

THE JACOBITE CAUSE, 1730-1740: THE INTERNATIONAL DIMENSION

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By

JANETTA INGLIS KEITH GUTE, M.A., Ed.B.

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AUTHOR: Janetta Inglis Keith Guite, M.A., Ed.B.  
(Glasgow University)  
M.A.  
(McMaster University)

SUPERVISOR: Professor P. S. Fritz

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ABSTRACT

The purpose of this thesis is to examine the Jacobite effort to secure support for an enterprise to restore the Stuart line in Britain and the effect which this had on relations between France and England from 1730 to 1740.

Following a general account of the diplomatic pattern during this decade and the state of the Jacobite movement in 1730, the thesis examines in detail the Jacobite endeavour to win support at three critical junctures: first, the period from the Second Treaty of Vienna (1731) to the outbreak of the War of the Polish Succession (1733); second, the period of settlement after the Polish War, from 1735 to 1737; third, the time of crisis which ended with the outbreak of war between Spain and England in 1740.

Although the Jacobites received a show of encouragement from the French government throughout these ten years, Cardinal Fleury constantly evaded fulfilling the promises of help he gave them, alleging as excuse circumstances the



Jacobites themselves could not contest: the weakness of the party in Britain and the lack of co-operation between France and Spain despite their common causes of enmity against England.

Fleury consistently avoided any policy which would involve France in a general European war; and this, in fact, precluded giving active help to the Jacobites; but he encouraged them to continue their efforts because they supplied him with useful information, because they were considered as a potential threat by the Hanoverian government in England whose fears of a renewed Jacobite enterprise increased with the increasing hostility between Britain and the Bourbon powers, and because supporting the Jacobite cause could strengthen Fleury's own position within the administrative power-structure of the French Court.

By 1730 the lack of effective political support in Britain for the Jacobite Cause made it unlikely that an enterprise could have been successful; but, so long as the Hanoverians feared a potential change and so long as the Jacobites themselves hoped and worked for success, they remained a significant factor in the diplomatic history of Europe.

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Note of Abbreviations:

|                 |  |
|-----------------|--|
| Baudrillart     | A. Baudrillart, <u>Philippe V et la Cour de France</u> . Paris, 1890-1901.   |
| <u>B.I.H.R.</u> | <u>Bulletin of the Institute of Historical Research</u> .  |
| BL Add. MSS.    | British Library, Additional Manuscripts.   |
| Coxe            | W. Coxe, <u>Life and Administration of Sir Robert Walpole</u> . London, 1798.  |
| <u>E.H.R.</u>   | <u>English Historical Review</u> .   |
| <u>H.M.C.</u>   | <u>Historical Manuscripts Commission</u> .   |
| M.A.E.          | Ministère des Affaires Etrangères.   |
| PRO SP          | Public Record Office, State Papers.  |
| RA SP           | Royal Archives, Stuart Papers.   |
| <u>T.R.H.S.</u> | <u>Transactions of the Royal Historical Society</u> .  |
| Vaucher         | P. Vaucher, <u>Robert Walpole et la Politique de Fleury</u> . Paris, 1924.   |
| Wilson          | A. M. Wilson, <u>French Foreign Policy during the Administration of Cardinal Fleury, 1726-1743</u> . Cambridge, Mass., 1936. |

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## INTRODUCTION

### The Jacobite Cause 1730-1740

Jacobitism had always within it elements of myth and legend, of heroic deed and elegiac yearning. After the '45 Rebellion all these gathered to the name of Prince Charles and passed with him into popular memory, so that the character and the policies of his father lose definition in the light that engilds the son. This thesis examines the unheroic Jacobitism of James, the patient and persistent efforts to win support, which, in the end, led nowhere and achieved nothing, because to the great European Powers the Jacobite Cause was just useful enough to be kept in being, and that was all. And yet the very fact that it was thus kept in existence shows that the movement had real significance in the special diplomatic pattern of this decade.

Until 1745, that is until the final demonstrable failure of the movement, Jacobitism was a touchstone of loyalty to the state within the three kingdoms of Britain. The response it evoked was an aspect of the emotional base that underlies political activity. No Restoration was possible without a degree of support sufficiently rooted in

feeling to sustain action; and the enemies of England could only use Jacobitism so long as the men in power feared Revolution. In 1730 both the hope and the fear were still genuinely felt and real emotions; what was unreal was the possibility that any such fundamental change could still be effected in the political life of Britain. There is always, perhaps, a time-lag between the extinction of a Cause and conscious recognition that it is extinct. The expulsion of James II in 1688 was the result of a political consensus; but at a deeper level, the consensus was not in favour of this or that political solution, this or that king, it was the consensus of the political community against further civil conflict. Political differences remained, bitterly divisive, violently expressed; but the ultimate resort to the organised violence of civil war had been rejected.

The finality of such a decision – a decision made at an almost unconscious level – is something that radiates from the centre to the periphery of the social organism; and in 1730 that process was incomplete. Looking back from this vantage point in time, it seems unlikely that the Jacobites could ever have succeeded in re-capturing political power. But 1730 was less than a hundred years from the battle at Edgehill. The memories, the emotions, the individual experience of cataclysmic change were no more than a generation away from Jacobite and Hanoverian alike; near enough to sustain the illusion, on both sides, that change



was still possible; and both were, for that reason, open to the manipulation of the European states in their own manoeuvring for power.

The special diplomatic climate of this decade favoured the perpetuation of these illusions. The dominant figure in European diplomacy was that of Cardinal Fleury, whose method of maintaining diplomatic control was to play on the anxieties and ambitions of the other powers, and, by avoiding decisive action, to keep them in continual dependence through their expectations of either assistance or opposition from the French Government. The Jacobites were useful to Fleury in this process and he used them in the ways and on the occasions I have examined in the succeeding chapters. So long as Jacobite hopes sustained the Jacobite effort and were encouraged by France, the Hanoverian government could be influenced by corresponding fears that the exiles would be used by France to destabilise the government in Britain. The illusions of both Jacobite and Hanoverian were kept intact because Fleury consistently evaded the decisive action which would have proved their unreality. After his death, the efforts of French government on behalf of the Jacobites in 1744 and 1745 virtually ended their potential use in diplomacy.

From my study of the evidence contained in the Stuart Papers and other contemporary sources, I think it can be shown that the failure of James and his followers to get

the help they constantly solicited was due to conditions beyond their control rather than to the personal inadequacy of the King or his agents. There is hardly a variation in the diplomatic pattern they did not record, scrutinise and assess in all its possibilities. Point for point they knew as much, sometimes more, than the Hanoverian government about what was actually happening in Europe. Their judgement of possible developments matches and sometimes surpasses that of Walpole. They were much closer to the centre of the peace-making process in 1735<sup>1</sup> and they had certainly a better understanding of the complex relationship between the two Bourbon powers. Once the war of 1739 had actually started, James quickly realised the bogus nature of the Spanish manoeuvres, which, months later, had Newcastle and Walpole nervously reviewing their strategy and withdrawing essential squadrons from the Spanish coast.<sup>2</sup>

In all his statements about policy, James recognised two elements indispensable for success; a well-organised rising in England and substantial help from France. Throughout the ten years covered by this study, he and his agents made consistent and unwearied efforts to obtain this conjunction; but neither condition was capable of being fulfilled. Sufficient support in England was no longer intrinsically available, and adequate backing from France was also beyond their reach during the life-time of Cardinal Fleury. Although James never admitted that his Cause was

already lost in the Kingdoms he claimed, he did in the end fully and clearly recognise the way in which he and his movement were being used by France. But, in terms of his own commitment to the Cause and the position he inherited, he had no choice. A nameless Jacobite caught the dilemma long ago: "You have to do with the most artful people in Europe", he wrote, and "'tis dangerous to trust them for fear of trusting them to much, but remember, my dear sir, 'tis equally dangerous to play the infidel and not trust them at all." <sup>3</sup>

In the following chapters I have traced the Jacobite attempts to resolve this equation.

### Notes to Introduction

<sup>1</sup> See Section III, Chapters 5 and 6 of the thesis.

<sup>2</sup> See Section IV, Chapter 8 of the thesis.

<sup>3</sup> Royal Archives (RA) Stuart Papers (SP) 141/86 fragment, listed with correspondence of January 1731 but noted as "uncertain, may be out of place".

## CHAPTER I

### The Diplomatic Pattern: 1730-1740

The study of Jacobitism in the ten years that precede the War of the Austrian Succession is the study of a spent force, whose history is one of progressive futility and failure, until it ceased to be, in any real sense, a significant factor in the political life of Europe. But this failure, like other failures, was the obverse of success: the establishment of the Hanoverian dynasty so completely that neither France nor any other European state could again use the weapon of civil conflict on a dynastic issue to further their own ambitions against Britain. Jacobitism, in its final phase, is the shadow that defines and highlights Hanoverian success.

In 1730, however, there was still a residual hope in the exiled King himself and amongst many of his followers, that they might yet, in some way, bring about a Restoration; and there was also, in Walpole and his ministry, a residual fear that some such attempt might be made. At this point it hardly seemed more than that - even to the Jacobites themselves. After forty years of unsuccessful effort, they had little standing in the world - and they knew it. "The common notion of the Jacobites here," Sir Peter Redmond

wrote from Paris, "is that they are fools, malcontents and beggars, or all together."<sup>1</sup> That was in 1729. In 1732 he found matters much the same, both at home and abroad:

... all the people at home will have always measures to keep with the Government for their self-preservation, and the powers abroad have always so many affairs of their own on their hands and so many measures to keep with their allys and neighbouring powers, that they'll never be reconciled altogether to redress the grievances of an injured Prince —they'll have pressing affairs of their own till Doomsday ... tho' they may make feeble efforts or threatenings of it to get the better bargain for themselves ... besides that, age comes on, people grow unfitter for fatigues, the usurping family takes root on the throne and the spirit of loyalty dies in such tedious uninterrupted possession.<sup>2</sup>

Against this gloomy (but realistic) picture must be set the determination of James himself and of a number of activists to go on trying, no matter how hopeless or how prolonged the task;<sup>3</sup> and between 1730 and 1740 a number of changes occurred which they believed would create the conditions they needed for another attempt to regain the throne.

In the first place, there was a marked change in the diplomatic situation. It was a recognised necessity for the Jacobites to have the help of some foreign power in order to mount an invasion and provide cover for an insurrection at home; but in 1730 France and Spain, the two powers most

likely to provide help, were both allied to Hanoverian Britain by the Treaty of Seville, which was designed to coerce Austria into a settlement of outstanding problems in Italy. Unexpectedly, in March, 1731, Walpole himself gave the Jacobites their first real "breakthrough". For reasons of his own he by-passed his ally, France, and made a secret and separate deal with Austria. Under outward acquiescence in the *fait accompli*, French resentment was deeply felt, and this rift proved to be the beginning of a permanent shift in policy which, by 1744, led to open war between France and England.

The Jacobites were immediately aware of the change in the diplomatic climate. Indeed, they were directly involved, since Walpole's secret negotiation at Vienna was first discovered and passed on to the French by a Jacobite in London. They, therefore, at this point, entered into a new, and, as they believed, a much more fruitful relationship with the French government. The possibility of invasion was actively discussed, even to the consideration of ways and means, numbers of troops and potential landing-places. In 1732 and again, in 1733, it appeared that only the final decision as to a date was needed; but each time that decision was postponed by the French, and the plans were laid aside.

This might have discouraged the planners more completely, but for the fact that, in 1733, the death of

Augustus of Saxony proved the start of a European War, with France and Spain in alliance against Austria and Russia. It seemed to the Jacobites almost inevitable that England, however reluctant, would be drawn into the conflict to support her ally, Austria, and that the way would then be clear for a "descente", backed by France as part of their overall strategy. In that hope too they were disappointed, for Walpole was determined not to fight, Fleury determined to keep England neutral; and, in any case, when he judged the time ripe, Fleury put an end to the war by making a separate peace with Austria in 1735. Yet here also the Jacobites were able to see some encouraging elements in the new alignment of the European powers, for it produced the combination they themselves most wanted; a league of the three Catholic powers, France, Spain and Austria; and, beyond all doubt, it left Hanoverian England isolated and, to some extent, excluded from the concert of Europe.

The hope the Jacobites nourished – that a joint intervention of the Catholic Crowns would restore Britain's Catholic King – faded gradually in the long-drawn-out process of making the Settlement effective. By 1738 they had been forced back to the policy of finding help from a potential enemy of Britain; but, here again, circumstances seemed to favour their efforts. The standing trade disputes between Spain and Britain flared into open violence. James never believed that Spain alone could sustain war with



Britain; or that, even if the Spanish government expressed willingness to undertake his Restoration, any such offer should necessarily be accepted. He was, however, convinced that, once Spain was at war, France would be obliged, sooner or later, to come to her assistance and declare war openly against Britain; and that, when that happened, even Cardinal Fleury would be compelled to take the further step of backing an attempt to place the Stuart line once more on the throne of Britain.

In August, 1740, it seemed only a matter of weeks till that point was reached. Fleury sent his fleets westwards to help the Spaniards in the West Indies, deliberately risking and indeed expecting a declaration of open war as the English response. But, almost before the French Admiral reached the Islands, there was a major shift in the whole diplomatic balance of Europe. The Emperor Charles VI died suddenly, and, at once, the struggle began in earnest for the partition of his inheritance. Once more Jacobite hopes were postponed as war in the West Indies between Spain and England became peripheral to the main conflict in which the great powers in Europe turned all their attention to the settlement of their purely continental interests.

Secondly, between 1730 and 1740 there was a fundamental change in the political position in England; the development of an organised opposition to Walpole's

government. Bolingbroke, when he returned from exile, made himself the architect and organiser of a movement which was intended to combine excluded Tories and disgruntled Whigs, and which operated by direct appeals to the country as well as by concerted opposition within Parliament.<sup>4</sup> The Jacobites were not responsible for this movement, but they did as much as they could to profit by it. The increasing incidence of riot during these years, the strong and vocal manifestations of dislike to the reigning King, could at least be used to give some colour to the assurances Jacobite agents were always ready to make to foreign powers that "the people" would rise against the hated Hanoverian as soon as they were provided with arms and leaders. James on his side worked hard to gain and keep together a nucleus of influential people in Parliament to join in the fight against Walpole, trying at least to implement policies that would forward his Cause and make it easier to organise a rebellion.

The crisis over the Excise Bill in 1733 showed the power of the new opposition; Walpole could only save his position by withdrawing the Bill. In 1739 the use of similar tactics pushed him into the measure the Jacobites most wanted, war with Spain. In 1742 he was finally compelled to resign his office. Inevitably these changes encouraged Jacobite hopes. While James himself certainly realised that anti-Hanoverian feeling was not the same as

pro-Jacobite commitment, he always hoped it might become so;<sup>5</sup> and, although much of the energy of opposition was being channelled by Bolingbroke into a movement to get rid of Walpole, while retaining the Hanoverian King, James still believed that the end result would be favourable to his Cause. Provided they would all pull together and cooperate, his friends in England could surely win the opposition to the Jacobite side, once the great Minister was gone. There was encouragement too in the effect which the growing opposition to Walpole produced in Scotland during these years. Divided as the Scots were, they had a common sense of injury against the Whig ministry in London. Even the Presbyterians were enraged by the way in which the Government in London reacted to the Porteus riots and, even amongst the greater landowners who supported the Hanoverian rulers, the sense of exclusion from political power in the United Kingdom had begun to penetrate a deep reservoir of national feeling.<sup>6</sup> By 1738 James felt he had reason to hope the strongly disparate elements in Scotland might still be fused in a renewed effort to restore the ancient line of Scottish kings.

From 1730 onwards, therefore, the Jacobites believed that just as the change in the diplomatic situation in Europe increased their chance of getting foreign assistance, the change in the political situation at home increased, at the same time, their chance of disrupting the Whig

government and turning widespread discontent to positive support for a Restoration. And all this was happening while they still had a workable party organisation and – at least in their King and some others – a still undaunted resolution to carry on the struggle. It is true it always seemed that, just at the moment of fruition, some adverse circumstance hindered the realisation of their hope; but the disappointment was always counter-balanced by what they saw as the generally favourable development of events. Their perpetual readiness to re-build their conspiracies drew sustenance from the still-repeated promises of help which they received from France and from the growing violence of political opposition at home.

The historian, however, cannot be so readily contented with the Jacobite interpretation of events. The Jacobites had no means of judging save by their own hopes. It often happens that success in politics breeds success; for, once victory seems certain, the waverers will join the discontented and the loyalists who take the first risk. But to say that a successful invasion might have harnessed dissent in England and placed James on the throne is mere speculation. We know it did not happen, and it can, indeed, be maintained that the decisions reached in Britain by the Revolution of 1688 could never have been reversed by any Jacobite effort. By 1730 at least, repeated failure and the

mere attrition of time probably precluded any possibility of success.

Certainly between 1730 and 1740 there were outbreaks of violent dissent. There were riots of silk-weavers and coal-miners, there were riots against turn-pikes, against the Gin Acts and, most notably, against the Excise Act; and, often enough, the slogans shouted as vocal defiance or provocation to authority, had a fervid Jacobite ring to them. But, in almost every instance, the real cause of the disturbance was economic and social; it was a response to some specific grievance, peculiar, local and deeply felt – but not, in essence, political.<sup>7</sup> This should perhaps be qualified, for, as I have already mentioned, Bolingbroke used the method of direct popular appeal – with its implicit connotation of riot – to assist his parliamentary opposition. But this is something different from a spontaneous political demand, such as the Jacobites postulate in their frequent assertions of the desire of "the people" for the return of the Stuart king. Under Bolingbroke's direction the mob shouted, but they shouted for a particular remedy, the withdrawal of the Excise Act or war with Spain.

In fact the very success of Bolingbroke's movement derives from the fact that he provided the opposition with a non-treasonable alternative. By 1733 the Tories and the discontented Whigs did not need the Jacobites; and, after

the quarrel between George II and his heir, in 1737, they needed them still less, for they had their central and potential source of place and patronage within the family of the established king. The Jacobites, for all their efforts and hopes, their correspondence with individuals and promises of reward, could only command the assistance of a very small group, few of whom had any great political importance.

It should be said that some historians - most recently Dr. E. Cruickshanks<sup>8</sup> - are prepared to assert that there was still, at this time, considerable support for the exiled King, both amongst the common people and amongst those who could take an active part in political life; and that the lack of concrete documentary evidence in support of this claim can be explained by the pressure of the penal laws and the need for secrecy. This view has been challenged by Dr. L. Colley,<sup>9</sup> who maintains that Jacobitism, amongst the Tories, was not considered as a serious alternative, at any rate after the failure of the Atterbury plot in 1723; and that those who were involved in correspondence with Rome after that were a minority of the Tories, playing a doubtful, ambivalent role which certainly did not hinder them from taking office and salary from the Whig and Hanoverian.<sup>10</sup>

Dr. Colley's conclusion (which is carefully documented in terms of the political careers of individual

Tory politicians) is consistent with much that can be found in the Stuart Manuscripts. The state of the Jacobite party in England was a constant pre-occupation to James himself and to his agents; and their despair of getting any kind of energetic or united action from the loyalists is a constant theme. Nathaniel Mist, the editor of *Fog's Journal*, wrote to James in 1731 of the weakness of the Jacobites in Parliament, their fear of the penal laws and the standing army which "... is the excuse most of them shelter themselves under and think they do service enough to the Cause if they keep their own necks out of the Collar."<sup>11</sup> Sir Peter Redmond commented a year later that the King's "cold and Politick Friends are very Easy and wisely resolved to lye by incognito with their double entendus, reserving all their strength to make a clamour for their merritts in the Restoration, if such a thing should happen, till then with nods and shrugs they throw off the fault of its delay on the King's bad conduct and inactivity, knowing how few friends he has anywhere of Courage and Virtue to justifie him."<sup>12</sup> Andrew Cockburn, the agent in London (a Jacobite of old-fashioned, steadfast zeal), when things looked more hopeful in 1733, at the time of the Excise Crisis, had written that, if the King's Friends were "concerting safe measures" for the Restoration they should have his prayers but "if they be dallying and waiting for a more fit time (as has been hitherto their humour), I shall never forgive them

but go to the grave in wreath against them."<sup>13</sup> But by 1734 he had to admit the fact of continued inactivity and wasted opportunity, "through the cowardice of some and the knavery of others ... the Court opposits are divided in their different views and designs, which gives the Court great advantage over them and by which they carry everything as they pleas."<sup>14</sup>

The state of the party was more fully described by Lord Cornbury in a report he sent to Rome in 1732. "Some people," he noted, "are capable to do a mischief to an attempt that another may have no honour by it, and some would even not go to a concert for rising in arms, if they thought others were to be there. This, I own, makes me have little hopes of ever seeing a good concert for rising in Arms. Providence that confounded the builders of Babel may bring these other artists out of their confusion, but no man can surely flatter himself with being able to bring it about."<sup>15</sup> By the end of the decade, and with all the apparent encouragement of opposition to Walpole and a favourable diplomatic situation, the party in England was as much in disarray as ever. In 1737 James himself commented that he thought they were unwilling, in England, to ask for foreign help in case they found themselves committed to action.<sup>16</sup> A year later he is urging his friends to cooperate with each other, pointing out that, while he would not encourage foolhardy measures, risks have to be taken



to be taken and, if they don't trust each other, they can at least trust him to co-ordinate their efforts;<sup>17</sup> but, as Dunbar wrote to O'Brien, "you wont find two of them any one of whom would trust the other."<sup>18</sup>

The mistrust, the lack of unity, the "indolence of those who might be useful and the clamours and peevishness of those who perhaps, never will be" – an evil, James wrote to Inverness, "we must bear as well as our great misfortunes"<sup>19</sup> – were, in truth, symptoms of final disintegration. There was still a good deal of sentimental and convivial Jacobitism, wherever Jacobites gathered together, at home or abroad; but a revolution is not forged from such material.<sup>20</sup> There was no longer, within the community, the widespread, deeply-felt emotion which is needed to initiate and sustain revolutionary action.

Despite this James himself believed that a successful invasion would attract support which could not be given overtly, and that the lukewarm and the doubtful would come in on his side, if he could win a quick victory and, especially, if he could secure London as a base. The degree of support he might have received in these circumstances may be indicated by what happened in March, 1744. After Fleury's death the French government made serious preparations to invade England on behalf of the Stuart King. The Jacobite party in England failed altogether to meet even the minimal conditions of help which the French had

requested, while the reports that reached the French from their own agents made it clear that, in England, the prospect of an invasion on behalf of the exiled king produced not revolution, but a general demonstration of support for the Hanoverian Government.<sup>21</sup>

If Jacobite hopes were, in fact, illusory, if there was, on objective assessment, no adequate base for mounting an attempt at Restoration, we have to ask why the French continued to give the Jacobites such explicit encouragement during these ten years. Did the French too mis-read the situation? Did they ever intend to give the Jacobites help? If they did not, why did they change their policy in 1744? To answer these questions we have to look at the Jacobite effort to gain help in the wider context of diplomatic history between 1730 and 1740.

These years were the last in a period of transition between two great European wars: the War of the Spanish Succession, which had ended in 1713, and the War of the Austrian Succession, which began in 1740. On the surface the several states of Europe in 1730 appeared to be still pre-occupied with the lesser problems left unresolved by the settlements of Utrecht and Rystadt; but, beneath the surface tensions, two major factors controlled the diplomatic pattern. One was the question of what would happen to the Hapsburg Empire when the present Emperor, Charles VI, died. By 1730 it was fairly certain that he would have no male

heir, and that the probable inheritor would be his elder daughter, Maria Teresa. For Austria, therefore, the key point in all diplomatic negotiations was the Emperor's desire to get, beforehand, the formal assent of all the great powers to Maria Teresa's undivided and undisputed succession.

The other crucial element in the diplomatic situation was the economic rivalry amongst the Atlantic powers, who competed against each other to dominate the rich carrying trade which linked the New World and the distant East with the emerging nation-states of Europe. By 1730 the pace of economic expansion had greatly accelerated, but the structure of the international agreements under which that trade was carried on belonged to a different era. Spain still asserted her old claim to the monopoly of trade and colonisation in the New World; yet even Spain had been compelled to grant to both England and France a limited right to trade directly with the Spanish colonies; and this, in itself, introduced a new element in the whole situation, leading to further pressure for further concessions. In 1730 France was already looking to succeed to the Asiento when the English right expired, and thus become the principal purveyor of slaves to the Spanish colonies; and, however Spain might try to regulate the contact of foreign ships with her colonies, the legal trade with England

covered a profitable illegal trade in which both England and her American colonies almost openly engaged.

Underneath all the bickering over the niceties of legal inheritance, the endless squabbles over prizes and customs, seizures and rights of search, these wider issues were clearly seen by all the powers concerned; and both problems – the ultimate division of the Hapsburg Empire and the struggle to dominate overseas trade – were linked at the diplomatic level.

The balance of power in Europe at this time depended on the relationship between France and England, because only these two states had the resources in men and money to sustain a major war. France and England were, by 1730, the most powerful and the most aggressively expansionist of the trading nations; yet, despite their divergence in interest, they were still bound together by a formal Treaty of Alliance.

At first this reversal of their traditional enmity had arisen from the settlement which was made in 1713 and which ended twenty years of war between them. At that time both nations were suffering from economic exhaustion; and both recognised a mutual need for stability, where, as it happened just then in both countries, a new ruler succeeded – the Regent in France and George I in England – both of whom had some reason to fear his right to rule might be disputed. In 1725 the quarrel between France and Spain and

the unexpected rapprochement between Spain and Austria renewed the bond between France and England, holding them together with a sense of alarm at the prospect of a marriage between Don Carlos and Maria Teresa. Together they used all their efforts, first to draw the lesser powers into the Alliance of Hanover, then to drive a wedge between Spain and Austria, so that one or the other might be brought over to the alliance.

At this point the direction of foreign policy came under the control of two statesmen – Walpole in England and Fleury in France – who recognised a mutual interest in continuing an alliance which would prevent the outbreak of a major war in Europe. But they recognised, also, their conflicting and competing interests in the economic sphere. Between 1730 and 1740, in all their dealings with Spain and Austria, each strove to manipulate the political conditions in order to gain the most he could at the other's expense. The antagonism engendered by trade rivalry gave new life to all the old fears, suspicions and hostilities, so that the old alignment of the European powers began to form beneath the surface of the newer pattern which Fleury and Walpole tried to maintain. In the end, both in England and in France, the pressure for war came from below and destroyed the political dominance of both statesmen. Walpole was forced into war with Spain in 1739. After the death of the Emperor in 1740, Fleury was compelled to follow the

militarist policies of Bellisle and send French troops to support Frederick the Great's onslaught on the Austrian Empire.<sup>22</sup>

It was, then, the special characteristic of this decade that a real and growing conflict between the great powers was masked by formal peace. The aim of Jacobite policy was to bring this conflict to open war, since their best, perhaps their only chance of getting the help they needed would be a major conflict with France (and preferably Spain also) ranged against England. In 1731, for example, Sir Charles Wogan, a Jacobite serving in Spain, wrote to Edgar:

... at home they long for us ... and we cant go to 'em till those abroad (who keep us in hand only for their own conveniency and will never do our business but by pure necessity) will give us a lift. This is a necessity they are endeavouring to evade by a thousand Caballs and idle Treaties which they will be perpetually shifting and changing till at last they are convinced to their loss that they can find no sure redress but in that sole necessity they have been labouring so long to avoyde ... The whole machinery of all the Courts in Europe except Spaine, is employed in putting off the evil day and keeping war at a distance by different amusements and pretexts. But the ferment is too strong and the demands too great to be satisfied without war, it must come, tho' late and with it the necessity of helping in our business.<sup>23</sup>

The Jacobites were not alone in wanting war, in believing that war was inevitable, in expecting it to break out at any moment – yet in seeing it always postponed, and postponed,

they thought, by the hesitations of the men in power, the insular pre-occupations of Robert Walpole, the timorous pacifism of Fleury. But this uncertainty, this sense of an always present and always postponed crisis, was precisely the state of affairs Fleury was most skilled to exploit. It must be remembered that he had behind him all the immense potential power of France, a power that drew into its orbit the fears and ambitions of every other state in Europe. By playing one against another, holding out the prospect of help or the threat of enmity, yet always avoiding specific commitments, Fleury controlled the direction of affairs in Europe more completely by maintaining peace than he could ever have done by war. It was a mastery based on his perceptive understanding of the whole range of emotions which spring from self-interest – the self-interest of nations as well as of individuals.

Nevertheless the balance of power, which Fleury maintained in this way was, in essence, a balance of mistrust, in which continually renewed and continually unsatisfied expectation heightened the conflicts inherent in the whole situation, while the uncertainty it was his special aptitude to exploit was complicated by additional factors.

One of these factors was the nature of Fleury's own authority within the French government. There was no doubt that he controlled every aspect of government in France, as

both Jacobite and Hanoverian were well aware. "It is plain from your note", James wrote to O'Brien in 1730 "that the Cardinal will be king as long as he lives."<sup>24</sup>

Ten years later, we find Waldegrave, the English ambassador writing to the duke of Newcastle, "... as to His Most Christian Majesty, it is more for form's sake that we wait on him than anything else, for with regard to publick affairs, our seeing him or not is much the same; but, as to the Cardinal, it is quite otherwise, with him alone Business is to be done, none of the other Ministers, not even M. Amlot ... presuming to give any answer to the slightest affair, unless they have the Cardinal's positive orders."<sup>25</sup>

In effect, this over-riding power, which Fleury exercised for seventeen years, was the King's own power, the regal dominium, the executive monarchical authority, as it had been interpreted and developed by Louis XIV. But Fleury was not king; his power had no institutional base, for it depended entirely on his personal relationship with the reigning king, Louis XV. There was some curious interlocking of personality between them; it seemed that the King's tutor simply became the nation's governor and stayed on in that position, as the king-pupil, emerging from his long minority, displayed an almost pathological indifference to the real demands of his inherited kingly role. If, therefore, Fleury was powerful because he carried out the king's duties in the king's name, he was, by the same token,



vulnerable: he could be supplanted by anyone who could gain the king – wife, mistress, favourite or valet,<sup>26</sup> general or councillor. This situation in itself quickened the growth of intrigue and cabal within the French Court, so that policies, both domestic and diplomatic, became aspects of an unremitting, subterranean struggle amongst the groups and the individuals who competed for the power they might have – if the Cardinal were once out of the way.

The second factor which heightened the tensions and uncertainties during this decade was Fleury's own age and physical condition. He was over seventy when he first began to exercise direct political power; he was nearly ninety when he died – still in office – in 1743. Because of this his tenure of power had always something temporary about it. A man of his years might surely at any time decide, or be persuaded, to retire, or some relatively minor ailment might carry him off. No one, in 1726, foresaw that he would live on and on, from year's end to year's end, still holding power by favour of his king. As late as 1738 he weathered a serious illness and re-established his position as "premier ministre". Even after 1741, when war diminished his authority, he kept what power he could within his failing grasp until he died, two years later. This, then, was another circumstance which contributed to the atmosphere of always imminent crisis, of a fundamental political re-adjustment, always expected and always postponed, which

intensified the power-struggle within the Court, as it intensified also the implicit conflicts that threatened the diplomatic balance of Europe.

Naturally, in these circumstances, every diplomat at Versailles was an anxious Fleury-watcher, keeping his eyes on everything the Cardinal did, scrutinising his expressions, noting every rumour about his health, his rivals and his possible successors. But Fleury knew well how to make an impression which was convincing because it was really a reflection of his protagonist's own fears or hopes,<sup>27</sup> while, behind the screen he thus created, he quietly pursued his own purposes.

The self-confident Horace Walpole, for example, writing to his brother in June, 1730, saw nothing formidable in Fleury's own relations with England; if there is any danger, it lies with the people who might manipulate him, for, although he found "the Cardinal's health and apprehension as good as ever ... he is so weakened with age and so fatigued with the multiplicity of business that..instead of taking on himself the authority and execution of it, he leaves it to the respective ministers, by which means Chauvelin is become absolute master of the foreign affairs."<sup>2</sup>

Ten years later, with Chauvelin gone, England isolated in Europe and already at war with Bourbon Spain, Waldegrave, the English ambassador, saw Fleury in a very

different light. Already by 1738 he noted a significant change, at the time that Fleury, against all expectation, recovered from his serious illness and resumed an even more absolute mastery within the government. The Cardinal was then, he thought, "more peevish and difficult with his staff, and treats his Secretaries worse than commis."<sup>29</sup> By 1740 Waldegrave observed that the other ministers attend him more like clerks than people that had any share in the administration.<sup>30</sup> And this perception of the Cardinal's real control of French policy carried with it, for the English, an alarmed comprehension of their own inability to divine his real intentions towards their country and, by implication, towards the Hanoverian Government.

The reports Waldegrave wrote, week by week, to his government<sup>31</sup> show how Fleury played on Hanoverian fears, just as the Stuart Papers show his deliberate manipulation of Jacobite hopes. All the evidence from the manuscripts suggests that Fleury did not consider the Jacobites to be a serious political alternative to the Hanoverian government. His assessment of the degree of support they were likely to receive was thoroughly realistic;<sup>32</sup> but, as long as both Jacobite and Hanoverian believed that a Restoration of the Stuarts by a foreign-backed invasion was possible and might be successful, both could be used by Fleury for his own ends. Even when the Jacobites came to mistrust his sincerity, they were too dependent on France for help to

refuse their co-operation, or challenge, openly, his professions of regard for their Cause. The mistrust which the Hanoverians also felt operated in a different way. Fleury constantly assured Waldegrave (in this instance quite truly) that he had no intention of helping the Pretender. But how could they believe his word? A man so false as the Cardinal would say anything to mask his real intentions;<sup>33</sup> there were always Jacobite agents active in contacts about the Court, and even occasional hints of menace from the Cardinal himself. The value of the Jacobites as a means of alarming Walpole's government increased steadily as the tensions mounted in Europe during these ten years, and as England came to realise more fully her own isolation and the growing likelihood of a major conflict with France. A real attempt would have destroyed – did, in fact, destroy when it took place – the Jacobite use in diplomacy, by demonstrating that in actual fact the political basis for a Restoration no longer existed in Britain.

There were, however, other reasons why Fleury should keep the Jacobites working for him by keeping their hopes alive. The exiles were established all across Europe, in a network of communities, still closely linked with each other. The quid pro quo for the help the Cardinal seemed always so willing to give could be information, gathered and transmitted by Jacobite agents; or it could be communication

with other governments where, for reasons of his own, the Cardinal wished to go outside the known diplomatic channels.

Again we have to remember Fleury's own position within the government of France, dependent on the King's favour and therefore vulnerable to attack from within Court or Council. The circumstances of the original diaspora, the protection Louis XIV had afforded James II, the presence in France of a large number of Jacobites who served their host country and, in some instances, inter-married with the French nobility, had created a Jacobite "lobby" at the French Court.<sup>34</sup> By apparent concessions to the Jacobites Fleury could forestall the criticism of those who might get the ear of the King, and, by threatening his position, force him to policies that did not suit his own purposes.

The Jacobites themselves recognised clearly that their relationship with France was the crucial factor in their search for help from abroad. Although James maintained an agent in Vienna, he knew that the Emperor, with his complex and ambivalent relations to the Hanoverian Elector/King,<sup>35</sup> was least likely to assist his Cause. The Jacobite relation to Spain was hardly more productive. There were a number of distinguished Jacobite exiles in the country, foremost amongst them the Duke of Ormonde; but no one in Madrid fulfilled the function of permanent agent or spokesman. Spain might be Catholic, Bourbon, well-placed to invade the potential enemy, Hanoverian England, but James

knew from experience the poverty of the country, the cumbersome inefficiency of the administration, the unpredictable personal stresses and divisions within the Spanish royal household. By 1730, his quarrel with his Queen at last resolved,<sup>36</sup> the King-in-exile had returned to a more cordial relationship with his nearest Catholic protector, the Pope. But this was, as it had always been, a relationship of personal protection and social intercourse. James himself realised that political help from the Papacy, even had the Pope been willing to give it, would be damaging to his Cause.<sup>37</sup> Where then could he turn but to France, the largest, wealthiest, most powerful and, in many ways, the most efficiently organized of all the European states?

The French response to Jacobite appeals was however determined not by the political or moral validity of their Cause but by their potential use to the man who controlled French policy at this time. In the ensuing chapters I propose to analyse this relationship at certain critical points between 1730 and 1740. I shall look first at the part the Jacobites played in revealing the English negotiation at Vienna in 1731 and their efforts to exploit French resentment against Walpole. I shall then examine the situation in 1733 at the outbreak of the War of the Polish Succession, when the Jacobites were, for a few months, encouraged by France to believe that an invasion was being

planned on their behalf. In the next two chapters I turn to a discussion of the way in which Fleury used the Jacobite organisation to make and implement his own settlement of the Polish war, between 1735 and 1737, and in the final chapters I shall examine Jacobite involvement in the war between Spain and England from 1739-40.

In each of these crises, it seemed as though circumstances produced a conjuncture in international affairs which ought, in theory, to have provided an opportunity for that foreign-backed invasion which was the constant goal of Jacobite policy; yet each time action was evaded or postponed, while Fleury himself, the unquestioned directing power in European diplomacy, gained some appreciable point for his own or his country's interest.

It appears, therefore, that the relationship of the Jacobites to France, the key element in their efforts to win support, was determined by the particular use which Fleury made of the movement. For the Cardinal they were a tool, a sentient tool, adapted to his own manipulative skills. Their use in that capacity depended on an outward form of belief in the validity of the Jacobites' cause and an inner perception of the futility of all their efforts. So long as Jacobite hopes remained as hopes, the useful illusion was preserved; once the reality of inevitable defeat was demonstrated, the Jacobites could be of no further value to the Cardinal.

This paradox explains the sudden shift in French policy that occurred in 1744. After Fleury died, in January, 1743, there remained amongst his documents all the correspondence and reports, the paper schemes with which he had amused the more credulous of the Jacobite agents – but which were not, apparently, made known to the Minister in charge of Foreign affairs. These schemes were now taken up, seriously and at their face value, when the direction of affairs was assumed at last by Louis XV in person. Whatever his motives, there was no adequate assessment of the real situation in England, and no effective consultation and co-operation amongst the French ministers.<sup>38</sup> Only when the expedition was already gathered at Dunkirk did the men in charge become more clearly aware of the lack of support for the Jacobite Cause in England. An opportune succession of storms gave them the excuse they needed to withdraw, and, re-assuringly for the English, word came to London from the Hanoverian agent in Paris.

... gens instruits m'assurent que nous ne sommes plus occupés que de trouver quelques mascarades pour déguiser les Vues que nous avons et les tourner d'un autre côté, parce que les plus courtes folies sont les meilleures.<sup>39</sup>

The failure of the '45 Rebellion in the next year was not so much the death of a Cause as the final destruction of a myth.



## Notes the Chapter I

<sup>1</sup>RA SP 131/40: Sir Peter Redmond to James, 10 October 1729, Paris. Redmond was of a Wexford family, had been a merchant in Portugal and became involved with Jacobitism in 1719 in the negotiations with Spain (vols. V-VIII, H.M.C. Stuart Papers). He was something of an oddity himself, laughed at by his fellow-Jacobites for the strained enthusiasm of his letters, but his comments are often shrewd.

<sup>2</sup>RA SP 151/129: Sir Peter Redmond to James, 19 February, 1732, Rome.

<sup>3</sup>I differ in this from the opinion expressed by Dr. G. V. Bennett in The Tory Crisis in Church and State, 1688-1730, (Clarendon Press, 1975), 291 and 307. I question Dr. Bennett's assumption that the letters which describe the efforts made to gain assistance after 1732 were not seriously intended, although it is, perhaps, natural he should feel that nothing significant was left in Jacobitism after the death of Atterbury.

<sup>4</sup>H. T. Dickinson, Bolingbroke (London, 1970), 183-246. L. Colley, In Defiance of Oligarchy: The Tory Party, 1714-1760 (Cambridge University Press, 1982), 209-221.

<sup>5</sup>On 10th December, 1737 James wrote to Cecil: "It is true that the public appearances do alone say a great deal, but, at the same time they serve more to show the weakness of the Government and the disaffection of the people to it than a direct inclination to my person and Family." RA SP 203/4: James to Cecil, 10 December 1737, Rome.

<sup>6</sup>B. Lenman, The Jacobite Risings in Britain, 1689-1746. Longon (1980).

<sup>7</sup>N. Rogers, "Riot and Popular Jacobitism in Early Hanoverian England", Ideology and Conspiracy: Aspects of Jacobitism, 1689-1759, ed. E. Cruickshanks, (Edinburgh, 1982), 74-81; G. Holmes, "The Achievement of Stability", The Whig Ascendancy: Colloquies on Hanoverian England, ed. J. Cannon, (New York, 1982), 11 and 185-186.

<sup>8</sup>E. Cruickshanks, Political Untouchables: the Tories and the '45. (Duckworth, London, 1979).

<sup>9</sup>L. Colley, In Defiance of Oligarchy: The Tory Party, 1714-1760, (Cambridge University Press, 1982).

<sup>10</sup>L. Colley, ibid., 40, 66-68.

<sup>11</sup>RA SP 142/141: Nathaniel Mist to James, 8 February 1731, Boulogne.

<sup>12</sup>RA SP 151/129: Sir Peter Redmond to James 19 February 1732, Rome.

<sup>13</sup>RA SP 159/108: Andrew Cockburn to Edgar, 19 February 1733, London.

<sup>14</sup>RA SP 169/10: Andrew Cockburn to Edgar, 10 March 1734, London.

<sup>15</sup>RA SP 154/104 and 154/105: Lord Cornbury to James, mémoire: July, 1732, London.

<sup>16</sup>RA SP 200/126: James to O'Brien 11 September 1737, Rome.

<sup>17</sup>RA SP 209/7: James to Cecil, 28 August 1738, Rome.

<sup>18</sup>RA SP 211/2: Dunbar to O'Brien, 12 November 1738, Rome.

<sup>19</sup>RA SP 209/165: James to Inverness, 8 October 1738, Rome.

<sup>20</sup>Bolingbroke's comments on claret-drinking conspirators were echoed by many good Jacobites – like one Captain Perkins in 1739 who roundly told his convivial friends at the "King David" "You are all a parcel of fine fellows over a bowl of punch, but scarce one of you would draw a sword upon a good cause – his meaning he concealed tho' they well knew what he meant." RA SP 213/46: Paul Kearney to Edgar, 26 January 1739, Leghorn.

<sup>21</sup>J. Colin, Louis XV et Les Jacobites: le Projet de Débarquement en Angleterre de 1743-1744, (Paris, 1901), 108 ff. For differing views on this in more recent studies see Cruickshanks, Political Untouchables, 36-65 and Colley, In Defiance of Oligarchy, 40-41.

<sup>22</sup>M. Sautai, Les Préliminaires de la Guerre de la succession d'Autriche (Paris, 1907).

<sup>23</sup> RA SP 144/110: Sir Charles Wogan to Edgar, 18 April 1731, Valencia. Wogan was descended from the Irish Justiciar of Henry II; he fought in the '15 rebellion, was taken prisoner at Preston, escaped from Newgate, and entered French service. He accompanied Clementina Sobieski (rescuing her from Imperial house-arrest on the way) when she travelled to Italy for her marriage with James. Debarred from going back to French service, he entered the army in Spain, gained considerable fame fighting the Moors at Oran and in the end became (appropriately) Governor of La Mancha. J. C. O'Callaghan, History of the Irish Brigades in the Service of France (Glasgow, 1870), 306-16. D.N.B., vol. XXI, 755-6. See also his correspondence with Swift in H. Williams ed. Correspondence of Jonathan Swift (Clarendon Press, 1965) vol. IV, 1732-1736, 50-54, 113-114.

<sup>24</sup> RA SP 140/11: James to O'Brien 10 October 1730, Rome.

<sup>25</sup> Public Record Office (PRO), State Papers (SP) 78/223, f. 138: Waldegrave to the Duke of Newcastle, 6 July 1740, Paris.

<sup>26</sup> Louis XV's valet, Bachelier was credited with having some political influence.

<sup>27</sup> Sautai, Préliminaires, 104, quotes a letter from M. de Chambrier to Frederick of Prussia, (M. A. E. Corr., Prusse, t. 113 for 31 December 1742). He emphasised Fleury's ability to find the key point in managing the different people with whom he had to deal and pointed out that Fleury's own accessible point was his love of power.

<sup>28</sup> Horace Walpole to Robert Walpole, June 14/25 1730, Paris, quoted W. Coxe, Life and Administration of Sir Robert Walpole (London, 1798) III, 2. See also British Library (BL), Add. MSS 32, 778, f. 189: Waldegrave to Newcastle, 19 September 1732, Paris.

<sup>29</sup> PRO SP 78/219, f. 75: Waldegrave to Newcastle, 24 September 1738, Paris.

<sup>30</sup> PRO SP 78/223, f. 226: Waldegrave to Newcastle, 10 August, 1740, Paris.

<sup>31</sup> Waldegrave's reports are preserved in the series of State Papers (Foreign) in the Public Record Office in London, and in the Newcastle Papers, now in the British Library. His sense that the Cardinal "menaced" under a pretence of friendship is especially clear in the reports for 1739-1740.

<sup>32</sup>For example in 1737 Fleury commented to O'Brien "Believe me, I am well-informed ... you have no party in the Lords, your friends in London are few. I agree ... you have in the country some of the nobility and some of the people for you, but it is not enough ...." (RA SP 200/172: O'Brien to James, 20 September 1737, Paris). Although Fleury had his own motives for discouraging O'Brien, I think this represents his real assessment of the situation. He received reports from others besides the ambassador, e.g. from Silhouette, who was reporting from London throughout these ten years (see Vaucher, 2).

<sup>33</sup>In 1739 Waldegrave reported on Fleury's recovery from his serious illness, adding "it is the common report that the meekness and candour that he was so much famed for was all put on and it is in many people's mouths that he is the most deceitful, false minister France ever had." (PRO SP 78/220, f.16: Waldegrave to Newcastle, 17 January 1739, Paris). In 1740 Waldegrave commented "It is true no man has a better talent for dissembling than he has ...." (PRO SP 78/223, f. 207, Waldegrave to Newcastle, 20 July 1740, Paris).

<sup>34</sup>G. Chassignaud-Nugaret, "Une Elite Insulaire au service de l'Europe; les Jacobites au xviii<sup>e</sup> siècle" Annales, 1973, v. 28, 1097-1122; C. Nordmann, "Les Jacobites Ecosais en France au xviii<sup>e</sup> siècle", in Regards sur l'Ecosse au xviii<sup>e</sup> siècle, ed. M. Plaisant, (University of Lille, 1977), 83-104.

<sup>35</sup>For a recent assessment of relations between George II and the Emperor, Charles VI, see J. Black, "British Neutrality in the War of the Polish Succession," International History Review, v. 8, no. 3, 1986, 345-66.

<sup>36</sup>The dispute between James and Clementina centred on the appointment of a Protestant, Lord Dunbar, as governor to Prince Charles, and the position of Dunbar's brother-in-law, Lord Inverness, as minister to the exiled King. When Clementina left the Court and retired to a convent the Pope took her part, putting pressure on James by reducing his pension. In the end, by the mediation of a new Pope, the pension was restored and Clementina returned to her husband. See G. H. Jones, The Mainstream of Jacobitism (Harvard University Press, 1954), 163-173.

<sup>37</sup>The opinion James had about involving the Papacy in a diplomatic effort may be illustrated by his comments on the question of mediation between France and Austria in 1735. (RA SP 178/61, James to O'Rourke, 26 March 1735, Rome). When O'Brien, in May, 1738, suggested the Pope might

supply arms and money for an enterprise, James told him the suggestion only showed he had no understanding of the present condition of the Papal States. (RA SP 206/144: James to O'Brien, 14 May 1738, Rome).

<sup>38</sup>F. J. McLynn, France and the Jacobite Rising of 1745 (University Press Edinburgh, 1981), 21. J. Sarrail, Les Tencin (Geneva, 1969), 347.

<sup>39</sup>Intelligence report forwarded by Thomson, the secretary at the British Embassy in Paris, to the Duke of Newcastle. (PRO SP 78/229, f. 216: Thomson to Newcastle, 10 March 1744, Paris).

## CHAPTER II

### Jacobitism in 1730

The Jacobitism I examine in this thesis was, in 1730, a still-existing aspect of political life, which had a discernible influence on British policies both at home and abroad. If I have chosen a term so general, it is because it must cover something which was a Cause rather than a Party, a Cause to which a considerable number of people still professed loyalty.

Forty years in the wilderness of exile and proscription had thinned the ranks of these loyalists; those who still remained active in the Cause were older now, habituated to frustration and defeat; but the Jacobite manuscripts of 1730 record, with little alteration, the same mingling of devotion and conspiracy that characterised the earlier phase of Jacobitism.

The Jacobites of 1730 were, as they had always been, a diverse group, diverse as the kingdoms over which the Stuart kings had ruled in the seventeenth century, when both enmities and loyalties were shaped by political and religious struggles which etched their own pattern on still older divisions of culture and interest. A Jacobite could

be Protestant or Catholic, English or Welsh, Scots or Irish, Highlander or Lowlander. Common adversity produced some cooperation between them, but their unity was always uneasy, constantly eroded by failure, recrimination and mistrust. The only real bond they had was their refusal to accept the Hanoverian dynasty, the fact that, even in 1730, they all still looked to the Stuart Court in Rome as the focus of their loyalty and their hope. It was true that for many of his followers Rome was the least desirable city of refuge for their Catholic king; but when the pressure of diplomatic bargaining amongst the European Powers sent James from France to Lorraine, from Lorraine to Urbino and finally, in 1718, to the Pope's own city, he found there the all-important certainty of a permanent haven where he could re-establish his Court with security and maintain the centralising function vital to the survival of his Cause.

At the centre of the Court, then, was the person of the King, James Francis Edward, only son of James II and VII. His birth, in June, 1688, was the catalyst of Revolution in the kingdoms he claimed; by November of that year his father had abandoned his throne, seeking refuge with his wife and the boy, at the Court of Louis XIV, and for twenty years thereafter England and France were at war. Even amongst those who remained faithful to his father and transferred their allegiance to the son, this circumstance was a permanent, irremovable source of bias against the

exiled King. James himself saw no anomaly between his feeling for England as his country, the homeland of his people,<sup>1</sup> and his feeling for France, where, as he says, he passed his childhood and youth, "comblé des bienfaits du Grand Roi, Louis XIII, lequel je consideray comme mon Père et qui a exercé envers moi et la bonté et la generosité, malgré les malheurs et les dépenses du guerre qu'il eût essuyer."<sup>2</sup> But the very fact of his close association with France roused all the latent fear and prejudice that had been strongly revived in England by the Popish Plot and the brief reign of James II. He was his father's son, he had been brought up under the aegis of Louis XIV, therefore he must be both bigot and despot.

Hanoverian propaganda made ample use of this easy and obvious label, creating the stereotype whose image was an uneasy haunting presence even to the most faithful of the Protestant Jacobites. Between 1710 and 1714, while the Jacobites both at home and abroad still hoped that James might succeed his half-sister if he could only be persuaded to adopt the national form of worship, James himself consistently refused to change. In an open letter of May, 1711 he wrote:

Plain dealing is best in all things,  
 especially in matters of religion, ... as I  
 am well satisfied of the truth of my own  
 religion, yet I shall never look worse upon  
 any persons, because in that they choose to  
 differ with me ... but they must not take it  
 ill if I use the same liberty I allow



others, to adhere to the religion which I, in my conscience, think the best; and I may reasonably expect that Liberty of conscience for myself, which I deny to none.<sup>3</sup>

Twenty years later, once more in an open letter, – this time to the Duchess of Buckingham – James was still trying to reassure his Protestant subjects and point out that an insincere and self-interested conversion was neither right in itself nor politically desirable:

I cannot do nor say anything to make people imagine that I may change my religion or allow my Children to do so and I think on this article both Conscience and Politick agree as to the conduct I ought to pursue. For as a change cannot be, I think it would be even ill policy to give the least hopes of it and that an open and frank behaviour in that respect will be the most free from inconveniences and the most effectual means of dissipating fears and Jealousies in Religious matters. In two words, I and my children are Catholics and it is in vain to expect a change, so those that wish me and their country well must take their party accordingly; what have my Protestant subjects to fear after all the assurances I have and shall be willing to give for the security of the Church of England; or would they have the Royal Family to be the only persons in England constrained in point of Religion?<sup>4</sup>

This might be dismissed as the kind of thing James was obliged to say in what was, in effect, a political manifesto, but his respect for the beliefs of others is borne out by other evidence.

The testimony of Charles Leslie, the Protestant Chaplain who, in 1714, was doing his best to convert the King, may be politically biassed; but he was prepared to

state to his friends in England that "there is no sort of bigotry about him.... He has informed himself of past Miscarriages and knows well the difference betwixt the office of a King and a Missionary..."<sup>5</sup> Other circumstances confirm this judgment.

One of the charges made against James by his own followers was that he depended too heavily on the advice first of Mar, and then of Inverness and Dunbar. All three were Protestant; the two latter were the centre of controversy in the dispute between James and his Queen on the very ground of their religion. James sacrificed both domestic peace and financial advantage<sup>6</sup> to keep them in his household and maintain his right to appoint his officers on grounds other than that of religious belief. That fact alone, he felt, should have convinced his people that he would respect the religion of others. After "all I suffered from the weakness of the late Pontifical", he wrote to the Duchess of Buckingham in January 1731, "on the only motive of the favour and confidence I showed to Protestants, can it be imagined that I am to favour them at Rome and not to do so in England, or can my sincerity be anyways called in question after all the inconveniences I have struggled with in this place because I would not dissemble my sentiments on these heads?"<sup>7</sup>

When Inverness finally retired from the Court in 1731 and settled in Avignon, he became a Catholic. Writing

to his friend, Daniel O'Brien about this change (which scandalised many of the party and occasioned the thunderous disapproval of Atterbury), he said specifically that, in all the years he served James, the King never discussed religion with him and knew nothing of his decision until after it was made. It is clear that he realised his conversion would bar him from returning to the Court at Rome, and James himself fully endorsed this opinion.<sup>8</sup>

The conflicts of the seventeenth century had made the English as susceptible to alarm about their constitutional liberties as about their religious faith. They feared the Stuart as despot no less than as Papist. James was well aware of the political importance of these issues and even overtly tried to dissociate himself from the arbitrary measures which provoked the Revolution of 1688.<sup>9</sup> His public Declarations contain ample assurances about the liberty of the subject. But was this any more than propaganda to attract support at home? That cannot be judged on the basis of fact, since he never reached the point of exercising legitimate constitutional power in Britain; but there is evidence in the manuscripts that he acted towards individuals in the spirit of his public utterances. He wrote once to O'Brien "I should be very delicate of depriving anybody of his liberty without great and just motives for it" – and this was not, as it happens, a political pronouncement, but an incidental comment that

concerned a matter of private security.<sup>10</sup> At least we can say that his publicly proclaimed tolerance in religion and his concern for individual right are consistent with much that we know from his letters about his personal relations with his family and the members of his Court.

In fact the real problem James faced as leader in 1730 was that he had to re-build belief in his own capacity to bring about a Restoration. In his letters at this time he seems almost amazed at the extent of the feeling against him, the ready belief of even loyal Jacobites that he would disregard both religious and constitutional liberties. But in truth these widely-held concerns stemmed from a deeper trouble; the undeniable fact of repeated failure, culminating in the disastrous episode of the Atterbury plot. It was this that nourished attitudes and convictions which could excuse, even to the faithful, a final withdrawal from the Cause. Although adverse circumstance might be blamed, or the bad advice of Mar or Bolingbroke, for most Jacobites failure had now become part of the persona of their King.

In 1738 Thomas Innes wrote to Edgar "... amongst other old papers of my brother's having found the original, as I take it, of Captain Flanagan's Relation or Journal of his Majesty's journey in the dead of winter, from 18th October till 28th December, 1715, by continual cross ways, with infinite hazard ... and amongst continual dangers of all kinds, from Commercy to Dunkirk; tho' 'twas not new to

me, I could not read it over without being sensibly touched; as to Captain Flanagan's Journal, I have put it up with other papers to be preserved to posterity as a lasting monument against all Grumbletonians on the score of activity."<sup>11</sup>

The archivist was right to remind us that James had his time, once, of youth and adventuring. We see him now and again, through the eyes of others, in those earlier years of some always on-going conspiracy; at thirteen, somewhat overwhelmed by his father's death and the French King's recognition of his title, solemnly writing down "all that the King of France has said to me, that I may remember it all my life and never forget it."<sup>12</sup> At twenty he was setting off on his first expedition, and, as a winter storm battered the ships at anchor in Dunkirk, "facing the danger with a courage and coolness beyond his years."<sup>13</sup> His ship actually reached the Firth of Forth, but the English fleet were close behind, and communications failed with the Jacobites ashore. Refusing all his pleas to be set on land, Louis XIV's commander carried him back to France. He joined the French forces then, and served in three campaigns against Marlborough, before he turned once more to the task of re-building conspiracies for yet another attempt at Restoration.<sup>14</sup> In December, 1715, he sailed again from Dunkirk to the North-East of Scotland, dodging the English fleet in his small boat during a five-day journey. He

landed this time and spent a few weeks in Scotland; too late to do more than contribute a token presence to Mar's futile and ill-planned rebellion. All that was achieved by this attempt was the re-enactment of penal legislation, the execution, imprisonment and exile of his friends and followers, while he himself, still deprived of the official protection of France, removed his court to the Papal City of Rome.<sup>15</sup>

In 1719 the busy schemes of Goertz and Alberoni drew him into yet another attempt, this time with Spain in the role of protecting foreign power.<sup>16</sup> Once more he set off incognito, crossing the Mediterranean to join an expeditionary force in Spain. "He risked destruction a hundred times from storms", Alberoni wrote to Ormonde, in March, 1719, "... for three days he remained at Marseilles, concealed in the house of the Master of the ship ... he was bled for a fever and was obliged to lie close hidden at Villafranca for twenty-four hours. At the Islands of Hyeres, near Toulon, he was compelled to share the accommodation of a Miserable Inn with a crowd of dirty Wretches, and, though he was suffering from sea-sickness, to dance with the landlady, it being Carnival time. He was pursued also by two English vessels...."<sup>17</sup>

Bad weather, confusion of leadership, lack of support and the unexpected death of Charles XII of Sweden destroyed this conspiracy. A solitary ship reached the

Western Highlands, where Scots and Spaniards fought a brief skirmish against the government forces at Glenshiel.<sup>18</sup> In 1722 the ever-vigilant English government crushed the conspiracies of Atterbury and Layer before they had even taken shape.<sup>19</sup> Neither Ripperda's extravagant fantasies in 1725<sup>20</sup> nor the sudden death of George I in 1727<sup>21</sup> offered even the beginning of a seriously-considered expedition.

Successive failure was all the more damaging to James as a leader because it came to appear the natural accompaniment, if not the direct consequence of the negative aspects of his character. Contemporary accounts suggest that he was a reserved man, not readily genial or communicative except to the few whom he admitted to friendship.<sup>22</sup> From the personal comments he makes from time to time in his letters, he seems something of a Quietist for whom the rightness of his Cause was truly a matter of religious belief; its ultimate success was in the hand of God, and failure must be accepted side by side with the obligation to go on striving, for the purpose of God did not exclude the necessity of human effort.

Yet this was an attitude which nourished a long-sustained patience in dealing with personal difficulties as well as with political problems. When his friend, Lord Inverness, left the Court a second time, because of the unjustified ill-feeling and suspicion against him, James wrote to him: "You must re-assume your philosophy ... You

have truth for you and that cannot alter ... so let us make ourselves as easy as we can and rest satisfied when we have done our duty."<sup>23</sup> To Inverness, on another occasion, he wrote "We are in a strange world, so strange a one that it is much happier I think to be out of it than even to be happy in it. You are in the first case in the sense I mean it, and tho' envy is none I think of my failings, yet I do, I own, envy a little your situation. But it is our business to adore and submit to the Disposition of Providence and if we do our duty we shall be happy hereafter and no matter what becomes of us here."<sup>24</sup>

This was a point of view shared by many devout Jacobites, particularly those of the older generation, and it may partly explain the survival of their Cause. By 1730 it might have seemed that the gap between hope and possibility had so widened that Jacobitism would dissolve within it and die out by sheer inanition. Yet it had not done so, because there were, both at home and abroad, men still emotionally committed to active loyalty; men who, like their King, did not perceive – or could not admit – that the basis of hope was eroded beyond repair, and, between them, they kept the functional organisation of the movement intact, with the Court at Rome as the centre and Secretariat, where the King received reports, issued instructions and co-ordinated policies.



These consistent efforts of the King-in-exile to maintain active support and coherent policies amongst his dispersed followers depended in the first place on the system of communication which, in 1730, was well-organised and carefully controlled by James Edgar,<sup>25</sup> the King's private secretary in Rome.

It was not easy; the British Government had spies in foreign postal stations<sup>26</sup> and their power to monitor and intercept letters passing through English postal stations was even more absolute.<sup>27</sup> The Jacobites, aware of this constant surveillance,<sup>28</sup> did what they could to circumvent Hanoverian vigilance, sending their letters by sympathisers (or their servants) who were prepared on occasion to act as couriers,<sup>29</sup> or using the postal couriers of a friendly power – usually the Vatican.<sup>30</sup> For the most part, however, they used the commercial channels, where letters travelled inconspicuously, with other merchandise, along the established routes.

The system of trade which prevailed in Western Europe was, indeed, precisely of a kind to give cover to Jacobite activities, because trade was still, as it had been for centuries, a family business.<sup>31</sup> In Ireland and Scotland especially, old merchant families were often linked by marriage with the county families, whose younger sons might adventure as merchants, if they did not seek their fortune in war; men like Patrick Joyes, for example, whose

family were established "in Ireland, in the town of Galloway, about three hundred years, merchants trading to sea, from father to son and allyed to the best of the gentle families in the said country." <sup>32</sup> The unit of trust was, therefore, the family, with its network of sure connections, established and rooted in a locality.

Dealing as far as possible with men he knew, and with those whom they, in turn, were prepared to trust, Edgar kept careful watch on the progress of all letters sent and expected, <sup>33</sup> shifting the routes from time to time, for greater security. Thus, when correspondence with Scotland was re-organised in 1731, he instructed Mark Carse, <sup>34</sup> the agent entrusted with this task, to find a merchant, preferably in Edinburgh, who was in the habit of corresponding directly abroad by his own ships, <sup>35</sup> and who would convey his letters under cover, to Waters, the banker in Paris. <sup>36</sup> In July, 1731 we find Edgar directing one of his contacts in Rotterdam to discontinue the routes by Florence and Bologna and send correspondence to Rome "by way of Venice, with which place I reckon Rotterdam may have some trade and consequently such letters will be lyable to no suspicions." <sup>37</sup>

Such changes in their use of the commercial routes were all too necessary. The English government too, had a merchant at Rotterdam <sup>38</sup> - and others in other places - who kept watch on the lines of communication that passed beyond

and behind the regular postal routes, and sometimes, in spite of all Edgar's care, things went wrong. We know, for example, that at Liège in 1730 the Jacobite merchant who handled the correspondence for Rome, proved untrustworthy.<sup>39</sup> He got into financial trouble, and, while he was in prison for debt, his partner, who was (so the English agent writes) a Whig, told him that "his conscience would not allow the correspondence and so made away with one of the letters.... Now how could he have known what correspondence, unless he broke open the letter?".<sup>40</sup> The route by Liège was therefore discontinued and Edgar found a surer path by using the trade connections of Charles Smith, a Jacobite exile who was the head of a flourishing business at Boulogne and a man of considerable influence.<sup>41</sup>

In fact the whole arrangement made at this time illustrates the value of personal contacts. The agent in England was a staunch old Jacobite, Andrew Cockburn, a hosier, whose place of business in the Strand<sup>42</sup> could plausibly be visited by sympathisers of differing ranks in life. To set up the correspondence, Cockburn slipped across the Channel to Boulogne, on the pretext of recovering a debt, in which Smith was to assist him.<sup>43</sup> The arrangement made was that Smith would forward letters direct to Paris to the care of George Waters, who would send them on to Rome. Letters going in the other direction went from Waters to Smith, under suitable cover, and from there direct in one of

Smith's own ships to an agreed address in London,<sup>44</sup> where Cockburn could collect them and arrange delivery. "By this conveyance," Cockburn wrote, "there is neither stranger nor Whig by whom it goes, but all entirely Friends to the King. Nor does the Masters of the Ships do any the least dishonest thing, for they would be destroyed in their business, he (Smith) having them all under his command; their occasions are very frequent this waie, almost every fourteen or twenty dayes."<sup>45</sup>

For further security most of the important letters were in cypher. Edgar was responsible for organising this too, assigning particular cyphers to individuals and training them in their use.<sup>46</sup> Cockburn's letters, taking the natural protective colouring of the trading interest, are always couched in the metaphor of business communications.<sup>47</sup> Mark Carse, on the other hand - a gentleman by status and education - writes letters of general interest appropriate to a traveller,<sup>48</sup> but including within them the vital information about the general disposition of "his uncle" (Lord Dundonald) and "his cousins" (the Highland Clans). When Captain Charles Hardy was sent over to France in 1731 to represent the English Jacobites in soliciting aid, he appears in the disguised correspondence as the spokesman for the relatives of a young man anxious to conclude a marriage, and Chauvelin himself<sup>49</sup> is "Mademoiselle", whose consent is so eagerly demanded.<sup>50</sup>

Most of the regular correspondents used both numerical cyphers and name substitutions as occasion might demand, their letters being usually decyphered in Rome and the substitutions written in; in the case of outgoing mail, a copy in cypher is often filed with the original in clear.

The system of communication, maintained with care and consistency throughout this decade, was therefore an essential part of the effort made by the Jacobites to bring about a Restoration. But that effort depended even more on the people involved in the correspondence, the active supporters, at home and abroad, the plans they discussed and tried to implement, the policies pursued by their King in Rome.

In certain ways the circumstances of the Jacobite diaspora favoured the survival of the movement. Those who went abroad belonged, for the most part, to the politically active class, many of them men of rank and authority in the lands they left,<sup>51</sup> well able to make their careers in Europe. Some found preferment in the Catholic Church, many became soldiers or merchants; and, although there were occasions when new allegiance clashed with older loyalty,<sup>52</sup> the professions which absorbed the exiles were of service in maintaining the Jacobite Cause.

Let us take, as an instance of this, the role of the Catholic seminaries in Europe. Ever since the Reformation Catholic families had sent their children abroad to get the

education denied them at home. These old-established seminaries<sup>53</sup> at once became the natural centres of resort and communication for those Jacobites who shared the faith of their king. Here they met each other, heard news and passed it on, and kept in touch with the Catholics at home, who looked to a Restoration as their one hope of release from the crushing burden of penal legislation. Here, therefore, the urge to action, the emotional commitment to revolution was kept alive in both groups – the exiles abroad, the excluded at home.

Amongst these seminaries the Scots College at Paris had the closest links with the Jacobite movement. By 1730 the Rector, Father Lewis Innes, was some eighty years of age, old enough now, he says, to feel the infirmities that showed "the machine fast mouthing away into the dust from whence it came."<sup>54</sup> His close and special relationship with the exiled Stuarts went back to the early days of the Revolution. After 1719 he no longer played an active political role,<sup>55</sup> but, as long as he lived, he was the trusted confidant, adviser, almsgiver and archivist<sup>56</sup> to the exiled king and his successor. At his death his brother, Thomas Innes,<sup>57</sup> took over all these functions together with the charge of the Scots College, and he, in turn, was succeeded by a nephew, George Innes. In their two generations as archivists to the exiled kings, the Innes family became, in a special sense, the memory of the Cause,

holding within the framework of devotion all that had chanced in the movement, the first beginning of exile, all the successive efforts and failures of over forty years.

Most of the Jacobites who went overseas turned readily to the traditional resource of their countrymen abroad and became soldiers of fortune. By 1730 we find them serving principalities and powers all over Europe, from the far North to the Mediterranean and eastwards to Austria and Russia. They were most numerous in France, where a nucleus was provided by the Irish Regiments, which were taken into the service of France at the collapse of the Rebellion in 1691. By 1730 these regiments were still being recruited from the oppressed Catholic population of Ireland, and officered now by a second generation of Jacobite exiles.<sup>58</sup> As such they formed a body of trained professional soldiers, potentially of use to the Jacobites,<sup>59</sup> and certainly regarded with deep suspicion by the Hanoverians.<sup>60</sup> In fact, however, the Jacobites had no direct control over the Irish regiments, since their use, in any given situation, depended entirely on the will of the French government, who employed and maintained them. Even apart from this, using any of the Jacobite soldiers in Europe in any significant number raised serious logistic problems. The position was well summarised by a serving officer, Sir Charles Wogan,<sup>61</sup> who pointed out – with a fling against “our military projectors whose zeal and spirit

outruns their sense" - that, although there might be enough Jacobites serving abroad to "make our game sure", it would, in practice, be impossible to get them all together at a rendezvous, "even if you had the ships, arms and money ready for 'em ... without giving an alarm to the several courts they serve under, and, of course, to England." <sup>62</sup> But, if their practical use was thus limited, the soldier-Jacobites served their Cause in other ways, providing valuable information and comment as their occasions took them all over Europe and beyond. <sup>63</sup> Wogan, for example, wrote frequently from Spain with general information, comments on the diplomatic choices open to the government there, news of intended or actual troop movements. Sir Thomas Tyrrel is another instance; he was Chamberlain to the Grand Duke of Tuscany, very centrally placed at Florence to hear every diplomatic rumour as the couriers passed through to Paris, Vienna, Madrid or Rome; and all this information went to his king in letters that came to Rome every two weeks throughout this period. <sup>64</sup>

The Jacobite exiles who became traders and merchants played a rather similar part. Wherever they were - and we find them in every European port from the Baltic round to the Mediterranean - some amongst them would be gathering news and sending word to Rome of anything that might be of use to the Cause; the movements of fleets, the coming and going of couriers, the rumours of war and peace. Sometimes



it is no more than a note on the manifest; Captain Dove, who regularly handled goods for the household in Rome, adds a scribbled comment to his consignment note from Leghorn - "We are in daily expectation here of the Spaniards, the Lord knows what is become of 'em."<sup>65</sup> But in Cadiz there was an English merchant, Edward Marjoribanks,<sup>66</sup> who made systematic reports of all the local information he could collect about the movements of the fleets, while Charles Smith at Boulogne provided detailed reports of what was going on in the Channel.

These Jacobite merchants, indeed, self-employed and independent, could aid the Cause much more easily and more directly than their fellow-exiles who were constrained by some separate obedience to Church superior or foreign Court. Their ships and their venturesome energy challenged the trading monopoly of Hanoverian England, for there were many Jacobites amongst the free-traders who combined to form the Ostend Company. They could even, at least in theory, provide transport for an expedition; we know that in 1731 Andrew Cockburn, the English agent, discussed some such scheme with Charles Smith at Boulogne. Most important of all was the vital part they played in maintaining communications between the Jacobite Court and their supporters at home.

In all these areas, therefore, the Jacobites in exile were able to use their activities abroad to help the

Cause and so to sustain their own hopes of restoring their King and returning to their homeland. Of course the repeated failure of all their efforts had its effect. Men of ability went to the service of others, when there seemed so little hope of a Restoration, and their names belong to European history: James Keith and Admiral Gordon in Russia, Lacy and O'Donnell in Austria, Bourke and Fitzgerald in Spain, Berwick, Dillon, Lally in France.<sup>69</sup> For many others – more and more as time went on – the continuing struggle to survive, to earn enough to support themselves and their families,<sup>70</sup> drew them from active participation, so that by 1730 they had simply faded into the social landscape of their host country. But, despite this attrition, the manuscripts show that in 1730 there was still a wide-spread network of Jacobite communities in Europe, linked by a common sympathy, recognising a common centre in their relationship with the King in Rome. These Jacobites abroad had accepted deprivation and banishment as the price of their belief that hereditary right was the only true criterion for the exercise of Royal power; an affirmation of a primal element in the ancient concept of Kingship; and, on behalf of his exiled followers, James exercised such kingly power as remained to him. He was expected to be – as kings had ever been – judge, protector and provider, and the correspondence suggests he did what he could with very limited means. He interchanged letters of cousinly

interchanged letters of cousinly salutation with other European princes; more important, he had access to the Papal Court and lived on terms of friendly intimacy with the Cardinals, the princes of the Church. Here, if nowhere else, he had influence in its accepted eighteenth century connotation, and he kept besides the right of nomination to Ecclesiastical office in Ireland and Scotland. Every volume of the Stuart Papers is interspersed with letters asking for the King's help in obtaining a commission, or preferment to a benefice, or entrance to a convent, or protection for a monastic house or the more perilous office of Bishop in the proscribed Church on the other side of the sea.

From the manuscripts, from memoirs and other sources we know a good deal about these exiled Jacobites, their problems, their families and careers, their permeation of European society at many levels.<sup>71</sup> It is much more difficult to assess the nature and extent of Jacobitism in Britain. Where the Jacobites abroad could openly express their attachment, and work for their Cause in any way they chose, the Jacobites at home risked loss of fortune, if not loss of life, if they were discovered to be in correspondence with the Court at Rome. In 1730 the memory of the Atterbury plot was very recent: the careless and casual scheming, the treachery, real and suspected, the interrogation, trial and execution of Christopher Layer.<sup>72</sup>

In Robert Walpole they were dealing with a minister who had shown himself omniscient and ruthless, his spies apparently everywhere, himself ready to trap the unwary with professions of seeming clemency and interest.<sup>73</sup> Because of the risks and the need for secrecy, it was – and is – difficult to gauge the degree of support for the Cause in Britain in 1730.<sup>74</sup> Some, we know, did commit themselves to writing; others are mentioned as having said specifically to agent or correspondent that they would be willing to help, though no one could be sure how serious a commitment that might be. It would seem that, in England, James could count on a minimal element of support amongst the politically effective; old-fashioned Tories who approved Shippen's<sup>75</sup> outspoken endorsement of the Cause;<sup>76</sup> London merchants, who thoroughly disliked Walpole's economic policies;<sup>77</sup> perhaps even some discontented Whigs.<sup>78</sup> In the country itself, there were certainly enclaves of pro-Jacobite support in the North and West,<sup>79</sup> and, it may be, elsewhere; at Oxford, for example, with its strong Royalist tradition and a student population always happy to espouse and enjoy a rebel cause.<sup>80</sup> Below the oligarchic line of the franchised were uncharted levels of support, stronger, probably, amongst the disadvantaged in prosperity or religion, as Jacobitism was stronger also in the remoter areas of the country.<sup>81</sup>

By 1730, however, the party at home had no effective leader. Ormonde<sup>82</sup> had been in exile since 1715; Atterbury<sup>83</sup> followed him to banishment in 1723; Mar, like Ormonde an exile, was now known to have supplied Walpole with information about Jacobite plans;<sup>84</sup> Bolingbroke too, the most able politician to adhere to the Cause, had bought his return to England by helping the Hanoverian government;<sup>85</sup> and the more considerable Tories, those who escaped being involved in the Atterbury plot, turned now to Bolingbroke's newly-structured opposition movement, or else simply made their peace with the Hanoverian ministry.<sup>86</sup> In 1730, men of influence, like Sir William Wyndham,<sup>87</sup> Lord Bathurst,<sup>88</sup> and Lord Gower,<sup>89</sup> who had been Jacobites once, still appear in the Stuart Papers amongst the number of those who are informed of Jacobite plans; but, by this time, their response to such overtures, and the accounts which reached Rome of their political contacts in England, made it clear their allegiance had shifted. Lord Orrery and Colonel William Cecil were now the chief representatives of the party in the correspondence with Rome, and to them in return James communicated his plans and projects. Orrery had, indeed, played some part in the earlier phases of Jacobite activity. He was a former pupil, friend and associate of Atterbury, one of those actively concerned with opposition to Walpole's government, a member of "Cowper's cabal." He was not directly involved in the conspiracy which led to

Atterbury's banishment, but he was on that occasion arrested and spent a few months in the Tower until he was released on giving sureties for his future behaviour.<sup>90</sup> James himself seems not to have doubted his commitment to the Jacobite Cause, but there are indications that he also may have received money from the Hanoverian side – he was certainly conspicuous amongst those Tory Lords who hastened to greet the accession of George II in 1727.<sup>91</sup>

Orrery was assisted in the correspondence by Colonel William Cecil, a relative of the Earl of Exeter and at one time equerry to George I.<sup>92</sup> He became involved in Jacobite activity after 1727 and, in his case also, there is something of ambiguity in his relation to the Cause. He was accused of being much too communicative to Walpole, although perhaps not through deliberate treachery. Sir John Cotton considered him rather as fool than knave.<sup>93</sup> However it might be, the undoubted loyalty of lesser men like old Andrew Cockburn, who faithfully sent off his weekly reports, coped with the forwarding and delivery of letters and dispatched the journals to Rome, could not offset the wavering fidelity of those who had the rank and social connections necessary for political leadership.

The survival of Jacobitism in the other two realms presented different problems. Ireland had taken the brunt of the original Jacobite effort which ended at the battle of the Boyne in 1692. The penal legislation which now

entrenched the mastery of the Protestants left the Catholic majority too poor, too drained of leadership, to be an effective agent in later Jacobite schemes.<sup>94</sup>

Scotland, however, was likely to be of much greater value to the Jacobites.<sup>95</sup> Like Ireland, this was a kingdom of deep, inherent divisions, on which some degree of administrative unity had been imposed by the Crown during the medieval period, but in which neither cultural nor economic unity had ever obtained. Anglian Lowland and Celtic Highland were still, as they had always been, separate, alien and often hostile worlds, while the religious schisms of the Reformation cut across and sharpened the old lines of cleavage. The Central Lowlands were strongly Protestant, in the indomitably Presbyterian tradition of Knox and Calvin. However much they disliked the English, despised their Erastianism and distrusted their policies, still they recognised the Hanoverians as the guarantors of a Protestant Succession and, as such, gave them unswerving loyalty. In the North-Eastern Lowlands, on the other hand, the loyalty of the Scottish Episcopalian Church sustained the Jacobite Cause, despite the constant pressure of penal laws and proscriptions.<sup>96</sup>

The situation was even more complex on the other side of the Highland line, where clan feuds were endemic and the political attitudes of one chief or another as likely to be

determined by local enmities and local ambitions, as by devotion to the hereditary kingship of the Stuart line.

