on the same footing as in 1725, and
would execute the Preliminaries and the Act of Pardo, as well as give
satisfaction for losses sustained, then he thought Philip V and the
Hanover allies could enter into some reasonable measures to renew their
old friendship and understanding.⁴

Philip V and Elisabeth were offended by Fleury's response, par­
ticularly his high-handed manner in refusing to lay La Paz's letter before
the king, yet answering it in his name.⁵ The queen saw no reason for
Fleury to go to such lengths to demonstrate his authority when they knew
quite well he was "Chief in France" with "only a child to Govern."⁶ She
was just surprised that he "dared to return such an answer without his
Master Walpole but He I am sure would not have let him wrote [sic] so

¹Stanhope, Walpole and Poyntz to Newcastle, Paris, 14/25 April
1729, P.R.O., S.P. 78/190, folios 415 and 417; Poyntz to Delafaye, Paris
14/25 April 1729, ibid., fol. 426r–v.
²Keene to Newcastle, Seville, 17/28 April 1729, B.M., Add. MSS.
32760, fol. 367.
³Walpole to Keene, Paris, 26 April 1729, ibid., fol. 358.
⁴Keene to Newcastle, Seville, 17/28 April 1729, ibid., fol. 367v.
⁵Keene to Newcastle, Seville, 22 April/3 May 1729, ibid., fol.
383v.
⁶Keene to Stanhope, Walpole and Poyntz, Seville, 4 May 1729,
B.M., Add. MSS. 32761, fol. 3v.
simple a Letter. The queen, however, was far angrier with the Emperor than with the cardinal. She wished to wreak her revenge on Charles VI "for having so long amused her," but her primary consideration was Don Carlos's succession. Both points would be gained if Spanish garrisons were introduced into Parma and Tuscany. Should the Hanover allies fail to satisfy her on this, she planned to send everything back to the Congress for a drawn-out debate. She did not think a prolonged period of suspense would inconvenience Spain half as much as it would the allies, particularly England.

France was reluctant to support the use of Spanish garrisons. The French ministers were not convinced that the queen really meant to break with the Emperor, and suspected if the Hanover allies promised to see Spanish troops established in Tuscany and Parma, she would use this as a bargaining tool with the Emperor. Less than a week after his initial reply to La Paz, Fleury sent the Spanish minister a second letter 19 April, giving the reasons behind his earlier response. He outlined the difficulties involved in a guarantee such as Spain proposed. It would require a fleet and a considerable army, since the Emperor had thirty thousand men in Italy and would certainly oppose the introduction of Spanish troops. Charles VI could claim with justice that such a move

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1 Keene to Stanhope, Walpole and Poyntz, Seville, 4 May 1729, B.M., Add. MSS. 32761, fol. 3v.  
2 Keene to Newcastle, Seville, 1/12 May 1729, ibid., fol. 82.  
3 Ibid.  
4 Poyntz to Delafaye, Paris, 14/25 April 1729, P.R.O., S.P. 78/190, fol. 426v.  
5 Plenipotentiaries to Newcastle, Hautefontaine, 26 April/7 May 1729, B.M., Add. MSS. 32761, fol. 44r-v.
was contrary to the Quadruple Alliance. However, if the queen would be satisfied with neutral troops and begin to carry out the Preliminaries, she would then be in a position to summon all the contracting powers and demand that the Quadruple Alliance be declared null on the part of the Emperor by reason of his failure to fulfil the conditions. Fleury believed Charles VI was too attached to the advantages he enjoyed from this treaty to allow matters to reach this point. The queen should therefore insist on neutral troops, as agreed to in the Quadruple Alliance, and once they were admitted, she would be able to make other arrangements at a later time.¹

Fleury's letters confused the Spanish court. As Patiño told Keene, one day the cardinal was haughty and the next he was mild. The Spanish minister claimed that all they expected from Fleury was to consult with his allies about the use of Spanish garrisons. If they rejected the idea, then there was no reason to consider other matters. Keene pointed out that this may be what Spain had had in mind, but it was not how they had explained themselves to the cardinal; "they had insisted on the effectual introduction of Spanish troops as necessarily precedent to the ultimate ... resuming of the negotiations."²

Following Fleury's replies to La Paz, France and England drew up two memorials and a set of instructions for Brancas and Keene. In the first memorial, which they were to present to the Spanish court as

¹Keene to Newcastle, Seville, 1/12 May 1729, B.M., Add. MSS. 32761, fols. 79-80.
²Ibid., fols. 80v-81.
soon as possible, the allies expressed their willingness to gratify the 
queen in regard to Don Carlos's succession, but declared this could not 
be entertained until the Preliminaries were executed and the Provisional 
treaty signed. To avoid giving the appearance of dictating to the Spanish 
court and thereby offending their sense of honor, the allies offered an 
alternative. They agreed to sign another treaty provided it effectually 
met the ends set forth in the Provisional treaty. The British preferred 
having Spain sign the Provisional treaty, it being, in their opinion, the 
most expeditious and least exceptionable method for concluding affairs. 
But if this was all that stood between them and a settlement, they were 
willing to consider some Spanish proposals, as long as British rights 
and interests were not threatened. Keene was warned that if Spain chose 
to draw up new articles he should be on his guard to prevent the Spanish 
ministers from reintroducing matters for debate which the British looked 
upon as closed.¹

Brancas and Keene were instructed to delay presenting the second 
memorial until Spain had replied to the first. If, however, after three 
weeks or less, they saw little to hope for, either because Spain refused 
to return an answer, or because the answer was not directed to the allies' 
demands, the ministers were to deliver the second memorial.² Much briefer 
than the first, this memorial was in effect an ultimatum. It placed the 
blame on Spain for the failure to arrive at a peaceful accommodation,

¹Stanhope, Walpole and Poyntz to Keene, Hautefontaine, 7 May 
1729, B.M., Add. MSS. 32761, fol. 23–25v. The memorials and instruc-
tions to the ministers were included in this letter to Keene, fol. 47– 
56v.

²Ibid., fol. 54v–55.
and gave notice that the Hanover allies would take suitable measures to obtain the justice denied them by Spain's non-execution of the Preliminaries.¹

The major purpose of the memorials was to show the queen, that, if she were truly disposed to abandon her union with the Emperor, the Hanover allies were ready to do what was in their power and, consistent to former treaties, to secure the establishment of Don Carlos in Tuscany and Parma. At the same time they made it clear that they expected Spain to sign a treaty and to stop "all further delays and fruitless negotiations."² Once Spain showed a readiness to sign a treaty, France and England would at the same time enter into measures with Spain to assure Don Carlos's succession. The allies suggested negotiating with the present possessors of the duchies. But if no progress was made via this route in six months, England and France proposed to meet and agree on a method for introducing Swiss troops in the Italian duchies.³ The memorials were designed, therefore, to end the suspense in Europe by convincing Spain to come to a decision one way or another.⁴

The British were the driving force behind this move. Poyntz reported that the British ministers traveled 150 miles between Hautefontaine and Compiègne, and had "five or six most tiresome conferences for getting

¹Stanhope, Walpole and Poyntz to Keene, Hautefontaine, 7 May 1729, B.M., Add. MSS. 32761, fol. 56r-v.

²Plenipotentiaries to Newcastle, Hautefontaine, 26 April/7 May 1729, ibid., fol. 41r-v.

³[Stanhope?], Walpole and Poyntz to Waldegrave, Hautefontaine, 22 May 1729, B.M., Add. MSS. 9161, fol. 78r-v.

⁴Plenipotentiaries to Newcastle, Hautefontaine, 26 April/7 May 1729, B.M., Add. MSS. 32761, fol. 41v.
the answer to Spain fix'd."¹ In these discussions the ministers examined
the background and the legality of placing Spanish garrisons in Italy.
They agreed that there was nothing in former treaties which obliged them
to assure their introduction and support, as La Paz contended. The Quad­
ruple Alliance, renewed by the Preliminaries, formally excluded Spanish
garrisons. Nor did the treaty of 1721 obligate either power to secure
the introduction of Spanish troops. All they had agreed to in that
treaty was to support Spain on this point at the Congress of Cambrai.
Moreover, the obligations in the treaty of 1721 were eradicated by the
Treaty of Vienna. Spain, in signing the latter, accepted the condition
that neither Spanish troops nor neutral forces in Spanish pay were to
enter those places in Italy intended for Don Carlos. Therefore, Spain,
in pressing for the introduction of Spanish garrisons was asking for addi­
tional advantages before fulfilling the conditions agreed to in the Pre­
liminaries.²

When they delivered the first memorial, Keene and Brancas pointed
out that the Hanover allies were exceeding their obligations to Spain on
two essential points. First, the allies promised to support the

¹Poyntz to Delafaye, Hautefontaine, 28 April/9 May 1729, P.R.O.,
S.P. 78/191, fol. 42. Poyntz announced "as the declaration we have
brought France to joyn in wants but little of a declaration of war, we
hope it will be found to come up to the intention of our Instructions."
Ibid. See also Mémoire, 28 April 1729, A.A.E., Mém. et Doc., France 501,
fols. 1-22 on England's desire that the cardinal accept Spain's proposi­
tions.

²A loose and unidentified French document, 25 April [1729?],
Bradfer-Lawrence, Townshend Papers. It is assumed that this document is
a summary of the ideas examined in these conferences, not only because
of the date and the fact it is part of Townshend's State Papers, but
also because Brancas and Keene used similar arguments in their representa­
tions to the Spanish court. See also Mémoire, April 1729, A.A.E., Corr.
Pol. Angleterre 366, fols. 79-83v for a similar account.
introduction of Swiss troops in Tuscany and Parma, even if the present possessors refused to admit them in their dominions. There was no provision for this engagement on the part of the Hanover allies in any former treaty. Second, far from opposing the introduction of Spanish troops, the Hanover allies would join Philip V in a request to the Emperor to allow Spanish garrisons in lieu of the Swiss.¹

The queen's initial reaction was irritation against the cardinal. She charged him with lying and double-dealing. As far as she was concerned, the allies' new offer was less advantageous to Spain than what had already been granted, an opinion shared by Philip V.² Keene turned to Patiño, a minister rapidly rising in influence in the Spanish court, and gave him a copy of the memorial. He asked the minister to consider seriously the practical and effective measures proposed for securing Don Carlos's succession. Patiño, however, returned the familiar reply "that without Spanish Garrisons, that Succession must always be precarious for supposing the Emperor, and the other Contracting Partys should be backward in the payment of the Neutral Troops, they will soon desert, and then the States in Italy will be left naked."³ In fact the Spanish court appeared adamant on this point. The queen, aware she could not count on the Emperor, and afraid that her husband might die or abdicate, was anxious to see her family taken care of and to gain an honorable and safe retreat for herself. Spanish garrisons seemed to offer the greatest

¹Keene to Newcastle, Seville, 15/26 May 1729, R.M., Add. MSS. 32761, fols. 111-12v.
²Ibid., fols. 113v-14v.
³Ibid., fols. 114v-15v.
security, particularly if France and England promised "to defend and preserve her son in the quiet Possession of those Dutchys." 1 Keene learned indirectly that Philip V, not surprisingly, was of the same opinion. For the sake of his son's security, he wanted all garrisons in the states intended for Don Carlos to be manned by troops in Spanish pay. 2

The three Spanish ministers differed in their position on Spanish policy. The marqués de la Paz was the most conservative, if not reactionary. He wanted to unearth all the antecedents to the negotiations, all the promises, secret letters and conferences to justify Philip V's integrity as well as his own conduct as minister. But he was unwilling to do anything until the Imperial courier arrived with the latest word from the Emperor. 3 Bourronville, on the other hand, wanted to cut short all the antecedents so "that his own Negotiations and Letters might not be exposed to the light they cannot bear." 4 He hoped the king would put him in charge of the answer and send him back to the Congress. This would satisfy his ambition and let him once again "make a figure in the World." 5 Patiño was the most optimistic of them all and thought it "necessary only to touch upon the Essential Points in dispute, and lop off all accessory & superfluous ones." 6 Unlike La Paz, Patiño did not think the Spanish

1 Keene to Newcastle, Seville, 15/26 May 1729, B.M., Add. MSS. 32761, fols. 119v-20.
2 Ibid., fol. 119.
3 Ibid., fols. 116v-17.
4 Ibid., fol. 117.
5 Ibid.
6 Ibid., fol. 117v.
court would have to wait for a reply from Vienna before framing an answer to the allies' memorial. He claimed Philip V was no longer under any obligation to Charles VI and could make peace with the Hanover allies without the Emperor's consent. The Spanish monarchs wanted and needed to arrive at a good understanding with the allies, for without it they would not have the assurance "of a Peacefull Possession of the States in Italy."¹

Even though the issue of Spanish garrisons went beyond the stipulations of the Quadruple Alliance, the British and Dutch were willing to accept it if this was the only way they could bring Spain to an accommodation. But this admission on their part was based on the condition that the Preliminaries and Act of Pardo were faithfully executed and that trade was returned to its former state, that is, prior to 1725. The greatest reservation England had was that the Emperor might in anger take some action in Mecklenburg. For this reason George II wanted the Hanover allies to promise they would assist and protect him from the Emperor's resentment.² France vacillated on the matter. In May, La Paz told the Spanish court that Chauvelin had informed Bournonville that, if this issue was the only obstacle to a pacification, he would agree to it.³ However, Brancas advised Keene that Fleury had sent him a letter giving his reasons

¹Keene to Newcastle, Seville, 15/26 May 1729, B.M., Add. MSS. 32761, fol. 119v.

²Townshend to the Plenipotentiaries, Hanover, 11 June 1729, P.R.O., S.P. 78/193, fols. 223-24v; Legg, Diplomatic Instructions, VI, 54-55. Townshend was with George II in Hanover the summer of 1729 and Queen Caroline was regent in England.

³Keene to Newcastle, Seville, 15/26 May 1729, B.M., Add. MSS. 32761, fol. 113.
against the use of Spanish troops. By early June the Hanover allies decided among themselves that, if Spain remained adamantly opposed to neutral troops, they would agree to Spanish garrisons provided Spain met the conditions set forth in the memorial.

Meanwhile in Seville, it was readily apparent to Keene and Brancas that Spain’s answer, when it came, would fall short of what the allies expected. Yet the two ministers did not feel that this was the time to deliver the second memorial as they had been instructed. They feared that the queen might interpret it as an actual declaration of war and Spain would seize the cargo on board the galleons. Once this step had been taken, a reconciliation would be virtually impossible. Walpole approved their decision and thought their reasoning prudent and just.

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1 Keene to Newcastle, Port St. Marys, 29 May/9 June 1729, B.M., Add. MSS. 32761, fol. 148.

Chesterfield reported that Slingelandt found it difficult to understand why Pleury should "decline consenting to Spanish garrisons in Italy, at the request of the queen of Spain, when he had voluntarily offered them in October last." Chesterfield to the Plenipotentiaries, The Hague, 24 July 1729, Coxe, Memoirs of Sir Robert Walpole, II, 648.


According to Baudrillart, Fleury and Chauvelin, after much work, finally brought the British to agree to Spanish garrisons on 13 June. Baudrillart, Philippe V, III, 519.

3 Keene to Newcastle, Seville, 15/26 May 1729, B.M., Add. MSS. 32761, fols. 120v-22.

4 Walpole to Delafaye, Paris, 28 May/8 June 1729, P.R.O., S.P. 78/191, fol. 258v.
As requested, Brancas and Keene were sent new instructions. They were to speak in favor of the neutral garrisons as stipulated by the Quadruple Alliance but were empowered to offer a secret article between the Hanover allies and Spain that would allow Spain to pay for the Swiss troops. However, if after hearing the allies' arguments in favor of neutral garrisons, Spain insisted on Spanish troops, then the ministers were to give their conditional approval. In the event that Spain refused to bring matters to a swift conclusion, Brancas and Keene were to deliver the second memorial. The British ministers wanted Keene to be sure, if they were to sign an article agreeing to the introduction of garrisons, neutral or Spanish, Spain would give them immediate satisfaction, meaning Europe would be at peace, the effects of the galleons would be immediately delivered, and the allies would receive satisfaction on their own grievances. What concerned the ministers in Paris was that Spain might insist on the actual introduction of the garrisons before carrying out the Preliminaries and the Act of Pardo. This would be unacceptable to the allies.

When Brancas and Keene had their audience with the Spanish monarchs, the latter part of June, they left the choice of garrisons open. They did not discuss the allies' arguments in support of Swiss garrisons. Instead they gave these to La Paz who was to share them at another conference with the monarchs. The two ministers made it clear that Spain

1 Instruction particulière et Secrète pour Mor. Keene et Mor. de Brancas, B.M., Add. MSS. 32761, fols. 162-68v included in the British ministers' letter to Keene, 14 June 1729.

2 Stanhope, Walpole and Poyntz to Keene, Paris, 14 June 1729, ibid., fol. 155r-v.
was free to choose whatever troops they wished for the duchies in Italy.\footnote{Keene to Townshend, Port St. Marys, 10 July 1729, B.M., Add. MSS. 32761, fol. 294r–v.}

But even with this option, the Spanish court continued to delay taking any steps either in delivering the effects of the galleons or in returning a clear and decisive answer. Early in July La Paz wrote a paper "in such a loose and Indefinite a manner" that Keene feared it would "furnish them with Pretexts to wait for the actual Introduction of the Troops; before They Execute their former Engagements, not withstanding They have so often Explained Themselves to the Contrary."\footnote{Ibid., fol. 303r–v.} Brancas, in another audience with the king and queen, informed them that La Paz's paper was unsatisfactory. The queen was not impressed and hinted she had doubts about the allies' integrity.\footnote{Ibid., fol. 304r–v.} Despite this, Keene believed the difficulty lay with the king, who was deeply suspicious and afraid he would be deceived. He was immensely sensitive about his dignity and tended to interpret a reasonable condition as a law that was being imposed on him. This supposed affront to his honor stiffened him all the more. Because it was the queen's interest to have the affair settled, Keene thought she would use her influence to bring Philip V around. As for La Paz, his good intentions were nullified by his own nature. Like the king, he was haughty and irresolute, "too Timide to Advance the least Step without Particular Orders and his own Exactness in Executing Them makes it Tedious and almost impossible to Treat with Him."\footnote{Ibid., fols. 306–307.}

The only minister in the Spanish court
with whom Brancas and Keene could hold a reasonable dialogue was Patiño. Not only was he cooperative and more communicative than La Paz, but he was also in good standing with their majesties. Thus when La Paz fell ill in mid-July, it seemed very promising to the allies that the king turned to Patiño for assistance.

The ministers in Paris were on tenterhooks waiting for some word from Spain after sending out their new instructions. They took comfort from Keene's earlier accounts and believed the queen would eventually recognize that her interests would be best served by the Hanover allies. Keene's report of Königsegg's audience with the queen did not alarm them unduly. The Imperial minister could only offer it as his opinion that the Emperor would not oppose the introduction of Spanish troops. This was not the same as if it had come directly from the Emperor, and the British ministers doubted that she would be deceived by such talk. She had only to recall the Emperor's past behavior to realize this was a play for time on the part of Königsegg. Also she no doubt was aware that the Imperial court had recently encouraged the present possessors of Tuscany and Parma to be on guard and prevent the entry of any troops, Swiss or Spanish, into their fortified areas.

A further complication for the British ministers in France was George II's move to Hanover for the summer. The queen remained behind.

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1 Keene to Townshend, Port St. Marys, 10 July 1729, B.M., Add. MSS. 32761, fol. 306v.
2 Keene to Townshend, Port St. Marys, 21 July 1729, ibid., fols. 399-400.
3 Stanhope and Walpole to Keene, Paris, 11 July 1729, ibid., fol. 342r-v.
as regent. Foreign affairs came under the aegis of the queen and the lords of the council. However, in the early part of the summer, recommendations were first sent to Hanover for the king's approval before any action was taken in England. Later the lords were advised to issue whatever orders to the ministers in Spain and France they thought "most conducive to the speedy Success of this Negotiation," without waiting for word from Hanover.\(^1\) Townshend, who accompanied the king, remained in contact with the plenipotentiaries. They therefore received dispatches from Hanover and London, but they were given few orders. For the most part they took the initiative in the decision-making process in Paris, as in the case of the resolution to accept Spanish garrisons. Only after it was a fait accompli did the ministers in France inform the Secretaries of State of their action.\(^2\) The plenipotentiaries were also put in charge of Keene's negotiations in Spain. This, according to Townshend, was to avoid any delay that "might in the present Crisis prove prejudicial to his Majesty's Affairs."\(^3\) For the same reason Townshend informed the plenipotentiaries at the end of July that they were to follow Newcastle's orders without waiting for a confirmation from Hanover.\(^4\)

\(^1\)Townshend to Newcastle, Munden, 18/29 July 1729, P.R.O., S.P. 43/9.

\(^2\)Stanhope, Walpole and Poyntz to Townshend, Paris, 15 June 1729, P.R.O., S.P. 78/191, fol. 333r-v. Their decision on this point was approved in England. Newcastle to the Plenipotentiaries, Kensington, 12/23 June 1729, P.R.O., S.P. 78/193, fol. 232r-v.

\(^3\)Townshend to Keene, Hanover, 18 June 1729, B.N., Add. MSS. 32761, fol. 205.

\(^4\)Townshend to the Plenipotentiaries, Munden, 30 July 1729, P.R.O., S.P. 78/193, fol. 288r-v.
On occasion the ministers in Paris influenced the decisions of
the lords of the council. In June the lords had decided to order the
fleet to sea, but after hearing from the plenipotentiaries on the state
of the negotiations with Spain, they changed their minds. The council
chose to defer any action until the middle of July. Then, if Spain failed
to return a satisfactory answer to the allies' latest offer, they would
order part of the fleet to sail to Gibraltar and part to the West Indies. The lords were concerned that Spain might be trifling with them. Simply
by giving the appearance of coming to a decision, the Spanish court could
thwart any moves the allies might otherwise take against them that summer.
This would have a bad effect not only on the country but in the next ses­sion of Parliament. Townsend shared these thoughts of the council with
the plenipotentiaries and asked them to press the cardinal to set a date,
preferably in July, for initiating operations against Spain, if they did
not return a proper reply. When the ministers approached Fleury on this

1Townshend to the Plenipotentiaries, Hanover, 23 June 1729, P.R.O.,
S.P. 78/193, fol. 247r-v.

2Newcastle to Townshend, Kensington, 13/24 June 1729, B.M., Add.
MSS. 9161, fols. 80v-81; King, "Notes of Domestic and Foreign Affairs," pp. 87-91.

3Newcastle to Townshend, Kensington, 13/24 June 1729, B.M., Add.
MSS. 9161, fol. 82v.

4Townshend to the Plenipotentiaries, Hanover, 1 June 1729, P.R.O.,
S.P. 43/9.

If the fleet were sent to the West Indies, the lords hoped to
take advantage of the opportunity to land troops at Puerto Rico, where
Spanish privateers took shelter. A successful engagement would give Eng­
land a good harbor and a more secure trade in that part of the world.
Newcastle to Townshend, Kensington, 13/24 June 1729, B.M., Add. MSS. 9161,
fols. 81v-82. But this was exactly what France wished to avoid. One
reason they were opposed to a war was that England would use it to make
new conquests. One writer suggested that to prevent England from forming
matter, he "readily agreed that it was reasonable and indeed necessary
that the Fleets should sail about the 22d or 23rd N.S." ¹ By that time,
if the answer proved unsatisfactory, Keene and Brancas would have de-
levered the second memorial. However, judging from all reports, the
cardinal did not think the Emperor had really made Spain a new offer, or
at least one that would satisfy the queen. Fleury was therefore quite
optimistic about the outcome of their negotiations.²

A great deal depended on the ability of the Hanover allies to
keep their negotiations a secret from the Emperor. The Imperial ministers
had unsuccessfully sounded each of the allies on entering separate nego-
tiations with them. They seemed aware that something was pending between
the Hanover allies and Spain, but as far as the allies could discover,
they did not know the particulars. The British were concerned that the
Emperor might ask to be admitted to the negotiations once he thought there
was a good chance of their succeeding. Were he to be included, he could
spin out the negotiations on specious pretexts; without giving the appear-
ance of opposing anything, the Emperor could bring up points in the Quad-
rule Alliance that would need adjusting. For instance, by this treaty,
the states of Tuscany and Parma were considered fiefs of the Empire.
Thus, to allow the introduction of troops other than those specified by
that treaty, Charles VI would first have to obtain the consent of the

¹ Stanhope and Walpole to Townshend, Paris, 4 July 1729, B.M.,
Add. MSS. 32761, fol. 267r-v.

² Ibid., fol. 268.
Empire. By this means he could take control of the negotiations, particularly if they had to wait for permission from the Diet of Ratisbon.1

Walpole knew the allies were venturing on shaky ground when they gave way on the issue of Spanish garrisons. Regardless of the Emperor's dilatory tactics, the fact remained that the Quadruple Alliance specifically banned the use of Spanish troops in Italy. He therefore thought Townshend erred when he reminded the Imperial minister in Hanover that the Emperor was still obliged by the Quadruple Alliance even though he had signed the Treaty of Vienna. Had Walpole been in Townshend's place, he would have let the matter ride. This would have given the allies "sufficient Justification" for likewise ignoring the Quadruple Alliance in their treaty with Spain.2

Tension mounted as days and then weeks went by without a word from Spain.3 There was the fear that Charles VI might offer new and better proposals to the queen,4 or that Spain's answer would arrive too late to make effective use of the fleet. Townshend's secretary felt as though they were on "sort of a Rock for an Answer from port St. Marys."5 Keene's dispatch, when it did arrive on the 22nd, provided little relief. In fact his report was less encouraging than the French ambassador's.

1Stanhope and Walpole to Townshend, Paris, 4 July 1729, E.M., Add. MSS. 32761, fols. 268-69v.

2Walpole to Tilson, Paris, 4 July 1729, P.R.O., S.P. 78/192, fols. 20v-21.

3Townshend to the Plenipotentiaries, Hanover, 22 July 1729, P.R.O., S.P. 43/9.

4Newcastle to the Plenipotentiaries, Kensington, 12/23 June 1729, P.R.O., S.P. 78/193, fols. 282v-83.

5Tilson to Delafaye, Hanover, 11/22 July 1729, P.R.O., S.P. 43/9.
Brancas thought they would need only two or three more conferences with the Spanish ministers before he and Keene would return a project of a treaty. Keene, however, was disappointed and frustrated at having "to treat with a Court that affected such a Superiority as to send Condiciones sine qua non to others and yet started at the word si." He had hoped that by now "Spain would have explained itself in a clearer manner and would have specified its Intentions" but this was not the case. Nothing definite was decided though considerable time had been spent in almost fruitless discussion.

One objection raised by Spain through Patiño was that the allies had made their conventions to Spain's proposition conditional to the king's carrying out the Preliminary Articles. This was a fine point and one that apparently distressed a delicate sense of honor. Keene and Brancas tried to ease matters by explaining that Philip V had obligated himself when he signed the Preliminaries. Moreover, he had recently given his word that he would faithfully execute them. It was of little consequence to the allies what motive the king chose to fulfill the requirements of the Preliminary Articles. A second point raised by Spain related to satisfying the allies' grievances, meaning acts committed in contravention of former treaties, particularly the Preliminary Articles. Brancas and Keene admitted that some might need to be examined but they maintained others were so clear they should be satisfied immediately. Third and last,

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1Stanhope, Walpole and Poyntz to Townshend, Paris, 22 July 1729, B.M., Add. MSS. 32761, fol. 404.

2Keene to the Plenipotentiaries, Fort St. Marys, 10 July 1729, *ibid.*, fol. 339v.

3*ibid.*, fol. 339.
Spain wondered why the allies were silent on the article guaranteeing Don Carlos's succession. To this Keene and Brancas replied that they thought after having offered it orally in such strong terms, it was unnecessary to include it in their short declaration. They then took the opportunity to discuss the advantages to Spain of having their troops introduced into Italy by the allies rather than by the Emperor. Spain, however, needed little convincing on this point.¹

After reading Keene's dispatch of 10 July to Townshend, the ministers in Paris drafted a reply, giving their ideas on the negotiations. They listed items Keene might propose as well as those he was obliged to insist on. In the latter category they included the immediate delivery of the effects of the galleons; immediate satisfaction for just grievances; a confirmation and establishment of all rights, possessions and commercial privileges, in accordance with treaties and conventions prior to 1725; "a mutual Guaranty . . . between all the contracting parties to support each other in all their Rights and possessions, against all invaders, and to assist each other, with the respective quotas to be stipulated, in case any of them should be molested, in hatred of this treaty."² This last item was in reference to the effectual introduction of garrisons. George II was concerned about steps Charles VI might take that would affect his Hanoverian interests. A final suggestion was for an article which would redress the grievances of the Dutch and would also

¹Keene to Townshend, Port St. Marys, 10 July 1729, B.M., Add. MSS. 32761, fols. 300v–302.
²Stanhope, Walpole and Poyntz to Keene, Paris, 26 July 1729, ibid., fols. 440-41.
make them a party to the alliance. They reminded Keene he was "to admit of no expression whatsoever, which may directly or indirectly bring hereafter his Majesty's Right to Gibraltar, or any other of H.M.'s possessions in question." What the ministers expected was a clear and precise project, one that could be signed definitively without a return to the Congress. They looked on the latter as ended, though Keene was not to say so publicly. The reason the ministers wished to sign with Spain separately was to avoid any interference by the Emperor, which would be the case if matters were referred back to the Congress.

Keene's dispatch of 2 August was thick with papers. In addition to his detailed report, there was the long-awaited Spanish treaty. But it was far from the clear and precise document the ministers in Paris had been expecting. Even though Keene had not received the last instructions from the British ministers in Paris, he was fully aware of the treaty's deficiencies and described his objections to the articles as La Paz introduced them one by one in a special meeting at his house. The first article contained a protest by the Spanish king who claimed that because some points had been omitted for negotiation, this did not "Derogate from those Rights and Actions which belonged to them . . . in virtue of the Treaties and Conventions antecedent to the Year 1725, but that They should remain in full Force and Vigour to be discussed and alleged when

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1 Stanhope, Walpole and Poyntz to Keene, Paris, 26 July 1729, E.M., Add. MSS. 32761, fol. 441.
2 Ibid., fol. 441v.
3 Ibid.
He thought proper, it left a loophole for Spain to raise the question of Gibraltar at a later time. Keene indignantly declared that this was no way to form a lasting pacification, instead it laid the foundation for endless disputes.

The second article was equally unpromising. The interpretation Brancas and Keene drew was that Spain was insisting that all powers were to carry out the Preliminaries. Since up to that time Spain had not accused the allies of negligence on this point, Brancas and Keene asked the Spanish ministers to supply them with particulars. The next two articles were overly broad. They charged the commissioners with questions that had not even been thought proper to lay before a Congress. Keene told La Paz he thought the commissioners should consider only matters relating to commerce. For the remainder of the meeting, Keene refrained from further comment except to oppose those articles that seemed directed against the interests of George II.