What James sought to achieve – and what the English government dreaded – was a combination of the wealth and political importance of the Lowlands with the fighting potential of the Highland clans. That difficult conjunction was more difficult by 1730. Experience of the risings in 1715 and 1719 kept the English government alert; strategic roads were watched, the Highlanders forbidden to carry arms or wear their distinctive dress, the Scottish Episcopalians harried by oaths of allegiance and penalties for non-compliance, while Walpole's political management gave him control of the central Lowlands and the Burghs. But, in spite of being contained in all these ways, Jacobitism in Scotland survived, a dormant, but potentially effective political force.

The problem of organising and holding together the party in Britain was an aspect of a wider problem, that of leadership at the centre of the party, the Court of Rome. In 1730, when the Jacobites at home looked to their leaders now in exile, they saw much to discourage their zeal. Mar, who first raised the standard of revolt in 1715, was now known to have bartered information about his fellow-Jacobites to secure his own rights in Hanoverian England. Ormonde – his name still a rallying-cry for the Tory Jacobites – was aging now, still in Spain, impoverished by



his efforts at the time of the Atterbury plot. His relations with his master were cordial enough, but he was far away from the Court at Rome and the immediate household of the King.<sup>97</sup> The Lord Marischal,<sup>98</sup> to whom the Scots looked, was in Spain too, earning his keep as a serving soldier; his relation with the Stuart Court was always rather uneasy, and his personal dislike of some within the King's entourage well known.<sup>99</sup>

Atterbury, the ablest of the Jacobites in exile, was banished in 1723 after the discovery of the plot which Walpole unearthed with so much diligence. But Atterbury's impact on the Jacobites abroad was almost as catastrophic as the effect he had on the party at home. When he came to Paris in 1723, his first activity was to unmask Mar as a traitor and to have Dillon<sup>100</sup> and Lansdowne<sup>101</sup> discarded – for proved incapacity – as leaders of the party in exile.<sup>102</sup> However necessary this might have been, it confused and divided the Jacobites on both sides of the sea, deepening their mutual mistrust and their fear of treachery. James then appointed the Bishop as his Secretary of State in Paris; but, in spite of Atterbury's intelligent grasp of the diplomatic possibilities in 1725,<sup>103</sup> his appointment was of little service to the Jacobites; his knowledge of French was very limited,<sup>104</sup> his hatred of Catholicism almost obsessive;<sup>105</sup> he was watched at every turn by Walpole's spies,<sup>106</sup> and he further confounded these difficulties in

dealing with the French ministry by assisting a Jansenist priest to escape to England.<sup>107</sup> In 1727, superseded by Colonel Daniel O'Brien, who had first been assigned to help him in his contacts with Versailles, he withdrew in anger from Jacobite affairs, and retired to the South of France. By May, 1730 he had returned to Paris, where, Father Lewis Innes wrote to James, "I find him still the same man, complaining that he is not trusted, and, at the same time, declaring that he has been long resolved never to meddle any more with Your Majesty's affairs."<sup>108</sup>

It seems clear that, apart from anything else, Atterbury's own personality intensified the divisive effect of his actions.<sup>109</sup> Not all had the charity of Sir Peter Redmond<sup>110</sup> (a devout Catholic), who writes of him "Notwithstanding my severe freedoms to the Bishop and to his face when he is suffocating me with his fulsome notions of liberty and property and his religion, I take his part with spirit and friendship against anyone that dare revile him to me and I believe he knows it. He has learning and capacity and several good qualities, but he is still of Adam's race, has his failings ... his peculiarities, his weaknesses and his jealousies and he is too old now to be reclaimed, but still for his character, for his sufferings and his other great qualities, he is to be considered and respected by all that are truly attached to the King and have his interest truly at heart."<sup>111</sup> The withdrawal – or exclusion – of

Atterbury from an active role in Jacobite affairs abroad added to the discontents of the Protestant wing of the party, all the more so because their other exiled leaders were closely linked to Atterbury. The Duke of Ormonde had stood with him as a leader of the Tories in the turbulent time of Annes's latter years and the accession of George I.<sup>112</sup> The Lord Marischal, a much younger man (not a good Protestant, he says of himself, "but a stiff one") was a personal friend of the Bishop;<sup>113</sup> and both these leaders, like Atterbury, seemed now to be distanced from the household and the Council of their Catholic King.

There were, however, good practical reasons for the appointment of O'Brien<sup>114</sup> as agent in Paris. He was already in the service of France,<sup>115</sup> of suitable birth and family background,<sup>116</sup> French-speaking,<sup>117</sup> a Catholic; and his duties could give him unremarked access to the French ministers.<sup>118</sup> While Atterbury's character and circumstances isolated him from the courtly world of the diplomat and policy-maker, O'Brien was close enough to the currents and eddies of political intrigue to assess the interplay of personal and political relationships and advise his master on their significance for the Jacobite interest.<sup>119</sup> In a recent affair of some importance – the nomination of Pierre de Tencin as Cardinal – he had acted as intermediary with

ability and discretion in the complex negotiations between James and Cardinal Fleury.<sup>120</sup>

While O'Brien was replacing Atterbury in Paris, another Irish Catholic took over the Jacobite agency in Vienna after the conspicuous failure of Atterbury's friend, the erratic Duke of Wharton. Atterbury himself had hoped much from the unforeseen alliance of Spain and Austria, and, in 1725, Wharton had gone from England to Vienna to angle for Austrian assistance if the new alliance should involve the Emperor in a war with England and France. But, even if the Austrians had been willing to assist the Jacobites (which they were not), Wharton's flamboyant approach would have made them wary of dealing with him.<sup>121</sup> After he left for Spain (where his extravagances caused him in the end, to be disowned by his own party), he was succeeded at Vienna by Owen O'Rourke, "an old gentleman—, Edgar once wrote, "of great probity and parts, and well versed in the affairs of the world";<sup>122</sup> an opinion shared by the English spy La Roche, who wrote to Walpole in 1727 that O'Rourke was "one of the most zealous Jacobites in the world and the best fitted for negotiations".<sup>123</sup>

O'Rourke was indeed of the older generation of exiles. He fought for James II in Ireland before he came to France in 1692 and settled in Lorraine in the service of Duke Leopold. Like O'Brien he belonged to one of the ancient Milesian families (his ancestors had ruled as kings

in Leinster), close kin to the O'Connors and the O'Donnells who made their mark in the service of France and Austria.<sup>124</sup> Where Wharton – English, Protestant and Whig – had little connection with the Jacobites abroad, O'Rourke's letters show a range of contacts, from kinship, friendship, and his long service in Lorraine. Through these he kept in touch with the Jacobites scattered in the Imperial territory and over in Russia.<sup>125</sup> It is clear that he understood well the problems of making any overt approach to the Austrian Court which was traditionally allied with England and tied politically to England's Hanoverian King in his capacity as German Electoral prince. In an unostentatious fashion, O'Rourke used such contacts as he could; he saw Prince Eugène from time to time, and he was on friendly terms with the Austrian Chancellor, Sinzendorff.<sup>126</sup> In one way or another, through the Papal legate and through his acquaintance with other friendly ambassadors, he gathered a good deal of information which he transmitted to Rome, reporting in detail on Austrian reaction to successive crises in Europe and on the complex policies of the Northern Powers, Russia and Turkey.

By 1730, therefore, there had been a distinctive change in the Jacobite approach to foreign powers. Atterbury – and, to a lesser degree, Wharton – acted as envoys at a foreign court, known for their political leadership in their own country and with something of the

prestige of their following at home as well as their authority to speak on behalf of their King. O'Brien and O'Rourke had rather an ambassadorial status with suitable rank<sup>127</sup> and such emolument as their impoverished king could bestow, chosen for their understanding of the courts and the people they had to deal with, for their knowledge of French (the accepted language of diplomacy), for their experience and their contacts in the countries concerned. This meant, in effect, that by 1730 James was conducting his own foreign policy, receiving reports and issuing instructions to his agents as subordinates, rather than making recommendations, or suggesting alterations in the policies of advisers such as Mar or Atterbury.

It seemed that, in certain ways, James was not without power to implement these policies. The very existence of Jacobitism might be considered a threat to the established government in England; just how serious a threat no one quite knew and this uncertainty was, in itself, of value to England's former and potential enemies, who were well aware that favour shown to the King-in-exile was a sure way to put diplomatic pressure on Hanoverian England. The Jacobites themselves were always ready to promise contingent advantages to foreign powers as the price of help towards a Restoration. Wharton, for example, in 1725, tried to secure the Emperor by promising to safeguard the Ostend Company and guarantee the Pragmatic Sanction.<sup>128</sup> But every Power in

Europe was aware of the counterpoise to such promises – a Parliament in England always unpredictably active in making or approving foreign policy. The question of Gibraltar and Port Mahon is a case in point; as Townsend wrote to his friend Stephen Poyntz, there was “a violent and almost superstitious zeal ... amongst all parties against any scheme for the restitution of Gibraltar upon any conditions whatever ... the bare mention of a proposal for parting with that place would be sufficient to put the whole nation in a flame.”<sup>129</sup> Although the English agent, James Hamilton, was so naive as to suggest James use Gibraltar as a bargaining point,<sup>130</sup> Father Innes, with greater realism, wished it could be restored to Spain by the Hanoverians, so as to add to their unpopularity in the country.<sup>131</sup>

Contingent advantage, in any case, probably counted for very little; but, in other ways, the Jacobites did have their uses for the European Powers. In 1730 the diplomatic situation was one of balance, an equilibrium of mistrust, not of co-operation, and, on occasion, this provided the Jacobites with a bargaining counter. They were outside the system of alliances, they had channels of communication which cut across frontiers, they had information from a range of contacts at many different levels and from countries at enmity with each other: resources they might be willing to trade for present or future co-operation in their own plans.

So far as James himself was concerned, he had still at his disposal one important gift which might be used to advance his Cause. He had retained the right to nominate a candidate for the College of Cardinals. It was an honour statesmen coveted, especially in France, and an able, ambitious man like Pierre de Tencin had good reason to favour the man whose word might confer the status he required to sustain political success.<sup>132</sup> He was not the only one to offer help for the Cause in return for this prize amongst the favours the King might bestow. O'Brien, in 1730, receiving overtures of reconciliation from the King's estranged half-brother, the Duke of Berwick, noted that Berwick now had two sons in the Church whom he would like to see Cardinals. In 1729 Ezeckiel Hamilton suggested that, to press his petition for payment at the Court of Spain, James should hint at a nomination for the Queen's confessor (a suggestion not acted on, it should be added).<sup>133</sup> In 1737, in a conversation with Lord Waldegrave,<sup>134</sup> after the abrupt dismissal of his adjunct Chauvelin, Fleury alleged that Chauvelin had tried to get the Jacobite nomination for the Bishop of Bayeux, a member of the Luynes family, in order to widen his own political support, for "they all of them seemed much in Chauvelin's interest, tho' the Cardinal did not know the cause of it till now."<sup>135</sup> Although James himself was scrupulous in his exercise of this remnant of a kingly privilege, the mere fact that he



possessed it led to hint and rumour and implied reciprocity of favours which some of his agents were not unwilling to exploit.

To a limited degree, therefore, the Jacobites might well feel they had the means to exert some pressure on the several Powers in Europe; and they were well aware that the most they could hope to do was to function as a pressure-group within the system of great-power alliances. They were exiles, dependent on their various hosts, without a territorial base of their own. They could not initiate action, they could only watch their chance to turn events their way, as and when they could. Within these limitations, however, they had certain recognised objectives. Their best chance of getting help seemed to be a "guerre générale" in Europe. "I would willingly hope that we may have a serious war in the Spring", Edgar wrote to Charles Smith in December, 1730, "from which we may, with reason, expect the best advantages."<sup>136</sup> But Charles Wogan – less sanguine and more realistic – commented at the same time that, in his opinion, the crisis "... would pass in fair words, for while France and England are of so strict an understanding (which I fear, we dont or cant penetrate) all the West of Europe will scarce engage in a bloody or universal war for our interests, when so many accidents may happen that may make these interests vanish or at least, separate 'em from the common cause."<sup>137</sup>

They might differ on the likelihood of war at one particular time or another, but most Jacobites were agreed that war was what they should try to procure by any means they could. For many of them (certainly for the Catholic wing of the party) the ideal combination in that event would be a league of the three Catholic Powers, France, Spain and Austria; and such a suggestion had indeed been mooted at the Congress of Soissons by Sinzendorff, the Austrian Chancellor and Macanas the (unofficial) delegate from Spain.<sup>138</sup> The next best thing, if it could be contrived, would be a combination of France and Spain, with Austria neutral. What was more likely, however, would be France and Spain against an alliance of Austria and the Maritime Powers, the old traditional grouping of the great wars at the beginning of the century. If the alliance between France and England held fast, and kept Spain within the same orbit – the position defined by the Treaty of Seville in 1729 – then Austria might be detached and joined with Russia and the more discontented of the Northern Powers who had their own reasons to dislike the Elector of Hanover. This was a remote contingency. Yet such a combination was almost realised in 1719 and it would at least appear more reassuring to the Protestants who still supported the Stuart Cause.

Indeed in 1730 the only hope left to the Jacobites was to watch every twist and turn in the diplomatic game,

looking for the opening that would give them a chance. On one pretext or another, the powers who had once given financial support had by this time diminished or withdrawn the pensions on which the Jacobite Court depended.<sup>139</sup> It was still possible to keep the machine going, to pay agents and postage and routine expenses; it was not possible to pay for a rebellion, to provide arms and supplies and the money for large numbers of troops. The Jacobites had no alternative but to depend on the support of some foreign power, for the letters from England made it clear that, without such help, no one there was willing to risk open rebellion.<sup>140</sup> But, without some evidence of a serious intention on the part of a sufficient majority of the nation, no foreign power, even if at war with England, would risk men and money on a Jacobite invasion. The two problems were at every point inter-related, and the fundamental aim of the King's policy was to keep the party going and in a state of readiness at home, while, at the same time, keeping constant watch on the diplomatic situation in Europe, trying in every possible way to profit by combinations hostile to Hanoverian England.

In this study of Jacobite efforts to get foreign help I have, therefore, found it necessary to consider the state of the party in Britain as well as the relationship of the Jacobites to the European Powers. The integral connection between these two elements of Jacobitism was

recognised by contemporaries and must be assessed by historians. The real strength of Jacobitism was then, and is still, a matter for conjecture; but estimates of that strength by the Jacobites, by the Hanoverians and by the various courts of Europe had a determining influence in the international policies of the decade.

One consideration which entered into all these estimates was the extent to which the Jacobite movement was split, both at home and abroad, by deep internal divisions. As I have already indicated, James himself was constantly concerned to heal these divisions; the need for unity and co-operation is a recurrent theme in all his letters to his agents and followers, but, by 1730, it seems likely that solving the problem was now beyond his power. Fundamental differences between loyal Jacobites, differences in principle or, more often, in religious persuasion, were complicated by the jarring of temperament and the clash of personal ambition between individuals. The years preceding 1730 had been a time of particular stress within the party. The failure of the Atterbury plot in 1723 had been followed by the revelation of Mar's treachery and to that was added the further complication of a serious quarrel between James and his Queen, Clementina Sobieski. Their dispute concerned the position of two Protestant members of the King's household, Lord Inverness,<sup>141</sup> who acted as Secretary, and his brother-in-law, Lord Dunbar,<sup>142</sup> who had been appointed

Governor to Prince Charles. From a mixture of feelings James was stubborn in their defence, and, by December 1730, he finally overcame the Queen's resistance and gained her consent to the return of Inverness to his Court.

The significance of this long-drawn out dispute was that it disposed many of the party to believe a more serious accusation against Inverness; that, if Mar was a traitor, Inverness must be a traitor also, for he was Mar's brother-in-law<sup>143</sup> and had long worked with him in control of Jacobite policy. The deep-rooted fear of treachery which is engendered by adherence to a proscribed and outlawed party, found vent in this feeling against Inverness and extended to his wife's brother Lord Dunbar. The available evidence suggests that they were – as James himself believed them to be – faithful to his person and devoted to his service. But there were differences of personality, and, perhaps, of interest, between them and other members of the King's household, and their own close relation with the King intensified these problems. James was habitually reserved, but not with Inverness and Dunbar, to whom, the Lord Marischal notes, "... he is linked by many intimate ties ... he has opened himself and is known to them, he does not wish to be so to any other."<sup>144</sup>

From the point of view of those who were already inclined to believe ill of these intimates of the King, there was, besides, the additional fact that both had family

connections on the Hanoverian side, close enough to give some colour to the accusations of treachery against them. <sup>145</sup>

The extent of this general conviction that those in the King's confidence would betray him was made clear to James in December, 1730. There were indications then that the state of politics in England might produce a combination of groups prepared to co-operate in bringing about a Restoration; but those involved would require that the King have about him only men in whom they could place unlimited trust. Inverness had returned to Rome, at the King's request and with the consent of the Queen, in December, 1730. Less than two weeks later he returned to Pisa; and this second withdrawal, which was certainly not pre-meditated, coincides in time with the arrival of two emissaries from the Jacobites in England. <sup>146</sup> He demanded permission to retire, and James, in the circumstances, felt constrained to accept his resignation. Lord Dunbar, from his own point of view, was less fortunate, for, as he wrote to O'Brien at the time, "... it is sure any honest man would stay unwillingly to be calumniated and torn to pieces, if it were not for his duty". <sup>147</sup> He begged to be allowed to resign with Inverness, but James refused absolutely to let him leave the Court.

Although James, in this way, met the situation by an attempt at compromise, his solution was ineffective and, indeed, it only served to deepen and prolong the new

division within the party. So long as Dunbar remained within the household, the allegations of treachery had an obvious target. Throughout the whole decade, Dunbar's position and the King's personal friendship for Inverness – for he made sure that this too was known<sup>148</sup> – were used as an excuse by many worthy Jacobites who were not unready to find reasons for discontinuing their loyalty to the Cause. It was, in fact, yet another symptom of serious disintegration within the Party structure, affecting the Jacobites abroad no less than those at home, giving another form to their existing quarrels and personal differences, and determining their whole response to the diplomatic changes which their King tried so persistently to turn to the advantage of their Cause. Instead of a coherent policy we find, repeatedly, a flurry of plots, devised by different sections of the party, who carefully concealed their activities from each other, while James, from his peripheral point of exile, struggled to impose some kind of unity on their plans and proceedings.

It is true this kind of disunity had always been present within the Jacobite party; they were no more exempt than Hanoverian Whig or Tory from the internal stress of the rivalries that are always part of the political power-game. But by 1730 the common bond of loyalty was seriously weakened by prolonged failure, exile and proscription, while, for the Jacobites, ambition could have no outlet in

the exercise of any kind of real authority within the state. Both these factors, in this late phase of Jacobitism, had brought disunity much closer to disintegration.

This was a matter of essential significance in the efforts of the Jacobites to get help from abroad, and its effects are most clearly seen in the study of their relationship with the Court of France. The special connection between France and the Jacobites was based on something more than the refuge which Louis XIV had initially provided for the exiles and his championship of their cause in the War of the Spanish Succession. The phase of Anglo-French co-operation which succeeded that war – and deprived James himself of the right to harbour in French territory – could not alter the ultimate necessity for the Jacobites to win the support of France for any further attempt to regain the throne of England. The size, the wealth and the geographical position of France in Europe pre-determined her central and dominant role in the sphere of inter-power relationships, and the Jacobites were as well aware of this as any Court in Europe. Their relationship with the government of France was therefore fundamental in Jacobite policy; and it was here that the splintering of the Jacobite movement had its most serious consequence. The detailed studies of Daniel Szechi for the period 1710-1714<sup>149</sup> and of F. J. McLynn for 1745<sup>150</sup> have demonstrated the way in which divisions amongst the Jacobites dove-tailed into



divisions in the Court of France, thus hardening the lines of cleavage within the movement and nullifying the Jacobite efforts to get assistance. In 1730-1740, while Fleury controlled every aspect of government in France, Jacobite divisions were no less present and no less exploited, but in a different way and to a different end, and the effect on the Jacobite movement was no less injurious. Fleury had reasons of his own for using – but not for assisting – the Jacobites. Their factional in-fighting made them easier to manipulate, while their disunity gave him an obvious excuse to evade performance of the promises he seemed always so ready to give.

In the next two chapters I propose to examine Fleury's dealings with the Jacobites in the period following the signing of the Second Treaty of Vienna, when the rift between France and England gave new significance to their contacts with the French Court.

## Notes to Chapter II

In 1729, commenting on a conversation Redmond reported having with a Whig in Paris, James wrote "I find you said a great many fine things of me, but you forgot one in which there would have been no flattery or exaggeration, that is that my heart is all English". (RA SP 131/147: James to Sir Peter Redmond, 1 November 1729, Rome). In an open letter to the Duchess of Buckingham in January 1731, he wrote about his children "Tho' born abroad they have English blood in their veins and my chief endeavour is to instil into them such a love of their own country and such principles as may enable them one day to make it happy." (RA SP 142/73: James to the Duchess of Buckingham, 26 January 1731, Rome).

RA SP 140/39: James to O'Brien, 25 October 1730, Rome, written in French and intended to be shown to Cardinal Fleury.

Cited by D. Szechi in Jacobitism and Tory Politics 1710-1714 (Edinburgh, 1984), 20 n. 73.

RA SP 145/58: James to Duchess of Buckingham, 13 May 1731, Rome.

A letter from Mr. Leslie to a Member of Parliament in London, cited in The Chevalier de St. George and the Jacobite Movements, 1701-1720, ed. C. S. Terry, (London, 1901), 176.

Both the Pope and the Queen of Spain, who sided with Clementina, reduced his pension. Jones, Mainstream of Jacobitism, 163-173.

RA SP 142/73: James to the Duchess of Buckingham, 26 January 1731, Rome.

RA SP 150/75: Inverness to O'Brien 3 December 1731, Avignon. Inverness added "... I have put myself in a position where I can no longer approach the King or be employed in his affairs." On the same subject James wrote to Inverness it would be "... neither for my interest or your honour that you should come here of a considerable time." (RA SP 151/10: James to Inverness, 9 January 1732, Rome).

<sup>9</sup>RA SP 142/73: James to the Duchess of Buckingham, 26 January 1731, Rome.

<sup>10</sup>RA SP 176/159: James to O'Brien, 9 January 1735, Rome. It concerned a copying clerk of O'Brien's, Morphy, by name, who managed to get hold of "classified" information and tried to blackmail O'Brien into increasing his pay and using him in the confidential areas of work. O'Brien arranged with Chauvelin to have Morphy put in the Bastille on a lettre de cachet, in case he went to the English with his information. James agreed, reluctantly, that for the safety of all concerned, Morphy should be isolated, but he insisted he should be released as soon as possible and that he should be supplied with books while he was being held incommunicado.

<sup>11</sup>RA SP 212/8: Thomas Innes to Edgar, 21 December 1738, Paris.

<sup>12</sup>Journal du Marquis de Dangeau avec les additions inédites du Duc de Saint-Simon, ed. F. S. Feuilleton de Conches (Paris 1854-60), viii, 184, cited in C. S. Terry, ed. The Chevalier de St. George and the Jacobite Movements 1701-1720 (Scottish History from Contemporary Writers, IV, London 1901), 20.

<sup>13</sup>Mémoire du Comte de Forbin, ii (Amsterdam, 1730) 2, from , Terry, ed. Jacobite Movements 1701-1720, 136.

<sup>14</sup>G. H. Jones, The Mainstream of Jacobitism (Cambridge, Mass., 1954), 63, 83-4.

<sup>15</sup>For a general account of these earlier attempts I have used B. Lenman, The Jacobite Risings in Britain, 1689-1746 (Methuen, 1980); C. Petrie, The Jacobite Movement, (London, 1959) 1, 208-285; Jones, Mainstream of Jacobitism, chapter 4; Terry ed., Jacobite Movements 1701-1720, 178-442.

<sup>16</sup>C. Nordmann, La Crise du Nord au début du xviiiie siècle (Paris, 1962)

<sup>17</sup>Alberoni to Ormonde, 18 March 1719, Madrid, from W. K. Dickinson ed., The Jacobite Attempt of 1719, Letters of James Butler, 2nd Duke of Ormonde (Scottish History Society, Edinburgh 1895), 219-21, quoted in Terry ed., Jacobite Movements 1701-1720, 468.

<sup>18</sup>Terry ed., Jacobite Movements 1701-1720, 473-496. This contains extracts from the Memoir of Marshal Keith and an account compiled by Mar. See also Lenman, Jacobite Risings in Britain, 191-195.

<sup>19</sup>G. V. Bennett, Tory Crisis in Church and State, 224-275; P. Fritz, The English Ministers and Jacobitism 1715-1745 (Univ of Toronto Press, 1975), 67-98.

<sup>20</sup>Jones, Mainstream of Jacobitism, 162-163.

<sup>21</sup>Jones, ibid., 170-171.

<sup>22</sup>A Letter from Mr. Lesly to a Member of Parliament in London (London 1714) cited in Terry ed. Jacobite Movements 1701-1720, 175. Rae, History of the Late Rebellion, (London 1918), 351, cited in Terry ed. Jacobite Movements, 1701-1720, 341.

<sup>23</sup>RA SP 144/68: James to Inverness, 10 April 1731, Rome.

<sup>24</sup>RA SP 143/197: James to Inverness, 3 March 1731, Rome.

<sup>25</sup>James Edgar came from the Montrose area of Eastern Scotland. He fought in the '15, escaped to France where he became private secretary to the King and remained in that post until his death in 1764. A. and H. Taylor, Stuart Papers at Windsor (London 1939).

<sup>26</sup>K. Ellis, The Post Office in the Eighteenth Century (Oxford University Press, 1958), 62; P. Fritz, English Ministers and Jacobitism, 114-119.

<sup>27</sup>Ellis, ibid., 63-77; Fritz, ibid., 108-113; D. B. Horn, British Diplomatic Service 1689-1789 (Clarendon Press, 1961), 276-80.

<sup>28</sup>Helped sometimes by chance; in April 1731, John Green, "a North-Countryman, master of a ship" spotted a letter of Walpole's in the consul's office in Barcelona and "thought it an obligation on a loyal subject to intercept it and inclose herein ... for King James III that God may preserve and restore." (RA SP 144/86: John Green to James, 12 April 1731, Barcelona). In February 1731 Waters, the banker in Paris, warned Edgar that letters were being opened at the Post Office in Madrid (RA SP 143/1: Waters to Edgar, 13 February 1731, Paris).

<sup>29</sup>In January 1731, Atterbury's son-in-law Morrice delivered a letter to Andrew Cockburn, the agent in London (RA SP 141/117: Waters to Edgar, 2 January 1731, Paris).

<sup>30</sup>O'Rourke, the agent in Vienna, normally used the Vatican postal service - with occasional difficulties. An

important letter he sent to Rome in January 1731 failed to arrive; in March he commented that this "fatality" "might be through the curiosity of the Pope's ministers at that critical juncture for I dare say it could never happen by the Nuntio's means". (RA SP 143/93: O'Rourke to James, 3 March 1731, Vienna).

<sup>31</sup>C. Nordmann, 'Les Jacobites Ecosais en France au xviiiè siècle' in Regards sur l'Ecosse au xviiiè siècle, ed. M. Plaisant, 82-83.

<sup>32</sup>RA SP 195/86: Lord Marischal to Edgar, 13 April 1737, Valencia.

<sup>33</sup>For example De La Noye, the agent at Liège, wrote to Edgar, 4th October, 1729 about the non-arrival or delay of a letter which he says he posted himself. In fact his correspondence was intercepted by the English Government. (RA SP 131/24: De La Noye to Edgar, 4 October 1729, Liège). cf. PRO SP 36/20, ff.208-9.

<sup>34</sup>Mark Carse was a friend of the Lord Marischal; he was to contact Lord Dundonald and various sympathisers in the Highlands.

<sup>35</sup>RA SP 148/91: James to the King's friends in Scotland with credentials for Carse, 5 September 1731. RA SP 148/102: Memorandum about correspondence, giving cant names etc. Endorsed "given to Mr. Carse, 6 September 1731".

<sup>36</sup>George Waters handled financial matters, payment of drafts, allowances etc. for James; his bank was a clearing-house for correspondence through a code-list of cover-addresses; thus Mark Carse, reporting from Edinburgh, 1st January 1732, addressed his letter to Mr. George Lyndsay at Mr. Waters, and the letter was duly sent straight on to Rome.

<sup>37</sup>RA SP 138/32: Edgar to Dundas, 5 July 1730, Rome.

<sup>38</sup>Richard Volters "whose family have been in British pay from 1916". Ellis, Post Office in the Eighteenth Century, 61.

<sup>39</sup>Edgar noted that two letters from England which came that way and which were dated 17th and 27th April did not reach Rome until 17th July and "it appeared very plain they had been broken into." RA SP 140/197: Edgar to Cockburn, 13 December 1730, Rome.

<sup>40</sup>RA SP 144/75: Cockburn to Edgar, 10 April 1731, London.

<sup>41</sup> Charles Smith fought at Preston and escaped to France, where he became a wine-merchant; he played a central role in the Jacobite community at Boulogne as agent and organiser of communications. His wife was the daughter of Sir Hugh Paterson of Bannockburn, and his son married into the Seton family; Origins of the '45, ed. W. R. Blaikie, (first published, 1916, re-printed for Scottish History Society, 1975).

<sup>42</sup> When the Jacobite agent James Hamilton died in February, 1731, Cockburn was called in by his widow to help to secure his papers; he then took over the job as agent; his occupation is attested by an intercepted letter in the State Papers dated 1742, addressed to Andrew Cockburn, hosier of Charing Cross (PRO SP 36/58, f. 31) and also by an instruction from Edgar to Waters "address letter marked Dalevale to Andrew Cockburn, hosier in London and send by some gentleman with great secrecy". RA SP 140/201: Edgar to Waters, 14 December, 1730, Rome.

<sup>43</sup> He told the Jacobites at Boulogne that his journey was "to waite of a gentleman that owed me money but he was gone to Holland and in this Mr. Smith was to second me - the gentlemen were prodigously vexed they did not know of my being there as weell as for my misfortunes." RA SP 144/75: Cockburn to Edgar, 10 April 1731, London.

<sup>44</sup> RA SP 144/73: Waters to Edgar, 10 April 1731, Paris.

<sup>45</sup> RA SP 143/36: Cockburn to Edgar, 20 February 1731, London.

<sup>46</sup> For example, in October, 1738 Edgar sent O'Brien a list of adjustments to the numerical cypher; it is clear from this letter that O'Brien used one part of his cypher for Ormonde and a part for the King only. (RA SP 210/22: Edgar to O'Brien, 15 October 1738, Rome).

<sup>47</sup> For example, sending an account of the activities of Lord Sempill in his mission to re-organise support in England, (April 1739) Cockburn wrote that [Lord Sempill] has "brought the accounts to a narrow balance, and although they do not answer to what Mr. W. [the King] expected, yet ... they stand fair and clear as the sun at noonday on Mr. W.'s side." (RA SP 215/30: Cockburn to Edgar, 9 April 1739, London).

<sup>48</sup> Thus he wrote to Edgar from Paris of his safe arrival "more fatigued with five days of that confounded

voiture than I was with twelve days posting." (RA SP 148/174: Mark Carse to Edgar, 25 September 1731, Paris).

<sup>49</sup>Chauvelin was by this time adjunct to Fleury, acting as second-in-command especially in relation to diplomatic affairs. For his influence on foreign policy and his relations with Fleury vide P. Vaucher, Robert Walpole et la Politique de Fleury, (Paris, 1924); A. M. Wilson, French Foreign Policy during the Administration of Cardinal Fleury, (Harvard University Press, 1936); A. Baudrillart, Philippe V et la Cour de France, Vols. IV and V (Paris, 1890).

<sup>50</sup>In January, 1732, Hardy wrote to O'Brien "je suis charmé, mon cher Monsieur, des belles manières de Mademoiselle" (Sylvester, Chauvelin written in above); RA, SP 151/23: Hardy to O'Brien, 1 January 1732, Paris.

<sup>51</sup>cf. G. Chassignaud-Nugaret, "Une Elite insulaire au service de l'Europe; Les Jacobites au xviii<sup>e</sup> siècle" Annales, 1973, v. 28, 1097-1122. C. Nordmann, "Les Jacobites ecossais en France au xviii<sup>e</sup> siècle" in Regards sur l'Ecosse au xviii<sup>e</sup> siècle. ed. M. Plaisant (University of Lille, 1977), 83-104.

<sup>52</sup>An example of this is the Duke of Liria, son of the Duke of Berwick, who commanded a regiment in the service of France. He accompanied his uncle, the Old Pretender, to Scotland in 1715 and on his return was deprived of his regiment, since France and England were then at peace. The regiment was, however given to his father and Liria, then settle in Spain.

<sup>53</sup>Most of these were founded in the 16th and 17th centuries, although the English College at Rome and the Scots College in Paris belong to the 14th Century. The Irish had seminaries scattered from Spain to the Netherlands. The principal Scots Colleges were at Paris and Douai; see J. D. Alsop, "John Macky's Account of English Seminaries in Flanders" in Recusant History (Catholic Record Society XV), 1981.

<sup>54</sup>RA SP 151/21: Lewis Innes to James, 14 January 1732, Paris.

<sup>55</sup>He differed from James over the rights assigned to the Church of England in the Declaration of 1719: vide G. H. Jones, Mainstream of Jacobitism, (Harvard University Press, 1954), 19, 132.

<sup>56</sup>There are many examples of Lewis Innes' work as archivist in receiving, classifying and storing documents. In 1733, for instance, he wrote to James about the receipt

of Dillon's papers, the necessity of going through the archives to destroy useless items, etc. and gave an assurance that documents of importance and vital letters were being safely stored. He added "... upon my death the keys of the armoire where all these papers are will be in the hands of my brother Thomas ... that you may not be in paine about these papers when it shall please God to call me." (RA SP 161/63: Lewis Innes to James, 4 May 1733, Paris). In 1740 Thomas Carte was given permission by James to use the archives in the Scots college for his research.

<sup>57</sup>Thomas Innes was an historian of some distinction. In 1729 he published his Critical Essay on the Ancient Inhabitants of Scotland (edited by the Spalding Club, 1853), a scholarly work which was also designed to vindicate royal sovereignty.

<sup>58</sup>vide History of the Irish Brigades in the Service of France, by J. C. O'Callaghan, (First Edition, Glasgow, 1870, re-issued Irish University Press, 1969). There are confirmatory references in the Windsor Papers. Clare's regiment was held in trust by an acting commander (actually Murragh O'Brien, the father of the Jacobite agent, Daniel O'Brien) until his son was old enough to take command. Dillon's son also succeeded to his father's command. O'Callaghan, Irish Brigades, 40-46.

<sup>59</sup>In 1725 the Duke of Wharton (with a certain lack of realism) urged their value at the Imperial Court; they were, he said, ready to leave France as soon as they were ordered to do so by their King, and, making the best of this rather doubtful support, he adds "quoyqu'il est vray qu'il n'y a que peu de corps Irlandois à présent sur pié en France, cependent il y'a assez d'officiers réformés de la dite nation pour suffire à vingt Régiments." (RA SP 83/87: statement submitted by Wharton to Charles VI, dated 3 September 1725).

<sup>60</sup>For example on 26th March, 1731, Newcastle instructed Waldegrave, the English ambassador in Paris; "... you will also take notice whether the Irish regiments are ordered to the coasts that are nearest to England; but you must by no means appear sollicitous about it". This is a recurrent theme in the State Papers during this decade. (PRO SP 78/202, f. 87: Newcastle to Waldegrave, 26 March 1731, London).

<sup>61</sup>See note 23, chapter I.

<sup>62</sup>RA SP 144/110: Sir Charles Wogan to Edgar, 18 April 1731, Valencia.



<sup>63</sup>There are numerous letters from serving officers (often of considerable interest) since there were Jacobites in so many different parts of Europe. Thus during the War of the Polish Succession, news came to Rome of the progress of the war from all the fronts and from both sides in the dispute simultaneously.

<sup>64</sup>Tyrrel's letters are a useful source especially for the impact of the War of the Polish Succession, and the period of transition when Tuscany was handed over to Austria. Tyrrel also forwarded a regular news-letter from Paul Kearney, a Captain of the Grand Duke of Tuscany's troops, who was stationed at Leghorn, and gives very full detail of ship-movements, etc.

<sup>65</sup>The occasion was the arrival of Don Carlos and his 6,000 Spaniards to enter Parma in October, 1731. (RA SP 149/77: Captain Dove to Edgar, 15 October 1731, Leghorn).

<sup>66</sup>Marjoribanks was consulted also about placing a nephew of Lord Dunbar in a merchant house, although the request came from England and involved the Hanoverian brother, who later became Lord Mansfield.

<sup>67</sup>The Ostend Company, est. 1722 by a charter from the Emperor, to trade with the E. and W. Indies and Africa; by attracting interlopers (including some Jacobites) it threatened the established E. India Companies in England, Holland and France; Spain approved the Company in her Treaty with Austria in 1725; the Emperor agreed in 1727 to suspend it for seven years; Atterbury pointed out to James the value of using this Company against England (RA SP 84/49: Atterbury to James, 16 July 1725). cf. also G. B. Hertz, England and the Ostend Company, E.H.R., XXII (1907), 255-279.

<sup>68</sup>RA SP 144/51: Cockburn to Edgar, 6 April 1731, London. The merchants played an active role in providing transport for Charles Edward in the '45, and after Culloden he was rescued by an expedition under the command of Richard Warren, the merchant-banker from Marseilles, who later became aide-de-camp to Maurice de Saxe and a Marechal-de-Camp in the French army. vide J. S. Gibson, Ships of the '45 (Hutchson, 1967), 119-149 and R. J. McLynn in France and the Jacobite Rising of 1745 (Edinburgh, 1981) 30-34, 221-231.

<sup>69</sup>O'Callaghan, Irish Brigades. See also the articles (already cited) by Nordmann and Nougaret. For James Keith, see A Fragment of a Memoir of Field-Marshal James Keith, 1714-1734 (Spalding Club, Edinburgh, 1843) and E. Cuthell, The Scottish Friend of Frederick the Great, The Life of the last Earl Marischal (London, 1915).

<sup>70</sup>Many of the Jacobites were often in severe financial distress: the evidence for this can be found in private letters and petitions in the Stuart Papers and in the correspondence about the pension-lists and the lodgings at St. Germain's. cf. also Nordmann, art. cit., 85, 101.

<sup>71</sup>Nordmann's article deals very comprehensively with this theme, noting in particular the influence of the Jacobite exiles in agriculture and industry, as well as in trade. cf. Nordmann, art. cit. 38, n. 51.

<sup>72</sup>Fritz, The English Ministers and Jacobitism, 80-98; Bennett, The Tory Crisis in Church and State, 1688-1730, 224-257; Jones, Mainstream of Jacobitism, 150-54.

<sup>73</sup>In January, 1732, James wrote to O'Brien "It is but too probable Walpole is doing what he can to impose upon my well-wishers and to see what he can get out of them to betray at last ... if he is willing to be useful he might be made use of, but he ought never to be confided in ... for a man of his character is never to be trusted." (RA SP 151/31: James to O'Brien, 16 January 1732, Rome).

<sup>74</sup>The whole question of support for the Jacobite Cause has recently been examined in depth by E. Cruickshanks, Political Untouchables: The Tories and the '45, (Duckworth, London, 1979) and by L. Colley, In Defiance of Oligarchy: The Tory Party, 1714-1760, (Cambridge University Press, 1982). While Dr. Cruickshanks maintains there was a considerable degree of support for the Jacobites amongst the Tories, Dr. Colley has reached the opposite conclusion. In her view most Tories had abandoned Jacobitism before 1730: see also J. Cannon, ed., The Whig Ascendancy: Colloquies on Hanoverian England, (New York, 1981) and J. C. D. Clark, English Society, 1688-1832, (Cambridge U. P., 1985).

<sup>75</sup>For a favourable account of Shippen's activities, see C. Petrie, The Jacobite Movement, 228-9, 309-14. For another assessment see Colley, In Defiance of Oligarchy, 59-60. See also R. Sedgwick, ed. The House of Commons, 1715-1754 (H. M. Stationery Office, London, 1971), 422.

<sup>76</sup>Sedgwick, House of Commons, 62-78; A. S. Foord, His Majesty's Opposition, (Clarendon Press, 1964), 136-142; B. W. Hill, Growth of Parliamentary Parties, 1689-1742 (Allen and Unwin, 1976), 192-3, 229-231.

<sup>77</sup>G. Rudé, Hanoverian London, 1714-1808, (London, 1971), 149-158; Sedgwick House of Commons, 279-283; G. S. de Krey "Political Radicalism in London after the Glorious Revolution", Journal of Modern History, 55 (1983), 585-618.

<sup>78</sup>Foord, His Majesty's Opposition, 70-109; Sedgwick, House of Commons, 33-50; Colley, In Defiance of Oligarchy, 49, 201.

<sup>79</sup>R. C. Jarvis, Collected Papers on the Jacobite Risings (Manchester University Press, 1972). N. Rogers, "Riot and Popular Jacobitism in Early Hanoverian England" in Ideology and Conspiracy: Aspects of Jacobitism, 1689-1759, ed. E. Cruickshanks, (Edinburgh, 1982), 74-76, 80-81; P. Fritz, English Ministers and Jacobitism, Appendices III and IV, 147-159.

<sup>80</sup>Sedgwick, House of Commons, 306-7; Coxe, Walpole, III, 137; Rogers, art.cit., 74.

<sup>81</sup>Rogers, art. cit., 70-88: cf. also Rogers, "Popular disaffection in London during the '45", London Journal, v.1, no.1, May, 1975.

<sup>82</sup>James Butler, 2nd Duke of Ormonde, b. 1665, d. 1745; held rank of Captain-General under Anne, associated with Atterbury in leadership of Tories in 1715, fled to France to avoid impeachment; after collapse of attempted rising in West Country remained abroad, involved in negotiating help from Sweden and from Spain. L. B. Smith, "Spain and the Jacobites, 1715-16" in Ideology and Conspiracy; ed. E. Cruickshanks, 159-178; Jones, The Mainstream of Jacobitism passim; Fritz, The English Ministers and Jacobitism, 48-50.

<sup>83</sup>Bennett, The Tory Crisis in Church and State, 223-275; Fritz, English Ministers and Jacobitism, 67-98.

<sup>84</sup>E. Gregg, "The Jacobite Career of John, Earl of Mar", in Ideology and Conspiracy, ed. E. Cruickshanks, 179-200; Bennett, The Tory Crisis in Church and State, 277-281.

<sup>85</sup>For Bolingbroke's career see J. Hart, Viscount Bolingbroke (London, 1965); I. Kramnick, Bolingbroke and his Circle (Harvard University Press, 1968); H. T. Dickinson, Bolingbroke (London, 1970).

<sup>86</sup>Colley, In Defiance of Oligarchy, 34-35.

<sup>87</sup>Sedgwick, History of the House of Commons, II, 562-564. For Wyndham's relationship to Gower, association with Bolingbroke and general political influence, see Colley, In Defiance of Oligarchy, 61, 65-67.

<sup>88</sup>Bathurst, (1684-1775), son of Governor of E. India Co., raised to peerage by Anne in 1704; for relations with Atterbury, see Fritz, English Ministers and Jacobitism, 73-

77, 113; Bennett, Tory Crisis in Church and State, 218, 230-231; for association with Wyndham see Colley, In Defiance of Oligarchy, 61-67.

<sup>89</sup>Gower, 1694-1756, 2nd Baron of Stittenham, with strong territorial influence in West Midlands and connections by kinship and marriage in House of Commons; for connections and leadership of Tories see Colley, In Defiance of Oligarchy, 61-67; for relations with Atterbury see Bennett, Tory Crisis in Church and State, 199, 225, 233.

<sup>90</sup>Charles Boyle, 4th Earl of Orrery; had been a "whimsical" Tory, dismissed as Lord-Lieutenant of Somerset, 1715; for relations with Atterbury, see Bennett, Tory Crisis in Church and State, 38-43, 225-241; Fritz, English Ministers and Jacobitism, 67-80; Colley, In Defiance of Oligarchy, 63.

<sup>91</sup>Colley, In Defiance of Oligarchy, 209.

<sup>92</sup>Sedgwick, History of the House of Commons, I, 113-114.

<sup>93</sup>W. King, Anecdotes of His Own Times, (London, 1818), 37; Cruickshanks, Political Untouchables, 39.

<sup>94</sup>E. Curtis, History of Ireland, (London, 1936); C. C. O'Brien, Story of Ireland, (New York, 1972); J. G. Simms, Jacobite Ireland, (University of Toronto Press, 1969). Report made by Smith to James in February, 1731, states the Jacobites in Ireland are "spiritless because they are without hopes of a remedy in due time ... very few in a condition to be applied to." (RA SP 142/145: Smith to Edgar, 9 February 1731, London. Identity of agent is not clear - may be Ralph Smith, not Charles, the wine-merchant).

<sup>95</sup>For general background I have used History of Scotland (Edinburgh series) vol. IV, G. Donaldson, Scotland James V to James VII (London 1965) and vol. V, W. Ferguson, Scotland, 1689 to the Present (London 1968), also B. Lenman, The Jacobite Risings in Britain, 1689-1745, (London, 1980).

<sup>96</sup>B. Lenman, "The Scottish Episcopal Clergy and the Ideology of Jacobitism" in Ideology and Conspiracy: Aspects of Jacobitism, ed. E. Cruickshanks, 36-48.

<sup>97</sup>Report from Ezeckiel Hamilton on the state of England, December 1729 stresses the fact that English Jacobites rely on Ormonde, "his name still fresh with the common people etc.", and feels it important he should be

known to be in the confidence of the King. (RA SP 132/186-187: Ezeckiel Hamilton to James, report December 1729).

<sup>98</sup> George Keith, 10th hereditary Earl Marischal of Scotland, b. 1693, served briefly under Marlborough; joined rebellion in '15 and led expedition to Scotland in 1719, then took service in Spain. His father, William Keith was involved in attempt in 1708. James Keith, Fragment of a Memoir of Field-Marshal James Keith (Spalding Club, Edinburgh, 1843). E. Cuthell, Life of the Earl Marischal, the Scottish Friend of Frederick the Great (London, 1915) 2 vols.

<sup>99</sup> He was strongly pre-possessed against both Dunbar and Inverness: from his correspondence with Lord Sempill in 1733 it seems that during the '15 the Lord Marischal on one occasion considered Inverness failed to give him adequate information or military support; his dislike of Dunbar related to an earlier civil dispute. M.A.E., C. P. Angleterre v. 84 ff. 75, 76.

<sup>100</sup> Arthur Dillon, b. 1670, came to France 1691, commanded the Irish regiment which took his name, fought with distinction in War of Spanish Succession; O'Callaghan, Irish Brigades in the Service of France, 46.

<sup>101</sup> George Granville, Baron Lansdowne, 1667-1735, vide Jones, Mainstream of Jacobitism, 64, n. 105. Arrested with Wyndham in 1715, retired to France 1720 and became active in the leadership of Jacobites in Paris.

<sup>102</sup> Dillon and Lansdowne together were responsible for planning in France for the projected Jacobite plots in 1721-22. They acted very much under the influence and direction of Mar. Bennett, Tory Crisis in Church and State, 232-241; Gregg, "The Jacobite Career of John, Earl of Mar" in Ideology and Conspiracy, ed. Cruickshanks, 189-192.

<sup>103</sup> Bennett, Tory Crisis in Church and State, 284-286.

<sup>104</sup> In a letter to Père Blainville, August, 1730, James wrote with reference to Atterbury: "I wish he knew how to speak French, for in that case he would seem like himself and would be more useful where he is and the Cardinal would have more occasions to know him." (RA SP 138/174: James to Pere Blainville, 30 August 1730, Rome). In a letter to James, in July 1731, giving an account of his interviews with an emissary of the Cardinal, Atterbury says the only other person aware of what passed was the interpreter (who was probably his friend Lord Sempill). (RA SP 147/48: Atterbury to James, 23 July 1731, Paris).

<sup>105</sup>Innes in a letter to James, 22nd January 1731, speaks of the "incredible aversion he hath and I fear will always have for Pope and Papacy". (RA SP 142/47: Lewis Innes to James, 22 January 1731, Paris). Bennett, Tory Crisis in Church and State, 296.

<sup>106</sup>From 1724 till 1732 Atterbury's life is documented by the English spy, John Semple, whom Bennett calls the Bishop's Boswell; see Bennett, Tory Crisis in Church and State, 283-88. For Semple's identity see Fritz, English Ministers and Jacobitism, 141-142.

<sup>107</sup>Bennett, Tory Crisis in Church and State, 296-297. It should be noted that Fleury's hatred of Jansenists was on a par with Atterbury's own feelings about Roman Catholics. This aspect of Fleury's ministry is examined by Jean Sareil, Les Tencin, (Geneva, Librairie Droz, 1969).

<sup>108</sup>RA SP 136/102: Lewis Innes to James, 8 May 1730, Paris.

<sup>109</sup>Innes comments to James in January 1732 on Atterbury's reaction to the conversion of Inverness "I never knew a man of sense make himself so uneasy and still upon the frett as this Bishop does by his own jeallousies and suspicions which generally are without the least grownd. But that is a disease which is never to be cured." (RA SP 151/21: Lewis Innes to James, 14 January 1732, Paris).

<sup>110</sup>See note 1, chapter I, for details on Redmond.

<sup>111</sup>RA SP 136/158: Peter Redmond to James, 22 May 1730, Paris.

<sup>112</sup>Bennett, Tory Crisis in Church and State, 186, 192-3; Colley, In Defiance of Oligarchy, 185-6.

<sup>113</sup>H.M.C. 9 Report, Appendix II, 217-221. Correspondence between Atterbury and the Lord Marischal in the Elphinstone Papers.

<sup>114</sup>On the basis of internal references and general compatibility with the evidence of O'Brien's letters, I have accepted the biographical details outlined in the Complete Peerage and O'Callaghan's Irish Brigades in the Service of France. It should be noted that Professor Jones apparently differs from this view, as he speaks of O'Brien as having been "more than forty years abroad and unknown to many of the party at home." (Jones, Mainstream of Jacobitism, 218). I have found no indication that O'Brien was ever in England. In Political Untouchables, Dr. E. Cruickshanks identifies (23 and 25, n.2) O'Brien as "one of the army officers who

had lost his commission in 1715", citing the authority of C. G. T. Dean in The Royal Hospital, Chelsea; but Dean makes it clear in his book that this identification is tentative and he offers no evidence for it. Dr. Bennett (Tory Crisis in Church and State, 282) speaks of O'Brien as "a young French-educated Irishman assigned to Atterbury to act as secretary and carrier of messages to Versailles." If O'Callaghan's identification is correct, O'Brien was at that time forty-one, younger than Atterbury, but a man with an established career of his own.

115 Entered the French army, 1694, Chevalier de St. Lazare, 1716, Colonel, 1719. In the manuscripts letters are frequently addressed to him as Maitre de Camp d'Infanterie. Complete Peerage, vol. VIII, 80.

116 His father was Major-General Murragh O'Brien, a collateral descendent of Connor O'Brien of Thomond; he came to France in 1671, and served through all the major wars; after the death of Lord Clare at Ramillies he was acting commander of Clare's regiment till his death in 1720. Daniel O'Brien was born at Perpignan in 1683. O'Callaghan, Irish Brigades, 40-41.

117 His letters are always in French, the replies from James usually in English until 1738, when he writes as a rule in French. Jones (Mainstream of Jacobitism, 199,) explains this in a comment that O'Brien was now "more at home in French than in English", but in fact James says himself that he was writing in French to maintain his own fluency in that language.

118 He was, for example, concerned in the administration of the "colonel's list", i.e. pensions awarded to Jacobite exiles by the French Government.

119 In May 1729 O'Brien sent a confidential letter (by Papal Courier), analysing the internal situation of Fleury's ministry and their attitudes to the Jacobite Cause. cf. also his monitoring of the attempted coup of the Duc d'Epemnon in 1730; RA SP 127/78: O'Brien to James, 1 May 1729, Paris. RA SP 137/80: O'Brien to James, 6 June 1730, Paris.

120 Sareil, Les Tencin, 183-207.

121 Jones, Mainstream of Jacobitism, 162-3, 169.  
Bennett, Tory Crisis in Church and State, 287, 290-92.

122 RA SP 208/128: Edgar to Charles Smith, 14 August, 1738, Rome.

123 H.M.C. Townshend MSS, 200: La Roche to R. Walpole, 18 August 1727, Paris.

124 Complete Peerage, Vol. II, 298. Certificate of Nobility, 24 September 1708 in H.M.C Stuart, IV, 5; O'Callaghan, Irish Brigades, 201, 250. For O'Rourke's Lorraine connections see R. Butler, Choiseul 1719-1754 (Clarendon Press, 1980) 5, 41, 65. Countess O'Rourke was grandmother to Choiseul; her daughter by a previous marriage became the wife of M. de Stainville.

125 We find O'Rourke, for example, forwarding letters for James Keith, then serving in Russia and trying to arrange commissions in the Imperial service for the sons of old friends, e.g., young Forrester, son of Sir John Forrester; young McMahon, son of McMahon, the commander at Pisa.

126 He visited Sinzendorff, the Austrian Chancellor, in his country estate – they shared an interest in gardens. RA SP 139/35: James to O'Rourke, 9 September 1730, Rome.

127 Both received titles in the Jacobite Peerage; O'Brien as Baron Castle Lyons in 1725 and then as Lord Lismore; O'Rourke as Baron of Carha (his family estate in Ireland) in 1727 and Viscount Breffny of Connaught in 1731.

128 RA SP 83/87: document submitted by Wharton to Emperor Charles VI, 3 September 1725.

129 Coxe, II, 630: Townshend to Poyntz, June 3/14, 1728, London.

130 RA SP 129/55: James Hamilton to Edgar, 21 June 1729, London.

131 RA SP 131/173: Innes to James, 7 November 1729, Paris.

132 Sareil, Les Tencin, 186-197, 252-269.

133 RA SP 132/183: Ezeckiel Hamilton to James, December 1729. Draught of Petition to Pope to use influence to procure a pension from Spain for Charles Edward. Endorsed "In handwriting of Ezeckiel Hamilton with corrections by James".

134 Lord Waldegrave, who succeeded Horatio Walpole as English ambassador in Paris, was brought up in the Jacobite Court at St. Germain; he was a nephew of James, his mother Henrietta being the daughter of James II by Arabella Churchill.



<sup>135</sup>PRO SP 78/214, f. 233: Waldegrave to Newcastle, 28 March 1737, Paris; RA SP 178/73, O'Brien to James, 7 March 1735, from which it appears both Fleury and Chauvelin hinted at a nomination for the Bishop of Bayeux. O'Brien advised making use of the family without any commitment.

<sup>136</sup>RA SP 140/183: Edgar to Charles Smith, 10 December 1730, Rome.

<sup>137</sup>RA SP 140/206: Wogan to Edgar, 18 December 1730, Valencia.

<sup>138</sup>Macanas was a Spanish exile, dismissed from the service of his own government because he came under the ban of the Inquisition. At this time he still maintained a close, but secret correspondence with La Paz, the minister in Madrid. He supplied the Jacobites with information at times in the hope James would use his influence with the Papal Court to have the ban lifted. Baudrillart, Philippe V et la Cour de France, I, 227-8, 596-7; II, 424; III, 12, 395-99. RA SP 140/73, 141/151, 142/23, 142/24; see also Carmen Martín Gaité, "Macanaz, otro paciente de la Inquisición" (re-issue of El Procès de Macanaz, 1969) in Revista de Occidente, 94 (1971).

<sup>139</sup>In addition to the diminution of funds from Spain and the Pope because of the quarrel with Clementina, James had difficulty in collecting his pension from France, which was paid only at irregular intervals and at this time was considerably in arrears. RA, SP 132/183 and 132/184: draughts of a petition to ask the Pope to help in obtaining pensions for the princes from Spain. The documents are apparently written by Ezeckiel Hamilton, with corrections by James, December 1729.

<sup>140</sup>RA SP 132/187: Report by Ezeckiel Hamilton on the state of England, December 1729, Rome. RA SP 140/203: Cecil to James, 15 December 1730, London.

<sup>141</sup>John Hay, younger son of E. of Kinnoul, created Lord Inverness in Jacobite Peerage: took part in '15 rebellion, exiled, died in Avignon, 1740. Complete Peerage, VII, 68.

<sup>142</sup>James Murray, Lord Dunbar (Jacobite Peerage), second son of Viscount Stormont, in '15 rebellion acted as courier, bringing messages from James to Mar. His sister, Marjorie, married Inverness. Complete Peerage, IV, 514.

<sup>143</sup>Mar had been married to a sister of Inverness, who died in 1707, shortly after the marriage: For an account of his relations with Mar vide E. Gregg, "The Jacobite Career

of John, Earl of Mar" in Ideology and Conspiracy, ed. E. Cruickshanks, 179-200; Bennett, Tory Crisis in Church and State, 277-281.

144 M.A.E. C. P. Angleterre, v.84, f. 133: Lord Marischal to Lord Sempill, May 1734.

145 Inverness had an elder brother, Lord Kinnoul, who was appointed ambassador to Constantinople by the Hanoverian government. Dunbar's younger brother, William Murray, was a barrister in London, beginning a distinguished career under the Hanoverians; he became Solicitor-General, Attorney-General and finally (as Lord Mansfield) Lord Chief Justice of England.

146 RA SP 142/69: Lady Inverness to Edgar, 26th January, 1731. cf. also M.A.E., C. P. Angleterre, v.84, f.33: Lord Marischal to Lord Sempill, October 1732, Rome.

147 RA SP 142/54: Dunbar to O'Brien, 24 January 1731, Rome.

148 James wrote to Inverness every week until the latter died in 1740; as he himself said to Lady Inverness, these letters were personal, not political, sometimes no more than a few lines, "marks of the confidence and kindness I had towards him, wherever he went and as long as he lived," but the fact of the correspondence was noted (and misinterpreted) by the opposite faction. RA SP 229/61: James to Lady Inverness, 14 December 1740, Rome.

149 D. Szechi, Jacobitism and Tory Politics, (Edinburgh 1984).

150 F. I. McLynn, France and the Jacobite Rising of 1745, (University Press, Edinburgh, 1981).

Section II. 1731-1733

In this section I deal with the Jacobite reaction to two events which made an essential alteration in the relations between the European powers: the Second Treaty of Vienna, signed in March, 1731 and the death of Augustus of Saxony, King of Poland, in February, 1733. The first of these events isolated France from an alliance which comprised England, Austria and Spain; the second isolated England when France and Spain joined to attack Austria in the War of the Polish Succession. The chief diplomatic effort of the Jacobites was therefore directed towards France, in an attempt to exploit the divergence in policy between that country and England. In 1731 the English Jacobites began by making their own appeal to Cardinal Fleury through the former Jacobite agent, General Dillon, and without notifying James himself of the details of this new approach to the French government. At the same time James, through his agent, Daniel O'Brien, had renewed his own solicitations at Paris, on the grounds that, as the French were no longer bound to England, they were free to help him. Once he was aware of Dillon's plan, James rejected it outright, made sure that O'Brien would be regarded as his only agent in Paris, and directed the English Jacobites to work with him. A second plan was then worked out between Captain Charles Hardy, who represented

the English Jacobites and Daniel O'Brien. They received specific encouragement from Fleury and Chauvelin; but in June 1732 the plan was set aside by the French, allegedly on the grounds that English Jacobites had not given sufficient assurances that they were prepared with adequate assistance for the landing of an expeditionary force.

In the following year, at the time of the agitation against the Excise Bill, the English Jacobites, through Hardy, renewed their appeal to France, requesting that the scheme of the previous year should now be resumed to take advantage of the strong anti-government feeling in England. James and O'Brien were already aware that the confrontation between France and Austria over the election of a new king in Poland might lead to a European War in which England, as the ally of Austria under the Second Treaty of Vienna, would be likely to become involved in actual conflict with France. They believed France would then be almost certain to take up their Cause.

The time, therefore, seemed propitious for a new attempt to get help from France; but, in order to take advantage of this co-incidence of unrest at home and a potential crisis abroad, James had to resolve the problem of leadership within the Jacobite party in England, and, at the same time, defend his potential support in the country against the strong appeal of Bolingbroke's new opposition party. His solution was to give the central role in the new

conspiracy not to Hardy, who initiated the scheme, but to Lord Cornbury, who was connected by family ties with the influential Tory leaders and who was also on friendly terms with Bolingbroke. Cornbury had already been active in the Jacobite Cause. He visited Rome in January 1731 and he seems to have been involved in a movement to secure the Restoration by bringing together dissident Whigs and Tories in a common effort to recall the King. In 1733 nothing had yet come of this effort, and Cornbury proved willing to act as agent and spokesman for the English Jacobites in their renewed attempt to get help from France. In June, 1733 he was assured by the French ministry that they would mount an expedition that year; but, after a series of delays, the Jacobites were informed in October 1733 that the French had once more withdrawn their support.

The question that has to be considered is why the French, in two successive years, were apparently willing to enter into Jacobite plans and then, in each case, refused to take the definitive step of proceeding with an expedition. I would suggest the answer lies in the nature of the relationship between France and England at this point. Although the Second Treaty of Vienna marked the beginning of a severance in the alliance between them, neither of their leaders yet wanted a state of active hostility between the two countries. The specific encouragement which the Jacobites received from Fleury and his adjunct was not

seriously intended; it was a response which depended on the use they could make of the Jacobite approach to serve their own interests. Foreign policy was a factor in the internal stresses within the French government, since Fleury's opponents could exploit the resentment created in France by England's Treaty with Austria. The appearance of favour to the Jacobites could help to ward off the pressure of militants within the Council who might gain the ear of the French King, but the fulfilment of promises made to the exiles could always be evaded by an excuse which had every appearance of being genuine: the lack of unity, the lack of leadership, the inadequate preparations, and the inadequate political support of the Jacobites.

Apart from this the Jacobite contacts in England were a source of information at a time of political disagreement between France and England. One such contact provided the French with their earliest intimation of the secret negotiation in Vienna in 1731. The plots which the French encouraged in 1731-32 provided cover for maintaining the flow of information from this particular source to the French ministry.

Again, in the critical period between the death of Augustus of Saxony in February, 1733 and the beginning of the War with Austria in October, Jacobite relations with France were determined by the French response to the new diplomatic crisis and the effect this had on the power -

tensions within the French government. Fleury was under strong political pressure to declare war on Austria, and there were reasons which might commend such a course, even to the Cardinal: the wish to secure Lorraine and to distract attention from the internal problems of the Jansenist controversy. In May 1733 Fleury accepted the decision of the Council that there would be war with Austria; but his policy was to limit the war, if possible, by securing the neutrality of the Maritime Powers, England and Holland, and this, in fact, precluded any active help to the Jacobite cause. Yet Fleury, once more, safeguarded his own position by an appearance of willingness to co-operate in Jacobite schemes, while at the same time he gave financial support to Bolingbroke, whose specious appearance of Jacobitism subverted the support James hoped to win in England.

The new hostility between France and Britain which was engendered by the Second Treaty of Vienna stimulated new activity amongst the Jacobites and gave them greater importance as a potential weapon against Hanoverian Britain. That greater importance made them also more susceptible to manipulation by those who had their own ends in view. This point is illustrated by the part taken in Dillon's plot by the man who provided the French with their first information about Walpole's secret negotiation in Vienna in December 1730. Once James and his agents were aware of the private manoeuvres of such adventurers, they could limit the damage

they might occasion. They had no effective defence against being used by Fleury. Even after the successive frustrations of 1732 and 1733, James and O'Brien still believed that the Cardinal's hesitations were the result of old age and timidity and the pressure of the events that took France into war with Austria. They still hoped he might be pushed or persuaded into war with England and a Jacobite enterprise, although they recognised that the English Jacobites, after this double incidence of a reversal of policy, were no longer willing to trust to the co-operation of the French government.



### CHAPTER III

#### The Jacobites and the Second Treaty of Vienna, 1731

On the 15th of December, 1730 Lord Orrery and Colonel Cecil passed on to their King in Rome an unusually interesting and significant piece of information. After setting out yet again the established position of the English party, that no attempt was possible without foreign intervention, Lord Orrery hinted in his cautious way at a major change in the diplomatic situation which might soon "cause a disposition in some Prince to favour your Cause." "I have reason to believe", he continued, "that there are now some secret negotiations in Europe that are likely to turn to your advantage. Something of 'em will probably come to your knowledge before this letter can reach you and I dare say you will make a proper use of 'em, but, as far as I can judge it will be very fit for you to cultivate particularly a correspondence with such people of the greatest consequence in the Courts of France and Spain which seem to be least qualified to give you all the necessary assistance and from what is now transacting will probably be soon [illegible] into a disposition to serve you."

There is unfortunately a gap here in the manuscript. Lord Orrery, it would seem, had made some comment on the agents to be used in such a negotiation, for the letter continues "... in affairs of so great moment, I mean not from want of fidelity which I do not in the least suspect in any of 'em, but of either sensibility or dexterity, which I own I apprehend there may be if they should be committed to the care of those who usually conduct your business abroad. I believe I need only give these hints, if further lights from hence should be necessary for your behaviour, I shall do all in my power you shall not want 'em."

Colonel Cecil then took up the tale: "Thus far Lord Orrery", he wrote, "which has left me very little to add unless it may prove of some consequence to you to know that some few days since a person was dispatched from hence to Vienna with the broad seal and ordered to go direct to Prince Eugène without participation of any of the German Ministry, this affair, managed with utmost care and secrecy that this Court is capable of, being come to the knowledge of a friend of yours, and an account thereof sent to the Court of France, which I hope will produce some good effect."<sup>1</sup>

I have used Lord Orrery's letter as the starting-point for this discussion of the Jacobites and the Second Treaty of Vienna because both in content and in implication, it indicates the basic issues of Jacobite activity during

the decade 1730-1740: the separation of interest between France and England which was essential for the Jacobite interest; the sectarian divisions within the Jacobite party which counterbalanced the new diplomatic advantage; and the introduction of a new, high-level source of information from within the Hanoverian service.

In the first place Lord Orrery was quite correct in his facts. The well-informed "friend" had indeed given him the earliest intimation of a crucial move which Walpole made to end a state of diplomatic impasse which he was no longer prepared to tolerate.<sup>2</sup> Five years earlier, in 1725, the unexpected alliance of Spain and Austria in the First Treaty of Vienna had roused the fears of Europe that the old encircling Hapsburg Empire would be re-created by the marriage of Don Carlos to the elder daughter and heiress apparent of the Emperor Charles VI.<sup>3</sup> A counter-alliance of France with the Maritime Powers was quickly formed;<sup>4</sup> there were confrontations, wordy threatenings, even a spurt of firing before Gibraltar and in the West Indies; yet during these five years neither war nor diplomacy resolved the crisis.

The issues involved were long-standing and complex, especially those which related to the problem of securing some kind of stability in Northern Italy. The Treaty of Utrecht and the subsequent adjustments had divided that country between unsatisfied large powers and weak small

powers, so that former republics and city-states of the Renaissance era were interspersed amongst the territories more recently acquired by the ambitious rulers of Savoy. Austria by the same settlement held the Milanese, and, in Southern Italy, the old kingdoms of Naples and Sicily transferred from Spanish rule. By 1730 the political position in Italy was further complicated by the dynastic claims of Elizabeth Farnese, the second wife of Philip V of Spain. If the reigning Duke of Parma died without a male heir, his duchy would pass to Elizabeth or rather to her eldest son, Don Carlos. She had a similar claim to Tuscany – with this difference that Tuscany was a fief of the Empire, so that Don Carlos must be recognised as heir by Charles VI and do homage for his Tuscan inheritance. If both these duchies became the inheritance of a single ruler, the appanage of a Prince of Spain, the threat to Austrian interests was clear, since it meant the effective re-introduction of the Spanish presence in Northern Italy. For Spain and Austria, rivals and old antagonists in the struggle to dominate the Italian peninsula, the inheritance of Don Carlos was therefore a matter of vital concern; but neither France nor England would relish the suggested solution of a dynastic marriage which would fuse Spanish and Hapsburg claims in a single heritable unit. Behind the facade of warlike activity engendered by the First Treaty of Vienna, Fleury and Walpole manoeuvred for a settlement of

the Italian problem, playing on the mistrust and enmity which normally determined relations between Spain and Austria. In 1729, under the skillful guidance of Fleury, this policy produced the Treaty of Seville, whereby France and the Maritime Powers, having detached Spain, undertook to assist her in obtaining from the Emperor not only his recognition of Don Carlos as heir to the Duchies (which Austria had, in fact, conceded long before) but also his agreement to a more perilous condition, namely that when Don Carlos was received as heir within the Duchies, he should bring with him a garrison force of 6,000 Spanish soldiers.

The risk which Fleury took in making this agreement was that he tied himself down to a specific time for its fulfilment, and if the Emperor did not comply with the conditions, France and England were committed to the use of force on behalf of their new ally, Spain. It seems likely, however, that the Cardinal had no intention of honouring this commitment, for, when the specified time approached, he took appropriate measures. While the Spanish envoys clamoured for action,<sup>5</sup> he and his adjunct Chauvelin saw to it that the allied generals and diplomats were enmeshed in endless conferences where plans for war and peace, for contingents of troops and areas of attack were continually discussed and never acted on. The summer of 1730 was consumed in these preliminaries, till the campaigning season was manifestly over and the whole business of constraining

Austria by force of arms had to be postponed for another year.

Where Fleury miscalculated was that he failed to appreciate the psychological effect of these tactics on Spain and the way in which this, in turn, might affect England. The French were prepared for and could afford a waiting game; they might well feel that, in the long run, Austria would come into the agreement because the Emperor was short of money and could not afford to wage war without allies. But the pressure to make an immediate settlement was very much greater in Spain, where the driving force of Elizabeth's temperament and of her ambition for her son was heightened by the peculiar uncertainties of the king's recurrent mental illness.

In this situation England was more directly vulnerable to Spanish resentment than France. Both countries recognised the prime importance of their trading relation with Spain, and both were susceptible to pressure in this area. The alarm occasioned by the foundation of the Ostend Company in 1722<sup>6</sup> was intensified by the clauses in the First Treaty of Vienna which indicated that Spain, jealously monopolistic as she was, would give most-favoured nation treatment to her new ally Austria. French trade with the Spanish colonies was carried on through agents in Old Spain and the merchandise brought back to France was subject to an arbitrary tax before it left the Spanish ports. In

the autumn of 1730, on the arrival of the flota, the Spaniards made it clear that French goods would not be released until Spain was satisfied that the Treaty of Seville would be made effective.<sup>7</sup> The French made haste to transfer the blame for delays to England by inflating the number of troops they said they required to a level which (they might reasonably assume) would be quite unacceptable to the English Parliament.

Walpole, at this point, was certainly unwilling to encounter increased resentment from the government at Madrid. Unlike France, England had a direct trading contact with the Spanish colonies, a source not only of profit but of perpetual irritation to both countries; moreover the English still held Gibraltar and Port Mahon, a constant reminder to Spain of defeat in the earlier wars. Walpole had hoped by the Treaty of Seville to settle outstanding trade disputes without compromising England's hold of these key points in the Mediterranean, and the tactics of his French ally endangered his whole position. He had however his own solution to the problem. Over the protests of his brother Horace<sup>8</sup> and with the reluctant consent of his Cabinet he decided on a highly secret separate negotiation with the Emperor. His ambassador, Sir Thomas Robinson, was to offer England's guarantee of the Pragmatic Sanction<sup>9</sup> in return for the suppression of the Ostend Company and the admission of the 6,000 Spaniards to the Italian Duchies.

This was an offer that was fairly certain to bring the Emperor to a bargain; but it was equally certain to offend the government of France. The French had already made it clear they would not bind their hands in this way against contingent advantages in territory which might be won at the Emperor's death. Walpole was sufficiently aware of the probable reaction in France to wish to have the matter arranged as secretly as possible but — thanks in part to Lord Orrery's friend — the whole affair was known in Paris before his envoy had even reached Vienna. Almost at the same time Castelar, the new Spanish ambassador to France, made a formal declaration at Versailles that his government rejected the Treaty their allies had so signally failed to make good. By the end of January, 1731 all Europe was aware that if Spain, by the Declaration of Castelar, had repudiated the Treaty of Seville, England, in negotiating separately with Austria on conditions she knew France would not accept, had no less effectively dissolved the Alliance of Hanover.

In all these intricate manoeuvrings of the great powers the Jacobites could see little hope of obtaining the help they wanted. If the Treaty of Seville did produce a war, they might be able to utilise some combination of powers against England, but from O'Rourke's conversations with Prince Eugène and Starhemberg, Austria would do nothing



to help until war actually broke out. On 2nd June, 1730 he reported:

France being in close union with the English Government, the Emperor having no sea forces, could do but little or nothing that way ... and, in effect, till they are sure of Peace or War, it is to no purpose to importune them, their answers from the beginning have been very uniform as to that point. They flatter themselves always that the English government will at last be reduced to throw themselves into the Emperor's arms as formerly, tho' nothing like it be apparent.<sup>10</sup>

O'Brien, in Paris, was well-placed to follow Spanish efforts to compel their reluctant allies to some show of force. In his opinion France had no serious intention of going to war – provided Fleury maintained his position at the head of affairs; and, despite some attempts to supersede him, he was, by the end of the summer, once more clearly in full control of the government.<sup>11</sup> O'Brien then reported, as he followed the attempts of Castelar to pressure the French into action, that the likeliest hope of war came from a possible disagreement between France and England, especially if the English Parliament rejected the estimate for troops which the French demanded. In December 1730 he wrote to James:

... by all appearance France only supports a General War because she reckons England wont be able to furnish her contingent and the latter agrees to everything Spain demands of her because she is sure France, not wanting

war, will find some other expedient to dodge the proposal, for, at bottom, neither France nor England apparently want war and will do all they can to avoid it, flinging the blame from one to the other, which perhaps may, in the end, contribute to a serious breach between them.<sup>12</sup>

Although Lord Orrery informed neither O'Rourke nor O'Brien of Walpole's new move, they quickly registered the sudden change in the diplomatic climate. By 20th January O'Rourke had picked up the trail of the "puckle messenger" in Vienna, where, it seems, that indiscreet courier boasted to a fellow countryman that "... he would soon see here a splendid embassy from the Court of England".<sup>13</sup> O'Rourke was not surprised by this development. He had always anticipated that Austria would come to terms with England and he could give an informed guess at the probable lines of agreement. As he wrote to James:

I am persuaded, the English in particular will manage the Court of Spain's satisfaction as far as possible, least a rupture might deprive them of their great and beneficial trade with that kingdom and consequently break the government's neck. But I daresay that besides this general treaty there will be a private one closely made up betwixt them and this Court, that is to say a league offensive and defensive to which the Hollanders ... will accede. By these measures the Emperor will think his scheme secure as to the marriage and succession of his daughter in favour of the Duke of Lorraine or any other agreed upon, tho' whether his ministers calculate right on this point, time alone can show. I am of opinion they do not, and that without purchasing the friendship of France, they will one day fall short of their

expectations ... still I see nothing in this impending change that ought to discourage Your Majesty. If the English quit the French allyance as probably they will after a little time, you will always have a better game to play on that side than on this, where there was but very little good to be expected as all things stood.<sup>14</sup>

The reaction of France was indeed the critical element in the whole situation. On 28th December, O'Brien, still unaware of the timely information supplied to the French ministry by the Jacobites in London, already sensed that something unusual was in the wind. He had an interview with Chauvelin on that day and saw Fleury himself on the 29th December. On both occasions he noted an unexpected and favourable change of attitude towards his master: assurances of interest and sympathy, of their readiness to help when a suitable opportunity occurred and, better still, to pay the long-overdue arrears of the king's pension.

Trying, as usual, to lay hold of any opportunity to make use of potential differences between France and England, O'Brien had turned his discussion with Chauvelin to the contingents that France demanded from her allies for action against Austria, whose numbers, he thought, "will be little to the taste of the next English Parliament, who, by all appearances will be everything of the most 'orageux'". It was at this point that he noticed something curious about Chauvelin's response. When he hinted that the King "might

derive some advantage from this conjuncture", the Garde des Sceaux replied:

"We cant do any more ... until we see a little clearer into all that. But be well assured ... that I am very sincerely interested in all that regards the King". Then he said to me after being "un peu rêvé", "I vow your nation is very odd!" He stopped there, and then, a moment later, he begged me, in the event of my correspondents in England passing on to me any interesting news, to let him know it straightaway.<sup>15</sup>

When O'Brien saw Fleury himself on the following day, Chauvelin was present at the interview and the Cardinal pointedly associated his adjunct with his own cordial expressions of regard for the King and the Jacobite Cause, while expressing at the same time some doubts as to the sufficiency of support in England. When O'Brien assured him that "the people" were ready to rise if only they had arms, the Cardinal "was thoughtful for a little," then, addressing Chauvelin, "There is", he said, "a good plan for the King's restoration, but," he added, "it is not yet time to talk about that."

Taking it all together, O'Brien concludes "I dont know, Sir, if I am mistaken, but it seems to me, on reflection that Cardinal Fleury and Chauvelin dont think they are going to stay friends with England for any length of time. They apparently foresee that something is going to happen against their interests in the next English Parliament. There is apparently some mystery in all this which will soon be made clear."<sup>16</sup>

A week later O'Brien had solved his mystery. He learned from a knowledgeable friend that on 27th December news came from an agent in England "that a resolution had been taken in London to treat with the Emperor," and that the next day – the very day he saw Chauvelin – Fleury had called a meeting of the Council to discuss this information.<sup>17</sup>

What came to light at this point was a negotiation, not a treaty. The final pattern was still uncertain, for the Treaty between England and Austria was not signed until March, 1731 and Spain did not come into the arrangement until July, 1731. For about six months, therefore, the Jacobites, like other interested observers, could speculate endlessly on possible re-alignments of the major powers, and it seemed to them that, whatever the out-come, they must in some way be the gainers from the deep resentment of the French against Walpole's new diplomatic move. They even hoped, at first, that France might step in and make up a treaty herself with Spain and Austria; but the signing of the Second Treaty of Vienna on 16th March dispelled that illusion. Yet there was still the chance that Spain would not come to terms with Austria, but choose instead alliance with France against the old combination of Austria and the Maritime Powers. When, in the summer, Spain chose to rely rather on the help of England, the new isolation of France seemed at least to provide a real possibility of specific commitment to the Jacobite Cause.

O'Brien certainly lost no time in making all he could of the new situation. In the weeks that followed the disclosure of England's approach to Vienna, he constantly reminded the Foreign minister that the best and surest way for France to punish England's treachery would be to support the cause of England's rightful king; and, as constantly he was assured by the French that the king's interest was safe in their hands but that they must choose their own time to help him. Secrecy was essential, and to avoid giving any cause for suspicion, the King must remain apparently inactive in Rome until the French ministry directed him to leave Italy.<sup>18</sup> His financial needs would be considered, and, in fine, he must trust them to do their best. This was precisely the kind of argument that was most difficult to refute.<sup>19</sup> O'Brien, who had begun by pressing for the King's return to Avignon, if not to France, allowed that matter to drop. Part of the arrears of the pension were paid and the rest promised, but, somehow or other, never actually paid, and as the French seemed so co-operative in thinking about "an enterprise", O'Brien did not want to harass them about minor points. So, at the end of six months, and in spite of the surge of hope the new situation occasioned, he seemed no further forward in obtaining any real assistance from the French government.

During the same six months, while O'Brien found himself thus baffled and disappointed, the Jacobites in

England were convinced that they, at last, had found a sure means to win French support for a rebellion in England; but they communicated no details of their plans either to O'Brien or to James himself. That they should exclude O'Brien was to be expected, for they had already, in Orrery's letter of 15th December, 1730, hinted at some reservation about entrusting their business to those who were usually employed in the king's affairs abroad.<sup>20</sup> Orrery himself was the friend and pupil of Atterbury,<sup>21</sup> and since the failure of the Atterbury plot in 1722 he and the other Jacobites in England had seen recurrent crises in the leadership of the party abroad. Mar had been discredited as a traitor, Dillon and Lansdowne, his associates, discarded. After a brief period when Atterbury himself represented the Jacobite Cause in Paris, there came the whole business of the quarrel between James and Clementina, with the subsidiary accusations of treason against the King's friend, Lord Inverness, and the King's determination to keep him in his Court. At the same time they saw Atterbury replaced in Paris by Daniel O'Brien, a close friend of Inverness, a Catholic, an Irishman born and reared in France, whereas the enduring strength of English Jacobitism was the High Church Protestant strand: the men who saw Atterbury as their leader, their martyr – if not quite their saint.

It was one thing for the English Jacobites to exclude O'Brien from their confidence; but in this instance

they chose to exclude their king also; and the reason, almost certainly, was the presence of Arthur Dillon as the principal person involved in the new conspiracy.

General Arthur Dillon was, indeed, one of the best-known Jacobites in France.<sup>22</sup> He was descended from an old Anglo-Norman family who settled in Ireland under Henry II, and his forbears had a strong tradition of loyalty to the English Crown. Under Elizabeth they gained lands and power that were forfeited under Cromwell and restored by Charles II. When Ireland supported James II in his efforts to regain the throne, Theobald de Dillon raised his own regiment and named his second son, Arthur, then twenty years old, as colonel-proprietor. When the Irish brigades were transferred to the service of France in 1690, young Arthur Dillon, confirmed in command by the French Government, began a military career that took him, unscathed, through every major campaign in Italy and Spain in the next twenty years. He quickly gained a wide reputation for his gallantry and military skill as well as for his good looks and his good luck. By 1706 he reached the rank of Lieutenant-General, approved and distinguished for his ability by Tessé, de Villars and Berwick. At the end of the war he seemed an ideal choice to represent the Jacobite interest in Paris, after the exiled King had been compelled to leave France and settle at Rome. But Dillon, as Jacobite agent, proved to be naive, incompetent and irresponsible. His handling of the



correspondence at the time of the Atterbury plot was dangerously casual; he was dominated by Mar, accepting all his schemes without question, and, although it was considered he had no share in Mar's treachery, his dismissal as Jacobite agent came soon after Atterbury took over that responsibility.<sup>23</sup>

By 1730 Dillon was aging, somewhat discredited in his own party, his eldest son now commanding his regiment, four other sons and a wife and daughters needing provision — and he an improvident if not an impoverished man. At this point chance seemed to open for him a way to regain his position within the Jacobite hierarchy, even perhaps to re-establish his claim to a share of Jacobite patronage. Some time in late December or early January,<sup>24</sup> he was approached by the man who passed on to the French the information about Walpole's secret negotiation at the Court of Vienna, and together they engaged in a conspiracy for an enterprise in the King's favour.

The information we have about Dillon's plan comes from two sources: in the Stuart papers, apart from Dillon's own letters, we have the correspondence of the English Jacobites, Lord Orrery and Colonel Cecil, and the letters of James, Atterbury, Ormonde and O'Brien. In the State Papers and the Additional Manuscripts (Newcastle Papers) there are the reports of the Hanoverian spy, John Semple,<sup>25</sup>

who was, at this time, still monitoring what passed in Atterbury's household, and sending to England what he could collect (or invent) about Jacobite activity in Paris.<sup>26</sup>

From these various accounts and references it is clear that the plot included a mixture of ideas and a mixture of persons, some of whom were apparently quite unaware of the activities of the others.

Dillon himself first mentioned his plan in a letter to Ormonde on 4th June, 1731.<sup>27</sup> At this point Spain had not yet agreed to the Second Treaty of Vienna which had been signed by England and Austria in March. Both England and France were anxiously concerned about Spain's pending decision, and the relationship between France and Spain was seen as the crucial element in resolving the diplomatic situation. Ormonde was still at Madrid, and Dillon proposed to use his access at the Spanish Court to present his plan to Philip and Elizabeth before they committed Spain to the English alliance. He sent Ormonde, therefore, a suggestion for a proposed attack on England on behalf of the Stuart King and a letter addressed to Philip V, in the hope that Ormonde would pass these on and re-inforce this appeal with his own influence and support.

Dillon began his private letter to Ormonde with a reference to the un-named "friend" in England – the very man who had given the French the first information about

Walpole's negotiation in Vienna, and who had continued to supply information to the French government.

His ostensible reason for telling Ormonde about this informant was to explain his own proceedings. He made use, he said, of the "various and frequent conferences" he had with Cardinal Fleury to do everything he could to increase ill-will and mistrust between France and England. Then, when Fleury seemed sufficiently convinced of English treachery, Dillon, urged on by "the pressing messages" he received from friends in England, showed the Cardinal the memorial and letter he now sent to Ormonde.

Although the Cardinal "strictly enjoined" that no use should be made of his name at the Court of Spain, Dillon expressed himself as convinced that, once Spain agreed to act, all necessary preparations would be made in France for a joint expedition against England.

Of the two open letters which Dillon dispatched to Ormonde, that to Philip V<sup>28</sup> was almost urgent in its warning of English treachery; under a specious guise of conciliation, he averred, Walpole, a master of intrigue, was planning to renew the old grand alliance, attack the interests of the two Bourbon powers and especially challenge their commercial and colonial rights in the Americas; and, to authenticate these allegations, Dillon added "this is the plan, Sir, on which the English Ministry has resolved to arrange, for the first sitting of Parliament, the system of

conduct they propose to follow. I have received the information for the advantage of the two Crowns by the friends of King James, who spare no pains to penetrate the secrets of the Court." Ormonde, of course had already been given a specific instance of the kind of information available through these friends, by Dillon's reference to the man who told Fleury of the negotiations at Vienna.

The open letter to Ormonde<sup>29</sup> suggested that Dillon, in making his proposals, represented the wishes of influential friends in England, where the Hanoverian was hated and the people longed for the restoration of their rightful King. If an expedition could be mounted to take advantage of this situation, the Spaniards might land in the Bristol Channel area, controlling the South and West and intercepting reinforcements from Ireland, while the French might land somewhere in the Thames estuary; for Dillon, once more, stated that he was certain of the full co-operation of France, once Spain had decided on action, and once more he sounded a note of urgency; a decision should be taken now, immediately, to take advantage of the summer season, and more important, of the rumoured absence of the English fleet, which was thought to have been ordered to the Mediterranean. Attack is the best defence, Ormonde and Philip are reminded, and if Walpole is really planning an onslaught on the Bourbon powers, he should be anticipated by

an enterprise that would be the signal for revolution at home.

To James Dillon sent copies of these documents with a covering letter which stressed the same points: the access to information of his (still un-named) English friend, who was "particularly known and trusted by Lord Orrery and many others of Your Majesty's principal friends in England", and the willingness of France to listen to his proposals and to act if Spain would agree. To James, as to Ormonde, he stressed the secrecy with which he was conducting the affair, affirming unequivocally that only Atterbury and Ormonde amongst the Jacobites abroad knew his purpose, and, in the French ministry, only the Cardinal and d'Angervillar, the Minister of War, were concerned.<sup>30</sup>

Atterbury confirmed his own knowledge of the plan in a letter to James on 11th June,<sup>31</sup> expressing his surprise that Dillon should consult him at all on the subject – until he found that Dillon was apparently doing so on the instructions of Cardinal Fleury; he recommended him very strongly to write direct to Rome and inform the King of what was going forward.

Finally, a fortnight later we have a letter from Orrery,<sup>32</sup> who now asked that James should immediately send to Paris the required credentials for the envoy he was about to dispatch to France, to speak directly to the Cardinal on behalf of the English Jacobites. The agent who had hitherto

acted as courier had been "taken notice of and much suspected by the Government to have been with messages to their prejudice". He himself was constantly under surveillance, afraid of attracting Walpole's attention at this critical moment, so that though he had actually hired a house in Paris, he judged it wiser not to move from England. He had therefore prevailed on Captain Charles Hardy, a zealous, discreet and trustworthy gentleman, who had "a good pretense to go over upon his own affairs" to act in his stead and see the Cardinal in person.<sup>33</sup>

Orrery, too, pressed his request with a sense of urgency; "This is the only machine that I think is to be used with the greatest likelihood of success for your service and 'tis pity that the disposition in France to help you and the Spirit of the Nation here to second any rational attempt in your favour should not be properly made use of ... there cannot well be expected a fairer opportunity for any invasion than will be given this summer when the fleet is gone as it probably will be in a few weeks, but if that opportunity be lost it may fling your most zealous friends into a despondency out of which it will be very hard to recover 'em."

In truth it was all quite unrealistic - this flurry of activity and the urgency that pervades the correspondence of Dillon and Orrery. Their plan never had the remotest chance of being adopted by anyone. Before Dillon's letters

even reached Ormonde in Madrid, Philip V had agreed to the Second Treaty of Vienna and accepted Walpole's assistance in establishing Don Carlos in Parma. Ormonde simply wrote briefly to James saying that as he had not corresponded with Dillon for six years and as Spain had already decided to accept the Treaty, he saw no need for any action on his part.<sup>34</sup>

In putting forward his plan to James and Ormonde Dillon had been careful to adopt an apologetic tone, deprecating his own role, claiming to act as a private – but zealous – supporter of the Cause. "Providence", he wrote to the king, "is pleased to put it in my way to show my zeal for Your Majesty's service in the only manner suitable to my genius and profession and I judged it would be a great crime and failing in my duty to omit improving the favourable opportunity that offered."<sup>35</sup> But James reacted with anger and with a complete rejection of the General and his scheme. He would never again trust Dillon or anyone associated with him; he would not even reply to him, being well aware that so much as civil acknowledgment could be construed – or misconstrued – into approval of his proceedings. He wrote immediately to Orrery to make his own position clear: "I dont think fit to make any reply to this letter of Mr. Dillon's and must earnestly recommend to my friends to have no dealings with him. I should think I wronged him to suspect his honesty, but I know by experience that through

weakness or want of caution, he may draw into the greatest inconveniences those who have any dealings with him."

In view of Dillon's proved incapacity and lack of judgment, James even suspected that the whole affair might be a scheme of Walpole's, with the un-named English friend as agent provocateur. Security therefore required that the plan should be cancelled and Dillon disowned as quickly as possible. Atterbury and Ormonde were informed, and to O'Brien James sent copies of all the documents with instructions to see the Cardinal and explain that the King would not employ General Dillon or approve any scheme he might put forward – or indeed any scheme that was not arranged directly with himself and through his appointed agents.<sup>37</sup>

In this prompt repudiation of the plan, James was acting on something more than the mistrust that arose from the General's previous record as his agent. In his letter of the 11th June Dillon had stated quite clearly that no one was aware of his scheme except the Cardinal and the Minister of War. He wrote again on 18th June "... to clear all doubts and the most minute suspicion I judge it necessary to inform your Majesty by this post I neither have nor will open my mind directly nor indirectly to any person whatsoever that have been concerned in your affairs except my friend in London and the Bishop of Rochester here ... and the Duke of Ormonde."<sup>38</sup> But James immediately recognised



that the documents Dillon sent him were in the handwriting of a man called Chris Glasgcoe, a man of dubious character who had played a minor role in earlier conspiracies when Dillon was in charge at Paris, and who was reported to be currently employed in translating and editing English pamphlets for the French Minister of War.<sup>39</sup> His surmise that more people were involved than Dillon had been willing to admit was confirmed by Atterbury, who learned (though not from Dillon) the names of others involved in the conspiracy.<sup>40</sup> They were a fringe group, various in character and antecedent; besides Chris Glasgcoe who acted as secretary, there was Lord North and Grey,<sup>41</sup> a younger contemporary of Dillon who, like him – but on the opposite side – gained distinction as a soldier in Marlborough's wars. Till 1721, although he was known to be a Jacobite sympathiser, he, held office under the Crown; in Hanoverian England, as Lord-Lieutenant of his county, and Governor of Portsmouth; but he was an extravagant man and somehow in 1721 he was drawn into Laver's plot, sent to the Tower, and, when he was released on bail, finally took refuge abroad and threw in his lot with the Jacobites. The Abbé Dunne, a priest with a living near Paris, was another named; Colonel Brett, an old acquaintance of the Duke of Ormonde, reputed to be honest as well as zealous, but with little to live on and a family to support; and a certain Martin O'Connor,<sup>42</sup> an entrepreneur with a special interest in mining, an

activity he combined easily with his political role as Jacobite agent.

Atterbury's informant was the Hanoverian spy, John Semple, an Irishman, "an old hungry Jacobite agent who takes money where he can get it",<sup>43</sup> so Pelham describes him, who provided Walpole with an account of a plot in which appear all the conspirators Atterbury mentioned to James.<sup>44</sup> It seems that Dillon and his confederates had a second plan, one never mentioned to James or Ormonde or Atterbury, a plan which involved persuading the French Ministry to take some steps which would lower the funds in England and enable their agents to make large sums of money on the stock exchange. "The Resolution of the Ministry", Semple wrote on July 30th, "upon the report of forces being ordered to Dunquerque has staggered the measures of this Court, who was ... made to believe upon such a motion the funds would sink and the nation start out into a flame of rebellion and the Cardinal was advised to give such orders to that purport ..."<sup>45</sup>

In the middle of August (by which time, of course, James had acted to put an end to Dillon's "meddling" as he called it), Semple reported that the group in Paris "continue to cabal through Villars ... but I find it a general opinion amongst them that it will be impossible to make the Cardinal undertake anything in their favour, however he gives them hopes and flatters himself, by feeding

the faction, to hamper and distress government measures and has hearkened to little projects to reduce the stocks (for three or four days) in order to give advantages to proper agents to buy them up." Atterbury certainly disapproved both of the plot and the plotters: "I find," Semple notes, "he hates stockjobbing particularly, when I talked of making them tumble, because that was getting money by the ruin of others which was below a man of honour."<sup>47</sup>

Atterbury gave James no details of this secondary plan, and Orrery and Hardy, if they knew of it, do not mention it in their letters to the King. Nevertheless James was convinced (rightly enough) that in "all the circumstances of this affair there appears to have been a great deal of manège ... and not a little knavery."<sup>48</sup> His initial suspicions were confirmed by the receipt of letters from Orrery, Cecil and Hardy. The English Jacobites explained that they had been, at first, reluctant to act with Dillon, aware of the objections against him. They had not sought him out, he had contacted them, and he was the channel through whom the English informer sent the vital information about the Treaty of Vienna. He had latterly been so convincing and so specific in his accounts of French assistance (his English contact reported that Dillon even named a force of 20,000 troops and the imminent departure of James and Ormonde to join the expedition) that they had allowed themselves to be persuaded of the reality of his

conspiracy.<sup>49</sup> It was only when Hardy and Orrery came to Paris late in July 1731, that they found the whole thing a fiasco, Spain firmly committed to Walpole and Dillon himself discredited at the French Court. As James pointed out in his reply to Atterbury, whether it was Dillon or his English contact who deliberately deceived the English Jacobites, "somewhere or other there is certainly a great dale of roguery. It is plain there was a premeditated design to impose upon all concerned and to draw you and I into the authorising of these matters by having some share in them."<sup>50</sup>

The only real effect of Dillon's conspiracy was to consolidate the position of the man whom Orrery and the English Jacobites had so consistently by-passed and ignored. O'Brien, indeed, constantly frustrated in his own efforts to get help from France, was quite sufficiently alert to the possibility that something else might be going on. In February he noticed that Dillon was very frequently closeted with the Minister of War, but he was assured that this was simply on routine business;<sup>51</sup> then – oddly enough, as O'Brien thought – Dillon himself called, apparently just to remind the King, through his agent, of his desire to be useful to the Cause.<sup>52</sup> James assured O'Brien that Dillon would not be restored to favour at least until he dealt with matters still outstanding from his dismissal six years earlier – money and papers, received by him as Jacobite

agent, for which no account had yet been rendered.<sup>53</sup> As to his conferences with the Minister of War, O'Brien was instructed to inform the Cardinal and Chauvelin that, in the King's opinion, if they had any enterprise in mind, "it would be very dangerous to put Mr. Dillon in any such confidence considering his former intimacy with the Duke of Mar and that party."<sup>54</sup>

There is evidence that James was, in fact, already uneasy about some hidden scheme. At the beginning of May he received a letter from Orrery mentioning a negotiation with the French Court, but giving no details. He took the occasion of answering a private letter which Fleury had sent by Cardinal Polignac to warn the French Minister against unauthorised and dangerous schemes:

I learned a few days ago that Lord Orrery has been for some time in communication with you and that he may soon come to France to concert there an expedition in my favour. I have not been told the details but if, as I hope, you are thinking seriously of taking up my cause, it is as necessary for the glory and advantage of France as well as for my interest that such an enterprise should be conducted with the greatest secrecy and that one should take all the precautions necessary to ensure its success. Lord Orrery is a man of spirit and of worth and I regard him as a man who is much attached to me. However it will be necessary, in the case of an expedition, that one should take wider measures that they should not be known to those who watch him or to those in whom he confides while waiting. It will be equally necessary, in my opinion, not to discourage him and even to give him some hopes but on the other hand not to declare to him any further the resolution which you may have taken in my favour. I assume it

cant be done for some months and it would be best if I could have warning of it some time before if possible so that I can dispose of everything and do all that must be done to the same end...<sup>55</sup>

James then went on to recommend Fleury to confer about the whole matter with his half-sister the Duchess of Buckingham,<sup>56</sup> who had visited him in Rome and was about to return to England. At this time he not only thoroughly trusted his kinswoman but believed she could act with discretion as well as zeal and speak for him in a very personal way. He could hardly give her any official status as a messenger to the French court but he hoped to convince Fleury that she could give him valuable information about the situation in England and that she herself was in close contact with men who could be politically useful in the event of a rising. Finally, James repeated his specific warning against the very men whose unauthorised initiatives in his favour the French were, even then, encouraging:

The Bishop of Rochester is a gentleman of great worth, who is much attached to my interest, but I have, myself, well-founded doubts with regard to his secrecy. You know that Mr. Dillon is no longer in my confidence; he is a good officer and he has his merits, but the connection he has had with the Duke of Mar would, in my opinion, be dangerous and should absolutely prevent one from making him a confidant in matters requiring secrecy.<sup>57</sup>

O'Brien, all this time, kept an eye on Dillon's activities. He knew that Dillon made a swift and secret

journey to the coast of Normandy to meet someone from England, although, like Semple, he was unable to discover the identity of this man.<sup>58</sup> He reported receiving visits from Lord North and Gray (apparently a courtesy call to assure him of his wish to be of service to the King) and from Abbé Dunne, who was plainly fishing for information about how much or how little O'Brien knew of their plans.<sup>59</sup> As soon as he received copies of the correspondence from Rome, he was therefore prompt and ready in action to neutralise the whole project. He discussed the whole matter at length with Fleury, who assured him that he had never given Dillon any encouragement beyond the most vague and general expressions of good-will for the Jacobite Cause, that he had never authorised or instructed him to consult Atterbury on his project, that he had allowed him to forward his documents to Spain only with the object of probing Spanish intentions towards England and Austria. He would certainly give no assistance to plans of which the King himself was not informed and he would be pleased if O'Brien himself could be the channel through whom any future scheme could be discussed.<sup>60</sup>

O'Brien's position as official agent, having the "secret" of his Court, was thus assured. The English Jacobites were now, at last, prepared to accept the King's instructions to work with him; and the rejection of Dillon's plan had a secondary effect which strengthened his position

still further, for it put an end to a negotiation, or rather to a series of conversations between Atterbury and a member of the French Court, M. de Pézé.<sup>61</sup>

It seems that, almost in spite of himself, Atterbury had begun once more to take an active interest in the Cause. The sudden change in the diplomatic situation renewed his hopes, despite his mistrust of Fleury. So long as Spain had not come into the arrangement, it still seemed possible she might choose alliance with France; and Atterbury could not help speculating on the greater probability of help which the new situation seemed to offer. Although, as we have seen, he knew of Dillon's plan and disapproved of it, he regarded it as yet another proof that, this time, France was really inclined to assist the Jacobites.

Atterbury, therefore, was already moving towards involvement when, according to his own account, he "... received several visits from a person of consequence, by his [the Cardinal's] order, none of which I sought or could reasonably seek."<sup>62</sup> The "person of consequence" is identified, from Semple's account, as the Marquis de Pézé. Was he, or was he not, authorised by the Cardinal to make this approach to Atterbury? Semple's reports are, as always, more discursive than reliable on such points. Pelham, an attaché at the English Embassy, who knew the persons concerned, states the problem thus:



...it is very difficult to reason on any parts of this [i.e. Semple's] account, unless one was thoroughly persuaded of the truth of them. What he says about Pézé looks like the truth – the Cardinal admits people have been trying to engage him in favour of the Pretender, but that he would never hearken to schemes of that kind.

Pézé is a very enterprising, ambitious fellow, and if he could make himself a man of consideration here, would undertake any project, ever so extravagant, by which he thought he could acquire such a character. Therefore, as he is very intimate with the Cardinal, he might probably watch some favourable opportunity when he thought His Eminence not in a good temper with England, and might then ask leave to have some interview with Atterbury, which, though the Cardinal did not consent to, yet if he did not absolutely forbid, would be sufficient to encourage Pézé making that acquaintance.<sup>63</sup>

All this sounds likely enough, but there are objections. Fleury's exercise of power was sustained by a constant surveillance of the Court, and the recent failure of the conspiracy against him had shown that he knew how to distance those who opposed or were likely to supersede him. It seems to me unlikely that Pézé, an experienced courtier, would really act on his own authority, and without some explicit approval from the Cardinal, in contacting a well-known Jacobite like Atterbury – although Fleury might well intend the English should think so. There is, however, one possible reason why he might have done so. Sir Peter Redmond (to whom the obliging Pézé sent "good pheasants"), tells us that Pézé was of the inner circle at Court, close to the King, colonel of his regiment, governor of the Bois

de Boulogne, "present at all the king's parties of pleasure".<sup>64</sup> If Pézé suggested to the king – or the king to Pézé – some approach to Atterbury, it is probable that the Cardinal would be aware of the situation, that he would make no direct opposition, but that, sooner or later, he would find some pretext to put an end to any such intrigue. Certainly, as soon as James had intimated that he regarded O'Brien as his representative in any negotiation about a possible enterprise, Pézé was dis-countenanced, and the "conversations" came to an abrupt end. For Atterbury this was yet another repulse from his King, another rejection in favour of a man whom he greatly disliked and who had, by now, superseded him in the key position of Jacobite contacts with France.

O'Brien, meanwhile, feeling himself to be in the confidence of the French Government as well as of the King, was intent on constructing a plan which would meet with the approval of both. Already he had held private conversations with a naval officer in the French service, a man called Cassard, who had gained some reputation in the earlier wars, both in Europe and the West Indies.<sup>65</sup> Cassard had a cherished scheme for the invasion of England – briefly a kind of D-day in reverse.<sup>66</sup> The invasion was to be made by a great fleet of fishing vessels, carrying pre-fabricated small landing-craft, which were to be put together by carpenters during the twelve-hour crossing. With these,

Cassard reckoned he could get the men ashore at almost any spot on the opposite coast and in areas where the English ships could not manoeuvre because of their size. He believed that, if properly planned, the whole thing could be done secretly and that a few warships in the vicinity would provide sufficient cover. The time of year for the invasion was a matter of some debate. Cassard preferred winter, because at that season, the invasion would be more unexpected, the big ships and even the coast-guard vessels probably laid up in port and the long hours of darkness would favour the crossing being made without discovery, till the men were almost ashore.<sup>67</sup> O'Brien himself thought that the weather then would make campaigning more difficult and, in any case, the English gentry, on whose support the invasion force must rely, would be less likely to turn out to help at that season of the year.<sup>68</sup>

On the whole, however, O'Brien was much taken with Cassard's scheme and believed that, once the Cardinal was convinced of English support, the ministry could be persuaded to adopt his plan of landing the troops suddenly and in force somewhere on the south coast, to provide a rallying point for partisans in a country reported to be on the verge of revolution. But before this plausible project could be put into action, the French Government must be made certain that the support was really there. It was therefore all-important that Captain Hardy, or some other duly-

authorised envoy, should meet with the Cardinal and Chauvelin and give the requisite assurances that the English Jacobites were ready, willing and prepared to support the invasion.<sup>69</sup> James himself had written to his supporters in England, asking them to send an envoy to France. The sudden death of Orrery in August that year had given the English Jacobites some excuse for delay; but in mid-November they sent Captain Hardy again to Paris, where O'Brien reported that Chauvelin and Fleury were now showing an active interest in the scheme he had suggested.<sup>70</sup>

O'Brien found Hardy to be zealous and helpful, but almost morbidly nervous and suspicious.<sup>71</sup> It is possible, I think, that this Charles Hardy came from the Jersey family which supplied an Admiral of the same name to the Hanoverian side.<sup>72</sup> He was certainly bilingual; his notes to O'Brien, arranging for meetings, reporting progress, etc., are written in French with idiomatic ease; and his ostensible business in Paris was to act as spokesman for English shareholders who had lost money in Law's schemes in their efforts to get compensation from the French Government. He was recommended in that capacity by Lord Arlington and duly invited by Waldegrave to dine at the Embassy in Paris, where, in fact, he had already been named by the spy, John Semple, as an associate in Dillon's plot.<sup>73</sup>

By the end of December everything seemed to be in train for a possible enterprise, provided the French could

be convinced that there was solid support for the Jacobites in England. This was a point on which O'Brien himself was optimistic, but not without uncertainty. He would very much have preferred that Chauvelin and the Cardinal should simply accept Hardy's assurances that the country was ready to rise as soon as the expeditionary force landed. Still, as a professional soldier, he could hardly deny that the French were entitled to something much more specific in the way of information and co-ordinated planning before they risked men and money on such an enterprise.<sup>74</sup> So Hardy was dispatched to England early in January 1732 with a list of queries to be answered in detail before the final decision would be taken. On 7th January, Hardy wrote to James that:

M. Chauvelin assured him they were determined to attempt the Restoration provided the King's friends in England would satisfy him on the following articles: (1) what number of loyalist troops may be depended on to join the foreign troops in a certain short time and under whose command and direction; (2) in how many days can 2,000 horses be provided for the foreign troops; (3) how provisions can be supplied for the foreign troops if the supplies by sea are stopped; (4) to agree upon the most proper road for the enterprise and where to make the embarkation. These things M. Chauvelin desired Mr. Hardy would communicate to and concert with some few of the King's friends, such as could best answer for the rest and to transmit the result to him, which, if satisfactory, will make him prepare for the execution of the project.<sup>75</sup>

Hardy, however, found it was no easy matter to observe the secrecy enjoined on him and at the same time to

get the detailed answers the French demanded. In March he wrote that Gower would not join the plan if Chauvelin were concerned and Bathurst took the same view, influenced, he thought, by Bolingbroke and the Duke of Berwick.<sup>76</sup> In April he was still unable to demonstrate a definite basis of support in England and he asked that Chauvelin would give him something in writing to help convince the English Jacobites that France was serious in offering help.<sup>77</sup> Chauvelin was too good a lawyer to put anything of that kind in writing. He merely repeated that when Hardy had the answers to the list of questions and the definite commitment to support for an invasion, he should come over and report verbally to the French Ministry.

O'Brien and James had considered other ways of helping the French to decide, such as sending one, or possibly, two envoys who would contact each their own group in England and report back to the French government, if possible without even being made aware of each other's mission. This was dismissed as impracticable (although it shows the depth of mistrust and division within the party at home), and, in the absence of any likelihood that any of the men of consequence would commit themselves openly by coming to Paris and talking to Fleury, James and O'Brien were compelled to put their whole reliance on Hardy and his verbal report to the Cardinal and Chauvelin.

The plan had been that the rising should take place after the recess of Parliament, when George II had departed for his usual visit to Hanover.<sup>78</sup> As the time drew near, O'Brien noted, with increasing anxiety, the apparent lack of preparation on the French side and the slowness of Captain Hardy in providing the essential information from England.<sup>79</sup> There were flurries of alarm, too, in the English ministry, which seemed uneasy, yet without, apparently, having discovered the plot.<sup>80</sup> Was it the build-up of Spanish naval forces that had all the Courts in Europe guessing until the fleet sailed for Oran? Yet, even so, the English might think that to be a blind. According to Chauvelin, they were on the watch for something, for they stopped and searched private vessels in the Channel, and, for some weeks, O'Brien was forbidden to write to Hardy.<sup>81</sup> They were watching the Duchess of Buckingham, too, and she hardly improved matters by taking alarm and departing so hastily for Boulogne.<sup>82</sup> Nevertheless, James and O'Brien went on with the preparations. Arrangements were made to print the Declarations which had been prepared in consultation with the party in England; a power of Regency was drawn up for Ormonde, who was to wait at Avignon for the signal to take command of the expedition.<sup>83</sup> Then, at last, in late June, Hardy came to Paris.

And there, to O'Brien's intense disappointment,

it all came to an end. After two interviews, Chauvelin and the Cardinal told Hardy that his information did not justify French commitment to the proposed enterprise, since he had not produced sufficient evidence of definite support in England, nor of definite preparations there to join the French invading troops.<sup>85</sup>

Between them James and his minister set about analysing the reasons for this failure. O'Brien thought that it was partly due to Hardy's own suspicious temper; he had obviously failed to establish an easy relationship with Chauvelin in their interviews, and he was, in any case, annoyed at Chauvelin's refusal to give him a written invitation to come to France – the guarantee he maintained was needed to convince the party in England that the scheme was genuine. Chauvelin, on the other hand, told O'Brien that, personally, he was as willing as he had ever been to go ahead with the plans as soon as the English party gave the required guarantees; and he added that it was difficult to deal with Hardy, who took every question as a refusal of assistance.

James himself felt that the lack of unity in the party in England and their failure to produce a leader of status enough to deal, on a personal basis, with the French government, were serious obstacles to getting the help he wanted. He says, however, and presumably thought, that these hindrances could have been overcome, if the invasion



actually started; that once the thing was really happening, his friends in England would forget their differences and join in the good work; but he appreciated the fact that the French government would not hazard an invasion on such a chance.<sup>86</sup>

There were other factors which might have influenced the French decision. Hardy, naturally, was not inclined to blame himself.<sup>87</sup> His explanation was that Chauvelin had been listening to the advice of Bolingbroke, conveyed through Chavigny, the French ambassador in London; and Bolingbroke, for his own purposes, would assure the French government a Jacobite invasion had no hope of success.<sup>88</sup> When Cecil finally wrote to James in response to his plea for support and unity at home, he denied that the party in England was to blame. In his opinion it was the French who put the matter off because of their internal constitutional crisis; and indeed, the crucial time of Hardy's visit did coincide with one of the early confrontations between Louis XV and his Parlement over the Bull Unigenitus.<sup>89</sup>

Whatever the reasons, the French said they would not help, until they had something much more like a definite pledge of support from the English Jacobites; so Hardy (placated by O'Brien, who arranged another interview with Chauvelin), went back to try again. O'Brien himself, meanwhile, was instructed to visit Avignon and discuss the whole matter with the Duke of Ormonde, who would have first-

hand information of the condition of affairs in Spain, for, amongst other possible explanations of the French refusal, both James and O'Brien speculated on the question of Chauvelin's negotiations with Spain.<sup>90</sup> If he were, in fact, working secretly for a Treaty between the two Bourbon powers, it might be that, at this stage, he wanted to postpone an overt breach with England until he was definitely assured of the alliance with Spain, and there were some hints of confirmation of this view. From what Ormonde said, it looked as though Patino<sup>91</sup> had even wished to keep him longer in Spain, probably only as a means of putting pressure on the English Government to back Don Carlos in their arguments with the Emperor over protocol, still – it might be significant. Then O'Brien had a curious report from his friend Macanas, that Castelar had instructions to concert measures with France to help the Jacobites. On the other hand O'Brien's own conversations with Fleury suggested that there was as yet no definite arrangement between the two countries – and Macanas was not always reliable as a source. James himself did not think that Spain was seriously inclined to help, although he did believe a treaty between France and Spain would provide a challenge to England which must advance his interests.<sup>92</sup>

All the factors considered by James and his advisers were, at one level, reasonable and possible explanations, taken singly or together, for French withdrawal from the

scheme. What the Jacobites failed to assess was whether or not the French had ever seriously intended to back an expedition, and the whole trend of French policy at this time suggests that they did not.<sup>93</sup> Fleury and his adjunct lost nothing by their seeming acquiescence in Jacobite schemes and they gained some substantial advantages. The Second Treaty of Vienna, as we have seen, placed France in a new diplomatic isolation under circumstances that roused deep resentment against England, a resentment which, under Fleury's policy, was outwardly suppressed in their dealings with the English Government. But the way in which Walpole concluded the Treaty, both the secrecy and the success of the negotiation, had in it something of humiliation for Fleury himself as first minister. The Jacobites were quick to note this point. As O'Brien wrote, "this minister cannot but be irritated to the last degree by the procedures of the English and it is in his interest to be avenged for it ... he cannot get away from the contempt into which he has fallen but by a 'coup d'éclat'".<sup>94</sup> A show of support for the Stuart Cause would have the backing of some highly-placed individuals whose influence, strengthened by Jacobite pressure in the new circumstances, might have threatened Fleury's own position as head of government. Pelham commented in a letter to Delafaye on 21st July, 1731:

There are, no doubt many officious persons at this Court who would willingly persuade the Cardinal to some vigorous resolution

perhaps preferably against England than any other nation, in order by this measure, to get some share of the administration into their own hands, but I believe His Eminency, though he may not be quite so heartily a friend to us as formerly, will still keep to himself the absolute power of this country and not undertake anything that can create a confusion in Europe.<sup>95</sup>

Pelham's reading of the situation was substantially correct. Fleury was quite ready to maintain his official stance of dignified aloofness from the new diplomatic arrangement in Europe and assure Waldegrave that he would not listen to the Jacobites or any others who wanted to push him into active retaliation against England. At the same time he had strong reasons for appearing to favour, privately, an enterprise in favour of the exiled King. I suggest he used the Jacobites – used, indeed the divisions within the Jacobite movement – to anticipate and control opposition from within the French government against his own position. For example, the Minister of War (if Semple is to be believed) was actively against Fleury's policy;<sup>96</sup> but Fleury could allow d'Angervillar to confer at length with Dillon, and apparently with his approval, because he knew that Dillon's schemes would be instantly repudiated by James as soon as they were known to him. As I have already mentioned, it seems likely that Fleury used that incident to put an end to Pézé's contact with Atterbury. In both instances plans that were potentially dangerous to the Cardinal's control of government were ended on a plea of

conformity with the wishes of the King in Rome, thus saving Fleury himself from the disadvantage of direct confrontation with members of his own government.

Fleury then went on to give a convincing display of genuine support for the Jacobites in his dealings with O'Brien after the rejection of Dillon's plot. He granted interviews to Hardy when he came to Paris to represent the English Jacobites in November, 1731, and he supported Chauvelin in his encouragement of O'Brien's scheme.<sup>97</sup> But it is possible that here, too, he was warding off a threat to his own tenure of power. The relationship between the Cardinal and his adjunct had always an ambiguous quality of mistrust. Pelham certainly thought that Chauvelin might be tempted to take up the Jacobite cause for his own ends, perhaps to secure himself in power if the Cardinal should die or be dismissed. There was, in fact, a real divergence in policy between the Cardinal and the man he had placed in charge of the Foreign Office. Chauvelin advocated a much more aggressive policy against England, much more active measures to secure the alliance of Spain and prevent her accession to Walpole's Treaty with Austria, and he was strongly supported by key people in his own department — Pequet the "premier commis", Chavigny, who replaced Broglie as ambassador in England, and Rottemburg, the ambassador at Madrid. The mémoires on policy and the letters interchanged between Chauvelin and his supporters show clearly their

sense that the Cardinal's apparent timidity, his acceptance of British policy, would entail permanent damage as well as present humiliation for France.<sup>98</sup> Fleury, on the other hand, while fully aware of the strong feeling within the French Government, judged it wiser to bide his time, "le bénéfice du temps", as he called it and one he well knew how to exploit.<sup>99</sup>

Whatever the political motives behind the sympathy which Fleury and Chauvelin joined in expressing for Jacobite plans, neither made any real commitment on the part of the French government. They were at all times amply secured by their escape clause, the state of the party in England, which they duly invoked in June, 1732. I would suggest, however, that they had a secondary motive, of a more immediate and practical kind, for their apparent encouragement of Jacobite schemes. They were anxious to preserve the access to information which the Jacobites provided, and especially, their access to the new Jacobite source in London, the man whose well-placed contacts had given them the first intimation of Walpole's negotiation at Vienna. There are indications in the manuscripts that the identity and the activities of this man provide a connecting link between Dillon's plans and the scheme which O'Brien and Hardy worked on with the approval of their King and the apparent co-operation of the French ministers.

The first mention of this new source in London is in Orrery's letter of 15th December, 1730. He is there spoken of simply as "a friend" who acquired and immediately passed on the vital information about the despatch of a messenger with official powers to Vienna. Dillon's letter to Ormonde on 4th June, 1731, made it clear that this "friend" was the same man with whom he was making his plans for an enterprise against the Hanoverian in England. He wrote to Ormonde:

... I think it necessary you should know the first well-grounded information the Court of France received about the overtures of the Treaty between the Imperial and English Ministries came from a friend of mine in England, who is an intelligent active person and highly devoted to the King's interest. He contrived sending me the clearest accounts on the same subject during the whole course of the negotiation and till the conclusion of the said Treaty. Your Grace may be sure this was very acceptable and extremely pleasing to the Court here and the more that no other quarter furnished so precise and exact informations.<sup>100</sup>

To James Dillon wrote in the same strain of eulogy about his fellow - conspirator in England. He was "... entirely devoted to Your Majesty's interest and as capable to be useful as any I know...judicious, active, sparing neither labour nor expense to be serviceable in all respects; he is particularly known and trusted by Lord Orrery and many others of Your Majesty's principal friends in England." But this useful individual was still un-named, for Dillon added, "... as he is in great business and observed by the Ministry I hope you will excuse my naming him until I have his own

allowance for so doing..."<sup>101</sup> Cecil in a letter of 26th July confirmed that Dillon was the channel through whom the unknown Englishman conveyed intelligence to the French Government, while at the same time making plans with him for a rebellion. Cecil, indeed, offered these details rather defensively, as a proof that he and Orrery had been justified in employing Dillon, despite the objections against him, for he wrote:

... by his means Mr. Dillon, not without considerable expense, hath been enabled and directed in the whole management of this most important affair, and I take it to be owing solely to this person's prudence that we have all the reason in the world to believe that Mr. Dillon, contrary to what he did heretofore, conduct himself with the greatest secrecy and discretion, that is manifestly so for such have been the nature of the secrets committed to his charge, that had the minutest thing been discovered, it would soon have appeared to the person who gave him all the informations and that (for these are his own words) "from the most secret springs". By this, I must own, Sir, I am fully persuaded he means Mr. Walpole, but he is not at liberty to speak out or say more, for how otherwise this person could be possibly enabled to send Cardinal Fleury advice of every private step he (Walpole) has taken with this Court and what next they depend upon it, which Cardinal Fleury finds by experience has never failed, tho' at first it might seem never so preposterous to him. It has been by such methods the Cardinal has been wrought upon, by the knowledge which hath been given him of the disposition and temper of this family, to embrace, as I am informed, your Cause and that of the nation.<sup>102</sup>

At this point, therefore, all that James knew of this person was that he professed to be a Jacobite, that he



had some undisclosed but continuous access to high-level information about the proceedings of the Hanoverian government, and that, although he had apparently reasons of his own for remaining anonymous, he was known personally to Lord Orrery and perhaps to some others of the party in England.

As we have seen, James rejected Dillon's plan out of hand, and, as soon as he heard the particulars, he suspected the part played by this "honest useful man." His suspicions were confirmed by Orrery's letter of 26th July. In the first place, it seemed that the unidentified informant only became personally known to Orrery when he approached him on Dillon's behalf to make plans for a rising. Secondly, it was clear from Orrery's letter that the very specific details given to the Jacobites about the proposed rising — that the French would give 20,000 men and that James and Ormonde were about to start to join the expeditionary force — were passed on to Orrery by this man when he returned from a meeting with Dillon on the coast of Normandy sometime about the 9th of July, 1731, i.e. two days before the march of the French regiments to Dunkirk.<sup>103</sup> These obviously invented particulars, designed to deceive the English Jacobites into action, convinced James that there was "something worse than imprudence and ill-management in the affair", since either the "friend" or Dillon "prevaricated"; and Dillon, though weak, was not thought to be dishonest.

As for his ability to get information about government plans, that was the most dangerous aspect of the whole affair: "I understand", James wrote to Cecil, "he has got into the knowledge of some secret transactions of the Ministry and imparted them to Dillon, but if such secrets were not of very great importance for the ministry to keep, it is not refining to suppose that Walpole may possibly on this occasion have sacrificed some smaller secrets in hope by this means to get into others of a higher nature."<sup>104</sup>

In October, 1731, when this hitherto anonymous "friend" appeared in Paris and made himself known to the Jacobites, he was - understandably - coldly welcomed. His previous association with Dillon and his possible role of agent provocateur would have been enough to make the King and O'Brien extremely cautious in their dealings with him; but, apart from these drawbacks, he revealed an identity that made him a dubious asset to any party, for he turned out to be a stock-broker, George Robinson by name, who had twice-over ruined his clients, and was now obliged to leave England to escape arrest for his fraudulent mismanagement of a loan company called the Charitable Corporation.<sup>105</sup>

When Robinson came to Paris he seems to have made contact with the French Government also and to have claimed its protection. He lived openly in Paris all that winter, and his partner in the Charitable Corporation fraud, the warehouse-keeper, John Thomson, was known to be lodging with

the Jacobite Abbé Dunne; but no arguments and no entreaties of the English ambassador, Lord Waldegrave, could persuade Chauvelin or the Cardinal to order their arrest and extradition. Adept in the art of procrastination, the French ministers quibbled over identity, demanded reciprocal extradition agreements and, in one way or another, evaded action until Waldegrave concluded that Chauvelin, at least, had been well compensated with some of the missing assets of the unfortunate share-holders in the defrauded Company.<sup>106</sup>

In fact, Robinson's arrival in Paris created a particular problem for the Jacobites. The French were clearly interested in the information he seemed able to provide, and Cecil wrote to James, in a letter of 22nd December, that although the "person who gave the secret intelligence" had been obliged "by distress of some affairs" to take refuge in Paris, he had assured Cecil that this "would be no hindrance to the intelligence and that he would contrive to impart the same to the Colonel or where I shall direct him till he receive your own orders thereon, and I cannot but say I am much inclined to hope that he hath his intelligence and directions too as he himself expressed it 'from the most secret spring' and that they sincerely mean to serve you".<sup>107</sup> If Robinson were really devoted to the Cause, and as trustworthy as Cecil thought him, he could be of great value as an asset in bargaining with the French as well as for his inside information about the intentions of

the British government. But Hardy, on the other hand, had written urgently to O'Brien to warn him against Robinson.<sup>108</sup>

The French, at this point, were at last showing an active interest in the enterprise O'Brien had suggested - so, if Robinson were a spy of Walpole's, it would be disastrous to let him have any idea of what was being planned. For the time being they compromised; Robinson was encouraged with some gracious message from Rome and he was given a cypher; but he was carefully excluded from any real participation in O'Brien's plans.

Another complicating factor in the whole situation was the notoriety of Robinson's affair. The scandal of the Charitable Corporation, touching members of Parliament and even personal friends of the Minister, was too reminiscent of previous financial scandals to be ignored by the English government,<sup>109</sup> which would certainly be anxious to keep a record of Robinson's activities in Paris. For its benefit, therefore, Robinson's contact with the Jacobites had to be explained without revealing what it really was. Here Semple, churning about, as usual, on the confines of truth, may, unwittingly, have helped what seems to have been Robinson's own line of defence - to spread rumours that his partner Thomson had run off with large amounts of the Company money to offer it to the Pretender. Semple soon discovered that Robinson was the man Dillon had met the year before, that the whole clique were now rather

desperately trying to disown any involvement in the actual fraud, that Robinson and Thomson were known to be crypto-Jacobites and at the bottom of the city-plot which the Bishop disapproved of, and so on. His employers seem to have felt there was probably something in it (even allowing for Semple's imaginative embroidery of the theme) and left the matter there, for there is no indication in the manuscripts that they ever suspected Robinson's real connection with the French Ministry and the Jacobite party.<sup>110</sup>

Robinson, on the other hand, was certainly aware that James and his advisers could hardly be expected to allow such calumny against them to go unchallenged and here also he was careful to secure his own position by accusations against his partner. In a letter to O'Brien he hinted that Thomson, who had gone to Rome, had money – "an hundred and fourscore thousand pounds in securities" was the sum named – and might try to bribe the King's officers to protect him, which would be of "bad consequence with regard to the King's affares in England". Would it not be better to take possession of his papers and return them to England?<sup>111</sup>

When he arrived in Rome, the dismayed and astonished Thomson found himself imprisoned by Papal authority in the Castel San Angelo, his papers seized and returned with some flourish to the English ambassador in Paris, and a letter sent by Belloni (the Italian banker) to the Charitable Corporation, explaining that all this was done at the

instance of the King-in-exile, as an act of justice to his defrauded and victimized subjects. Robinson's purpose of distracting attention from his own activities was well served, although he must have known, better than anyone else, that the unfortunate Thomson had very little money with him, and no idea, until he was arrested, that he was supposed to have scattered his largesse amongst the Jacobites abroad to buy their protection.<sup>112</sup> While the furore raged in London, while Belloni's letter was burned by the common hangman and threats were muttered of bombarding the Papal coasts, Robinson quietly continued to send O'Brien his reports of what Waldegrave and Keene<sup>113</sup> were saying in their dispatches and what policies were determined on by the English cabinet – all of which O'Brien duly forwarded to Chauvelin at the Ministry and to James in Rome.

The suggestive point here is the timing of French interest in Jacobite plots. The rejection of Dillon's scheme blocked the first channel through which Robinson's information had been reaching the French Government. Their apparent willingness to adopt O'Brien's plan began in late October, about the time Robinson first appeared in Paris, and covers the period of transition in which the Jacobites – despite their doubts of Robinson's honesty – came to accept his position as agent and establish a regular arrangement for transmitting his information from London direct to the French ministry. O'Brien's letters indicate the kind of

information the French hoped to get from Robinson's connections in London. Could he, for example, provide an abstract of any secret clauses in the Treaty signed at Vienna the previous year?<sup>114</sup> Again Chauvelin was grateful when Robinson's friend warned them that Chavigny's cyphered despatches were being monitored in the English Post Office and O'Brien was not slow to point out that this might be useful for conveying disinformation to the English Government.<sup>115</sup> Although Chauvelin at first made it appear he shared the Jacobite conviction that Robinson was really working for Walpole, we soon find him leading the way to an opinion that Robinson might be "en bon foy," a genuinely committed and useful man.<sup>116</sup> But if he were really the ardent and disinterested Jacobite he claimed to be, how did he come to be associated with Dillon, whom the King had felt obliged to discard from his service some years earlier? And, even more important, where and how did he get his information in the first place?

When O'Brien put these questions to Robinson, as occasion offered, he seems to have been ready enough with his answers. At the end of January O'Brien reported that Robinson "spoke to me of Dillon, saying that he had been very unlucky to have fallen into his hands, adding that, knowing nothing of this country here, Dillon had been pointed out to him as an excellent man, and he had only recognised the contrary when it was too late."<sup>117</sup>

A few weeks later O'Brien was able to give the king some details on the source of Robinson's information. On 10th March, after giving the gist of the latest report from London, he added "Robinson has just been to see me, his information comes from a secretary in the Post Office who is in all the secrets of the government and who writes to him about Waldegrave's dispatches". A week later he sent to Rome a copy of a letter Robinson had written in answer to his enquiries in which he states:

You asked me a question about the gentlemen, my particular friends, which I think 'tis proper to answer in the clearest manner. About seven years past I discovered by what means the King's affairs had always been discovered and consequently frustrated. From that time I traced back all the different channels by which the ministry worked and with so much success that I was led by the same application into all their affairs. This, Sir, was a work of some years and attended with great expense, but I never quited my point in view till I had, for reason, made the Gentlemen my friends, what they now truly are, the King's friends, as faithfully and disinterestedly as myself. I never had a confident, I should rather chuse death than trust their names to any man on earth, here you have an abstract of an affare that to write the whole would fill a large volume.<sup>118</sup>

The motives of these "faithful and disinterested" gentlemen became apparent to the Jacobites some time later. Whoever they were and whatever their political sympathies their real object was to use inside information for their own benefit in trading on the stock exchange. Thus in July,



1733, at the time of the crisis over the Polish Succession, Robinson's London correspondent wrote as follows to Brett, at this time standing in for Robinson, who was absent from Paris:

I apprehend a war to be approaching, Lord Waldegrave alarms one day and the next is void of fear, which to me implies if you have anything hatching you play your game well. ... for God's sake if you have anything let me know it, I think this is a crisis and I would be glad to do something in the stocks that I might refresh you as well as myself with a little money, if anything comes to my knowledge to act upon, you may depend upon a handsome supply, which I think cannot fail in a short time.<sup>119</sup>

Brett's covering letter to O'Brien confirms that this is not an isolated instance of the London correspondent's anxiety to turn news into profit. Despite his own poverty, Brett was opposed to such speculative use of intelligence and still rather doubtful about the London agent's relations with Walpole. "The most favourable opinion I can entertain of his conduct" he wrote, "is that, knowing my circumstances as well by Robinson as by opening all my letters he thinks to prevail upon my wants by offering me advantages from the benefit he might make of some material intelligence in the stocks, which you are sensible he has often proposed to me as I have constantly shown you all his letters as I have received them and my answers to them wherein I never made the least reply to any of these offers. I say this is the most favourable opinion

I can entertain of him, but if anyone shall think fit to charge him with working for Walpole I shall not take it upon me to defend him." <sup>120</sup>

This evidence of the motives of Robinson and his collaborators is a relevant factor in assessing the real significance of the plot which he concocted with Dillon and the English Jacobites in 1731. Was that too an attempt to manipulate the stock-market by playing on the fears and resentments of two great European powers at a time of crisis? For what it is worth we do have Semple's report at the time that one of the objects of the plot was "to reduce the stocks for three or four days in order to give advantages to proper agents to buy them up". There is no doubt that in December 1730, just at the time when he passed on to the French the news of the Vienna negotiation and made his first approach to Dillon, Robinson himself was in very serious financial trouble, trying to stave off the disclosure of the systematic frauds he and some others had practised in their management of the affairs of the Charitable Corporation, <sup>121</sup> and by May, 1731, he had very strong motives for bringing into play a secret partnership, which was, almost certainly, concealed from all his associates in the Charitable Corporation. We know from the Windsor Stuart Papers that he and his coadjutor in the decyphering office had already struck gold in their mining for information. By providing the French with accurate

details of Walpole's secret negotiation at Vienna, they had established their credibility with both the French and the Jacobites. We know from the Report on the Charitable Corporation that Robinson was a gambler, at this point pressed by heavy losses, ready to grasp at any chance to save himself. From the record of his business dealings and the description of his actual contact with his clients,<sup>122</sup> it would seem that he was also an experienced "con" man, who would not find it difficult to persuade the Jacobites to fall in with his scheme. Orrery and Cecil, who knew the identity of their useful informant and fellow-conspirator, were probably aware that one of Robinson's fellow-directors in the Charitable Corporation was Robert Mann, a very old friend and close associate of Walpole himself. Cecil had always hankered after the idea of bringing the great minister over to the Jacobite side, and it is clear from his letters about Robinson that he was quite convinced that the information about policy came from the minister himself. Orrery may - ostensibly at least - have shared Cecil's anxiety to bring in Walpole, for Hardy reported about this time that Orrery had a secret meeting with Walpole;<sup>123</sup> but there is something rather ambiguous about Orrery's whole relationship with the Hanoverians; and, in this instance, he may have been given some financial inducement to join in the plan; at least the records show that he had Charitable

Corporation shares to the value of more than four thousand pounds.<sup>124</sup>

James himself had been alert to see the potentially dangerous part which Robinson played in the conspiracy. It seems from the letters of Cecil and Orrery that he was the sole contact between the English Jacobites and Dillon, who was alleged to be speaking for the French government. There was no check on the representations Robinson chose to make to each of the degree of readiness and the immediate intentions on either side of the Channel. By setting up the conspiracy in this way, he therefore assumed a role which allowed him to play on the expectations of the Jacobites and the resentment of the French. Taken altogether, the circumstances suggest that his intention was not an enterprise in favour of the exiled King, but some move which would heighten the atmosphere of crisis engendered by the Second Treaty of Vienna; an incident which would affect the stock exchange, first lowering the prices and then, when nothing happened, raising them so that he and his friends could use their inside information for their own profit. This brings us back, in effect, to the sub-plot which Semple reported to Walpole and discussed with Atterbury; the city-plot, which was intended to "reduce the stocks for three or four days in order to give advantages to proper agents to buy them up."<sup>125</sup> Two of those named by Semple as participating in this part of Dillon's scheme can be

confirmed by other evidence as associates of Robinson. One is Brett, whose letters, preserved in the Stuart Papers, document fully both his indebtedness to and his disapproval of Robinson. The other is the Jacobite agent and mining entrepreneur, Martin O'Connor, barely mentioned in the Stuart Papers but apparently considered worth much attention by the Hanoverians.<sup>126</sup> In his evidence before Parliament in January, 1732, Robinson's clerk, Thomas Hodgson, stated that the last time he saw Robinson before he "withdrew himself into parts beyond the seas" was "at the Two Blue Posts near Charing Cross on a Monday and that one Mr. O'Connor was with him." And Robinson's attorney stated on the same occasion that he had been informed "by a letter from Mr. O'Connor who went abroad with him" that Robinson designed to return to appear before the Commissioners of Bankruptcy – but, of course, he never did return.<sup>127</sup>

If Robinson's real object was to manipulate the stock exchange, it would explain some of the inconsistencies – one might almost say the absurdities of Dillon's plot, including the central absurdity in the whole affair, the employment of Dillon himself as the key agent in the transaction, a man of notorious indiscretion, almost certain to be repudiated by his King in Rome. When he was challenged on this point by O'Brien, Robinson represented himself as a kind of innocent abroad, a zealous amateur conspirator who knew nothing unfavourable about Dillon until

it was too late. A more likely explanation is that Dillon was just the man he was seeking to play the central role in creating a false crisis. He was a Jacobite, highly-placed, a retired general of great reputation, who could still write directly to the King of Spain and talk directly to Cardinal Fleury. But he was also a man, perhaps in embarrassed circumstances<sup>128</sup> and certainly anxious to win back the position he had lost within his own party; a credulous man, who would accept and pass on without question anything Robinson told him about the state of the Jacobite party in England and the intentions of the <sup>n</sup>Hayoverian government. *Hanoverian*

The letters which Dillon wrote to Ormonde and to Philip V in June 1731 show just how Robinson was using him to inject false information at what he probably supposed to be the decision-making level of government in Spain. Dillon's letter, as we saw, hinted that England, now allied to Austria, contemplated an attack on the Bourbon powers, offensives in America, interruption of Spain's vital trade-routes and that, in short, Walpole's ostensible desire for peace was only a mask to conceal pre-meditated aggression.<sup>129</sup>

After Robinson came to France in 1732 Chauvelin put in a request, through O'Brien, that the "friend" in London would provide a copy of the secret clauses in the Second Treaty of Vienna. In his report to James, O'Brien stated:

I saw Robinson the same evening, to whom I proposed it. He told me he had formerly given Dillon a précis of this so that he

could inform Fleury, and, that, as far as he could remember, this Treaty consisted principally of the measures England and the Court of Vienna would take to harm France and even attack her on the first favourable chance they got. He added that to get a word-for-word copy of this Treaty he feared would be for the present very difficult...<sup>130</sup>

Needless to say the copy of the secret treaty was never forthcoming to disprove Robinson's account of it; although in this instance, according to Chauvelin, "Dillon never mentioned to Fleury what Robinson told him on the subject of the Secret Treaty."

We must conclude that, if Robinson's friend in the decyphering office had the access to information which he claimed, they must both have known that Walpole's chief anxiety at this point was to soothe away the suspicious resentments of France and Spain, to prolong peace, to maintain the "equilibre" in Europe with as little disturbance as possible.<sup>131</sup> But, for their own purposes, they were employing the technique of the "con" man whose little piece of real gold is used to persuade his customers to buy the fake metal. They had begun by producing genuine information about the secret negotiation at Vienna, so they might now hope to be believed when it suited them to pass off as ascertained fact a palpable misinterpretation of British policy.

The inter-relation of the great powers in Europe was complex far beyond the perception of a gamester who viewed

it through the narrow lens of his own need. No one took Dillon's plot seriously except a few honest Jacobites in England, like Cecil and Hardy, and, perhaps, Orrery. Fleury indeed made some show of marching a few regiments to Dunkirk just at the time that Robinson was pushing his plan with Dillon; but that was a gesture that would serve the double purpose of pleasing his own hawks and alerting the British government to forestall any over-zealous action from Jacobites who might have been convinced that there was a genuine plan for an enterprise.<sup>132</sup> Whatever the reaction in the Stock Exchange, Robinson gained nothing by his manoeuvres except a refuge in France when the inevitable disclosure of his frauds forced him to remove "beyond the seas".

These two abortive schemes, which absorbed the active interest of the Jacobites for eighteen months after the new diplomatic re-alignment of 1731 had kindled their hopes of obtaining help from France, left them in the end no further forward than before. James had been quick to reject Dillon's scheme, quick to sense its intrinsic falsity, feeling that there was, as he said, "somewhere or other ... a great dale of roguery" in the whole affair. But the plan concerted later between O'Brien and Chauvelin he did take seriously, believing that French self-interest and French hostility to England had reached the point of armed interference on his behalf. He trusted O'Brien's judgement,



and O'Brien, at this time, was easily convinced of French sincerity. His own ambition, his desire to justify his assertion of mastery in the power-struggle with other Jacobite groups, made him less critical of a plan which, if it succeeded, would establish his credit as the King's agent in Paris. Even when the French government withdrew from the scheme, James and O'Brien remained convinced that Fleury really intended to help them if he could once be persuaded of adequate support in England. Their letters show that they were not despondent at this point; they were quite prepared to go on planning and hoping, waiting for some "conjuncture" that would allow them to renew their solicitation to the French - and striving always to unify and strengthen the party at home, so that they could take instant advantage of any opportunity that offered.

In all this they interpreted French policy in terms of hopes and pre-conceptions which masked the real nature of Fleury's interest in their plans. For Robinson and Fleury - swindler and statesman - had objectives that coincided and methods that were not dissimilar in the way they made use of the Jacobite organisation for their own ends; but there was a profound difference in the effect they had on the Jacobite movement. Once his character and motives were known, a private individual like Robinson posed no real threat. The Jacobites continued to assess and pass on the information from his "friend" in London and, at the same time, Brett and

O'Brien between them monitored and checked his efforts to disseminate rumours or profit in other ways from his inside contacts. <sup>133</sup>

There was no such simple solution to the problem of the Jacobite relation with Fleury, for the more the international situation favoured their hopes, the more vulnerable they were to his exploitation. In the course of the next ten years, each successive crisis as it came revealed more clearly their dependence on him and at the same time deepened their mistrust of his sincerity. The events which preceded the War of the Polish Succession, and which I propose to discuss in the next chapter, illustrate this fundamental dilemma of Jacobite diplomacy.

### Notes to Chapter III

<sup>1</sup> RA SP 140/203: Orrery and Cecil to James, 15 December, 1730, London.

<sup>2</sup> For the general background in this chapter I have consulted the following: B. Williams, "The Foreign Policy of England under Walpole", E.H.R., XVI (1901), 908-327; A. Baudrillart, Philippe V et La Cour de France, (Paris, 1890-1901), Vol. III; W. Coxe, Life and Administration of Sir Robert Walpole, (London, 1798); P. Vaucher, Robert Walpole et la Politique de Fleury (Paris, 1924); A. W. Ward, Great Britain and Hanover, (Oxford, 1899); J. F. Chance, The Alliance of Hanover, (London, 1923); A. M. Wilson, French Foreign Policy during the Administration of Cardinal Fleury 1726-1743, (Harvard 1936), Jeremy Black British Foreign Policy in the Age of Walpole (Edinburgh, 1985).

<sup>3</sup> Don Carlos was the eldest son of Philip V of Spain and his second wife, Elizabeth Farnese; the Crown of Spain would go to the surviving son of the first marriage, but Ferdinand was known to have poor health, and, although married, he was childless.

<sup>4</sup> The Treaty of Hanover, 1726; cf. Horace Walpole to Stephen Poyntz, 1729, from Coxe, II, 660.

<sup>5</sup> RA SP 137/72: Redmond to James, 5 June 1730, Paris. The Treaty of Seville was signed 9 November 1729 and a six months interval allowed for Austria to accept the conditions. R. Lodge "The Treaty of Seville, 1729" T.R.H.S., 4 Series, XVI (1933), 1-45; Baudrillart, III, 387-549.

<sup>6</sup> G. B. Hertz, "England and the Ostend Company". E.H.R., XXII, (1907), 255-279. J. Black, British Foreign Policy in the Age of Walpole, (Donaldson, Edinburgh, 1985), 99-102.

<sup>7</sup> Under existing trade conditions France could only send goods to the Spanish colonies in Spanish ships; the arbitrary tax, the "indulto" was fixed separately each time before the goods imported could be shipped to France. For the sanction imposed this time see RA SP 138/57: Butler to

James, 26 August 1730, Madrid; cf. also M.A.E., C.P. esp. t. 370, f. 123: Chauvelin to Brancas, 13 July 1730, (cit. Baudrillart, IV, 46).

<sup>8</sup>Series of letters interchanged in the summer of 1730 between Horace and Robert Walpole. Horace fears it will "disoblige France to such a degree as may be attended with the worst consequences". His views are explained in letters cited by Coxe in III, 7: Horace to Robert Walpole, 12/23 July, 1730, Rivecourt, near Compiègne and III, 31: Horace to Robert Walpole, 10 September (N. S.), 1730, Paris.

<sup>9</sup>Charles VI's formal statement of his intention that his daughter should inherit in default of a male heir.

<sup>10</sup>RA SP 137/61: O'Rourke to James, 2 June 1730, Vienna.

<sup>11</sup>There was an intrigue against Fleury within the King's own circle of friends, involving the Duc d'Epéron and some others. O'Brien followed this through his own contacts and reported it fully to Rome. RA SP 137/80: O'Brien to James, 6 June 1730, Paris.

<sup>12</sup>RA SP 141/51: O'Brien to James, 25 December 1730, Paris.

<sup>13</sup>RA SP 142/35: O'Rourke to James, 20 January 1731, Vienna.

<sup>14</sup>RA SP 142/35: O'Rourke to James, 20 January 1731, Vienna.

<sup>15</sup>RA SP 141/115: O'Brien to James, 1 January 1731, Paris.

<sup>16</sup>RA SP 141/115: O'Brien to James, 1 January 1731, Paris.

<sup>17</sup>RA SP 141/146: O'Brien to James, 8 January 1731, Paris.

<sup>18</sup>James agreed that if the French were serious, "all will depend on the secret of such a resolution and the best way ... is for me to stay here till all is ready for me to go and joyn the expedition straight from hence." (RA SP 143/55: James to O'Brien, 14 March 1731, Rome).

<sup>19</sup>In January O'Brien reported a conversation with the French minister in which Chauvelin pointed out that the English "would be less apprehensive of the blows we want them to sustain if the King were at a distance" (RA SP

141/146: O'Brien to James, 8 January 1731, Paris). On 18th February Chauvelin and Fleury argued that the King's return to France would re-unite the Whig factions in England. (RA SP 143/25: O'Brien to James, 18 February 1731, Paris).

<sup>20</sup> RA SP 140/203: Orrery to James, 15 December 1730, London.

<sup>21</sup> G. V. Bennett, The Tory Crisis in Church and State, 38-43.

<sup>22</sup> I have taken these particulars from J. C. O'Callahan, The Irish Brigades in the Service of France (First Edition, Glasgow, 1870, re-issued, Irish University Press, 1969), 40-46.

<sup>23</sup> Bennett, Tory Crisis in Church and State, 33, 79-80.

<sup>24</sup> This may be inferred from Dillon's letter to Ormonde, (RA SP 145/188: Dillon to Ormonde, 4 June 1731, Paris) and from Cecil's letter to James in July (RA SP 147/68: Cecil to James, 26 July 1731, London). It is confirmed by a letter which Dillon's informant wrote to James in May, 1732 (RA SP 153/78: Robinson to James, 4 May 1732, Paris).

<sup>25</sup> For Semple's career as agent for Walpole see Fritz, English Ministers and Jacobitism, 121-2, 141-2.

<sup>26</sup> Semple's accounts of the conspiracy are in PRO SP 78/198, ff. 70, 86, 88, 101, 112.

<sup>27</sup> RA SP 145/88: Dillon to Ormonde, 4 June 1731, Paris.

<sup>28</sup> RA SP 146/18: Dillon to Philip V, 11 June 1731, Paris.

<sup>29</sup> RA SP 146/18A: Dillon to Ormonde, 11 June, 1731, Paris.

<sup>30</sup> RA SP 146/24: Dillon to James, 11 June 1731, Paris.

<sup>31</sup> RA SP 146/22: Atterbury to James, 11 June 1731, Paris.

<sup>32</sup> RA SP 146/88: Orrery to James, 25 June 1731, London.

<sup>33</sup>On June 25th, 1731, Orrery wrote to James: " ... 'tis extremely to be wished that somebody should go over immediately to try to represent the state of our affairs here in such a light to the Cardinal as might convince him that the attempt would not miscarry ... I know nobody better qualified for this employ than Captain Charles Hardy ... Captain Hardy has a good pretense to go over on his own affairs, and I dare say you may entirely depend on his fidelity and discretion." (RA SP 146/88: Orrery to James, 25 June 1731, London).

<sup>34</sup>RA SP 146/62: Ormonde to James, 17 June 1731, Madrid.

<sup>35</sup>RA SP 146/24: Dillon to James, 11 June 1731, Paris.

<sup>36</sup>RA SP 146/95: James to Orrery, 26 June 1731, Rome.

<sup>37</sup>RA SP 146/95: James to Orrery, 26 June, 1731, Rome. RA SP 146/140: James to Atterbury, 30 June 1731, Rome.

<sup>38</sup>RA SP 145/60, Dillon to James, 18 June 1731, Paris.

<sup>39</sup>RA SP 146/140: James to Atterbury, 30 June 1731, Rome. See also report from Semple, PRO SP 78/198, f. 88: Semple to Pelham, July 1731, Paris.

<sup>40</sup>RA SP 147/48: Atterbury to James, 3 July 1731, Paris.

<sup>41</sup>Complete Peerage, IX, 658-9.

<sup>42</sup>Semple refers to O'Connor's interest in mines in one of his reports (BL Add. Mss. 32, 775, f. 127). In 1733 Mist warned O'Brien that O'Connor was trying to get a patent for mines in Languedoc by using the Duke of Ormonde. (RA SP 161/16: Mist to O'Brien, 24 April 1733, Boulogne). In July, 1733, Hardy mentioned to Waters that O'Connor was interested in mines in Provence. (RA SP 163/22: Hardy to Waters, 5 July 1733, London).

<sup>43</sup>PRO SP 78/198, f. 44: Pelham to Delafaye, 26 June 1731, Paris.

<sup>44</sup>RA SP 147/48: Atterbury to James, 23 July 1731, Paris.

<sup>45</sup>PRO SP 78/198, f. 101: Semple to Pelham, 30 July 1731, Paris.

<sup>46</sup>PRO SP 78/198, f. 112: Report from Semple, 16 August 1731, Paris.

<sup>47</sup>PRO SP 78/198, f. 117: Report from Semple, August 1731, Paris.

<sup>48</sup>RA SP 148/53: James to O'Brien, 29 August 1731, Rome.

<sup>49</sup>RA SP 147/67: Orrery to James, 26 July 1731, Paris. RA SP 147/67A: Cecil to James, 26 July 1731, London.

<sup>50</sup>RA SP 148/57: James to Atterbury, 29 August 1731, Rome.

<sup>51</sup>RA SP 143/25: O'Brien to James, 15 February 1731, Paris.

<sup>52</sup>RA SP 143/147: O'Brien to James, 12 March 1731, Paris.

<sup>53</sup>RA SP 143/147: O'Brien to James, 12 March 1731, Paris. RA SP 144/15: James to O'Brien, 29 March 1731, Rome.

<sup>54</sup>RA SP 143/55: James to O'Brien, 14 March 1731, Rome.

<sup>55</sup>RA SP 145/7: James to Cardinal Fleury, 2 May 1731, Rome. James wrote also to Orrery warning him about security and especially against any schemes Walpole might put forward to trick the Jacobites and urging him to contact only Fleury – not Atterbury or Berwick (RA SP 145/4: James to Orrery, 2 May 1731, Rome.)

<sup>56</sup>Katherine Darnley, illegitimate daughter of James II and Katherine Sedley, b. 1681, m. (1) E. of Anglesey, (2) John Sheffield, D. of Buckingham, who died 1719, being succeeded by their only surviving son who was then six years old. Complete Peerage, II, 399-400, IV 406-7.

<sup>57</sup>RA SP 145/7: James to Fleury, 2 May 1731, Rome.

<sup>58</sup>RA SP 146/166: Innes to O'Brien, 9 July 1731, Paris. RA SP 146/173: O'Brien to James, 9 July 1731, Paris. RA SP 147/12: O'Brien to James, 16 July 1731, Paris.

<sup>59</sup>RA SP 147/12: O'Brien to James, 16 July 1731,  
Paris.

<sup>60</sup>RA SP 147/50: O'Brien to James, 25 July 1731,  
Paris.

<sup>61</sup>RA SP 145/145: Atterbury to James, 28 May 1731,  
Paris. RA SP 146/22: Atterbury to James, 11 June 1731,  
Paris. Reports from Semple to Walpole in PRO SP 78/198, ff.  
34, 44, 70, 101, 112; Pelham to Delafaye, PRO SP 78/198, ff.  
116, 123-5.

<sup>62</sup>RA SP 145/145: Atterbury to James, 28 May 1731,  
Paris. RA 147/48: Atterbury to James, 23 July 1731, Paris.

<sup>63</sup>PRO SP 78/198, f. 110: Pelham to Delafaye, 10  
August 1731, Paris.

<sup>64</sup>RA SP 145/61: Redmond to James, 16 May 1731,  
Paris.

<sup>65</sup>RA SP 147/86: O'Brien to James, 30 July 1731,  
Paris.

<sup>66</sup>According to Semple, Cassard had also been in  
touch with Dillon (PRO SP 78/198, f. 70: Semple to Pelham,  
19 July 1731). In the Windsor Stuart Papers there is a  
document entitled "Réponses au Mémoire" (RA SP 146/19),  
which is filed next to Dillon's letter to Ormonde containing  
his scheme for an enterprise (RA SP 146/18). It is however  
a detailed analysis of what seems to be Cassard's plan. It  
is highly critical of his basic assumptions and of his  
failure to make any allowance for the local problems of  
navigation and the uncertainties of weather in the English  
Channel. "Il ne parle pas en homme de métier", says the  
unknown critic and adds that the scheme was only good on  
paper.

<sup>67</sup>RA SP 149/98: Cassard's memorial, 19 October  
1731.

<sup>68</sup>RA SP 149/114: O'Brien to James, 22 October 1731,  
Paris.

<sup>69</sup>RA SP 149/151: O'Brien to James, 29 October 1731,  
Paris; RA SP 149/201: O'Brien to James, 3 November 1731,  
Paris.

<sup>70</sup>Cecil, writing to James on 22 December 1731, says  
he left Hardy six weeks earlier preparing to go to Paris, RA  
SP 150/128: Cecil to James, 22 December 1731, London.



<sup>71</sup> O'Brien, writing to James on 4 February 1732 about Hardy, remarked "He is one of the greatest 'raffineur' I have ever seen, and, if I may say so to the King, I have never known a man with whom it was so difficult to deal, filled with suspicion, mistrust and fantasy, but with all these little drawbacks he is a man of spirit and integrity and of zeal for the King's service". RA SP 151/114: O'Brien to James, 4 February 1732, Paris.

<sup>72</sup> The Commissioned Sea Officers of the Royal Navy, 1660-1815 (National Maritime Museum, Greenwich, 1954) Vol. II, 404.

<sup>73</sup> PRO SP 78/198, f. 86: Semple to Pelham, 19 July 1731, Paris. PRO SP 78/198, f. 110: Pelham to Delafaye, 10 August, 1731, Paris. RA SP 152/79: Hardy to O'Brien, 20 March 1732, London.

<sup>74</sup> RA SP 150/31: O'Brien to James, 4 December 1731, Paris.

<sup>75</sup> RA SP 141/141: Hardy to James, 7 January 1731, Paris. This letter is filed in error amongst the correspondence for January, 1731; but it is clear from the internal evidence (e.g. the mention of the death of Lord Orrery), that it belongs to January 1732 and it is, in fact, endorsed for that date. The mis-filing may be because Hardy himself wrote the date as 1731.

<sup>76</sup> RA SP 152/77: Hardy to James, 20 March 1732, London; RA SP 152/79: Hardy to O'Brien, 20 March 1732, London.

<sup>77</sup> RA SP 153/58: Hardy to O'Brien, 30 April 1732, London; RA SP 152/144: O'Brien to Hardy, 4 April 1732, Paris.

<sup>78</sup> RA SP 152/77: Hardy to James, 20 March 1732, London; RA SP 153/100: O'Brien to Ormonde, 12 May 1732, Paris.

<sup>79</sup> RA SP 152/144: O'Brien to Hardy, 29 March 1732, Paris; RA SP 154/75: O'Brien to James, 23 June 1732, Paris.

<sup>80</sup> RA SP 152/143: Robinson to O'Brien, 4 April 1732, Paris.

<sup>81</sup> RA SP 153/124: O'Brien to Ormonde, 19 May 1732, Paris.

<sup>82</sup>Pope wrote to Bathurst on 9th July 1732, "there is one Woman at least that I think you will never run after, of whom the Town rings with a hundred stories, why she ran and whither she is run? Her sober friends are sorry for her and truly, so am I ..." Correspondence of Alexander Pope, ed. Sherburn, (Clarendon Press, 1956) v. III, 206. Semple warned Newcastle in April, 1732, that she was corresponding with the Jacobites, and Waldegrave was duly instructed to keep an eye on her correspondence and visitors in France, although Newcastle admits she might have gone because she might think "we have better intelligence than we really have of her treasonable practices." PRO SP 78/202, f. 260: 78/203, f. 26, f. 92.

<sup>83</sup>RA SP 155/70: O'Brien to Ormonde, 3 May 1732, Paris; RA SP 153/30: Proclamation from the Duke of Ormonde; RA SP 153/62: Heads of Declaration, received from England, April 1732; RA SP 153/110: James to O'Brien, 14 May 1732, Rome.

<sup>84</sup>O'Brien to James, 30 June, 1732: "Je n'ai jamais de ma vie esté si touché ny si abbatu que je le suis de voir..." RA SP 154/113: O'Brien to James, 30 June 1732, Paris.

<sup>85</sup>RA SP 154/102: O'Brien to James, 19 June 1732, Paris; RA SP 154/107: Hardy to O'Brien, 29 June 1732, Paris; RA SP 154/106: Hardy to James, 29 June 1732, Paris.

<sup>86</sup>RA SP 154/30: James to O'Brien, 9 June 1732, Rome; RA SP 154/190: James to the Duchess of Buckingham, 22 July 1732, Rome; RA SP 155/11: James to O'Brien, 26 July 1732, Rome.

<sup>87</sup>RA SP 154/106: Hardy to James, 29 June 1732, Paris.

<sup>88</sup>I have dealt more fully with Bolingbroke's views in Chapter IV; see Dickinson, Bolingbroke, 231-232.

<sup>89</sup>RA SP 155/182: Cecil to James, 25 September 1732, London.

<sup>90</sup>RA SP 154/143: O'Brien to James, 6 July 1732, Paris; RA SP 155/95 James to Inverness 29 September 1732, Rome.

<sup>91</sup>Patino was chief minister in Spain at this time.

<sup>92</sup>RA SP 156/103: O'Brien to James, 25 October 1732, Paris.