What added to Keene's distress was the fact that the project was primarily the work of Patiño, the minister in whom Keene had placed his hopes. Keene called on him the following morning and charged that matters had been exacerbated rather than finished in an amicable fashion. After

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1 Keene to Townshend, Port St. Marys, 2 August 1729, B.M., Add. MSS. 32762, fol. 9-10.
2 Ibid., fol. 10.
3 After reading the article a second time, Keene suspected that Spain had something else in mind but he did not go into details. Ibid., fols. 10v-11.
4 Ibid., fol. 11r-v.
Keene gave his reasons why England could never accept it as it was then written, Patíno met with the Spanish monarchs and reported the substance of Keene's remarks. That evening Keene repeated his arguments at a meeting with the Spanish ministers and they agreed to a few alterations in their treaty. But Keene and Brancas were unable to persuade them to accept the allies' Provisional treaty in general, not even with a separate article covering the introduction of troops.¹

The good news was that Philip V, after weeks of procrastination, had finally issued the order for delivering the effects of the galleons. It was published at Cadiz though had yet to be executed. However Keene had been assured that it would be carried out in two or three days.²

Keene's bulging dispatch did not reach Paris until the 12th or 13th of August.³ Concerned about the delay, the ministers in Paris had been speculating on the possibility that Spain was framing a treaty and Keene might not have the necessary authority and experience to manage the negotiations on his own. For this reason Walpole and Poyntz suggested to Townshend that someone of more influence and credit should be sent to Spain. In their opinion, the logical person was Stanhope, though he, himself, was notably unenthusiastic about the idea.⁴ He wanted to be

¹Keene to Townshend, Fort St. Marys, 2 August 1729, B.M., Add. MSS. 32762, fols. 12-14.
²Ibid., fol. 16.
³Poyntz to Tilson, Paris, 13 August 1729, P.R.O., S.P. 78/192, fol. 226.
⁴The idea of sending Stanhope to Spain may have originated with Robert Walpole, who asked his brother to sound Stanhope on the proposal. Newcastle to Stanhope, Kensington, 17/28 July 1729, Coxe, Memoirs of Sir Robert Walpole, II, 650-51.
left free to judge for himself from reports whether or not his going would be of service to the king. And if he decided against making the journey, he did not want it interpreted as his having declined to follow the king's commands. He also expected some mark of favor from George II, which Walpole and Poyntz reasoned would be to the allies' advantage because it would give additional weight to his negotiations.¹

Poyntz and Walpole had reason to believe Stanhope's presence at the Spanish court would benefit the allies, particularly England. For if they could enter a strong defensive alliance with Spain, one that might confirm their right to Gibraltar, secure their commercial privileges, and annul the treaties of Vienna, including the guarantee of the Emperor's succession, it would add immeasurably to their credit abroad and "stop the mouths of all our adversaries."² Stanhope was one of the few men who enjoyed the respect of both courts. Philip V liked him and said he was S.P. 43/91.

¹Walpole and Poyntz to Townshend, Paris, 4 August 1729, P.R.O., S.P. 43/9.

Walpole put the case even more strongly in a private letter. Stanhope refused to consider going to Spain unless Townshend sent him a warrant signed by the king making him a peer of the realm along with his letters of credential. Walpole hoped the king would not be angry with Stanhope "for pretending to treat with him or for refusing to doe, what he thinks he cannot in honour undertake after all that has passed relating to the peerage, without actually having at the same time this mark of his Majesty's favour." Walpole to [Townshend], Paris, 4 August 1729, P.R.O., S.P. 43/9.

The proposal to send Stanhope to Spain was in no way intended as a reflection on Keene. Poyntz and Walpole thought he had acted with prudence and good judgment. Hoping to offset a possibly discouraging effect on Keene, Walpole and Poyntz suggested that Keene be given full powers along with Stanhope. Walpole and Poyntz to Townshend, Paris, 4 August 1729, P.R.O., S.P. 43/9.

the only minister who had never lied to him. 1 Townshend and the king
approved the idea but could not promise satisfaction on the peerage. 2

Walpole also wrote his brother Robert on Stanhope's behalf.
Newcastle thought it "the honestest and most affectionate letter, that
ever came from man." 3 In this letter Walpole not only praised Stanhope
but he assumed the responsibility for anything that might be construed
against Stanhope. Queen Caroline was suitably impressed when Sir Robert
shared this letter with her. 4

Meanwhile, in Paris, Stanhope vacillated. He was deeply concerned
about the hazards he would face, particularly if the negotiations failed.
It could ruin his reputation at home and abroad. He told Newcastle he
preferred being without a title than acquiring it on such terms. 5 But
after considerable pressure from Newcastle and others, he accepted the

1 Poyntz to Hon. Thomas Townshend, Paris, 4 August 1729, Coxe,
2 Townshend to Walpole and Poyntz, Hanover, 10 August 1729, B.M.,
Add. MSS. 9161, fol. 95.

Townshend apparently had tried earlier without any success to
get a peerage for Stanhope. See Townshend to Walpole and Poyntz, Gahrde,

3 Newcastle to Stanhope, Kensington, 25 August 1729, Coxe, Memoirs
of Sir Robert Walpole, II, 656.
4 Ibid., pp. 656-57. It was Horatio's idea that Robert show this
letter to the queen. Ibid.
5 Stanhope to Newcastle, (private) Puteaux, 15/26 August 1729,
B.M., Add. MSS. 32762, fols. 262-63.

The king had agreed in August to grant him a peerage but only
after his commission. To grant Stanhope a title before his journey to
Spain could be interpreted as a mark of honor to Philip V, and this
George II refused to consider. Townshend to Walpole and Poyntz, Gahrde,
12/23 August 1729, P.R.O., S.P. 78/193, pt. 3, fol. 318r-v.
king's orders without any conditions. By so doing, he believed it "the greatest sacrifice" he had ever made or would make the rest of his life.¹

During this period, when the allies were once more waiting for word from Spain, the Imperial court extended a few feelers. After a courier arrived from Vienna, the Imperial minister called on Fleury and Chauvelin at Versailles. He told them the Emperor would never agree to any change in the Quadruple Alliance, and would risk a war rather than allow Spanish garrisons into Tuscany and Parma. He hinted that if France would promise not to take part in any such plan, the Emperor was ready to consider some reasonable proposals for settling affairs. The cardinal tactfully refused to make such a declaration.

The Imperial minister then tried a similar approach with the British ministers and promised that in return for England's guarantee of the Emperor's succession, Charles VI would settle the Ostend dispute. The ministers replied that they had no instructions on this matter. As they told Townshend, the whole maneuver seemed designed to interrupt their negotiations and create jealousies between France and England. They doubted that the Emperor really intended to go to war over the issue of Spanish garrisons and that the cardinal had been bold enough to say as much to the Imperial minister.²

By 9 August the British ministers in Paris were rapidly running short of patience. So much time had passed and yet so little had been accomplished. They began to wonder if Patiño was not deceiving them.

¹Stanhope to Newcastle, Paris, 22 August/2 September 1729, B.M., Add. MSS. 32762, fol 319.

²Plenipotentiaries to Townshend, Paris, 4 August 1729, ibid., fols. 100–102.
especially since he had given Keene "such positive assurances that all Matters would be immediately made easy, and accommodated to . . . [their] Satisfaction, as soon as the Allys should satisfie the Queen with regard to the Garrisons." A month had passed since their new project arrived at the Spanish court, yet nothing had materialized. The only thing they could infer from an otherwise unaccountable loss of time was that Spain, despite all comments to the contrary, was waiting for some word from Vienna. The ministers informed Keene that considering the extraordinary offers we have made to Spain, the cold reception they have met with, the constant Depradations committed against the faith of Treaties upon His Majesty's Subjects in the West Indies, the Impatience of the People of England to have justice done them, and to have the fleet, which has been equipped at so great a charge employed for that purpose, the Government in England will be in a manner forced to order the Fleet to sail upon their intended Expeditions against Spain, both in Europe and the Indies.

With the season so far advance, England could not afford to lose more time. George II was resolved to bring matters to a quick conclusion, one way or the other. In effect Keene was to tell the Spanish court that they must come to a decision.

Some of the ministers' anxieties were allayed when Keene's dispatch arrived a few days later. But the project itself was a disappointment. Ten of the fourteen articles in the public treaty and seven of the eight separate and secret articles were devoted to the introduction

1 Stanhope, Walpole and Poyntz to Keene, Paris, 9 August 1729, B.M., Add. MSS. 32762, fol. 122r-v.
2 Ibid., fols. 122v-24.
3 Ibid., fols. 124v-25.
of garrisons. Walpole found the articles "conceived in terms very loose and vague, with respect to the Interest of England, leaving our antient privilegedes of trade with Spain, and the right for our possession of Gibraltar and Port Mahon, to be contested and decided before other powers." The ministers appreciated Keene's good news regarding the galleons. Once the effects were delivered, Spain would have no hold over France nor sufficient funds to tempt the Emperor. The Hanover allies would be the only powers to whom Spain could turn to gratify the queen. But Walpole promised they would not be so foolish as to satisfy her when their own rights and possessions remained in jeopardy. To safeguard the latter, the ministers planned to rewrite the articles concerning their interests. Walpole expected France to support them as he did the queen. With her own interests at stake, she would see that Spain accepted their changes.

In their letter to Townshend, the plenipotentiaries made light of the inconveniences attending the Spanish project. They reserved their criticism for Keene. Most of it was directed at the Spanish court and the fact that those articles relating to the introduction of troops were

1 "Articles which are proposed on the part of His Cat. Majty to be comprehended and formed into the Provisional Treaty which is to be adjusted and concluded between &c." B.M., Add. MSS. 32762, fols. 27-43v.

2 *Apology*, B.M., Add. MSS. 9132, fol. 88v.

3 The effects were not released until 18 August and then they were unloaded very slowly. Keene to Townshend, Port St. Marys, 18 and 25 August 1729, B.M., Add. MSS. 32762, fols. 164r-v, 247-48.

4 Walpole to Delafaye, Paris, 2/13 August 1729, P.R.O., S.P. 78/192, fols. 224v-25.

quite clear, while those concerning the rights and possessions of Eng-
land were "a Heap of crude and Indigested Matters." They complimented
Keene for keeping his temper, and though they did not hold him fully re-
sponsible for the outcome of the negotiations, they seemed less than
satisfied with his management.\(^2\)

The reaction in London and Hanover to the Spanish project echoed
that of the plenipotentiaries. Everything relating to Spanish interests
was treated with care, while the rest was "exprest in so dark and unin-
telligible a manner as might possibly hereafter give a handle for bring-
ing some points into Debate."\(^3\) In London, they took hope from Keene's
report that Patiño seemed aware of the need for some amendments, and
therefore the document was more a foundation for a treaty.\(^4\) This was
the same view held in Hanover. The king disapproved of the Spanish
articles but looked on them as a project to be developed. But if Spain
really expected the allies to promise immediate aid to Don Carlos, the
king wanted an article inserted that obligated Spain to act in England's

\(^1\)Stanhope, Walpole and Poyntz to Keene, Paris, 15 August 1729,
B.M., Add. MSS. 32762, fol. 150. This letter was all in code.

\(^2\)Ibid., fols. 150-52.

About the same time Keene's dispatch arrived in Paris, Walpole
and Poyntz renewed their efforts to have Stanhope sent to Spain, especially
since the Spanish court wanted the treaty signed there. Keene had "acted
with all the prudence & good sense as could be expected from one of his
experience, & situation there" but the negotiations called for someone
with Stanhope's influence and credit. Walpole and Poyntz to [Townshend
or Newcastle], (most secret & private) Paris, 2/13 August 1729, P.R.O.,
S.P. 78/192, fol. 222r-v.

\(^3\)Newcastle to the Plenipotentiaries, Kensington, 8/19 August 1729,
B.M., Add. MSS. 32762, fols. 191-92v.

\(^4\)Ibid.
defense in case of attack, even before the alliance was concluded. ¹ Newcastle instructed the plenipotentiaries to consult with the French and Dutch ministers before they began drafting a treaty as close to the Spanish plan as was reasonable. Meanwhile they were to reassure Keene and the Spanish court that the allies would be returning their project with some necessary amendments.²

France's initial reaction to the Spanish project was not clear. Fleury was with the king at Rambouillet and not available for comment.³ The British ministers had a conference with Chauvelin who appeared convinced by what they told him of the necessity of clearing up a few points.⁴ But according to a letter intercepted by the British, Chauvelin believed affairs could be settled in Spain if only the British showed a little more facility. By this it appeared that France was willing to keep the question of Gibraltar open.⁵ There was little doubt in Walpole's

¹King, "Notes of Domestic and Foreign Affairs," pp. 106-107; Townshend to Newcastle, Gehrde, 10/21 August 1729, P.R.O., S.P. 43/10.

²Newcastle to the Plenipotentiaries, Kensington, 8/19 August 1729, B.M., Add. MSS. 32762, fol. 192v-93.

³Stanhope, Walpole and Poyntz to Townshend, Paris, 13 August 1729, ibid., fol. 114.

⁴Walpole to Delafaye, Puteaux, 6/17 August 1729, P.R.O., S.P. 78/192, fol. 233.

⁵The letter was from Chauvelin to Chammorel, the French secretary in London. King, "Notes of Domestic and Foreign Affairs," p. 109.

Similarly, Brancas informed the Spanish court that England was the cause of all the delay. Keene to the Plenipotentiaries, Port St. Marys, 1 September 1729, B.M., Add. MSS. 32762, fol. 316.
mind that Chauvelin favored the project as it was then drawn because he "took care immediately to represent it in so favorable a light to his Eminence, as what would put an end to all differences and make a perfect peace with Spain."\(^1\)

Even before their instructions arrived from England, the pleni­potentiaries had begun work on revising the Spanish project. Their first meetings were with Chauvelin.\(^2\) Fleury, upon his return, joined the conferences. The British ministers explained the necessity of having the articles between England and Spain "plain & not l[y]able to future quarrels."\(^3\) Walpole believed that Chauve1in wished to keep England in a state of sus­pense regarding their pretensions because this would make them all the more dependent on France.\(^4\) And in fact Poyntz complained that they "met with as many difficulties from a chicaning petty fogging minister with whom we have to do here, as we can meet with in Spain."\(^5\) What the British

\(^1\)Apology, B.M., Add. MSS. 9132, fol. 89v.

\(^2\)Walpole to Delafaye, Puteaux, 6/17 August 1729, P.R.O., S.P. 78/192, fols. 232v-33; Walpole to Tilson, Paris, 18 August 1729, B.M., Add. MSS. 32762, fol. 234r-v.

\(^3\)Walpole to Delafaye, Puteaux, 10/21 August 1729, P.R.O., S.P. 78/192, fol. 261.

Baudrillart notes that the death of Chauvelin's mother at this time slowed the diplomatic work because the cardinal did not wish to de­cide anything regarding the British without him at hand. Baudrillart, Philippe V, III, 529. Judging from the correspondence, Chauvelin was away only a few days and the meetings continued in his absence. In fact his presence seems to have been more of a hindrance, as far as the British ministers were concerned.

\(^4\)Apology, B.M., Add. MSS. 9132, fol. 90.

\(^5\)Poyntz to Delafaye, Paris, 15/26 August 1729, B.M., Add. MSS. 32762, fol. 264.
ministers were attempting to do was balance the treaty so that the engagements would be equal on both sides and peace assured. 1

In his Apology Walpole describes how the British plenipotentiaries followed their orders to frame "a plain explicit and decisive treaty with a renewal & confirmation of all former treaties with Spain, leaving nothing to be discussed and decided by the intervention of other powers." 2 Poyntz and Stanhope pressed Walpole to take their plan to the cardinal and have a private conference with him at Versailles. Walpole had grave reservations because of Chauvelin's increased influence over the cardinal. On at least one occasion Chauvelin had deflected Fleury's attention and won his approval of a plan not supported by Walpole. But Poyntz and Stanhope finally persuaded him to at least make the effort since there was no other alternative.