<sup>93</sup>Baudrillart, III, 60-104: Wilson 232-236:  
Vaucher, 43-49: J. Black, British Foreign Policy in the Age  
of Walpole, 148-155.

<sup>94</sup>RA SP 147/168: O'Brien to James, 13 August 1732,  
Paris.

<sup>95</sup>PRO SP 78/198 f. 77: Pelham to Delafaye, 21 July,  
1731, Paris.

<sup>96</sup>PRO SP 78/198 f. 112: Semple to Pelham, 16 August  
1731, Paris.

<sup>97</sup>RA SP 150/31: O'Brien to James, 24 December 1731,  
Paris.

<sup>98</sup>Vaucher quotes a mémoire from Pequet, the premier  
commis, dated 23 April 1731, which has notes from the  
Cardinal setting out his objections. M.A.E. Mém and Doc.,  
France, 503, f. 18 and f. 31 (cited Vaucher, 47).

<sup>99</sup>Mémoire of 14 May 1731, M.A.E. Mém and Doc. t.,  
503, f. 47, cited by Vaucher, 48, n. 2.

<sup>100</sup>RA SP 145/188: Dillon to Ormonde, 4 June 1731,  
Paris.

<sup>101</sup>RA SP 146/24: Dillon to James, 11 June 1731,  
Paris.

<sup>102</sup>RA SP 147/68: Cecil to James, 26 July 1731,  
London.

<sup>103</sup>RA SP 147/67: Orrery to James, 26 July 1731,  
Paris.

<sup>104</sup>RA SP 148/44: James to Cecil, 28 August 1731,  
Rome.

<sup>105</sup>Licensed as a stockbroker, 1722 (Corporation of  
London, Records Office); involved in speculation on shares  
of York Building Company and lost considerable sums of his  
own and his clients money; elected M.P. for Great Marlow,  
but left the country before taking his seat in Parliament.  
Sedgwick, House of Commons, II, 386.

<sup>106</sup>BL, Add. MSS. 32, 775, f. 100: Waldegrave to  
Newcastle, November 1731, Paris; BL, Add. MSS. 32, 775, f.  
416: Waldegrave to Newcastle, 10 January 1732, Paris.

<sup>107</sup> RA SP 150/127: Cecil to James, 22 December 1731, London.

<sup>108</sup> RA SP 151/23: Hardy to O'Brien, 14 January 1732, Boulogne. Hardy mentions having found at Boulogne "one of his [Robinson's] friends who spoke in a way I did not like". This was possibly David Avery, who was implicated in the Charitable Corporation scandal and was now helping Walpole to track down his old associates. The evidence of the Parliamentary enquiry into the Charitable Corporation includes a statement from Avery that he saw both Robinson and Thomson in Paris at the end of January, 1732. (House of Commons Sessional Papers for the Eighteenth Century, ed. S. Lambert, vol. 14, Report on the Charitable Corporation, 12-13). According to Robinson, Orrery had introduced him to both Hardy and Cecil, just before Hardy came over to France about Dillon's plot, and Hardy therefore had good reason to mistrust Robinson (RA SP 153/98: Robinson to James, 4 May 1732, Paris).

<sup>109</sup> Walpole's old friend, Robert Mann, was one of the Board of Directors present at a meeting at which it was decided to issue bonds (forbidden under the terms of the Company's Charter) in order to stave off financial collapse. Report on the Charitable Corporation, 93-95.

<sup>110</sup> Semple's reports in PRO SP 78/203: cf. esp. f. 55. In f. 53 Pelham writes to Delafaye, 24 June 1732, "... it is pretty certain that as soon as Robinson and Thomson came out of England with the money and effects of the Company, they threw themselves into the hands of the Jacobites, and by offering great sums ... thought to gain the protection of those persons wherever they might have occasion for it."

<sup>111</sup> RA SP 152/151: Robinson to O'Brien, 6 April 1732, Paris.

<sup>112</sup> At a Cabinet meeting in London, 11-12 September 1732, the evidence of Thomson's father was considered and amongst the related documents are two letters which John Thomson managed to smuggle out to his father while he was being held in the Castel San Angelo. They are dated 15th May, Rome, and they indicate clearly his surprise at the rumour he had "carried all off in money to the Pretender"; he added that, once "it was realised that what he had with him in all did not amount to near 180,000 pence in place of so many pounds I was charged with bringing away, they of themselves promised even to make terms for me ..." (PRO SP 43/85).

- 113' Benjamin Keene was the English ambassador at Madrid.
114. RA SP 152/64: O'Brien to James, 17 March 1732, Paris.
- 115 RA SP 152/92: O'Brien to James, 20 March 1732, Paris.
- 116 RA SP 152/177: O'Brien to James, 14 April 1732, Paris.
- 117 RA SP 152/82: O'Brien to James, 28 January 1732, Paris.
- 118 RA SP 152/66: Robinson to O'Brien, 17 March 1732, Paris. On May 14th, 1732, Robinson wrote to James a fuller account of his infiltration of the decyphering office. He admits his association was "not so much with your good friends as with those employed to destroy them". He gives no indication of the arguments he used to persuade these officials to share their knowledge with him. (RA SP 153/78: Robinson to James, 4 May 1732, Paris).
- 119 RA SP 163/83: Endorsed "Copy of letter Robinson rec'd last Tuesday post". Paris, July 18th, 1733.
- 120 RA SP 163/84: Brett to O'Brien, 18 July 1733, Paris.
- 121 House of Commons Sessional Papers of the Eighteenth Century, ed. S. Lambert, Vol. 14., Report on the Charitable Corporation. For details of Robinson's fraudulent mismanagement see Appendix A.
- 122 Second Report on Charitable Corporation (evidence of Thomson before the Commission), 25-26.
- 123 RA SP 151/31: James to O'Brien, 16 January 1732, Rome, and RA SP 151/114: O'Brien to James, 4 February 1732, Paris.
- 124 Report on Charitable Corporation, 15.
- 125 PRO SP 78/198, f. 11: Report from Semple to Pelham, 16 August 1731, Paris.
- 126 In addition to Semple's references to O'Connor, there is a report on him from another agent who kept an eye on Jacobite activities in the South of France. PRO SP 78/203, f.344. Cole to Pelham, 13 November 1733, Marseilles.

127 Report on Charitable Corporation, 12-13.

128 According to Semple, Dillon was paid £2,000, although "he did not know where the money came from." (Add. Mss., 32, 775, f. 127). Cecil said the plan was expensive, but gives no details. (RA SP 147/68). According to the letters of James and O'Brien, Dillon still owed the Jacobites money he had drawn for official purposes when he was agent in Paris (RA SP 143/47).

129 RA SP 146/18: Dillon to Philip V, 11 June 1731, Paris.

130 RA SP 152/64: O'Brien to James, 17 March 1732, Paris.

131 In January 1731, when the affair of the negotiation at Vienna was becoming known, Newcastle wrote to Waldegrave "As the affair begins now to be suspected ... His Majesty is apprehensive that it may be represented in a wrong light to the Court of Spain ... tell the Cardinal in the most affectionate manner you can and endeavour to show him that ... nothing will be asked of France that might bring them under any difficulty ..." PRO SP 78/202, f. 15: Newcastle to Waldegrave, 23 January 1731, London.

132 Orrery, writing to James on 26 July 1731, described the reaction of the Jacobites in London. It was just when they had decided to send Hardy to Paris in connection with Dillon's scheme but he delayed his going until Robinson returned from his meeting at Abbeville with Dillon. Robinson then produced his report that Fleury had promised 20,000 men and would act as soon as the English fleet had gone to the Mediterranean; "but two days afterwards", Orrery continues, "there was a great alarm at London upon the March of forces to Dunkirk (however it proved afterwards to be only five or six battalions) which occasioned taking all precautions as if an invasion had been expected. Captain Hardy could not but think that if the Court of France were in earnest for the Restoration they had acted very weakly in making such a precipitate step without any necessity". RA SP 147/67: Orrery to James, 26 July 1731, Paris.

133 In 1736, when Fleury was working to force Spain to accept the agreement he had made with Austria, Robinson seems to have tried to start a rumour that Spain would move against England. He had struck up a friendship with a secretary at the Spanish Embassy. Brett told O'Brien in confidence that this clerk informed Robinson "that within three months England would be asked to restore Gibraltar and Port Mahon. Brett added that Robinson had already sent all

these details to his friend in England so that he could  
organise some major coup on the public funds. The King will  
note that Robinson told me nothing of all this." RA SP  
186/26: O'Brien to James, 5 March 1736, Paris.

## CHAPTER IV

### The Jacobites and the Crisis in Poland in 1733

In 1733 the conflicting interests of the European powers passed from confrontation to war in a way that surprised contemporaries. "Notwithstanding all appearances," Lord Scarborough wrote to the Duke of Newcastle, "I cannot think the world mad enough to go to war about a King of Poland."<sup>1</sup> But, eight months after the death of Augustus of Saxony, a new dimension was added to the diplomatic pattern, the irreversible reality of battles lost and won in a brief, savage war, France, allied to Spain on the one side, Austria and Russia on the other.

Like the Holy Roman Empire, Poland, in the eighteenth century, still retained the ancient elective character of monarchy; a circumstance which allowed – even invited – the interference of other powers. In the long Northern war which ended at Nyastaadt, in 1722, Augustus of Saxony, first chosen King of Poland in 1696, was deposed by Charles XII of Sweden, re-instated after the Swedish King's defeat at Poltawa and confirmed in his position by the settlements that followed the death of Charles XII in 1719.<sup>2</sup>

His crown was, in effect, guaranteed by Russia and Austria, and both these great powers exacted their price in the form



of territorial concession. France, on the other hand, had traditional bonds of alliance with Sweden, and Stanislas Leszczyński, who was made King of Poland by Charles XII and exiled after his defeat, found refuge in Alsace. He lived there, obscurely enough, a "landless laird wi' a tocherless daughter", until, in 1725, by a most unexpected chance, the young King of France married that daughter.<sup>3</sup> Her only dowry was her dispossessed father's shadowy claim to be King of Poland; and if France, in 1733, wished to oppose the policies of Hapsburg Austria, there was the reason to hand – the honour of the French King's father-in-law. Since death had now removed his successful rival, Augustus of Saxony, why should not Stanislas Leszczyński once more present himself for election, vindicate the few partisans who had followed him to exile and repair the fortunes of his family in Poland?

The vacant throne of Poland therefore opened up a natural area of confrontation between France and Austria. No one was surprised when the French promptly supplied their ambassador in Poland with gold to win over dissident voters "in a civil pecuniary way";<sup>4</sup> and the Emperor reacted, predictably, with protests against such interference with the "freedom" of Polish elections and with assurances that he would intervene, with force if necessary, to protect Polish liberty – that is to say, of course, their liberty to choose the Austrian candidate, the son and namesake of the

deceased king. Why then should confrontation, this time, progress beyond the point of no return and initiate a war?

Given Cardinal Fleury's almost notorious pacifism, it seemed to most observers that France was not likely to go to war to impose a king on Poland. The English ambassador, Lord Waldegrave, reported to the Duke of Newcastle in April 1733, that he thought the Cardinal would not take France into a war "even at the risk of being suspected of cowardice".<sup>5</sup> The Jacobite Tyrrel wrote to Edgar in the same month that the Imperial Court considered the French Declaration "une Casconade"<sup>6</sup> and in June O'Rourke noted, in Vienna, "... it looks as if the ministers built on the Cardinal's fixed resolution to avoid all ruptures ... nay, the steps made in France and the seeming preparations for a war pass here for mere bravados".<sup>7</sup>

In fact the general expectation that, under Cardinal Fleury, France would accept humiliation rather than fight, was one of the factors that contributed to the outbreak of war. The new diplomatic isolation of France, the sense of being tricked and by-passed under cover of alliance, by her old enemy, England, making a treaty with her other old enemy, Austria, rendered Fleury himself especially vulnerable to pressure from the militant anti-Hapsburg faction in Court and Council. Moreover his second-in-command, his "adjunct" Chauvelin, an ambitious, aggressive and much younger man, was openly in favour of using force to

check Austrian interference in Poland. The old Maréchal de Villars<sup>8</sup> (a much-respected veteran of the earlier wars), records in his diary that, early in May, unable to attend a Council meeting, he wrote to Chauvelin, "qu'il fallait enchérir sur la hauteur de l'Empéreur ... le Garde des Sceaux m'a mandé que mon sentiment seroit entièrement suivi ... et que l'on avait fait les déclarations les plus fières contre celles de l'Empéreur." By the end of the month Villars is discussing with the Duc d'Orléans "l'opinion trop établie de la foiblesse de notre Gouvernement", and agreeing with him in the Council "qu'il fallait faire la guerre." By 20th May he records that war was, indeed, resolved on, "malgré le Cardinal".<sup>9</sup>

There were, however, other reasons why Fleury might have accepted the Council's decision. The crisis in Poland coincided with a serious political crisis within France, a confrontation of another kind between the King (or, in effect, the Cardinal) and the Parlement de Paris.<sup>10</sup> Fleury may well have agreed with Chauvelin that war would provide a useful outlet for the dissident spirit spreading in Church and State, with ominous alliance between Jansenist and Parlement. In Chauvelin's opinion that crisis could only be resolved "par une politique de prestige et plus précisément, par une guerre victorieuse qui arrêterait la critique janseniste: Une petite bataille gagnée ou une ville prise, rendra le roi et le ministre absolu dans l'intérieur".<sup>11</sup>

Another cogent reason was the growing urgency of the problem of Lorraine, as it seemed ever more likely that Maria Teresa would be affianced to the young Duke Francis. In January, 1733, even before the death of Augustus of Saxony, Chauvelin wrote to Chavigny, "... nous ne souffrirons jamais la Lorraine et la Couronne Impériale dans la même maison."<sup>12</sup> One answer would be for France, in some way or other, to acquire Lorraine. Paul Vaucher suggests that, although Fleury opposed the war, he realised it might be used for just that purpose. A. M. Wilson goes further, for, in his opinion, although the war was fought ostensibly in vindication of the claim of Stanislas Leszczyński to the Crown of Poland, its real purpose was, always, to secure the reversion of Lorraine to France.<sup>13</sup> Certainly that was the aim which Fleury pursued consistently and with success through all the complex negotiations that ended the war.

Although the decision to fight Austria was made in the early summer, it was October before the French armies crossed the Rhine. The first task for France was to secure allies and, at the same time, to isolate Austria. There was no question that Spain would be ready and eager to use the point of entry already established in the Duchies to enlarge the territories of Don Carlos and win back the lands that Austria had acquired in the War of the Spanish Succession. Without the backing of France, however, this was too dangerous an enterprise, dangerous especially for Don

Carlos, isolated at Parma, with Austria controlling the Milanese and Savoy barring the land passage from Spain to Italy. The ambivalent policies of Fleury in the Treaty of Seville had created an almost ineradicable mistrust of his government, but, as soon as it was clear that France intended, in all seriousness, to attack the Emperor and uphold the cause of King Stanislas, Spain was prepared to make a firm alliance<sup>14</sup> and even to co-operate with Savoy in driving the Austrians out of Italy.

Savoy, indeed, occupied the key position in this area, controlling the strategic passes of the Western Alps, and, in the War of the Spanish Succession, Victor Amadeus of Savoy made full use of this asset. He changed sides twice (for, to the great contending powers, his alliance was as essential as it was unreliable), and emerged from the conflict with enlarged territories and, in the end, a royal title. His son, Charles Emmanuel, was just as alert to the possibilities of profit; in 1732, when tension was increasing between Spain and Austria over the installation of Don Carlos, he was already bargaining, simultaneously and secretly, with France and with the Allies of Vienna. Once war seemed certain over the Polish Succession, Charles Emmanuel, keeping his own counsel and comparing bargains, closed with the French.

While they re-assured Spain and bought over Savoy, the French made haste also to secure the neutrality of

Austria's allies, the Maritime Powers. This was essential, if they wished to contain and control their military action, for the power of England was formidable and if she supported Austria, as she was bound to do under the terms of the Second Treaty of Vienna, the war would become more widespread and more prolonged. It was, however, fairly certain that the English minister would avoid war, if he could. Walpole knew well enough that the average county member would hardly wish to increase his land-tax for issues so remote as the Italian Duchies or the succession in Lorraine or Poland. "Nothing", he advised the Queen, "could do the King so much disservice as engaging in war; first as the name of war was seldom acceptable in this country, but that a war on account of a King of Poland was certainly what the nation could never be brought to think necessary or expedient."<sup>15</sup>

Nevertheless England had a solemn treaty obligation to assist Austria in war; and George II, as Elector of Hanover, had a semi-feudal sense of obligation to come to the aid of the Emperor, even apart from his personal predilection<sup>e</sup> for all that concerned military pomp and the *predilection* art of war.<sup>16</sup> In avoiding war, therefore, Walpole might seem to have the King against him — although Dr. Jeremy Black has suggested, in his study of foreign policy under Walpole, that the reactions of George II were less favourable to Austria than his expressed opinions certainly

suggested to contemporaries.<sup>17</sup> In any case Walpole, like other politicians, had his own immediate pre-occupations. This whole crisis of the Polish Succession coincided in time with the most serious opposition he had yet encountered, the controversy over the Excise Bill, and it occurred when, already, the life of Parliament was drawing to a close and all members, whatever their political principles or affiliations, were looking to the elections of 1734.

It was all the easier for Walpole to keep England out of this war because of the stance taken in Holland. Without the consent of their English ally, the Dutch made their own bargain: neutrality in return for a guarantee from the French that they would not attack the Austrian Netherlands.<sup>18</sup> Officially the English were extremely annoyed by this display of independence. How could they enter the war when the other Maritime Power refused? When the Emperor demanded that they fulfil their treaty obligations, their replies were full of this excellent excuse.<sup>19</sup> The French were well aware that any attack on the Low Countries would always, sooner or later, involve England; by securing Holland with this bargain, they made sure of English neutrality also.

The significant factor in this transition from confrontation to war was the determination of France to use armed force against Austria. But, did Austria ever really intend to fight, or were the haughty declarations and

threats of force in Poland mere "bounces and vapours",<sup>20</sup> which the French might have ignored or outfaced without a war? It is likely that the Emperor was tempted, at first, by the Elector of Saxony's promise to accept the Pragmatic Sanction; and he was sensitive also to the pressure of Russian interest in the Polish Succession. A forward policy in favour of Augustus II would help to secure the inheritance of his daughter and please – or placate – the Czarina. Such a policy would not even, necessarily, lead to war; given the timorous and pacific disposition of the Cardinal, it was likely he would back down and keep France from fighting, as he had done so often in previous years. Even if it came to war, the Emperor had his allies, pledged to him in the recent settlement at Vienna. England and Holland would keep France in check and they could at least provide ready money to carry on the fight, while his probable ally, the King of Sardinia, might, if suitably rewarded, cover the Imperial territories in Italy and prevent a junction of the Bourbon powers or dangerous reinforcements from Spain to the young Duke of Parma. In the latter part of the summer, indeed, as the strain grew in this game of brinkmanship, the Austrians themselves had shown a clear willingness to compromise; but they had one ally whose uncomplicated policy of aggressive self-interest pushed them forward until the situation was beyond their control. Ever since Peter the Great thrust the half-



barbaric immensity of Russia into the concert of Europe, this was a power that must be reckoned with. The Russians meant to have their share of Polish territory; there was no point at which they were vulnerable to French attack, they had no concern, no measures to keep in Italy or on the Rhine. Within a few weeks after his election, they had Stanislas Leszczynski immured in Danzig, placed their own candidate, Augustus II, on the throne and crushed in detail the remaining Leszczynski partisans.

For the French, however, Stanislas was expendable and if, as Wilson suggests, they intended to acquire Lorraine, their real purpose was better served by his defeat, for then that intangible something, his honour, espoused as the casus belli by his son-in-law, could be satisfied by tangible compensation for France in the diplomatic bargaining that would end the war. At every other point, confrontation, for the Austrians, turned suddenly into disastrous reality as the French moved simultaneously against Kehl and against the Milanese. O'Rourke, in October, 1733, wrote to James in Rome, describing the impact of this news in Vienna:

"the warr is begun by the French when least expected and it is with noe little surprise that this Court received an express last Saturday night with an account that the French had passed the Rhine and invested Kehl; the next day came another from Milan with the news that the King of Sardinia's league with France and Spaine was finally published at Turin, that the French were

then crossing the Alps and the Piémontais encamped at Verceil. This double attack, so late in the season ... lays a heavy damp on all this Court, the consternation cannot be greater, all people reckon that Italy is lost to the Emperor, who has but few troops there. The public cries out horridly against the ministry who, by their imprudence and haughtiness in the affair of Poland, drew this storm upon their master without taking, these six months past, any proper measures to be prepared for it ... but what makes the case still more desperate is that they have neither money nor credit. Their only hopes seem to be that England and Holland will not abandon them in this extremity; but I question much that these two powers will embark so soon in this quarrel and I am apter to believe that the French, in beginning so boldly, are pretty sure of neutrality with both ... God knows how it will go with our Lorraine, the French have already put troops into Nancy."<sup>21</sup>

O'Rourke, as we know, was right in his surmise that England and Holland would do nothing to help the Emperor. Rapidly the combined armies of France and Savoy drove the Austrians out of Northern Italy while, across the Rhine, the French took Kehl and Phillipsburg. The Spaniards, landing at Leghorn, turned south with all their forces, Don Carlos at their head. Within four months they had conquered the Kingdom of Naples, proclaimed Don Carlos King, and mounted an expedition against Sicily, while the Franco-Sardinian army beat back the Austrian counter-attack at Parma and Guastalla.<sup>22</sup> By the end of 1734 all that was left to Austria in Italy was a foothold in Mantua and the mountain passes to the Tyrol.

This whole sequence of events should, in theory, have given the Jacobites just the conditions they wanted for obtaining foreign assistance. They had always felt that a European war would be their best chance for mounting a "descente" to assist the party at home. We find O'Rourke, for example, writing to his master in July, 1733, that although Poland "has so little influence in the main affaires of Europe that the choice of a king here ought never to be the subject of a universall warr, and one may say vix Priamus tanti totaque Troia fuit; but, as your Majesty's interest requires a general rupture, it cannot but become agreeable to all your well-wishers and true subjects."<sup>23</sup> O'Brien, in Paris, was even more anxious to link the Jacobite Cause to the growing crisis between France and Austria. But, in February 1733, when the King of Poland died, the party at home were entirely pre-occupied by a problem of their own, the whole question of defining their relationship to the new opposition party in England.

The problem, indeed, was one which the Jacobites could not afford to ignore. Within the last year, the French had first promised and then withdrawn their consent to support for a rising; and the reason they alleged — that the party in England was too disunited and had failed to make adequate preparation for a landing — was based on evidence that James himself could not contest.<sup>24</sup> It was confirmed at every point by the reports he received and by

his own past experience.<sup>25</sup> At the same time the Jacobite failure to bring their party together and act effectively was being made more conspicuous by the progress of Bolingbroke's movement, as the campaign against the Excise Bill rose to its height. Even those Jacobites who most mistrusted Bolingbroke were dazzled by his success. He might be, as old Cockburn wrote some time later "as great a rogue as is out of a gallows – yet it is certain he has raised the present flame by his writing, let him go on in yt and prosper, but allow him not to come into the secrets."<sup>26</sup> Nathaniel Mist urged the same point: "his true character, I believe, is bad enough, but apparently there is no Person in the Kingdom that has the spirit and capacity to do great things as this Lord" and he adds – with quite unjustified optimism – "... he may weary of going on with a work which proceeds neither from a good Cause nor a good Conscience, but, having both, may erect a building full of glory."<sup>27</sup>

Lord Cornbury, who was much closer to Bolingbroke, advised that he should, if possible, "be convinced of the King's being well-inclined to him ... for, though there are matters to my certain knowledge that must convince any man alive that Lord Bolingbroke is either a fool or an enemy to the King, yet necessity, upon certain occasions, may drive him into endeavouring to make up for it by a service well-timed – to be sure, service he can do."<sup>28</sup>

The new opposition, which had demonstrated such effective strength against Walpole, was, therefore, both challenge and menace to surviving Jacobitism. If it could be assimilated, it might well prove a source of energy that could power a Revolution; but if not, it was likely to divert the whole thrust of the Jacobite effort to restore their King.

It was certainly true that the theoretical base of Bolingbroke's movement could be incorporated without difficulty in Jacobite manifestos; indeed this was one way in which the Jacobites themselves had been trying to widen the base of their own political support. By 1730 Walpole's long tenure of political power excluded two separate and inherently antagonistic groups – the Tories and the malcontent Whigs; and Bolingbroke's political theory was an attempt to rationalise this fact of political life. Through his journal, The Craftsman, he appealed directly to the informed political public, urging them to forget the outworn shibboleths of Whig and Tory, and unite against the corrupt minister and his creatures, the men who kept themselves in power, exploiting the patronage of the Crown to subvert the Constitution and to destroy, secretly but most surely, the liberties Tory and Whig together had won in the Glorious Revolution of 1688.<sup>29</sup> But the ideas Bolingbroke expressed, can be found, with a different emphasis, in one whole area of Jacobite propaganda, and, for many years past,

James too had favoured an all-party base to attract and coordinate all who opposed the government in power in England.<sup>30</sup>

There are indications that in January 1731 Jacobite efforts to exploit the new opposition movement were intensified. In the autumn of 1730 the King's half-sister, the Duchess of Buckingham, travelled to France where she conferred with her old friend, the Bishop of Rochester, for Atterbury wrote to James, commending her wish to be of service to his cause.<sup>31</sup> While she was in France she tried (apparently at Atterbury's suggestion) to bring about a reconciliation between James and his half-brother the Duke of Berwick.<sup>32</sup> She then went on to Rome where she stayed for some months and had several secret meetings with James himself.<sup>33</sup> She had with her in Rome, or at least their visits coincided, young Lord Cornbury<sup>34</sup> (the great grandson of the first Lord Clarendon), soon to be Tory Member of Parliament for Oxford University. Amongst the documents associated with this visit there is a memorial written by Cornbury, suggesting ways in which a body of active supporters at the level of county administration could be created to assist a Jacobite attempt<sup>35</sup> and there is a list of honours and offices to be promised to individuals in England as an inducement to help in a Restoration.<sup>36</sup> The persons named in this list are drawn from a wide range of political affiliations; the dissident Whig Poultney<sup>37</sup> is included as well as the Jacobite Shippen;

Bolingbroke himself is there and the ex-Jacobites most closely associated with him – Bathurst, Wyndham and Gower.<sup>38</sup>

Argyll is named also – the general whose military skill had crushed the Jacobites in 1715, but whose great political influence in Scotland could be of vital importance in any attempt at a Restoration based on an accord between the political parties in Britain.

This list exemplifies the principles which James set out in the manifesto he presented on this occasion in the form of an open letter to the Duchess of Buckingham.<sup>39</sup> In this he expressed his desire to be restored by his own people, without recourse to foreign aid, his determination to respect the constitutional rights and liberties of his subjects, and to defend the established Protestant Church. He goes on to assert his intention to employ only men of "virtue and honour", without distinction of party; the same principle is proclaimed again in the Declaration of 1733, that "by such conduct we hope the native genius and Honour of the Nation may be soon retrieved and the Party divisions and distinctions which have so long prevailed and have been so pernicious to the nation may be buried in perpetual oblivion".<sup>40</sup> This is not far removed from Bolingbroke's Dissertation upon Parties, where he wrote "... the proper and real distinction of the two parties expired at this era [the Revolution] and ... although their ghosts have continued to haunt and divide us so many years afterwards,

yet there neither is nor can be any division of parties at this time reconcilable with common sense and common honesty." <sup>41</sup> The moral appeal is almost identical, and in all the Jacobite Declarations of this year there runs, like an echo, Bolingbroke's call to unite against corruption in high places, the hidden lawlessness of the monied interest.<sup>42</sup>

The Jacobite appeal, therefore, was directed to the opposition Bolingbroke had made articulate, and the similarity in language and content was more than accidental. Journals and pamphlets came regularly to Rome, sent by Andrew Cockburn, who had an allowance for this purpose, and Nathaniel Mist transmitted regular and full accounts of the debates in Parliament, so that the Jacobites were well acquainted with the main tenets of opposition theory. But something even more specific is involved here. It is clear from the correspondence that the Declarations of 1732 and 1733 were drawn up on heads suggested by the party at home, submitted to them for approval and altered in conformity with their suggestions. They were carefully framed to answer the special grievances of special sections of the population. The Scots, for example, were reminded of their lost independence, the unaccustomed taxes which the Union entailed, the military occupation and surveillance of the Highlands;<sup>43</sup> the City of London was promised redress of commercial grievances and assured that the ancient privileges would be restored.<sup>44</sup> Every effort, in short,



was made to bring in as many groups as possible in a concerted opposition. In May, 1733, Lord Cornbury wrote "The Declaration, I am to tell you from the King's Friends as well as from myself, must necessarily have those changes which were sent you made in it to accommodate it to everybody's inclination. I see here that some were already made, but I have desired Colonel O'Brien to beg the King to comply with the rest as well as with the new paragraphs which I am instructed to convey to you."<sup>45</sup> James was careful to comply with all suggestions; in June, 1733 he wrote to Ormonde, "there has been again some few alterations made in the English Declaration – never was paper so sifted and examined, I hope, as it is now worded, it will be acceptable to all sorts of people."<sup>46</sup>

What is significant in all this is the central part played by Cornbury in the whole process of drafting the Declarations, for Cornbury knew Bolingbroke well, and he belonged very much to the same social and political circle. He was linked by family ties to Bolingbroke's closest political allies, the ex-Jacobites Wyndham and Gower, and, through his sister, the Duchess of Queensbury, he was on friendly terms with the brilliant group of satirists who supported the opposition.<sup>47</sup> In 1735 Bolingbroke dedicated to Cornbury his Letters on the Uses of History and his Letter of the Spirit of Patriotism. The tone of the dedication, the sustained and implied intention is that of

political Mentor instructing his Telemachus.<sup>48</sup> Indeed the interweaving of political thought between them goes even further back; Cornbury's own letters to James between 1731 and 1733 suggest that his Jacobitism, rooted in the Royalist tradition of his family, had in it the same strand of thought about monarchy which Bolingbroke himself later developed in his Idea of a Patriot King.<sup>49</sup>

The real point of theoretical difference between Bolingbroke and the Jacobites related to the method of opposition. The Jacobites desired a radical excision of false king as well as of false minister; but the strength of Bolingbroke's position was that he offered an alternative to those who disliked Walpole, the Hanoverians or the Court policy in general, but who disliked also the idea of a Restoration and the risky business of conspiracy and treason. There was, however, an inherent weakness in Bolingbroke's own position. Neither Whigs nor Tories trusted him; the vagaries of his past political life stamped him inescapably another Alcibiades, as brilliant, as self-interested, as treacherous. In 1732 he was still searching for a secure political base on which he might found his own return to power, and his relationship to the Jacobite movement must be seen in that context. Although he might speak with scorn of the Pretender and his party, Bolingbroke knew well enough that Jacobitism did still exist, both as a diffused sentiment at various levels in society and as a

focus for potential political activism. He was probably aware,<sup>50</sup> too, that within the past year plans for an invasion had actually been discussed between the French Court and the English Jacobites. If someone of the status of Cornbury should be drawn to the Pretender's side, it would weaken his own position; on the other hand, capturing Jacobite support would not only strengthen him, it would give him the information and control he needed to prevent something he certainly did not desire – an attempt to restore the Stuart King.

The answer Bolingbroke found to his problem was ingenious and effective. He followed two lines of argument, both of which were calculated to disarm, divide and confuse the Jacobites. The first was that the Restoration could be brought about by peaceful means, once he and his friends had gained power in a legitimate parliamentary way, by overthrowing the present government, and gaining as many seats as possible in the upcoming election. Any attempt to procure a Restoration by force would ruin this scheme and was therefore to be opposed. This approach had its appeal but failed to convince some sections of the party. Cecil, for example, comments to James after summarising Bolingbroke's suggestions, "the service this gentleman would seem to intend you is postponed to a long day ... and if he and his friends could get into power, they would then have all they aim at and think no more of you."<sup>51</sup>

The other line of argument was even more insidious; it exploited and, perhaps, enhanced the current tendency to blame the King himself for the long record of failure and the present unhappy state of the party, and, at the same time, made use of the one real asset the Jacobites had – the two young princes, growing up in exile in Rome. Inevitably Jacobite sentiment and Jacobite hope centred on the lively Charles Edward, untainted as yet by failure, who might be indeed the "magna spes alterae Romae", who would redeem the past and atone for the corrupt and sordid present – if only he could be removed from his family's perverse attachment to the Church of Rome. This, it appears is what Bolingbroke suggested to his friends; and he was careful to make the same suggestion to the king, with the implication that, if he agreed to send Charles Edward to Switzerland to be educated, he himself would be the beneficiary of the attack to be mounted against Walpole in the next session of Parliament.

Whether or not Bolingbroke made his move to counter the schemes of the Duchess of Buckingham and Lord Cornbury, there was an implicit threat as well as a hint of support in the way in which news of this development reached Rome. On 25th October, 1732 O'Brien had an interview with Cardinal Fleury at Fontainebleau when the Cardinal warned him that a considerable party in England would prefer to see Prince Charles as king especially if he were a Protestant, or at

least educated away from Rome, and that the project was "more widely supported than you think." O'Brien noticed, incidentally, that Bolingbroke's secretary, Brinsden, was then at Fontainebleau, perhaps, "negotiating something for his master".<sup>52</sup> Two weeks later, Brinsden approached O'Brien directly. He began with an assurance that Bolingbroke, despite appearances (past and present), was genuinely devoted to the Cause; he expressed his regret that the King's friends should be so divided and so mistrustful of each other. What followed was, he stressed, a matter of confidence; Walpole was about to be attacked in a sensitive area where he did not expect an onslaught; the result might be that his friends would start to go over to the other side; they might even get Parliament to commit him to the Tower and, after that, who knows what might happen? Finally, the price was mentioned; most of the King's friends were unhappy about the Prince staying in Rome; if he were sent to Switzerland or to the Duke of Ormonde, their loyalty would be assured.<sup>53</sup> By way of lending additional respectability to the manoeuvre, the Duke of Berwick also wrote to James, urging Bolingbroke's capacity for leadership and his ability to help the Cause.<sup>54</sup>

The response was cautious – James would need a long spoon to sup with that shape-shifter, Bolingbroke. He could be useful indeed if he were seriously prepared to work with the Jacobites, but to trust him was as dangerous as to defy

him; to show him favours would alienate staunch old friends like Hardy and Cecil who held him in abhorrence; to allow him to divide Charles Edward from his family was impossible for many reasons, not least that it might create a separate party round the person of the prince. By way of answer James wrote to Berwick, asking him to re-assure and encourage Bolingbroke in any inclination he might have to support the Cause, and at the same time he instructed O'Brien to keep in touch with Brinsden and to ask the Cardinal to listen to what was said without direct contradiction and try in this way to find out who was involved in the movement to substitute Charles Edward for his father.

Despite his mistrust of Bolingbroke, James still felt the suggestion might be turned to good account; O'Brien could use it to urge the Cardinal to allow Charles to come to France; at the very least, talk of this kind linked anti-Hanoverian feeling in England with concern for the exiled family. But, although Fleury assured O'Brien that the French Government would not favour a movement to prefer Charles to his father, he would offer no advice to James, and Chauvelin, when O'Brien discussed the suggestion that Charles should come, incognito, to France to complete his education, argued, as usual convincingly, against it; if he did, it would be said that either France was using the prince "like a scare-crow" to alarm England or that the

French dare not receive him openly; and that, in any case, there was no use dealing "small blows" against England, they must wait to deliver a serious attack.<sup>55</sup>

The response James made to Bolingbroke's approach was in fact equivalent to the refusal which Bolingbroke himself must have anticipated and which he could then use for his own purposes. By the spring of 1733 the consequences to the Jacobite movement were clearly seen. James might try to use Bolingbroke's movement as he, on his side, tried to use Jacobitism; but, short of joining the new opposition on Bolingbroke's terms, James was, in practice, powerless against his rivalry. Bolingbroke was in England, adroitly persuasive to win the Jacobites there with hints that his own return to power would procure Restoration without the hazards of rebellion; that the young Prince Charles was their true hope and they should look no more to his ineffectual father – a bigoted Catholic, an absolutist, unfit to rule, governed by unworthy favourites – all the stock charges attached so persistently to the Stuart name.<sup>56</sup> The Jacobites in England were already so divided, so apt to suspicion of the leadership in Rome, that they were especially vulnerable to this kind of propaganda. As Cecil wrote to James, some time later, ... he [Bolingbroke] alone hath done more harm to your Cause than all your open and professed enemies have had it in their power to doe, and this mostly under a masque of serving the King, by which

some have been seduced and many others, honest and well-meaning, grossly impos'd on."<sup>57</sup>

But there was in Bolingbroke's movement a two-fold threat to the Jacobite Cause. Even more than his power to attract their supporters to his own party, the Jacobite activists feared his influence with the Ministry in France. Chavigny, the French ambassador in London, who might have been a contact for the Jacobites, was visibly on good terms with the opposition and especially with Bolingbroke. "He lives, eats and drinks with the enemies of the king's government," Horace Walpole complained to his friend, Gedda, "and, after a bottle, carries his liberty so far as to joyn with them, as we are informed, in talking treason ... In short he is, as I hinted before, the creature of Lord Bolingbroke, his devoted admirer and disciple."<sup>58</sup>

Horace Walpole was unduly alarmed; it might suit Bolingbroke to colour his opposition to the government with the vaguely Jacobite aspirations which Chavigny shared and which might attract additional support in France, but his Jacobitism was really only dangerous to the Jacobites themselves. It was a fact of which they were too well aware. In December, 1732, O'Brien wrote, with concern, to James, that Bolingbroke's liaisons with Chavigny "have given him the facilities to insinuate to this Ministry everything he wants, it being very easy for him to represent to Chavigny everything that happens in England in quite a



different way from that in which the King's friends in England represent things here. Lord Bolingbroke can, in this way, deal blows all the more dangerous that, in affecting to have the King's interests truly at heart, he can, at the same time, insinuate to Chavigny that the time is not yet favourable for an expedition – with some plausibility here.”<sup>59</sup> And Bolingbroke was certainly ready to complement these arguments with hints that he himself, if suitably rewarded and subsidised by France, could oust the present government in England, and, by his own return to power, ensure co-operation with France for the future.

The problem became even more urgent in the spring of 1733, when it was clear that the very intensity of the opposition Bolingbroke roused against Walpole had, in turn, re-kindled the hopes of the Jacobites. In February, Hardy wrote to O'Brien, suggesting that, in the new circumstances, the French might very easily carry out the plans they had laid aside the previous summer. Almost at the same time, news came to Paris of the death of Augustus of Saxony – the random, external factor which made an immediate and critical alteration in the diplomatic balance of Europe. The coincidence of serious unrest in England and the chance of serious conflict between France and England's ally seemed a most hopeful conjuncture to the Jacobites abroad. All the more important, therefore, to neutralise Bolingbroke's influence with the French ministry, and O'Brien did his

best. Armed with letters from Cecil and from James, he discussed the problem more than once, emphasising their well-founded mistrust of Bolingbroke's pretence of devotion to the Cause. As usual the Cardinal's response was courteous, re-assuring and quite non-committal. The French would follow their own interest, but, at least for the present, their interest seemed to lie in aiding the Jacobite Cause.<sup>60</sup>

The possibility that France would now support an armed rising made it essential for James to resolve the whole problem of leadership in the party at home. In the previous year plans had been put forward by two distinct groups who did not communicate with each other, for Hardy and his friends were unaware of the activities of the Duchess of Buckingham and Lord Cornbury, whose scheme James had hoped to engraft on the plan for an invasion. Now, in the spring of 1733, when it seemed likely that this plan might be resumed, it was of vital importance that the efforts of these two groups should be adjusted and combined.

Incidental references suggest that the problem was one of personal differences. Hardy had acted as the principal agent in organising the conspiracy of the year before and it was he who now took the initiative in proposing that it should be resumed. He was, as they all recognised, "a mighty honest zealous man",<sup>61</sup> devoted to the Cause and willing to take risks; unfortunately, he was

also of an "odd and unaccountable temper",<sup>62</sup> easily offended and always prone to see affronts – just the man to resent most bitterly being superseded in his role of conspirator-in-chief. But James had to find someone with whom the French ministry would be prepared to negotiate, and Hardy's encounters with Chauvelin in the previous year had been somewhat unfortunate. Even apart from this, James felt that he needed a man of higher rank, with recognisable political influence, to speak for the English Jacobites and convince the French Ministry that there really was adequate support for the Cause at home. For some time past Lord Cornbury had seemed to him to be just the leader he wanted. He was young, of course (only twenty-three, in fact), but he had the requisite rank and social standing, and, more important than anything else, he had political contacts with both Whigs and Tories, he knew as friends the potential leaders of opposition to the Hanoverians, the men who were, even now, forming a united country party under Bolingbroke, but who might yet be won to truer allegiance by restoring the hereditary line of kings. Therefore, although the suggestion for renewing the project of 1732 came first from Hardy, it was almost inevitable that Cornbury, and the people with whom he was in touch, should be brought into the centre of the new conspiracy to perform the double task of rescuing the movement from Bolingbroke and talking effectively to the Court of France.

Some months earlier James had already prepared the way for this change. In August 1732, at the time when the earlier scheme was abandoned, and when it was clear that Hardy himself had failed to establish a good relationship with Chauvelin, James wrote to the Duchess of Buckingham about the problem of adequate representation to the Court of France and asked her "to fall on a proper and safe way to inform my Lord Cornbury of it; could some of your friends be prevailed on to confide in him and employ him with the French Court, I should be hopeful it would have that effect, and it is already many months that I took care the ministers should be informed of his character so that he should not fail of meeting with a good reception."<sup>63</sup> Now, in April, 1733, James wrote to Cornbury directly, urging him to make arrangements with his friends and then confer with the ministry in Paris, where O'Brien had been instructed to give him all the assistance he could.<sup>64</sup>

Hardy, meanwhile, was pursuing his own scheme; towards the end of April – just after popular tumult forced the withdrawal of the Excise Bill – he wrote again to O'Brien, urging that an attempt should be made as soon as possible, while the ferment against the government continued, and before naval preparations to guard the Channel could be completed. O'Brien passed on the letter (suitably edited)<sup>65</sup> to Chauvelin, and, at the request of the French minister, sent back to Hardy a list of queries

about troops and horses and the timing of a revolt – just the kind of details that, to the conspirators, might seem to indicate serious interest on the part of the French government.

The French reply to Cornbury, when he arrived in Paris about the same time, was even more explicitly encouraging, as he himself wrote to James on 17th May: "The French Ministry, I verily think, is sincere. To M. Chauvelin I have been as open as it is possible, I gave him my doubts as well as assurances, I dwelt much upon his own glory and the interest of France ... and found him very well satisfied with my open plain-dealing manner and heartily disposed to serve you, though he yet requires something more, which I hope may be conformed to. Upon the whole I believe an attempt will be very soon, but cant yet be entirely sure, but the secret even of this cant be kept too close ... I forgot to tell you the King of France has expressed himself to his ministry with great spirit for the King's Restoration."<sup>66</sup>

At this point, then, as in the previous year, the two active Jacobite groups in England were working separately, each on their own plan and with little desire to co-operate with each other. Cornbury, indeed, said specifically in his letter to James, "Captain Hardy and his friends must know nothing, ever, of [Lord Cornbury's] having been in France, although [Lord Cornbury] has been acquainted

with their minds through other channels." <sup>67</sup> Even Ormonde, at Avignon, advised O'Brien that "since Lord Cornbury and Captain Hardy are employed by different parties of the King's friends, therefore it is best to keep their particular business secret from each other" <sup>68</sup>.

How could such a secret be kept in the small world of the London Jacobites? When Hardy replied to O'Brien on 21st May (O.S.), it is clear he knew of Cornbury's journey. <sup>69</sup>

He abstained, studiously, from expressing the resentment he certainly felt, but, from then on, he virtually withdrew from active participation in the scheme, falling back on the position he had taken the year before. He would not come over to France, unless he received a personal written summons from Chauvelin.

After all it was not even desirable that the two groups should work in complete ignorance of each other's plans and proceedings. Before Cornbury returned to Paris in June, he had discussed the situation with Colonel Cecil. The plan he submitted is similar in outline to the scheme on which Hardy was supposed to be working. It called for a simultaneous rising in London and the provinces; the Tower was to be seized and the way cleared for an expeditionary force to come straight to London; if possible, units of the regular army and naval vessels stationed along the coast were to be brought over to join the invaders on their arrival. Cornbury, on behalf of his group, proposed to

supplement this scheme by a personal appeal to the more influential politicians who, for one reason or another, were opposed to the Court. In a long letter to James, he supplied a list of the people he had in mind, with notes on personal characteristics, degree and nature of political influence, and other relevant circumstances, so that the King could write to each the kind of personal appeal which would win their support when the invasion started.<sup>70</sup> The letters were to be sent to the Duchess of Buckingham, to be used by her and by Cecil at their discretion. The same care was taken in the final revision of the Declarations. The wording was altered, here and there, to woo the Dissenters without antagonising the Church, and assurances given that no extraordinary taxation and, above all, no excise, would be introduced to undermine the liberties of the English people.<sup>71</sup> Finally – perhaps to win back those of the party who were led away by Bolingbroke's suggestions that the Prince was their only hope for the future – James was urged to bring Charles Edward with him, and, if he did not actually accompany the expeditionary force, to leave him on the coast of France, whence he could be brought to England as soon as the Revolution was over.

Together O'Brien and Cornbury went to Compiègne on 18th June, 1733, to submit their plans to the French Court, and, after some delay and many conferences, modified approval was accorded their scheme. The French appeared not

to be entirely satisfied with the arrangements in England. Although they agreed – with the usual saving clause “if nothing unforeseen occurs to prevent it” – that an enterprise should be carried out that year, they reserved to themselves the right to determine the exact date for the operation.<sup>72</sup> The more experienced O'Brien was not sure, even then, that the French would keep their word, but Cornbury was confident of their sincerity. Just after the first meeting on 18th June, he reported to James M. de Chauvelin told him “that the King of France promised an attempt and that he would hasten his preparations, that he could not name the time yet but would undertake the expedition as soon as he could. He desired the King's Friends in England would prepare and he would advertise them when he was ready ... I believe we shall have all fixed before long, for we may depend on the French Court most certainly, sooner or later.”<sup>73</sup> Trusting entirely in these assurances, Cornbury went back to England to organise the rising, with the co-operation, he hoped, of Hardy, who was to be persuaded to come in person, to France, to show the solidarity of the party at home.

From then on it was a matter of contingency planning and, once more, waiting, day to day, week to week, for the signal that the enterprise was on. The conference between Cornbury and Hardy was unproductive, for Hardy, while denying personal jealousy or resentment, refused to come to



Paris.<sup>74</sup> Chauvelin – for security reasons, he said, – forbade O'Brien to visit Compiègne unless he had something specific to say about arrangements in England, or unless some accredited envoy had arrived from the party there.<sup>75</sup> Ormonde, resident in Avignon, kept making his own suggestions: a diversion in Scotland, to be led by the Lord Marischal, a special Declaration for the Protestants in Ireland, matters which O'Brien handled with his usual tact, although he realised the French were unlikely to divert troops to the North, and separate Declarations to the Protestant Irish could easily antagonise both the English and the Catholics.<sup>76</sup> From Cornbury, beyond a brief note after his return to England, there was no word until the middle of August.

The English Jacobites seem to have made their approach to France chiefly because of what was happening in England, the whole extraordinary demonstration against Walpole and the Excise Act. Hardy and Cornbury show little awareness of the way in which Polish affairs might affect their chances. But to the French, this outburst of popular feeling in England was only one factor in the complex diplomatic situation created by the death of Augustus of Saxony; and both James at Rome and O'Brien in Paris realised clearly that the French response to Jacobite appeals would depend on the resolution of the diplomatic crisis. While Cornbury made his contacts and organised his conspiracy in

England, O'Brien monitored the build-up of armaments in France, the significant troop movements towards the Rhine and the naval preparations at Brest, which seemed to indicate that the French were determined to place Stanislas on the throne and maintain him there by force, if necessary.<sup>77</sup> He believed that this mounting tension between the two great powers, the confused uncertainty of events as confrontation moved to war, explained the prolonged delay which held all their plans in suspense. From the beginning he had sensed uncertainty in the French response. "I dont know what to think", he wrote to James from Compiegne, in June, "Chauvelin protests to me that he is in the best intentions, but it seems something is holding him back," and in a letter to Ormonde he commented "I think Polish affairs contribute greatly to their indecision."<sup>78</sup> As the weeks passed, Chauvelin evaded every effort O'Brien made to get a firm decision about the enterprise. On 27th July he again reported to Rome:

... never minister has varied so much in the manner of thinking as this one ... They are all for having one day what they blame the next, and I am convinced that, at this very moment, they still dont know what policy they will adopt. If they can put Stanislas on the throne, they would prefer that to everything else because, by that, they take a kind of superiority over the Emperor, but if the latter or the Russians send their troops into Poland, then they will attack somewhere on the Rhine and, at the same time, think very seriously about Your Majesty's restoration. So all their promises are conditional - although they

don't say so – and it is apparently on the news they have from one day to another that they decide their "démarches" without having any fixed plan.<sup>79</sup>

In O'Brien's view, it was this very uncertainty in the whole diplomatic situation which made the Jacobite appeal for help so urgent. If the French waited till war broke out, England, as the ally of Austria, would be prepared for hostilities, alert to prevent an invasion. But, at this present moment, the war-like preparations, made ostensibly on behalf of Stanislas, could easily be extended to include all the armaments needed for a descent on England and a pre-concerted rising to take the troubled Hanoverian government by surprise.<sup>80</sup> Yet all the time he realised the advantage thus offered by the Polish problem had its counterpoise of danger to the project. To leave their hands free in Poland, France might choose to avoid open provocation to England. The Emperor, if he were once convinced that he would receive no help from the Maritime Powers, might withdraw and accept Stanislas. In either eventuality, O'Brien thought, the Jacobite project would be postponed, if not abandoned.<sup>81</sup>

Amidst these uncertainties, when the Court was alive with rumours that Stanislas was off from Brest in a French warship,<sup>82</sup> when the Russians were nearing the Polish frontier<sup>83</sup> and the French troops were on the march for Dauphiné and Alsace, the letter from Cornbury came at last.<sup>84</sup> Circumstances, he wrote, prevented his coming over in

person; however, the arrangements were all made on his side, and he waited with impatience to know the final resolution of the French Court, how many men they would send and when. But he gave no details of the plan, and it was only from Chauvelin that O'Brien learned, with dismay, that Cornbury and his friends demanded a force of 14,000 men. He felt at once that, at this critical juncture, the French were unlikely to commit so large a force to the enterprise against England, and, if they were really undecided about the plan, this unreasonable demand would provide just the excuse they needed to withdraw their support.<sup>85</sup> James in Rome, and Ormonde, in his letters from Avignon, fully endorsed O'Brien's opinion and recognised the justice of Chauvelin's arguments against the plan; not only that he could not spare the troops, but that the arrangements required to transport so large a force would, in any case, destroy the whole element of surprise. Still more damaging was the implication that the party in England lacked confidence in their own strength since they would not attempt the rising with a smaller expeditionary force.<sup>86</sup> In the circumstances the best that James and O'Brien could do was to suggest to the French Court that they should disregard this request and go ahead with the scheme, sending as many men as they could reasonably spare.<sup>87</sup> At the same time, O'Brien wrote to Cornbury, warning him that the French would not agree to the numbers asked.

Nevertheless the French still did not finally pronounce against the enterprise. Indecision dragged on through September,<sup>88</sup> as the news came from Poland of the election of Stanislas, of the counter-election of Augustus, then of the brief resistance and the flight of Stanislas before the Russian troops whose advance made war inevitable. On 9th October, as war was declared and the French army crossed the Rhine, Chauvelin finally admitted to O'Brien that the Jacobites could no longer count on obtaining any help during that year.<sup>89</sup>

It was a decision which shattered the already fragile unity of the Jacobites at home. For the second time in two years France had failed them, and the reaction was bitter. James had dreaded the effect even of prolonged delay on the support he could muster in England. In August he expressed his fears that if, after all the delay, the decision should be unfavourable, "the present French ministry must not indeed expect that people on t'other side will ever more enter into negotiations with them."<sup>90</sup> Now, as he realised only too well, it would be almost impossible to re-build any kind of trust between the English Jacobites and the Court of France. "I am afraid," he wrote to O'Brien, "the disappointment in the affair of our project will have a very bad effect in England. I do not indeed believe that it will make people wish less well to me, but it may, I fear, put it out of my power to contribute to any

new concert betwixt them and the Court of France towards an expedition, they will probably suspect that France has been amusing them and imposing on me, and the vexation for the disappointment will lead them but too naturally into endless jealousies and cautions which cannot be of very ill consequence." <sup>91</sup>

At home, indeed, disappointment turned inevitably to recrimination. Bolingbroke was seen, once more, as the prime artificer in this betrayal of their hopes; it was even said he boasted openly of knowing their secrets and making sure their plans came to nothing. <sup>92</sup> But how had Bolingbroke come by his knowledge of their plans? Here was another hazard of his assumed Jacobitism; some members of the party, beguiled into trusting him, may have passed on the information, or – an even more disturbing thought – the French Court might have authorised Chavigny to let him know of their plans, perhaps give him the names of the conspirators. If this were so, or even thought to be so, it would create yet another barrier between the English Jacobites and the French Court, for, as James commented to O'Brien, "if our friends take a suspicion of their secrets coming round to Bolingbroke by the Court of France, it will be a new and great obstacle to their having any further communication with that Court, for there are certainly very few men in England who would put their lives and fortunes in that lord's power". <sup>93</sup>

Others again blamed Cornbury, suspecting that he might have confided the secret to Bolingbroke, through a misplaced admiration for the man and his success; or that he had been at least too naively ready to take the French Ministry at its word. But Cornbury's own comments show that his admiration for Bolingbroke was qualified by his perception of their differences.<sup>94</sup> In 1735, going back over the whole episode, he wrote to James of the effect in England and the recrimination against himself "who least expected it, having from the beginning done nothing but ... in conjunction with those you entrusted, having observed the greatest confidence in them and the greatest secrecy imaginable to everyone else ... What made me very easy on the matter was that I found that all the suspicion of me was of having great confidence in Lord Bolingbroke, from the weakness and inexperience of my youth, and, tho' the suspicion appeared ridiculous to myselve, yet considering that I was young enough to be suspected of being deceived, I took it even not unkindly but lookt upon it as a mark of zeal for your service."<sup>95</sup>

It is true that Cornbury did trust the assurances of the French Court; he was himself a man of great integrity<sup>96</sup> and he accepted, quite simply, the promises which he was given when he went to Compiègne in June, 1733. There was no apparent reason why he should not have done so, for even O'Brien, at first, thought it likely that Chauvelin meant

what he said. But O'Brien was always aware that the French would act in what seemed to be their own best interest, and, if it suited the ministry to change their minds, the inevitable "salvo" clause would be invoked. He was, therefore (though with some bitterness), prepared to start all over again, as soon as he saw the slightest chance to get even a contingent promise of help. Cornbury, on the other hand, withdrew into silence. He makes no recorded comment until two years later, when he came openly to Paris, accompanying his sister, the Duchess of Queensbury. He told O'Brien then – and he wrote to James at the same time that he had made up his mind not to work, for the future, with any particular group, but to find some other way to serve the King.<sup>97</sup> While he was in France, he tried once more to get from Chauvelin some explanation of the reasons why the French had failed to keep their word to the party two years before. Chauvelin, with many compliments, returned Cornbury's letters and left his questions unanswered.<sup>98</sup>

There is no doubt that when the French refused to implement their promises to Cornbury, they destroyed, for that time at least, any hope of an armed rising on behalf of the exiled king. They had excused their withdrawal on the grounds that, as they were about to enter into a war with Austria, they could not afford to detach the number of men the Jacobites requested, nor risk a subdivision of their



forces on what they declared to be inadequate support in England for the Jacobite Cause.<sup>99</sup> But the Jacobites preferred to find another explanation. To make Bolingbroke their scapegoat avoided acknowledging that there was some justification in fact for the French decision, at least in the demonstrable lack of Jacobite unity. Bolingbroke, on his side, might well feel that it was his advice which prevented the French from giving armed assistance to a rising. He did have success in his policies to justify that belief. He had shaken Walpole, if he had not destroyed him; in the coming elections he had an organised group of supporters to challenge the Court Party; and, in July, 1733 (on his second application through Chavigny) France bestowed on him the practical recognition of a subsidy of £10,000 to help in financing his campaign of opposition.<sup>100</sup>

Yet here, too, there was something of illusion in his accepting such a view. When the French helped Bolingbroke and stunted the Jacobites, they made their decision on the basis of their own interest at a time of international crisis. The existence of two separate and competing opposition movements gave peculiar flexibility to their dealings with England, amidst the diplomatic tensions and uncertainties that preceded the Polish War. The intrinsic strength of the one movement, the patent weakness of the other, were factors in this situation; but both James and Bolingbroke were tied to France by financial dependency; and

it was open to Fleury to determine their relative effectiveness by the practical support he gave or withheld.

O'Brien was not aware of the exact nature of Bolingbroke's connection with the French Court (although he suspected it was close), but he saw – or thought he saw – clearly enough the effect of the international situation on French policy towards the Jacobites; and that perception was his source of illusion, his screen of circumstance to hide reality. On more than one occasion both Chauvelin and the Cardinal told him plainly that the state of the party at home did not justify the risk of armed intervention.<sup>101</sup> But O'Brien never really believed them, because he noted that these reasons for not risking an expedition were only produced in evidence when the French wished to delay or withdraw from a commitment which, for the time being, was of no use to them.<sup>102</sup> They would never finally extinguish hope of assistance, although their assurances of help had always some qualifying clause to excuse their non-performance; yet, when they reneged on their promised help, their refusals were still couched in terms at once tentative and contingent. O'Brien was convinced, therefore, that, whatever they might say or think about the party at home, their response to Jacobite appeals was really determined by the wider exigencies of their position in Europe.

There is, in fact, a degree of correlation between the phases of the approach to war during that summer, and

the fluctuating relationship of the French ministry to the Jacobite activists. Cornbury's encouraging reception at Paris on 17th May, coincides in date with the meeting of the Council at which the war was approved in principle.<sup>103</sup> By the time he returned in June, the French had received the personal assurance of Philip V that Spain would join them if they went to war with Austria, and the Cardinal's initial hesitations had been overcome. Just after Cornbury and O'Brien left Compiègne on 23rd June, with Chauvelin's assurances that he would arrange an expedition that year, Villars was summoned there to confer with the Cardinal on over-all strategy, the mobilisation of men and resources.<sup>104</sup> Yet, within a month, Jacobite hopes were obscured; on 27th July O'Brien records his uneasy sense of a retarding influence, of Chauvelin making objections and excuses, while, at the same time, denying that his intention was altered. Villars notes that, in the Council of 23rd July, at which strategy on the Rhine was discussed, the Cardinal, although recognising "a kind of necessity" to attack, wanted a bombardment of Luxemburg, not a siege of Kehl of Phillipsburg, which might make the Emperor declare war, and, Villars adds "Le Garde des Sceaux a été contre toute guerre, vu que nous n'avons pas d'Alliés."<sup>105</sup> As the summer passed with rumour of war and marching of troops, O'Brien still waited on events, hoping for a favourable decision, believing the delay came from the nature of the crisis.

Like most other people at the time, he saw it as a confrontation between the powers, in which war was likely, but not inevitable, and he remained convinced that the war, when – or if – it did come, would be the longed-for "guerre générale", with France pitted against England, which could be so propitious to Jacobite hopes.<sup>106</sup>

There is, however, another possible explanation of the initial encouragement given to the Jacobites, so quickly followed by the prolonged uncertainty that chilled and hampered their efforts at organisation. In a *mémoire* of 28th April, 1733, Chauvelin considered the question of the French attitude to England, if war began with Austria.<sup>107</sup> Should England be attacked or kept neutral? Both lines of action, he noted, were possible; but, while it would be easier to secure the neutrality of the Maritime Powers by guaranteeing that of the Austrian Netherlands, this would have the disadvantage of drawing the Emperor's attention to the Rhine, as a theatre of attack, Chauvelin's earlier dispatches to Chavigny suggest also that he may, at this time, have contemplated active hostilities against England,<sup>108</sup> a policy which would have had the support of Villars and some sections of French opinion. On the 6th of May, hearing of the demonstrations in London against the excise, Villars made a stirring speech in Council which he records in his *Journal*:

J'ai dit "Voilà une belle occasion de se venger de nos bons amis les Valpold"; le Cardinal a dit "Si l'Espagne, au lieu d'aller à Oran, avoit voulu mener ses forces et sa flotte en Angleterre ... elle en aura été maîtresse." J'ai répondu "Mais elle ne le pouvait que de concert avec nous ..." Alors, adressant la parole au Roi, je lui ai dit, "Sire, combien le Roi votre bisaieul auroit acheté une pareille occasion. Cette gloire étoit réservée à notre jeune et grand Roi et j'espère que vous en profiterez." Le Roi s'est levé et est sorti. J'ai remarqué qu'en sortant il m'a jeté un regard riant: c'est tout ce que j'en ai pu tirer.<sup>109</sup>

On 17th May, as we know, the Council agreed on the decision to go to war.

Nevertheless, for all his calculated acquiescence in the militant mood of the King's advisers, the Cardinal, clearly with the King behind him, remained master in his own house. The change of tone in Chauvelin's advice to the Council of 27th July is evidence of this. There would be war; but, with the Cardinal in control of policy, it would be war used like a precision instrument, at a defined time, in a defined place, limited to specific objectives; and, to ensure this, every effort would be made to keep England and Holland neutral.

This determination is the key to French policy towards both sections of the opposition in England. Bolingbroke's party could be relied on to keep Walpole busy at home and oppose, in Parliament, any attempt of the Government to make common cause with the Emperor; and, in July, Bolingbroke was granted a subsidy to finance his

campaign. What the Jacobites wanted, on the other hand, was men and money for an armed rising. That kind of help would be an act of war against England, the very thing the Cardinal was resolute to avoid. We know that, early in July, O'Brien noticed a change in attitude on the part of the French, a change always attributed to circumstances the minister was not at liberty to explain, but always delaying, procrastinating, evading the earlier commitment.<sup>110</sup> The unexplained circumstances may well have been Fleury's re-asserted control over policy and his resolution to keep the Maritime powers out of the war.

The events which led to the outbreak of war, the quick collapse of the Leszczyński partisans in Poland, the French offensive across the Rhine, the march on Italy – none of these could bring the Jacobites any real hope; and Cornbury's demand for 14,000 men made no real difference to their chances. In the over-all strategy of this war they had already been set aside; not eliminated by a forthright denial, but kept in a kind of dormant readiness, a second option, a weapon of last resort to use against the English if, after all, they chose to enter the war on the Emperor's side. Perhaps the Jacobites were fortunate; in Poland an exiled King, encouraged by the French to regain his throne when such a move suited French interest, was as lightly abandoned with all his followers, when that too could be of service to France.<sup>111</sup>

For all serious purposes, therefore, this war was useless to the Jacobites. Although O'Brien continued to press the French Court for help, he had no real hope of success until some turn of events should persuade the English to declare for the Emperor; and the victory of Walpole and the Court party in the elections of 1734 made it virtually certain that England would act as peacemaker rather than joining in the fight. Yet although all the Jacobite effort of the last six months was beaten down by the surge of this war in which they had no part, James and his agents still hoped that England would be forced to intervene to prevent the final defeat of Austria and that Cardinal Fleury - despite himself - would then be compelled to go to war with the Maritime Powers and, by corollary, assist the Jacobite cause. They did not foresee that renewed hope would come to them, not from the extension of the war, but, in the spring of 1735, from the making of a separate peace between the Emperor and Cardinal Fleury. In the next section I shall examine the implications of this move for Jacobite policy.

## Notes to Chapter IV

<sup>1</sup> BL ADD. MSS 32,688, f. 36: Scarborough to

Newcastle, July 1733, London. Lord Scarborough was a Court Whig who had served in the household of George II, both when he was Prince of Wales and after his accession. Complete Peerage, XI, 510-11.

<sup>2</sup> For background to this chapter I have used the following: A. Baudrillart, Philippe V et La Cour de France, (Paris, 1890-1901); J. Black, British Foreign Policy in the Age of Walpole, (Edinburgh, 1985); W. Coxe, Life and Administration of Sir Robert Walpole, (London, 1798) and History of the House of Austria, (London, 1820); C. Nordmann, La Crise du Nord au Debut de xviiiè Siècle, (Paris, 1962); P. Vaucher, Robert Walpole et la Politique de Fleury, (Paris, 1924) and La Crise du Ministère Walpole, 1733-34, (Paris, 1924); A. M. Wilson, French Foreign Policy during the Administration of Cardinal Fleury, 1726-1743, (Harvard University Press, 1936).

<sup>3</sup> Stanislas Leszczynski (1677-1766); see Pierre Boyé Stanislas Leszczynski et le Troisième Traité de Vienne, (Paris 1898).

<sup>4</sup> RA SP 162/131: O'Rourke to James, 20 June 1733, Vienna.

<sup>5</sup> Waldegrave quoted a conversation between Chauvelin and the Sicilian Abbots (Spanish exiles in Paris who acted as intelligence agents for the English Government), in which, to his amusement, Chauvelin likened France to "a petit-maitre, suspected of cowardice, who must fight once to establish his character, before he can be quiet" (BL Add. MSS 32,871, f. 79: Waldegrave to Newcastle, 12 April 1733, Paris).

<sup>6</sup> RA SP 160/143: Tyrrel to Edgar, 14 April 1733, Florence.

<sup>7</sup> RA SP 162/131: O'Rourke to James, 20 June 1733, Vienna.

<sup>8</sup> Tyrrel, in one of his reports during the war, described a meeting between Don Carlos, just appointed, at



eighteen, to command the Spanish troops in his father's name, and Villars, now eighty-two, leading the French forces in his last campaign. Villars conversed, Tyrrel writes, "avec la vivacité d'un jeune homme, au grand contentement de l'Infante". RA SP 168/40: Tyrrel to Edgar, 2 February 1734, Florence.

<sup>9</sup> Mémoires du Maréchal de Villars, ed. C. P. Melchor de Vogué (Paris, 1884-1904) t. IV, 314.

<sup>10</sup> O'Brien mentioned an earlier episode in this confrontation after an "arrêt du roi" in November, 1730 as "a thing which tends to elevate to the highest degree the power of Parlement and diminish that of the King and clergy ... it would need a decisive act of authority to abate its effects." (RA SP 140/104: O'Brien to James, 6 November, 1730, Paris) cf. also Sareil, Les Tencin, 156-185.

<sup>11</sup> M.A.E. Mém. et Doc., Rome, 75, f. 91: Journal of Le Dran 28 July, 1733 (cited by Sareil, Les Tencin, 245). A year before Père Blainville wrote to James "... les troubles du Parlement de Paris ... faisant sentir à nos Ministres du nécessité d'occuper la vivacité française à quelque expédition étrangère pour éviter ou prévenir les dissensions domestiques". (RA SP 154/148: Père Blainville to James, 7 July 1732, Paris).

<sup>12</sup> M.A.E. Corresp. Angl. 379, f. 75: Chauvelin to Chavigny, 28 January 1733, Paris (cited Vaucher, 78-79).

<sup>13</sup> Wilson, 247-253.

<sup>14</sup> On 17th March, 1733, Chauvelin wrote to Rottembourg, the French ambassador at Madrid, "Tachez qu'on puisse nous mettre en état de compter sur le concours de l'Espagne, si l'Empéreur ne croyait pas pouvoir déférer à une déclaration aussi formelle, dans une occasion où indépendement de tout traité, il s'agit de l'honneur de la maison." M.A.E.CP Esp., t. 404, f. 135; cf. Patino-Castelar, 5 April, 1733, Alcalá Est. 1. 4167; (cited Baudrillart, IV, 158). On 5 April Rottembourg sent a reply from Patino. "... du moment que la France prenait un parti certain, elle pouvait absolument compter sur l'Espagne." M.A.E. CP Esp. t. 404, f.135.

<sup>15</sup> J. Hervey, Memoirs of the Reign of George II, ed. Croker, (London, 1848), Vol. I, 258.

<sup>16</sup> Hervey, Memoirs, 371.

<sup>17</sup> J. Black, British Foreign Policy in the Age of Walpole (Edinburgh 1985) 41-44; J. Black "British Neutrality

in the War of the Polish Succession 1733-1735", International History Review, 1986, vol. viii, no. 3, 345-366.

<sup>18</sup>The Jacobite agent, George Robinson, forwarded a report at this time from his friend in the decyphering office in London: "The Dutch are alarmed in the highest degree ... they say we talk big because the sea is our barrier and that necessity must force them into a neutrality ... if that should be the case, France will have a fine game to play." (RA SP 163/120: Report from London correspondent, 9 July (o.s.) 1733).

<sup>19</sup>Walpole stated on 24th December, 1733, "Great Britain can neither with safety nor prudence enter into this war but in conjunction with the States." Coxe, III, 147-148.

<sup>20</sup>RA SP 163/200: Redmond to James, 10 August 1733, Paris.

<sup>21</sup>RA SP 165/191: O'Rourke to James, 24 October 1733, Vienna.

<sup>22</sup>Casualties were particularly heavy at Parma, where the battle lasted ten hours, neither side having a decisive advantage. The British consul, Skinner, gives the total casualty figure as about 10,000; his report continues "Pray God pardon the Marechal de Merci, who is slain, all the officers ... with one voice cry out upon his conduct, protesting they were led to slaughter to no end nor purpose." (cited by Coxe, History of the House of Austria, London, 1847, Vol. III, 171). The French suffered almost as much as the Austrians; the commander, Coigny, wrote to the Minister of War on 29th June "... de mémoire d'hommes il n'y a eu d'affaire plus affreuse, et il est aisé de concevoir qu'un avantage de cette espèce nous coûte infiniment. (cited Baudrillart, IV, 245).

<sup>23</sup>RA SP 163/20: O'Rourke to James, 4 July 1733, Vienna. O'Rourke quotes from Ovid, Heroides, 1.4.

<sup>24</sup>RA SP 155/11: James to O'Brien, 20 July 1732, Rome.

<sup>25</sup>RA SP 154/104 and /105: Cornbury to James, 29 July 1732, London. Report from England on Party. RA SP 154/190: James to the Duchess of Buckingham, 22 July 1732, Rome (to communicate to Cornbury).

<sup>26</sup>RA SP 179/76: Cockburn to Edgar, 8 May 1735, London.

<sup>27</sup>RA SP 181/64: Mist to Edgar, 13 August 1735, Boulogne.

<sup>28</sup>RA SP 161/105: Cornbury to James, 17 May 1733, Paris.

<sup>29</sup>S. Varey, Henry St. John, Viscount Bolingbroke (Utrecht, 1984), 26-28; I. Krmanick, Bolingbroke and his Circle, (Harvard University Press, 1968), 14-15; H. T. Dickinson, Bolingbroke, (London, 1970), 141-146.

<sup>30</sup>Colley, In Defiance of Oligarchy, 27-29.

<sup>31</sup>RA SP 139/203: Atterbury to James, 16 October 1730, Paris. The Duchess knew Atterbury fairly well in England and visited him in the Tower before his exile. Bennett, Tory Crisis in Church and State, 274.

<sup>32</sup>Redmond met the Duchess several times in Paris in September/October, 1730 and discussed with her the attitudes of both Atterbury and Berwick. (RA SP 139/64 and 139/200.) Some months later Inverness wrote to Edgar: "... from Paris I am informed the Bishop told one of his confidants that he had a great pleasure in having, by the means of the Duchess of Buckingham, reconciled the King to the Duke of Berwick". (RA SP 146/40: Inversness to Edgar, 13 June 1731, Avignon). Berwick may have had his own reasons for responding to this approach. He wrote to James on 14th October, 1730, requesting the nomination of his grandson as Grand Prior of England in the Order of the Knights of Malta. (RA SP 139/199: Berwick to James, 14 October 1730, Paris).

<sup>33</sup>James wrote to the Duchess, May 13th, 1731, when she was about to leave Rome, "You may tell such as you think proper that nobody belonging to me or my family ever saw you and I together, that you are easy as to any legal proof being brought against you and as to the secrecy of all that passed between us" (RA SP 145/60: James to the Duchess of Buckingham, 13 May 1731, Rome).

<sup>34</sup>Henry Hyde, Lord Cornbury, (1710-1753), eldest son of the Earl of Clarendon, related to Leveson-Gower and to Wyndham. Sedgwick, II, 164-5.

<sup>35</sup>RA SP 142/112: Endorsed "memorandum from Lord Cornbury given in January 1731".

<sup>36</sup>RA SP 142/99: List of honours filed with letter to Duchess of Buckingham from James dated 31 January 1731.

<sup>37</sup> William Poultney – an earldom was suggested for him: for his political influence and association with Jacobites see Colley, In Defiance of Oligarchy, 209-11, 213.

<sup>38</sup> Vid Cap. II of the thesis; for biographical detail see Cap. II, notes 75, 87, 88, 89.

<sup>39</sup> RA SP 142/73: James to the Duchess of Buckingham, 26 January 1731, Rome.

<sup>40</sup> RA SP 161/6: Declaration to the People of England 1733.

<sup>41</sup> Bolingbroke, Dissertation upon Parties, (London 1754); Vid Dickenson Bolingbroke, 238-240; Vairey, Viscount Bolingbroke, 61-68.

<sup>42</sup> RA SP 161/6: cf. Bolingbroke, Idea of a Patriot King ed. S. W. Jackman, (Bobbs-Merrill, 1965), 39 and Letter on the Spirit of Patriotism, (London, 1732), 36.

<sup>43</sup> RA SP 161/3: Declaration for Scotland, 23 April 1733.

<sup>44</sup> RA SP 161/4: Declaration for City of London, 23 April 1733.

<sup>45</sup> RA SP 161/104: Cornbury to James, 17 May 1733, Paris.

<sup>46</sup> RA SP 162/103: James to Ormonde, 16 June 1733, Rome.

<sup>47</sup> This is clear from incidental references in the correspondence of Pope and Swift. Cornbury's sister, the Duchess of Queensbury, was the friend and patroness of John Gay. For Pope's Jacobitism see H. Erskine-Hill, "Alexander Pope, the Political Poet in His Time", Eighteenth Century Studies, Vol. 15, no. 2, 1981-2.

<sup>48</sup> Bolingbroke, Letter on the Spirit of Patriotism, (Miller, London, 1752), 40.

<sup>49</sup> The general statements about the patriarchal character of true monarchy exemplify this point. In the open letter to the Duchess of Buckingham (which was a response to Cornbury's initiative in 1731), James wrote "I desire to be King of my people and not of any one Party of them and therefore I will behave like a common father to the whole ... it were much to be wished that all those who wish me well would unite like one man in the common cause ...."

RA SP 142/73: James to the Duchess of Buckingham, 26 January 1731, Rome. In The Idea of a Patriot King Bolingbroke wrote "to espouse no party, but to govern like the common father of his people is so essential the character of a Patriot King that he who does otherwise forfeits the title ... the true image of a free people governed by a Patriot King is that of a patriarchal family, where the head and all the members are united by one common interest and animated by one common spirit." (Idea of a Patriot King, 46). The same close verbal similarities can be found in passages dealing with the concept of liberty, e.g. Cornbury's letter to James in 1735, RA SP 183/131: Cornbury to James, 28 October 1735, Paris and Bolingbroke, Idea of a Patriot King, 31, 37, 54, 59.

<sup>50</sup>In the scheme of 1732 Hardy had been instructed to contact Gower and Bathurst. He believed their refusal to join was due to the influence of Bolingbroke. (RA SP 151/77: Hardy to James, 20 March 1732, London) After the French withdrew their support, Hardy maintained it was because of advice from Bolingbroke, conveyed through his friend Chavigny, the French ambassador in London. (RA SP 154/106: Hardy to James, 29 June 1733, London).

<sup>51</sup>RA SP 167/32: Cecil to James, 30 December 1733, London.

<sup>52</sup>RA SP 156/103: O'Brien to James, 25 October 1732, Paris.

<sup>53</sup>RA SP 156/158: O'Brien to James, 10 November 1732, Paris. Brinsden's approach was slightly disguised as a chance meeting at a place where O'Brien dined.

<sup>54</sup>James wrote to Berwick on 3rd December, acknowledging a letter of 9th November (which is not in the manuscripts); in his reply to Berwick there is a deleted passage which says, "I do full justice, I assure you to his [Bolingbroke's] capacity and talents and what may have passed some years ago ought not to hinder him from espousing heartily my Cause to which he may greatly contribute". The amended version is re-phrased in similar terms and goes on to recommend Berwick "to find out some new method to convince him of my real intentions in public matters ... you may give him the strongest assurances in my name of my readiness, after my Restoration to acknowledge the share he may have had in it ...." This letter was written after the receipt of O'Brien's letter about Brinsden and probably in consequence of it, as a response to Bolingbroke's advance; it is not certain Berwick mentioned him, although I think it likely. (RA SP 157/86: James to Berwick, 3 December 1732, Rome).

<sup>55</sup> RA SP 157/87: James to O'Brien, 3 December 1732, Rome. RA SP 157/155: O'Brien to James, 19 December 1732, Paris. RA SP 157/190: O'Brien to James, 26 December 1732, Paris.

<sup>56</sup> RA SP 161/42: James to O'Brien, open letter in French to be shown to Chauvelin, 29 April 1733, Rome. RA SP 168/175: James to O'Brien, 2 March 1734, Rome.

<sup>57</sup> RA SP 171/121: Cecil to James, 10 July 1734, London.

<sup>58</sup> Coxe, III, 138; Gedda was the Swedish ambassador in Paris; James also had reason to disapprove Chavigny's intimacy with Bolingbroke; he noted in a letter to O'Brien on 26 April, 1733, that they "appear to be very well together, but whether they be really so at bottom or not, that single appearance will make everybody that wishes me well shy of Chavigny". (RA SP 161/32: James to O'Brien, 20 April 1733, Rome).

<sup>59</sup> RA SP 157/169: O'Brien to James, 22 December 1732, Paris.

<sup>60</sup> In March, 1733, O'Brien passed on to Chauvelin Cecil's letter of 11 January (RA SP 158/108, copy of a letter from Cecil to James of 11 January, 1733 - so endorsed in O'Brien's hand). He tried again with an open letter from James (RA SP 161/42: O'Brien to James, 29 April 1733, Rome).

<sup>61</sup> RA SP 165/9: James to Ormonde, 22 September 1733, Rome.

<sup>62</sup> RA SP 178/6: Cecil to James, 23 February 1735, London.

<sup>63</sup> RA SP 155/42: James to the Duchess of Buckingham, 4 August 1732, Rome.

<sup>64</sup> RA SP 161/36: James to Cornbury, 28 April 1733, Rome. The letter is in code, or rather is expressed metaphorically as referring to a book which is due to be published, but the sense is fairly clear.

<sup>65</sup> The edited version (RA SP 161/27: Hardy to O'Brien, 23 April 1733, London) is dated 23rd April and endorsed as shown to the Garde des Sceaux on 9th May. The original is also in the manuscripts (RA SP 161/37). The substance is virtually the same, but Hardy's too obvious mistrust of the French government is suppressed. Thus the

official version ends. "... I repeat to you the Enterprise cant miss if you try it this summer. The King's Friends cant believe the Court of France will refuse the small help they ask ... give me news, I beg you as soon as possible, for, as the King's Friends have arrangements to make, they cant be warned too soon of what decision France will take ... I flatter myself it will be what we want." (161/27) Hardy, in fact, said at the end of his letter. "... tell me is it possible the Cardinal's blood is so frozen that he wont dare undertake an action so glorious ... if they dont one can hope nothing from them during this Ministry unless they are forced to it by the necessity of their affairs." (RA SP 161/37)

<sup>66</sup>RA SP 161/104: Cornbury to James, 17 May 1733, Paris.

<sup>67</sup>RA SP 161/104: Cornbury to James, 17 May 1733, Paris.

<sup>68</sup>RA SP 161/138: Ormonde to O'Brien, 29 May 1733, Avignon.

<sup>69</sup>RA SP 170/110: Hardy to O'Brien, 21 May 1733, London. It should be noted this letter is catalogued in error under 1734, but the date is clear and the internal evidence places it in 1733.

<sup>70</sup>RA SP 162/124: Cornbury to James, 18 June 1733, Paris. This list, and the political comments are of considerable interest; it includes leading members of the opposition - Bolingbroke himself, Argyll, Chesterfield and others.

<sup>71</sup>The detailed changes involved removing the words "through convocation not being allowed to sit", which might offend Presbyterians, while the statement about safeguarding the rights and liberties of the Church of England was in itself a sufficient guarantee of the right to hold Convocations; tolerance for dissenters was to be expressed more strongly, and, at this point, a paragraph inserted "that the King declares himself utterly averse to the suspending the Habeas Corpus as well as loading the people with unnecessary taxes or raising them in a manner burthensome to the subjects or by introducing foreign excise to endeavour to acquire arbitrary power, being only desirous to extend his influence over the affections of his people". RA SP 161/109: Cornbury to James, 17 May 1733, Paris. In June James wrote to Ormonde "never was paper so sifted and examined ... I hope as it is now worded it will be acceptable to all sorts of people" (RA SP 162/103: James to Ormonde, 16 June 1733, Rome).

<sup>72</sup>RA SP 162/137: O'Brien to James, 21 June 1733, Paris. RA SP 163/8: O'Brien to James, 3 July 1733, Paris.

<sup>73</sup>RA SP 162/24: Cornbury to James, 18 June 1733, Paris.

<sup>74</sup>RA SP 163/56: Cornbury to O'Brien, 2 August 1733, London.

<sup>75</sup>RA SP 163/8: O'Brien to James, 3 July 1733, Paris.

<sup>76</sup>RA SP 161/155: Ormonde to O'Brien, 29 May 1733, Avignon.

<sup>77</sup>On 27th July, 1733 O'Brien wrote to the Lord Marischal: "We are here in a great stir; it seems everything tends to war ... we have already bought provisions and the order has gone out to purchase horses for artillery, which looks as if they were thinking of siege-work ... they say you on your side are making great preparations on the Mediterranean coast of Spain." (RA SP 163/125: O'Brien to the Lord Marischal, 27 July 1733, Paris). On 3rd August he reported that "100,000 men are on the march to Alsace." (RA SP 163/160: O'Brien to the Lord Marischal, 3 August 1733, Paris)

<sup>78</sup>RA SP 162/137: O'Brien to James, 21 June 1733, Paris. RA SP 163/8: O'Brien to James, 3 July 1733, Paris. RA SP 163/7: O'Brien to Ormonde, 3 July 1733, Paris.

<sup>79</sup>RA SP 163/126: O'Brien to James, 27 July 1733, Paris.

<sup>80</sup>RA SP 163/126: O'Brien to James, 27 July 1733, Paris. RA SP 163/159: O'Brien to Ormonde, 3 August 1733, Paris.

<sup>81</sup>RA SP 163/159: O'Brien to Ormonde, 3 August 1733, Paris.

<sup>82</sup>The French took some pains to make this rumour credible. A man who resembled Stanislas actually travelled with the French flotilla from Brest; meanwhile the real Stanislas went through Germany to Warsaw. This was known to Sir Peter Redmond (though not to O'Brien or indeed to Waldegrave) presumably through his son, who was attached to the Leszczynski household. (RA SP 164/113: Redmond to James, 31 August 1733, Paris).

<sup>83</sup>RA SP 164/206: O'Brien to Ormonde, 18 September 1733, Paris.



<sup>84</sup>The letters referring to the enterprise are all in a prearranged code metaphor, and, for greater security, were actually written by Willemin, a servant of the Duchess of Buckingham to the banker, Waters, on the ostensible subject of a set of fans, specially ordered to be designed and made in London. Thus on 23rd August Cornbury writes with regard to the price [number of men], Madame [France] is rich and should not haggle over that if she is well-served - he doesn't think the workers [Friends in England] are asking too much, but rather than lose custom, the "workers" will leave it to "Madame" and hope she won't beat them down too much. RA SP 163/143: Cornbury to O'Brien, 30 July 1733, London, endorsed "Willemin to Waters", written by order of Lord Cornbury. RA SP 164/68: Cornbury to O'Brien, 23 August (prob. OS) 1733, London.

<sup>85</sup>RA SP 164/100: O'Brien to Ormonde, 28 August 1733, Paris. RA SP 164/103: O'Brien to Cornbury, 29 August 1733, Paris.

<sup>86</sup>RA SP 164/100: O'Brien to Ormonde, 28 August 1733, Paris. RA SP 164/129: Ormonde to O'Brien, 3 September 1733, Avignon. RA SP 164/197: Ormonde to O'Brien, 7 September 1733, Avignon.

<sup>87</sup>RA SP 164/197: James to O'Brien, 16 September 1733, Rome.

<sup>88</sup>O'Brien to Cornbury, 25th September; he wrote that Chauvelin "could not tell me definitely when it would be"; when pressed to say if at least it would take place that year, Chauvelin replied "he would be sorry to say no, but could not definitely say yes". RA SP 165/21: O'Brien to Cornbury, 25 September 1733, Paris.

<sup>89</sup>RA SP 165/111: O'Brien to James, 9 October 1733, Paris.

<sup>90</sup>RA SP 164/13: James to O'Brien, 12 August 1733, Rome.

<sup>91</sup>RA SP 166/195: James to O'Brien, 22 December 1733, Rome.

<sup>92</sup>In 1735 the Duchess of Buckingham told O'Brien "the opinion of the King's friends was that it was the intrigues of Bolingbroke that changed the opinion of the King of France and that Bolingbroke, being one evening rather drunk, had said to certain of his friends that he knew there was something on but he had found a way to break off the schemes of those who thought to accomplish great things without his

knowledge." (RA SP 183/25: O'Brien to James, 3 October 1735, Paris)

<sup>93</sup>RA SP 166/195: James to O'Brien, 22 December 1733, Rome.

<sup>94</sup>In the list of leaders which Cornbury sent to James in June, 1733, he wrote of Bolingbroke "he has all the talents a man can have, but given up to pleasures and prejudiced, vain, ambitious, ill with the Government, violent against Walpole, fearing the King's Restoration I believe and uneasy that the King's Cause goes on without him." (RA SP 162/124: Cornbury to James, 18 June 1733, Paris)

<sup>95</sup>RA SP 183/131: Cornbury to James, 28 October 1735, Paris.

<sup>96</sup>Chauvelin, discussing the English Jacobites with O'Brien in 1734, spoke highly of Cornbury as a man "beaucoup d'honneur" whose opinion he would trust (RA SP 169/9: O'Brien to James, 18 March 1734, Paris); in 1732 Cornbury (although not a wealthy man) refused a pension which his brother-in-law Lord Essex obtained for him. His comment on the occasion is recorded in Spence (Anecdotes), 292; cf. also Pope, Imitation of Sixth Epistle in the First Book of Horace, 1.61. In May, 1739, Pope wrote to Swift: "I cultivate some young people's friendship, because they may be honest, whereas the old ones Experience too often proves not to be so .... There is a Lord Cornbury ... and one or two more with whom I would never fear to hold out against all the corruption of the world." (Pope's Correspondence, ed. Williamson, IV, 178).

<sup>97</sup>RA SP 183/95: O'Brien to James, 21 October 1735, Paris. Fifteen years later Cornbury resigned his seat in the Commons, writing "I had seen too much of opposition and know too well the materials of which it is made to put to sea again in that rotten vessel. I knew the inefficiency and had long enough felt the difficulty of standing single and unconnected in that assembly", a statement that echoes the feeling he expressed to O'Brien that "he found himself unable to work with any party amongst the Jacobites." Sedgwick, History of the House of Commons, 1715-1754, Vol. II, 165.

<sup>98</sup>RA SP 183/46: O'Brien to James, 10 October 1735, Paris. RA SP 183/78: Chauvelin to Cornbury, 17 October 1735, Paris.

<sup>99</sup>RA SP 165/111: O'Brien to James, 9 October 1733, Paris.

<sup>100</sup> Bolingbroke, H. T. Dickinson, 240-242.

<sup>101</sup> In April, 1733, Fleury told him "You have no union amongst the parties in England and besides you have no leader." (RA SP 160/165) In July, Chauvelin pointed out "you have nothing new from England, and what we have already been told is not yet sufficient to engage us in undertaking the enterprise." (RA SP 163/126) In October Chauvelin was even more explicit: "I have employed all sort of means to sound all the more important people and there has not appeared one of them that had the King as his object. They are, it is true very ill-pleased with the ministry, but there is not a single one who declares himself to be for the King; believe me, I know better than you the exact state of affairs in England ...." (RA SP 165/111: O'Brien to James, 9 October 1733, Paris).

<sup>102</sup> O'Brien made this point to Chauvelin in October. (RA SP 165/111: O'Brien to James, 9 October 1733, Paris).

<sup>103</sup> Villars, Journal, IV, 314.

<sup>104</sup> Villars, Journal, IV, 325.

<sup>105</sup> Villars, Journal, IV, 333.

<sup>106</sup> O'Brien's letters to James and Ormonde, June-October 1733 (RA SP 162/45, 163/7, 163/8, 163/92, 163/159, 165/111).

<sup>107</sup> Summarised from M.A.E. Mém. et Doc., France, t. 503, ff. 121-122 in Wilson, 242, n.2.

<sup>108</sup> In writing to Chavigny on 13th March, Chauvelin added in his own hand, "Pour un homme qu'on fera marcher en Pologne, notre gloire exige que nous en fassions marcher dix partout où il faudra". M.A.E. Corr. Angl., t.379, f.268, cit. Vaucher, 70. Chavigny showed this to Harrington with a hint it included the Low Countries, but early in April (as Vaucher thinks at the Cardinal's instance), this action was disavowed. (Vaucher, 70-71).

<sup>109</sup> Villars, Journal, IV, 309-310.

<sup>110</sup> RA SP 163/8: O'Brien to James, 3 July 1733, Paris and RA SP 163/92: O'Brien to James, 20 July 1733, Paris.

<sup>111</sup> O'Rourke comments to James, 31 July 1734: " ... the French, who triumph actually upon the Rhine and in

Italie, have strangely prostituted their Crown's reputation in the North. They make conquests for others, while they sacrifice their King's father-in-law, involved, with a whole nation, in a destructive war, on the assurances given by that Court of being sustained. This conduct is certainly neither wise nor honest." (RA SP 172/20: O'Rourke to James, 31 July 1734, Vienna).

Introduction to Section III: 1735-1737

In this section I examine the ways in which the Jacobites tried to adapt their policy to the changes which resulted from the War of the Polish Succession.

Fleury based his proposals for peace on a settlement which would bind Austria and Spain to France as allies and exclude England. The key factor in this arrangement was a territorial exchange. The Emperor's son-in-law, Francis, Duke of Lorraine, was required to surrender his hereditary Duchy to Stanislas Leszczyński, whose daughter was the wife of Louis XV. He was to receive Tuscany as compensation, while Don Carlos, the legal heir of the last Medici Duke, was in turn compensated by a royal title and the recognition of his conquest and effective possession of Naples and Sicily. Lorraine was thus secured in perpetuity to France, while, by a similar dynastic link, Tuscany (together with Parma and Milan) was attached to the conglomerate of Hapsburg territories.

Fleury secured his settlement at first by choosing the right moment to make a secret and separate agreement with Austria in 1735. The whole deal was negotiated and signed in a matter of a few weeks at Vienna, without the knowledge or concurrence of the allies on either side. But the process of turning the preliminary agreement into a

definitive treaty was lengthy and complex. It needed strong diplomatic pressure, backed by the threat of force to compel Spain to surrender the inheritance of Don Carlos to an enemy she had already defeated in the field, and to compel Austria to give up Lorraine immediately and completely to become in effect a possession of the French Crown.

In exercising this pressure to implement the Preliminaries of 1735, Fleury had to take into account two factors which complicated the whole situation. Although Walpole had chosen to keep England out of the war, he had offset this decision by continual efforts to mediate the dispute and thus maintain England's position as a European power. He had no wish to be excluded from the negotiations for peace, and Fleury had therefore to guard against either Spain or Austria, or both, using England to escape compliance with the preliminary agreement.

Secondly Fleury knew that, although his adjunct Chauvelin agreed with him on the necessity of making peace with Austria in 1735, their views on long term relations with Austria were different. Fleury intended his settlement to be a permanent base for relations with Austria, and the agreement of France to the Pragmatic Sanction was included in the bargain. French possession of Lorraine was tied to Austrian possession of Tuscany, therefore the Cardinal would discourage absolutely any attempt by Spain to re-establish her position in Northern Italy. Chauvelin seems to have

viewed the arrangement as temporary. He had in mind the ultimate division of Hapsburg territories when the Emperor died, an idea which would have the support of anti-Hapsburg and pro-Spanish members of the Council. Foreign policy therefore became one of the areas involved in the internal power-struggle between Fleury and his adjunct. While Fleury was coercing the Spaniards to agree to the treaty with Austria, Chauvelin was secretly encouraging them to look to future opportunities of aggression against Austria. With the King still behind him, Fleury in the end maintained his authority, for, as soon as the preliminary settlement was signed by Spain as well as Austria, Chauvelin was arrested and sent into exile.

The Jacobite response to this process of re-adjustment after the Polish war was closely linked to Fleury's effort to make his agreement of 1735 an effective re-settlement of Europe. It illustrates, in another area, the fundamental relationship of dependence and manipulation which characterised his dealings with the Jacobites abroad as well as with the Jacobite party in Britain.

James and his two agents, O'Rourke in Vienna and O'Brien in Paris first become involved in the negotiations between Austria and France because the Emperor chose to use the Jacobite network to make a cautious approach to the French government in March, 1735. Fleury had already for his own reasons determined on a secret negotiation with

Austria and had taken the initial step of despatching his own unofficial emissary to Vienna. He then continued to use the Jacobite channel, not for the actual negotiation, but as a blind to conceal his real line of communication and the extent to which he had associated his adjunct with his approach to Austria, maintaining this deception until he had the agreement signed in Vienna. James himself had always realised that both France and Austria might prefer not to use the Jacobite channel once the first contact had been made. Even when he finally understood that he and his agents had been used in this way, he still saw potential gain to his cause from the good-will of the two powers now likely to be bound in an alliance in which Spain would be included. With the three Catholic powers united and Hanoverian Britain left in isolation, he hoped they might be persuaded to exercise joint pressure on Britain – even to the extent of the threat of war – to re-instate the Stuart line.

With this object in view, he and O'Rourke and O'Brien continued the series of ostensible letters which they had begun to interchange in the first attempt to bridge the gap between France and Austria. They made use here of a recognised diplomatic device whereby, under cover of private correspondence, governments could interchange information, suggestions or bargaining points in an uncommitted and unofficial way. What James wanted was to keep the Jacobite



cause to the fore in the diplomatic shift then taking place, and if possible to get some kind of overt recognition from the governments concerned, some statement of implied intention to assist in his Restoration.

The first series of letters came from O'Rourke in Vienna, via the King in Rome to O'Brien in Paris. It was continued at the instance of a senior official in the French foreign ministry; but once the French ministers had secured their objectives in Vienna, they withdrew from any display of interest in the correspondence.

The ostensible correspondence with Spain began also on the initiative of the Jacobites. O'Brien had his own concept of how the new alliance could be used to press the Jacobite interest. He wanted to stir up Spanish aggression against England by assuring the Spaniards they had nothing to fear now from Austria and might well have the support of France in a demand for the return of Gibraltar and Port Mahon, by way of compensation for their losses in Italy. The Jacobites had no agent in Madrid at this time, but there were a number of Jacobite exiles in the service of the Spanish King, and O'Brien, on his own initiative, began an ostensible correspondence with one of them, Brigadier Lacy, who duly passed on the letters to Patino, the chief minister at Madrid; and Patino, according to Lacy, showed considerable interest and asked that the correspondence should be continued. Under instruction from James, O'Brien

showed all this correspondence to Chauvelin, and at the same time he discussed his ideas with the Secretary at the Spanish embassy in Paris, Don Trevino, with whom he had cultivated a close acquaintance since 1733.

There was no real likelihood that, even when they were joined in formal alliance, the three Catholic powers would ever combine to pressure England into a change of dynasty. Yet, during these two years the Jacobites certainly received specific encouragement from France and from Spain to continue their ostensible correspondence. I suggest the reason for this is to be found in the special difficulties Fleury confronted in implementing the treaty that ended the Polish war. The correspondence with O'Rourke, which was continued at the instance of the French, gave the Cardinal some useful insights into Austrian reaction to French pressure. O'Brien's correspondence with Lacy, outlining plans for militant action against England, provided both Patino and Fleury with a view of reactions to proposals which neither wished to see adopted. Although Chauvelin dissociated himself officially from any encouragement of the Spanish correspondence, the ideas put forward in O'Brien's letters were in line with the policies he was later accused of commending to Spain in his own hidden manoeuvres. The spontaneous efforts of the Jacobites therefore provided for France a mechanism to monitor and test diplomatic possibilities during the complex process of imposing a

treaty on two powers – Spain and Austria – both of whom were very unwilling to accept the terms of settlement.

The whole exchange of letters had one fortuitous and unintended consequence which increased Walpole's dread of Jacobite intrigue, and increased therefore the potency of the Jacobite threat as a tool to be used by the Bourbon powers. By chance one of the ostensible letters James wrote in the correspondence that involved O'Rourke and O'Brien came into Waldegrave's hands. Walpole took very seriously the implication that France, Spain and Austria, might combine to restore the Stuarts. Between 1737 and 1739, as the growing crisis between Spain and England led to the outbreak of a new war, his anxiety on this point became a factor in the diplomatic stance which England took under his direction.

## CHAPTER V

### The Jacobites and the Making of Peace, 1735

By 1735 both France and Austria, for different reasons, had reached the point where they recognised they had more to gain from making peace than from continuing war.

It is not surprising that the Austrians wanted peace, since the defection of the Maritime Powers made their position virtually hopeless from the start of the war. Their armies had been heavily defeated, three important towns in the Rhine area – Kehl, Phillipsburg and Trèves – were in French hands, and all the Italian territory, except Mantua, was lost. But why should the French, in the full tide of apparent victory, stay their hand and seek for a settlement?

To understand their motives and their timing, we must consider briefly the whole response of England to the Polish war. At the start of hostilities, the English evaded their obligation to help the Emperor on the plea that Holland, the other Maritime Power, had already made a separate Treaty of Neutrality with France. To keep England still neutral, as the war developed, Walpole resorted to the expedient of offering his mediation to resolve the quarrel, and this line of action was just what Fleury himself wanted.<sup>1</sup> It was

essential for France to keep England out of the war as long as possible, because English money could subsidise the Emperor, and the English fleet in the Mediterranean could hinder the transport of Spanish troops to Italy.<sup>2</sup> Besides these strategic considerations, Fleury was always afraid that Walpole might try to repeat his diplomatic coup of 1731, tempt Spain back into making a separate peace with Austria and leave France once more isolated. Throughout the war, therefore, he used diplomacy in two ways; as a strategic weapon to keep Austria isolated and as a means of making peace on his own terms.

To carry out his plan Fleury made use of a relationship that was both personal and political. He had always presented himself to the diplomatic world as a lover of peace and concord, forever ready to reconcile differences at the conference table. If the English Ministers found him on occasion devious and untrustworthy, they considered it the consequence of his being, by nature and through age, rather weak, rather pliant, unable to make a stand against the forceful aggressive character of his adjunct, Chauvelin.<sup>3</sup> They had, it is true, some reservations about the Cardinal's general reliability especially when it seemed that France was gaining an advantage at their expense. The discovery of the secret treaty between France and Spain at this very time occasioned such doubts, and

Horace Walpole wrote to warn Waldegrave about his dealings with Fleury:

"My old friend the Cardinal does amuse and abuse you in his protestations with regard to no engagements being contracted to our prejudice ... It is (you will pardon me, my Lord, on this occasion) observed that the Cardinal, by his seeming cordiality and confidence, stops Your Lordship's enquiring and pressing him so much as may be necessary ... you should not indeed provoke but you should not let the French Ministry think you are duped by a few fine words ... he has a mild but short, hasty and friendly way of getting over a thing he has no mind to discover, or rather has a mind to conceal his thoughts and, for that purpose he often runs into a seeming confidential discourse on other matters and avoids the question."<sup>4</sup>

Still, on the whole, Horace was confident that his personal friendship for the Cardinal and his long experience of the Court of France gave him solid grounds for judging Fleury's intentions in the diplomatic interchange between France and England during the war, a state of mind which was of considerable value to Fleury in his efforts to manipulate English diplomacy.<sup>5</sup>

The first proposals put forward by the Maritime Powers were rejected by both sides, but Fleury's rejection was so couched in ambiguities, so hesitant, so bland, that it kept the English to their task of finding a solution, while France sent a small squadron up the Channel to the Baltic (a token gesture to Stanislas) and Spain poured troops into Italy. The French were quite alive to the

advantage they derived from the English eagerness to mediate; Chavigny, in May, 1734, advised his Court "de les amorcer de la médiation et, pour les amorcer, leur distribuer, mais avec économie, quelques portions de notre confiance, à proportion de la leur."<sup>6</sup> The reply to the English proposals was carefully calculated to immobilise any attempt at active intervention. Chauvelin made this clear when he wrote to Rottembourg on 2nd May, 1734: "... vous sentirez aisément quelle délicatesse doit entrer dans la façon de tourner cette réponse ... notre bût être de gagner du temps et de lier, s'il est possible, les mains aux Anglais pour cette campagne, en ne leur laissant voir qu'autant d'apparence de facilité qu'il en fait pour les entretenir dans l'espoir du succès de leur office; ni refus, ni acceptation en faire."<sup>7</sup>

As these negotiations proved increasingly ineffective, the Cardinal resorted to another expedient to occupy the attention of the Maritime Powers. He suggested an exchange of views to be conducted in secret at the Hague, between Horace and the Pensionary on one hand and an agent he himself would choose to speak for France. At first Horace was certain enough that the Cardinal "... is disposed for peace and offers to open himself in the frankest manner, upon conditions that are neither haughty nor grievous - if we should boggle or delay and miss this opportunity, I dont know when we shall have such another."<sup>8</sup> But, within a

month, the English Cabinet had their doubts that this was only "an artful invention to amuse and soothe the Maritime Powers with specious professions of the pacifick dispositions of France while the real view of that Crown may be only to divert us from putting ourselves in such a posture during the winter as might enable us to oppose any such dangerous designs as they may have projected for the next campagne."<sup>9</sup>

Despite these (well-founded) suspicions, the English allowed themselves to be entangled, during the winter of 1734-35, in a web of secret negotiations, in which the Cardinal's own appointed agent, the "homme de confiance", Jennel, was as much a victim as anyone else, since, at an even deeper level of concealed communication, Fleury dealt directly with Horace, through Waldegrave, in Paris. When the secret talks broke down in the spring of 1735, Horace, in a final effort to use personal relations for a diplomatic advantage, made a hurried visit to Versailles, to cajole or bully his old friend into signing an agreement. It was a rather naive attempt which the Cardinal easily side-stepped,<sup>10</sup> and England had then no other recourse but to go back, once more, to openly presented plans of pacification.

Nevertheless the English were not wrong in assuming that the Cardinal, no less than the Emperor, wanted a settlement. The allies had done very well so far in the war, but even their success had an element of danger. If



the Emperor were driven completely out of Italy, England might decide to come to his aid rather than accept such an extension of Bourbon power over the whole peninsula. Apart from this the alliance itself was always insecure. Spain had never yet formally acceded to the Treaty of Turin, and, the more successful the Spanish armies, the deeper the mistrust and jealousy of the Sardinians, a situation which the English would certainly try to exploit.<sup>11</sup> By the spring of 1735, military co-operation between Spain and Savoy had quite broken down and the Cardinal feared that either one or the other might secede to the Emperor. About the time Horace visited France in April 1735, Fleury wrote to Chauvelin stating – or rather over-stating – the need for peace: "nous ne pouvons point avoir échec qui ne soit mortel. Peu de crédit de la France, la faiblesse intrinseque découverte, les Jansensistes, les Religionnaires, les mécontents de la Cour, les fonds insuffisants, l'abandon de l'Espagne, en un mot, décadence entière."<sup>12</sup> Chauvelin did not want an agreement made through Horace Walpole, but he too recognised that this might be the best time for procuring the settlement France wanted. More than a year later, in October, 1736, he wrote "... nous avons su profiter d'un seul moment, qui n'auroit pu se retrouver ... nous étions à la veille, par les caprices de l'Espagne, d'essayer un changement de fortune, qui, nous mettant à la discrétion de l'Empéreur, nous aurait

obligé à quitter les armes avec tous les désavantages auxquels nous aurions esté exposés."<sup>13</sup>

The long-drawn-out and apparently futile negotiations with England had prepared the way for the plan Fleury meant to see adopted. By his various proposals and counter-proposals during these months, he not only kept the English busy, he tested their reaction – and that of his allies – to a range of possible solutions.<sup>14</sup> The Cardinal had two objects in view. The first, and perhaps the most important, was to secure Lorraine to France, but, since he had always declared that France had no self-interested motive in undertaking the war, he would prefer that French acquisition of the Duchy should appear as a secondary consequence of the whole settlement.<sup>15</sup> Secondly, Fleury wanted to anticipate, in Italy at least, the probable consequence of the Emperor's death, by establishing a stable balance of power within that country, an arrangement that would both separate and satisfy these perennial antagonists, Spain and Austria.

His plan was that Duke Francis should relinquish Lorraine, which would then be given as compensation to the defeated King Stanislas. On his death the Duchy would revert to the Crown of France, as the dowry of his daughter Maria Leszczyńska, the wife of Louis XV, and, in this way, the honour of the French King would be satisfied. Duke Francis would, in turn, be compensated by Tuscany, which would thus become (through his marriage to Maria Teresa)

permanently attached to the House of Hapsburg; the Emperor would recover the Milanese and receive Parma in addition; to compensate Don Carlos for the loss of his Duchies, he would be recognised as King of Naples and Sicily, the lands he had already conquered from the Emperor, and, for good measure, France would now, at last, agree to recognise the Pragmatic Sanction.

Once the decision was made to press Austria to accept this plan, it was essential for Fleury to make the arrangement as quickly and as secretly as possible, while the Emperor was still convinced that England would not come to his help. It was not an easy task, even for an adept like the Cardinal. He had to conceal his purpose from his allies, Spain and Sardinia, from these untiring would-be mediators, England and Holland, and from those in his own government who were anxious to press further the apparently successful military operations. The campaign season had started, and, as there was no peace, there must be at least a show of war. Since France was officially engaged in helping her allies to capture Mantua, the strategic key to Lombardy and the last foothold of the Austrians in Italy, Fleury could not go on for ever evading Spanish demands for help, or secretly encouraging the intransigence of the King of Sardinia, whose failure to co-operate had so far delayed the siege.<sup>16</sup> Nor was there any certainty as to how his overture would be received at Vienna. The Emperor was

already considering the peace plan of the Maritime Powers, which was so framed as to be much more attractive to him than to France.<sup>17</sup> He might use the Cardinal's approach to discredit France with her allies, or to pressure the Maritime Powers into offering a specific commitment to come to his help if their plan was not adopted. His personal distrust of Fleury, his traditional hatred of the Bourbon, his special concern with his Italian dominions,<sup>18</sup> which the English peace-plan would in some measure restore and with less apparent risk – these were all factors which might well incline the balance against a separate peace with France. There was, besides, the retarding influence of the power-structure within the Austrian Court: the cumbrous administration, the old-established factions, the humours and uncertainties of the Emperor himself, a man not equal in character or intellect to the position he occupied through hereditary right.<sup>19</sup>

Fleury had always available a number of unofficial and unobtrusive ways of getting in touch with the Emperor, if he chose to do so. He was a Cardinal, and the Church in which he held that princely rank was still an international organisation. Official courtesies, exchanged with the Emperor at New Year, gave occasion for guarded hints, on both sides, of a willingness to talk. The Austrian will for peace had been tested more recently by an offer from the Pope to mediate. Then in March, by making a cautious

approach through the Nonce at Brussels, Fleury had again seemed to indicate a wish to resume the contact made in January.<sup>20</sup> After the secret talks with Horace Walpole broke down, sometime in March or early April, 1735, the Cardinal finally made his decisive move. While ostensibly consulting his allies, he set up two secret and separate lines of communication with the Court of Austria. One was through the Count de Wied, a young man whose estates bordered the Rhine in Imperial territory; the other was through the Jacobites.

A certain Baron Nierodt happened to be in Paris just at that time. He was Swedish, a soldier of fortune who had tried to make a career in various ways – at Vienna, amongst other places – and finally drifted into the employment of the Count de Wied, as bailiff or steward. He was a good man for Fleury's purpose, since he could be so easily disowned. He was known as a talker, a man of extravagant ideas, and he was politically quite insignificant. He had come to Paris on routine business for his master, to protest against the exactions of the French in the recent campaigns on the Rhine. Very privately, Fleury sent for this man, engaged him in conversation about the war and commissioned him to ask the young Count de Wied if he would be willing to take a message secretly to Vienna.<sup>21</sup> Again it was a judicious choice, for Vienna was the natural centre where a young man of rank might make his appearance and cultivate useful

acquaintance. The very fact of his youth rendered him less suspect. Some months later, when the whole affair became public, O'Rourke recalled that "he had dined and talked several times with this Count de Witt, and so did several people here, without the least suspicion of his being instrumental in so weighty an affaire ...."<sup>22</sup> The old Count, his father, was sceptical about the whole affair, but the Countess would take the chance of profit and social advancement unexpectedly offered, and her son was ambitious and eager to push his fortune at the Imperial Court, so Nierodt returned to Paris, with his master's consent to act as intermediary between the Cardinal and the Austrian Court.

The letter which Fleury then dictated, which Nierodt took back to Neuwied and which he and the young Count carried to Vienna, was addressed to the Austrian Chancellor, Count Sinzendorff. They arrived in Vienna on 18th May and had a number of interviews with Sinzendorff; on 11th June the Austrian ministers dictated an answer which was cautious but not unfavourable. They still felt considerable distrust of the Cardinal's good faith, but if he would state in writing his willingness to treat, promising to keep the whole transaction strictly secret, especially from his adjunct, Chauvelin, and send a confidential agent as soon as possible to Vienna to discuss concrete proposals, why then the Court of Austria would be happy to join with him in re-establishing the peace of Europe. On 13th July Nierodt was

back in Paris with this reply. The Cardinal's answer was prompt and courteous. He wrote direct to the Emperor on July 16th, meeting all the required conditions and promising the dispatch of an envoy within a few days. Duly piloted by Nierodt and de Wied, the French agent La Beaune reached Vienna on 13th August. While he lodged inconspicuously in de Wied's house in the suburb of St. Leopold, he met Sinzendorff and Bartenstein at the Convent of the Trinitarians in another part of the town. Within a few weeks the essential points were agreed and on 3rd October the Preliminaries were signed. Some informalities attached to the agreement, it is true. The verbal understanding which La Beaune was given — that Lorraine as well as Bar would be ceded immediately to Stanislas — was later modified by the Austrians to become valid only on the death of the last Medici Grand Duke of Tuscany; but, effectively, Fleury had made the peace he wanted without the knowledge of his allies and without the mediation of the English.

A mixture of skill and good fortune helped him to carry through this separate Treaty. In fact, from three different sources the English knew of the negotiation as it progressed. They intercepted a letter, written by the Emperor to Wasner, his envoy in Portugal in which he discussed the options open to him and the answer he intended to make to de Wied's message.<sup>23</sup> At this point the English did not take the matter seriously and did nothing about it.

In August, within a few days of La Beaune's departure, Waldegrave heard, from his contact de Bussy, about the secret dispatch of an envoy to Vienna. Again the English did nothing, not that they doubted the information, but, despite their concern, they were unable at first to agree on what they should do. The king was in Hanover and Harrington with him; and the rival merits of backing a separate negotiation between Spain and Austria or backing this new move between France and Austria had to be debated back and forth. The whole problem was further confounded by a deft move on the part of Fleury. As it chanced, the very day Waldegrave learned from de Bussy of the secret negotiation, he was approached by Fleury with a suggestion that France and England should make a private agreement about the exchange of Lorraine and Tuscany, with a view to engrafting it on the official peace plan and imposing it one way or another on the Emperor. Caught in these complications, the English delayed – and meanwhile La Beaune pressed on with his conferences at Vienna. In September, Harrington was informed in confidence by Count Kinski, the Imperial minister in Hanover, that a French envoy was in Vienna and that agreement was near;<sup>24</sup> but, almost at the same time, the Emperor once more put in a plea for military assistance from the Hanoverian king; and the English ministry thought it likely that Kinski's confidence was officially inspired, a device to put pressure on a reluctant ally by the threat



of a separate treaty. When at last it was determined that Waldegrave should confront the Cardinal with his knowledge of the private negotiation, he found it impossible to do so. The Cardinal was always unavailable, his place being supplied by the premier commis, Pequet, whose flow of eloquence never gave Waldegrave a chance to talk. When he finally cornered Chauvelin – and by this time the Treaty was in process of being signed in Vienna – he met with a flat denial of any such negotiation taking place.<sup>25</sup>

One thing the English government did not suspect was the part which the Jacobites played in this diplomatic interchange between France and Austria. Yet, in making their approach to peace, both belligerents found occasion to use the independent network of communication which the Jacobites maintained for their own interests.

From the manuscripts it seems clear that the initiative, in this case, came from Austria, through the personal contacts of Owen O'Rourke, the Jacobite agent in Vienna. O'Rourke by this time had been a number of years in Vienna, each year longing to return to his home in Lorraine, but staying on, patiently, to watch over the interests of his king, his old association with the ducal family of Lorraine giving some colour to his presence in Vienna. His special status amongst the Jacobites in Austria was well-known, and he had always to use great care not to compromise those who might wish him well or be prepared to further his

master's interest. Still, he had established sufficient useful contacts to keep him well-informed about what was passing at the ministerial level,<sup>26</sup> and, at this particular time, he had one friend with access to the Emperor himself. His old acquaintance, General Hamilton, long a boon companion of Prince Eugène, had recently come into favour at Court. While Eugène and Konisegg were absent at their respective commands, Hamilton acted as President of the Council of War, a position that gave him contacts with the chief ministers as well as with the Emperor himself.<sup>27</sup>

This might have seemed a golden opportunity to forward Jacobite interests; but it was an opportunity somewhat curtailed by Hamilton's own capabilities and by the position he occupied. He had, said O'Rourke, "noe great talent for to enforce an argumement of soe great weight, never bred to business, or applyed to affairs of state ...."<sup>28</sup> A more serious limitation was his relation with a Court still nominally allied to the Hanoverian Government in England. In replying to a suggestion that Hamilton should pass on a letter from James to the Emperor, O'Rourke wrote in June, 1735:

"... without any doubt his love and zeal for Your Majesty's cause are sincere; but he is so much the more circumspect in his situation and even timorous to manifest anything of it untill such times as he may doe it with efficacy to your service as well as his master's and with safety to himself. He is become, by the Emperor's growing favour, the object of the courtiers' envie and

particularly of the ministry's ill-will. He is afraid (as far as I can judge) of being the first to broach to his master an overture come from Your Majesty, for if it took not the desired effect, and if on the contrary, the English Government reconciled itself and sided with the Emperor, they might easily get him sacrificed as an avowed Jacobite, in bringing back such a message to the Emperor." <sup>29</sup>

Nevertheless, about the end of January, 1735, Hamilton, in the course of an informal discussion with his master, put forward a scheme for the settlement of the present dispute on the basis of a separate treaty with France. <sup>30</sup> The scheme was one which O'Rourke himself had formulated some years earlier, and reduced to writing in a manuscript he calls a "dialogue". <sup>31</sup> He had worked on this theoretical settlement of Europe at the time of the crisis which was resolved by the Second Treaty of Vienna, in 1731, when even Fleury was thought to have toyed with the idea of a Union between the Catholic Powers. <sup>32</sup> In the transition between the ideologies of the seventeenth century and the rationalism of the eighteenth century, there was still a certain theoretical fascination in ideas of this kind – and not only for the Jacobites. O'Rourke, too, belonged very much to the first generation of those who followed James II into a life-time of exile; his loyalty was inseparable from his faith and both inform his view of politics. But O'Rourke was also an experienced and perceptive observer of the diplomatic scene; he seems in this "dialogue" to have identified the main problems – Lorraine, the guarantee of

the Pragmatic Sanction, the balance of power in Italy – and his suggested solution was close to that which Fleury proposed to the Emperor five years later.<sup>33</sup> He had often propounded his scheme to his old friend, and, although Hamilton could never be persuaded to read it to the Emperor, he did, on this occasion, make use of the ideas O'Rourke advocated.

Not even O'Rourke took the incident too seriously at this point, and, from Hamilton's account of the conversation, the Emperor did not take it seriously either. When Hamilton outlined the scheme, the Emperor, it seems,

"... answered him with derision and said that it would be indeed a fine remedy for the present ills to throw himself headlong into the hands of the French, his implacable enemy, who never kept their faith any longer than it suited with their interest, and fell a-bantering Hamilton, as having made him an extravagant proposition. 'You would by that scheme,' says he, think to see your king restored." Hamilton, who is very free and in no little favour with his master, finding him in no ill humour, replied that, in all probability, Your Majesty's restoration would be the consequence of such a Union, and ought to be one of the great motives for to form it ... that it was not to be doubted [the Emperor] would find in Your Majesty a surer friend than George and his family, who leaves him actually in the lurch. The Emperor laughed at all he said and putt it off with ironical ralleries." 34

All the same, O'Rourke felt it "was still no miss that such an overture had been made to him," and, some weeks later, Hamilton reported that he had "influenced so farr"

his master as to make him consider the suggestion that his best interests would be served by a private Treaty with France although the Emperor himself doubted if the secret could be kept and doubted still more if Fleury could be trusted not to misuse any approach of that kind from Austria.<sup>35</sup> Hamilton suggested O'Rourke as the emissary, but the Emperor was averse to using an avowed Jacobite on such an errand. O'Rourke himself endorsed this view; but he thought the attitude of the Austrian Court would justify James in making discreet enquiries through his contacts in Paris to find out if the French were disposed to treat privately with Vienna and assure them of Austrian readiness to listen to proposals. Hamilton, by the Emperor's orders, discussed the problem with Starhemberg and Bartenstein.<sup>36</sup> They too were very doubtful of trusting France either to keep the secret or to make peace. Nevertheless it seems to have been agreed that soundings should be taken in Paris through the Jacobite contacts.<sup>37</sup>

The Jacobites knew nothing of the approaches Fleury had already made; but, when the Emperor chatted with Hamilton in January on the idea of a separate treaty, he had already received Fleury's New Year Message (which is dated 12th December), although he had not yet replied to it. He did write on 16th February, a response deliberately evasive and equivocal. By 12th March, when he resumed the subject and allowed Hamilton to consult his ministers, he had as yet

received no answering signal from Fleury,<sup>38</sup> and he may well have decided at this point to press a little harder by another channel. Fleury meanwhile, almost at the same time, foreseeing the complete breakdown of his talks with Horace Walpole, was already making his preliminary moves to negotiate separately with Austria and his first conversation with Nierodt probably took place at almost the same time.

The greatest difficulty in the way of an agreement was to remove the deep mistrust between the two powers; and James was more than willing to assist in this process. For the Jacobites the new development had two levels of importance. If they could win the favour of the Emperor and of Fleury by acting as intermediaries, that was all to the good. James would act in that capacity with all the zeal, integrity and discretion he could show.<sup>39</sup> He realised, however, both then and throughout the negotiation, that they could do little more than provide a channel of communication; perhaps not even that after the first contacts were established, since either or both parties might well feel that using their channel was too dangerous. Jacobite correspondence was always likely to come under the surveillance of the English Government, whose system of espionage was known to be extensive.<sup>40</sup> Even from the practical point of view, the time consumed in sending letters through Rome added to risks and delays, where speed and secrecy were both essential. For the Jacobites the real

value was the possible new alignment of the European states.<sup>41</sup> If only a true and enduring Union could be formed between the Three Catholic Powers, they hoped that the logical consequence of that Union would be the Restoration of the King. Once drive a wedge between Austria and England, isolate the Maritime Powers, end the old distracting rivalry of Bourbon and Hapsburg, and how could tranquillity be better assured than by bringing in Protestant England under the guidance of a Catholic King? Meanwhile, though thought and hope might range in what looked like a brighter future, they must do their best with the immediate problem of getting France and Austria to settle their differences without the mediation of the Maritime Powers.

O'Rourke's letter of 12 March reached Rome on the 26th; and James set to work to compose an ostensible letter in French, addressed, of course, to O'Brien, but intended to be shown to both Fleury and Chauvelin.<sup>42</sup> Without mentioning the names of his informants, he stressed his real conviction that Austria was willing to listen to proposals, if they could be assured of French sincerity in making them. This letter, with its covering note of instructions, reached Paris on, or shortly before 25th April. The timing was better than could have been foreseen. Horace Walpole had just left Paris without any agreement from Fleury; the letter James wrote must have reached the Cardinal very close to the time he dispatched Nierodt and de Wied on their

secret mission to Sinzendorff.<sup>43</sup> For Fleury it had a two-fold value. In the first place it provided additional evidence of Austrian willingness to treat. The other point is more conjectural; but if, at this point, Fleury had not yet informed Chauvelin of Nierodt's mission, his adjunct's reaction to the Jacobite approach at least showed him willing to subscribe to the idea of a private treaty with Austria.

The letter in which O'Brien described the reaction of the French ministers is missing;<sup>44</sup> but its contents may be surmised from the ostensible letter James sent to O'Rourke on 14th May for the perusal of the Imperial ministers.<sup>45</sup> Again James was careful to avoid any appearance of having been led to make the enquiry by any specific suggestion. His letter is all expressed in protective generalities; realising – he says – O'Rourke's constant concern with the idea of a Union of the three Catholic Powers, and that recently he had written to him "even more particularly" of this Union he had decided "to make use of the lights you had given me to write on these matters to my minister in France, so that he might confer with the ministers of the Most Christian King on my behalf". Because it arrived "just when the proposals of Horace Walpole were about to be rejected", that letter had been much more successful than he could have hoped. Fleury and Chauvelin, letting it be seen they were aware of the origin and specific nature of the enquiry, seemed "even



eager to undertake and conclude a negotiation without the mediation of the Maritime powers", and dictated a letter for James to send to the Emperor and his ministers by way of O'Rourke. The message was to the effect that they were willing to listen to proposals and would suggest that an authorised person be sent to a place agreed on so that "a discussion could be held with all the necessary secrecy and with every possible desire for a Union".

It is clear from his covering letter to O'Rourke that James was somewhat carried away by the response he was forwarding to Vienna; full of hope that O'Rourke and O'Brien and he between them would get France and Austria together, and of suggestions that if the Austrians would send to Paris, O'Brien could give their emissary all the benefit of his inside knowledge and carefully cultivated contacts with the ministers.<sup>46</sup>

O'Rourke in Vienna had a much truer perception of the Jacobite role both in the negotiation and in the Treaty. When he wrote on 28th May he had only just received the important package and could not but have a sense of expectant joy at the possibilities it opened for the Cause;<sup>47</sup> his letters of 4th and 11th June are in counterpoint of sobering reality.<sup>48</sup>

It seems that when O'Rourke began the actual business of getting the letter seen in the right quarters, he encountered a resurgence of distrust and repulsion against

the French. Quite recently, it appeared, the Imperial minister had been reproached by George II on the grounds that the Emperor had entered into a league with France to dethrone him. Fleury was said to have passed on the information about this alleged league and the Elector was now making it an additional excuse for refusing his aid. If the wily Cardinal was capable of inventing and spreading such rumours to make ill blood between the Emperor and his allies, how could he be trusted in his proposals for peace? In the circumstances Hamilton refused to read the letter to his master; he showed it instead to Starhemberg and Bartenstein, both of whom separately advised against showing it to the Emperor, reiterating at the same time their own profound mistrust of Fleury. The message Chauvelin dictated was, they said, precisely the same as that the Cardinal had sent at New Year,<sup>49</sup> and his subsequent conduct had shown the value of that. Why should he be any more sincere in his overture now?<sup>50</sup> As for using a Jacobite channel, that would endanger the whole negotiation; Hamilton himself was vulnerable at Court for the very reason that he was a Jacobite; and as for employing O'Brien, that was out of the question. Now especially, Austria would not risk being challenged by the English with favouring or employing Jacobites in such a matter; and, already suspicious of Fleury's good faith, why should they use the services of someone who could so easily be disowned by the French

Ministry? In short, O'Rourke wrote, Secretary Bartenstein assured Hamilton that "the Emperor would not certainly begin any negotiation by treating of what concerns Your Majesty, nor make use of such a channel to carry them on."<sup>51</sup>

O'Rourke thought that one reason for this all-pervading atmosphere of mistrust was that the Emperor still entertained some hope that the Maritime Powers, if their peace-plan failed, might yet come to his help, and that, for this reason, the Austrian Ministers hesitated to commit themselves to the dubious expedient of a secret treaty with France. This is confirmed by the letter which the Emperor wrote to Wasner just at this time,<sup>52</sup> in which there is not only mistrust of the Cardinal but genuine hesitation about the course which Austria should pursue. From the way the English ambassador, Sir Thomas Robinson, talked in Vienna it seemed unlikely that the Maritime Powers would declare against France even if the Bourbon allies continued their victorious campaigns. Nor had the English attempts at peace-making met with success, since France had just rejected the official plan. Yet almost at the same time the Cardinal sent de Wied to Vienna with an offer of private negotiations. Was not this a clear hint that only in this way could a sure peace be made? But how could they be certain that Fleury meant what he said and was not just trying to get something in writing to make trouble for them with England?

This is the background to the response which the Austrian ministry made to Fleury at this point. It will be recalled that although de Wied reached Vienna on 18th May, he was not given the official answer to his message until 11th June.<sup>53</sup> It seems likely therefore that the Austrian ministry waited till they had a reaction from France to their own approach made through the Jacobite channel, a response they would assess in the light of the message de Wied had already brought. Like Fleury, they, too, now realised that the signals had come from both sides almost simultaneously, and that both sides were thus self-committed to the idea of a private negotiation. Through the two separate lines of communication, therefore, the answer from Vienna travelled to Paris. Through de Wied went the demand for a written and signed guarantee that the Cardinal wanted to negotiate;<sup>54</sup> through the Jacobites was conveyed, in the more specific form of a rumoured act of treachery on Fleury's part, the kind of mistrust the Austrians felt.<sup>55</sup> The test of good faith would be the rejection of any element in the negotiation which could provide Fleury with an excuse for withdrawal or disavowal. Therefore the answer sent through de Wied demanded that Chauvelin should be discarded from the negotiating process.<sup>56</sup> The answer sent through the Jacobites made it amply clear, to them as well as to the French, that they too were suspect on this account; but one thing is clearly emphasised in both

messages; if the French really want to conclude a Treaty they should send an accredited agent forthwith direct to Vienna.<sup>57</sup>

While Nierodt carried his dispatch by way of Neuwied to Paris, O'Rourke's letters went, as usual, to Rome, whence they were forwarded with comment and advice, by James to O'Brien. The timing was well-managed. The two parts of the total Austrian response arrived together at Versailles between the 9th and the 15th of July;<sup>58</sup> and Fleury's move, like that of the Emperor, takes both into account. Since he wanted peace, the Cardinal accepted the Austrian conditions; or at least he took steps to convince the Court of Vienna that he did so – and here again the Jacobites were assigned their role. The problem was that he had to make the Austrian government believe that his wish for peace was genuine and that he and he alone would take responsibility for the negotiation. The positive side of this was easy; within two weeks of his letter to the Emperor, the Cardinal had dispatched La Beaune to Vienna. The question of excluding both Chauvelin and the Jacobites from the negotiation was more complex. In writing to the Emperor on 16th July, Fleury referred specifically to the rumour which O'Rourke mentions in his letter of 4th June – that he had caballed with the Austrians to dethrone George and then betrayed them. He denied it indignantly, of course, and the implication is that he would not use the Jacobite

connection.<sup>59</sup> While he deprecated the exclusion of Chauvelin, he agreed to observe that condition also and solemnly assured the Emperor that no one at all would be admitted to a knowledge of what passed between them. The documents in the Stuart Papers indicate that Fleury used the Jacobites to convince the Emperor of his good faith in this particular and at the same time to mask his own reservations in the promise of secrecy he was so ready to include in his letter.

It is not possible to say with certainty at what point Chauvelin was informed of de Wied's mission. The older French historians, writing in the shadow of the Franco-Prussian war, inclined to the view that Fleury alone was responsible for a peace they denounce as a compromise alike of the honour and of the interest of France.<sup>60</sup> Wilson takes the view that although Chauvelin may not have known of the negotiation in the beginning, he certainly learned of it some time in August, since La Beaune's second dispatch from Vienna (dated 26th August) is addressed to him, and assumes that he knows what is being negotiated with the Austrians.<sup>61</sup> Baudrillart, using the correspondence of Chauvelin with Vaulgrenant (the ambassador in Madrid), considers that he was aware of the negotiations from the beginning; he makes the further point that it would hardly have been possible to send a man like La Beaune to Vienna without Chauvelin knowing of it.<sup>62</sup> Vaucher suggests that when Chauvelin,

during August, entered with such zest into Fleury's game of deluding the English ambassador with pseudo-secret talks on the future of Lorraine, he must already have been aware of La Beaune's mission and the importance of keeping it hidden from the English.<sup>63</sup> As I have already suggested, Chauvelin's reaction to the approach from Austria which reached the French through O'Rourke indicates that he was in favour of peace; and the point was an important one for Fleury himself in defending his own position within the French Government. To negotiate a secret peace with Austria without the knowledge and assistance of Chauvelin incurred the risk of his adjunct becoming the spokesman of the militant and anti-Hapsburg elements in Court and Council.

From O'Brien's letters it seems likely that Chauvelin learned what was going on about the time Nierodt brought Sinzendorff's letter to Fleury, on 13th July. During the weeks that elapsed between Chauvelin dictating the letter to O'Brien on 25th April and the response to that letter from Vienna, O'Brien noted that Chauvelin seemed first impatient for news and then doubtful if anything would come of the negotiation.<sup>64</sup> On Saturday, 9th July O'Rourke's long-expected letter<sup>65</sup> reached O'Brien; he translated it forthwith (making some changes and omissions), and, since he happened to know that Chauvelin was in Paris that morning on his way to the country, he took it round to him straight away. Chauvelin insisted on taking the letter with him to

show to Fleury; but, apart from exclamations about the unjust suspicions of the Austrian Court, he excused himself from further comment until the following Thursday, when O'Brien was instructed to call at Versailles to see him.<sup>66</sup>

On Thursday, 14th July, O'Brien (all unaware, of course, that Nierodt had arrived there the day before) duly went to Versailles and found Chauvelin this time very confidential, very explanatory, even very practical. Was O'Brien sure about secrecy at Rome? Walpole always boasted that he knew everything that went on there. It was quite clear, although naturally O'Rourke could not say so, that the Emperor had seen the letters; but the problem about corresponding through Rome was the time element: they must find a shorter way. "What about sending someone straight to Vienna?" said O'Brien, who had realised the stress on this in O'Rourke's letter. Chauvelin was quite emphatic on this point; it was not the right time for that, not convenient, not suitable at all. However, they might want to send a message – could O'Brien find someone trustworthy to carry it? Or they might arrange a meeting at a third place. What did O'Brien think about Lorraine or Basle? But he had to have a further talk with the Cardinal the next day – could O'Brien come back on Saturday?<sup>67</sup>

On Saturday, 16th July (the very day Fleury wrote to the Emperor assuring him he had nothing to do with the Jacobites and would keep the negotiation secret from



Chauvelin), O'Brien duly returned to Versailles, taking with him a copy of O'Rourke's letter of 11th June (which had arrived just in time for him to make the translation) and the accompanying letter which James wrote on 25th June when he forwarded O'Rourke's letter to Paris.<sup>68</sup>

Chauvelin, still it would seem in cordial and expansive mood, read the letters and once more assured O'Brien how much France wanted the Union, how wrong it was of Austria to mistrust them; but, in these circumstances how sensible, how judicious in the King to recognise that the Jacobite interest must not be mentioned at present although of course his Restoration would be the logical consequence of the Union. No decision had yet been made about procedure; if O'Brien could stay at Versailles till tomorrow, then perhaps ... but, on the morrow there was still no decision. He had only to wait a few days, said Chauvelin, for the Cardinal to make up his mind; it was a delicate matter; they would let him know when to come back to Versailles.<sup>69</sup>

O'Brien, indeed, was not without suspicion that something was afoot, some special cause of delay;<sup>70</sup> still all seemed well by the Saturday following (23rd July), when the Cardinal himself re-affirmed his wish for a Treaty, referring him to the Garde des Sceaux for details.

Chauvelin, protesting once more that he and the Cardinal "very seriously wished that the Emperor would treat with them in good faith, although it didnt suit them to be too

eager until they were better informed of his true sentiments ... then took a document from his portfolio which he had me copy then and there to have it sent to Vienna by the usual Channel ...."<sup>71</sup> The letter re-iterated denials of having betrayed anything to the English, assurances of good faith and a specific suggestion that the French would "be ready to listen if the Emperor judges proper to send someone to a third place ...."<sup>72</sup>

It all seemed very convincing to O'Brien. He sent off Chauvelin's note and with it an ostensible letter, explaining that the billet had been "concerted with the Cardinal", who had personally expressed to O'Brien "his sincere desire to conclude a solid peace with the Court of Vienna;" that the Garde des Sceaux "was in the same sentiments as His Eminence with regard to the Treaty" and had even discussed with him the suitability of Lorraine or Basle as a meeting-place; that now it was up to the Court of Vienna to respond, and if "they seriously intend to make a private Treaty with them they will lose no time in proposing a third place to discuss it."<sup>73</sup>

All this was perhaps meant to convince the Austrian Court of something rather different, especially if they were forewarned by any kind of verbal hint from La Beaune. Could it be doubted in Vienna that Chauvelin and the Jacobites, carefully leashed in at the start by contrived delays which allowed La Beaune time to reach Vienna with the true

message, had now been sent off together down the same false trail?<sup>74</sup> But, from all we know of Chauvelin, he was not a man to be easily deceived; nor would he unadvisedly disregard the clearly-implied conditions which Austria had laid down. His manner in dealing with the problem, the kind of reaction that is mirrored in O'Brien's letters, suggest that he was perfectly aware of the part he was to play in misleading both the Jacobite agent and the Court of Vienna.<sup>75</sup> O'Brien on the other hand, was easily blinded both by his anxiety to have a share in this important negotiation and by a certain narrow complacency that blunted his shrewd perception of men and events. He is always very much the courtier, the manipulator; and Chauvelin knew his man. The Jacobites therefore at this point – and without being aware of the fact – changed roles. Once direct contact was established between France and Austria, they were no longer needed as a channel of communication; but they could still be very useful in distracting attention from the real negotiation by the kind of conjurer's trick in which both Fleury and his adjunct had much skill.

James himself at this point took the French response at its face value. Like O'Brien he was glad enough that, despite Austrian reservations, France was still willing to employ them as intermediaries. He cheerfully sent on to Vienna O'Brien's letter with its important enclosure<sup>76</sup> and a whole new ostensible letter of his own to help persuade

the Emperor.<sup>77</sup> He was, however, much less certain than O'Brien that they would continue to be employed as intermediaries. In his letter to O'Rourke he made the point very clearly: mistrust of their channel must not impede the negotiation, and he himself cared little for protocol if only the Union were achieved between the Catholic powers. He was therefore the less surprised at what happened when the letters arrived.

Although the sequence of O'Rourke's letters is broken here, it is possible, from the letters of acknowledgement James sent and from the information he forwarded to Paris, to reconstruct the reception at Vienna of documents O'Brien had forwarded with so much hope. The letters reached Vienna on 27th August;<sup>78</sup> by that time La Beaune had been hard at work for a fortnight, having already, on 22nd August, sent off the vital dispatch which indicated the Austrian agreement to the French proposals.<sup>79</sup> The weeks which followed were critical with regard to the secrecy of the whole operation. In Paris, while they waited the arrival of La Beaune's courier, Chauvelin and the Cardinal distracted Waldegrave by the offer of private talks on the future of Lorraine. In Vienna the letters that came through the Jacobite channel were simply held up from day to day, as if waiting a decision. First Hamilton had them, but was unable or did not dare to pass them on.<sup>80</sup> Then the ministers themselves delayed, then apparently decided to give France a

semi-official warning against using the Jacobites – although still protesting, for the benefit of James and his agents, that they wanted the Union. On 10th September O'Rourke wrote enclosing an original note from Bartenstein to that effect.<sup>81</sup> Since it would take five weeks for this warning to reach Paris in its tortuous journey by way of Rome, the Austrian ministry might fairly reckon to have their bargain with Fleury signed and sealed by the time it got there. Meanwhile, perhaps to encourage any interested party who thought something might be negotiated through the Jacobites, O'Rourke found himself receiving marked civilities from his old friend Sinzendorff; not only dining with him but being asked to accompany him for an airing. O'Rourke, honest man, warned his host of the danger of "giving umbrage" to the English, warned him especially to be on his guard against Robinson, who "had his orders and money to spend for to discover any intercourse 'twixt this and the Court of France". Almost a little too pointedly, Sinzendorff invited him to dinner again the next day.

Naturally O'Rourke was far too discreet even to hint to Sinzendorff that the Jacobites had been used to make an approach to France; and at this point he had certainly no idea that Sinzendorff was in any way involved – indeed he seems to have considered him as rather out of favour with the Emperor, although still, from his position as Chancellor, a man of much influence who could be safely

lectured on the standard advantages to be expected from the Union.<sup>82</sup> James, however, guessed, as soon as he got O'Rourke's letter of 4th September, that there was another channel of communication already established between France and Austria, and that this was the true reason for the successive delays which seemed so obviously against the interest of the hard-pressed Austrian ministry. He expressed this conviction in his letter to O'Brien on 14th September and directed him to inform both ministers of what he said in the letter.<sup>83</sup> The following week he sent on an exact copy of O'Rourke's letter of 10th September together with the original note from Bartenstein. As he said, Chauvelin "... would probably understand better than O'Rourke did himself why the Court of Vienna did not enter more heartily and speedily into the proposal made by my canal, for that, I think, could only proceed from there being some sort of negotiation on foot betwixt the two courts by some other means."<sup>84</sup> When O'Brien got the first hint of this in the King's letter of 14th September (he received it at almost exactly the same time as La Beaune, over in Vienna, was about to sign the agreement with Austria), he immediately tackled Chauvelin, who roundly asserted there was no other negotiation afoot, and embellished this statement with reflections about not throwing themselves "avec empressement" at the Emperor's head since it was clear he wasn't serious.<sup>85</sup> A week later,

on 10th October, O'Rourke's report of 10th September arrived with the enclosure from Bartenstein and the covering letter from James in which he re-affirmed his conviction that the negotiation was in fact being carried on by another channel directly between France and Austria.<sup>86</sup> Immediately O'Brien hastened off in pursuit of Chauvelin, ran him to earth at the house of a mutual acquaintance, the Contesse de Verrue,<sup>87</sup> gave him a rapid viva voce translation of O'Rourke's letter and read him Bartenstein's note. The minister professed himself much puzzled. There was "a kind of contradiction" in all this; the Austrian ministry declare themselves in favour of a union, which was certainly what was wanted in France; and it might well be, as O'Brien suggested, that everything Bartenstein said in his note was a precaution to clear him in his dealings with the English, if they ever got to know about it; this seemed to be implied by the fact that the note was sent openly by the King's own channel. Yet, why these mysterious delays? There were rumours of a new Quadruple Alliance in the North; Seckendorff was said to be trying to break Dutch neutrality. He must have time to consider all this, wait developments, and consult the Cardinal. He was now on his way to the country (regretting most courteously that, for security reasons, he could not ask O'Brien to accompany him). If O'Brien could send on a written translation of O'Rourke's letter in time for him to

take it to Fontainebleau, then they could let him know the following week what their decision was.<sup>88</sup>

Suavely evasive, Chauvelin thus postponed any damaging éclaircissement till La Beaune had time to complete his journey from Vienna with the agreement duly signed by the Austrian government.<sup>89</sup> The same tale was repeated at Fontainebleau: no decision, something seemed to be holding up the negotiation in Vienna, they were not sure what the Emperor would be at on the Moselle, and so on.<sup>90</sup> O'Brien was baffled and confused, but still convinced that there was no other negotiation. Yet, even as he tried to convey this to the King, the letters arriving in Rome from Vienna put the matter beyond a doubt. For while O'Brien in Paris followed the Garde des Sceaux from one blind alley to another, O'Rourke, through his friends in Vienna, had uncovered the whole affair. Within a few days of the agreement being signed, he knew of La Beaune's visit, where he was lodged and how he got there.<sup>91</sup> The following week he wrote that rumours of "puckling negotiators" were all over the town.<sup>92</sup> By 22nd October he had an accurate account of the articles signed – and was delighted to discover how close they were to his own original scheme.<sup>93</sup> By the end of the month he was in a position to disabuse James of any idea he and O'Brien might still harbour that their counsels had determined the French to send La Beaune to Vienna.<sup>94</sup> Hamilton himself could set them right there. He was told of



de Wied's mission at the end of May, when the package James sent off on 14 May arrived in Vienna, although he was naturally obliged to conceal this knowledge from his old friend O'Rourke.<sup>95</sup>

After all, the Jacobite agents were no worse off than the ministers of other countries. As we have seen, Chauvelin and Fleury took elaborate precautions to elude the enquiries of Waldegrave; and the Dutch and Spanish secretaries fared no better. But with O'Brien especially Chauvelin had need to maintain the deception as long as possible. The diplomatic situation was still uncertain and the French government were deeply apprehensive of Spanish reaction to a settlement which concerned them nearly and which had been arranged without their knowledge. Already their hand was being forced by accounts – fairly accurate accounts – of the whole transaction which were current at the Hague by mid-October and which may have been deliberately "leaked" in Vienna. Of course these rumours soon reached the Spanish Secretary in Paris, Don Fernando Trevino, who was obviously quite unconvinced by the denials he met with from Chauvelin and the Cardinal;<sup>96</sup> and Trevino was on very friendly terms with O'Brien. Since 1733 they had been in the habit of exchanging both ideas and information.

Apart from this, the danger of a premature disclosure to Spain was heightened by the possible interference of the

English, who were already aware of the private negotiation; and, although Waldegrave, like Trevino, had been put off with a flat denial, the English might make interest for themselves by passing on their ideas to Spain. Amongst all the rumours and speculations that swept the European capitals, anticipating in one form or another the endless possibilities in the diplomatic game, James had made a shrewd guess, very near the truth, as to what was really happening; and who could tell how far Jacobite ideas and Jacobite correspondence were passed on to England? He must therefore be convinced by his trusted agent in Paris that his guess was wrong until the couriers had reached Madrid and the news was tactfully broken to the Catholic King.

In the long run, when the truth came out, neither James nor his agents were particularly annoyed or discouraged by the way they had been used. They knew the diplomatic world of shifts and stratagems well enough; and James had maintained throughout that their part might simply be that of making the initial contact between the two sides. O'Rourke realised that the confusing "third place" suggestions from Chauvelin were designed to "make the matter more impenetrable to Colonel O'Brien" and it was, he thought, "a mock he could have spared".<sup>97</sup> Still he felt that the initial effort by the king had helped to remove the distrust between the two powers and bring them together. By the ninth of November, O'Brien had at last caught up with

the real story and we find him discussing the whole episode with Chauvelin with a kind of amused professional interest in the details of the negotiation and its repercussions in the diplomatic world.<sup>98</sup>

After all, as O'Brien said, "provided the thing is done, it matters little how".<sup>99</sup> In their role as mediators the Jacobites had certainly acted with good faith and discretion, points they hoped would be duly noted by the governments concerned; but the real cause for rejoicing was the Treaty itself; the new alignment of powers that excluded Hanoverian England from a major re-settlement of Europe. Their problem was now to embody in reality the theoretical advantage they had always envisaged from a union of the three great Catholic Powers; and the episode of the mediation pointed the way to achieve this end.

Over the next two years, therefore, the Jacobites made a deliberate effort to influence the policy of the new alliance through the techniques they had devised in the course of the mediation. The contacts they had then developed at the Courts of Vienna and France were maintained through the deliberate interchange of views and information by that useful and traditional diplomatic tool, the ostensible letter.

## Notes to Chapter V

<sup>1</sup>For a general account of the peace negotiations in 1735 I have used the following: W. Coxe, Life and Administration of Sir Robert Walpole, (London, 1798); P. Vaucher, Robert Walpole et la Politique de Fleury, (Paris, 1924); A. M. Wilson, French Foreign Policy during the Administration of Cardinal Fleury, 1726-1743, (Harvard University Press, 1936); Pierre Boyé, Stanislas Leszczynski et le Troisieme Traité de Vienne, (Paris, 1898); J. O. B. de Cléron d'Haussonville, Histoire de la Réunion de la Lorraine à la France, (Paris, 1860); A. Baudrillart, Philippe V et la Cour de France, (Paris, 1890-1901); J. Black, British Foreign Policy in the Age of Walpole, (Edinburgh, 1985).

<sup>2</sup>RA SP 170/179: O'Brien to James, 7 June 1734, Paris. RA SP 171/184: O'Brien to James, 26 July 1734, Paris.

<sup>3</sup>Newcastle, for instance, wrote to Waldegrave, 17th July, 1733: "... As to the Cardinal, His Majesty doubts not but he has still the same pacifick dispositions that he ever had; but whether, if M. Chauvelin be in earnest for a war, he may not get the better of the Cardinal's own disposition is a question." BL Add. MSS. 32,782, f. 19: Newcastle to Waldegrave, 17 July 1733, London.

<sup>4</sup>Coxe, III, 158. Horace Walpole to Waldegrave, 28 March 1734, London.

<sup>5</sup>Robinson's correspondent in London wrote of Horace Walpole's negotiations, "... it appears to me he wants to go himself into France to mediate an accomodation, he is one of those that build castles in the air, I make no doubt if he goes that he will be over-reached by the Court of France and that it will only occasion some further blunders ... I am quite tired to see things go so crooked." RA SP 170/129: Report from London, dated 27 May (O.S.) 1734.

<sup>6</sup>M.A.E. Corr. Ang. 386, f. 30: Chavigny to Chauvelin, May 1734, London (cited, Vaucher, 95).

<sup>7</sup>M.A.E. Corr. Esp., 414, f. 273: Chauvelin to Rottenbourg, 2 May 1734, Paris, cited Baudrillart, IV, 217.

<sup>8</sup>Coxe, III, 177: Horace to Robert Walpole, 8 September 1734, le Hague.

<sup>9</sup>PRO SP 84/333, f. 23, cit. Diplomatic Instructions, France, Vol. II, 141, Harrington to Horace Walpole, 8 October 1734, London.

<sup>10</sup>Fleury insisted on referring the matter to the Council, who, as he anticipated, rejected the terms Horace proposed; the Spanish Secretary, Trevino reports that when he questioned him about Walpole's visit, "le vieux Cardinal se contenta de répondre de l'air le plus ingenu, que Walpole avait parlé tout le temps sans autre dessein que de justifier les articles du projet, qu'il s'était, quant à lui, borné à écouter et à dire en forme de conclusion, que le Roi de France ne répondrait rien sans ses alliées ...." (Baudrillart, IV, 229).

<sup>11</sup>Newcastle, writing to Waldegrave in February 1734, asked him to consider "how practicable it might be, from the contradictory views of Spain and Sardinia, to create a dissension and jealousy among them." PRO SP 78/206, f. 145: Newcastle to Waldegrave, 5 February 1734, London.

<sup>12</sup>M.A.E. Mém. et Doc., Holland, f. 378: Fleury to Chauvelin, April 1735 (cited Vaucher, 132).

<sup>13</sup>M.A.E. Mém. et Doc., France, 418, f. 220: Mémoire dated, 19 October 1736, (cited Wilson, 261).

<sup>14</sup>In a mémoire dated 5th August, 1734, Fleury wrote: "... mais nous aurions ... tout gagné et nous nous rendrions les maîtres de la négociation, si nous les accoutumions à se concerter avec nous pour rendre la Cour de Vienne totalement passive; ... je dirais donc au Pensionnaire et à M. Walpole que ... nous ne demandons pas mieux qu'à bien examiner ce qui convient avec eux-mêmes qui y sont si intéressés ... que ce serait un grand bien que de pouvoir convenir entre nous des principes généraux de politique qui peuvent servir de base à paix ... Il semble que, par cette façon de parler, nous mettons les Anglais au pied du mur." (M.A.E. Corr. Angl. 387, f. 112, cit. Vaucher, 102-103).

<sup>15</sup>Vaucher, 135-184: Wilson, 258-264.

<sup>16</sup>Chauvelin wrote to Vaulgrenant, ambassador at Madrid, on 34rd September, 1735, " ... Je finirai en vous confiant que notre objet est de paraître nous prêter au siège, mais que nous sommes convaincus que l'entreprise manquera par elle-même; ainsi faites seulement que l'on ne puisse nous imputer l'inexécution d'une chose qui paraît et

qui sera reconnue impossible." (M.A.E. Esp., 426, f. 245; cit. Baudrillart, IV, 296) cf. Coxe, III, 277-279.

<sup>17</sup> Vaucher, 123-128; Wilson 258-259. For the reactions of Spain, vid. Baudrillart, IV, 276-278.

<sup>18</sup> In a letter congratulating Noailles on his campaign of June 1735, Fleury wrote: "Voilà les ennemis hors d'Italie ... la question est de les empêcher d'y rentrer; car vous savez que les Juifs n'étaient pas plus amoureux de la Palestine que les Impériaux le sont du pays dont vous venez de les chasser ..." (Mémoires de Noailles, 301, cited Baudrillart, IV, 274).

<sup>19</sup> In August, 1735 Horace Walpole wrote to the Queen: "I am always afraid of the awkward and perverse conduct of the Imperial Court. There are as many cabals and intrigues as there are ministers ... they have all of them a particular secret with the Emperor from the oldest to the youngest, ... he knows all their thoughts in confidence by turns, decides himself without any settled scheme according to pride or prejudice which makes his administration subject to a variety of contradictions." (Coxe, III, 261). O'Rourke speaks of "the hovering uncertain spirit in that prince who is apter to follow his humours or inclination than to understand thoroughly his own interest." (RA SP 181/94: O'Rourke to James, 30 July 1735, Vienna). Elsewhere O'Rourke says of the Austrian Court: "here all is weakness, uncertainty and confusion. The ministers are cryed down and little esteemed by their master, except one or two ... so that none of them dares give him positive advice to joyne hand in hand with France ...." (RA SP 181/41: O'Rourke to James, 16 July 1735, Vienna).

<sup>20</sup> Vaucher, 146. The Emperor's own account of these earlier contacts is given in a letter to Wasner, dated 4th June, 1735; Wasner was the Austrian envoy in Portugal, and the letter was in fact intercepted by the English; it is in the Coxe Papers, BL Add. MSS. 9169, f.1.

<sup>21</sup> For de Wied's mission see d'Haussonville, Histoire de la Réunion de la Lorraine à la France, IV, 246-261; Vaucher, 145-147; Wilson, 261-263; Baudrillart, IV, 300-303. The details about Nierodt and de Wied are given in a French account, used by Coxe from the Walpole Papers, BL Add. MSS. 9170, f. 121.

<sup>22</sup> RA SP 183/37: O'Rourke to James, 29 October 1735, Vienna.

<sup>23</sup> Add. Mss. 9169, f. 1, letter dated 4th June, 1735;

comment in letter from Newcastle to Waldegrave, S.P. 78/208, f. 126.

<sup>24</sup> Add. Mss. 9170, f. 11: Harrington to Newcastle, 4 September (OS) 1735, London.

<sup>25</sup> cf. Vaucher, 149-157.

<sup>26</sup> He was on specially friendly terms with the Portuguese ambassador, acting as intermediary when the ambassador's son was married to a Princess of Hesse (RA SP 183/73: O'Rourke to James, 15 October 1735, Vienna). He also saw something of the Venetian ambassador, the Cavalier Erizzio, a young man who acted as "historiographer" for the Republic, "who seeks", says O'Rourke, "historical truth"; he asked O'Rourke to put him in touch with people at Rome who could give him first-hand information about earlier Jacobite attempts (RA SP 184/34: O'Rourke to James, 12 November 1735, Vienna).

<sup>27</sup> O'Rourke to James, August 1734 - he notes that the Emperor trusts Hamilton. RA SP 172/101: O'Rourke to James, 14 August 1734, Vienna.

<sup>28</sup> RA SP 177/37: O'Rourke to James, 22 January 1735, Vienna.

<sup>29</sup> RA SP 179/176: O'Rourke to James, 14 June 1735, Vienna.

<sup>30</sup> RA SP 177/37: O'Rourke to James, 22 January 1735, Vienna.

<sup>31</sup> O'Rourke first mentions working on the memorial in November, 1730. (RA SP 140/111: O'Rourke to James, 11 November 1730, Vienna) It was completed in December and sent to James, who had copies made. (RA SP 141/45: O'Rourke to James, 23 December 1730, Vienna)

<sup>32</sup> Redmond mentions Fleury's discussions with Sinzendorff in 1729 (RA SP 136/158: Redmond to James, 22 May 1730, Paris and RA SP 139/200: Redmond to James, 16 October 1730, Paris). cf. Coxe, II, 648.

<sup>33</sup> The memorial itself is not in the Stuart Papers, but the main outlines of the scheme are clear from incidental references.

<sup>34</sup> RA SP 177/37: O'Rourke to James, 22 January 1735, Vienna.

<sup>35</sup>The Emperor's attitude of mistrust is confirmed by his letter to Wasner of 4 June 1735 (BL Add. MSS. 9169, f.1)

<sup>36</sup>Starhemberg's position and influence at Court go back to the War of the Spanish Succession; Bartenstein, the son of a Protestant minister in Strasbourg, was a convert to Catholicism: a much younger man, a comparative new-comer but advancing rapidly in the Emperor's favour. See R. J. W. Evans, The Making of the Hapsburg Monarchy (Clarendon Press, Oxford, 1979).

<sup>37</sup>RA SP 178/100: O'Rourke to James, 12 March 1735, Vienna.

<sup>38</sup>On 10th March, in an interview with the Nonce of Brussels, Fleury explained this delay by saying that the Emperor's letter had by inadvertence fallen into the fire and had been destroyed. Charles VI remained unconvinced. cf. Coxe, I, 463-64 and BL Add. MSS. 9168, f.1.

<sup>39</sup>RA SP 178/186: James to O'Brien, 4 April 1735, Rome; RA SP 179/84: James to O'Rourke, 14 May 1735, Rome.

<sup>40</sup>RA SP 179/102: James to O'Rourke, 20 May 1735, Rome.

<sup>41</sup>The part played by the Jacobites is discussed by Vaucher (146-147) and by Professor Jones (Mainstream of Jacobitism, 192-195) Vaucher used only the documents in the French archives (M.A.E. Corr. Angl., t.392, ff. 274, 276, 288, 391; t.392, f. 121), from which he concluded that the Austrians used the enquiry as a blind to keep the Jacobites from interfering. Professor Jones, using the Stuart Papers, suggests that it may have been kept going as an alternative to de Wied's channel if it were needed. I have differed from Professor Jones on a number of points of interpretation and emphasis, particularly with reference to the Jacobites' own view of their function as mediators and the way in which they were used by the two powers. For Jacobite view see RA SP 179/156: James to O'Brien, 1 June 1735, Rome.

<sup>42</sup>RA SP 178/186: James to O'Brien, 4 April 1735, Rome.

<sup>43</sup>The exact date is not known; but we do know that de Wied and Nierodt reached Vienna on 18 May (BL Add. MSS. 9169, f.1) One would assume that, in the circumstances de Wied would not travel with too conspicuous haste, and the journey from Paris to Vienna would take about three weeks. For the date on which O'Brien received the ostensible letter see note 44.