Therefore at six o'clock in the morning of the appointed day, Walpole met with the cardinal at Versailles. Fleury greeted him warmly and approved Walpole's request that they not be interrupted by anyone after he had explained that it was essential to "the good intelligence for the future between England & France as well as the finishing or prolonging the trouble in Europe." 3 Walpole then read the whole plan to Fleury, article by article. The conference lasted well beyond the morning, and though Chauvelin made several attempts to enter, he was stopped by the valet de chambre, a friend of Walpole's. The cardinal approved

1 Walpole to Delafaye, Puteaux, 15/26 August 1729, P.R.O., S.P. 78/192, fol. 267.

2 Apology, B.M., Add. MSS. 9132, fol. 90.

3 Ibid., fols. 90v-91.
every article and offered no major alteration. He gave his hand to Walpole and promised "he would support the project in Council with his authority should there arise any opposition to it."¹ Fleury may have decided it was the wiser course to accept the British version of the treaty rather than risk antagonizing them and have them turn to the Emperor.²

Walpole notified Chauvelin on 27 August about the plans the British ministers had drafted for a public treaty and a secret project. He observed that after having communicated to Fleury the measures the ministers judged necessary and reasonable for the king's interests, there were only a few more remarks they wished to add on the rest of the project. He hoped these would soon be in a more informative condition and suitable to be given to the cardinal.³ Two days later the British ministers sent Chauvelin the balance of articles for the public treaty and the secret, along with some of their reflections.⁴

In the meantime the Imperial court continued to sound out the allies but without success. Townshend wrote two letters to Count Kinsky, the Imperial minister, in which he explained that the king could not in

¹Apology, B.M., Add. MSS. 9132, fol. 91. Walpole later made Stanhope and Poyntz promise not to mention this visit in their letters to England. He did not feel the treaty should be presented as "having been effectuated by his particular weight & credit with the Cardinal, as a merit due to him seperately [sic] from his Colleagues." Ibid., fol. 91v.

²Vaucher, Robert Walpole, p. 31.


⁴Walpole, Stanhope and Poyntz to [Chauvelin], Paris, 29 August 1729, ibid., fol. 267.
all honor reveal the issues being discussed in the negotiations without first obtaining his allies' consent. The plenipotentiaries passed this information on to Keene, along with the news just received from Vienna that the Emperor was determined to preserve his tie with Spain. They described in great detail the devious conduct of the Imperial ministers, that is their secret attempts to make a separate settlement with the allies, and expressed their concern that the queen might be deceived by some new promises and protestations arriving from Vienna. The whole tone of this dispatch was in sharp contrast to the one they had sent Keene four days earlier. If Spain had chosen to intercept it, all they would have learned, in addition to the news about the Imperial court, was that England entertained nothing but good will toward them.

By 31 August, the British ministers in Paris had ample reason to be satisfied with the negotiations and optimistic about the immediate future. The question about the galleons was no longer as pressing. Even if the cargo had yet to be delivered, Walpole thought with money so

1Townshend to Count Kinsky, Hanover, 9 and 10 August 1729, B.M., Add. MSS. 32762, fol. 204r-v, 206r-v.

2Stanhope, Walpole and Poyntz to Keene, Paris, 19 August 1729, ibid., fol. 197-202v.

3Keene found the news in this dispatch very helpful in his talks with the Spanish ministers. Keene to the Plenipotentiaries, Port St. Marys, 1 September 1729, B.M., Add. MSS. 32763, fol. 157. In this same letter Keene answered the criticism in the ministers' 15 August dispatch. He did not like the Spanish project any more than the plenipotentiaries but felt it was the only way to secure the distribution of the effects of the galleons. That if matters ended in a war, it was better for the allies to have received the money than to have it used against them. He also advised the plenipotentiaries not to be too explicit in their amendments on England's pretension to Gibraltar. Ibid., fol. 155r-v.
scarce, Spain could not afford to postpone it much longer.\(^1\) The redrafting was almost finished. Poyntz's illness, the last few days in August, only deferred for a short time their final conference with the French ministers.\(^2\) There was no reason to believe that any drastic alteration would be introduced at the last minute. Their only concern was whether or not Spain would accept their revisions. But with Stanhope on hand in Spain, it seemed reasonable to assume that he would explain to the Spanish court's satisfaction any questions they might raise.

\(^1\) Walpole to Tilson, Paris, 29 August 1729, P.R.O., S.P. 78/192, fols. 275-76. Keene's letter on the slow unloading of the ships was on its way to Paris and Hanover. Keene to Townshend, Port St. Marys, 25 August 1729, B.M., Add. MSS. 32762, fol. 248.

\(^2\) Walpole to Delafaye, Paris, 20/31 August 1729, P.R.O., S.P. 78/192, fol. 281r-v.
CHAPTER VIII

THE TREATY OF SEVILLE

The British ministers' optimism in late August was sustained and justified by events in September. Nowhere was this more true than in France. Louis XV's succession was secured by the birth of an heir.¹ Soon after the delivery, Walpole paid his official respects to the young prince and pronounced him a large and lusty infant.² He also called on the cardinal to offer him his congratulations. Fleury appeared tired but happy. In Walpole's opinion the arrival of the Dauphin had given the cardinal new life and might even prolong his days.³ As for Walpole, the celebration over the French heir, in addition to his other duties, had

¹Historical Register, XIV, 272-73; Walpole to Townshend, Paris, 4 September 1729, P.R.O., S.P. 78/192, fol. 333r-v.

²Walpole to [Tilson], Paris, 5 September 1729, ibid., fol. 339.

In a matter of hours after the birth, Walpole, in his own hand, informed Townshend and Delafaye of the arrival of "a Dauphin." The next day he introduced a humorous note in his written announcements; he talked not only of the ministers' court to "the Dauphin" but of the king's joy in "the Dolphin." In the latter instance, however, he omitted the underline. Historians, including Plumb, have deduced that Walpole was so carried away with excitement he mistook one word for the other. If this was the case, then he was still overcome by the event five days later in his letter of 10 September to Delafaye. See Plumb, Sir Robert Walpole, II, 117; Walpole's letters to Townshend, Paris, 4 September 1729, P.R.O., S.P. 78/192, fol. 333r-v; to Delafaye, Paris, 24 August/4 September and 30 August/10 September 1729, ibid., fols. 335, 345-46; to [Tilson], Paris, 5 September 1729, ibid., fols. 337-39.

³Walpole to [Tilson], Paris, 5 September 1729, P.R.O., S.P. 78/192, fol. 337v.
begun to take their toll. Finally on 7 September, he begged to be ex-
cused from attending the king's dinner with the foreign ministers, de-
claring he was unable to take the "fatigue of nocturnal dining." 1

The Dauphin's arrival may have delayed but it did not deter the
ministers from concluding their work of redrafting the Spanish project.
From their conferences there soon emerged the nascent treaty of Seville.
On 3 September the plenipotentiaries sent the first draft to London and
Hanover. Their model was an earlier treaty England had signed with Spain
in 1721. 2 Walpole liked the project so much he would have been pleased
to see it become the final version. 3 Fleury apparently shared Walpole's
feelings. At least this was Marshal d'Huxelles' impression when the
cardinal presented the treaty to the Conseil d'en haut. The marshal was
opposed but after seeing Fleury's determination to recommend it to Louis
XV, he dared not speak against it. 4 Though France had agreed to all the
articles, the project could not be considered final until the Dutch were

1 Walpole to Delafaye, Paris, 27 August/7 September, P.R.O., S.P.
78/192, fol. 342.

2 Stanhope, Walpole and Poyntz to Newcastle, Paris, 23 August/
3 September 1729, B.M., Add. MSS. 32762, fols. 323-24v; Stanhope, Walpole
and Poyntz to Townshend, Paris, 3 September 1729, ibid., fol. 360.

3 Walpole to Tilson, Paris, 3 September 1729, P.R.O., S.P. 78/192,
fol. 329.

4 Apology, B.M., Add. MSS. 9132, fol. 91r-v.

The marshal resigned from the council soon after this, ostensi-
bly for reasons of health. But he told his friends privately his real
reason was that he could not "obey the dictates of an English Ambassador,
& act subservient to the interest of that nation." Ibid.
consulted.¹ The ministers planned to give the Greffier and Pensionary a general idea of the treaty under great secrecy.²

Without waiting for word from London, the ministers sent a copy of the treaty to Keene, along with full instructions.³ For further assistance and clarification Keene and Brancas were given extensive supplementary material. Chauvelin wrote five separate papers of his reflections on the Spanish project and the reasons for the alterations. The British plenipotentiaries enclosed two papers of their own. One was on the background of the negotiations with Spain, showing how the project conformed to the motives and conditions laid down at the beginning; the second gave a detailed explanation of their motives and principles behind the changes.⁴

The treaty was a careful balance of interests, though at first sight it seemed tilted in favor of Spain. Five of the fourteen public articles and all eight of the separate and secret articles were devoted to satisfying Spain on the matter of garrisons. The allies agreed that

¹Stanhope, Walpole and Poyntz to Newcastle, Paris, 23 August/3 September 1729, B.M., Add. MSS. 32762, fol. 323.
²Walpole to Delafaye, Paris, 27 August/7 September 1729, P.R.O., S.P. 78/192, fol. 342.
³Stanhope, Walpole and Poyntz to Keene, Paris, 10 September 1729, B.M., Add. MSS. 32762, fol. 393-404v.
six thousand Spanish troops should be introduced into those places de-
signed for Don Carlos, preferably with the consent and cooperation of
the grand duke of Tuscany, the duke of Parma, and the Emperor. These
troops were not to interfere in any way with the civil, political and
economic affairs of the Italian duchies. The remaining articles pro-
claimed an end to the hostilities and provided for a mutual defense.
They arranged for the appointment of commissioners to investigate and
settle the claims relating to commerce and admitted the re-establishment
of English and French trade on the basis of treaties signed prior to
1725.¹ The treaty was more advantageous to Spain in the respect that
the allies made new concessions to Spain in order to bring that power to
honor former agreements. But in addition to obtaining peace, the allies
gained more in the long run from having their commercial affairs settled.

Gibraltar was neither mentioned nor alluded to. The British min-
isters decided it was unnecessary and possibly dangerous for them to press
Spain for a renunciation—unnecessary, because England had an undoubted
right to it by virtue of former treaties, and dangerous, because such a
demand might create the impression that England did think Spain had some
right to the place. By confirming and renewing former treaties, including
the Treaty of Utrecht, Spain, in reality, was relinquishing all claim to
Gibraltar.² In addition, the ministers tried to phrase the treaty in such
a way that Spain would be unable to raise the question at a later date,

¹ "Nouveau Projet" enclosed in the British dispatch from Stanhope,
Walpole and Poyntz to Keene, Paris, 10 September 1729, B.M., Add. MSS.
32762, fols. 407-23v.

² The British ministers had secretly pressed Chauvelin and Fleury
to get a private renunciation from Philip V but without success. Walpole
to Newcastle, Puteaux, 6/17 September 1729, B.M., Add. MSS. 32763, fols.
particularly before the commissioners. For this reason they warned Keene
to be careful about any changes the Spanish ministers might propose.
Though he was not to say so, in order not to offend Philip V, the project
was, in effect, an ultimatum. Keene could not depart from it, only de­
fend it, nor did he have the power to sign if any alterations were made
in the treaty.¹

Walpole was concerned about the British press getting wind of the
altered project before it reached the Spanish court.² The ministers had
already encountered difficulties with the Spanish plenipotentiaries in
Paris who were convinced that La Paz’s plan had been approved in London
and Hanover because the London Gazette had reported its arrival in favor­
able terms.³ Thus, according to secret intelligence from Spain, the court
in Madrid would not accept the revised project unless some articles were
changed in their favor. There were some in Spain who believed England
was so anxious to conclude a peace before Parliament convened that George
II might even agree, albeit secretly, to the restitution of Gibraltar and
Port Mahon.⁴ This false impression was also the work of a few Jacobites,
as Walpole admitted, but it still did not remove the problem of the manage­
ment of information in England. Walpole freely confessed to Newcastle

¹Stanhope, Walpole and Poyntz to Keene, Paris, 10 September 1729,
B.M., Add. MSS. 32762, fol. 399-401.
²Walpole to Delafaye, Puteaux, 1/12 September 1729, P.R.O., S.P.
78/192, fol. 430-31.
³Walpole to Delafaye, Paris, 27 August/7 September 1729, ibid.,
fol. 342.
⁴Walpole to Delafaye, n.p., 6/17 September 1729, ibid., fol.
441-43.
that he differed from him on this point. He complained that as soon as there was

the least prospect of Things going well, it is immediately published & declared at great men's Tables, as if all was finally concluded; It makes the Blood circulate for the present like a strong Cordial, but it becomes very inconvenient and troublesome afterwards, when Accidents, as is usual in Negotiations, cause again a general Stagnation.¹

The two Secretaries of State, speaking for the British monarchs, were pleased with this latest version of a treaty. Townshend in Hanover approved the form, substance and method adopted by the plenipotentiaries, and had only a few suggestions to offer. One was to substitute ships for land troops in the appropriate articles regarding the introduction of Spanish garrisons. A second was to insert two articles from the Hanover treaty in the new project to protect the king in his capacity as elector, should the allies assume the offensive against the Emperor. Since Tuscany and Parma were considered fiefs of the Empire, an act of aggression could rouse the Empire against the king, endangering his electorate and his German dominions.² Newcastle in England wrote along similar lines. If the ministers were unable to get their quota changed from troops to ships, he suggested they press for a reduction in land forces since England was such a distance from Italy and the costs were correspondingly higher. There was relief and cheer in England over the

¹Walpole to Newcastle, Puteaux, 6/17 September 1729, B.M., Add. MSS. 32763, fols. 149-5lv.

²Townshend to the Plenipotentiaries, Hanover, 11 September 1729, B.M., Add. MSS. 32762, fols. 470-71v.

Townshend tended to show more concern for George II's German dominions than any of the other ministers. But in some circumstances it was possible for the king to be in the unenviable position of owing allegiance and aid to both aggressors and defenders.
news that France had accepted this treaty as shaped by the British min-
isters.¹

Even though France had approved the changes in the Spanish pro-
ject, there was no guarantee that Spain would do the same. In fact the
ministers in England believed Spain would create new difficulties and
they wanted Stanhope to set out on his journey as soon as possible. If
he traveled without any equipage or retinue, they thought he could make
the trip by land in three weeks or a month at most.² Stanhope's initial
instructions were issued in England but provision was made for Walpole
and Poyntz to supplement them with particular advice depending on the
course of the negotiations. The latter would have the same authority
as those from London.³

Reluctantly Stanhope left Paris 21 September.⁴ He had no illu-
sions about what was ahead of him in Spain. Not only had the Spanish
plenipotentiaries in Paris written their court in strong terms against
the project,⁵ but their remarks to the allies were far from encouraging.
Among other things they questioned the validity of Britain's claim to
certain commercial privileges by virtue of treaties signed prior to 1725.

¹Newcastle to the Plenipotentiaries, Kensington, 29 August/9
September 1729, B.M., Add. MSS. 32762, fols. 381-83v.
²Ibid., fols. 386-87v.
³Newcastle to the Plenipotentiaries, Kensington, 25 August/9
September 1729, P.R.O., S.P. 78/193, fols. 327-28.
⁴Walpole to [Delafaye], Paris, 10/21 September 1729, P.R.O., S.P.
78/192, fol. 471.
⁵Walpole to Newcastle, Puteaux, 6/17 September 1729, B.M., Add.
MSS. 32763, fols. 149-51v.
In their opinion, the same reasoning the British used to reassert their right to the Asiento could be applied by the Viscayennes to support their fishing rights in Newfoundland. The British plenipotentiaries considered these remarks beneath reply. The Spanish ministers had equated some vague mention of Spanish pretensions in former treaties with those that were clearly stipulated, renewed and confirmed in favor of England. Moreover, the Spanish ministers ignored the fact that England, though in no way obligated by former agreements, was risking war to satisfy Spain in the matter of Spanish garrisons.

The British ministers sent Keene a copy of the Spanish plenipotentiaries' reflections on the revised project along with their own observations. Their impression was that if the ministers in Spain held the same ideas as their plenipotentiaries in Paris, England would have to find some way other than negotiation to protect their interests. However they did not send the Spanish ministers' criticisms to London "for fear of exasperating matters."^1

By September, it was Spain's turn to be uneasy over the unsettled state of affairs. They were impatient to see the treaty for they had received word from a person in the French court that some extraordinary, and hence unacceptable, propositions had been added to their project. They also feared that the Hanover allies had reached a separate accommodation with the Emperor.\textsuperscript{2} Some of their anxiety was due to a lack of faith in the cardinal. Patiño claimed that Fleury spoke one language to

\footnote{Stanhope, Walpole and Poyntz to Keene, Paris, 11 September 1729, E.M., Add. MSS. 32762, fols. 483-88.}

\footnote{Keene to the Plenipotentiaries, Port St. Marys, 3 September 1729, E.M., Add. MSS. 32763, fol. 118r-v.}
Vienna, a second to the ministers in Paris, and a third to the Spanish queen through Philip V's private secretary. To the latter Fleury had written "qu'on travaille à reduire les Anglois d'accepter le projet d'Espagne." Fleury's public and private correspondence were at such variance, the Spanish monarchs deduced he was playing "a double part." Keene wrote of wild rumors in Spain. One was that the negotiations had broken off in Paris, though not to the extent of war. He was concerned, now that the cargo had been delivered, if matters did not work out to Spain's satisfaction, Philip V might be tempted to take other measures, such as seizing the money in merchants' houses or interfering with British ships in Cadiz Bay. The ministers in Paris thought these alarms in Spain were probably the product of Imperial art and industry. The court of Vienna may have made the queen


new and specious offers on the part of the Emperor, and ... [inculcated] false Suggestions to the prejudice of the Allys as being not only backward to execute, what they have offered in favour of Don Carlos, but also of their having made Overtures to the Imperial Court for a separate Accommodation with them. The ministers, however, cautioned Keene to be prudent in his discourse and not go beyond what was necessary to defend the king's name. For if Spain, as the result of some dazzling offer, had returned to their former understanding with the Emperor, a confidential report "of the deceitfull


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1 Keene to Townshend, Port St. Marys, 15 September 1729, E. M., Add. MSS. 32763, fol. 108r-v.
2 Ibid.
3 Keene to the Plenipotentiaries, Port St. Marys, 3 September 1729, ibid., fols. 120v-121.
4 Stanhope, Walpole and Foyntz to Keene, Paris, 17 September 1729, ibid., fol. 135r-v.
behaviour of the Imperial Ministers without an equal return on the part of Spain . . . would not only be unprofitable and vain, but even prejudicial to His Majesty's Interest. They thought after the project arrived Keene would be able to judge if Spain was indeed serious about a reconciliation with the allies. But Keene was to make it clear to the Spanish ministers, and if necessary to the Dutch minister as well, that England could not allow any alteration. Great pains had been taken to reduce and simplify the treaty so that the engagements were "of equal Obligation & extension on all sides at once."^1

While the ministers were supplying Keene with material to build his defense in Spain, the project came under attack from an unexpected source. The French minister at The Hague informed Townshend that neither Fleury nor Chauvelin approved of the treaty in its present form. Several expressions seemed overly harsh and they were afraid these might offend the Spanish king. At the time, however, they had yielded to the earnest pleading of the British plenipotentiaries. They now hoped the British would send orders to their minister in Spain to agree to softer terms in


^2 Ibid., fol. 139-40.

The Dutch minister, Van der Keer, was close to Fatiño and tended to aggrandize his position. Van der Meer blamed Keene for the unrest in the Spanish court, tracing it to his discussions with the ministers which he felt exacerbated matters. Keene to the Plenipotentiaries, Seville, 5 October 1729, ibid., fol. 290r-v.

Keene thought Van der Meer was essentially loyal to British interests. However "his Vanity to hear his name sound in a Gazette and his Eagerness and business to be continually Negotiating makes Him write more than He knows and Speak more than He ought . . . It is . . . from his vanity and Indiscretion that He may do wrong but never by Intention." Keene to Walpole and Poyntz, Seville, 20 October 1729, ibid., fol. 430r-v.
some articles. Townshend assured the French minister that he had read
the revised project very carefully and had found nothing which could
justly injure Philip V's nicety.¹

After receiving Townshend's letter, Walpole went to Versailles
to learn what lay behind this report. Both Chauvelin and Fleury declared
their minister had exceeded his instructions and disavowed responsibility.
Walpole used the occasion to hint at the unwelcome consequences should
Spain get wind that France was anything less than in complete accord with
England on the project. The French ministers, however, reassured Walpole,
declaring they had advised the Spanish plenipotentiaries not to endanger
the negotiations by insisting on some changes. As for the cause, all
that Poyntz and Walpole could conclude was that Fleury and Chauvelin be­
lieved the ministers in Hanover and England were possibly less stubborn
and peremptory regarding some expressions in the treaty than their pleni­
potentiaries. Townshend's response quickly disabused them of the idea.
Neither Walpole nor Poyntz thought France would abandon Britain's inter­
est, if only to prevent England's effecting a reconciliation with the
Emperor.²

For weeks the British plenipotentiaries had insisted they could
not allow any alterations in the treaty. Spain could either accept or
reject it. But unknown to France, Stanhope was given the power to ap­
prove some changes, depending on what was proposed.³ In fact England,

¹ Townshend to the Plenipotentiaries, Helvoetsluiys, 20 September
1729, B.M., Add. MSS. 32763, fols. 167v-69.

² Walpole and Poyntz to Stanhope, Paris, 27 September 1729, ibid.,
fols. 231-32.

³ Ibid., fols. 232v-33.
in response to moneyed interests, proposed some changes in the commercial agreements. The South Sea Company, for example, hoped to replace their annual ship of 650 tons with two smaller ships weighing 300 and 350 tons. This would enable them to trade more effectively in the West Indies. But Newcastle cautioned Stanhope not to press the point, if Spain raised some objections, because England could not demand anything beyond what they were entitled to by former treaties.¹

The messengers with the project arrived in Spain 28 September, well in advance of Stanhope. Two days later Keene and Brancas gave La Paz copies to lay before the king and queen. Keene tried to correct the erroneous report from the Spanish plenipotentiaries that the allies had introduced some essential changes in the project. La Paz, however, made light of it, declaring he held their ministers in Paris in such low esteem their reports made little impression.²

The initial reaction of the Spanish court was favorable. Only a few alterations were mentioned. One was to make the wording more general in the articles between England and Spain to satisfy the Spanish nation that they were benefiting from the treaty. Another was to stipulate a time for declaring war, should the Emperor or some other power oppose the introduction of Spanish troops. Despite the apparent approval, Keene was far from confident that Spain would accept the project. It was not unusual for the Spanish ministers to simulate agreement when facing a new proposition and then raise some difficulties at a later time when

¹Newcastle to Stanhope, Kensington, 15/26 September 1729, B.M., Add. MSS. 32763, fols. 220-21v.

²Keene to Townshend, Seville, 24 September/5 October 1729, ibid., fols. 279-80.
they were least expected. Only after the Spanish ministers put their
remarks in writing would the allies know what they had to work with.
Meanwhile Keene thought Spain would defer all action until Stanhope ar-
rived. The Spanish court was sure he had some "Extraordinary Commission"
and thus greater latitude to negotiate than what Keene had announced.¹

The Dutch ministers in Paris and Seville did not fully endorse
Stanhope's assignment nor the commercial settlement relating to British
interests. Van der Meer, in Spain, was rather put out over Stanhope's
journey. He flattered himself as being the sole instrument and author
of the negotiation, and had planned on taking full credit when the treaty
was concluded. Stanhope's coming, in his opinion, would only create more
difficulties, considering the little love the Spanish monarchs had for
him. This reaction, Walpole dryly observed, sprang more from the Dutch
minister's nature than from fact.² Hop, in Paris, was equally dissatis-
fied with the agreement relating to the Asiento. He wanted Van der Meer
to persuade Patiño to reduce this to the terms stipulated in the Treaty
of Utrecht. Not only would Spain benefit, but he thought it would save

¹Keene to Townshend, Seville, 24 September/5 October 1729, B.M.,
Add. MSS. 32763, fols. 280-82.

Fleury, on his own, sent the queen a proposal to secure Don
Carlos's succession without the use of troops. Keene was unable to dis-
cover what expedients he had in mind, but the queen swiftly rejected it.
She claimed his offer was no different than what had been refused innum-
erable times. Patiño, who had little faith in the cardinal's integrity,
suspected that Fleury was planning to withdraw the offers of assistance
the allies had made for introducing Spanish troops. Keene to the Pleni-
potentiaries, Seville, 5 October 1729, ibid., fols. 290v-91v.

²Walpole to Newcastle, Paris, 7/18 October 1729, ibid., fol.
370r-v.
considerable dispute between England and Spain. At this news, Keene was put on guard to counter any move in this direction. ¹

Hop also intimated to Walpole that some men in Holland wanted to guarantee the Emperor's succession and include it in the present negotiations. Walpole felt this would have fatal consequences. Rather than settle affairs it would simply add to the confusion. As he explained to Chesterfield, he was not opposed to the guarantee. He believed it was to their interest as well as to the Dutch "to keep the Hereditary Dominions of the House of Austria united, as a ballance against another Power, that may, as it has been, become formidable again to Europe." ² But France, for this same reason, would take the opposite view. If the succession were kept loose and uncertain, it would weaken the power of that House. As for Spain, now that there was no marriage at stake, that nation would also want the succession left unsettled, hoping in time to recover some of their former dominions. Thus if the Dutch chose to press for this guarantee, France might easily turn cool in regard to Dutch interests, and Spain might even elect to break off the negotiations completely.

Walpole's advice to Chesterfield was to return a loose and general answer should the point come up. He felt priority should be given to finishing the treaty with Spain, closing the Congress, and taking proper measures to introduce Spanish garrisons. For him

the general interest and ballance of Europe with Regard to the Emperor's Succession . . . [was] a thing at a distance,

¹Keene to the Plenipotentiaries, Seville, 20 October 1729, B.M., Add. MSS. 32763, fol. 431-32.
²Walpole to [Chesterfield], Paris, 19 October 1729, B.M., Add. MSS. 9161, fol. 112r-v.
and . . . not liable to immediate Danger, and it . . .
[would] not be impossible to think of it in a proper time,
and manner, after the treaty with Spain . . . [was] fin-
ished, and the succession of Tuscany and Parma . . .
settled.¹

He admitted that the Emperor might complicate matters if he opposed Don
Carlos's succession but Walpole hoped Charles VI would "be quiet and
suppive" over the introduction of Spanish troops. Above all, Walpole
did not want to encourage any talk on the subject and suggested this re-
main private between them as friends rather than as ministers. Once
matters were settled, he thought it entirely possible France would join
them, albeit unwillingly, in settling the question of the Emperor's suc-
cession.²

After two weeks of discussion, Keene sent the plenipotentiaries
Spain's written observations on the project and his own remarks. On the
whole, Spain approved the project. One proposal was that the reference
to former treaties in the first article be confined to terms used in the
second article of the Preliminary Articles.³ But the danger of this, as
Keene noted, was that it could lead to further difficulties since this
article in the Preliminaries also referred the discussion of supposed
infractions to the examination and decision of a future congress. Keene
also thought, from expressions the Spanish ministers had inserted in the
fourth article of the revised project, that Spain planned to exclude all
later conventions and declarations, and return commerce and the Asiento

¹Walpole to [Chesterfield], Paris, 19 October 1729, B.M., Add.
MSS. 9161, fol. 113v.

²Ibid., fol. 114r–v.

³Keene to the Plenipotentiaries, Seville, 20 October 1729, B.M.,
Add. MSS. 32763, fol. 403.
to the simple limits set by the Treaty of Utrecht.\footnote{Keene to the Plenipotentiaries, Seville, 20 October 1729, B.M., Add. MSS. 32763, fols. 409-10.} In a private meeting with Patiño, Keene gave his arguments showing why these and other remarks could not be incorporated in the treaty. He asked Patiño to consider the inconvenience and consequences if they protracted the negotiations over such subtleties. The queen expected to "lye in" around 7 November and her delivery would mean a loss of forty days.\footnote{Keene to Newcastle, Seville, 9/20 October 1729, ibid., fols. 421v-22.}

Although he expected that the treaty would be signed by the time his dispatch arrived, Walpole prudently returned a full and explicit answer on Spain's proposed alterations. He agreed for the most part with Keene's analysis of the Spanish ministers' objections and his rebuttal. But Walpole took exception to Spain's proposal for a declaration by the Hanover allies, nullifying any former agreements prejudicial to Spain. Not only was this unusual in a defensive alliance, but the declaration was predicated on a false assumption that such engagements actually existed. With the exception of the articles relating to Berg and Jülich, which did not concern Spain, there was nothing of this nature in the Hanover Alliance. Thus to admit such a declaration would be to acknowledge a lie. Walpole observed that he had always found Spain "very desirous of general Declarations, reservations and pretensions, to leave room for future Chicanes interpretations and Disputes, . . . and . . . [they] should, if possible avoid them."\footnote{Walpole to Stanhope and Keene, Paris, 7 November 1729, ibid., fols. 491-93v.}

Walpole included a brief report of a meeting between the Imperial ministers, Kinsky and Fonseca, and the ministers of the Hanover allies,
As Walpole surmised, his letter was after the fact. Stanhope arrived in Seville on 25 October and visited the Spanish monarchs and their ministers that same day.  

Stanhope felt no one had ever been more warmly received by the Spanish court than he.  

His arrival certainly did not give rise to the difficulties Van der Meer had envisaged. In fact, scarcely two weeks later, on 9 November, the ministers, with the exception of Van der Meer, signed the Treaty of Seville. The few alterations Stanhope and Keene had accepted were to satisfy "the Obstinacy & vanity" of the Spanish king, who felt himself "dishonoured in the world, should He be said to have signed a Treaty in the very terms, in which it had been offered to Him."  

Stanhope, however, was unable to get the change in which the latter returned a verbal answer to some unwritten propositions of the Imperial court. The allies denied any contravention on their part of the Quadruple Alliance; agreed to the nomination of commissioners for regulating the tariff in the Low Countries and the proposal for the abolition of the Ostend Company and commerce; were opposed to making a new system for maintaining the barrier; and found the guarantee of the Emperor's succession new and foreign to the present negotiations and therefore not a proper condition for the execution of former treaties.  

\[\text{Ibid., fols. 496v-97.}\]

1. Walpole to Stanhope and Keene, Paris, 15 November 1729, B.M., Add. MSS. 32764, fol. 71. Walpole in this letter refers to the news of Stanhope's arrival as given in Keene's dispatch of 27 October but the latter was not found among the Newcastle Papers nor at the London Public Record Office.  