<sup>44</sup>The date for this letter is almost certainly 25th April. In the covering letter James wrote to O'Rourke on 14th May, he says that he received O'Brien's letter two days earlier, i.e. 11th or 12th May. The post from Paris normally took two to three weeks. The letter which James wrote in answer is not in the Stuart Papers, but there is a letter from him, dated 11th May, in the French Archives (Vaucher, 147); on the same day, Dunbar wrote to O'Brien acknowledging his letter of 25th April (RA SP 179/79: Dunbar to O'Brien, 11 May 1735, Rome); O'Brien, in a letter to James on 16th May, writes "I wait with impatience the reply to my letters of 25th April" (RA SP 179/89: O'Brien to James, 16 May 1735, Paris).

<sup>45</sup>RA SP 179/83: James to O'Rourke, 14 May 1735, Rome (ostensible letter).

<sup>46</sup>RA SP 179/84: James to O'Rourke, 14 May 1735, Rome, (covering letter).

<sup>47</sup>RA SP 179/131: O'Rourke to James, 28 May 1735, Vienna.

<sup>48</sup>RA SP 179/176: O'Rourke to James, 4 June 1735, Vienna; RA SP 180/27: O'Rourke to James, 11 June 1735, Vienna.

<sup>49</sup>When O'Brien passed on this comment to Chauvelin, he said it was true the Cardinal had written to Vienna, but that it was in response to a postscript the Emperor had added to a "letter which he usually writes to all the Cardinals at certain feasts" and in reply the Cardinal sent him almost the same words I dictated to you in the letter the King sent to Vienna for we have since verified this" (RA SP 181/33: O'Brien to James, 15 July 1733, Paris). The Emperor in his letter to Wasner gives an opposite account; he writes: "... on occasion of the congratulations usually made at great festivals by the Cardinal, we have received from Cardinal Fleury the letter together with a post-script in his own handwriting ...." (the letter or a copy was enclosed but has not survived). Later he speaks of "this overture made by the Cardinal of his own motion and without the least handle given him to it from hence ...." (BL Add. MSS., 9169, f.1)

<sup>50</sup>On 4th June O'Rourke wrote to James, with reference to the rumour Fleury was thought to have set going "... this renewed again the former tryalls they had here of Cardinal Fleury's want of probity and persuades them absolutely that there is no safety in making any advances to him since he never fails to discover all to the government ... the Emperor and all his ministers are so far alienated in regard

of that Eminence that they say with one voice there is no relying on him much less to send one on purpose to Paris for to treat with him" (RA SP 179/176: O'Rourke to James, 4 June 1735, Vienna)

<sup>51</sup> RA SP 180/27: O'Rourke to James, 11 June 1735, Vienna.

<sup>52</sup> O'Rourke's first letter on the subject of Austrian reaction to the proposals James sent from France, was dated 4th June (RA SP 179/176: O'Rourke to James, 4 June 1735, Vienna); this is also the date of the Emperor's letter to Wasner (BL Add. MSS. 9169, f.1).

<sup>53</sup> 11th June is also the date of the letter O'Rourke wrote advising against the employment of O'Brien: (RA SP 180/27: O'Rourke to James, 11 June 1735, Vienna).

<sup>54</sup> The original letter taken by de Wied to Sinzendorff was dictated to Nierodt by the Cardinal, and the reply was sent in the same way, since the Emperor "didnt judge proper to part with his answer in writing" (BL Add. MSS. 9169, f.1). De Wied, in his report to the Cardinal on 10th June, wrote: "M'étant rendu chez M. le Comte de Zinzendorff ... il m'a dicté ... le billet ci-joint, disant que c'était une méthode reçue en France; et sur ce que j'aurais souhaité qu'il y eût fait entrer des termes plus expressifs, et qu'il eût signé le billet, il m'a fait connaitre que, quant à présent, il lui paraissait trop dangereux de dire quelque chose de plus, et qu'il ne pouvait rien signer à moins qu'il ne vit aussi une signature de M. le Cardinal de Fleury en la droiture et intention pacifique ..." (M.A.E., Collection Lorraine, cit. d'Haussonville, Réunion de Lorraine, 422).

<sup>55</sup> O'Rourke himself thought the English might have started the rumour; he writes "... I daresay the Cardinal is for a peace on moderate conditions, so that I look upon this continual diffidence which arises betwixt the Court of France and this as an artifice of the English who naturally dread their coming to a good intelligence and therefore throw in, with no little cunning, the seeds of discord among them". (RA SP 179/176: O'Rourke to James, 4 June 1735, Vienna). I think it is more likely that the rumour was started in Vienna as a means of testing or warning Fleury and at the same time stopping up communication through the Jacobite channel.

<sup>56</sup> In his answer to Fleury of 11th June Sinzendorff says: "... les Ministres de sa Majesté croyent que Son Eminence, entraînée par les conseils d'un autre ministre, dont les vues particulières et les intérêts connus sont absolument opposés à la paix, a été jusqu'icy et sera

toujours détournée de ce qui pourrait la procurer ...” (M.A.E., Vienne, cit. d'Haussonville, op.cit., 423). De Wied makes the same point in his letter of 10th June: He writes "... je connais bien que l'on facilitera beaucoup de choses, si l'affaire se [illegible] secrètement et immédiatement avec cette Eminence, sans la participation d'aucun autre ....” (M.A.E., Collection Lorraine, cit. d'Haussonville, Réunion de Lorraine, 423) See also M.A.E. CP Autriche 180, ff 344-45; July 1735, mémoire from de Wied emphasising that Chauvelin must be excluded.

<sup>57</sup>In his answer to the Emperor of 16th July, Fleury obviously replied to a specific point; he writes: "... L'Instruction et la mémoire portent que si je consens à traiter de la paix avec votre Majesté ... le moyen le plus court, le plus prompt et le plus sur d'y réussir est que j'envoie un homme au plustost à Vienne qui s'y rendra avec le Baron de Nierodt sans avoir besoin d'aucun passeport. J'accepte avec respect toutes ces propositions ....” (M.A.E. Corr. Autriche, t.181, ff. 3-8; cit. Wilson, 352). In his letter of 4th June, O'Rourke writes: "... Things being so, General Hamilton is very positive to me that if the French Ministers sent one privately here, impowered and instructed to treat upon reasonable terms the work would soon be done ....” (RA SP 179/176: O'Rourke to James, 4 June 1735, Vienna). On 11th June he writes to advise the king to keep trying "to bring them to some fair understanding, it being now apparent that both sides are equally disposed for it if they could but trust one another ... the Cardinal ought ... to send straight a trusty person underhand and impowered to treat directly here; I dare assure if his propositions be reasonable that he will be extream welcome and the secret kept most religiously in case they doe not agree ....” (RA SP 180/27: O'Rourke to James, 11 June 1735, Vienna).

<sup>58</sup>O'Brien writing to James on 11th July, which was a Monday (his usual day for writing), says that he communicated O'Rourke's letter to Chauvelin "on Saturday morning", i.e., 9th July. (RA SP 181/8: O'Brien to James, 11 July 1735, Paris) Fleury, writing to the Emperor on 16th July says: "M. le Baron de Nierost, attaché à M. le Comte de Wied arriva ici il y a trois jours ...." i.e. on 13th July and that he brought with him "une manière d'instruction qu'il m'assura avoir été dictée par M. le Comte de Sinzendorff ... accompagné d'un Mémoire plus ample dans lequel on s'explique encore plus au long et d'une lettre de M. le Comte de Wied au dit Baron qui confirme la vérité de toutes les pieces ....” (M.A.E. Corr. Pol. Autriche, vol. 181, ff. 3-8, cit. Wilson, 351). On 17th July, O'Brien wrote that he had been at Versailles the day before taking with him O'Rourke's letter of 11th June which he had

received on Friday the 15th and translated ready to pass on to Chauvelin (RA SP 181/43: O'Brien to James, 17 July 1735, Paris).

<sup>59</sup>Fleury to the Emperor, July 16th, 1735: "... Il m'est revenu qu'on m'avoit accusé auprès d'Elle d'avoir révélé au Roy d'Angleterre le projet d'une ligue que Votre Majesté offroit de faire avec la France pour le détronner, que ce Prince en avait eu connaissance par moi, que par l'ancienne et aveugle confiance que j'avois aux Anglais, je leur avois fait part des avances que Votre Majesté m'avoit faites et que le Roy de la Grande Bretagne lui en avoit fait porter les plaintes les plus amères ... Votre Majesté sait s'il y a jamais été question d'une semblable ligue et il faudroit que je fusse le plus scélerat des hommes, sans foy ni Religion pour avoir inventé une si fausse supposition ... je me contente de déclarer à Votre Majesté qu'elle est fausse de tous points et je défie qui que ce soit dans le monde d'oser la soutenir ..." (M.A.E. Corr. Autriche, v. 181, ff. 3-8). O'Rourke had written: "George has made lately very great reproaches to the Emperor's minister near him that he knew from the Court of France His Imperial Majesty did offer to treat there and form a league to dethrone him ... and that Fleury told all to the English government ... whether through diffidence of this Court's candour or by a fixed tho' extream false maxim to stick bona fide to the English as they stand ...." (RA SP 179/176: O'Rourke to James, 4 June 1735, Vienna.

<sup>60</sup>Boyé, Stanislas Leszczyński, 337: d'Haussonville, Reunion de Lorraine, IV, 625: Driault, "Chauvelin, 1733-1737; Son role dans l'histoire de la Réunion de la Lorraine à la France", Revue d'histoire diplomatique, VII, (1893), 43-44.

<sup>61</sup>Wilson, 261-262.

<sup>62</sup>Baudrillart, IV, 300-301 and 301, n.1. Wilson bases his opinion on a different view of La Beaune; he thinks Chauvelin, if consulted, would not have selected him and therefore did not know of his mission until after he left; La Beaune had been used before on a private mission to Spain.

<sup>63</sup>Vaucher, 152.

<sup>64</sup>O'Brien to James, 13th June, 1735: "... It seemed to me that Chauvelin waited with impatience to know what will be the result from the Court of Vienna, when O'Rourke gives them to understand the favourable disposition they are in here. He asked me eagerly if I thought they would have news within three weeks ...." (RA SP 180/33: O'Brien to

James 13 June 1735, Paris) On 4th July O'Brien wrote "Chauvelin ... seemed to me to be very doubtful if the negotiation undertaken by the King's channel will have the desired effect and although he didnt go into explanations on the new reasons he has for that, I judge they are founded on the entrance of the Russians and on the hope with which the Emperor recently flatters himself that the Maritime Powers are disposed to take sides with him" (RA SP 180/148: O'Brien to James, 4 July 1735, Paris).

<sup>65</sup>RA SP 179/176: O'Rourke to James, 4 June 1735, Vienna.

<sup>66</sup>RA SP 181/8: O'Brien to James, 11 July 1735, Paris.

<sup>67</sup>RA SP 181/33: O'Brien to James 15 July 1735, Paris.

<sup>68</sup>RA SP 180/27: O'Rourke to James, 11 June 1735, Vienna and RA SP 180/103: James to O'Brien, 25 June 1735, Paris.

<sup>69</sup>RA SP 181/43: O'Brien to James, 17 July 1735, Paris.

<sup>70</sup>O'Brien wrote "... in spite of what Chauvelin said, I do not absolutely count on his inclination for the projected Union until I shall see him make an unmistakeable advance to the Court of Vienna. I seemed to feel there was something holding the Ministers back just at this time, something which prevented them making a firm decision ...." RA SP 181/43: O'Brien to James, 17 July 1735, Paris.

<sup>71</sup>RA SP 181/71: O'Brien to James, 25 July 1735, Paris.

<sup>72</sup>RA SP 181/67: Letter dictated to O'Brien by Chauvelin, 23 July 1735, Paris.

<sup>73</sup>RA SP 181/72: O'Brien to James, 25 July 1735, Paris. (letter to be sent with Chauvelin's "billet").

<sup>74</sup>Fleury confirmed in a letter to the Emperor on 28th August that he had no intention of using the Jacobite line of communication. (M.A.E. Corr. Autriche, 180, f. 74).

<sup>75</sup>Vaucher noted a similar kind of response in Chauvelin's dealings with Waldegrave in August; cf. Vaucher, 152.

<sup>76</sup>RA SP 181/73: This is a copy of O'Brien's letter of 25th July and the letter Chauvelin gave him, endorsed "originals sent to Mr. O'Rourke, 13th August, 1735."

77

RA SP 181/156-181/160: these comprise (1) Translation into French of the letter James wrote to O'Rourke, 13th August; it is in O'Rourke's writing - the original letter is not in the manuscripts. (2) copies of the letters of Chauvelin and O'Brien; endorsed in O'Rourke's hand "King's letter of 13th August which accompanied O'Brien's two letters, to be kept with the King's letters of 1735". (3) Hamilton's corrections and additions to the translation of the King's letter.

<sup>78</sup>James to O'Rourke, Sept. 10th 1735 acknowledges his of 27th August (missing) and says he is glad the packet of 13th August has arrived. (RA SP 182/110: James to O'Rourke, 10 September 1735, Rome).

79

d'Haussonville Réunion de Lorraine, 252.

80

James to O'Brien, 14th September, 1735, mentions he had just received O'Rourke's letter and that "General Hamilton had had in his hands several days the papers relating to the affair in question, yet he had not communicated them to the ministers." (RA SP 182/131: James to O'Brien, 14 September 1735, Rome.) On 17th September James acknowledges O'Rourke's letter of 4th September (missing). (RA SP 182/139: James to O'Rourke, 17 September, 1735, Rome)

<sup>81</sup>James to O'Rourke, 24th September 1735, acknowledges his of 10th September (missing) with original note "probably in Bartenstein's hand". (RA SP 182/168: James to O'Rourke, 24 September 1735, Rome). Vaucher lists these documents as being in the French archives (Vaucher, 14, n.1)

82

RA SP 182/170: O'Rourke to James, 24 September 1735, Vienna.

83

RA SP 182/131: James to O'Brien, 14 September 1735, Rome.

84

He wrote to O'Rourke in the same sense on 24th September (RA SP 182/168: James to O'Rourke, 24 September 1735, Rome).

85

RA SP 183/25: O'Brien to James, 3 October 1735, Paris. About the same time Waldegrave finally managed to see Fleury, who denied categorically the existence of any secret negotiation (25th September). In the following week Chauvelin abruptly put an end to the private discussions with the English ambassador (4th-11th October); see Vaucher, 154-155. La Beaune signed the Preliminaries on 3rd October.

<sup>86</sup>RA SP 182/162: James to O'Brien, 21 September 1735, Rome.

<sup>87</sup>The Comtesse de Verrue was of the family of the Duc de Luynes; she was apparently an old friend of O'Brien's wife.

<sup>88</sup>RA SP 183/46: O'Brien to James, 10 October 1735, Paris.

<sup>89</sup>La Beaune reached Paris on 22nd October, a fact which Bussy announced to Waldegrave. cf. Vaucher, 157, n.1.

<sup>90</sup>RA SP 183/95: O'Brien to James, 21 October 1735, Paris.

<sup>91</sup>RA SP 183/42: O'Rourke to James, 8 October, 1735, Vienna. The agreement was signed on 3rd October.

<sup>92</sup>RA SP 183/73: O'Rourke to James, 15 October 1735, Vienna.

<sup>93</sup>RA SP 183/106: O'Rourke to James, 22 October, 1735, Vienna.

<sup>94</sup>RA SP 183/71: James to O'Rourke, 15 October 1735, Rome; O'Brien wrote to James, 7 November 1735, noting that La Beaune is said to have left for Vienna on 27 July just after his own discussions with Chauvelin on the King's letters and that therefore "the French Ministry might well have sent La Beaune about this same time and that on the representations which I made to them then on the part of the King, that however Chauvelin didnt think fit to tell [me] this secret in the uncertainty of the effect this step would have ...." (RA SP 184/11: O'Brien to James, 7 November 1735, Paris).

<sup>95</sup>RA SP 183/137: O'Rourke to James, 29 October 1735, Vienna.

<sup>96</sup>Baudrillart, IV, 305-312. When Trevino challenged Chauvelin and the Cardinal with the rumours on 28th October, they treated the story as "de fable et de chimère", and denied it completely.

<sup>97</sup>RA SP 183/137: O'Rourke to James, 29 October, 1735, Vienna.

<sup>99</sup>RA SP 184/24: O'Brien to James, 10 November 1735, Paris.

<sup>99</sup>RA SP 184/11: O'Brien to James, 7 November 1735,  
Paris.



## CHAPTER VI

### The Jacobites and the Settlement at Vienna, 1735-1737

The document that was signed at Vienna on 3rd October, 1735, was a unilateral agreement between two belligerent powers, each of whom had allies who must now be informed of the transaction and persuaded to accept a peace concluded without their knowledge or consent.<sup>1</sup> This presented less difficulty on the Hapsburg side, for Russia had already secured her main interest, the establishment of Augustus II of Saxony on the throne of Poland. France, on the other hand, must induce Spain to give up the actual possession of the Farnese Duchies and the reversion of Tuscany, the very lands Elizabeth Farnese had always regarded as peculiarly her own through hereditary right, and which she had so recently secured for her eldest son, Don Carlos.<sup>2</sup> Although Don Carlos was now, by right of conquest, King of Naples and Sicily as well as Duke of Parma, his mother would fight every inch to prevent a settlement which would deprive him of half his inheritance. But the Emperor would not carry out the agreement which gave Lorraine to France, unless he were assured of the possession of Parma for himself and of Tuscany for his son-in-law.

The arrangement was likely to cause trouble for the French in Austria, too. Duke Francis of Lorraine had not

been consulted, either, on the disposal of his hereditary rights and he would oppose or delay the settlement as far as he could. Secondly, in the original exchange of views, the French agent, La Beaune, had been given to understand that Lorraine would be surrendered immediately; now an alteration made by the Austrians in the document signed on 3rd October postponed the cession of Lorraine until the death of the last Medici Duke gave Francis full and uncontested possession of Tuscany as an equivalent. La Beaune had felt obliged to sign rather than jeopardise the whole settlement, but the change was quite unacceptable to the French and they were determined that the arrangement should be carried out in the original terms.

Despite these difficulties the French, did, in the end, carry through the settlement envisaged in the preliminary agreement of 3rd October. They had the initial advantage of superior strength, and they used, with great skill, the military gains they had made during the actual campaigns. When the fighting stopped in October, 1735, the French forces controlled the Alpine passes, while the Spanish strength was divided between Northern and Southern Italy. The French Government, therefore, put pressure on Spain to accept the Treaty by allowing the Austrians to re-enter Italy, re-occupy Milan, spread southwards into Parma and even make demonstrations of attacking Naples if Spain withheld agreement; the Cardinal all the while protesting

that, grieved as he was for his ally and friend, he could no longer interfere, since he had signed the agreement of October 3rd with the Emperor.<sup>3</sup> Austria, on the other hand, was more directly pressured into carrying out the Treaty by the continued presence of French troops in the Imperial towns captured during the war – Phillipsburg, Kehl and Trèves. Under no consideration would the French relinquish their hold on these towns until the final exchange of the deeds of cession gave them full control of all the territory of Lorraine.<sup>4</sup>

Although both Spain and Austria were thus compelled into accepting French terms, they each, in their own ways, resisted, in a long delaying action, so that the exchange of the deeds of cession did not take place until February, 1737, and, during these critical eighteen months, the ultimate direction of French foreign policy became an important aspect of the final, obscure and intense struggle between Fleury and his adjunct Chauvelin.<sup>5</sup> They were in agreement, as we have seen, over the immediate issue of making peace, and they worked well together in carrying out the complex business of implementing the settlement. While Fleury supplied, in ample rhetoric, all that was amiable and conciliating to the Courts of Spain and Austria, that able lawyer, Chauvelin, chivvied and harried the ministers in Vienna and Madrid, exacting every legal advantage, turning every implication in his client's favour, demanding all and

more of every legal right that could be wrung from the Preliminary Agreement, and backing every argument with the implicit menace of armed force. The significant difference in policy was at a deeper level. Fleury regarded the settlement he was making as a bulwark against further conflict when Charles VI should die, while Chauvelin still looked to the ultimate dismemberment of the Austrian Empire and the exclusion of Austria from Italy.

This hidden divergence of aim became apparent in the diplomatic interchange between France and Spain. Where Fleury would have had Spain accept as permanent the new settlement in Italy, Chauvelin was encouraging the Spaniards to regard it as a mere temporary setback, to be redressed at the first opportunity. There was a lingering, unsettled minor dispute at this time between Spain and Portugal, which was in process of being resolved by the joint mediation of England and France. This gave Chauvelin the opportunity he needed to off-set the grievances entailed on Spain by the peace settlement, secretly favouring her in the mediation, feeding her hopes of recompense at a later date, perhaps even encouraging or urging her into war against Austria's old ally England. The Cardinal had suspected for some time that his adjunct was conducting his own foreign policy, communicating secretly with certain of the French ministers abroad, building support within his own department where Pequet, the senior "commis", was known to be devoted to his

interests. The real danger to Fleury was that Chauvelin's policy, as distinct from his own, might attract support amongst influential members of the King's Council. He could not afford to leave him in place, and, to have him succeed to his own position would have destroyed, amongst other things, the diplomatic settlement he had now achieved.

The part which the Jacobites had recently played in the interchange between France and Austria foreshadowed the way in which they would be used by both Fleury and Chauvelin in these interrelated areas of diplomacy and politics, during the period when the original agreement was in the process of being converted into a formal treaty. As soon as the agreement was signed in Vienna, the Jacobites themselves naturally began to consider the problems involved in turning to their own account this new alignment of the European Powers. In the course of the mediation they had been assured by both sides – in a very general sort of way – that the union of the three Catholic Powers would have, as a corollary, the Restoration of England's Catholic King. Bartenstein, in June, 1735, had himself told General Hamiton that he "heartily wished [the King's] Restoration and looked upon it as an infallible consequence of such a Union."<sup>6</sup> And Chauvelin was no less re-assuring to O'Brien in July; "the King", he remarked, "is right in thinking that the Restoration will follow inevitably, if the Treaty is once concluded between the Emperor and the King of France."<sup>7</sup>

But just how was all this to be achieved? James and his agents realised that nothing could be done until the peace had been accepted by Spain and the exchange of territories completed, but they thought they could, in the interim, press for a more specific recognition of their claims, an unequivocal commitment towards a combined attempt at a Restoration, to which all three powers would contribute in one way or another.

Certainly, at this point, James felt they had a unique opportunity to turn events their way, if they could use their own organisation to influence decisions at this crucial time. Their only chance of support was to argue, to persuade, if possible to convert the policy-makers of Europe to the Jacobite Cause as the symbol of their new unity, the focal point of their temporal interest and their religious obligation. In their different spheres, both O'Brien and O'Rourke had access to the men who were making the decisions; by pooling their information and their assessments of policy, by suggesting possible lines of action, James hoped that he could even, to some extent, determine the direction of policy amongst the three Catholic Powers. Almost as soon as he knew that France and Austria had made their settlement, James began to interchange with O'Rourke and O'Brien a series of ostensible letters which were intended to press their own Cause and, at the same time, to serve as a medium through which the Powers might

clarify their views and enter into a stricter and more enduring unity with each other.

The effort which James and his agents made in this way to unite Spain and Austria in a common purpose with France, runs parallel to the effort the French themselves were making to impose on Spain and Austria the peace settlement they had devised in their own interest. The Jacobite exchange of letters provided a mechanism which could be used by the powers concerned to test or define attitudes towards each other and towards England; a matter recognised to be of vital importance to France. Fleury, by making his agreement secretly and with Austria alone, had indicated his determination to isolate France's nearest rival and potential enemy. Walpole had kept his country out of the war for his own reasons; but, having failed in all his attempts to mediate, having been, somewhat to his surprise, excluded from the settlement between France and Austria, he was proportionately more anxious to take over the process of pacification. For France the danger was that the discontents of either Spain or Austria or both would make them responsive to English diplomacy, so that, instead of being isolated, England would again become the dominant power in Europe. In all their efforts to implement their plan, the French were conscious of this need to screen their policies from the gravitational pull which England exercised on both Spain and Austria. Stating a position towards the

Jacobites was, by implication, stating a position towards Hanoverian England, and James and his agents, therefore, in their interchange of letters, served the French as a kind of self-activated monitoring system, through which they could control and adjust the degree of diplomatic pressure needed to make both Spain and Austria conform to their plan. The series of ostensible letters started by the Jacobites on their own initiative was continued and expanded on the suggestion of the French ministry; and there are indications that both Fleury and Chauvelin, monitoring the responses the Jacobites received in Madrid and Vienna, used the same medium to test the policies that had become the battleground between them.

O'Rourke wrote the first ostensible letter on 22nd October, 1735, as soon as the news of the agreement was public in Vienna. He was anxious, he said, to take advantage of the state of feeling at the Austrian Court, where relief at having obtained a settlement so moderate, even generous, from their traditional enemy was mingled with resentment against their traditional ally who had failed to help them in their time of need. Let France not lose this opportunity, but, with the same disinterested zeal that informed the settlement, join with her new ally Austria and her old ally Spain to replace the rightful King of England on the throne from which his father had been expelled for his adherence to their Catholic faith. Did not tumult and



disorder in England show even now that the people there awaited their deliverance from the yoke of the usurper? At every level – so argued O'Rourke – from religious duty to practical advantage, this task would be worthy of the great Catholic Powers, now that enmity between them had ended at last, and, could he establish peace in Europe on this basis, "His Eminence will close forever the Temple of Janus and take the keys with him to Paradise."<sup>8</sup>

This was the kind of appeal to which Fleury paid at least lip-service in his correspondence with the Emperor.<sup>9</sup>

It was seriously meant by O'Rourke; but with all his enthusiasm, he does not lose sight of the practical difficulties: the Hapsburg's ingrained mistrust of the Bourbon, the Emperor's genuine risk if he quarrelled irrevocably with England without being sure of real support from France. The French must act with integrity and understanding to dissipate the mistrust of the Austrians. Above all it could not be expected that the Emperor should be the first to propose an attempt in favour of the Jacobites. France and Spain must take the initiative. Indeed, since the Emperor had "no port, no ships and no money" his role must inevitably be passive rather than active in such an affair. It was, nonetheless, an important role, as O'Rourke saw it; France must have the security of the Emperor's consent to a move which might involve war with England, which would certainly antagonise the powerful

Electorate of Hanover and alarm the Protestant Princes of Germany. Without such guarantee, if the Emperor were not actually engaged in the fighting, he might find himself drawn into the position of nominal leader of a great coalition against France, as in the disastrous days of Louis XIV's last great war. Above all the French must act now, before the English had time to "re-insinuate themselves" in the Emperor's confidence. In his covering letter<sup>10</sup> O'Rourke explained that if it did no good it could do no harm to remind the French of these wider issues at this time and, at least, in talking to the French ministry of the points raised by his letter, O'Brien might get some idea of their intentions towards the King.

James, when he received this letter on 5th November, was still somewhat confused by contradictory reports coming in from O'Brien that no separate negotiation was afoot. However since the details O'Rourke gave of the actual Treaty were convincing enough, he forwarded both the ostensible and the covering letter to O'Brien with instructions to communicate the ostensible letter to Chauvelin and the Cardinal as soon as he was certain that an agreement had been signed.<sup>11</sup> At the same time he wrote an ostensible answer to O'Rourke's ostensible letter, endorsing the points he had made, reminding the Emperor of his good offices in the peace negotiations and urging consideration of the Jacobite interest at this juncture.<sup>12</sup>

When O'Rourke's letters reached Paris on 28th November, O'Brien duly obeyed instructions to pass them on to the French Ministry. He did this, however, in his own way, for he was a much less scrupulous man than either his colleague or his king and clearly he found O'Rourke's devout enthusiasm "a little out of fashion." In his hands the ostensible letter became a semi-official enquiry from the Court of Vienna to clarify the intentions of France towards the Jacobite interest.<sup>13</sup> On 5th December he reported the reaction in detail.<sup>14</sup> Chauvelin approved the sentiments expressed in the letter, adding "that was just the state of mind in Vienna and he should read the letter to the Cardinal". Fleury, as ever, mingled assertions of his fervid wish to see the King restored with the inevitable pronouncements that they must wait and see what would happen.<sup>15</sup>

This was the kind of thing to which the Jacobites were well accustomed. They tried, as ever, to find beneath the surface interchange, some real indication of what French policy was likely to be. The point of interest on this occasion was that Fleury said, in the course of his discussion with O'Brien, "... there may have been some little hints from the Court of Vienna on what concerns the King, but of the very slightest". In passing on to O'Rourke the account he received from O'Brien, this was the point James seized on; it was, he said, more than he would have

expected from Vienna at this time and he wondered very much what reply France had made to these hints.<sup>16</sup> The Cardinal had not told O'Brien, but perhaps General Hamilton could find out at his end. In any case, it was clear that France would have to be the prime mover in an attempt, and she would do nothing until Spain acceded to the Treaty.

O'Rourke, in Vienna, brought together the strands of this interchange: his own French letter of 22nd October, an amended and autograph version of the King's ostensible answer of 12 November<sup>17</sup> and a précis of the King's letter of 23 December which passed on the account of O'Brien's audiences with Chauvelin and the Cardinal. O'Rourke and Hamilton were, it should be noted, careful to leave out of the précis the very point James had found so significant. They saw to it that there was no mention of any hints from Vienna to Versailles about the Jacobite interest.<sup>18</sup> Thus edited, all three documents were then shown to Starhemberg, and, as O'Rourke reports, on 28th January, "they were liked"; but Starhemberg agreed with Chauvelin nothing could be done at present.<sup>19</sup> This with O'Rourke's added comment that the Austrians were pleased with du Theil<sup>20</sup> duly reached the French Ministry through O'Brien early in March. Once more he discussed the whole situation with Chauvelin.<sup>21</sup>

The points he singled out as genuinely hopeful, in his account of this discussion, were first that Chauvelin confirmed the Courts of France and Austria were in accord;

and that England would not be accepted as a guarantor of the Treaty;<sup>22</sup> and, secondly, that Chauvelin agreed the King's friends in England should be approached cautiously and told the situation looked favourable.<sup>23</sup>

What each side got from this exchange was slight enough. The Jacobites had not expected much at this time, since Spain had not even accepted the Treaty as yet. On the whole they were satisfied that the new accord between France and Austria still held and that the Maritime Powers were still likely to be excluded from the final settlement. At the same time, the correspondence was not without use to the two Powers concerned. O'Rourke's long letter of 22 October 1735 gave to the French Ministry an outside assessment by an informed observer who had his own reasons to analyse Austrian reaction to the new alliance. Secondly, by encouraging the interchange of letters between James and his agents, the Courts of Vienna and Versailles were able to exchange unofficial assurances that they were in agreement on a vital question. Hanoverian England was not to be included in the settlement; but neither was Hanoverian England to be wantonly provoked by any overt assistance to the exiled King – at least while Spain remained uncommitted to the agreement.

By this time, however, O'Rourke no longer shared the hopeful confidence of James and O'Brien. Rumours of the French determination to press for the immediate cession of

Lorraine had already shaken his belief in the possibility of a true Union between the three Catholic Powers.<sup>24</sup> That apparently good understanding between France and Austria, which O'Brien noted with such satisfaction, was in fact deliberately fostered by the French to facilitate the first phase of the negotiation. It was designed – and successfully – to pressure Spain into accepting the Preliminaries. Once that was achieved the pressure was turned against Austria, too. Lorraine must be given up to France, whole and complete in all its ancient sovereignty; and, to meet the conditions set by the Emperor, the Spanish rights in Tuscany must be no less completely extinguished. From now on the Union which the Jacobites so longed for was troubled by resentment, suspicion, hostility: Spain against Austria, both against France. Nevertheless, James and his agents began a new series of ostensible letters, by which they hoped to bring the Powers together in a common enterprise against England; and they did so, not on their own initiative this time, but at the instigation of the French ministry.

The hint came in a very unofficial way from a very official man, Pequet, the premier commis in the Foreign Ministry.<sup>25</sup> It happened that one day early in July<sup>26</sup> Chauvelin asked O'Brien to call on Pequet with papers relating to some routine business. He found the premier commis, for once, not very busy – which was surprising; but

even more surprising was to find him so very unreserved and discursive, so willing to talk at length about Jacobite affairs.<sup>27</sup> In short, Pequet went out of his way to suggest a course of action; O'Brien should get his friends in Vienna to obtain from the Emperor a verbal assurance that if France and Spain made an attempt in the King's favour, Austria would not interfere. O'Brien objected that the French could broach the matter themselves, in a cautious way, with the Emperor, especially as there had apparently already been some hints from Vienna on the subject. Pequet was ready with his answer; the previous hints had really amounted to nothing and, more important, they would not take the risk. The Austrians knew well enough that the French Government would not misuse such an approach on the part of the Emperor; but, if they themselves spoke first, they were by no means certain that it would not be used against them. After all they did not want anything in writing, only his word not to interfere; once they had that, things could go forward. There was no doubt Spain would join, and even in Holland there was a party who might favour such a scheme. In England the pro-Austrian group would welcome the Jacobites if it was known the Emperor was in their favour. All O'Brien had to do was to pass this on to the King as if it was his own idea, founded on general assumptions about the course of events. Above all he must not, on any account, mention Pequet's name to anyone in discussing the

plan; not that he would be gainsaid by Chauvelin and the Cardinal, especially if the plan worked; but, until they knew what Vienna would reply, they could not speak of the matter openly.

O'Brien was suitably impressed. Pequet was the senior man in the Department of Foreign Affairs and as such he had "le secret de l'état". It was so out of character for him to propose this sort of thing that he could surely only have done so under orders from Chauvelin or the Cardinal, and therefore it could be assumed this was a directive from the French Government on their method of procedure.<sup>28</sup> James, certainly, received it as such.<sup>29</sup> He wrote immediately to Vienna, sending O'Rourke a copy of O'Brien's letter, with instructions that for the present it was to go no further than Hamilton, with whom he was to discuss the best method of approaching the Emperor to get his agreement in the way indicated by Pequet.<sup>30</sup>

O'Rourke replied, on 11th August, with a long and careful analysis of the situation in Vienna.<sup>31</sup> In his opinion the French pressure on the Emperor to give up Lorraine and the delays in concluding the Treaty had caused a revulsion of feeling in Austria. Their old hatred and mistrust of France had revived and they would certainly suspect any overture of that kind coming from the French Government. If it came simply from the King himself and through Jacobite channels, they would not even reply to it;



there was, in any case, a likelihood they might renew their contacts with the Elector of Hanover, especially if he offered them money, for the Austrian government was even more desperately impoverished than usual. Despite their resentment at England's failure to help them in the late war and the Emperor's feeling that the King-Elector had become an over-mighty subject, they might well seek new ties with England; and the English were certainly doing their best to take advantage of any rift between France and Austria. Besides, O'Rourke considered, it was unlikely that the Emperor, "a man of habit, the enemy of all new departures in the way of policy",<sup>32</sup> would agree to an irrevocable step which would antagonise for ever the powerful Elector of Hanover whose vote might be decisive in keeping the Imperial dignity within his family for son-in-law or grandson.<sup>33</sup> Moreover, just at present, trouble was building on the eastern frontier. The Czarine was urgent with the Emperor to keep his treaty obligation and come to her help in the war which the Russians had started against the Turks. The Austrians themselves were unwilling to see their Russian allies established in Bosnia, so that, although his country was in no fit state to enter immediately on another war, the Emperor was anxious to get involved. He blamed the French for thwarting him in this, deliberately delaying the Peace Treaty, secretly encouraging the Turks.<sup>34</sup>

In these circumstances O'Rourke thought it would be worse than useless to make any approach on the lines Pequet suggested. If they suppressed Pequet's name, how could they convince the Austrian government that this was a serious enquiry on the part of the French ministry and not just Jacobite importunity? If they mentioned it, the Emperor might – it was unlikely, but not impossible – reveal the whole affair to the English and allow them to see the letters, in which case Pequet, O'Brien, Hamilton and himself would be disowned and in a worse position than ever. Besides this, the Emperor would never move in such a matter without consulting his ministers; if they showed the letters to Starhemberg or to Bartenstein, who was most in favour, and he refused to pass them on, they would be brought to a standstill there.

In any case, if the Emperor really thought a Restoration likely, the French suggestion was hardly sufficient. Would the Emperor be content to be "a mere looker-on" in such a major re-adjustment of the European state-system, supposing James were restored by the Bourbon powers to all the rights and privileges of the throne of England? Why should he give up his old alliance with Hanoverian England without being sure beforehand of some definite advantage, or at least some guarantee of protection, based on a formal Treaty? "In his place", O'Rourke added, "it is what I would not do".<sup>35</sup>

At least there was no hurry, since Pequet had stressed that nothing should be done until the Peace was concluded. General Hamilton, indeed, in his usual impulsive way, would have passed on the whole affair immediately to his friend Starhemberg, but O'Rourke restrained him. In any case Hamilton was about to go off on a two-month mission to the frontier. Instead, O'Rourke himself wrote out a formal statement of his objections to the plan (carefully omitting Pequet's name) and sent it as an ostensible letter to the King, to be passed on to O'Brien and by him to the French Ministry.<sup>36</sup>

In face of these arguments, James realised that the plan suggested by Pequet could not be carried out. However something might be done if the French Government could be persuaded either to speak direct to the Emperor through du Theil, or to send to himself through O'Brien an unequivocal authorisation to discuss the matter on their behalf at Vienna. On the basis of O'Rourke's letter, he therefore composed another ostensible letter for O'Brien to use in his discussions with the French Ministry.<sup>37</sup> The ideas expressed in this letter are an elaboration of the arguments O'Rourke put forward modified by the King's own comments on these arguments. Thus James stressed the need for direct communication between Paris and Vienna on the subject of the Jacobite interest, either through their own representatives or by clearly authenticating an approach through the

Jacobite channel. Naturally the mistrust and resentment against the French, which O'Rourke had emphasised, were much more lightly handled; but the same plea is put forward: in this atmosphere of mutual suspicion, someone has to take the risk of speaking first and the French are urged to do so. They are not tied to England as the Emperor is and are so much the less vulnerable; and here James added a sentence to remind the Cardinal about those insinuations which he had glanced at in his conference with O'Brien some months earlier.<sup>38</sup> Then, bringing in O'Rourke's point about the war with the Turks, James developed the thought that, after all, with the Imperial troops busy on the Eastern frontier, the French government had, in practice, the security it wanted. The Emperor could not interfere even if he wanted to – so why not go ahead with the enterprise and tell him just before it started, as a matter of courtesy?

Finally, O'Brien<sup>39</sup> was directed to discuss the contents of the letter with Chauvelin and the Cardinal. In the covering letter, this instruction was amplified; O'Brien is to read the letter to Pequet first and get his advice on how to approach the ministers.<sup>40</sup> The point to stress with all three was that if they were serious, the French must either approach the Emperor through du Theil or make it clear that the Jacobites were acting in concert with them in making an appeal for his concurrence in an enterprise.

Along with the ostensible letter and the covering letter, James sent O'Brien a copy of O'Rourke's letter of 11th August and (since it arrived just before the packet went off to Paris) the original of O'Rourke's "ostensible" of 18th August.<sup>41</sup> In talking to the French ministers, therefore, O'Brien was very fully briefed on O'Rourke's assessment of feeling in Vienna, not only towards the Jacobites, but towards both France and England. Unfortunately, at this point the sequence of his letters in the manuscripts is broken off for several weeks. He certainly wrote - no doubt with his customary wealth of detail - on the results of his discussions with the ministers, for the letters are, as usual, acknowledged and identified by date in the replies that were sent from Rome. What he said has, therefore, to be reconstructed from these replies and from the use James made of O'Brien's letters in sending on information to O'Rourke.

It would seem, then, from the King's letter of 3rd October,<sup>42</sup> that when O'Brien received the packet on 17th September he was "pleased with the King's ostensible letter". James was not surprised that he had decided against passing on O'Rourke's "ostensible" of 18th August; he, too, had felt that it was too strongly expressive of disapproval for French tactics in Vienna. He hoped that by next week he would know from O'Brien "what dispositions the

ministers are in in that affair", so that he could then decide how to make his approach to the Court of Vienna.

The following week James acknowledged two letters from O'Brien, dated 21st and 24th September.<sup>43</sup> O'Brien had seen both Pequet and Chauvelin; but he had obtained so little information or encouragement that James saw no point in commenting on the discussion so far. He would wait until O'Brien got a reply to the letter, although he said "by the way things look I am much afraid that it wont be such as I could wish." However he was already considering how he could at least try to get the Emperor to speak openly on his views with regard to the Jacobite interest.

On 17th October James again acknowledged two letters from O'Brien, dated 29th September and 1st October.<sup>44</sup> This time, it appeared O'Brien had seen the Cardinal himself, who, as usual, had managed to convey that while he himself was sincerely well-disposed towards the Jacobites, things were not going well between France and Austria – indeed, the Emperor was even urging him to allow England a share in the Peace Treaty. Fleury seems also to have brought up the old arguments about the party in England, the factions who would prefer the Prince or who claimed to restore the King by a parliamentary revolution.

James then wrote to O'Rourke, passing on the information that the Emperor, according to Fleury, was taking steps towards England, and therefore, at this point,

nothing should be said in Vienna of the French being favourably disposed to the Jacobite Cause. This assurance from France, like Pequet's plan, must go no further for the present than himself and Hamilton.

The French response to these Jacobite letters has an association in time with the phases of their negotiation with Austria. Up till February, 1736, while Spain was being forced into accepting the Preliminary Agreement, the governments of France and Austria worked together in seeming accord which is reflected in their reactions to O'Rourke's first ostensible letter, written on 22nd October 1735. The next phase of the negotiation was the most critical for the French government. They had to exact from Austria the immediate and complete cession of Lorraine, driving the Emperor to submission on this point by their unrelenting hold on the fortress towns in Imperial territory - Kehl, Phillipsburg and Trèves, and at the same time watching carefully for any indication that Austria might escape the pressure either by direct agreement with Spain or by inviting England to become a party to the settlement.<sup>45</sup> The second series of ostensible letters was initiated at the suggestion of the French government at the beginning of July, 1736; that is, just when du Theil's work in Vienna was entering on the most critical phase and when Fleury was particularly anxious to keep the English excluded from any participation in his negotiation at the Imperial Court. The

suggestions which Pequet made to O'Brien are really an extension – almost a *reductio ad absurdum* – of the ideas about the role of Austria which O'Rourke had already set out in his first ostensible letter of 22nd October, 1735;<sup>46</sup> and the French ministers must have seen the obvious objections to the method they proposed as clearly as O'Rourke did himself. It is impossible to believe they would have chosen this way to make a serious enquiry at Vienna as a prelude to assisting the Jacobites. What then did they hope to gain by starting off this new exchange through Jacobite channels unless it was meant as a device to monitor feeling in Vienna, to give advance warning of any inclination there to reject the Bourbon alliance and turn to the Elector of Hanover for support? If the Austrian Court did give the kind of assurance which Pequet had suggested they could not then deny that they were prepared to trust the French alliance; if not, it would be a sign that, when it came to the point, Austria would prefer her old ally Hanoverian England; at least it would indicate an unwillingness to take the risk of compromising their connection with England – or the risk of being blackmailed by France because of an overt committal to the Jacobite Cause.

In fact, as we know, Pequet's move produced from O'Rourke a detailed assessment of the nature and causes of anti-French feeling in Vienna and of the counter inclination towards Hanoverian England. It was clear that O'Rourke,



himself a most devoted Jacobite, considered the support of Austria so unlikely at that particular juncture that he would not even broach the matter to the Imperial ministers. As it turned out, from the French point of view the whole manoeuvre was unnecessary, for du Theil got his signature to the required convention on 28th August. The news of this presumably reached Paris about three weeks later and about the same time O'Brien received from Rome the ostensible letter of 28th August in which James, having digested O'Rourke's objections to the original scheme, made his studiously generalised appeal to the French for a direct approach to the Emperor or at least an unmistakable authorisation to himself to treat in Vienna with their approval. It was, of course, easy enough for Fleury and Chauvelin to stop the whole manoeuvre at this point by the negative they clearly gave when O'Brien passed on the King's letter, sometime between the 17th and the 24th of September.

James, however, with characteristic persistence, resolved to carry on the game on his own. He composed yet another ostensible letter, even more cautiously worded, to make his own plea at the Court of Vienna.<sup>47</sup> It was all based on the imminence of the Peace settlement and his feeling that the Emperor owed him "a day in the har'st" for his good offices – or at least his good intentions – in the peace negotiations; nothing specific was said about France or Spain, but an unmistakable hint was given in the usual

formula, that he had "very good reason to believe" that if the Emperor would give a secret understanding not to oppose such a move, his Restoration would be taken in hand.

O'Rourke, duly instructed to pass all this on, did his best to convince his master that there was nothing to be gained at present by such an approach to the Emperor. Hamilton, absent on duty, was less in favour than he had been, but he might be persuaded to show the letter to Starhemberg or, better still to the favorite, Bartenstein – although here again personal relations entered into the problem. Bartenstein was "noe great friend" to Hamilton who, as a Jacobite, was always vulnerable.<sup>48</sup> The General, on his return, refused to attempt to pass on the letter, and although James was urgent with them both to persist, O'Rourke and Hamilton, knowing the situation in their Court, followed their own judgement and were resolved to wait for a more favourable opportunity – if any such should come.

James had a particular reason at this time to urge his agents in Vienna to persevere. He recognised that the relationship of Spain to France was at the heart of the whole problem of uniting the three Catholic Powers in his interest, and he believed that if he could in some way obtain from the Emperor some kind of guarantee of neutrality, then Spain might be persuaded to join with France in a campaign on his behalf. From the time the agreement was signed between France and Austria, he and

O'Brien had been trying – again through ostensible letters – to engage Spain to co-operate with France in taking on the role of active champion for the Jacobite Cause; and here also the Jacobite efforts on their own behalf were encouraged by hints and suggestions from both sides. The Cardinal's plan, to acquire Lorraine for France by forcing Spain to cede Tuscany to the Hapsburg, created extreme tension between the two Bourbon powers; and both Fleury in France, and the Spanish minister, Patino, were under attack within their own governments for having made peace on these terms. Moreover, as we have seen, Fleury's own second-in-command, Chauvelin, was secretly challenging his policy, and, by implication, his authority, in this very area. The Jacobite letters, discussing, from their own point of view, the desirability of war with Hanoverian England, were used by all parties to test trends and attitudes within Spain.

What was at stake here was the whole settlement which Fleury wanted to make with Austria. Unless Spain could be persuaded or coerced into withdrawing her forces from Tuscany, the Emperor would not cede Lorraine to France;<sup>49</sup>

and, throughout this year, the Spaniards tried every conceivable expedient to avert or delay the evacuation of Tuscany. They applied to England; but England, clinging to the possibility of being admitted to the Treaty and unwilling to antagonise France, not only declined the overture but informed Fleury of the Spanish manoeuvres.

Attempts to make a private settlement with Austria, based on a marriage between Don Carlos and the second Archduchess, fared no better.<sup>50</sup> In the end it came to a stubborn delaying action, fought over the allodials of Tuscany and like matters of detail,<sup>51</sup> which retarded – interminably, it seemed to the anxious Jacobites – the final exchange of cessions and the Declaration of Peace and Union between the three Catholic Powers, that point on which Jacobite hopes were fixed for its promised corollary, the Restoration of their King.

O'Brien was, from the first, determined to exploit this situation in his master's interest. From the beginning he saw the new Union in terms of strategic possibilities. He is always the military planner (commander-in-chief manqué, perhaps) whose fantasies have a deceptively practical appearance. Now that the Italian question was settled and Austria safely neutralised by her agreement with France, now, he thought, was the time to stir up Spain to start a war with England, with the concurrence, advice or actual assistance of the French.<sup>52</sup> For O'Brien, like many others, saw Fleury's policy – its hesitations and shifts, its alternating advance and withdrawal – as the policy of a timid, cautious man, always afraid of decisive action, always having to be pushed by more aggressive and determined politicians to the kind of "démarche" that would suit Jacobite policy. The Cardinal, he felt, having got rid of

one war, would not willingly start another; but there were some in his own government who had not approved of the peace; and once Spain was actually involved in fighting England, the Spaniards would press for French help, since, however militant their desires, they did not have the resources to carry on a war on their own. With both Bourbon powers at war with England, the day of the Jacobites would surely come at last.

On 19 November 1735 O'Brien was with the Cardinal, complimenting him on the Treaty and expressing his hope that the King's restoration would follow, since, from what passed in the negotiation, "it was clear that the principal persons at Vienna wished it also."<sup>53</sup> The Emperor, Fleury said, had not yet touched on that point, and however much he personally desired it, the time was not yet right, and Spain ... Here, said O'Brien, he paused. Taking up this hint, O'Brien urged his own point: why not compensate Spain by making a joint demand for the return of Gibraltar and Port Mahon, a suggestion he ornamented with the usual oratorical flourish about the Cardinal being master of the fate of all Europe and the glory that would be his, here and hereafter, if he used his power to restore the King.

The idea behind this suggestion was to provoke a crisis in England, which the Jacobites could use; if the government agreed, the people would be furious, and, given the unsettled state of the country, it might push them into

revolution, or at least Walpole's government would be overturned. If the government refused a joint demand from the three Catholic powers, that would mean war with the new Hapsburg/Bourbon alliance, and, perhaps, an invasion to restore the King. O'Brien (who never shows much understanding of English politics) seems not to have observed any inconsistency in this argument, although even the Spanish Secretary, Trevino, pointed out to him in a later discussion that demanding Gibraltar from England would unite the parties, rather than overthrow the government.<sup>54</sup>

In fact O'Brien seems to have made this suggestion rather with a view of discovering Fleury's intentions in the new alignment of Powers. If he failed to pass it on to Spain and Austria, it would be a sign that he still supported the Hanoverian regime in England. Even so, O'Brien would not despair of moving him by their own efforts. If the Emperor could be persuaded to accept this idea — passed on to him through General Hamilton — he, in turn, might persuade the Cardinal, for it was always possible that, if the suggestion came first from Austria, the old man might be prepared to take the risk of war with England.

In this instance the idea that Gibraltar might be demanded for Spain did not originate with O'Brien. It arose from a conversation he had with d'Angervillars, the Minister of War, two days earlier. After the audience with the

Cardinal, he told Chauvelin what had passed and Chauvelin approved. Even then O'Brien's policy of using the resentment of Spain to further the Jacobite Cause carried with it the danger of involving the Jacobites in the hidden struggle for power within the French Government.

But by April, 1736, O'Brien had almost abandoned hope of pushing Fleury into a war which would seal the alliance by an attack on England. He was assured by Chauvelin that there would be no new guarantee of the Hanoverian Government and the Maritime Powers would be excluded even by Spain from the settlement;<sup>55</sup> but that seemed to be as far as the Cardinal was prepared to go, for Fleury answered O'Brien's hints about the use to be made of the new agreement and the readiness of Spain for war with a calm assurance that he knew more about Spain than O'Brien did — they were far too mistrustful of France to undertake any such venture, even if they could afford it.<sup>56</sup>

He got little more in the way of encouragement from Chauvelin; and his own conversations with Trevino amply confirmed the distrust and resentment felt in Spain against the government of France.<sup>57</sup>

Nevertheless O'Brien remained convinced that if Spain could be edged into attacking England France would follow suit. Since he could not move the Cardinal, he would work directly on the Court of Spain, for surely Elizabeth Farnese would not tamely accept this enforced and

disadvantageous peace.<sup>58</sup> Indeed (with his usual strong bias for direct military action) he had already discussed a possible plan with Trevino: Spain would presently be moving her troops by sea from the Tuscan ports – an excellent cover for a surprise attack on the unsuspecting English, already disorganised by internal strife; if this could be suggested to the Queen and Patino, along with a hint that France and Austria would favour the enterprise...Trevino liked the idea, but thought it was not yet time for plans of this kind; his Court had too much reason to mistrust the French.<sup>59</sup>

All the same O'Brien refused to be discouraged. Through his own contacts the King himself had been able to let Patino know that France and Austria would not invite the Elector of Hanover to join in the settlement.<sup>60</sup> There were hints and rumours circulating that the Spanish government was contemplating some kind of military action;<sup>61</sup> the Spaniards were certainly assembling a considerable armament at Barcelona; and, when O'Brien saw him on 28th May, Chauvelin hinted that, although the Spanish-Portuguese dispute was about to be settled by mediation, there were other points of conflict which might bring the Jacobites what they wanted.<sup>62</sup>

About this time, therefore, O'Brien began a series of ostensible letters, designed to influence the decisions of the Spanish Court. The letters were addressed to a fellow-officer, Brigadier Lacy, but they were intended for the perusal of the Spanish minister, Don Patino.<sup>63</sup> In the



first of them O'Brien set out the advantages to be gained by an attack on England. Once more he explained his favourite scheme; use the troops being embarked at Leghorn; it would be easy to attack Port Mahon or even Jamaica, which would shake the already beleaguered Hanoverian ministry; but the surest way would be a direct surprise attack on the English coast. If France joined and Austria approved, they would be irresistible, for George and his ministers were so hated that the whole country would rise against them "with hardly a shot fired".<sup>64</sup>

The reply from Spain was certainly encouraging. Lacy wrote that Patino had read the letter and kept it; that he was definitely interested and wished Lacy to continue the correspondence.<sup>65</sup> Lacy's answer seems to have reached O'Brien just at the time he had that suggestive interview with Pequet on 2nd July, so that at this point he appeared to have the strands of both negotiations firmly within his grasp.<sup>66</sup> James in Rome saw all the hopeful possibilities of the conjuncture. Keep the two negotiations quite separate for the moment, he advised O'Brien. He himself would write to O'Rourke about Pequet's plan. O'Brien should continue the correspondence with Lacy, but make it fairly general; for the serious approach to Spain he should use Trevino; have a memorial ready to pass to him as soon as the peace was concluded, and see that the French Court was fully informed at every step; "By these methods", James concluded,

"we shall be taking the proper way to induce the three great Powers to espouse my interest, and if matters are brought with any of them a certain length, [I] am always master, if convenient, to make proper confidence of their transactions to the other, and, in the meantime, my treating with them apart will avoid giving jealousy to any of them."<sup>67</sup>

O'Brien in Paris had anticipated this advice. While his account of Pequet's plan was on its way to Rome and Vienna, his second ostensible for Lacy was drafted, shown to Chauvelin and Trevino and dispatched to Madrid.<sup>68</sup> This time, while recognising just cause for the mistrust and suspicion with which Spain regarded France, he stressed their community of interest; assured him that if Spain would speak openly to France in the Jacobite interest they would meet with a favourable hearing, since, apart from her wish to help Spain to recover her lost possessions, France had her own griefs against England and wanted her power reduced. This could only be achieved by union with Spain, and the way to start, O'Brien suggested, would be to press the demand for the return of Gibraltar.

O'Brien now turned to drafting the memorial, which was to be sent by Don Fernand<sup>O</sup>to Patino, as soon as the *Fernando* peace was concluded. Once more he outlined a plan - very similar to previous Jacobite schemes - for an armed descent of eight or ten thousand men to assist a rising in England. The country was ripe for revolt; if the landing was made in

the provinces – say the West of England – London would rise; if the attack was made in London, the provinces would rally to their support. Either way the Hanoverian troops would be caught between the two and victory would be certain. Now was the time for a landing, when, under cover of withdrawing troops from Italy by sea, the Spanish fleet could transport them direct to England, especially if the fleet of Admiral Norris, recalled after the conclusion of the Portuguese dispute, were disbanded and paid off. If Patino so wished, O'Brien would arrange for some "men of rank" to come from England and confer with anyone he might authorise.<sup>69</sup>

It seemed at first that the difficulties in concluding the peace would retard even consideration of his scheme. Chauvelin, to whom he showed the memorial at the end of August, was non-committal and reserved. O'Brien was at liberty to do as he liked about sending it, and the Garde des Sceaux was obliged to him for his courtesy in showing it, but would make no further comment at this juncture.<sup>70</sup>

Trevino, too, seemed to have withdrawn; he pleaded being overwhelmed with affairs and asked O'Brien to leave the document till he had some leisure.<sup>71</sup> Lacy from Madrid wrote of the cross-currents of antagonism and mistrust at the Court of Spain.<sup>72</sup> What did the French mean when they said they were "in favour" – would they help or just not interfere? Would they first encourage and then abandon Spain, as they had done so often before and most recently in

the settlement at Vienna? There were "favourable dispositions" in Spain, but it would all depend on whether their "just demands" were met by the Courts of France and Vienna; and O'Brien was warned that in these letters he should not be too eager to uphold the conduct of the French.<sup>73</sup>

Early in September Trevino turned to the memorial with renewed interest. He sent it off to his Court with a long dispatch, in which – or so he told O'Brien – he argued strongly in favour of help to the Jacobites. He even discussed possible rewards for Spanish assistance; Gibraltar and Minorca, certainly, and the withdrawal of the Asiento;<sup>74</sup>

he would have liked Jamaica too, but realised this would never be approved<sup>75</sup> in England. O'Brien, in accordance with his instructions, gave only verbal assurances about Gibraltar. It all sounded very promising to him, and he pointed out that Trevino had the confidence of his government, a clever, experienced diplomat, yet here he was, full of enthusiasm for the plan, hoping to see the Spanish fleet clear the Straits and head for England to restore the King whose cause was dear to every good Catholic. Trevino himself was now under recall to Spain, where, by his own account, he would be working directly with Patino handling all the affairs that related to the Jacobites.<sup>76</sup>

James, whose experience of the Spanish Court made him more sceptical than O'Brien, thought it was unlikely anything could be done before the <sup>spring</sup> ~~spring~~.<sup>77</sup> Still he made

the usual preparations, revising the Declarations, promising O'Brien "plein-pouvoir" to treat with Trevino, putting things in order if he had to leave Rome in a hurry. Again he warned O'Brien to keep Chauvelin informed; he could not believe that Spain would undertake such an enterprise - or succeed in it - without French help; and, in any case, he would have to go through France to join the expedition. As soon as O'Brien had a definite proposal, he must get in touch with Lord Cornbury; it would be better not to inform Lacy of his actual negotiation with Trevino.

O'Brien knew well the tensions, the ambiguities of co-operation and rivalry between the Bourbon powers. When he hinted to Trevino that the French would favour the enterprise, the Spanish Secretary answered "we dont trust one quarter of their promises, however it must be agreed their design is to humiliate England".<sup>78</sup> When he talked to Chauvelin about the plan, he noticed that the Garde des Sceaux maintained his attitude of reserve, saying little beyond nothing-meaning phrases of the good-will of France in all that concerned Spain; but he asked O'Brien to let him know what answer Trevino got to his dispatch, and, by Trevino's account, spoke more openly to him of the backing Spain might get in their various disputes with England.<sup>79</sup> To O'Brien it was all very easily explained; no doubt some "anicroche" in the peace-making process was holding things up; or perhaps they were waiting to be assured of the good-

will of Vienna; for at this point, early in September, O'Brien had not yet received O'Rourke's letters of 11th and 18th August.<sup>80</sup>

As autumn passed, O'Brien still maintained his hopes. It was true that Pequet's plan had failed before O'Rourke's trenchant realism, and the King's attempt to achieve the same result had come to nothing at the Court of France. More serious still, the campaign season was waning fast; while at Madrid the illness and subsequent death of the great minister had put all his government in confusion.<sup>81</sup> Yet Trevino encouraged him to persevere. Spain, he said, could always find an excuse to keep her soldiers armed and her fleet in being – moving troops from one part of the country to another, withdrawing them from Italy, an expedition against the Turks or the Moors – they would be prepared to invade at any time of the year.<sup>82</sup> O'Brien was happy to be convinced; why should they lose all hope, while the great armament still rode at anchor at Barcelona, troubling the Courts of Europe?

It is clear that O'Brien, immersed in his own schemes to use Spain for a Jacobite invasion, quite failed to appreciate the real purpose of this ambiguous display of force at Barcelona. But Charles Wogan, always much more realistic about Spanish policies, wrote to Edgar in December:

... 'tis wonderful how all the noodles in Europe and, I believe, some in Asia and Africk, are embarrassed about the Design of our next Expedition, which has the air of being not only serious but formidable ... Morea, Dalmatia, Algiers, Port Mahon and even the wretched Corsica have been pointed out – nay some have marked it for Brazile and, before the winter is over 'tis to be hoped China and the Grand Mogul's dominions may not be forgot. All these state mountebanks may miss the mark and perhaps our view is, by the alarm of such a Bugg-bear to obtain what we look for without aiming at any mark at all.<sup>83</sup>

The event proved the accuracy of his observation. It was only a manoeuvre, a last shift in the long struggle Spain was making to avoid compliance with the peace terms France had imposed. Austria had yielded to French pressure at the end of August, but Spain contrived in one way or another to hold out some months longer. On 21st January Chauvelin himself warned O'Brien that he did not know the purpose of the Barcelona armament and doubted if Spain would take on an enterprise "tho' he wished it with all his heart", for they had said nothing to France of any such intent.<sup>84</sup>

On 11th February, when O'Brien questioned him again about the preparations in Spain, the Garde des Sceaux told him bluntly "All that is gone up in smoke, and the orders are already sent to dismiss all the transport ships."<sup>85</sup>

They were no longer needed; for Spain had at last acceded to the Preliminary Agreement; the final Treaty could now be made, the deeds of cession were ready to be exchanged.<sup>86</sup> A week later Chauvelin was arrested at dawn,

deprived of the Seals and sent away into permanent exile; and here again it is possible that Jacobite schemes and Jacobite communications subserved the intrigues and manoeuvres on both sides. After Chauvelin was disgraced, one of the explanations put forward for his fall was that he had been intriguing at the Court of Spain,<sup>87</sup> secretly suggesting to the Spaniards that France would support an attack on Port Mahon or Gibraltar; or, according to another source, persuading them to use the armament at Barcelona for a direct attack on England.<sup>88</sup> These suggestions are almost identical with the schemes which O'Brien was presenting to the Court of Spain at the same time, through his contacts Lacy and Trevino; but it seems unlikely that the Jacobites had any direct share in the fall of the Garde des Sceaux. O'Brien, an adept courtier, keeping a careful watch on the currents of intrigue, was aware that Chauvelin's position was under attack. He would not knowingly have endangered his Master's Cause and his own projects by getting involved in something which had to be concealed from Fleury. He noted on more than one occasion Chauvelin's attitude of reserve when he talked to him about his Spanish projects — nothing, indeed, could have been more correct from an official point of view than the non-committal comments of the Garde des Sceaux. But this does not preclude the possibility that Chauvelin himself was using the Jacobite scheme as a means of sounding the Spanish Court, or,



perhaps, of assessing the degree of support which such projects might receive, for he knew well enough that O'Brien would let him know what response he got from Madrid.

The Spaniards, on their side, may have used O'Brien's correspondence for their own purposes. It is thought that whatever schemes Chauvelin had in hand at Madrid were torpedoed by Patino himself, for he distrusted France and had no wish to involve Spain in a war with England.<sup>89</sup> He obtained, perhaps from Vaulgrenant, the written proofs of Chauvelin's intrigue and sent them secretly to Fleury, along with an assurance that the Court of Spain would not be offended if Chauvelin were dismissed. Here, too, the Jacobites may have had an unwitting part. It was Patino who encouraged both Lacy and Trevino to continue their correspondence with O'Brien and instructed them to let him see the correspondence from the Jacobite agent. It is very unlikely that he contemplated a Jacobite enterprise; but he may have hoped in this way to get useful information on Chauvelin's intrigues and on the possible plans of militarists in his own country.<sup>90</sup>

Whatever the political advantages to one Court or another, the politicians had their own motives for flattering Jacobite hopes. In the course of their negotiations with O'Brien both Trevino and Lacy asked for the King's "interest" for relatives seeking preferment in the Church;<sup>91</sup> but the same motive entered into calculations

at the ministerial level. The most important gift James had to bestow was his right to nominate a Cardinal; and in March, 1735, Chauvelin had suggested, with Fleury's approval, that the next nomination should be given to the Bishop of Bayeux, the brother of the Duc de Luynes.<sup>92</sup> Chauvelin, without family of his own, and isolated, by his anti-Jansenist policy, from his natural allies in the Parlement, was badly in need of support from an extensive and aristocratic family group. One way to keep them attached to his interest may have been to nourish this continuing hope of securing such a major prize, a hope justified in appearance by his close and friendly relationship with the Jacobite agent.<sup>93</sup>

For the Jacobites nothing came of these ostensible letters; that was inevitable, since the logic of their argument is the inner logic of illusion. In the realities of diplomatic interchange, Jacobitism had neither base nor substance, only a theoretical claim on the theoretical duty of the three Catholic Powers; and nothing in the diplomatic correspondence suggests that, at this time, any one of these powers seriously considered backing a Jacobite enterprise. But accident, unknown to the Jacobites themselves, gave to one of their ostensible letters an unforeseen importance. It happened just at the time when the whole negotiation was still in a critical state, pending the agreement of Spain to the convention signed between France and Austria on 28th

August 1736, and it had the unintended effect of turning the attention of England towards Vienna, the very thing Fleury and Chauvelin were sedulously seeking to prevent. The letter was that self-same "ostensible" which James had composed with so much care at the end of August in his effort to salvage what he could of Pequet's suggested approach to the Emperor.<sup>94</sup>

It seems that, one day early in October, Chauvelin himself – without realising it – handed this letter over to the English ambassador. It had, somehow or other, got in amongst papers relating to a Jersey man, one Gallichamp, who had asked Waldegrave's help in a matter that concerned the Controller-General.<sup>95</sup> Waldegrave describes, vividly and amusingly, finding this treasure-trove in the Gallichamp file, and Chauvelin's consternation when confronted with the incriminating evidence. Of course he swore he had never seen the letter – it was intercepted, it had only just been brought to him, he hadn't even read it, had no idea who wrote it or to whom. To make this more convincing he then read through the letter half-aloud with sardonic comments on the foolish Jacobite pretensions and protestations that he personally had never favoured them in any way.<sup>96</sup>

Waldegrave discounted most of this; but, to secure his unexpected advantage over Chauvelin, he promised not to inform the Cardinal of his mishap, pointing out at the same

time that he must send the letter to his own government whom it so nearly concerned.

From London to Hanover and back again the letter James had written was then scrutinised, analysed and discussed with a mixture of alarm and self-congratulation on the part of the English government.<sup>97</sup> Some of their conjectures were fairly near the truth. Robert Walpole deduced (correctly) that the original suggestion of an approach to Vienna must have come from someone in the French government and that it had been considered insufficient by the Jacobite agent at the Imperial Court. Horace, less prone to alarm, argued against this; much more likely, he thought, to be one of those Jacobite effusions based on nothing but their own extravagant hopes, the letters they always wrote to all the heads of state on any change in Europe; but then, there was this mention of "insinuations" that had previously been made by Vienna to France; although again, it could be inferred from the letter that France had paid no heed to any hints from that quarter. They were being approached; there was no evidence they had listened. However, in case they did listen, Waldegrave must press the Cardinal to declare whether or not England was to be admitted to the definitive treaty,<sup>98</sup> and he must take up again the suggestion the Cardinal was so fond of making about a private understanding between France and England.<sup>99</sup> He might keep his word to Chauvelin – that would provide a

useful hold on the intransigent Garde des Sceaux – but he must talk to the Cardinal in general terms on the whole problem of their connections with the Pretender, making it clear that they had "certain intelligence" that the Jacobites were busy in several Courts; and, since the Cardinal himself had hinted at their being involved in the Peace negotiation, he could specifically name Vienna. Robinson meanwhile would be alerted to find out what the Jacobites were doing at the Imperial Court and in London the Austrian minister, Wasner, would be sounded discreetly on attitudes towards the Jacobite interest.

I think that Chauvelin would not have risked leaving the Cardinal in ignorance of what had happened.<sup>100</sup> There was no doubt that the letter would set the English to finding out all they could about relations between France and Vienna, and, at this juncture, it was most desirable they should know as little as possible.<sup>101</sup> When Waldegrave, as instructed, brought the matter up with Fleury in general terms and without mentioning the letter, he found the Cardinal as impenetrably bland as ever. He never had, he said, and he never would favour the Jacobites, he knew nothing at all of their activities in other Courts. The Pretender's attempt to mix himself up with the peace negotiation had come direct from Rome and was probably concerted with the Pope<sup>102</sup> and he did not believe in the Pope meddling in such matters – he would have been wanting

to interfere with the settlement of the Italian States. Then, seizing the opportunity of the English themselves renewing their interest in a private Treaty, the Cardinal enmeshed them yet again in confidential assurances and hints and suggestions about his policy and complaints about both Spain and Austria, till the crucial time was safely past, the Spaniards leaving Tuscany and Lorraine at last secured in perpetuity to the Crown of France.

The strong reaction of the Hanoverian government to the discovery of this letter became in itself a factor in the diplomatic situation. In their discussions on the letter, when it was sent to them by Waldegrave in October 1736, the two Walpoles saw things differently. Horace, with admirable good sense, pointed out that, just so long as they were afraid of the Jacobites and so long as they let their fear be seen, the Jacobites would continue to receive enough help, but only enough, to keep them from disappearing altogether; and the event proved him right. For Robert, on the other hand, it was as if this letter suddenly embodied a danger far more imminent than he had dreamed. His fear shadowed forth an illusion that is the mirror-image of Jacobite hope. On 19th October 1736, he wrote to Horace:

It seems very material to me that, as the Pretender founds all his hopes upon measures to be taken immediately upon the conclusion of the peace, it should appear that regard is show'd to England upon the general

pacification ... for such a renewal of treaties with all the great powers would be an absolute rejecting of the cause of the Pretender ... I cannot but say I should look upon a separate treaty between the Emperor and France to be little less than a direct preparation for their entering jointly into the cause of the Pretender, as describ'd in his letter. 103

It seems that, despite the assurances that came so readily from the Cardinal to his ambassador,<sup>104</sup> the whole incident did influence Walpole's policy. It sharpened his perception of England's dangerous isolation in Europe, his anxiety about the growing challenge to his authority at home. He was right in thinking that these were the crucial elements which would determine his country's political future and his own; and he was right also in foreseeing that the Jacobites would make every effort to exploit the conjunction of discontent at home and enmity abroad. The events of the next two years might seem the justification of his fears.

## Notes to Chapter VI

<sup>1</sup>For an account of the process of settlement I have used the following: W. Coxe, Life and Administration of Robert Walpole (London, 1798); P. Vaucher, Robert Walpole et la Politique de Fleury (Paris, 1924); A. Baudrillart, Philippe V et la Cour de France, (Paris, 1890-1901); A. M. Wilson, French Foreign Policy during the Administration of Cardinal Fleury, 1726-1743, (Harvard University Press, 1936); E. Driault, "Chauvelin, 1733-1737: Son Role dans l'Histoire de la Réunion de la Lorraine à la France". Revue d'Histoire Diplomatique, VII, (1893), 31-74.

<sup>2</sup>By the settlement made in the Second Treaty of Vienna, 1731.

<sup>3</sup>Baudrillart, IV, 320-325.

<sup>4</sup>Driault, art. cit., 53-54.

<sup>5</sup>Vaucher, 184-207; Wilson, 272-277; Baudrillart, IV, 374-377; Driault, art. cit., 62-74; A. de Bethencourt-Massieu, "El Sistema de Fleury y la Caída de Chauvelin, 1736-1737" in Homage al Dr. E. Garcia, (1965), t. 2, 583-595; J. M. J. Rogister "New Light on the Fall of Chauvelin", E.H.R., V, 83 (1968) 314-330; J. Sareil, "Le Cardinal Fleury, candidat à la tiare?", Revue d'Histoire Diplomatique, vol. 80 (1966), 299-313.

<sup>6</sup>RA SP 180/27: O'Rourke to James, 11 June 1735, Vienna.

<sup>7</sup>RA SP 181/43: O'Brien to James, 17 July 1735, Paris.

<sup>8</sup>RA SP 183/104: O'Rourke to James, 22 October 1735, Vienna; "ostensible" letters.

<sup>9</sup>On August 28th Fleury wrote to the Emperor " ... et pour moi, en particulier, Sire, je mourrois content si je pouvais etre l'instrument d'une intelligence que je crois non seulement utile pour les deux Couronnes mais encore avantageuse à la Religion et la tranquillité de l'Europe." (A. E. Corr. Autriche, t. 181, ff. 74-78, cit. Wilson, 353-365). The Emperor uses the same kind of rhetoric, complimenting Fleury on his part in an affair "important et



salutaire pour toute la chrétienté" (cited in d'Haussonville, 431-43'..)

<sup>10</sup>RA SP 183/116: O'Rourke to James, 22 October, 1735, Vienna.

<sup>11</sup>RA SP 184/21: James to O'Brien, 9 November 1735, Rome.

<sup>12</sup>RA SP 184/30: James to O'Rourke, 12 November 1735, Rome (endorsed: from the King a French letter not produced).

<sup>13</sup>O'Brien to James, 28th November, 1735: "... the French letter of O'Rourke is well-written and well-argued but it contains no new argument which might strike the French ministry and engage them to act ... However I shall not fail to communicate his letter to the ministers and I shall add from myself as if in confidence that people in the Court of Vienna favourably inclined to the King engaged O'Rourke to write in these terms to sound out the intentions of the Court of France on what regards the King's interests. That is the only way to make any impression for if Cardinal Fleury and Chauvelin saw the letter as coming only from one entirely devoted to the King, they would pay little attention to it." (RA SP 184/80: O'Brien to James, 28 November 1735, Paris).

<sup>14</sup>RA SP 184/104: O'Brien to James, 5 December 1735, Paris.

<sup>15</sup>O'Brien to James; 5 December 1735: "... the Cardinal said 'I wish the King's Restoration as much as you and, if it only needed for that to shed the greater part of my blood, I would pour it forth in a moment (he said this with energy) but we must wait and see, the affairs of Europe are not yet in the right state ...'" (RA SP 184/104).

<sup>16</sup>RA SP 184/134: James to O'Rourke, 23 December 1735, Rome. There is an error in decyphering in this letter, but it is clear from the context and from the cypher copy that it was the Cardinal, not Chauvelin who said this.

<sup>17</sup>When O'Rourke received the king's original ostensible answer of 12th November, he and Hamilton felt that it needed some alterations to "make it ostensive". So they drew up "the minute of such a letter ... as may be fuller in some essential points and avoid the terms of respect Your Majesty should not make use of in speaking of the Emperor ... such ostensible writings are to be calculated as far as possible in a political, feeling and obliging stile without derogating from that decorum of

speech which must ever become a great monarch, even persecuted by rigid fate ..." (RA SP 184/75: O'Rourke to James, 26 November 1735, Vienna). They also wanted the letter to be in the king's own hand and (an understandable point) as legible as possible (RA SP 184/101: O'Rourke to James, 3 December 1735, Vienna). James accepted the alterations and complied with these requests very readily, being, he said, "equally assured of [O'Rourke's] good-will and knowledge of his Court" (RA SP 184/125: James to O'Rourke, 17 December 1735, Rome).

<sup>18</sup> On January 28th, 1736, James wrote to O'Rourke, acknowledging a (missing) letter of 14th January, with the French version of his own letter of 23rd December. He found their alterations "... conform to uprightness and good judgment ... I do not wonder that it should have been thought not proper to mention to the Court of Vienna what was told to Colonel O'Brien about an insinuation in relation to me" (RA SP 185/109: James to O'Rourke, 28 January 1736, Rome). The French version of the letter of 23rd December is catalogued with the other two documents in RA SP 184/27 - 184/29: (endorsed "all three showed by Hamilton").

<sup>19</sup> O'Rourke's letter of 28th January, 1736 is missing; but its contents can be deduced from the reply James sent to Vienna on February 10th, 1736 (RA SP 185/137: James to O'Rourke, 10 February 1736, Rome) and from an extract sent to O'Brien. (RA SP 185/106: endorsed in O'Brien's hand "copy of paragraph from O'Rourke's letter to the King, 28 January 1736").

<sup>20</sup> Du Theil was the senior commis of the second bureau in the Department of Foreign Affairs which dealt with the affairs of Spain, Portugal, Italy and the Empire. He had already been employed on a mission in Madrid in 1733. Known to be a very able and experienced man, he was sent to Vienna in December 1735 to negotiate the final ~~session~~ <sup>cession</sup> of Lorraine. vide C. Piccioni, Les Premiers Commis des Affaires Etrangères au XVIIe. et au XVIIIe siècles, (Paris, 1928), 200-206.

<sup>21</sup> RA SP 186/38: O'Brien to James, 9 March, 1736, Paris.

<sup>22</sup> A summary of O'Brien's report went to O'Rourke from James on March 20th, 1736 (RA SP 186/106: James to O'Rourke, 30 March 1736, Rome).

<sup>23</sup> There is a draft of a letter from O'Brien to Cecil, dated 15th May, 1736, giving the news that England would be excluded from the Treaty and urging him to let people know and think how this could be used for the King's

interest. (RA SP 187/71: draft of letter to Cecil, dated 15 May 1736).

<sup>24</sup>On March 3rd, 1736, O'Rourke wrote to James: "... it is now clear the French will have the Duke of Lorraine's whole dominions given up immediately, notwithstanding what has been first stipulated and it is as certain that this court, lying at their mercy has consented some time agoe to the ignominious article, though the ministers denied it stiffly until the Duke's late resistance to sign his own degradation made it known within these few days." (RA SP 186/22: O'Rourke to James, 3 March 1736, Vienna).

<sup>25</sup>Pequet fils succeeded his father, Antoine Pequet, as chief of the "premier bureau" in 1725, holding office till his arrest in 1740. He had charge of the affairs of the Maritime Powers, Sweden, the German States, Poland and Russia. Piccioni, Les Premières Commis, 206-212.

<sup>26</sup>O'Brien described the interview in a letter dated 2nd July, 1736. The original letter is missing, but a copy of this part of it was made in Rome in O'Rourke's cypher and sent to Vienna on 21st July, 1736. This is catalogued as RA SP 188/162: O'Brien to James, 2 July 1736, Paris.

<sup>27</sup>He was, says O'Brien "... a very reserved sort of man...normally the least given to prolixity and ordinarily even very short in his answers ...." (RA SP 188/162: O'Brien to James, 2 July, 1736, Paris).

<sup>28</sup>O'Brien wrote: "... Anything that comes from [Pequet] merits as much attention as if it came from the Cardinal or Chauvelin, and I dare say even more, for these gentlemen have the freedom when they want, to say what they do not think, but Pequet ... would hazard nothing in such a delicate matter unless he were sure of it being approved ... I dont doubt even that what Pequet told me was concerted between Chauvelin and him." (RA SP 188/62: O'Brien to James, 2 July 1736, Paris).