2. Stanhope to Newcastle, (private) Seville, 30 October/10 November 1729, \textit{ibid.}, fol. 2.  

3. Stanhope and Keene to Newcastle, Seville, 30 October/10 November 1729, \textit{ibid.}, fol. 4r–v.  

Stanhope and Keene did not exaggerate. The changes for the most part were decorative rather than substantive. After comparing the original with the signed document, the ministers found very little alteration.  

[Newcastle] to the Plenipotentiaries, Whitehall, 20 November/1 December 1729, \textit{ibid.}, fol. 229r–v.
requested by the South Sea Company. But they were assured of having a cedula for a 650-ton ship to accompany the galleons to Carthagena and Portobella.¹

Once Van der Meer received his instructions from the States, he signed the treaty on 21 November. The accession of the Dutch was on the same terms as those of England and France with one exception. The States promised to furnish Spain with two ships and one battalion to assist in a peaceable introduction of troops in Italy, and three thousand men in case of war. Although this was less than what France and England had agreed to, Stanhope and Keene trusted these figures would be accepted in England as constituting a just proportion. Spain, the country most closely concerned in the matter, was content with the arrangement.²

Stanhope gave their dispatches for Newcastle to a young man, Mr. Vane, who had been with him since the opening of the Congress. Vane had requested this honor, hoping the king would return him some mark of recognition.³ But the treaty itself and additional dispatches were given to a courier whom Walpole considered their "most expeditious messenger."⁴ Vane made the journey in seven days, arriving in Paris on

¹Stanhope and Keene to Newcastle, Seville, 30 October/10 November 1729, B.M., Add. MSS. 32764, fol. 5r-v.
²Stanhope and Keene to Newcastle, Seville, 11/22 November 1729, ibid., fols. 93-96.
³Stanhope was in a hurry to take his leave before the winter snow blocked the passes, but he delayed his trip in order to accommodate the Dutch. Weather permitting, he expected to reach Paris within five weeks. Ibid., fol. 96r-v.
⁴Stanhope and Keene to Newcastle, Seville, 30 October/10 November 1729, ibid., fol. 7r-v.
⁵Walpole to Delafaye, Paris, 8/19 November 1729, P.R.O., S.P. 78/192, fol. 531v.
17 November, well in advance of the courier. After a few days passed without any sign of their messenger, the British ministers began to fear that something had gone wrong with the negotiations. The fact that the French courier was also long overdue only heightened their anxiety. They wondered if the queen had been brought to bed before the actual signing, or if the States' accession had created some difficulties.

As it happened, the delay was due to personal rather than political differences. The French and British messengers had left Spain together but then had quarreled over what route to take. Driven to rage, the French courier fired his "Pistole" at his fellow messenger, leaving a slight impression of three balls upon his chest. Thinking he had killed him, the French courier then took off on another road to Paris. As the two messengers went their separate ways, both were attacked and robbed, though the British messenger had enough presence of mind to save his dispatches. When their paths again crossed at Bordeaux, there was a warm reunion, and they arrived "lovingly" in Paris the morning of 24 November.

Walpole, on the evening of the same day, sent Vane on to England with a packet containing the treaty and the explanatory dispatches from

1 Walpole and Poyntz to Stanhope and Keene, Paris, 22 November 1729, B.M., Add. MSS. 32764, fol. 89.
2 Walpole to [Delafaye], Paris, 12/23 November 1729, P.R.O., S.P. 78/192, fols. 533-34v.
Stanhope and Keene, and a letter in his own hand to Newcastle. In this letter Walpole took notice of Stanhope's modesty over his part in the negotiations and felt some immediate attention might be taken in England. If it could be managed, he thought it would cheer Stanhope to find the patent creating him a peer awaiting his arrival in Paris. He suggested this be mentioned to his brother Robert, and then in a proper fashion to the king and queen. Walpole believed all the ministers would agree to it, though perhaps not for the same reasons. A week later, as a mark of his acceptance of Stanhope's services, the king signed a warrant making Stanhope the baron of Harrington.

Delighted as they were over bringing Spain to their side, the ministers were not unmindful of the risks underlying the alliance in regard to the Emperor. There was always the possibility that Spain's resentment against Charles VI might propel that court into more violent measures than England would think proper to support. The relations between the former Vienna allies had understandably deteriorated. On 20 October, Königsegg, the Imperial minister, delivered a statement of the Emperor's position to the Spanish monarchs. Basically this was tied to the Quadruple Alliance and its importance for Europe. The Imperial argument was that no changes could be made since "in this Alliance the View was to make a


3Newcastle to the Plenipotentiaries, Whitehall, 20 November/1 December 1729, ibid., fol. 229r-v.

4Stanhope to Newcastle, (private) Seville, 30 October/10 November 1729, ibid., fols. 1-2v.
new System in Europe; so it cannot be altered in the least thing, without opening a Door to Accidents of the greatest and most dangerous Consequences."¹ Spain's attention was drawn to the double renunciations: the Emperor relinquishing any claim to Spain and the Indies, as did Spain to the Low Countries and the states in Italy. The succession of Tuscany and Parma was therefore to be entirely separate from Spain, and for this reason, these states could not be garrisoned by Spanish troops nor those in Spanish pay. Much as the Emperor might wish to make exceptions, he could not recede unilaterally from the stipulations of the Quadruple Alliance without giving those in the Empire just cause to complain. As for the allies' consent to the use of Spanish troops, this was designed either to separate the king from the Emperor, or else to make the Spanish king "odious to the Empire, when they should be inclinable to favour . . . [Spain's] Desires in this Point."² Königsegg closed with warm assurances that the Emperor was fully disposed and ready to give . . . [Philip V] all the Security that can be agreeable with the Tenour of the Quadruple Alliance, and to agree with . . . [him on] the most effectual means that can be thought of for obtaining these Successions, whenever those Methods that are already proposed shall not be thought Sufficient.³

In his reply, La Paz questioned why, now that Spain was in a position to introduce garrisons into Italy, was this action suddenly attendant with insurmountable inconveniences, when on so many former occasions,

¹Translation of Königsegg's representation, 20 October 1729, B.M., Add. MSS. 32764, fol. 20r-v.
²Ibid., fols. 21-22.
³Ibid., fol. 22r-v.
Königsegg, himself, had assured the Spanish monarchs of quite the contrary? Spain surmised that the Emperor intended to deprive Don Carlos of his unquestionable right to those states. The king was determined, therefore, to take whatever measures were necessary and suitable to secure his son's succession. Königsegg denied having misled the Spanish court into believing the Emperor could give his consent to Spanish garrisons without first obtaining the Empire's approval.

The Hanover allies were satisfied in having separated Spain and the Emperor. But once accomplished, it was not to their interest to exacerbate the differences between the former allies. The major difficulty was to find some method that would permit the introduction of Spanish troops without precipitating an armed conflict that could eventually involve the major powers of Europe. The British and French ministers in Paris discussed several possibilities. One was to gain the accession of the king of Sardinia and the Venetian republic to the treaty. This would at least assure them of neutral powers in Italy. However there was little hope the Venetians could be induced to take any part, being themselves in a dispirited condition. And the king of Sardinia, as they knew from former negotiations, would take special handling. Another proposal

1 Translation of La Paz's reply, 4 November 1729, B.M., Add. MSS. 32764, fols. 27-28v.
2 Translation of Königsegg's reply to La Paz, Seville, 4 November 1729, ibid., fol. 32r-v.
3 Walpole and Poyntz to Newcastle, Paris, 15/26 November 1729, ibid., fol. 129r-v.
4 See Legg, Diplomatic Instructions, IV, xxvii-xxix.
5 Walpole and Poyntz to Keene, Paris, 29 November 1729, B.M., Add. MSS. 32764, fols. 203v-204.
was to approach the present possessors of Tuscany and Parma and obtain their consent to Spanish garrisons. Since the duke of Parma had readily agreed to Don Carlos's succession, it was thought the Spanish court might treat with this prince "in the most amicable and tender manner." ¹

The ministers also thought it advisable to prepare a firm legal defense for this troop action. Walpole asked Keene and Stanhope to learn what measures the courts of Madrid and Vienna had agreed to on this point in their former alliance. ² Keene reported that there had been no formal treaty for introducing eight thousand German troops into the two duchies as the Hanover allies had thought. Instead there was merely a letter stating that as soon as the grand duke of Tuscany died, an unspecified number of troops would be immediately brought in. But Patiño doubted if he could procure this correspondence without the king's express command, since these and other state papers relating to the Treaty of Vienna were in the hands of La Paz. ³

With no tenable solution to the Spanish garrisons in sight, the allies were understandably perturbed to find that Van der Meer's accession to the treaty contained an unfortunate separate and secret article relating to the abolition of the Ostend trade. From the way it was phrased, it appeared that the Emperor could expect a war if he did not take proper steps to abolish the trade within a period of six months.

² Walpole and Poyntz to Stanhope and Keene, Paris, 22 November 1729, ibid., fol. 91r–v.
³ Keene to Newcastle, Seville, 4/15 December 1729, ibid., fols. 352–53.
According to the Dutch plenipotentiaries in Paris, this was not the intention of the States and they agreed with the French ministers that the separate article should be suppressed. The fear was that Spain might use it as a pretext to go to undue lengths in pursuing their own interests.\(^1\) As it was, Spain was busily assembling war material in preparation for a spring embarkation. They had "50 Batallions of 750 Men each . . ., five thousand Horse, 22 Men of War, with three months provision for themselves, the Troops, and Transports, a Train of 30 Field Pieces, and 100 Pieces for Batteries."\(^2\)

Meanwhile, the Imperial court, through Count Kinsky, tentatively proposed to abolish the Ostend trade and satisfy the United Provinces on several points, in exchange for their guarantee of the Emperor's succession.\(^3\) This, as Hop indicated earlier to Walpole, had some strong appeal to the Dutch.\(^4\) They thought it would forestall the danger of a war in Italy. And by keeping the Emperor's hereditary dominions intact, it would contribute to a lasting peace by preserving the balance in Europe and being a bulwark against the Turks.\(^5\)

\(^1\) Walpole and Poyntz to Holzendorf, Paris, 9 December 1729, B.M., Add. MSS. 32764, fols. 293-94v.

Charles Holzendorf was secretary to Philip Stanhope, Earl of Chesterfield, England's ambassador extraordinary and plenipotentiary to the United Provinces from 1728-1732. Horn, British Diplomatic Representatives, p. 163.

\(^2\) Keene to Newcastle, Seville, 4/15 December 1729, B.M., Add. MSS. 32764, fol. 356r-v.

\(^3\) Walpole and Poyntz to Newcastle, Paris, 27 November/8 December 1729, ibid., fol. 276v.

\(^4\) Walpole to [Chesterfield], Paris, 19 October 1729, B.M., Add. MSS. 9161, fol. 112.

\(^5\) Townshend to Walpole and Poyntz, Whitehall, 2/13 December 1729, B.M., Add. MSS. 32764, fols. 307-308; Legg, Diplomatic Instructions, VI, 60.
Kinsky did not mention the Ostend matter to the British ministers but discussed it in general terms with the French. The cardinal, however, was opposed, claiming it was not the time to consider the matter. He was concerned about the far-reaching effects it would have in Italy and the Empire; not only would it make the Emperor more absolute than ever in the Empire but also it might deprive the Hanover allies of the chance of gaining the king of Sardinia. Fleury's negative response was enough to dissuade the Dutch from pressing the issue any further. They assured the cardinal they intended to act only in concert with the allies and that their thoughts had been kept secret from the Imperial court.

Townshend carefully weighed the Dutch and French arguments. He agreed with Fleury's sentiment that such a step would alarm Spain & Strengthen the Hands of the Emperor; and therefore, far from promoting a general Pacification, might overthrow all that has, with so much pains and patience, been accomplished at Seville towards the attainment of so desirable an End.

Nor was Townshend interested in a direct exchange arrangement, contending that the new treaty, except for changing the nationality of the garrisons in Parma and Tuscany, demanded nothing more from the Emperor than what he had already agreed to in the Quadruple Alliance. On the other hand, he tended to agree with the Dutch that if the Emperor were to renew the

1 Walpole and Poyntz to Newcastle, Paris, 27 November/8 December 1729, B.M.; Add. MSS. 32764, fol. 276v.

2 Townshend to Walpole and Poyntz, Whitehall, 2/13 December 1729, ibid., fol. 307r-v; Legg, Diplomatic Instructions, VI, 60.


4 Townshend to Walpole and Poyntz, Whitehall, 2/13 December 1729, ibid., fols. 307-308v; Legg, Diplomatic Instructions, VI, 60.
proposition for his succession, it should not be rejected outright. Rather, he saw little harm in assuring the Emperor that the allies would seriously consider the appropriate terms and conditions for securing his succession after he had complied with what they asked of him relative to Spain and had redressed their grievances. What Townshend had in mind was a treaty in which these points could be determined and adjusted. Once this was accomplished, the resulting "Calm and easy Situation . . . might afford a proper opportunity for deliberating with the Coolness and attention which so weighty and intricate a Matter, as the Guaranteeing of His Imperial Majesty's Succession may require." ¹

Townshend's dispatch was a deliberate attempt "to steer clear of the French aversions & the Dutch Impatience"² on the thorny issue of the Emperor's succession. The British ministers were instructed to share this in greatest confidence with the cardinal, not in the sense of its being a prescribed course of action but simply as ideas for consideration. They were to assure him of England's intention of continuing to act in harmony with the allies.³ The ministers felt that Walpole's dexterity, along with his affection for the cardinal, would not allow Fleury to be ruffled nor made uneasy by Townshend's remarks in the name of the king. What England wished to prevent was entangling the Spanish affair

¹ Townshend to Walpole and Poyntz, Whitehall, 2/13 December 1729, B.M., Add. MSS. 32764, fol. 309r-v; Legg, Diplomatic Instructions, VI, 60-61.

² [Delafaye?] to Walpole, Whitehall, 2/13 December 1729, P.R.O., S.P. 78/192, fol. 551.

³ Townshend to Walpole and Poyntz, Whitehall, 2/13 December 1729, B.M., Add. MSS. 32764, fol. 310r-v; Legg, Diplomatic Instructions, VI, 61-62.
with the Emperor's guarantee since this would only take them back to a
state of uncertainty.¹

Fleury apparently approved of Townshend's remarks for in a meet-
ing with the Imperial ministers, the cardinal told them that if the Em-
peror were to agree to the Spanish garrisons and satisfy the allies on
their grievances, they, in turn, would afterwards enter into negotiations
regarding his succession. But the Imperial ministers were unable to re-
turn a firm answer. They thought it possible that after Charles VI
learned of the signing of the Treaty of Seville he would change his mind
about his proposals.²

Soon after Walpole received permission to return to England when-
ever he thought proper,³ he took his leave of the cardinal at Versailles.
There he was cheered to learn that Fleury had chosen men to fill two
vacancies on the council who were completely subservient to the cardinal.
They would only be permitted to work with the king in the cardinal's
presence. Although this still left Chauvelin with the most influence
and credit with Fleury, Walpole did not think it had reached the point

¹[Delafaye?] to Walpole, Whitehall, 2/13 December 1729, P.R.O.,
S.P. 78/192, fol. 551.

Delafaye admitted to Walpole that the British ministers saw
quite an advantage in the fact that the allies were evenly divided over
the Emperor's succession. If the king could keep it open, he would hold
the scales and could make use of the occasion to settle his own affairs
to his credit and satisfaction. Delafaye to Walpole, n.p., 2/13 December
1729, B.M., Add. MSS. 32764, fol. 313r-v.

²Stanhope and Poyntz to Newcastle, Paris, 27 December/7 January
1729/30, B.M., Add. MSS. 32764, fols. 510-11v.

³Townshend to Walpole and Poyntz, Whitehall, 2/13 December 1729,
ibid., fols. 310v-11.
where the cardinal relied on him absolutely. Fleury also told him he had no plans to retire as long as his health remained.¹

Walpole returned to a troubled and divided ministry in England. News of the discord between Townshend and Robert Walpole had already reached Paris. In October, a coded French dispatch reported rumors of bad feelings in the ministry and that Robert Walpole might be considering his brother for Townshend's place.² This dispute placed a strain on Walpole. For many years he had enjoyed a close personal and professional relationship with Townshend. And although they may have disagreed at times over foreign policy,³ there had been no acrimony between them. Now it was being hinted that he was behind his brother in removing Townshend in the hope of having the office himself. This, Poyntz, hotly denied in his letter to Thomas Townshend. He staked his credit that not only did Horatio Walpole truly respect Lord Townshend, but if the latter chose to resign for any reason, "no person nor consideration in the world would prevail with Mr. Walpole to accept . . . it, if it were offered to him."⁴

¹Walpole and Poyntz to Townshend, (very secret) Paris, 16/27 December 1729, B.M., Add. MSS. 32764, fols. 473v-74.
³Coxe, Lord Walpole, p. 170.

Poyntz was entirely correct in his assumption. Walpole told Viscount Percival in March 1730 that there was no substance to the rumor. Even if the post were offered to him, he would refuse because "this is a kingdom where the people are envious of others, and would be apt to say that all affairs were cast into two brothers' hands." Egmont's Diary, I, 77. Coxe says somewhat the same thing. When Townshend resigned in 1730, Walpole declined the office, feeling the elevation of two brothers to the
If Horatio Walpole entertained any illusions that matters could be repaired between Townshend and his brother, they were quickly dispelled. All he could do was talk to Townshend and encourage him to press his opinion on affairs rather than acquiesce to the sentiments of others. He told Townshend that "nobody would insist upon their opinion, so as to make it prevail in foreign affairs in opposition to his, who was certainly the best judge." After this conversation Walpole reported that Townshend was as active and eager as he had been in the past.

However, the main reason for Walpole's return to England was to help guide the treaty through Parliament. In his address to Parliament, the king announced that the nation had concluded an absolute peace with Spain. He spoke of the commercial advantages among other things and the fact that war had been averted. Perhaps to emphasize this last point he notified Parliament that orders had been given to reduce the number of land forces and to lay up and discharge a large part of the British fleet.

The Opposition swiftly went into action. Pulteney claimed the king's speech was the act of the ministers rather than the monarch, and thus could be debated. He pointed out that the treaty was built on the foundation of the Treaty of Utrecht, the authors of which had been impeached. He criticized several articles, claiming they could draw England into a war, that the merchants might not receive their reparations, and

highest posts in the government would generate too much jealousy. Coxe, Lord Walpole, p. 172.


2 Ibid.

3 Historical Register, XV, 53-54.
should the commissioners disagree in their examination of claims, there was no umpire to settle this. Another member declared it would be setting "the Broad Seal to a blank," particularly since neither Gibraltar nor Port Mahon was specifically mentioned.\textsuperscript{1} There was also an objection to the deviation in the Quadruple Alliance in allowing Spanish troops in Italy.\textsuperscript{2} In sum, the treaty was "unjust, dishonourable and disadvantageous."\textsuperscript{3}

Walpole spoke for an hour in the House of Commons. He justified the conditions of the Peace in every article; took notice of the great difficulties that had been surmounted; . . . of the great care taken of the merchants, their demands, and their future interests; said that there was no reason to imagine the Emperor . . . [would] actually commence a war, because he . . . [had] not the least pretence for it.\textsuperscript{4}

Except for changing the nationality of the troops to be sent to Italy for securing Don Carlos's succession, Walpole maintained the treaty did not differ "in any material article from the Quadruple Alliance."\textsuperscript{5} Nor were the Spanish troops to be a threat to the present possessors of those duchies since they would all be taking an oath to the reigning princes. The allies thought the change necessary because the Emperor had delayed for four years to fulfil "the concession he had agreed to make, and that gave a jealousy that he intended to recede from it seeing it came so hard from him."\textsuperscript{6} As for Gibraltar, Walpole saw no danger since Spain had

\textsuperscript{1}Knatchbull's Parliamentary Diary, pp. 97-98.
\textsuperscript{2}\textit{Ibid.}, p. 98.
\textsuperscript{3}\textit{Eckmont's Diary}, I, 3.
\textsuperscript{4}\textit{Ibid.}, p. 4.
\textsuperscript{5}\textit{Ibid.}
\textsuperscript{6}\textit{Ibid.}
given it up by a former treaty, which was also confirmed in this peace. He admitted there were some secret articles but gave his word that they were agreeable to the public articles and entirely honorable to the nation. When the final vote was taken on the treaty, it passed with 129 members opposed.

The ministry was by no means fighting for its life in Parliament. Despite a strong Opposition, things went well for the government and, as Walpole reported to Poyntz, they were enjoying a majority of two to one. What the Opposition did, as it had in previous years, was to launch a heavy attack through the press. The leader in this campaign against the government was Bolingbroke, who, since 1727 had worked with Pulteney on a paper entitled The Craftsman, and pamphlets under the heading The Occasional Writer. To meet this biting and witty attack, the government called on men such as Bishop Hoadly, Daniel Defoe, Lord Hervy, Thomas...
Gordon and Horatio Walpole. Though according to Cobbett, the ministerial advocates appeared to be "the very worst pens that money or favour could procure."²

In 1730 Bolingbroke briefly excited the nation with his arguments that the peace with Spain still faced insuperable difficulties, including the issue of Gibraltar. He predicted British commerce with Spain would at least be suspended if not annihilated.³ In the pamphlet The Observations of the Treaty of Seville Examined, the writer argues that once a bargain has been made, as was done in the Quadruple Alliance, it was against all reason to say that the Emperor had no right to take offense. Not only had the treaty been negotiated without his consent, but the Emperor would view the Spanish troops as a rival power in Italy. The writer thought they would soon find the merchants' promised reparations evaded, their privileges and commercial rights violated, and worst of all, "that the most immediate and essential Interests of the British Nation are not secured by the Terms of the Treaty, and are even put into Danger by the Execution of it."⁴

The Occasional Writer, that same year, directed his ridicule at the two Walpoles. He professed delight "that the Purse and Coffer are both happily united in the same Family. All is safe, where one Retains

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¹Kramnick, Bolingbroke and His Circle, pp. 115-16.
²Cobbett's Parliamentary History, VIII, 774.
³Ibid., p. 779.
what the otherRaise." He lamented how "upon the Arrival of your good
B_______ from his late Tour to a Neighbouring Court, we were big with
Hopes, that upon the Appearance of that very bright Gentleman, and at the
very Dawning of his Presence, the Clouds would disperse." Lord Hervey
attempted to deflect some of the barbs with his own pamphlet Observations
on the writings of the Craftsman, by pointing out how from the very begin­
nings the Craftsman tried
to vilify this Minister's Name [Robert Walpole], to arraign
his Conduct, depreciate his Services, blacken his Character,
and weaken his Credit; . . . and the grossest Falsehoods were
inculcated . . . the sacred Correspondences in former Friend­
ships were perverted, the Secrets disclosed, and all the Laws
of Nature, Custom, Principle, Morality and Society trampled
on, and broken.

However stinging the remarks in the pamphlets, as far as foreign
policy was concerned, their affect was negligible, possibly because after
so many years they lacked novelty. What did disturb the ministry was an
unexpected attack by the Opposition on France and French operations.
Charges were made that contrary to the Treaty of Utrecht, France had al­
lowed the restoration of Dunkirk harbor. The House of Commons was up in


Horatio Walpole was given the post of cofferer of the household

2The Occasional Writer, p. 13.

Horn notes that Horatio Walpole often attracted unfavorable
notice because of his relationship to the Prime Minister and the fact
that he was also his confidential advisor on foreign affairs. Horn,
British Diplomatic Service, p. 201.

3[Hervey of Ickworth, John Hervey], Observations on the writings
arms and considered censuring Horatio Walpole for allowing France to violate the treaty. But before they could do so they needed the evidence and therefore called for all the memorials and correspondence between him and the Secretaries of State. By demanding so much material they had to give the government time to collect it. This enabled the ministry to arrange matters so that the first paper read in the House on the appointed day was a copy of the French king's order to the governor of Dunkirk to see that the harbor was in the condition stipulated by the Treaty of Utrecht. Horatio Walpole claimed he had never seen such a spirit as there was in parliament, at the great day of Dunkirk, to support the ministry, their measures, and the alliances of the Hanover confederates, and such a rage and resentment against the opposite party, and their allies abroad, so that nothing was more clear that day, than that . . . this parliament is determined to support the present administration and measures both at home and abroad; and are sensible of the malicious contrivances of some to bring matters into confusion, for their own private ends.

Judging from his correspondence, Walpole was delighted with the outcome of this session of Parliament, seeing in it a vindication of the Treaty of Seville and a victory for the ministry. Once the explicit terms of the treaty had been published, they put to rest the doubts raised by the Opposition over Gibraltar and commercial privileges. He considered the conclusion of the Treaty of Seville "a sensible stroak to the united party of the torys and discontented whigs." In viewing


Plumb reports that Pleury sent a letter agreeing to order the destruction in Dunkirk of all secret repairs. Plumb, Sir Robert Walpole, II, 215.


3 Ibid., p. 672
the session as a whole; he likened it to a battle. The very

boldness and violence of the opposition, where all the
forces of the enemy [sic] from all quarters, were united
and collected; and all the artillery of falsehood and
scandal, was flung in to make the enemy's army appear
more formidable, made the victory more compleat and
decisive.1

From his view, it was clearly a triumph for the king and his ministers.

The Emperor, for his part, was indignant over the Treaty of
Seville. He saw it as an affront to his Imperial dignity if not to his
authority in the Empire.2 As a result, in his Imperial decree of 30
March 1720, he notified the Empire of his intention of sending additional
troops into Italy "to protect the innocent Possessors" of Imperial terri-
tories and fiefs.3 But regardless of this proposed move on the part of
Charles VI, in May 1730, Walpole was optimistic about the treaty and its
effect on Europe. The allies appeared united and vigorous in their

1Walpole to Waldegrave, n.p., 21 April/2 May 1730, Coxe, Memoirs
of Sir Robert Walpole, II, 687.

In this same letter Walpole notified Waldegrave that William
Stanhope, now baron of Harrington, would be the Secretary of State when
Townshend resigned, and Waldegrave would probably succeed Horatio as
ambassador to France, the latter having been made cofferer. Ibid., p. 688.

It was Walpole who had recommended that Waldegrave be his re-
placement in Paris. In a letter to his brother, he declared that Walde-
grave was "as proper a person, as minister, as could be possibly be sent
hither; for, besides his having a very good understanding, his supple and
inoffensive disposition is the best talent against the artifices of . . .
Chauvelin: for, as his lordship will have caution and prudence enough as
to take nothing upon himself without orders, he has at the same time
patience and phlegm enough to parry the dangerous attempts and insinua-
tions of the other, without disobligeing him." Coxe's citation has no date,
Lord Walpole, p. 190.


3Historical Register, XV, 134-37.
desire to carry out their commitments and were willing to undertake everything reasonable in the cause of peace.¹

Walpole's optimism was fulfilled, though perhaps not as he had anticipated. There was no war as a result of the Treaty of Seville, but the introduction of the Spanish garrisons proved to be a sticking point, one that led eventually to a rupture of Anglo-French relations. The Emperor refused to allow Spanish troops in Italy, and the allies balked at taking the alternative course of war. Unable to find an acceptable solution, and loth to lose Spain's good will, the two powers put the blame on the other for lack of action.² England resolved the problem by entering into separate negotiations with the Emperor, culminating in the second Treaty of Vienna, signed 16 March 1731. In return for guaranteeing the Emperor's succession, Charles VI settled some of the remaining issues including the abolition of the Ostend Company and permission for six thousand Spanish troops to enter Italy.³ The Treaty of Seville was a success in that it gave Europe peace. Its price, however, was the disintegration of Anglo-French cooperation.


²Wilson, French Foreign Policy, pp. 215-18.

³Ibid., p. 228.
CHAPTER IX

HORATIO WALPOLE AND THE TREATY OF SEVILLE: CONCLUSION

At the beginning of this study notice was taken of the differing views of historians about the Treaty of Seville, of the men responsible for the negotiations, and particularly of Horatio Walpole's contributions to the settlement. As a device for clarifying Walpole's role, a number of questions were asked about him and his connection with the treaty. The rationale for this was that answers based on the documentary evidence presented in the study would establish Walpole's role in the negotiations and would also determine what, if anything, he contributed to its eventual success and acceptance. Therefore, rather than present again a chronological summary of the events in which Walpole was engaged, the questions posed earlier are answered below in their original order, as fully as the evidence allows.

The first question raised the issue of whether Horatio Walpole was "personally engaged in developing the actual terms of the treaty." From the British plenipotentiaries' dispatches from Paris and Soissons, as well as from Walpole's correspondence with Townshend and Newcastle, it is evident that Walpole was directly engaged in developing the terms of the Treaty of Seville. His involvement, in fact, preceded that of Poyntz and Stanhope. Early in his embassy he became familiar with the major issues, particularly those left unresolved when the Congress of Cambrai came to an untimely end. For example, Don Carlos's succession
had not been settled to Spain's satisfaction, though apparently that court believed the Emperor would be more cooperative in this matter after they were joined in the Vienna Alliance. The dispute over the legitimacy of the Ostend trade remained unanswered, as did Spain's claim to Gibraltar. On this last issue, Walpole learned from personal experience how reluctant France was to support England's right in this matter. It was only through Walpole's persistent pressure that Fleury gave ground and for the first time France agreed in writing to guarantee Britain's claim to Gibraltar as well as the commercial privileges accorded England by former treaties. From the British point of view this was an important commitment by France for it removed what would otherwise have been a major obstacle in the negotiations preceding the Treaty of Hanover.

Prior to the opening of the Congress of Soissons, Walpole devoted time and energy in an effort to prevent any British interest or possession from appearing sur le tapis. He worked to get Fleury to agree on procedures and a plan of action. The cardinal, however, would only allow that the Preliminary Articles were to be the basis of the agenda and refused to put anything in writing. He agreed that the Hanover allies should have similar instructions at the Congress in order that they might work more effectively as one, but even here Walpole ran into difficulties. The cardinal would not commit himself on particular matters and planned to handle each pretension as it was raised. Gibraltar promised to be a problem because neither Fleury nor Slingelandt, the Pensionary, saw any way of preventing Spain from raising this matter, or any other, regardless of the lack of foundation or justice. It was toward the end of these discussions with Fleury that Stanhope and Poyntz joined Walpole in Paris, only one month before the Congress opened.
Because few powers were sincere in their support of the Congress, very little was settled at Soissons. Instead the negotiations tended to revolve around Fleury. In the summer of 1728, Sinzendorf's proposal for a suspensive treaty was developed into a project for a provisional treaty. The British ministers showed little enthusiasm for the project but realized that they had little choice as long as Fleury was in favor of it. Walpole sent Townshend a long paper giving a full account of the situation and outlined the arguments for and against the treaty. The British plenipotentiaries worked primarily with Fleury and Chauvelin on the articles of the Provisional Treaty, with the hope of finding a reasonable accommodation with Spain. The Spanish court, however, was noncommittal until Charles VI made it clear that he would not fulfill the marriage clause in the secret Treaty of Vienna. His rejection of Don Carlos made Spain more amenable to the advances of the Hanover allies. Spain's answer to the Provisional Treaty was a project drafted by the Spanish ministers at that court. Although it was unacceptable to the allies in its original form, the British and French ministers used some of the articles as a basis for another treaty.