<sup>29</sup>RA SP 188/148: James to O'Brien, 18 July, 1736, Rome.

<sup>30</sup>RA SP 188/158: James to O'Rourke, 21 July 1736, Rome.

<sup>31</sup>RA SP 189/20: O'Rourke to James, 11 August 1726, Vienna; this is not the original letter, but a copy sent to O'Brien by James on 29th August. The decyphering is in O'Brien's hand.

<sup>32</sup>RA SP 189/22: O'Rourke to James, 18 August 1736, Vienna.

<sup>33</sup>In dealing with this point O'Rourke added: "... this motive will be very prevalent in all the Ministry so much the more that the general opinion here is that whatever guarantees the French may give at present, they will one day back the House of Bavaria's pretensions to a great part of the Emperor's Succession and perhaps to the Empire". (RA SP 189/20: O'Rourke to James, 11 August 1736, Vienna). This anticipates the policy which France did in fact adopt during the War of the Austrian Succession.

<sup>34</sup>O'Rourke wrote "... the Emperor attributes wholly and solely to the French to be now a block in his way ... that they alone break all his measures and affect to lessen his power on all sides. It is true there may be a good deal of truth in what he accuses them of, tho' the unaccountable mismanagement of his and his ministry's side are the real source of all his misfortunes." (RA SP 189/20: O'Rourke to James, 11 August 1736, Vienna).

<sup>35</sup>RA SP 189/20: O'Rourke to James, 11 August 1736, Vienna.

<sup>36</sup>RA SP 189/22: O'Rourke to James, 18 August 1736 (ostensible letter in French) and covering letter, RA SP 189/48: O'Rourke to James, 18 August 1736, Vienna.

<sup>37</sup>James received O'Rourke's letter of 11th August (RA SP 189/20) on 24th August (RA SP 189/63: James to O'Rourke, 24 August 1736, Rome). He wrote to O'Brien on 29th August (RA SP 189/80: James to O'Brien, 29 August 1736, Rome), saying he enclosed a letter in French to show the ministers. This letter is not in the Stuart Papers but, from internal evidence, it can be identified as "the Pretender's letter" (cited Coxe, 111, 400-402), which is dated from Rome, 28 August 1736.

<sup>38</sup>RA SP 184/104: O'Brien to James, 5 December 1735, Paris; RA SP 184/134: James to O'Rourke, 23 December 1735, Rome.

<sup>39</sup>O'Brien is not named as the recipient of the ostensible letter; in fact most of the letters James wrote (except for formal missives to fellow-sovereigns), don't have an opening salutation. On this occasion the lack of address added to the perplexities of the English government when the letter came into their hands. They assumed it was for O'Brien - but they would have liked to be certain. (Coxe, III, 399).

<sup>40</sup>James noted, with reference to the ostensible letter: "... I have endeavoured to word [it] with such caution as not to expose in the least M. Pequet, for I think he even wished his named should be kept from me in the conversations he had with you." RA SP 189/80: James to O'Brien, 29 August 1736, Rome.

<sup>41</sup>James added a post-script in his own hand, saying that he had only just read the letter and had not had time to consider it in detail, but that it does not seem to be a letter to be shown to the French ministers although "it will be of use to you in discussing these matters". O'Brien is directed to return the letter when he had finished with it. (RA SP 189/80: James to O'Brien, 29 August 1736, Rome)

<sup>42</sup>RA SP 190/23: James to O'Brien, 3 October 1736, Rome.

<sup>43</sup>RA SP 190/73: James to O'Brien, 10 October 1736, Rome. It was O'Brien's custom, when he had a special audience with one of the ministers, to write his report of the interview immediately afterwards in a separate letter and send it in the post at the same time as the usual weekly report on current business.

<sup>44</sup>RA SP 190/109: James to O'Brien, 17 October 1736, Rome.

<sup>45</sup>Driault, art. cit., 50-62; Vaucher, 171-175: Baudrillart, IV, 355-358.

<sup>46</sup>RA SP 183/104: O'Rourke to James, 22 October 1735, Vienna.

<sup>47</sup>RA SP 190/176: James to O'Rourke, 26 October 1736, Rome. In a letter to O'Brien on 24th October, James writes: "Meanwhile I shall on Saturday send O'Rourke an 'ostensible' of which I have already written a draft and it is framed in such terms that even if the Elector of Hanover saw it I dont see how he could make an ill use of it against France or me ...." RA SP 190/159: James to O'Brien, 24 October 1736, Rome.

<sup>48</sup>O'Rourke adds that Hamilton "... has his fears and his personal measures to keep especially if he smoaks that the Court of Vienna is in terms of good intelligence with the Duke of Hanover." (RA SP 191/87: O'Rourke to James, 10 November 1736, Vienna).

<sup>49</sup>On 23rd May 1736 Chauvelin wrote to Vaulgrenant at Madrid, "Nous avons grand raison à tacher que [l'Espagne] avance l'évacuation de la Toscane sans qu'elle puisse en

deviner la raison, que je ne puis confier absolument qu'à vous seul, et qui est que la Cour de Vienne ne consentira certainement point à la prise de possession de la Lorraine qu'en même temps que les garnisons impériales pourront être établies en Toscane". (M.A.E. Esp., t. 434, f. 141; Chauvelin to Vaulgrenant, 23 May 1736, Paris).

<sup>50</sup>Vaucher, 163-167; Baudrillart, IV, 319-333.

<sup>51</sup>Baudrillart, IV, 351-377.

<sup>52</sup>RA SP 184/57: O'Brien to James, 21 November 1735, Paris. In March, 1736, O'Brien wrote: "... je prévois que à l'avenir, si l'on prend quelque parti contre l'Angleterre, ce sera l'Espagne qui mènera toujours le branle et que l'on fera agir." (RA SP 186/59: O'Brien to James, 16 March 1736, Paris.)

<sup>53</sup>RA SP 184/57: O'Brien to James, 21 November 1735, Paris.

<sup>54</sup>RA SP 186/59: O'Brien to James, 16 March 1736, Paris.

<sup>55</sup>RA SP 186/38: O'Brien to James, 9 March 1736, Paris.

<sup>56</sup>RA SP 186/138: O'Brien to James, 9 April, 1736, Paris.

<sup>57</sup>RA SP 186/91: O'Brien to James, 26 March 1736, Paris.

<sup>58</sup>RA SP 186/66: O'Brien to James, 19 March 1736, Paris; he says of the Queen of Spain "... elle est vive, agissante ...."

<sup>59</sup>RA SP 186/91: O'Brien to James, 26 March 1736, Paris.

<sup>60</sup>RA SP 186/122: James to O'Brien, 4 April 1736, Paris. He wrote at the same time "a letter to be given by M. de Viafeuille to Patino" which passes on the "favourable disposition of France and Austria and hints that Spain could hold the balance between them." (RA SP 186/123).

<sup>61</sup>The rumours may have been partly set going and partly exploited by George Robinson, his friend in London and a contact they had acquired in Trevino's office. Their idea, as O'Brien discovered, was to get the funds to fall in London and make a "killing" on the stock-exchange, but nothing apparently came of the plan. vid. RA SP 186/26:

O'Brien to James, 5 March 1736, Paris. RA SP 186/115:  
 O'Brien to James, 2 April 1736, Paris. RA SP 186/138:  
 O'Brien to James, 9 April 1736, Paris.

<sup>62</sup>RA SP 187/103: O'Brien to James, 28 May 1736,  
 Paris.

<sup>63</sup>Lacy must have held some position at the Spanish Court which gave him access to Patino; we know that he was later appointed Inspector-General for all the Irish regiments in the Spanish service. (RA SP 198/92: Liria to James, 29 June 1737, Naples). The actual arrangement for passing on the letters is not clear, since the earlier letters from Lacy to O'Brien are missing, although O'Brien sent them to Rome and James acknowledged their receipt. The date is also uncertain, but Lacy's reply reached Paris by 2nd July, since it is acknowledged by James on 18th July as being enclosed with O'Brien's letter of 2nd July (RA SP 188/48: James to O'Brien, 18 July 1736, Rome). The post from Madrid would take two to three weeks, so that O'Brien presumably began the correspondence at the end of May or beginning of June.

<sup>64</sup>This is not the original letter, but is taken from a draft which O'Brien sent to Trevino on 16th July for information: It was sent to Chauvelin for approval at the same time (RA SP 188/136).

<sup>65</sup>Lacy's letter is missing, but this information is subjoined to the draft O'Brien sent of his own ostensible when he wrote to Trevino on 16th July. RA SP 188/137: O'Brien to Trevino, 16 July 1736, Paris.

<sup>66</sup>This may be assumed from the fact that in his letter of 18th July, James acknowledges both O'Brien's of 2nd July (missing) and a letter from Lacy (missing) which O'Brien had enclosed (RA SP 188/148: James to O'Brien, 18 July 1736, Rome).

<sup>67</sup>RA SP 188/148: James to O'Brien, 18 July 1736,  
 Rome.

<sup>68</sup>RA SP 188/144: O'Brien to Lacy, 16 July 1736,  
 Paris.

<sup>69</sup>A copy of the memorial (RA SP 189/71) was sent to James in the letter O'Brien wrote on 27 August 1736. (RA SP 189/67: O'Brien to James, 27 August 1736, Paris). In acknowledging it on 12th September, James comments: "I noted in the mémoire you sent me that you speak as if 'several lords' would come to discuss the affair with an agent of the Spanish Court in the event Patino wished it;

but as I have no one in view but Lord Cornbury who could come for that purpose, you must not give rise to the hope that several lords would be ready to come on such an occasion ...." (RA SP 189/32: James to O'Brien, 12 September 1736, Rome.)

<sup>70</sup>RA SP 189/69: O'Brien to James, 27 August 1736, Paris.

<sup>71</sup>RA SP 189/70: O'Brien to James, 27 August 1736, Paris.

<sup>72</sup>RA SP 189/51: Lacy to O'Brien, 6 August 1736, Madrid.

<sup>73</sup>RA SP 189/73: Lacy to O'Brien, 27 August 1736, Madrid.

<sup>74</sup>RA SP 189/95: O'Brien to James, 2 September 1736, Paris.

<sup>75</sup>RA SP 189/126: O'Brien to James, 10 September 1736, Paris.

<sup>76</sup>RA SP 189/98: O'Brien to James, 3 September 1736, Paris.

<sup>77</sup>RA SP 189/154: James to O'Brien, 19 September 1736, Rome.

<sup>78</sup>RA SP 189/95: O'Brien to James, 2 September 1736, Paris.

<sup>79</sup>RA SP 189/126: O'Brien to James, 10 September 1736, Paris.

<sup>80</sup>RA SP 189/126: O'Brien to James, 10 September 1736, Paris.

<sup>81</sup>The Duke of Liria (son of James' half-brother, the Duke of Berwick), consulted by James on Trevino's negotiation, thought the plan feasible and wrote himself to Patino, but the news of Patino's illness delayed the letter. (RA SP 191/47: Liria to James, 4 November 1736, Naples.) On hearing of Patino's death, he wrote to James that Patino "was the only man in Spaine capable of undergoing and executing a great project, now all will be in confusion in Spaine". (RA SP 191/88: Liria to James, 11 November 1736, Naples).

<sup>82</sup>RA SP 190/145: O'Brien to James, 22 October 1736, Paris.



<sup>83</sup>RA SP 192/83: Wogan to Edgar, 15 December 1736, Barcelona.

<sup>84</sup>RA SP 193/101: O'Brien to James, 21 January 1737, Paris.

<sup>85</sup>RA SP 194/46: O'Brien to James, 11 February 1737, Paris.

<sup>86</sup>By a declaration on 18th February 1737 Spain virtually accepted the Preliminaries and instructed Montemar to proceed with the evacuation of Spanish troops. On 15th April they signed an agreement called the "Convention d'Execution", whereby they became formally at peace with Austria. cf. Baudrillart, IV, 338-349.

<sup>87</sup>BL Add. MSS 32,792, f. 194: Horace Walpole to Keene, 14 September 1736: "Chauvelin, underhand, works all he can to gratify the Court of Spain." BL Add. MSS, 32,792, f. 294 Waldegrave to Newcastle, 3 October 1736, Paris, suggests Chauvelin "had a secret correspondence with Vaulgrenant and was trying to gain Patino": both cited by Vaucher, 192, n. 2.

<sup>88</sup>Vaucher discusses this aspect of the problem, 198-201. He cites (1) an anonymous Life of Fleury which appeared in England in 1743, possibly written by Horace Walpole, although the author may, from his sources, have been French: and (2) a Mémoire in the French archives on the reasons for Chauvelin's fall, which states "que la flotte qui s'armait a Barcelone était destinée à une entreprise contre les Anglais la Reine voulant se venger de la flotte du Tage. Chauvelin se serait engagé à soutenir la tentative de l'Espagne pour s'emparer de Gibraltar et de Port Mahon" (M.A.E. Mém. et Doc., France, 1310, f. 419). Driault quotes a mémoire "non signé, qui se trouve dans la correspondance de Vienne ... selon ce memoire, les papiers de la cassette de Vaulgrenant renfermaient la preuve d'une alliance intime entre Chauvelin et la Cour de Madrid. A la mort de Fleury une guerre terrible devait etre declarée à l'Angleterre; Gibraltar devait être repris, les Pays-Bas enlevés à l'Autriche" (Driault, art. cit., p. 67, n. 1) See also Bethencourt-Massieu "El Sistema de Fleury y La Caída de Chauvelin 1736-37" in Homage al Or E. Garcia (1965) f. 2, 583-95.

<sup>89</sup>Vaucher, 199.

<sup>90</sup>Baudrillart points out that just at this time Patino's own position was threatened by a series of virulent personal attacks circulated in anonymous pamphlets in the

Court and in Madrid. The author was finally identified as an emissary of the King of Portugal (Baudrillart, IV, 363-364).

<sup>91</sup>RA SP 189/98: O'Brien to James, 3 September 1736, Paris. This letter mentions a cousin of Trevino, but there is no indication if James succeeded in helping him. Robert Lacy, the cousin of the Brigadier, was given preferment by James himself in the Irish Church. (RA SP 198/17: Lacy to O'Brien, 17 June 1737, Madrid, and RA SP 200/41: James to O'Brien, 21 August 1737, Rome.)

<sup>92</sup>RA SP 178/73: O'Brien to James, 9 March 1735, Paris. O'Brien's wife had some early connection with the ladies of the de Luynes family and seems to have visited them frequently.

<sup>93</sup>In a conversation with Waldegrave about the fall of Chauvelin, Fleury brought this matter up in the course of reassuring him of his own complete innocence of any dealing with the Pretender. Omitting any mention of his own share in pushing the nomination, he told the ambassador in confidence that "since Chauvelin was out he had discovered several of his practices and correspondences and that he was plainly at work with the Pretender to get his nomination to a Cardinal's cap for the Bishop of Bayeux of the Luynes family, who all of them seemed much in Chauvelin's interest tho' the Cardinal did not know the cause of it till now. The Cardinal reckoned that Chauvelin, in order to gain his ends, had flattered the Pretender with hopes of assistance absolutely without his Privity, but his Eminence laughed at it as being persuaded that the Pretender would have been the dupe of that affair. For when Chauvelin had got his ends he would have dropped the Pretender as he did everybody else when he had no further favours to expect from them." (PRO SP 78/214, f. 233: Waldegrave to Newcastle, 28 March 1737, Paris).

<sup>94</sup>See above, n. 37.

<sup>95</sup>Waldegrave to Newcastle, 11th October, 1736, cit. Coxe, III, 397 ff. When he first discovered the letter, Waldegrave considered the possibility that it might be a "plant" to alarm the English and make them more co-operative. After he confronted Chauvelin with the document, he was convinced by the Garde des Sceaux's reaction that it was a genuine accident. (Coxe, III, 400). This is supported by the following considerations: (1) in the particular diplomatic situation at this time the French were anxious that the English should not know the precise nature of their dealings with Austria; they were unlikely to have gone out of their way to draw attention to what they were

doing; (2) Waldegrave's eye-witness account of Chauvelin's reaction; the Garde des Sceaux had blundered badly, and he knew it; in his first confusion he made the mistake of pretending he had only just received the letter; this was on 11th October, but the letter was dated quite clearly 28th August; he then had to explain the discrepancy which Waldegrave immediately noted; since the letter concluded with a specific instruction that the recipient should call as soon as possible on Chauvelin and the Cardinal to discuss its contents, it was odd that he had never been approached by anyone for this purpose. If Chauvelin had really intended Waldegrave to see the letter, he would have avoided this pitfall: (3) co-incident of date: the letter from the Controller-General about Gallichamp is dated 17th September; and on 17th September O'Brien acknowledged receiving from the king the package that contained this letter; it is therefore possible that both sets of documents were on Chauvelin's desk about the same time; hence the accidental mis-filing which will occasionally occur in the best-regulated departments.

<sup>96</sup>Waldegrave writes; "... when he came to be part of it where the Pretender talks of his 'rétablissement'" he said "S'il attend que nous le retablissons, il attendra long tems" and then made a sort of protestation of his never having been a favourer of the pretender nor a listener to his foolish projects ... that the Pretender's ministers were very much out in their calculations in supposing that France would propose anything in his favour to the court of Vienna; or if they did that the Emperor would hearken to them. He afterwards read away pretty fast to himself, saying, now and then, with an air of derision, "Ces messieurs sont bien instruits". Coxe, III, 398-399.

<sup>97</sup>Coxe III, 403-448.

<sup>98</sup>The English in fact, knew from their contact "101" (Francois de Bussy, a "commis" in the Foreign Office) most of what was taking place between du Theil and the Austrian Ministry; but to protect de Bussy's "cover" Waldegrave had to be specially careful not to let this knowledge appear in his discussions with Fleury. cf. Newcastle to Waldegrave, October 19, 1736; cited, Coxe III, p. 406.

<sup>99</sup>The latest round of discussions about a private Treaty had been started by the Cardinal early in August and broken off abruptly by him and on 25th September - about the time he received the news that Austria had signed the convention on 28th August, cf. Vaucher 174-175.

<sup>100</sup>Even before receiving instructions from his Court, Waldegrave brought the matter up apropos of the

Porteous riots; he could not decide if the Cardinal had been told or not, but Fleury seemed to go out of his way to be re-assuring; (Waldegrave to Newcastle, 23 October 1736, cit. Coxe, III, 419). Apparently George himself thought Chauvelin would be certain to tell the Cardinal (Horace Walpole to Newcastle, 28 October 1736, Coxe, III, 429).

<sup>101</sup>The final consent of Spain to the evacuation of Tuscany was not obtained until December, and Austria continued to make so many difficulties that Chauvelin threatened Schmerling in Paris with a renewal of hostilities, 14 November 1736, cf. Driault, 59-61, Baudrillart, IV, 371-373.

<sup>102</sup>Fleury chose an effective way to divert attention from his own dealings with Vienna from 1735 onwards; a "concert" between the Pretender and the Pope was just what a good Hanoverian would expect, and the Cardinal, by contrast, was clearly - for a Cardinal - quite liberal and enlightened in his attitude. The facts were rather different: in February, 1735, the Pope made an approach to the Austrian Court through the Nuntio; both O'Rourke and Hamilton made it clear they were against his mediation because of "the Pope's decrepit age and his family's dependence on Don Carlos," and in any case the Austrian Court declined the offer (RA SP 177/136: O'Rourke to James, 12 February 1735, Vienna). At the end of March when James undertook to make an approach to France on behalf of Austria, he writes, "I shall endeavour to fall on some method of sounding the Court of France on these matters in which I believe it will be most prudent for me not to mix this Court [i.e. the Papal Court] at least as yet for I shall be myself very solicitous for the secret and shall use my best endeavours that any step I may take may be free from any future inconvenience if no good comes from it." (RA SP 178/161: James to O'Rourke, 26 March 1735, Rome). There is no indication in the manuscripts that James at any point in the negotiation did consult with or involve the Papal Court.

<sup>103</sup>Coxe, III, 411-412.

<sup>104</sup>As soon as Chauvelin was dismissed Waldegrave was instructed to tell the Cardinal the whole incident of the discovery of the letter; the Cardinal "laughed very heartily at the offer Chauvelin made to read me a letter I had had two days in my hands and said I had been much in the right to insist upon acquainting His Majesty with the affair ... His Eminence went on assuring me that he had never seen the letter nor heard of it and that this was not the first nor the Hundredth paper that Chauvelin had concealed from him" (PRO SP 78/214, f. 233: Waldegrave to Newcastle, 28 March 1737, Paris). These protestations were renewed in a

further interview on April 10th, when Waldegrave read the actual letter to the Cardinal which occasioned another heavy complaint against Chauvelin wherein he repeated most of what he said last time about Chauvelin's views and endeavours to appear to govern France and 'honour people with his protection' (this last was said in a jesting way)," When Waldegrave asked if he knew how the Pretender corresponded with Vienna and whether the Emperor had ever given any signs of interest the Cardinal said "that for his part he believed this might be some Fetch of the Pretender's Councils, in hopes if they could persuade France into a Belief the Emperor was for the Pretender, France might join with him too ... that a man in the Pretender's situation sees a Mountain where another can scarcely see a Mouse-hole and is angry at everybody that does not see things in the same light he does ...." (PRO SP 78/214, f. 264: Waldegrave to Newcastle, 10 April 1737, Paris).

Section IV: 1737-1740

Between 1737 and 1740 Jacobite policy returned to the earlier pattern of pressing for French help in a situation of increasing international tension that preceded war. Fleury's settlement of the Polish conflict left Britain isolated in Europe. The trade disputes between Spain and England presaged war between them and, within Britain, Walpole's government faced both strengthening political opposition and sporadic outbursts of violent popular dissent, such as the Porteous riots in Scotland. This seemed to the Jacobites to provide the combination of circumstances most likely to favour a renewed attempt at an enterprise, for by 1737 they had already realised that their efforts to get co-ordinated help from the three Catholic powers could not succeed.

In adapting his policy to the new situation James was anxious to guard against certain inherent dangers; he could not rely only on the Scots, despite the renewal of Jacobite feeling in the northern kingdom, because he recognised that a permanent change would require solid political support in England, with political control of the capital. It was therefore essential that the English Jacobites should be organised to support any attempt initiated in Scotland. Nor could he rely only on Spain for the foreign assistance, which was still required to start

the revolution, because Spain did not have sufficient economic, or indeed administrative strength to sustain an assault on England. The two new factors, Spanish/English hostility and the re-kindled Jacobitism of Scotland could only be of value if he could use them to pressure France into helping Spain and the English Jacobites into co-operation with the Scots.

The Jacobites understood better than the Hanoverians the deep mistrust and resentment which separated the two Bourbon powers, but they believed that, if war with England did come, an alliance with France would be essential for Spain. While James urged his followers in England to support the war-clamour of the opposition, O'Brien in Paris cultivated the friendship of the Spanish ambassador, Las Minas. They discussed plans of attack and such political recompense for Spain as the cession of Gibraltar and Port Mahon. But Las Minas always maintained that the Cardinal could not be relied on to give them help, and O'Brien came to share his views.

The outbreak of war in 1739 increased the dependence of Spain on France and forced her to yield the trade concessions France demanded as the price of alliance. But, at the last moment, Fleury evaded signing any treaty at all with Spain, choosing rather to make the gesture of sending the French fleet to the West Indies to help the Spanish defence against a major attack by England.

This gesture of sending a fleet to the West Indies implied in fact that the Cardinal had no intention of helping the Jacobites, and this is borne out by a *mémoire* written at the time by Fleury for his Foreign minister; according to this there was to be no treaty with Spain and there was no intention to disturb the Protestant Succession in Britain.

At the beginning of the war the Spanish government had used the Jacobites in a strategic ruse designed to trick the English into withdrawing their blockade of the western sea-ports. James realised immediately that there was no serious intention behind this exercise and in any case his main dependence was on France.

It took the king longer to realise what the real policy of France was going to be. Fleury, at this point, had so far interfered with Jacobite affairs as to direct James to replace O'Brien as agent by a new man, Francis, Lord Sempill, who had first appeared in Rome as spokesman for a group of Jacobites in England, and had been used by James to re-organise the party there. Sempill was readily convinced of the Cardinal's sincerity when he protested his readiness to help the Jacobites and deplored the backwardness of Spain as the only hindrance to action on the part of France; and Sempill meanwhile passed on to the Cardinal the useful information which the Jacobites were able to provide at this crisis through their contact George



Robinson and his informants in London. Fleury's control of the Jacobites, as before, served his own ends, while he still avoided giving them any actual help. Although James at first accepted Sempill, he came in the end thoroughly to mistrust the Cardinal's methods; but he could do nothing so long as Fleury chose to communicate with the party only through the agent he himself had selected. Sempill meanwhile had introduced to Fleury one Drummond of Balhady who claimed to represent the Scottish Jacobites. Against the wishes of the king, Sempill and Balhady agreed to a plan Fleury suggested which involved the very thing James most feared, a separate expedition to Scotland only, and this happened in the critical time when the death of the Emperor in October, 1740 changed the whole diplomatic pattern and started the long war of the Austrian Succession.

At this time nothing in fact came of Sempill's schemes or of Balhardy's mission to Scotland. The real damage to the Cause was the confidence Fleury appeared to give to these men, whose activities once more divided and weakened the Jacobite party both at home and abroad.

## CHAPTER VII

### The Jacobites and the Spanish Crisis 1737-1739

A French historian,<sup>1</sup> looking back through two centuries of successive wars, saw the years, 1737-1740, as a major turning point in European history; a distinctive pattern of conflict was about to be defined; the two fundamental problems of the decade 1730-1740 fused to produce the first major war since the Peace of Utrecht was signed in 1713. One of these problems was political; and, however absurdly legalistic the arguments about the Austrian succession may appear, contemporaries had no illusion about the real issues involved - the power-struggle to control vital areas in continental Europe. The other problem was economic, and, here also, behind the arguments about the interpretation of this or that Treaty right, there was the same unrelenting power-struggle to acquire the largest share of a very tangible benefit, Europe's burgeoning trade with the lands of limitless wealth beyond the sea.<sup>2</sup>

In 1737 it seemed that any immediate crisis which could disturb the peace of Europe would probably arise from the endemic trade disputes between the Atlantic powers. There was no present likelihood of a conflict over Austrian possessions; the Emperor enjoyed his usual health; he had

married his daughter to the Duke of Lorraine, and, by his settlement with Fleury, he had gained assent to the Pragmatic Sanction from the most powerful state in Europe. He had consolidated his possessions in the north of Italy — and again he had the guarantee of France to keep that settlement intact and hinder any attempt of Elizabeth Farnese to recover her lost duchies. In any case, from 1737 to 1739 the focus of Austrian attention was in the east. Alliance with Russia drew the Emperor into war against the Turks, a disastrous war, bringing his impoverished country almost literally to the point of complete economic collapse; his only hope of saving even a remnant of the lands Eugène had won for Christendom was to rely, once more, on France, whose ambassador, Villeneuve, was all-powerful at the Porte and whose proffered mediation he was glad to accept. So long as the Emperor was alive and thus bound by inescapable circumstance to the French alliance, Fleury could hold the rest of Europe within his own diplomatic control.

It was different in the area of economic problems. Between 1730 and 1740, as the rivalries and the ambitions of the Atlantic powers intensified, the wider lands beyond the old settled homelands of Europe were drawn closer into the political consciousness of every Western state. For nearly two centuries the Spaniards, Portuguese, Dutch, French and English had battled and traded and colonised in the new World and the Far East. By 1737 the cumulative result of

their activities was a phenomenal increase in the sea-borne trade of Europe. Slaves, carried from Africa to America, laboured there to produce sugar, cotton, tobacco and indigo, supplying an apparently limitless European demand. From South and Central America silver and gold flowed into Europe and out again, essential hard currency to purchase luxuries from the East that freighted the great Indiamen; the spices, silks and muslins, the elegant chinoiserie, the chocolate and coffee, and the tea that by mid-century was even a poor man's coveted indulgence.

In this expanding economic sphere, France was as fully committed to rivalry as any of the sea-based powers who raced and jostled to break the old Spanish monopoly, so jealously guarded and still so grudgingly shared; and the natural advantages of the French were greater than those of any other power: the size and the geographical position of their country, their resources in wealth and skill, the encouragement given by their government to the development of trade and manufacture. Nevertheless, by 1740 the economic challenge from England had become formidable. Here, indeed, neighbourhood gave an edge to rivalry. In North America French voyageurs and fur-traders ranged the immense river-system behind the mountains that penned the English colonists to the coastal plain. In India, French fort and English factory competed in the game of exploiting local disorder to extend trade privilege. In the West

Indies, Martinique and Guadaloupe rivalled the growing riches of the English plantations. In Mauritius, Madagascar, Goree, Senegal, at point after point across the world, to get slaves, grow sugar, provision ships, guard sea-routes, the French and the English met with the clash of incompatible self-interest, which, more and more, made national prestige one with commercial pre-eminence.

The trade relation of England with France and the trade relations of both with Spain are the key to the conflict which became war in 1739. New Spain was a great and growing market for slaves and for manufactured goods. Old Spain, weak and impoverished, with few agricultural resources and almost no industry, could supply neither her own needs nor those of her colonists. Both France and England traded directly with Old Spain, and a proportion of these imports found their way to the Spanish colonies. Besides this, both France and England had found a way of direct trade with New Spain - recognised perforce by the Spanish government and still in the form of a conceded privilege within the rigidly monopolistic system. France could send manufactured goods if they were dispatched under Spanish agency from Cadiz with the official "flota". The goods the French merchants imported in return from New Spain came back the same way; before they were released to the merchants, however, they were subject to an arbitrary tax,

the "indulto", fixed separately each time by the Spanish government.

The English privilege was of a different kind. A clause in the Treaty of Utrecht gave England a thirty-year contract to supply slaves to the Spanish colonies and the right to send one ship a year with the flota to supply goods to the Spanish colonists; an officially-chartered Company was duly formed to exploit these opportunities; but not all the officialdom of Spain or England either could prevent the smuggler and the interloper from using the cover thus provided to sell, at lower prices, goods constantly in demand in an under-supplied market. Supplied it was indeed, not only by England, but, more readily and more aggressively, by the English colonies on the North American sea-board, conveniently placed to take advantage of the seasonal wind-shifts which controlled the pattern of Atlantic trade. The legal trade between the English colonies in North America and the English colonies in the West Indies thus covered large and profitable and quite illegal dealings with the Spanish colonies in the same latitudes. Besides, however much the South Sea Company complained of interlopers, its own trade covered much irregularity to which its own servants were a party. The stop at Buenos Aeres to re-victual the slave-ships gave pretext for a flow of goods to Peru. The supply ships to the slavers, the transfer and sale of the slaves provided

opportunities for a multitude of illicit transactions. At the same time the Company's reluctance to pay their official dues to the Spanish Crown, their refusal to exhibit their accounts, their continual claims for losses sustained by the action of the guardacostas embittered relationships between the two governments and increased Spanish suspicion of England's intentions in the New World; for why should the English so persistently refuse to give bond against smuggling and resist with force the right of search for contraband goods?

Here then was a constant source of friction between Spain and England that had both a material and an emotional aspect. Diplomatic amenities were not operative in these far peripheral regions. At the level of encounter at which trade was carried on, violence would spark and flare. For example, in 1731 a certain Captain Jenkins had an unfortunate rencontre with the guardacostas. At that time Walpole was in full control of policy and he was, for many reasons, anxious to ensure the co-operation of Spain in commercial matters. The affair was smoothed over, tactful patronage exercised to appease the injured seaman. Yet, as trade increased and rivalries sharpened, the incidence of violence grew beyond the control of accomplished diplomat or wary politician on either side. Seven years later this same Captain Jenkins was back on stage — ear in hand — a ready-made martyr, claimed with enthusiasm by England's vociferous

opposition. He gave his name to the war that pushed Walpole at last from power.

The incident illustrates the emergence of a new factor in the diplomatic balance of Europe; the pressure from below, forcing politicians to go to war.<sup>3</sup> There was nothing in the Spanish crisis of 1738-39 which could not have been settled peacefully – it very nearly was, for the problems were not new and the governments concerned were quite prepared to make a deal as they had done often enough in the past. The single precipitating factor which pushed the whole situation to the point of war was the action of the opposition party in the British Parliament.<sup>4</sup> Those who were opposed to Walpole needed a cause to bind together their disparate groups in a united attack on the government. Their previous experience in the excise crisis of 1733 showed the value of popular support and extra-Parliamentary pressure, especially towards the end of Parliament's seven-year span of existence. The Spanish "depredations" were just what they wanted. The Patriots, as champions of the nation's honour were even more convincing than the Patriots in their earlier role as champions of the nation's freedom. Walpole did not provoke the crisis this time, nor could he evade it as he did in 1733, by withdrawing an internal measure for which he himself was responsible. He had made a bargain with another government and peace depended on his keeping his word,<sup>5</sup> but he could



not carry his own ministry with him. In March, 1739, the Duke of Newcastle, afraid of the popular clamour for action, took it on himself to send orders to Admiral Haddock countermanding his previous instruction to return to England with his squadron.<sup>6</sup> That implicit threat in turn pushed the Spanish government to the point of no return. They would not negotiate under duress, and, unless the English fleet was recalled, they would not pay the agreed compensation to the English merchants.<sup>7</sup> Therefore, when the stipulated time for payment ran out in June, 1739, active hostilities began, and Spain and England found themselves at war.

Throughout this crisis, the English government was at every point concerned about the probable reaction of France, always ready to imagine a binding treaty of alliance between the two Bourbon powers, a treaty which might include some kind of understanding about restoring the exiled king.<sup>8</sup>

In 1738 this fear had retarded even the more militant and made possible the agreement which Walpole negotiated with Spain. But by the spring of 1739 the active propaganda of the opposition had changed the public perception of the balance of risks; the economic superiority of France seemed a greater threat than French support of the Jacobite cause, and outright war with France – if it came to that – better than seeing the economic growth of the country stifled by French commercial expansion.<sup>9</sup>

For the Jacobites, as for the Hanoverians, the relationship between France and Spain was the crucial factor in the new crisis. By the end of 1737 James and O'Brien had almost relinquished hope of regaining the throne through the combined action of the three Catholic Powers. They turned instead to the possibility of embroiling England and Spain, with the idea that France would then be drawn into the war and support a landing as the quickest and surest way to end the matter. The trouble about this plan was that there seemed very little prospect of any real co-operation between the Bourbon powers. Fleury would hold to his Austrian alliance to safeguard Lorraine; and Spain was still deeply resentful of the Peace Treaty she had been forced to accept.

At the same time the situation at home seemed to James to offer more of hope than for some years past. There could be no doubt that Walpole was being seriously challenged by a growing parliamentary opposition. It was true that the feeling was more against Walpole's ministry than in favour of the Jacobites amongst the majority of those who made common cause against the great Minister. It was also true that the Hanoverian Prince of Wales, by his quarrel with his father, now provided an alternative rallying point for the opposition. These however were not immutable factors; any serious opposition to George and his Minister could be regarded as a step towards Jacobite support, and the known character of "poor Fred" might make

thinking men willing to take that extra step.<sup>10</sup> Although the Jacobites in England were still mistrustful and divided, suspicious of France, suspicious of each other, greater hope and the certainty of foreign help might yet heal the quarrels and restore their sense of purpose.

By 1737 another element was present as an active force; the Jacobitism of Scotland. Support for the exiled King had always been entrenched in certain areas of the Highlands and in the strongly Episcopalian North-East Lowlands. Now a new factor appeared. In Scotland, as elsewhere in Britain, Walpole's long tenure of power and the favours he consistently gave to his own supporters generated an opposition that had little to do with political principle, but which could draw on a reserve of strong popular support. The government in London misjudged the temper of the Scottish Presbyterians; there was a deep-rooted nationalism within their tradition, quiescent as they seemed under ministerial direction. It was roused by the Porteous affair<sup>11</sup> in a way that suggested to the Jacobites abroad a possibility of unlooked-for co-operation amongst all sections of Scottish society – at least against the Hanoverian and perhaps in favour of the ancient line of Scottish kings. Even the Duke of Argyll spoke openly to protest the measures which Walpole's government threatened against the city of Edinburgh. The Jacobites felt that if

Red John of the Battles could be won to their side, they could be almost sure of Scotland.

In 1737, therefore, the Scottish Jacobites were stirred to more activity than they had shown since the collapse of the rebellion in 1715. Lord John Drummond, brother of the Duke of Perth, a soldier in the service of France, was free to come and go between the countries. Already he had brought messages of encouragement from Rome and was trying to build support amongst the greater landholders in the central Highlands. In November 1737 another messenger made the journey from Scotland to Rome. He was Gordon of Glenbucket,<sup>12</sup> an old Jacobite, who fought for the Cause in 1715, who knew the Highlands well and who said he was empowered to speak for the Chiefs. Let the king come with his son, he said, place himself at the head of the faithful clansmen and all Scotland would rise against the Hanoverian; then what would hinder him to march on England and drive the Usurper back across the sea?<sup>13</sup>

When James assessed his situation at this point he had therefore two new factors to take into account, both of which might be considered as increasing the possibility of a successful attempt in the near future. At the same time he realised quite distinctly that both these new elements – the hostility between Spain and England and the renascent Jacobitism of Scotland – carried with them serious risk of premature or ineffective action. The one thing he could not

afford was another failure; he had to find a way to use the new situation effectively, without endangering the Cause by acting too soon and without losing a real opportunity by hesitating to act at all.

From his experience in the past, James knew well that a rebellion in Scotland, even if it took in the whole of Scotland, would be useless without the active co-operation of the Jacobites in England. London was the heart and centre of the political life of Britain; they must secure that, they must be sure of the support of a sufficient number of the great political interests in England; anything less would mean disaster, for the Scots themselves, as well as for the Jacobite Party in England. In 1740, after the war between Spain and England had started, and when it seemed likely that Fleury, either on his own or through Spain, would make use of the Jacobites in Scotland, James wrote to his agent, Lord Sempill:

It is certain I shall always be against a small expedition into Scotland, which could only lead to destruction, and that I could not answer it either to God or man if I should anyways authorise and concur in such an enterprise ... you will remark that this is a way of thinking in which I have not varied these many years.<sup>14</sup>

Throughout this whole crisis of the war with Spain, which seemed, in many ways, so hopeful for the Jacobite Cause, James acted consistently on the principle that it would be

irresponsible to start a rebellion in Scotland without a very definite commitment from the English Jacobites that they would support the rising and without carefully coordinated plans for joint military action.

As soon as he had talked with Glenbucket in Rome, James sent Will Hay, a member of his household, as a special envoy to report on the party in Scotland. He was to find out the degree of support a rising would have from the Lowland gentry and from the Presbyterians and how far both these groups were prepared to act in concert with the Highlanders.<sup>15</sup> At the same time James wrote to Cecil, instructing him to find out what the English were prepared to do, if the Scots started a rebellion in the North.

The answer from England came first and it was more or less what the King expected. Cecil was horrified at the suggestion that the Scots might "go it alone"; it would ruin the Cause and the Party together. As soon as the rebellion became known, the English Jacobites would be arrested and the Scots would have the whole of the English standing army against them. The only possible way it could be managed, said Cecil, would be if a foreign force of 8,000-10,000 men were landed in England at the same time as the rebellion started in Scotland.<sup>16</sup>

When Will Hay came back from his mission to Scotland, it was clear that even the Scots were not so united as Glenbucket thought. The Lowland gentry, no less

than the English, insisted on a foreign force to give them initial protection; and they by no means relished the prospect of the Highlanders acting alone. If they were defeated – as they had been in 1715 and again in 1719 – they would retreat once more to their inaccessible strong-holds, and the Lowlanders would once more take the brunt of the government's vengeance in fines and confiscations. The Presbyterians would give no active help; the "Patriots" of Scottish extraction would follow their own interest; and the great men amongst the Scottish leaders were divided amongst themselves, partly committed and therefore partly vulnerable to the Hanoverian government. Still, there was a very general dislike of the ruling party as being both English and Hanoverian; if help from abroad could be had, something might be done in the North.<sup>18</sup>

It all came back then to the absolute necessity of getting foreign help to start the rebellion; and, whatever the hostility between Spain and England, James was convinced that no help Spain could give would be adequate without the firm guarantee of France to assist their efforts. It was true that the best way to get French help might be to urge Spain into war with England; but, even while he was directing his followers in England to support the agitation against Spain and make every effort to push the Hanoverian government into war,<sup>19</sup> James was under no illusion about Spain's capacity to sustain such a war without French help.

He knew from experience the erratic complexities of the decision-making process in the Spanish administration, worse than ever now that Patino was dead and no minister of like calibre had yet emerged to take his place. Moreover Elizabeth Farnese still retained her personal ascendancy within the Court. Her voice would be decisive in policy, and everyone knew her real interest was not the quarrel with England. If, at any point, there seemed the least likelihood of re-opening the war in Italy, she would be apt enough to veer round, drop an enterprise against England without any regard for the consequences to the Jacobites, and turn all the strength of Spain against the Hapsburg. Besides, Spain had no money to carry on a war without the help of France. The letters from serving soldiers like Wogan and the Lord Marischal show the financial system as utterly chaotic, the government burdened with debt, the very soldiers who would have to fight half-starved and months in arrears with their pay; and their accounts are echoed in the reports of the Duke of Liria to James, and of Keene to Newcastle.<sup>19</sup>

The Jacobites, therefore, like the Hanoverians, watched closely the relationship between France and Spain as they, too, strove to read the riddle of the Cardinal's intentions, and yet were always caught between the Cardinal's expressions of good-will for the Cause and his assertions that France could do nothing until Spain would



speaking openly and broaching the matter officially. O'Brien, for example, reported to James on an interview he had with Fleury in July, 1738, when war seemed to be getting closer between Spain and England and O'Brien himself had spent some time discussing contingent plans for an enterprise with the Spanish ambassador, Las Minas:

I ... said to the Cardinal the King had ordered me to inform him that he had reason to hope Spain sincerely wished his Restoration and likely would give it full support, provided France would come into the project, that Las Minas, to whom I had given several memorials, had passed them on to his Court and had told me more than once he would answer for the opinion of Spain if France would support the expedition, so it all depends on the Cardinal and the King flatters himself the Cardinal will not lose this opportunity ... "What can we do?" answered the Cardinal, "since Spain speaks openly to us on nothing. If once she confided to us her views on what one might do with certainty, then we could see what could be done, for you know what I think on what concerns the King." 20

If Spain went to war with England, would he make good his words and give the tangible help that was needed?

Behind the ambiguities, the evasions and the falsities, Fleury's policy is clear enough. The only object he ever had in view was the interest of France as he conceived it. He understood very well the inter-relation of political and economic factors. He wanted to free French commerce from the restrictions Spain imposed; he wanted to check the commercial pre-eminence of the English, especially in the West Indies; if he were sure of peace in Europe, he would even risk a limited use of force to achieve that end; but he would never commit France to any alliance or to any action that would start a general war in Europe. This ruled out any agreement with Spain which would involve the French in attacking the settlement in Italy; the Cardinal would not hazard Lorraine, the prize he had gained for France by forcing Spain to cede Tuscany to the Emperor. It also ruled out any attempt to upset the Protestant succession in England. If he helped the Jacobites he would alienate the Dutch and destroy the traditional base of French support in Germany, the alliance of Protestant Princes. In that case he might not be able to retain his hold on Austria, and then France would again be menaced by the Grand Alliance that had brought her so near to defeat in the last years of Louis XIV.

It is possible to make this kind of statement now, because we have the advantage of time, and, for us, the different pieces of the puzzle come together to form a

pattern. But Fleury's method of conducting diplomacy made it much more difficult for his contemporaries to judge his real intention at any given moment. Even when they mistrusted him – and everyone who dealt with Fleury had good reason to mistrust him – they could not be certain that he would not, in the end, give them what they wanted if it suited his purpose; or, equally, of course, act against them, in spite of his friendly protestations. The most potent weapon in Fleury's hand was this very uncertainty, this continual avoidance of specific commitment, which nourished illusions of hope and fear, and thus made useful tools of Spaniard, Jacobite and Hanoverian alike. Perhaps he never used his weapon with more skill and daring than in these critical years.

Once this is understood it provides the key to the diplomatic relationship between France and Spain: a concealed and stubbornly contested bargaining session which went on for almost two years, and was broken off in the end without either side getting what they wanted. The points at issue ranged from the disputed allodials in Tuscany<sup>21</sup> to Spain's formal adherence to the Third Treaty of Vienna, from the marriage of Don Carlos to a definition of French attitudes in the event of war with England. Some points went to Spain in this process; if they got no help over the allodials, at least they made it clear that in signing the Treaty they did not recognise the Pragmatic sanction; and

the marriage of Don Carlos was arranged without reference to France. All this, however was a kind of manoeuvring for position; what Spain really wanted was an alliance that would commit France to an attack on the Austrians in Italy when the Emperor died, or, at least, the assistance of the French fleet against England if it came to war. Fleury made it clear that the price for such assistance was a commercial treaty which would guarantee France most-favoured nation treatment, fix the indulto at a specified rate for a term of at least ten years and allow the free entry of French colonial products like coffee and sugar.<sup>22</sup>

How could Spain agree to these conditions? Varying the indulto was almost the only means of putting effective political pressure on France. Even if the Cardinal signed a Treaty on these terms, recent experience had shown how little he could be trusted. On the other hand, there was no hope of regaining the duchies without the concurrence of France and no hope of defeating the English at sea without the help of the French fleet. Once the English began hostilities in June, 1739, the pressure was on to pay the price that France demanded; yet the Spaniards still delayed, protracting the negotiations, item by item, till in 1740 the gathering of England's great expedition in the Channel forced their consent to the economic demands of France.

If this was the real situation between France and Spain, why was Walpole so afraid of a Bourbon conspiracy to dominate Europe and restore the Stuart King? Again the answer is to be found in Fleury's methods; M. Chambertier, the envoy of Frederick the Great, pointed out, in one of his letters to his master, that Fleury kept himself in power because he knew how to manage men through their own predispositions and interests.<sup>23</sup> For example in the midst of all the unproductive haggling between France and Spain, Fleury arranged a double marriage between the royal families – just as the tension was growing in the spring of 1739. The effect was two-fold. The Spanish government was encouraged to think that the marriages would ensure French co-operation in Italy – certainly French help against England; so they persisted in the policy of resistance to English demands – a course which was bound to increase their dependence on France, but without the French having to make any formal commitment of any kind. The English on the other hand, interpreting the news according to their own fears, were quite sure the marriages concealed a formal alliance between the Bourbon powers.<sup>24</sup>

The relationship of Fleury to the Jacobites must therefore be seen in this context. He wanted them kept in existence and active as a party, because this helped to keep Walpole's government in a wholesome state of fear and anxiety. The Jacobites were also an invaluable source of

information; it was their business to know as much as they could about political conditions, military strength, the disposition of the navy; and all they learned was readily passed on to the Cardinal, who could always find, in the conditions they reported, some plausible excuse to avoid any action in their favour, and yet leave them hoping he would help them in the end. For the Jacobites, like the Hanoverians, interpreted Fleury's ambiguous policies in terms of their own pre-conceptions; they did not trust him either, of course, but they did believe that, in the long run, in the event of war, France would see it to be in her own interest to back a rising in Britain and they did believe also that the strong anti-Hanoverian feeling in that country would be transmuted into strong pro-Jacobite enthusiasm once the King and Prince landed with an army to protect and rally their supporters.

The first and most essential point in accomplishing this was obviously to get some kind of unity between France and Spain, for, in this area, it is clear from the manuscripts, the Jacobites were better informed than Walpole. Indeed the lack of concert between the Bourbon powers seemed to be the main obstacle to their hopes. So O'Brien and James set to work in the spring of 1738, to use Glenbucket's message and the crisis with Spain, to re-open the question of assistance with both Courts, simultaneously,

hoping to persuade them to find common cause in their joint support of the Stuart claim.

O'Brien played the central part in this negotiation. He was still the official Jacobite agent in Paris; for, despite his long and friendly association with Chauvelin, he was, at least in appearance, unaffected by his fall. He had been careful throughout not to get involved directly in the intrigues and cross-currents of the power-struggle within the French Court; but that, in itself, might not have been sufficient to help him to maintain a good relationship with Fleury. The fact was that the Cardinal, at this time, needed O'Brien's services as a negotiator and he needed that special piece of patronage which James had still at command in Rome. Almost as soon as Chauvelin's fall was known, Tencin had re-opened the whole question of his application to be made a Cardinal, and he used O'Brien to make his approach to Fleury.<sup>25</sup> Ten years before O'Brien had played a similar part. At that time, however, Fleury, after apparently indicating his approval, put an end to the whole project by withdrawing the effective support of the French Crown. It would seem now that he was prepared to back Tencin, but not officially. He wanted him in a position where he could be used to block any attempt to bring Chauvelin back; but he wanted it done in a way that could not be attributed directly either to himself or to the French King. This could be achieved by getting James to

exercise his right of nomination in Tencin's favour. The negotiation was complex and long, involving many aspects that are not relevant to wider diplomatic issues, for Tencin was deeply concerned in the Jansenist controversies and a whole range of problems that involved the relationship of the French Church to the Papal Court in Rome; but, through it all – and this was the point O'Brien urged with his master – there was the implication that, once he was made Cardinal, Tencin would have the rank, as he already had the ability and the ambition, to succeed Fleury as first minister.<sup>26</sup>

Just at this time, therefore, O'Brien had special access to Fleury on a confidential subject, and one in which James had something to offer which the Cardinal wanted for his own reasons. Perhaps that is too definite, for, certainly, there was no explicit bargaining, no overt connection between the kind of help the Jacobites wanted and the kind of favour Fleury expected; but there was a negotiation which runs parallel to the solicitations for help which it was O'Brien's business to make to the French Government; and both sides knew it was so.

The task of negotiating with Spain fell on O'Brien also. For some years past there had been no official agent in Madrid, and Jacobite dealings with the Court of Spain were almost negligible. James himself could, on occasion, make a direct approach through Cardinal Aquaviva in Rome;



and he had a number of other correspondents, from whom he received information about affairs in Madrid. The Duke of Liria,<sup>27</sup> who might have been able to assist, gave him advice and did what he could through his own contacts; but he was, by this time, very seriously ill of tuberculosis, lingering out his time at Naples, far too ill to return to Madrid, and there was no one else in Spain who could exercise direct influence on behalf of the Jacobites.

O'Brien, however, had, in the previous year, built up a semi-official correspondence with the Spanish Court, first through his friend, Brigadier Lacy, then through Don Fernando Trevino, the Secretary to the Spanish Embassy in Paris. By the time Glenbucket arrived in Paris, in December, 1737, even O'Brien had given up hope of getting help in this way. Some months earlier, Trevino had departed for Spain, full of promises; but, after his return to Madrid, the correspondence had almost lapsed, and all O'Brien had from him was a brief, courteous and quite empty note, acknowledging his re-iterated pleas for information. Glenbucket's mission gave a new starting-point. O'Brien saw him in Paris, as he made his way towards Rome and received from him an account of his errand and the hopeful disposition of the loyal Scots. He wrote immediately to Trevino, in terms designedly guarded and mysterious; something new had come up, something which might turn out to be important and which ought to be known to the Court of

Spain; could Trevino get them to nominate someone, preferably the new ambassador, Las Minas, to whom O'Brien could talk freely about this new development?<sup>28</sup> The device worked, for, by this time, trouble with England was obviously building and the Spanish government was inclined to show some interest. O'Brien got a reply by return of post to say that Las Minas was being instructed to discuss Jacobite affairs with him.<sup>29</sup>

There followed six months of discussion and contingent planning between Jacobite agent and Spanish ambassador, while tension grew between Spain and England, the merchants clamoured for action and Haddock's squadron was ordered to the Mediterranean. O'Brien drew up memorials, outlining plans for a landing in Wales to coincide with the rebellion in Scotland; for the use of the Irish regiments under designated commanders, for getting money and arms to the Highlanders.<sup>30</sup> Las Minas was encouraging over the numbers of men that would be available once the decision was made and pressed O'Brien to be specific on the question of Gibraltar and Port Mahon. O'Brien reported on this question on 13th January, 1738. After saying that he thought, from Las Minas' account, that Spain was no longer looking to Italy and would be free to consider an "enterprise", he continued:

He asked to see my "plein-pouvoirs", which I showed him. "You know well", he said, "that if Spain makes a treaty for the restoration

she will wish to be assured of the restitution of Gibraltar and Port Mahon, so you must be furnished with instructions on that article." I assured him when things reached that point I will be in a position to treat on what concerns these two places .... "I understand well enough that you promise us their restitution, but it is not certain in the end you can or the King's friends in England will allow you to do so". I answered that Gibraltar was of no use to England and only an expense and that for Port Mahon an equivalent might be found which would satisfy both parties and I could assure him that whatever His Majesty promised he would do even the impossible to hold to and it is the King's interest as well as that of England to ally with Spain in such a way as to avoid future conflicts and arrange matters so as not to have mutual claims which cause trouble.<sup>31</sup>

On 16th April, James noted, in writing to O'Brien, that, although "there might be some things which it would be difficult for me to speak at present on what I could or could not do after my Restoration, I do not foresee that I would have the least difficulty in restoring Gibraltar and Port Mahon."<sup>32</sup> The problem was still being discussed in June when O'Brien wrote to the King that although Las Minas was pleased with his mémoires, his objections were not on the difficulty of sending a considerable number of troops, but that the King might find it impossible, after his Restoration, to return Gibraltar and Port Mahon, and it would not be prudent in Spain to risk arms and money just to restore the King without having incontestable assurances.<sup>33</sup> But, even apart from this difficulty, Las Minas made it clear that in his opinion no reliance could be placed on any

decision from Fleury – and yet how could Spain undertake such an enterprise without the help of France?<sup>34</sup>

O'Brien, by this time, shared Las Minas' mistrust of the Cardinal. He suspected that, in any encouragement he might seem to give to Spain against England, he was only trying to keep the Queen from attacking Italy, while Austria was so hard-pressed in the East; that he had no intention of helping the Jacobites effectively, because he would prefer to see England weak and divided under an unpopular government. He seemed to be unable to bring the Cardinal to any commitment, even when he gave him all the encouraging details of Glenbucket's report from Scotland and the sympathy he got from Las Minas. Fleury merely pointed out that Spain had as yet made no direct approach to him on the subject.<sup>35</sup> However sympathetic Las Minas appeared – and perhaps really was – to O'Brien's scheme, he had to admit he was not authorised by his Court to take the matter up as an official proposal from the Court of Spain; the time, as usual, was not yet. By August it was clear that Walpole would look for, and probably find, a peaceful solution, and by August Will Hay was back in Rome, reporting on the realities of the situation in Scotland. O'Brien, whose plans had all been based on Glenbucket's vision of a united Scotland rallying to the Cause with irresistible enthusiasm, was now obliged to admit that the time was not ripe;<sup>36</sup> that, as James reminded him, they must have the co-operation

of the English, a landing in England to support the Party there and a cast-iron guarantee of help from France.

How could these pre-requisites of success be secured? It seemed to James that, frustrating as it might be both to himself and to O'Brien, they could only go back to the slow business of soliciting help on every possible occasion, using every pretext to press the French into co-operation with the more willing Court of Spain;<sup>37</sup> and, meanwhile, to keep urging the King's friends, both in Scotland and England, to organise, to be prepared to take advantage of the war that would probably come in the next year between Spain and England; to keep in touch with each other, have plans and supplies ready, get their members to commit themselves to specific, practical measures.<sup>38</sup>

By October, 1738, it seemed that some progress was being made in Scotland. A group was formed, including amongst its members the Duke of Perth and – a doubtful asset – Simon Fraser, Lord Lovat. They undertook the task of organising local support, and appointed a certain William Drummond of Balhady as their agent and spokesman. His business was of a kind which took him amongst the clans, so it was thought that he might, without suspicion, find out what the chiefs were prepared to do and what assistance they would need.<sup>39</sup>

Two things must be noted about this Association. In the first place it by no means represented the whole of

Scotland; the members had no ties with the powerful Duke of Hamilton and the politically important sections of the country – the towns, the Presbyterians, the Lowland gentry were not involved in the "concert". Essentially it was a private association of two great land-owning families, the Drummonds, owning estates in the North-East and the Traquairs, based in South-West Scotland; and two influential Highland Chiefs, Simon Fraser, whose clan held lands in the North-East, and Cameron of Lochiel, whose power lay in the Central and Western Highlands.

In the second place, Balhady's appointment was from the beginning, divisive. He was thought to be Lovat's man, and Lovat was of so doubtful a character that including him would almost certainly make other loyal Jacobites hold aloof. Although Balhady might be Lochiel's cousin, and so far respectable, he was a Drummond only by courtesy; he belonged to a clan long proscribed for violence and theft, and his own character was not above suspicion. Besides this, James had already started using Young Lord John Drummond as his go-between to the Scottish Jacobites and Balhady's appointment led to a direct quarrel between the Duke of Perth and his brother. Although this was patched up, the splinter lines of mistrust spread in new directions in the already seamed and fractured structure of the Party.<sup>40</sup> Still, such as it was, the idea of the Association was a

first step towards the preliminary organisation of an attempt.

Was anything of the same kind possible in England? Was it as completely out of the question as Cecil's letters suggested? Various reports, reaching Rome in the summer of 1738, as the crisis deepened to a threat of war, suggested that Cecil did not speak for all the Jacobites, and some were willing to take the chance of positive action. In July Inverness wrote to the King of what came to Ormonde and Kelly from their correspondents in England. It seemed that although "... the King's letter was much approved by those who saw it ... the answer made to it ... would not meet with so general applause. Your correspondent there is old and infirm and timorous to a great degree; besydes his chief confidence is in a person or persons who are not warm in Your Majesty's interest and his situation is such that tho' he himself is the honestest, tho' perhaps the peevishest man alive, many of your well-wishers are shy of trusting him and think they have good reason for being so, or wont trust him but in part with their sentiments as to Your Majesty's affairs and the lengths they would go to serve you ...."<sup>41</sup>

The Duchess of Buckingham, too, was active in this crisis. She gathered the opinions of some who differed from Cecil's cautious views and sent a messenger to explain their wishes to the King at Rome. The man entrusted with this mission was Francis, Lord Sempill.<sup>42</sup> Some years earlier he

had worked with Atterbury in Paris. Since the Bishop's death, he had played a peripheral and somewhat enigmatic part in Jacobite affairs. We find him protesting his loyalty, justifying himself for the part he played in removing Atterbury's papers, thanking the King for financial help, with a hint here and there in the manuscripts that he intrigued with the faction of Jacobites who were most inclined to mistrust O'Brien as the King's agent in Paris. Although Inverness warned the King that the Duchess had obtained with difficulty the consent of those whom Sempill represented and that "messengers sometimes exceed their powers",<sup>43</sup> James saw in this move some real hope that the Jacobites in England might be persuaded to unite and to play that vital part in a rising on which everything really depended. He was pleased with Sempill's apparent zeal and devotion to the Cause,<sup>44</sup> impressed by his ideas; he determined to use him as a special envoy to co-ordinate the efforts of the English Jacobites.

But this appointment too was divisive – more so than James himself realised. It was not only that Sempill had come to Rome as the envoy of those who disagreed with Cecil; he was empowered – or self-appointed – to convey to the King the need for compromise with the party over the question of Dunbar and Inverness. It seemed that as the possibility of action increased with the increasing likelihood of war, the old clamours were renewed against these two intimates of the



King. James himself regarded this as an absurd and unwarrantable interference with his choice of the members of his household. He pointed out to the party in both England and Scotland that Inverness had not even been resident in Rome for the past eleven years, while Dunbar's position was personal not political.<sup>45</sup> For his own part, he was disposed, as far as possible, simply to ignore the whole thing; yet it could not be entirely ignored. Will Hay reported on the widespread suspicion and dislike attaching to them both, and made no secret of his own views; a report from Lord John Drummond confirmed there was a general belief, amongst Scottish Jacobites at least, that they were likely to betray the King's secrets, and that this had become an excuse with many for refusing to be involved in any new attempt.<sup>46</sup>

Sempill certainly shared these views. He was closely associated with Zeckie Hamilton,<sup>47</sup> whose enmity to Dunbar and Inverness was to some extent responsible for the spread of the allegations against them. Yet when he came to Rome as the emissary of the English Jacobites, he seems to have concealed his true position. He did not introduce the subject with the King, he conversed on it with apparent reluctance,<sup>48</sup> and in this way he safe-guarded his own approach to power within the party; but he did, apparently, persuade the King to a compromise, so far as concerned his own movements, for on his way back he took particular pains

to avoid both Inverness and O'Brien.<sup>49</sup> In fact, as far as O'Brien was concerned, this was a superficial concession; Brett was being sent over, at Ormonde's suggestion about the same time as Sempill, to make a survey of the military dispositions in Britain. He was an old acquaintance of O'Brien, and in no way responsible to the Party in England, so he was ordered to report fully to O'Brien. It was no part of James' plan that his agent in Paris should be deprived of information which might be vital in persuading the French to give effective help.

Armed with requisite powers to co-ordinate the activities of the English Jacobites, Sempill reached London early in November, 1738. He brought with him letters from Rome for the Duchess of Buckingham and a greeting to Cecil. But, while the Duchess was to be kept fully informed, Cecil was excluded from a full participation in Sempill's mission. He was, it seems, quite ill, kept to his own rooms and withdrew from affairs. Sempill's activities therefore are not documented from his side, but they can be traced in the letters which Andrew Cockburn sent to Edgar. The zealous old man, who so often despaired of uniting his fellow-loyalists was, at first, delighted with this new move, full of hope that if the expected war came and the hated minister was overthrown, the Jacobites would be prepared to act and bring their King home at last. As the weeks went by, he began to doubt, to feel concern at having to hide Sempill's

mission from his old friend Cecil, to feel that the new move was failing also, although, as he thought, the new emissary did his best in hard circumstances.<sup>50</sup> Circumstances however were on the point of critical change.

By the Spring of 1739, when Sempill was preparing his report and getting ready to return to Rome, the war-clamour against Spain, which had died down while Walpole negotiated a settlement, rose with renewed violence. Even before Sempill left London, the orders had been sent countermanding Haddock's return;<sup>51</sup> the date when the money should be paid by Spain was approaching with less and less of likelihood that this time a break would be avoided. Before Sempill reached Rome in July, 1739, reprisals had started on both sides and, although the actual declarations were postponed until October, war had, effectively, begun.

These two years of increasing tension between Spain and England sharpened and defined the issues with which Jacobite policy had to deal. Just as in 1733, at the time of the Excise crisis, there was once more, in 1739, a coincidence of vociferous opposition to the government within Britain and a confrontation abroad that might lead to actual war. But this time the two movements were intrinsically connected with each other, for the trade disputes with Spain had become the rallying point of the political opposition to Walpole's ministry, and the war

which threatened was one that directly concerned British interests.

Both aspects of this crisis were of potential benefit to the Jacobites, but their efforts to take advantage of the political ferment in England and the hostility towards Spain were hampered by serious difficulties. James had always considered that Spain alone – even if at war with England – would be unable to effect his Restoration without the help of France. Up to this point Fleury would make no commitment to assist either Spain or the Jacobites with arms or money.

Secondly the condition of the Jacobite party in Britain became, once more, a vital component in the Jacobite effort to get help from abroad. Both in Scotland and in England there had been some revival of interest in the possibility of an enterprise, especially in the new circumstances. At the same time it was clear that revived interest had revived also the divisions within the party. The two new men whom James appointed to organise his supporters, Balhady in Scotland and Lord Sempill in England, created further divisions instead of the greater unity for which the King hoped. In the next chapter I shall discuss the way in which Fleury used this situation to circumvent Jacobite policy when the war the Jacobites wanted finally began.

## Notes to Chapter VII

<sup>1</sup>P. Muret, La Prépondérance Anglaise, 1715-1763, (Presses Universitaires de France, 1949), 405-406.

<sup>2</sup>For the general background to this crisis I have used the following: J. H. Parry, Trade and Dominion, European Empires in the Eighteenth Century, (London, 1971); J. O. Maclachlan, Trade and Peace with Old Spain, (Cambridge, 1940); W. G. Minchinton, ed., The Growth of English Overseas Trade in the Seventeenth and Eighteenth Centuries, (London, 1969); G. Williams and J. E. Flint, eds., Perspectives of Empire, (London, 1973); H. Temperley, "The Causes of the War of Jenkin's Ear", T.R.H.S., Third Series, III (1909), 197-236; W. R. Richmond, The War at Sea, 1739-1748, (Cambridge, 1920); M. Sautai, Les Préliminaires de la Guerre de la Succession d'Autriche, (Paris, 1907); J. Black, British Foreign Policy in the Age of Walpole, (Edinburgh, 1985).

<sup>3</sup>P. Muret, La Prépondérance Anglaise, 405-414.

<sup>4</sup>Temperley, art. cit., 234-235; Colley, In Defiance of Oligarchy, 224-225; Parry, Trade and Dominion, 149-150.

<sup>5</sup>After an abortive attempt to reach a settlement with Spain on the outstanding trade disputes in September 1738, Walpole pressed forward with another negotiation through the Spanish ambassador, Geraldino, which resulted in the signing of the Convention of Pardo in January, 1739. J. MacLachlan, Trade and Peace with Old Spain, 78-121.

<sup>6</sup>Temperley, art. cit., 228-232; J. Black, British Foreign Policy in the Age of Walpole, 111-112.

<sup>7</sup>Spain agreed to pay £95,000 as compensation for the depredations, but on condition that the South Sea Company paid £68,000 which the Spanish Government claimed as their due from the Company.

<sup>8</sup>See Temperley, art. cit., 229-230, n. 4. The idea of such an understanding can be seen earlier in 1734, when the secret treaty between France and Spain came to light. Newcastle then wrote to Waldegrave "that the treaty not only threatens the liberty of Europe in general by having for its foundation the aggrandisement of the House of Bourbon, but is particularly levelled at His Majesty and His dominions

... it is scarce to be imagined that they would have gone so far without having some secret engagement in favour of the Pretender, especially ... since the Court of France may think that they can never secure that sovereignty over all Europe which by this Treaty they seem to be aiming at unless they can also place the Pretender on the throne of England." (PRO SP 78/206, f. 145: Newcastle to Waldegrave, 5 February 1734, London).

<sup>9</sup>Parry, Trade and Dominion, 150-153, on commercial rivalry between France and England; Wilson, 290-317.

<sup>10</sup>News of the expulsion of Frederick from Court was sent by Lochiel to Edgar on 5th October 1737 (RA SP 201/35). O'Rourke, who discussed the matter with Sinzendorff, reports the Austrians pleased that the Elector has problems at home and thought it favourable for the King (RA SP 201/62: O'Rourke to James, 12 October 1731, Vienna). Cecil on the other hand thought the effect harmful. He wrote in July, 1738 "some of your friends already seduced by it". (RA SP 208/59: Cecil to James, 24 July 1738, London.) James, although he "did not believe in a plan of setting up son against father" thought it might turn to his advantage (RA SP 216/127: James to Inverness, 10 August 1739). He commented earlier to O'Brien that even if it turned people away at first from thinking of his interest, in the long run it would weaken the English government and make the English turn to him (RA SP 201/97: James to O'Brien, 23 October 1737, Rome).

<sup>11</sup>In May, 1736, Porteous, on duty at the execution of a smuggler in Edinburgh, fired on the crowd, killing a number of people. He was tried, condemned to death, then reprieved. On the news of his reprieve, a mob broke into the prison on 7th September 1736 and hanged him. Severe penalties were enacted by Parliament against those responsible and even against the city of Edinburgh. The Presbyterians were angered especially by the requirement that the retaliatory Act was to be read aloud in the Scottish churches. (RA SP 201/66: James to Ormonde, 15 October 1737, Rome).

<sup>12</sup>It should be noted, however, that Gordon of Glenbucket played both sides; he saved himself and his estate in 1716 by becoming a Hanoverian agent and gave the Government valuable information in 1719; vid H. Taylor, "Gordon of Glenbucket", Scottish Historical Review, 1948, v. 27, 165-175.

<sup>13</sup>Glenbucket's Memorial to the King; RA SP 206/114: January 1738 (pencil note "before 20 January").

<sup>14</sup>RA SP 230/25: James to Lord Sempill, 9 January 1741, Rome. He made the same point with reference to Glenbucket's mission in December, 1737, when he wrote to O'Brien "I will never be of the opinion in the present situation of affairs that it is right to act in [Scotland] independently of the King's friends in England and without some concert with them." (RA SP 203/45: James to O'Brien, 18 December 1737, Rome).

<sup>15</sup>Instructions to Will Hay; RA SP 205/6: 19 February 1738, Rome.

<sup>16</sup>RA SP 205/55: Cecil to James, 1 March 1738, London.

<sup>17</sup>RA SP 208/87: Captain Hay's Report, July 1738 (no specific date).

<sup>18</sup>RA SP 203/4: James to Cecil, 10 December 1737, Rome.

<sup>19</sup>RA SP 200/33: Wogan to Edgar, 18 August 1737, Barcelona. RA SP 198/92: Liria to James, 29 June 1737, Naples. RA SP 222/146: Lord Marischal to James, 27 May 1740, Madrid. See also BL Add. MSS. 32,801, f. 23: Keene to Newcastle, 9 June 1739, Madrid and report from Chavigny, 6 July 1740, M.A.E. Esp. t. 459 ff. 191-199 (cited Baudrillart IV, 555).

<sup>20</sup>RA SP 207/141: O'Brien to James, 5 July 1738, Paris.

<sup>21</sup>Baudrillart, IV, 514-519; Elizabeth Farnese tried to insist that the allodial (i.e. free-hold) lands in Tuscany were exempt from the general cession, as being her personal "patrimony". Fleury refused to accept this, and made sure arbitration on the subject dragged on without reaching any conclusion, the reason being that he did not want to have to admit any similar claim for portions of land in Lorraine.

<sup>22</sup>Baudrillart, IV, chapter V.

<sup>23</sup>Cited by M. Sautai, Préliminaires de la Guerre de la Succession de l'Autriche, 104. The letter is from M.A.E. Corr, Prusse, vol. 113, supplt. vol no. 3 (1738-49) and is dated 31 December 1742.

<sup>24</sup>BL Add. MSS. 32,803, f. 21: Harrington to Robinson, 6 March 1739. (cited Temperly, art. cit., 229, n. 4.) BL Add MSS, 32,801, f. 23: Keene to Newcastle, 9 June 1739, Madrid.

<sup>25</sup> Sareil, Les Tencin, chapter 13.

<sup>26</sup> RA SP 201/42: O'Brien to James, 7 October 1737, Paris.

<sup>27</sup> Now, in fact, the second Duke of Berwick; through his wife he was connected with the great noble families of Spain and he had acted as ambassador for Spain in Vienna.

<sup>28</sup> RA SP 202/120: O'Brien to Trevino, 2 December 1737, Paris.

<sup>29</sup> RA SP 203/75: Trevino to O'Brien, 25 December 1737, Madrid.

<sup>30</sup> O'Brien's Memorial: RA SP 206/108: Copy sent to James, 8 June 1738.

<sup>31</sup> RA SP 204/17: O'Brien to James, 13 January 1738, Paris.

<sup>32</sup> RA SP 206/35: James to O'Brien, 16 April 1738, Rome.

<sup>33</sup> RA SP 207/9: O'Brien to James, 16 June 1738, Paris.

<sup>34</sup> RA SP 203/165: O'Brien to James, 9 January 1738, Paris. RA SP 204/17: O'Brien to James, 13 January 1738, Paris.

<sup>35</sup> RA SP 207/141: O'Brien to James, 3 July 1738, Paris.

<sup>36</sup> O'Brien wrote to James on 30th June, 1738: "the King has judged better in this than we have. I declare with submission my zeal for the King's service often blinds me in relation to things I want, and that is why I shall be on my guard another time." RA SP 207/123: O'Brien to James, 30 June 1738, Paris.

<sup>37</sup> RA SP 199/152: James to O'Brien, 1 August 1737, Rome. RA SP 204/124: James to O'Brien, 5 February 1738, Rome. RA SP 205/19: James to Liria, 21 February 1738, Rome. RA SP 206/86: James to O'Brien, 30 April 1738, Rome.

<sup>38</sup> RA SP 204/55: James to Cecil, 20 January 1738, Rome. RA SP 208/125: James to O'Brien, 13 August 1738, Rome. RA SP 209/7: James to Cecil, 28 August 1738, Rome.



<sup>39</sup>RA SP 209/179: Report from Urquhart, Jacobite agent in Scotland, dated 10 October 1738.

<sup>40</sup>Balhady belonged to the McGregors, who were proscribed as outlaws and forbidden to use their clan name. Charles Smith, who helped to organise Balhady's journey to Rome, considered him a security risk, because he was "a pretty obstinate piece of stuff" and so self-confident he could be tricked by Walpole (RA SP 221/44: Charles Smith to Edgar, 12 March 1740, Boulogne); Young Lord John Drummond thought Simon Fraser had imposed Balhady on his brother without the Duke of Perth fully understanding what was happening (RA SP 223/32: Young Lord John to James, 2 June 1740, St. Omer).

<sup>41</sup>RA SP 207/149: Inverness to James, 7 July 1738, Avignon.

<sup>42</sup>Under a settlement made in the mid-seventeenth century by Archibald, Lord Sempill, the title and estates descended to the heir of his daughter Anne; these were now held in Scotland by that branch of the family, who were Hanoverian and Protestant in sympathy. Robert Sempill, the father of Francis, did not take the title – he was an impoverished soldier of fortune in the service of France. It was revived and used by Francis after his father's death, presumably as a statement of claim that the true line of descent was in the male line through his own direct ancestor, the brother of Archibald. Francis Sempill was educated at the Scots College of Douai. Complete Peerage, XI, 631-632.

<sup>43</sup>RA SP 207/149: Inverness to James, 7 July 1738, Avignon and RA SP 208/122: Inverness to James, 11 August 1738, Avignon.

<sup>44</sup>Dunbar commented to O'Brien, 14th August 1738: "il se fait estimé par Sa Majesté et, en effet, il a de l'esprit." (RA SP 208/133: Dunbar to O'Brien, 14 August 1738, Rome). James wrote to the Duchess of Buckingham, "I am glad you made choice of an honest and capable person . . . ." (RA SP 209/5: James to the Duchess of Buckingham, 28 August 1738, Rome). Inverness also commented to O'Brien, "Lord Sempill is in great favour in Rome . . ." (RA SP 209/28: Inverness to O'Brien, 1 September 1738, Avignon).

<sup>45</sup>For example James wrote to Lord Sempill "Lord Dunbar is my servant not my minister" (RA SP 220/79: James to Lord Sempill, 4 February 1739, Rome).

<sup>46</sup>RA SP 219/61: Report from young Lord John on

feeling in Scotland and RA SP 219/63: his comments on this subject, 31 December 1738.

<sup>47</sup> This is clear from (1) the letters Sempill wrote to the Lord Marischal, which are preserved in the Archives Etrangères in Paris, and (2) the intercepted correspondence of Zeckie Hamilton, which can be found in the Weston Papers, (H. M.C., X, 452-520). An instance of their association is seen in the references to the Order of Tobaso. In 1732, when Hamilton was resident in the Court at Rome, a game was invented for the young princes, an imaginary knightly order, derived from Cervantes, with Charles and Henry as Royal patrons and the gentlemen of the Court, amongst them the Lord Marischal, as members. Zeckie used his chivalric role of Grand Master to undermine Dunbar's authority with the Prince (for example, rejecting Dunbar's application for membership in a document that invites contempt of the Prince's Governor). After Hamilton was sent from the Court, his Order of Tobaso became the hidden organisation whereby he kept together and enlarged the original group who opposed Dunbar and Inverness. Sempill had never been a member of the household in Rome, but he was admitted to the order in 1736, along with Caryll, while Caryll's sister was made a patroness. Sempill seems to have accepted fully Hamilton's most exaggerated statements about Dunbar and Inverness. After the difficulties Hamilton created in the Court, which led to his expulsion, James made it clear he would never be employed in his service. He wrote to O'Brien in April 1739, "You were right to see Zeckie - be polite but do not trust him at all or any of the people that look to him" (RA SP 215/6: James to O'Brien, 1 April 1739, Rome).

<sup>48</sup> RA SP 209/5: James to the Duchess of Buckingham, 28 August 1738, Rome.

<sup>49</sup> RA SP 209/158: Inverness to O'Brien, 4 October 1738, Avignon. RA SP 209/178: Inverness to O'Brien, 10 October 1738, Avignon. RA SP 211/50: Inverness to O'Brien, 22 November 1738, Avignon.

<sup>50</sup> RA SP 211/14: Cockburn to Edgar, 14 November 1738, London. RA SP 212/18: Cockburn to Edgar, 22 December 1738, London. RA SP 213/164: Cockburn to Edgar, 20 February 1739, London.

<sup>51</sup> 10 March 1739 - Temperley, art.cit., 228.

## CHAPTER VIII

### The Jacobites and the War of Jenkins' Ear, 1739-1740

On June 6th, 1739, orders were sent from London to Admiral Haddock in the Mediterranean and to Commodore Brown in the West Indies, instructing them to commence "all sorts of hostilities against the Spaniards".<sup>1</sup> It was the beginning of a war – a war of a highly specialised kind which, for practical reasons, enhanced Fleury's potential control of the whole diplomatic situation. War at sea is a matter of ships and men, of adequate, safe, well-defended harbours, and of a strategy that must take account of some constants and a great many variables in the way of wind and weather. At least, whatever it may be now, this was pre-eminently so in the eighteenth century, when large sailing ships had to be manoeuvred against each other in all the tumultuous uncertainties of the Northern seas. In 1739 the English had, on paper, something like 124 ships-of-the-line;<sup>2</sup> 44 of these were admitted to be unfit for service, so their effective strength was about 80 large ships and a considerable number of smaller fighting vessels. The Spaniards had some 40 ships-of-the-line and the French about 50. If the Bourbon powers joined their naval forces, the British would be out-numbered at sea, and, in actual fact,

their position was difficult enough when it came to dealing with Spain alone. When hostilities began in June 1739, neither side was prepared for war, but the bellicose English were, when it came to the point, particularly un-ready. Only 35 of their 80 ships were available for immediate sea-service and the tasks that awaited these thirty-five were formidable. For both attack and defence, the English fleet had to be dispersed in three widely separated areas, the Mediterranean, the West Indies and the home waters. In each of these areas the French had a naval base, well-equipped to send a squadron – if the Cardinal so decided – to co-operate with the Spanish fleet; Toulon in the Mediterranean, conveniently placed for Barcelona and Cartagena; Brest and Rochefort on the Atlantic side, tying in with Ferrol; and Port Louis in Hispaniola to the windward of the British base in Jamaica. Behind the strategist, therefore, as always, was the anxious politician; whatever instructions went to the admirals about attacking the flota, dealing with privateers, watching for the azogues or preventing the Spanish squadrons from sailing, they must always keep an eye on the French. If they met them at sea it would require the nicest calculation to decide – in the probable absence of precise information about whether or not war had started with France – just at what point they could intervene to prevent a junction with the Spanish ships, and how this could be done without either starting a war their government

might wish to avoid, or exposing their own ships to a joint attack they were in no position to sustain.