If Walpole is correct in his Apology, the British plenipotentiaries were the moving force behind the revisions on the Spanish project. They took an earlier treaty with Spain for a model and then carefully worked out a balance of interests, obligations, and protective guarantees. Fleury reportedly accepted the British draft after Walpole had a long conference with him, during which he explained the basis for each article. The plenipotentiaries' dispatches indicate there were numerous meetings between the British and French ministers but apparently
no major changes were made in the British draft. This is quite evident in Walpole's satisfaction with the final version early in September. The Spanish court was equally satisfied and proposed a few minor alterations. Thus, Stanhope and Keene were able to conclude the formalities and sign the treaty a few weeks after Stanhope's arrival in Seville.

Second, there was the question of whether Walpole was "completely under the supervision of the ministers in London or was . . . allowed some latitude." There is ample evidence to suggest that even though the British plenipotentiaries were under the supervision of the Secretaries of State and returned full reports on the developments in Paris, they actually were allowed considerable latitude. The fact that the plenipotentiaries sent the Provisional Treaty to Spain before it had been formally approved in England indicates a certain amount of freedom and confidence, neither of which was misplaced, since the ministers in London endorsed their action. The Secretaries of State might suggest, as they did with the Provisional Treaty, that some articles be included regarding Mecklenburg and Schleswig. But if this proved unacceptable, as was the case, Townshend and Newcastle accepted whatever Walpole and his colleagues were able to negotiate, even when it fell short of the desired mark.

The plenipotentiaries' instructions were primarily the responsibility of the Secretaries of State, but on at least one occasion the ministers joined the Secretaries in drawing them up. Walpole and Stanhope met with Townshend and Newcastle and some other members of the privy council in March 1729 to discuss the strategy and arguments for the plenipotentiaries in their conferences with the cardinal. Walpole read a long
paper, narrating the developments, or rather the lack of them, since the signing of the Preliminary Articles. He had a remarkable memory of the history of events and of the negotiations that had shaped them. On this occasion, the purpose of his paper was to give valid support to the British proposal not to return to the Congress except to sign the Provisional Treaty. The outcome of the meeting was that Walpole was directed to draw up instructions to that effect and present them at the next meeting on 29 March. These appear to have been approved because the instructions issued to the plenipotentiaries two days later were along the same lines.

Considering the fact that Walpole was personally acquainted with many of the leaders in France and the Dutch Republic, it is not surprising that the privy council would give serious consideration to his report. His experience at The Hague and Paris enabled him to predict, with some degree of certainty, whether a proposed action would face heavy opposition from their allies or would be welcome because of its appeal to their particular interests. A good example of Walpole's careful weighing of alternatives, actions and reactions, is his paper "Considerations relating to the marriage between Don Carlos and the eldest archduchess and the notion of a Provisional Treaty."

Toward the end of the summer of 1729, Walpole and Poyntz were given greater latitude than ever. They had the discretionary power to send Stanhope special instructions in Spain, if, in their opinion, the situation in Paris warranted it. These instructions would have the same weight as those issued by the Secretaries of State.¹

The evidence suggests that the relationship between the Secretaries and the plenipotentiaries was one of cooperation. They were all pulling together in a common cause, that is, for king, country and party, though perhaps not in that particular order. Thus, in answer to the question—"Where did his loyalties lie?"—there is no doubt of his devotion to all three, during his appointment in Paris. Earlier, it is true, in his brief stay at The Hague, he refused to follow orders and asked to be relieved of duty. But in this instance he did not feel George I was at fault so much as the ministers who had given him poor advice on foreign policy. Walpole was convinced that in the long run he would be serving his country's best interests by not signing the treaty and enraging the Dutch ministers with whom he had been negotiating. His reason was that this would allow him to return to The Hague at a later date without having to repair damaged relations with the Pensionary and other Dutch leaders.¹ According to the documentary evidence, Walpole, during his embassy in Paris, served the king to the best of his ability. He defended British foreign policy in the House of Commons and used his influence in the French court to protect British interests from foreign encroachment.

Regarding the question about his self-esteem, that is, "Was he concerned about his own advancement, his prestige in comparison with other ministers?"—not even the acerbic Lord Hervey accused Walpole of seeking high office for self-aggrandizement. Beginning with Walpole's

¹Walpole was sent on a confidential mission to The Hague in 1733, which led to his appointment as ambassador-extraordinary and plenipotentiary from 1734-37 and 1739. Throughout this period he returned to England on occasion to attend Parliament. D.N.B., XX, 623-27; Horn, British Diplomatic Representatives, pp. 163-64.
initial posting to the French court, there had been rumors that Robert Walpole thought it a temporary appointment and wanted his brother in the office of Secretary of State. Whether or not this was Robert Walpole's intention is beside the point because Horatio repudiated the idea in the winter of 1730, after Townshend remained determined to resign. Walpole was convinced that the British public would not tolerate such a concentration of power in the hands of brothers, and he repeated this whenever the question was raised. As long as Robert Walpole was at the head of the government, Horatio seemed completely satisfied with his supporting role.

If Horatio Walpole was at all concerned with his status either at home or abroad, it does not appear in his correspondence. The closest he came to commenting on the milieu in which he found himself was in a letter to Newcastle's secretary, where he observed that "a man should know something of the art of cunning, as he should learn to fence, not in order [to] right a wrong [,] to quarrel, or push at everybody in his way, but to be able to parry the thrusts of others." The impression received from his dispatches is that of a public official, carrying out his assignment to the best of his ability. His official letters to Newcastle and Townshend are formally respectful but not subservient. In his private correspondence with the two Secretaries, he is more candid about his impressions of people and events.

Walpole could have used his influence with his brother and his position to increase his wealth. However, there is no evidence that he

1 Walpole to Delafaye, Compiègne, 30 May/10 June 1728, P.R.O., S.P. 78/188, pt. 1, fol. 188v.
received anything but what was his due. He made no attempt at display in either London or Paris, though in the latter city he did extend himself and set a good table in the interest of gaining helpful intelligence. If Viscount Fercival is correct in his assessment, Walpole was a man of integrity who was devoted to his country. And though Lord Hervey did not address himself to this aspect of Walpole's character, his list of Horatio's failings omits any mention of avarice.

In regard to the fifth question about Walpole's relations with his fellow ministers and their regard for him, if the dispatches and letters are indicative of the true feeling, the British plenipotentiaries in France enjoyed a fine esprit de corps. All of them were experienced in foreign affairs. Poyntz was familiar with the problems of northern Europe; Stanhope was the expert on Spanish politics; and Walpole was on home ground in the French court. He was familiar with the Dutch men of affairs and the French ministers. Stanhope was a member of the privy council. He was named first plenipotentiary at the Congress, but it appears that Walpole wrote most of their reports, to which Stanhope and Poyntz affixed their signatures. There were occasions when the plenipotentiaries disagreed on policy or the predicted course of events. Their diverse remarks were sometimes incorporated in the official report but generally the ministers explained their positions in private letters that went to England in the same pouch as the dispatch. In this way the ministry in England received a broader view of whatever matter was under consideration. Fortunately, these differences of opinion had no ill effect on the relations between the ministers. Both Poyntz and Stanhope took pains to reassure the ministers in England of the amity in the British delegation.
Notwithstanding Lord Hervey's remark that Horatio Walpole never did anyone a good turn, there is ample evidence to the contrary in the correspondence, particularly in 1729 and early 1730. Certainly Walpole expended considerable effort on Stanhope's behalf to get him a peerage. While it is true that he believed it was to England's advantage to have Stanhope in Spain for the final phase of the negotiations, yet when Stanhope demurred, there is no indication that Walpole pressed him against his will. Instead he wrote to Keene and prepared him to carry on alone. After Stanhope accepted the commission to Spain, Walpole was instrumental in speeding up the process so that the patent creating him a peer reached Paris before Stanhope's return from Spain.

Walpole enjoyed the respect and confidence of many of his associates. The Secretaries of State in particular approved Walpole's methods and procedures. On more than one occasion Newcastle and Townshend expressed pleasure over Walpole's perceptive accounting of men and events. The ministers relied on Walpole's good relations with the cardinal to animate him into taking a desired action. One of Walpole's warm admirers was Thomas Robinson, his former secretary in Paris. Robinson praised his capacity and zeal on behalf of his country. He declared that Walpole negotiated with firmness and was not the dupe of the cardinal, as some people maintained.

It is difficult to answer precisely the final question, that is, "did he clearly perceive his position in the French court?" There is very little in his correspondence that addresses itself directly to his influence with the cardinal. Rather it is a matter of inference from his reports of the cardinal's cordiality and warm expressions of friendship, or from Fleury's letters to Walpole. The impression at the French
court was that the two men were unusually close. After Fleury brought in Chauvelin to replace Morville, a distance developed between Walpole and the cardinal. Chauvelin's tendency to anglophobia and Fleury's apparently growing dependency on him raised new barriers, neither of which was insurmountable, but they tended to block the relatively free exchange that had existed earlier. Walpole was realistic about the change and for this reason, after the Treaty of Seville had been concluded, he suggested that Waldegrave replace him at the French court. He recognized his own limitations as far as Chauvelin was concerned and thought Waldegrave would be able to work far more effectively with the Garde des Sceaux than he.

After considering the foregoing, what can be said with any certainty about Walpole's role and contribution to the Treaty of Seville? First, as his Parliamentary defense of the treaty indicates, Walpole was both politician and diplomat, neither of which was completely separate from the other. During the negotiations in Paris, he was conscious that whatever was decided at the conference table must also be acceptable to Parliament. His years in the House of Commons had taught him what issues

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1 At a later date, Walpole gave his successor some advice on how to work with the cardinal. First, he advised him to cultivate a friendship with Fleury but the close relationship should not lull him into believing everything the cardinal said. Fleury, when he wanted to conceal his thoughts, would often talk in a seemingly confidential manner on some other matter and avoid the question being put to him. This confidential discourse should be allowed to run its course but at the end Waldegrave should "take an opportunity of returning to the charge, and not let him think that what he does tell you should give satisfaction as to what he does not tell you and is more material to know." Walpole to Waldegrave, n.p., 28 March 1734, Coxe, Memoirs of Sir Robert Walpole, III, 158.

2 It was a source of pride to Walpole in his later years to see how many men serving England in foreign courts had either been trained or recommended by him. Horn, British Diplomatic Service, p. 152.
and interests were paramount to that body of men and he acted accordingly. In London he was equally aware that the matters being debated in Parliament could have far-reaching consequences in foreign courts. Spain, for example, mistook the political squabble over Gibraltar in the House of Commons as evidence that Parliament intended to consider the restitution of Gibraltar. And when some members of Parliament argued over the lack of French support during the siege of Gibraltar, Walpole quickly wrote to Fleury, explaining that it was politically motivated and not indicative of a lack of faith in France's fidelity.

Second, Walpole served as an important link between France and England. For years he had been the main channel of communication. Fleury knew that through Walpole he had a direct connection to the heart and head of the British administration. Before the advent of Chauvelin, the reverse had been true for England, although to a lesser degree.

Third, Walpole was a coordinator and manager of men and material. In regard to the negotiations in Spain, Walpole sent Keene supplementary material along with his instructions in order that he be fully primed for his meetings with La Paz and Patiño. He tried to anticipate the troublesome areas and warned Keene to guard against the introduction of seemingly innocuous phrases, regardless of the source. In the case of Stanhope, he realized the advantage to England if someone of Stanhope's rank and experience were on hand at the Spanish court in the final phase of the negotiations. As it turned out, the Spanish monarchs were delighted at Stanhope's brief return and the Treaty of Seville was concluded with little or no difficulty.
Much of Walpole's work was done quietly behind the scenes. In his *Apology* he reports having had a private conference with Fleury on the British draft of a treaty and his success in gaining the cardinal's approval and support. Unfortunately, Walpole adds that he had Stanhope and Poyntz swear to keep this meeting a secret. This action alone casts a shadow on Walpole's claim. Yet if Walpole's behavior in this matter is seen in the context of the times from a political point of view, there is a certain consistency and sense in the whole affair. For just as he decided against any attempt to make him a Secretary of State because of the possible public clamor against it, might he not have asked a similar question about the reception in Parliament to a treaty that was the result of Walpole's influence with the cardinal? What chance would the treaty have if the Opposition mounted an attack and miscalled it a one-man treaty? How effective a defense could Walpole make in the House of Commons if the Opposition claimed he was merely defending his own work? What effect would this have had on the cardinal and his political relations in France? Would he have had a more difficult time gaining the approval of the *Conseil d'en haut*? Fleury had already come under attack in the past for being unduly influenced by Walpole. France's approval of the treaty was crucial. Without it, there was little chance that Spain and England could have settled their differences on their own, particularly if Spain insisted on Spanish garrisons in Italy. England was in no position to guarantee this without the support and protection of the other powers who had signed the Quadruple Alliance. Thus, it is possible that Walpole took this action for the sake of the treaty. He was not so much concerned about public recognition as he was that the
treaty be accepted by the four countries involved. There is no corroborative

evidence of this meeting except perhaps Walpole’s letter to Chauvelin of 27
August 1729. However the reference to a meeting is far from explicit
and could be applied to some other conference Walpole had had
with the cardinal.

Whatever else might be said about Horatio Walpole, the evidence

clearly shows that he was anything but a bungling deadweight in his
brother’s administration. His advice on foreign policy was eminently
sensible and farsighted. Through his voluminous correspondence with
ministers in England and at foreign courts, he was informed of the latest
developments. He was fully cognizant of the inter-related and often con­
flicting interests of England and those of other European powers. Further­
more, he understood the necessity of preserving, in all circumstances,
the fragile facade of royal honor and dignity.

Walpole was practical rather than idealistic. He was more con­
cerned about resolving current issues than in contemplating what might
or should have been. From his years in politics and diplomatic service,
he had become an astute judge of character. The thumbnail sketches of
individuals that are scattered throughout his dispatches are, for the
most part, accurate and objective. He recognized men’s strengths and
weaknesses, including his own. On occasion, in the course of carrying
out the responsibilities of his office, Walpole made use of people with
special knowledge or influence. In return, depending on the services
rendered, he arranged for suitable compensation—a pension, sinecure,
or even a raise in rank.

Unlike many men connected with the British ministry, Horatio
Walpole was unique in that, to a large extent, he was his own man.
This was particularly evident quite early in his diplomatic career when he asked to be recalled from The Hague rather than sign what he considered a dishonorable treaty. At court, he looked and acted more like a country squire than a respected diplomat. His plain and often unkempt dress made him an object of ridicule, even among those in his own party. Ignoring the gibes, Walpole maintained his own mode of living.

Lord Hervey was one member of the court who found Horatio's dress and discourse offensive. His remarks on the latter may be close to the truth, but his comments about Walpole's character, his inability to think and act logically and effectively, are at variance with the evidence presented in this study. The documents, on the whole, bear out Lord Granthem's assertion that if Walpole's dispatches were ever published they would show him to have been "a great master of the commercial and political interests . . . of his country; . . . [and that] He negotiated with firmness and address; and, with the love of peace."\(^1\) Even after discounting Granthem's understandable bias in favor of his former employer, there is far more truth in his statement than in Hervey's. Throughout these negotiations Walpole was unflagging in his efforts to obtain an acceptable solution to some of the long-standing differences in Europe. The Treaty of Seville, to which he devoted so much time and energy, satisfied some of the needs and interests of the powers involved and eased the tension by removing the threat of a war with Spain. It was an honorable peace.

\(^1\) Coxe, Lord Walpole, p. 463, citing Hardwicke's State Papers, II, 631.
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