The renewed tension between Spain and England was therefore an advantage – but a perilous advantage – to Fleury in his dealings with both these powers. It was true that the pressure of war on an impoverished country would make Spain more compliant in granting the economic privileges he wanted for France. At the same time the difficulties Spain would encounter in the fight with England would increase the pressure on the Cardinal from within the French Court to involve France as an ally, or at least to give substantial help in the fight against England. Although of recent months Fleury had recovered from his illness and re-asserted his authority within the government, his great age and the uncertainty of his health made him always vulnerable in his hold on power. If the pro-Spanish lobby gained the ear of the King both his position and his policy would be threatened, and the same threat was a factor in his dealing with England. There was popular support for outright war with England, which strengthened the militants within the Council, so that here also Fleury's position as Minister could be under attack. Nor did he himself underestimate either the trade rivalry or the serious political differences between France and England. He could not allow England to force further trade concessions from Spain, or,

still worse, extend the English colonial Empire in the West Indies or America by taking territory from Spain.

He started, of course, from a strong position, for his careful diplomacy, in the last four years, had left the English isolated in Europe, and they were now open to intimidation by the threat of joint action at sea by the combined fleets of France and Spain. That threat would be the more effective if it carried with it hints of a possible invasion on behalf of England's exiled king. Yet here again a careful balance must be maintained. If he used the Jacobites to frighten the English, he must do so without alarming Holland or the Protestant Princes in Germany.

That he could so use the Jacobites was a reasonable calculation. The English ministers were divided on the whole issue of the war with Spain. Walpole's settlement failed precisely because the Cabinet split on the issue. Walpole opposed the war because, it seems certain, he genuinely feared that the combination of war with Spain and opposition at home would lead to a Bourbon alliance backing a Jacobite rebellion within Britain.<sup>3</sup> Here, then, was a tool the Cardinal could use; but, to use it effectively, at a time of heightened international tension, he must control the people and the movement. The Jacobites had done their best to help the opposition to push Walpole into War with Spain. Fleury's delicate manipulation of circumstance at this point depended above all on uncertainty on every side.

Anything so decisive as an actual declaration of war with France was to be avoided; he did not want the English government pushed further to that point by the Jacobites or anyone else. If there must be war between France and England, he must be master of the occasion. The Jacobites must play their part, but no more than the part assigned, in his double task of menacing England without open war and helping Spain without specified commitment.

The solution he found did carry with it the chance of war with England. He determined that, if the English sent a large force to the West Indies, he would send the Brest and Toulon squadrons to back the Spanish fleet in that region. A gesture of this kind, provided the risks were limited, had several advantages; it would check and annoy the English, it would please and encourage the Spaniards, and, perhaps most important to the Cardinal himself, it would strengthen his own position in the French Court. There was, however, one serious practical difficulty. At the start of hostilities in June 1739, the French navy also was under-manned and in poor repair, much less in actual strength than the number of its ships. To get the squadrons ready for any kind of effective gesture would need some months of intensive work. Therefore throughout the winter of 1739-40 and on into the summer Fleury had to maintain his political and diplomatic stance, without being hurried into precipitate action; keeping the English in a state of constant alarm and the

Spaniards still so expectant of help that they would neither desist from negotiations over the Commercial Treaty, nor act rashly to force the hand of France.<sup>4</sup>

It was at this point in pursuance of his policy, that Fleury made an unusually direct intervention in Jacobite affairs. He took steps to ensure that Sempill became the Jacobite agent in Paris, and that O'Brien was excluded from any actual share in his dealings with the Party.

There were, on the face of it, some obvious reasons for such a step. O'Brien, being known as the Jacobite agent, would be more closely watched by the English government, whereas Sempill was, apparently, not recognised as an active Jacobite. O'Brien had no direct contacts with the party at home – as the friend of Inverness, he was, if anything, mistrusted; Sempill on the other hand, had already demonstrated his special and close connection with the English Jacobites. Both these factors might seem reasonable to the Jacobites if Fleury were, as they hoped, pre-disposed to help them in this crisis; they were also factors which might weigh with Fleury if he simply wanted to control and manipulate the English Jacobites. Apart from this, Fleury needed someone who would believe what he was told; Sempill was a new man, while O'Brien, after years of dealing with the Cardinal, mistrusted profoundly both his statements and his motives. Perhaps there was also some personal feeling at work in all this; Fleury's susceptibility on the subject



of his own tenure of life – and of power – was well known. O'Brien had been useful to him in negotiating a Cardinal's hat for Tencin, but, in the course of these negotiations, used rather too freely the argument that, once Cardinal, Tencin would become Fleury's adjunct and probable successor. It was not the sort of thing the Cardinal would forget.<sup>5</sup>

Up to this point James regarded Sempill as an honest, zealous, useful man, doing his best to revive and unify the Party at home. His plan was that Sempill, having completed his assignment in England, should proceed to Spain to give a first-hand account of the position in England and, perhaps, remain at Madrid as the Jacobite agent at the Spanish court.<sup>6</sup> It was never his intention that he should supersede O'Brien in the key position in Paris, and he did so only as a result of a directive from Fleury himself.

We have two accounts of how this came about:

Sempill's own statement, which is in a *mémoire* quoted by Jean Colin,<sup>7</sup> and a number of references in the Stuart Papers. According to Sempill's account, at the instance of the Party in England, he saw Fleury on his way to Rome in the summer of 1739. He stated that the Cardinal expressed himself as being honoured by their confidence and personally anxious to give them help; that he could not in the present circumstances break openly with England, but that the imminent war with Spain might alter this. He then went to Rome, made his report, and was intended for the Court at

Madrid. On the King's instructions, however, he went first to Paris, to deliver a letter from the King to the Cardinal. Fleury then persuaded him it would be useless to go to Spain at present, and that it would be better to work at consolidating the Party in England. "With regard to secrecy," Sempill continued, "His Eminence exacted extraordinary precautions. He wished that I should write to the King my master that he had not thought it right to confide in M. O'Brien, who had long been charged with His Majesty's affairs, and that he would not agree that he should know of the part he would take in this conjuncture".<sup>8</sup>

The account which can be pieced together from the Stuart Papers is rather different. There is no indication that Sempill saw Fleury on his way to Rome, where he arrived in mid-July. He made his report, submitting at the same time a number of papers by Carte, then returned to Paris with instructions to see Fleury. Before he arrived, or, at any rate, before he saw Fleury, the Cardinal made some enquiries about him from Lord John Drummond.<sup>9</sup> About the same time O'Brien began to find the Cardinal very inaccessible, and, when he did see him, his manner was "rather dry". A letter he sent to enclose an "ostensible" from the King was returned without answer. Next time he tried to see the Cardinal, Barjac (the Cardinal's valet) told him His Eminence was "enfermé", and had already many people to see, mentioning that Lord Sempill was amongst

those waiting. O'Brien, thereupon, left, so that Sempill, as the King's messenger and the representative of the Party in England, should have a clear field with the Cardinal.<sup>10</sup> At this point he still expected to have a report of what happened from Sempill himself; but Sempill never came near him and he still could not manage to see the Cardinal. Three weeks later James wrote to him saying there were reasons why he should see as little as possible of Fleury and that Sempill would not report to him — at the same time assuring him of his own undiminished confidence and goodwill.<sup>11</sup> From a letter James wrote to Sempill at the same time, it is clear that O'Brien's exclusion was the result of a direct request from Fleury, probably conveyed through Tencin, who was then at Rome. From now on the business of arranging help for the English Jacobites would be channeled through Sempill, and not through O'Brien, "as to whom", James wrote, "there is a necessity that Cardinal Fleury should be gratified."<sup>12</sup>

Whatever O'Brien felt about this situation, he accepted it without obvious resentment, and obediently confined himself to such incidental matters as came his way. He kept up all his useful contacts amongst courtiers and foreign ministers, and continued to write, week by week, very full, and often very perceptive reports on the general situation and French reactions to it. He was, as we know, a close friend of Inverness and perhaps, learned some of his

philosophy. More than a year before, they had discussed the position Inverness found himself in when Sempill first came to Rome. Even then Inverness warned his friend that he too would be avoided because the King had, to that extent, compromised with faction; "but", he adds "... if things can succeed to the King's advantage, it matters little, amongst all the hands, by whose this happens."<sup>13</sup>

So far the Stuart papers corroborate Sempill's statement, that Fleury wished to have O'Brien excluded from the negotiations. There is however a major discrepancy between Sempill's account of the reasons advanced by Fleury to hinder his going to Spain and the picture that emerges from the manuscripts of Sempill's own negotiations at this point.

According to the *mémoire* quoted by Colin, Sempill stated that, when he went to Paris in July, 1739, Fleury advised him not to go to Spain, on the grounds that it would be unwise to let the Spaniards see that the Jacobites claimed to be responsible for a war, in which the Spanish navy would doubtless be destroyed and that, in any case, it would be useless to ask help from the King of Spain, who was doing all he could to avoid war. Once war had actually been declared, in October, 1739, the Cardinal again advised Sempill not to apply to Spain on the grounds that the Spanish ministry knew the war was forced on the English government by popular outcry, and this made them hopeful of

bringing the war to a close "en peu de temps et à peu de frais."<sup>14</sup> When we turn to the Stuart Papers, on the other hand, what we find is an elaborate mock-conspiracy, manufactured by Spain, with the connivance of France, which left Sempill, in the end, as almost the only man in his own party who failed to see that he had been duped.

James himself welcomed the outbreak of war only because he felt that it made war between France and England more probable. He had not altered his opinion of Spain's incapacity to sustain a war with England on her own. For the Jacobites there was a new element of danger in the whole situation: that Spain, to alarm the English or to force the hand of France, might make use of them, either in England or in Scotland, and, by some rash, inadequate and premature attempt, destroy any real possibility of a Restoration.

The Spanish ministers did, in fact, have a plan of their own for making use of the Jacobites. Like the English, they too were seriously under-prepared for a maritime war, and the ships they had available were needed to guard the treasure-fleet, the one vital link in their economy. Without French help they could never strike a decisive blow against England; but, when the war started, they were still struggling to get that help without making concessions the country could ill afford. Meanwhile they evolved a strategy, which, by diverting the English ships from their blockade of the Spanish ports, would leave their

own ships free for privateering and for guarding the flota to and fro across the Atlantic. They did this quite simply by playing on English fears and anxieties, knowing well that, though France had not declared for them, neither had she promised neutrality, and this uncertainty made the English especially vulnerable.

In the Mediterranean, for example, Haddock's forces were kept on the alert by persistent rumours of an attack on Minorca. A camp was set up, ostentatiously, in Catalonia; troops were moved to the coast; preparations were made for what looked like a large-scale attempt. Haddock was already under-provided for the double task of blockading Cadiz and protecting the vital English base at Port Mahon. The Spanish ruse worked well; the Dutch ambassador at Madrid duly reported the rumours to the English government, who, in turn, ordered their commander to protect Minorca at all costs. Since the rumour of an assault intended against Port Mahon seemed to be corroborated in circumstantial detail by local sources,<sup>15</sup> the English, at the critical point in March, 1740 withdrew their ships into the Mediterranean, and the Spanish squadron sailed unopposed from Cadiz.

The same trap – this time using the Jacobites as bait – was set for the English squadrons on the Atlantic side; and here we can follow the process in some detail from the Stuart Papers.

Of all the Jacobites abroad, the Lord Marischal and the Duke of Ormonde were perhaps the most widely known, the most respected by the party at home, the most likely to be summoned to lead an expedition on behalf of their exiled king. Their movements were, therefore, always watched anxiously by the Hanoverian government. The object of the Spanish ministry was to use the publicity value of these two potential Jacobite leaders without making any commitment to the Jacobite cause.

The Duke of Ormonde had virtually retired at this time, and was living at Avignon. As the war approached between Spain and England, he had indicated his willingness to return to Spain, and although he had not yet received any reply it could be assumed he would obey any summons to Madrid. It was different with the Lord Marischal, who for some years past had been anxious to leave Spain and join his younger brother, James Keith, one of the most distinguished commanders in the service of Russia. In 1732 he wrote to James Keith:

... perhaps you will go to Persia; I shall be sorry you are so far off, for a specious pretext of going to the court of Russia is easier to be had than to Persia ... Perhaps an opportunity may come of getting me into the same service with you; if it does, seize it by the forelocks, that we may again get together; tell the Russes that if they are afraid of the heats you will find one that runs up a hill in the dogs days in Valencia at 12 o'clock for his diversions and in winter will take the cold bath with them; who will go in their place, were it to Terra de Fuego for a ship-loading of sunbeams ....<sup>16</sup>

In 1737 The Lord Marischal was still in Spain, engaged in a long and thorny dispute with the bureaucracy at the Spanish Court to try to get his arrears of pay. He actually contemplated resigning his commission at that time. It would leave him even poorer, but, as he wrote to Zeckie Hamilton "The strongest article in favour of this retreat 'a mala cubesa' ... makes me that I 'wonna gie an inch of my Wull for an Ell of my Wealth'; in a word I have suckt in such Notions of liberty and independence and of ye meanness of Serville submission and flattery for the sake of outward appearances that I cannot accustom myself to follow such ways".<sup>17</sup>

He won this round against the bureaucrats and was given a year's furlough, which he used to go to Russia, where James Keith had been seriously wounded in a battle against the Turks. Having brought his brother back by slow stages to Paris to get the best medical help available, the Lord Marischal returned to Valencia to clear up his financial affairs, and he was there in the autumn of 1739 when the Spanish government set about manoeuvring to get him back to Madrid.

It can be seen that this was not a man to be easily used for the purposes of others and ready enough to give up his service in Spain even to his own disadvantage. From the



manuscripts it appears the Spanish government approached him with due caution. James wrote to him in November 1739:

I have been advised by a person who does not, I believe, speak without good grounds for what he says, to direct you to go to Madrid without loss of time, supposing with reason, that one so well known at that Court as you are may have many opportunities of forwarding my interest there ... I cannot indeed give you any particular directions as yet on what you are to do there, your own zeal and prudence will direct you, occasions may offer to say all that is proper to the Ministers in favour of our Cause, and as Chevalier Geraldin will be there ... enter into strict friendship with him and consult him in all particulars in relation to your conduct ... he is for us, but may conceal his politick. <sup>18</sup>

A letter, which James wrote to Sempill at the same time, gives the source of this directive to the Lord Marischal; it would appear to have come from the Chevalier Geraldin himself,<sup>19</sup> who, after he left the Spanish embassy in London at the outbreak of war, took Paris on his way back to Madrid and spent some weeks there. James sent Sempill a copy of his letter to the Lord Marischal so that he could see "he conforms to Geraldin's advice ... though what he said to you was not in plain and positive terms yet I think it is sufficient to raise our hopes and expectations."<sup>20</sup>

It seems, however, that Lord Sempill himself was more specific in his communications to the Lord Marischal; and also that Fleury lent a hand in this ploy. A year later, Lord Marischal recalled in a letter to Sempill "in November 1739 (if I remember well) you wrote to me that the French

minister proposed I should be sent to Scotland from Spain with 6,000 men and he should send 12,000 to England".<sup>21</sup>

When the order came from the Spanish Government, telling the Lord Marischal to report to Madrid, he had already been given sufficient reason to obey an instruction which seemed to imply a project on behalf of his own king.

There was, it should be noted, one important proviso in the letter James sent to the Lord Marischal. Explaining that the Cardinal had some time earlier advised against his having any representative at the Court of Spain, he adds that "after what passed between the Cardinal and me, you must not seem authorised by me but your being there will give me occasion to speak to the Cardinal and if he approves I will send letters of Credence ...."<sup>22</sup> As a first step, therefore the Spaniards had used James and Lord Sempill (who acted in all sincerity) to induce the Lord Marischal to go to Madrid, but not overtly in the Jacobite interest.

No such devious subtleties were needed for the Duke of Ormonde. Well-organised publicity was the true purport of his summons; but the Duke, less perceptive than the Lord Marischal, never seems to have questioned motives or considered consequences. At the beginning of January, 1740, he received a simple order to report to Madrid - no reason assigned; and he was instructed that, on his journey, he should ask the same treatment from the French towns as would be accorded to a Marshal of France. Inverness sent to James

a lively description of the Duke's entry into Montpellier where he was received by the Duc de Richelieu with "the greatest magnificence, friendship and distinction" and dispatched on his way with a fine oratorical flourish in a speech by Richelieu - "Allez, allez, MiLord, combattez contre les ennemis de votre Maitre, sa Cause est juste et Dieu bénira vos armes".<sup>23</sup> Richelieu further improved the occasion by saying that the honours he did to Ormonde were out of respect for the exiled king; and rumour already added that the young Prince of Wales would be passing through France incognito to join the armies of Spain.

Rumour indeed spread wide and fast about the Duke's journey. By the end of January it was being mentioned in the Gazette that he had been summoned to command a camp in Galicia;<sup>24</sup> the Spanish ambassador in Holland was denying officially that Spain had summoned both Ormonde and Charles Edward, while the Spanish ambassador in Paris continued to drop guarded hints about the likelihood that the Prince would go to Madrid.<sup>25</sup> In fact these rumours must have been set going at the time the order was sent from Spain, or even earlier. Ormonde wrote to James on 4th January to tell him of the summons; but, by 13th January James, at Rome, had already heard of it both from Spain and from Paris, for on that date he wrote to Sempill "I recently heard from two different people, both persons of distinction, that news has

come lately from Spain that ... the latter is making preparations by land and sea to put themselves in a condition to attack the English in their own country as the surest and most effective way to pursue and end the war with success and even that they have actually invited the Duke of Ormonde to come into Spain."<sup>26</sup>

Ormonde's own letter arrived in Rome on 19th January, but there was, as yet, not one word, direct or indirect from the Spanish ministry to James himself about this journey. He was, as Edgar wrote to Sempill "concerned and surprised and really does not know yet what to make of it since there is nothing of that matter nor about himself writ to him as yet from the Court of Spain." A week later, with still no word from Spain, James commented to O'Brien, "I understand nothing of all this which is being carried out with a kind of *éclat* which seems odd to me."<sup>27</sup> To Ormonde himself he wrote on 27th January of his surprise at Spain's silence to him and he added:

"I have been sensible this long while that it would be next to impossible for Spain while in open war with England, to bring about my Restoration with their own force alone, without the concurrence of France ... I have all reason to hope that what is now doing in Spain is in concert with the French Court; if it be so with God's blessing all will go to our wish ... But yet at this present time I am in the dark and sure of nothing and am not altogether, considering what sort of Government is now in Spain, without my apprehensions that the present preparation in that country and your being sent for thither may possibly be only with a view of serving

their own present interest ... be on your guard."<sup>28</sup>

The vital point was whether or not France was acting with Spain. As soon as the rumour reached him, James wrote an "ostensible" for the Cardinal, giving details of the rumour, stressing his own reliance on Fleury and adding "if there is a plan agreed for my Restoration between him and Spain, all will go well; but if Spain plans to act alone and without sending a good number of troops into England, an enterprize to Scotland and Ireland will not only fail but will be equally fatal to my Cause and ruinous to Spain."<sup>29</sup>

By the 4th of February he was still without information from either Spain or France, for when Sempill's letter of 11th January came to hand (the third to arrive a week late because he had missed the post),<sup>30</sup> he was apparently still ignorant of Ormonde's journey. James tried another ostensible to Fleury, detailing all he knew so far, the silence of the Court of Spain, his own warnings to Ormonde and the Lord Marischal, his reliance on the Cardinal, his assurances that he himself has taken "no step towards the Court of Spain". By 16th February, though he still had no definite word from Sempill, James was convinced there was no genuine project on his behalf, so he wrote to Ormonde, "It was right in me to provide for all events, but I own I am now fully persuaded that there is no real design of serving my Cause by what is doing in Spain and that all

that is only meant to give jealousy to the English Government and perhaps to hinder in particular their sending troops to America."<sup>31</sup>

By 25th February he finally got the information from Sempill that Fleury disclaimed any undertaking or agreement between France and Spain for a Jacobite attempt and a letter from the Lord Marischal of 12th February fully confirmed his surmise that the Court of Spain had no serious project in hand. His only regret, he assured the Lord Marischal, was that "the Duke of Ormonde and you should be made use of to serve their turn."<sup>32</sup>

The Spaniards had thus taken the first step in their manoeuvre to control British naval strategy; but, to be effective, they must go further and, if possible, get their Jacobites to Galicia, where the troops were being assembled. Here they came up against the immovable resolution of the Lord Marischal. As soon as he reached Madrid in February 1740 he recognised both the plan of the Spanish government and the danger it might be to the Jacobite Cause.<sup>33</sup> On April 1st., he wrote to James "Your Majesty, with just care and regard for your subjects, seems to fear some idle project into Ireland or Scotland; as to the first, tho' some very odd have been made to the Court of Spain, they will, I fancy make none; as to the last, I assure you, Sir, I shall do my endeavours and can answer to prevent it. Your Majesty may trust me ... I am much obliged by Your Majesty's

goodness in regretting I should be made a tool ... if there were no more harm in it than purely regarding [myself] it were of little consequence. I shall be well on my guard that no harm shall come to the King's Cause that I can foresee and prevent."<sup>34</sup>

Then began a contest which the Lord Marischal's letters describe very clearly. Although he seems to have been ordered to Galicia when he got to Madrid, he managed to wait until the Duke of Ormonde had arrived and had been received at Court with visible and gracious courtesy. The next day a conference was held at the Duke's house; present were Montemar, the Spanish general, Lacy (O'Brien's friend), the Lord Marischal and the Duke of Ormonde. Montemar began with a list of the forces assembled in Galicia; it all sounded very impressive, 16 battalions of foot, two regiments of dragoons, a train of field artillery, 600,000 rations of biscuit on order, etc.; everything would be furnished for an expedition to Scotland as well as to England, although they did not mean it should take place till mid-summer, for there were also expeditions planned against Port Mahon and Gibraltar. All the same they would like the Duke of Ormonde to go at once to Galicia. The Duke objected to this on the grounds of security, and said that he waited the return of a messenger from England; he could make no plan for an expedition till he knew what the Party at home wanted. To gain time, the Lord Marischal offered to

work out the strategy for Scotland, on the supposition that there would be a simultaneous descent on England. Montemar told them they could count on 28 ships of war and whatever else they wanted for both expeditions. "I believe" the Lord Marischal adds drily, "Montemar will give (on Paper) whatever may be asked and General Lacy be voucher to whatever His Excellency says .... I can compare Mr. Lacy to nothing but a great dromedary, which kneels down to receive his master's load of straw, or what he pleases to put on him, and then walks with great solemnity and lofty gait along with it."<sup>35</sup>

Even at this point, the Lord Marischal could see definite indications that the scheme was not genuine; some days earlier, Lacy had got his own regiment sent out of the way to Oran. The commander named for the artillery in Galicia happened to come to see Ormonde as Montemar left. When asked by Lacy what artillery was there, he said he knew nothing about it, and when asked to procure a list, he never re-appeared. The Lord Marischal, verifying the facts, found some things had indeed been ordered - the biscuit, for example - but very little money sent for preparations. Lacy, checked in the midst of his accounts of all that he and Montemar were doing, by the Lord Marischal quietly supposing that "the Duke of Montemar had the funds ready", admitted that "Montemar is always complaining of the Minister of Finance."<sup>36</sup>



Not surprisingly, within a week, the Lord Marischal was ordered to report at once to Ferrol, without, he says, "any reply to my scheme for Scotland or even mention of the King's name or that the expedition was for your service ... they deal with me as with a Spanish Lieutenant-General they were to send against the Moors, perhaps, and who consequently has simply to obey their orders without asking questions."<sup>37</sup> He and the Duke countered by demanding another conference, at which they intended to ask for everything in writing. The Lord Marischal, however, determined also that if Montemar continued to insist he should go to Ferrol, he would resign his commission. At least, while he was in Madrid, he could appeal directly to the King of Spain, he could make his reasons known and he would not be placed in the position of refusing an order at the scene of action. He feared that, if he went to the embarkation point at Ferrol, he might be suddenly sent off on some wild expedition, just to make the whole scheme more convincing. When it came to the point Montemar gave a reluctant assent to the Lord Marischal remaining for the present with Ormonde; he could hardly at this juncture have him resigning and making his reasons known to the public. Meanwhile the evidence mounted that the scheme was a fake. The Lord Marischal found, for example, that though he was given more than one order to be paid, the Treasurer always assured him there was no money. Although troops were being

massed at the Groyne, he found that only 2,000 stand of arms had been sent; "there is", he comments, "no truth or understanding among the people we have to deal with, so that I think they neither can nor will do anything right; as everybody here is joyned to deceive me, I am sometimes almost persuaded to believe them in spite of myself, like the peasant that, by people purposely placed in his way, was persuaded his goat was a cow."<sup>38</sup>

Till the end of May, he fought off the efforts of the Spanish ministers to get him to Galicia. They tried a general order – all officers ordered to Galicia who had not yet gone must give their reasons; the Lord Marischal asked nothing better and had his statement ready;<sup>39</sup> if the King of Spain was serious, it would be foolish to put the English government on the alert; if he was only trying to frighten the English from going to the West Indies, it would not work, for, even if he and the Duke of Ormonde went to Galicia, the Dutch ambassador would soon let London know that nothing was in fact ready for the expedition. The only effect of the manoeuvre would give Walpole an excuse to suspend the Habeas Corpus Act and arrest the Jacobites at home. The Duke of Ormonde, however, preferred a more diplomatic approach, so in the end the Lord Marischal agreed to make want of money their only official reason for not going. This suited Montemar, who wanted the Minister of Finance to be blamed, but, at the same time he tried the

tactic of making the two Jacobites responsible for the expedition not going forward – they had asked for too much money, failed to have their plans ready and so on. The Lord Marischal was ready again with chapter and verse to disprove these allegations.<sup>40</sup>

Even if he had no other reason to doubt, the Lord Marischal knew very well that, whatever Spain might threaten, the capacity to perform was not there. For example, on 13th May he describes "the visible bad government or rather the local confusion, without any government, a ministry thinking only to hurt one another, the army naked and starving, the Fleet in a very bad state ... nobody paid, new projects for raising money which everybody is convinced will be the ruin of the nation."<sup>41</sup> He himself was very badly off, and found it so impossible to get any of the funds due that, he says, he began to think they meant simply to starve him out. At least they stopped pressuring him to go to Galicia, for he wrote to James on 27th May "Nothing mends, everything grows worse, the soldiers naked, the officers starving and going to hospitals to get bread and broath as sick men, others begging. That I may not be brought to any of the two extremities, I, next week, reform my coach, my one footman and go to the country, where I shall have a house rent-free, furnished, and a rabbit-warren for diversion and provisions. There I shall stay as long as I can; when I can stay no longer I must

retire and hope the King will allow me what he does to others in some cheap place."<sup>42</sup> By mid-June Ormonde, too, unable to cope with the expense of staying on without any kind of financial help, asked the King of Spain for leave to retire. His secretary, Kelly, wrote to Edgar "he has borne many things which in reality he ought not to have done, till they have now pushed them to a degree that is not to be borne ... even their own people condemn their behaviour to Ormonde."<sup>43</sup> The leave was granted; in the end the Duke was given some payment and returned to Avignon.

In truth they were no longer needed in Spain. Although Montemar had been unable to get them further than Madrid, their presence there had been sufficient to inspire the rumour of their going to Galicia; sufficient to have a significant effect on the conduct of the war in England. At the beginning of January the English government heard that "All the Irish regiments in the service of Spain were marching in haste towards Galicia and were expected all month. When they arrived the camp would be formed of 7,000 men."<sup>44</sup> De Bussy had already warned them that Spain "meant to play the Pretender on them and that France did not discourage it".<sup>45</sup>

Then came the well-publicised news of Ormonde's journey, first from France, where Waldegrave anxiously questioned the Cardinal; then from Spain, that the Duke was expected at Barcelona and that the Lord Marischal was

already in the country. By February 11th they had a report from the Dutch ambassador not only of the apparent threat to Minorca but that horse, foot and guns were assembling in Galicia for an expedition to be commanded by Ormonde.<sup>46</sup>

Although all this was cause for concern – especially with the added rumour that Charles Edward also was on the way to Spain – still the Hanoverian government recognised that it might be all talk, intended only to alarm. At the end of March, however, they began to think they had reason to take it seriously. Just then, it will be remembered, the squadron at Cadiz slipped out of port as soon as the English ships withdrew to deal with the supposed threat to Minorca. The question was, where was it going? At first, in England, the Council assumed the Cadiz squadron was bound for the West Indies, where Vernon could probably deal with it. Then came more alarming news: the Ferrol squadron also put to sea. In spite of the repeated warnings of Admiral Norris, the English had failed to keep a watch on that port. At the beginning of April they did dispatch Admiral Balchen with seven ships to blockade the Spanish base, but it was too little and too late. The Ferrol ships had been gone a fortnight before he even heard of their sailing. The next news seemed even more ominous; the two Spanish squadrons made rendez-vous at sea and returned together to Ferrol, a force of some twenty ships, fifteen of them ships-of-the-line. Hastily, orders were sent to

Balchen to get back home and help guard the Channel approaches while the Council considered the possible motives of this junction of the Spanish squadrons. They might, of course, be intended for the West Indies; but Ferrol was the port from which troops in Galicia would be embarked; 15,000 men were now reported there, 20,000 stand of arms, the Duke of Ormonde expected daily, an embargo laid on men and ships in all the Galician ports.<sup>47</sup> Worse, still, the build-up of French naval preparations continued; twenty ships were thought to be ready at Brest, the Marquis d'Antin appointed to command. Meanwhile, with Balchen cruising somewhere off Ferrol and Sir Chaloner Ogle in the West Indies if he were not still near Cadiz, there was no force in home waters capable of dealing with an invasion. As Walpole reminded the Council, they would find it hard enough to cope with Spain and they were still completely uncertain what action France might take. In early June, therefore, orders were sent to Balchen and Ogle to return home with their ships. The English had withdrawn their squadrons defensively back into the Channel and the way was clear for both France and Spain to move their fleets, separately or in conjunction, to the West Indies.<sup>48</sup>

The trick worked again, and worked this time because Spain deliberately exploited Hanoverian dread of a Jacobite attempt. As it happened, France was not yet ready to move and Spain could make no effective move on her own. The hard

bargaining over commercial details was still going on and neither the Commercial Treaty nor the Treaty of Alliance had yet been signed.<sup>49</sup> There might still have been time for the English to make a preventive strike, as Norris advised, but the Duke of Newcastle would not release any of the troops assembled for the expedition to the West Indies. Divided counsels plagued and confused the English response, and the weather, for once, aided the Bourbon powers. Even when it was finally decided that Norris should take all the ships he could and blockade Brest and Ferrol, he was ten weeks trying to get clear of the Channel; he was still at Torbay – driven back for the third time – when the news came early in September, that the fleets were gone, one and all across the Atlantic. The Cardinal had made his move at last and sent his ships to help Spain in the West Indies.<sup>50</sup>

The Spaniards had played their game with effect, getting the English fleet out of the way just at the right time. Although they had no treaty as yet with France, they counted with reason on the real element of uncertainty which haunted the English and made them vulnerable; the question for Walpole's government was not what Spain might do on her own, but what France and Spain might do together if they were really bound in alliance against England.

The English were not alone in the deep concern they felt over Fleury's policy. The documents show the Spaniards

and the Jacobites were as pre-occupied as the English in trying to unravel the Cardinal's real intentions.

James himself had very soon realised that Ormonde and the Lord Marischal were being used as decoys and he was able to feel assured that they would prevent any rash scheme that might be started to give an air of verisimilitude to a tactical ruse. Through his new agent, Lord Sempill, he stressed the point that he himself had not contravened Fleury's advice by any deliberate encouragement of Ormonde's journey.<sup>51</sup> His anxiety on this matter reflects his sense of the Jacobites' ultimate dependence on France for help. Like the English, James was sure that the war, in itself, made French assistance more likely and he knew that if France and Spain combined to back an enterprise, they would have the superiority in forces and the strategic command of the sea that would ensure success. But he had not altered his firm conviction that the main thrust of the invasion must be in England and that they must have an absolute guarantee of co-operation between France and Spain. At this point he did not despair of achieving this, despite the oddities of Spanish behaviour to Ormonde and the Lord Marischal. Lord Sempill was receiving much encouragement from Fleury, and, although Las Minas had been withdrawn, the new Spanish ambassador, Campo-Florido, already had friends amongst the Jacobite exiles in Spain. He was known to be interested in



their Cause, he listened with ready sympathy to Sempill's plans and took the trouble to contact O'Brien also.<sup>52</sup>

Campo-Florido, during the spring of 1740, while the fleet was refitting at Brest and the dockyards were busy at Toulon, was constantly at the task of hammering out the terms of the proposed treaty of commerce and treaty of alliance between France and Spain. Although Spain might, by shifts and stratagems, play on England's ignorance of her real situation, it was beyond question that French help was an absolute necessity for a successful end to the war. But while the Jacobites and the Spaniards were aware of how little co-operation there really was between the Bourbon powers, the English were still guessing, and sufficiently nervous of an association between Jacobite claims and Bourbon hostility to feel the keenest anxiety about the Cardinal's possible courses of action. If France and Spain had signed or were about to sign an alliance, did this include a joint attempt to restore the Stuart line? If they sent a large expedition to the West Indies, would the French intervene from their ports in the New World or would they choose that time to send the Pretender across the Channel? What support would the Pretender find there if he did come? They did not really know the answer to these questions, but they feared the worst. Walpole certainly thought that a Jacobite attempt was not unlikely and might be successful.

Newcastle in a speech in the Lords during the debate on Vernon's Instructions made the same point:

If we had no disaffected party among ourselves ... or if we had at the beginning of the war no enemy but Spain, we might have ventured to send a few of our regular troops for attacking Spain in the West Indies, but neither of these was the case. If the Spaniards had found means to land 4 or 5,000 regular troops in any part of Great Britain or Ireland at a time when we had not a sufficient number of regular troops for its defence, the invaders would have been joined by such a number of the disaffected as would have made it very difficult for us to support our Government at home and consequently utterly impossible for us to attack the enemy or even to defend our own dominions abroad ...<sup>53</sup>

It was, in fact, extremely difficult for the English government to make an accurate assessment of French policy. They knew what the Cardinal said at different times and they had the reports of their "mole", de Bussy. The problem was that neither could be trusted; de Bussy they had soon found to be a "very slippery gentleman"<sup>54</sup> and they suspected that his information was concocted for their benefit out of current gossip in and out of his office. By this time, they no longer had any faith at all in the Cardinal's statements to their ambassador.<sup>55</sup> What was certain was the disquieting fact that, since the autumn of 1739, the French had been steadily building up their fleets at Brest and Toulon and repairing the fortifications at Dunkirk.

As soon as the war with Spain started, Waldegrave was instructed to set up a net-work of spies, observe the Irish

regiments and, above all "... procure the best information you can of the notions and designs of the Jacobites and those that are employed by the Pretender in France".<sup>56</sup> Waldegrave's assessment of the situation reflects his difficulties. The Cardinal, he thought, "had a mind to deceive both sides ... tho' he heartily hates the Queen of Spain and detests Las Minas in his soul, he does not own it here. I do not imagine he loves us a bit better, or, if he did, he must keep it to himself, for the bent of the nation is so much against us." As for the Pretender, Waldegrave noted that the Cardinal "seemed to talk of the Pretender and his emissaries as a poor set of people he would have nothing to do with."<sup>57</sup>

For what it was worth, de Bussy confirmed these statements; he thought the Cardinal would not attack England at present and nothing was likely to be done for the Jacobites. But Waldegrave added "On this point I differ from my friend's opinion. I do not believe the Cardinal, unless we were at open war with England, would give in to all the trifling schemes the Court of Spain might be proposing to him, but I am firmly of the opinion, from the knowledge I have of His Eminence's way of thinking, that nobody would go to greater lengths to help the Pretender than the Cardinal, were he satisfied of a probability of success; but he does not imagine it could be compassed at once, he foresees the opposition a French invasion would

meet with in England and fears a Union of the Protestant Powers and the Empire .... This I rely much more upon than all the assurances he gives me that he will be faithful to his word, and that he never so much as listens to any proposal made by the Pretender's emissaries.<sup>58</sup>

Despite the Cardinal's protestations, therefore, Waldegrave was convinced that, if it came to war, even though the Cardinal did not give the Jacobites serious support, he "would play the Pretender on us at all events, and make some show of an undertaking in his favour, whether he would venture upon it or not." Yet, in this first summer of the war all Waldegrave's diligent enquiry produced no evidence that Fleury was in fact dealing with the Jacobites, and de Bussy continued to re-assure the government in England that, no matter what the Jacobites bragged of in the coffee-houses, the French had no intention of helping them.<sup>59</sup>

Nevertheless, when Ormonde left Avignon at the beginning of January, 1740, the English were already pre-disposed to see in this some covert action of the French Government. They were caught between what the Cardinal said and their fears of what he really meant to do. On 4th January, before Ormonde had even set out on his journey, de Bussy had warned Waldegrave that Spain proposed to send for the Pretender's eldest son to Madrid to "make a show as if they intended to do something for him and this court does not discourage them".<sup>60</sup> The rumour was spreading that

Charles Edward had been summoned; Fleury himself mentioned having heard in a letter that he had been seen at Montpellier. But, when Waldegrave tackled him on Ormonde's journey, the Cardinal insisted he knew nothing whatever of what was going on. Spain had not consulted him, and, personally, he disapproved of the whole affair. Ormonde, he pointed out, was now old and was never very good as a general, "and", the Cardinal added, "he himself did not care to make bravadoes and shows that did not hurt; that if he was to act, he will endeavour to take his measures effectively and to strike the blow before anybody was aware of it." "Though this latter part", Waldegrave continued, "seemed to come from him in the same natural way as the former, yet I observed it might be taken as a commendation of his own Politick, or as a soft threat. Neither was clear enough to say very much to him by way of reply."<sup>61</sup>

The Cardinal, certainly, backed up his statements with what seemed indisputable documentary evidence<sup>62</sup> that the Pretender himself knew nothing of what Spain was doing (which was true, of course) and swore that he himself was equally in the dark. De Bussy's reports in March seemed to confirm that nothing was being considered for the Jacobites; and, in what Waldegrave gleaned from the conversation of Maurepas and other ministers "they talked of the Pretender as a bugbear who can in no ways hurt us, but, on the

contrary, would unite that part of the nation on whose disunion they ground their hopes of distressing us."<sup>63</sup>

It was, the inconsistency between de Bussy's report of 4th January<sup>64</sup> and the Cardinal's statements on 19th January which worried Newcastle as much as the veiled threat. Preparations had begun for the great expedition that was to go to the West Indies; the English hoped it would be ready to leave in the spring, and the question of French reaction to it was urgent. At the same time the build up of French armaments in the ports was becoming a major pre-occupation of the English, as they tried at once to formalise their own plans for an offensive in the West Indies, and to assess the degree of danger from a possible Spanish strike against Britain. The threat from Spain, which might have been dismissed for what it was, became a genuine threat in the light of possible French intervention. Was this, Newcastle asked, the Cardinal's "effectual action"?<sup>65</sup>

Newcastle might have been somewhat re-assured if his intelligence system had stretched so far as to include Fleury's private conversations with the new Jacobite agent. The Cardinal's intention here was to evade the implications of that very co-operation with Spain which the Jacobites wanted and the Hanoverians feared. On the subject of Ormonde's journey, we find him talking to Sempill very much as he had talked of it to Waldegrave, but with a different emphasis. To Sempill he stressed that the very fact that

the Spaniards neither told the King nor consulted France showed how little co-operation could be expected from the Spanish Court, thus supporting his plea that he could not really help the Jacobites till he was sure that Spain would do her part.<sup>66</sup>

During these months of waiting between January and August, 1740 the manuscripts show that the Cardinal held all three of his protagonists in play, without giving any of them the certainty they wished or dreaded. In April, when the news came that Vernon had successfully attacked Porto Bello, taken the town, destroyed the fortifications and then withdrawn his forces, the Cardinal warned Waldegrave "Pillage and plunder as much as you can, but dont possess yourselves of any places belonging to the Spaniards ...." The English ambassador pondered the warning, and the spontaneous confidential manner of the Cardinal as he gave it. As he wrote to Newcastle, "... Your Grace knows my old friend has a great deal of cunning; possibly he meant to insinuate that if we did possess ourselves of any places in America that he would declare and thus to menace through an appearance of friendship. I own it seems in this light to me, but at the same time I dont think he will do more or less for anything we do in the West Indies this year".<sup>67</sup>

But as the English transports gathered for the great expedition that was intended for the West Indies, there could at least be no doubt that the French fleets were

arming at Brest and Toulon. Waldegrave, hesitating about Fleury's real intentions, knowing the old man's cunning yet doubtful of his resolution for an act of war, was taken by surprise when at the end of August those fleets sailed in good earnest from their home ports west across the Atlantic. He sent his Swiss servant in haste to London with "the earliest information I can transmit of the Cardinal's sudden change. I always thought him false and have had so good reasons for so doing that I should never have believed anything he said, but I am not the only one he has deceived more than once."<sup>68</sup>

He was not, indeed; even the Spanish ambassador, Campo-Florido, was convinced Fleury would not act that year. The comedy that the Cardinal played out with the English ambassador gave him the time he needed to deal with the other belligerent, his would-be ally, Spain. In October 1739, when England declared war on Spain, the negotiations for the two treaties between France and Spain were almost at a stand-still - by no means so forward as the English imagined. The Spaniards were convinced that France would be forced in the long run to give them the help they needed; the French felt that Spain would be compelled by the logic of circumstance to reduce her demands and accept help on the conditions France laid down. At the same time, they had to regulate the pressure with care, in case Spain decided after all to make peace with England. In fact the talks did not



begin in earnest until the end of February, 1740, when it was becoming clear the English would make a major attack in the West Indies. The Spanish Government then insisted that, if they signed the Commercial Treaty, France must also and at the same time sign the Treaty of Alliance. Step by step, the individual items in both Treaties were negotiated. The French drove a hard bargain, and, as the Spanish need for help became more evident, they forced them back into acceptance of almost all their own conditions. The Treaties were not approved in France till the end of June, the powers for Campo-Florido to sign were not sent until the middle of August. Then Fleury used the gesture he had so carefully planned – the sending of the Fleet – to escape, as he had always intended, making a signed and formal commitment of alliance to Spain. Without the knowledge of Campo-Florido, he wrote secretly direct to Philip V on the 15th of August,<sup>69</sup> informing him that he would send his Fleet to the West Indies, without any conditions, simply from a desire to help in this emergency. Three weeks later – and a week after the squadrons sailed – he informed the King of Spain that it would be unwise to proceed further with the Treaties, for fear of alarming the other European Powers, now that he had committed France by sending the Fleet, and that therefore the whole matter should be postponed indefinitely.

In making his gesture of help, Fleury took – deliberately took – the risk of war with England; but, at

the same time he took every precaution to ensure it would be a limited war. A mémoire he wrote for Amlot on 20th August shows that he fully expected England to declare war, and outlined the diplomatic reassurance to be given to the other Powers. It is simply a question of France maintaining her own rights and checking English aggression in the New World; there will be no attempt to change the Protestant Succession in England or to interfere with the provisions of earlier Treaties; the Dutch, especially to be convinced of this, to ensure their neutrality; Prussia and the Emperor to be taken into their confidence. In short, everything was to be done to maintain the diplomatic isolation of England and make certain there would be no diversion on the continent in her favour. With regard to Spain, he says, "point de traité nouveau avec l'Espagne; savoir d'Elle ce qu' Elle veut entreprendre, en profitant du secours que nous lui donnerons qui fera grande diversion contre l'Angleterre."

Two things in this mémoire provide clues for interpreting the part Fleury designed for the Jacobites in his diplomatic plan. In the first place I think it is certain he meant what he said about the Protestant Succession. He never had any intention of backing an invasion to restore the Stuart line. He had an entirely realistic view of the state of the Jacobite Party in England, and a fine appreciation of the diplomatic side-effects of such a move; but he did have other reasons for

maintaining a close relationship with the Jacobites. As we have seen, just at this time it was essential to his plans that Waldegrave – and through Waldegrave the English government – should be kept in the right condition of mind, so that Walpole and his ministers would neither declare war themselves, nor, on balance, believe that France was likely to declare war on them. To dupe a man like Waldegrave, shrewd, sceptical, fore-armed by experienced mistrust, was not easy. Fleury, however, had an important advantage in knowing from week to week just what Waldegrave said to his superiors at home, and he owed this to his Jacobite connections. George Robinson, the man who in 1731 sent him the first news of the Treaty of Vienna,<sup>71</sup> had still his useful friends in London, but he had recently acquired, in addition, a contact in Waldegrave's own office in Paris, who passed on the gist of the ambassador's dispatches as well as his incidental remarks.<sup>72</sup> Robinson in turn sent this information to Sempill, who translated the letters and sent them on the Fleury. News from England came through the same channel, the divisions within the British Cabinet over the conduct of the war, even lists with the number and disposition of the naval squadrons.

It was easy for Fleury to spin out Jacobite hopes so as to keep them working for him, without ever committing himself to a specific enterprise. He had always two areas from which to choose plausible negations and

procrastinations. One was the condition of the Party in England, the other the relationship of France and Spain. Thus, when Sempill first presented himself and his account of the re-organised English party, Fleury was cordial, helpful, ready with a suggestion that would fit into Geraldin's scheme - that Spain should send the Lord Marischal to Scotland with 6,000 men and that he should send Ormonde to England with 12,000, but always with the proviso that he must be absolutely sure of just what the English friends would undertake; so, before a final decision could be taken, Brett must return to England and get detailed information and specific commitments from the Jacobites there; and moreover, the Cardinal insisted he must have two representatives, "men of figure", come personally to France to confer with him.<sup>73</sup>

This double condition stretched matters out over the winter of 1739-40, and meanwhile, even before Brett's return from England, Fleury brought his other set of arguments into play. He made Ormonde's journey an instance of the lack of co-operation on the part of Spain and developed the theme further by hinting that Geraldin might have been mistaken in the intentions of his government, that the Queen of Spain was certainly against them, that the best plan would be for Ormonde and the Lord Marischal, since they were now in Spain, to use all their influence at the Court of Madrid to promote union between the two powers. When Sempill

suggested that, after all, France was strong enough to act alone, the Cardinal put on a fine performance of fluttered timidity, so that Sempill thought "he really dreads the Queen of Spain's malice in that case as well as the jealousy of the Dutch and other powers."<sup>74</sup>

When news came of Vernon's success at Porto Bello – and that happened just at the time Brett returned from England to make his report – it provided the Cardinal with yet another excuse. With Waldegrave, as we saw, Fleury had seemed on the whole rather pleased at the Spanish defeat and cheerfully advised Waldegrave's "Burn, pillage and destroy all you can ...." For the Jacobite agent he put on quite a different display. Even Sempill was not entirely certain that the Cardinal was as upset about the news as he appeared, but, as Brett described the incident, "we found him seemingly in the greatest fright imaginable upon Vernon's trifling success in the West Indies, and all that could be got from him was 'ce n'est pas le temps, ce n'est pas le temps', without entering at all upon the subject."<sup>75</sup>

Sempill himself was obliged to admit that Brett's report was discouraging. The Party in England were backward and timorous, there were few specific commitments; Brett had, however persuaded Lord Barrymore to come to Paris, so action was once more postponed until he arrived to confer with Fleury. With some reluctance and many delays, Barrymore came to Paris and saw Fleury, early in June. His

own impression was not favourable,<sup>76</sup> although Sempill was as optimistic as ever. The Cardinal, after listening to Brett and seeing Barrymore, produced yet another reason for delay. He announced that, although he personally was convinced of the readiness etc. of the party in England, he must have an impartial report to justify his policy to others, so he would send one of his friends, the Marquis de Clermont, as a special envoy to assess the situation in England. It was all to be kept very secret --even the French ministry would not be informed.<sup>77</sup>

When Sempill saw the Cardinal, a fortnight later, to organise the visit, he found him expressing some doubts about his own choice of an envoy. On conversing with the Marquis, he said, he came to realise that "it might be improper to trust him entirely and that he had therefore only given him instructions in general terms, which he desired I might appryse the King's Friends in England of so that they might behave to him accordingly." When Sempill urged that "such an emissary could give little satisfaction", the Cardinal told him not to worry, anyone could do the job, since the party was in good order the inspection was "but a proper formality".

It was the end of June before Clermont left, escorted by Sempill, the Cardinal once more urging that everyone must be very discreet in what they said to him;<sup>78</sup> and, whatever his instructions were, they did not include haste, for

Clermont spent the rest of the summer in England. He returned to France only after the squadrons had sailed from Brest and Toulon,<sup>79</sup> so that Fleury, during those critical months, could maintain his use of the Jacobites – and, he hoped, their trust in him – by postponing decisions till his envoy made his report.

Even before that happened, Fleury had something else in view, for, like a careful housewife, he found as many uses as possible for all that came to hand. It will be recalled that in the *mémoire* of 20th August he mentioned that he proposed to find out from Spain what she would be willing to do, with help from France, to provide "une grande diversion" against England. The Stuart Manuscripts suggest a possible explanation of this hint.

To understand what happened we must go back to the revived Jacobitism of Scotland, which James always feared would be exploited in some inadequate and premature attempt. In 1738, as we have seen, in response to a letter he sent to his friends in Scotland, an Association had been formed to promote and extend support for the Cause, and Drummond of Balhady appointed as agent. Balhady came to Rome in February, 1740 to report on behalf of the Association and present a scheme for organising the country, in the event of a landing. James dispatched him back to Scotland, with a general letter of encouragement, and instructions to stop in Paris, make himself and his errand known to Sempill,<sup>80</sup> and

if possible, see the Cardinal "with his assistance", Balhady having, it appears, "little knowledge of French".

Balhady arrived in Paris just when Sempill had been constrained to recognise the inadequacy of Brett's report, and this may explain his instant enthusiasm for the scheme. It provided him with a demonstration for the Cardinal that some at least of the Jacobites were both zealous and well-organised; it might even encourage the timorous English and their envoy, Lord Barrymore. Fleury, for his own reasons, welcomed Balhady's scheme with almost equal enthusiasm, assuring him how anxious he was to help the Jacobites in Scotland, if only the English were as forward and zealous as the Scots. Balhady was, no doubt, grateful for all this (he certainly thought very well of his own efforts) and he reciprocated by writing to Rome in praise of Sempill; a man of sense and honour, with such a remarkably good relation with the Cardinal, who has told him to be quite unreserved with him, "to break in upon him with all and any of his ideas without ceremony, a freedom indulged none save his master." By December he was even putting forward the idea that the Cardinal was "alarmed" by Sempill's memorials, "they are so well-written and he is timorous and afraid of being persuaded." There was some pretext for Balhady lingering on in Paris. Smith had warned that his journey was known and his return being watched for; so he remained with Sempill for almost six months, writing up his scheme,



preparing answers to objections (at Fleury's request) and constantly assuring the Court in Rome of the Cardinal's complete sincerity.

The ground was thus prepared and the instrument in place for the Cardinal to propound his next scheme; that Philip V should be persuaded to send the Lord Marischal to Scotland and that he might then undertake to assist this attempt by making the Irish regiments available for service in England. This suggestion was intended to forestall Jacobite disappointment with Clermont's predictably adverse report and at the same time beguile Spain into a commitment which would distract the English and exhaust their own forces, thereby increasing their dependence on France. The timing is, I think, significant; the *mémoire* for Amlot is dated 20th August, five days after Fleury had written to Philip V that he would send the French fleet to the West Indies. He must have opened the matter to Sempill at about the same time, for, on 12th September, Sempill wrote to James: "the Cardinal gave me positive assurance almost three weeks ago that he was actually working on these matters and would desire the Court of Spain to dispatch the Lord Marischal to Scotland, so I really hoped that he on his part had resolved to send for the King, and tho' I now see too plainly that the King is not yet invited, yet I cant but tell you with great satisfaction that the Cardinal is engaged over head and ears ... he declares that he is no

less influenced by the King's Cause than by that of the King of Spain.<sup>81</sup>

With the fleets at sea and England likely to declare war, Fleury had reason enough to keep the Jacobites "on hold" and his relationship with Spain provided the means. On 19th September he expressed to Sempill his disappointment at Clermont's report, protesting that he himself was satisfied, that he knew the difficulties of the English and "the weakness of the envoy", that he considered only what is favourable and believed the rest must have been "suggested by designing persons under the notion of impartiality". Still, he must see things demonstrated to his full satisfaction as Balhady had done for the Scots, and therefore "upon the confidence he has in the Scots he engages the Court of Spain and will engage himself not only for Scotland but even for England ... I cannot but hope he will send for the King as soon as he hears the Court of Spain has dispatched the Lord Marischal, till that step be taken, nothing can be done."<sup>82</sup>

The Cardinal did indeed write to Philip about the possibility of an enterprise - or several different enterprises - including sending arms to the Highlanders; but he left it to the King of Spain to decide if anything could be done for the Pretender, and Philip declined, alleging the reasons Fleury's own diplomacy suggested: that it would

offend the Dutch and the other European powers and besides in his present circumstances he could do nothing.<sup>83</sup>

Before the King of Spain's letter reached Paris, something happened which cut across all Fleury's carefully balanced diplomacy. The Emperor Charles VI died unexpectedly, after a brief illness. The whole question of the Austrian inheritance must at last be decided, and the European powers turned to re-align their positions towards each other and towards Austria. The dispute between Spain and England merged in the wider conflict, in which France and England, for eight years, confronted each other in the War of the Austrian Succession. As soon as the news of the Emperor's death arrived in Madrid, Philip and his Queen demanded the help of France to recover the Italian territories they had been forced to cede to Austria. Within a few weeks, the new King of Prussia had massed his formidable army on the frontiers of Silesia. Yet, amidst all his pre-occupation with the new crisis, Fleury found time to dispatch Balhady back to Scotland with a promise that, if the members of the Association would put their names to a written request for help, he would send the Irish regiments to their aid. It may be that he took the reports of Young Lord John Drummond and Balhady seriously enough to think that he could, in this way, tempt the Scots themselves into a rebellion which would hinder England from coming to the help of Maria Teresa. James and the Lord Marischal, who

had resisted the efforts of Spain to exploit their Cause, now saw the same danger re-appear in more menacing form, first in the suggestion Fleury made to Spain in September, 1740 and then again in December in the message sent to the Scots through Balhady.

The Lord Marischal very quickly realised exactly what Fleury was trying to do. From the beginning he had tried to put Sempill on his guard against the Cardinal's empty words and self-interested policies. In June, 1740, when he was told by Sempill that the Cardinal was anxious he and Ormonde would work for concord between France and Spain, he demonstrated at once the absurdity of the suggestion. He wrote to Sempill, "the Cardinal, you say, recommends [this] to us. My Lord I wish this may not be a 'défaite'. How can he think we can be of more weight in this matter than an ambassador of France? Can he suppose that we can remove obstacles we dont know? Had he a mind or hopes that Ormonde or I could bring about a good understanding betwixt the two Courts, he would tell us the difficulties at which it sticks, that, knowing them, we might work accordingly. Perhaps Your Lordship sees clearer than I, but I think I see clearly that this is but an excuse to put you off and show you that he is ready and forward if Spain was so too." His suspicions of the Cardinal were confirmed by Brett's account of his interview, and, when he heard of Clermont being sent, he wrote to Sempill "I have Your Lordship's of

7th June; I wish it may prove as you say, but I confess after being told of [the Cardinal's] being persuaded of what he wanted should be made to appear to him, and that now he demands new proofs, I doubt his sincerity."<sup>85</sup>

In November, when he heard of Fleury's scheme for involving Spain, he wrote with urgency to the King to warn him:

Lord Sempill tells me that Fleury proposes to send me to Scotland in a proper manner but he does not explain what that manner is; and that he offers for England the Irish Troops in France. If, Sir, this be in concert with the King's Friends in England, that they engage to take arms on this promise, it is well: but if, not having consulted them, Lord Sempill and Balhady have made this project with the Cardinal, I shall fear it is a very insecure one. Your Majesty has been advised by a very honest man of Balhady's character. Allow me also to put Your Majesty in mind how Fleury deceived Spain in the year '30 or 31, I think ... I shall say nothing of the Peace but at least it looked ill; the affair of King Stanislas is another instance how little is to be trusted that person's promise. Your Majesty is of opinion that war is unavoidable between France and England. Will not the Cardinal gain his end if he should engage Spain by sending a small number of men into Scotland and, by the King's orders, get such a rising there as may much distress the government ... as the Cardinal and Spain can give enough to do the business securely, while they offer less, I shall always fear their designs are not good.<sup>86</sup>

He returned to the same point, still more anxiously, on 18th December. "I own", he wrote, "that I continue still in the same opinion, that, by no appearance as yet, Cardinal Fleury's sincerity can be relied on; or else that Lord

Sempill is not to be relied on. Your Majesty thinks you may be sure the Cardinal will never endeavour to engage you in any desperate and destructive measure. By this scheme of the Cardinal's, Sir, he hazards nothing himself and proposes very little hazard to the Court of Spain, less than is often laid out on the siege of some towne even little considerable. For my part, I am convinced that the project is to hazard such an inconsiderable force and expense as is but a mite in the ballance of a long and general war, to try what it may come to. If the small body of men should have success, which I doubt, he will perhaps then give assistance; if they should be crushed, 'c'est ne pas le tems' Your subjects will be sacrificed and the King's Cause lost and given up for ever ... the most I think it proves is that the Cardinal would be glad the Court of Spain make a little venture to do great hurt to his enemy by kindling in Britain a civil war ....'87

It is true that James himself was, at first, more inclined to trust the Cardinal's sincerity, at least in this instance. He certainly felt some re-awakened mistrust, when Clermont was sent to England, but once the fleet was gone, once he knew that Fleury had acted so decisively in support of Spain, even to the point of provoking war with England, then he was more easily persuaded that the Cardinal really intended a joint expedition, with Spain sending troops to

Scotland and he himself accompanying a French force to England.

Nevertheless, he did feel concern that the Cardinal proposed to start with Scotland. On 5th October he drafted a strong letter to Sempill, emphasising the dangers of such a course. On consideration, the version he actually sent was less emphatic, praising the Cardinal's zeal, re-stating their complete confidence in him, but making it quite clear that he expected the expeditions to be made within a very short interval of time, if not simultaneously, and that once the Cardinal had "taken his final resolution, his own honour as well as the interest of France will never allow him to starve my Cause and must always engage him to do his utmost towards perfecting the work he has once begun."<sup>88</sup>

Sempill, of course, maintained his own view of the Cardinal's conduct, while acknowledging that Ormonde and the Lord Marischal differed from him, "they think the Cardinal's civility deceives me and seem to wonder I dont despair as much as they do", he wrote to the King "... it is a mighty comfort to me, Sir, that you are pleased to judge more favourably. Indeed it is hardly conceivable what the Cardinal could propose to himself by imposing on me, and yet I have weighed and considered his whole behaviour towards me with the greatest attention and rather with diffidence than presumption, I have endeavoured to enter into the most probable grounds and motives of his conduct and can find

none but what are perfectly conformable to his professions and such as persuade me of his friendship to the King's Cause."89

For Sempill, therefore, any doubts or scruples about beginning with Scotland were nullified by his complete trust in the Cardinal's sincerity. "I am thoroughly sensible of the dangers and inconveniences that would attend on an expedition to Scotland alone", he wrote to his master, "and have all along insisted on the necessity of preparing an expedition for England also, but ... there can be no harm in indulging the Cardinal's inclination to begin with Scotland, since we have such a surety of his intention to conclude happily with England."90

James was, by this time, not so sure; since Spain declined to help, everything depended on Fleury, and, in answer to Sempill's protestations of belief, he wrote, "if the Cardinal should have a mind to amuse and deceive us, there is nothing so easy for him, though I hope that is not the case."91

Despite these warnings, Sempill and Balhady accepted the Cardinal's next suggestion, almost without scruple. On 19th December Balhady wrote that he was at last to be sent off to Scotland with the message for the Association and the assurance that if he brought the required signatures, the Cardinal would give "the Irish and all other necessaries". By way of justification he added only "... this was the most



tender string he could have touched, but what we durst not venture to object against, that we might have him engaged." On the same day, Sempill wrote making the position quite clear. The Cardinal, he said, had told him to advise the Lord Marischal to wait the arrival of the new ambassador to Spain; he had suggested that Brett should be sent again to England to assure the Friends of his interest and urge them to greater unity; then he continued "notwithstanding the disappointment with Spain, tho' the Cardinal is not as yet determined to send troops to England till he shall first make an experiment upon Scotland, yet, when he sees the effect of the rising in Scotland, which in all appearance will be very considerable, there is no room to doubt of his exerting himself in the way that shall be shown to be most efficacious for the Restoration."<sup>92</sup>

When Sempill and Balhady in this way violated a fundamental tenet of his policy, James dealt with the matter in a group of letters that bring out his own strong sense of his ultimate responsibility to those whom he regarded as his subjects, and to the Cause he served.

The first of these is an "ostensible", addressed to Sempill, but intended for Fleury, "I have read and re-read your letter of 19th December," he begins, "and I must tell you that I really do not understand it and I am inclined to think that you yourself have not understood the Cardinal very well ...." He goes on to make the point that, even if

the Scots were willing to risk sending names in writing (which he doubts), they could not manage on their own, unless they were strongly supported from England. "If", he continues, "the Cardinal thinks matters in England are not sufficiently disposed to justify sending troops, can he imagine my friends in that country will act with vigour alone and without support? They will not and in truth they cannot, mastered and subjugate as they are by a number of regular troops ... The Cardinal should realise the situation in England is in at present, she cannot be considered any longer as a free country".<sup>93</sup> He instanced then the reasons that should prevent him, especially at that time, from approving an enterprise almost certain to fail – and which in failing would be disastrous for the Jacobites in both Scotland and England.

In the covering letter for this "ostensible," James speaks more openly of his estimate of the Cardinal's motives:

You will remark that I seem not well to understand this new resolution of an expedition into Scotland alone and it is true I do not, but, at the same time, I own I am not without my suspicions that the Cardinal, by all this, may have more a view of keeping our hopes alive and amusing us, than any real fixed resolution to act, or, what would be worse, a View of breeding broils in Britain with small risque or expense, from whence he may propose advantages to France without much valuing what becomes of my friends or my Cause.

The King then reminded Sempill that he had always been against a separate small expedition to Scotland and saw no reason to change his mind now or rely on "a few fair words and empty hopes the Cardinal may give us."<sup>94</sup>

He wrote at length to the Lord Marischal, sending him a copy of the ostensible, and informed Sempill that he had done so; he wrote by the same post to Cecil, re-assuring him, in case he heard of the scheme for Scotland, and sent Sempill a copy of this letter "both to prevent any mal-entendu and for the rule of your own conduct."<sup>95</sup>

How much impression all this made on Sempill is hard to say; perhaps not much, for on February 8th, James wrote to him, "I am very glad to find you continue so well-pleased with the Cardinal ... but I own I dont lay so much stress on what comes from him as you do; in that we differ in opinion". He pointed out that while the Cardinal had always been "liberal in hearty and affectionate expressions towards my person and Cause" that was no guarantee that he would act, or if he did act, sustain an enterprise, once it was started, where "the risque France runs is very different from what mine and my subjects would be ... their abandoning us would be of less importance to them than formerly the loss of some battles and towns were in Flanders, so that I cannot think the Cardinal being never so much resolved to begin the affair in Scotland is any proof of his being resolved to support it. It may serve his turn now to begin

it and it may serve his turn hereafter not to support the work begun."<sup>96</sup>

The damage to the Cause was not, at this point, the rash expedition James feared. It was the fact that Fleury chose to communicate only through Sempill and Balhady, dividing yet again the already divided Jacobite party. Even those who had originally worked with Sempill were alienated by his refusal to recognise any possibility that he might be mistaken in his estimate of Fleury. The Lord Marischal, despite his long personal friendship for Sempill,<sup>97</sup> had come to question his integrity as well as his judgement. Robinson, who had faithfully sent his valuable reports to Sempill during the whole year, wrote to Rome, in January 1741, to explain his mistrust of the Cardinal, adding that he has said nothing of this to Lord Sempill, "it being of a very delicate nature, and the very reverse of what he seems to think of the person's conduct, with whom he is well-satisfied."<sup>98</sup> Brett (who had been Sempill's colleague in 1739 in the mission to England), wrote to James on 7th January 1741 when he was about to be sent once more across the Channel, on what he felt to be an entirely futile errand, to express his deep mistrust of Fleury's sincerity. It looks, he said, as though the Cardinal's whole idea is to spin out the negotiations "to such a length as may be detrimental to the King's interest." He questioned Sempill's conviction that "the Cardinal has good intentions

and the delays are due to his fears" and pointed out that the English Jacobites were not likely to allay those fears. He produced a scheme for lobbying Fleury's possible successors as an alternative; and added that he had said nothing of all this to Lord Sempill.

The Jacobites in England were already angered and frustrated by Sempill's failure to communicate with them. It is clear from Cockburn's letters that after he left England for Rome in April, 1739, Sempill never wrote or sent any kind of message to let them know the result of his activities in Rome or Paris.<sup>100</sup> They heard nothing till Brett came over in the autumn of 1739, then nothing more till Sempill re-appeared briefly in July, 1740 to introduce Clermont; after that another long silence, inexplicable to the anxious Jacobites. They already mistrusted the Cardinal and they certainly were not re-assured by the farce of Clermont's visit. As Brett remarked, "the person sent by Fleury who was, he said himself, not very proper for the job, knew mostly Hanoverians and those influenced by Bolingbroke."<sup>101</sup> The more Sempill appeared to accept everything that Fleury suggested, the more he alienated the party in England, whose special representative he claimed to be.

It is likely that these same facts would be additional reasons to Fleury to maintain Sempill and Balhady as channels of communication with the party. For the next

two years he had them still dangling after him, keeping them busy writing memorials, feeding their fantasies with paper schemes. They were still there when the Cardinal died in January, 1743.

The Jacobites had, for many years, regarded a European war which involved Britain as their best chance of getting assistance. The hopes they entertained in 1739, when war broke out between Spain and England, were frustrated, as they had been in a different context in 1733, by Fleury's determination to see that the war was limited to a defined sphere, this time remote from Europe. The only help he gave to Spain (and he did that without committing himself to any specific treaty of alliance) was to send a French fleet to the West Indies.

The way in which the Jacobite movement was exploited by Spain for reasons of strategy posed a threat that was more apparent than real. James and his representative, the Lord Marischal, immediately perceived and countered the Spanish manoeuvre, and, in any case Spain had no serious intention of backing a Jacobite enterprise, whether it was suggested by her own ambassador, Campo-Florido, or by the Cardinal himself.<sup>102</sup>

The real problem for the Jacobites was to get help from France, and once more they were baffled by the contradiction between the favourable responses Fleury gave to their agent and his constant evasion of definitive action

in their favour. Moreover, by his selection of Sempill and Balhady as the Jacobite representatives with whom he chose to deal, Fleury was able to weaken and divide the party still further, and at the same time continue, in appearance, to listen favourably to their pleas for assistance. It enabled him even to go so far as to suggest to the Jacobites themselves the very thing James and the Lord Marischal most feared, a separate rising in Scotland without the guarantee of help in England, and James found his own representatives, flattered and encouraged by the Cardinal, embarking on a policy to which he and his more experienced advisers were completely opposed. Yet he was unable to do more than advise and protest. He could not escape the fundamental fact of his dependence on France, even when he had come at last to a clear understanding of Fleury's character and his methods of dealing with the Jacobite party. He realised then that, despite the opportunities which might be afforded by the widening European war that followed the Emperor's death in 1740, the Jacobites would never get the help they wanted as long as the Cardinal held his power in France.

## Notes to Chapter VIII

<sup>1</sup>Richmond, I, 24-25; Temperley, art.cit., 232.

<sup>2</sup>Richmond, I, 14-15.

<sup>3</sup>This is clear from the instructions sent to Waldegrave to set up a network of spies and keep an eye on the Jacobites, (PRO SP 78/220, f. 228: Newcastle to Waldegrave, 7 June 1739, London); Walpole is reported as saying "if there was a war, the King's Crown would be fought for in the land." Walpoliana, Hardwick State Papers, ii, 7. (cited by B. Williams, The Whig Supremacy, (Oxford, 1939), 20; cf. also H.M.C. Buckingham MSS, 56, H. Walpole to Trevor, 11 October, 1740; Parliamentary History x, 1147; Vaucher, 253: J. Black British Foreign Policy in the Age of Walpole, 153-154.

<sup>4</sup>For the general background I have used Baudrillart's very detailed account of the on-going negotiations with Spain, Vol. IV, cap. V, pp. 520-550. For French readiness, cf. Richmond, The War at Sea, 1739-48, Vol. I, 30; see also Vaucher, 340 ff.

<sup>5</sup>In December 1738, Fleury wrote himself to Cardinal Corsini with reference to Tencin's wish to secure the nomination: "le Roi n'a pas jugé à propos d'en faire davantage en sa faveur ... pour ne pas autoriser les bruits que le sieur O'Brien, agent du roi d'Angleterre, répandait avec d'autres partisans du prélat, que sa Majesté avait des vues plus élevées sur lui qu'elle ne déclarerait que quand il sera cardinal. Je tromperais Sa Sainteté et Votre Eminence si je lui disais que ce projet eût quelque fondement; mais je la supplie de tenir cette marque de ma confiance dans un secret impénétrable ..." (Lettre inédite, 12/12/1738, Aff. Etr. Rome, 771, f. 162; cited by Sareil, Les Tencin, 264).

<sup>6</sup>RA SP 209/18: James to the Duchess of Buckingham, 29 August 1738, Rome. RA SP 209/21: James to Ormonde, 30 August 1738, Rome. RA SP 209/58: James to O'Brien, 10 September 1738, Rome.

<sup>7</sup>J. Colin, Louis XV et Les Jacobites (Paris, 1901), 3-10.

<sup>8</sup>Colin, Louis XV, 6.



- <sup>9</sup> RA SP 217/13: O'Brien to James, 24 August 1739, Paris.
- <sup>10</sup> RA SP 216/144: O'Brien to James, 17 August 1739, Paris. RA SP 217/3: O'Brien to James, 24 August 1739, Paris.
- <sup>11</sup> RA SP 217/80: James to O'Brien, 16 September 1739, Rome.
- <sup>12</sup> RA SP 217/81: James to Lord Sempill, 16 September 1739, Rome.
- <sup>13</sup> RA SP 211/50: Inverness to O'Brien, 22 November 1738, Belvedere (country estate near Avignon).
- <sup>14</sup> Colin, Louis XV, 6.
- <sup>15</sup> Richmond, I, 62; O'Brien, receiving reports in Paris of the movements in Catalonia, realised at once that it was a sham. (RA SP 221/83: O'Brien to James, 21 March 1740, Paris and 221/89: 23 March, 1740). On 2nd May he commented "they have got what they wanted, free exit of their squadron from Cadiz" (RA SP 222/29: O'Brien to James, 2 May 1740, Paris).
- <sup>16</sup> The Lord Marischal to James Keith, 1732: cited without precise date or place by E. Cuthel, Life of the Earl Marischal, the Scottish Friend of Frederick the Great, (London, 1915), I, 163.
- <sup>17</sup> The Lord Marischal to Ezeckiel Hamilton, 13 February 1737, cited Cuthel, Earl Marischal, I, 177-178.
- <sup>18</sup> RA SP 218/33: James to the Lord Marischal, 8 November 1739, Rome.
- <sup>19</sup> The Chevalier Geraldin (of Irish descent), was the Spanish ambassador in London and negotiated with Walpole the various attempts to solve the depredations crisis. Walpole's government found him co-operative, but the Jacobites also had hopes of him. They contacted him (without result) when he was in London, both directly by letter, (RA SP 207/28: James to Geraldin, 25 May 1738, Rome) and by instruction to the King's Friends in England to talk to him (RA SP 207/41: James to O'Brien, 27 May 1738, Rome); Cecil finally reported back to James that Geraldin "said he had no instructions about these matters, nor was allowed to mention anything but what he was instructed to do." (RA SP 215/60: Cecil to James, 10 April 1739, London.) However when Geraldin came to Paris he had several

meetings with O'Brien, expressing sympathetic interest in the Jacobite Cause, presumably to give some colour to the part he now played. (RA SP 217/132: O'Brien to James, 3 October 1739, Paris).

<sup>20</sup> RA SP 218/34: James to Lord Sempill, 9 November 1739, Rome.

<sup>21</sup> M.A.E. Angletterre CP 84, f. 187: Lord Marischal to Lord Sempill, 12 January 1741, Madrid.

<sup>22</sup> RA SP 218/33: James to the Lord Marischal, 8 November 1739, Rome.

<sup>23</sup> RA SP 220/3: Inverness to James, 24 January 1740, Avignon.

<sup>24</sup> Richmond, I, 62: RA SP 220/217: origin doubtful, letter from England, 12 February 1740.

<sup>25</sup> RA SP 220/106: James to O'Brien, 11 February 1740, Rome; RA SP 220/153: James to Ormonde, 24 February 1740, Rome; cf. also M.A.E. Holland, Mém. et Doc. 75, f. 197.

<sup>26</sup> RA SP 219/152: James to Lord Sempill, 13 January 1740, Rome.

<sup>27</sup> RA SP 220/35: James to O'Brien, 26 January 1740, Rome; RA SP 220/16: Edgar to Lord Sempill, 21 January 1740, Rome.

<sup>28</sup> RA SP 220/42: James to Ormonde, 27 January 1740, Rome.

<sup>29</sup> RA SP 219/152: James to Lord Sempill, 13 January 1740, Rome.

<sup>30</sup> Edgar wrote to Lord Sempill on 21st January, mentioning that a missing letter had arrived; Sempill was not only a bad correspondent, but frequently missed the post (RA SP 220/16; Edgar to Lord Sempill, 21 January, Rome). On 4th February Edgar wrote to him "this is the third letter that has come to hand a week later than it should, which, in this critical juncture you may believe is very disagreeable." (RA SP 220/88: Edgar to Lord Sempill, 4 February 1740, Rome.)

<sup>31</sup> RA SP 220/79: James to Lord Sempill, 4 February 1740, Rome, (In French, to be shown to Cardinal Fleury). RA SP 220/128: James to Ormonde, 16 February 1740, Rome. RA SP 220/130: James to O'Brien, 17 February 1740, Rome.

<sup>32</sup> RA SP 220/153: James to Ormonde, 24 February 1740, Rome; RA SP 221/35: James to Lord Marischal, 8 March 1740, Rome; RA SP 221/36: James to Ormonde, 8 March 1740, Rome.

<sup>33</sup> The Lord Marischal was in Madrid by February. He wrote to Lord Sempill on 29th February, "I hitherto did perceive nothing but discours which I did not look on as engagements or promises." (M.A.E., Angl. CP, t. 84, f. 171) On 8th March James wrote, in answer to a letter from the Lord Marischal dated 12 February, "I am not surprised that you should be of the opinion that the Court of Spain does not think seriously of my interest." (RA SP 221/35: James to Lord Marischal, 8 March 1740, Rome).

<sup>34</sup> RA SP 221/127: Lord Marischal to James, 1 April 1740, Madrid.

<sup>35</sup> RA SP 221/127: Lord Marischal to James, 1 April 1740, Madrid.

<sup>36</sup> RA SP 221/127: Lord Marischal to James, 1 April 1740, Madrid.

<sup>37</sup> RA SP 221/148: Lord Marischal to James, 8 April 1740, Madrid.

<sup>38</sup> RA SP 221/188: Lord Marischal to James, 22 April 1740, Madrid.

<sup>39</sup> RA SP 221/127: Lord Marischal to James, 1 April 1740, Madrid.

<sup>40</sup> RA SP 222/16: Lord Marischal to James, 29 April 1740, Madrid.

<sup>41</sup> RA SP 222/75: Lord Marischal to James, 13 May 1740, Madrid.

<sup>42</sup> RA SP 222/75: Lord Marischal to James, 13 May 1740, Madrid. RA SP 222/146: Lord Marischal to James, 27 May 1740, Madrid.

<sup>43</sup> RA SP 223/147: Kelly to Edgar, 17 June 1740, Madrid.

<sup>44</sup> Cholmondely-Houghton MSS, 1/12, 17 January 1739/40.

<sup>45</sup> BL Add. MSS 32,801, f. 352: Report from 101 (de Bussy) November 1739. In February 1740 his report says the Spanish ministers claimed "their sending for Ormonde and the Lord Marischal into Spain and their encampments in Galicia and Catalonia was only to create fears in England and

slacken their ardor for America by dividing their attention" (BL Add MSS 32,802, f. 60. Report from 101, February 1740).

<sup>46</sup>Richmond, I, 62.

<sup>47</sup>Richmond, I, 81-2.

<sup>48</sup>Richmond, I, 83.

<sup>49</sup>Baudrillart, IV, 541-62.

<sup>50</sup>Richmond, 77-94.

<sup>51</sup>RA SP 219/152: James to Lord Sempill, 13 January 1740.

<sup>52</sup>The Prince Don Luis de Campo Florido was a Spanish grandee with estates in Sicily, who had previously been to Venice on a diplomatic mission for Spain (Baudrillart, IV, 514, n.1 and 544-45). Fleury disparaged him to Waldegrave as a "dissembling, fawning, crafty, Italian", (PRO SP 78/223, f. 138: Waldegrave to Newcastle, 6 July 1740, Paris), but Waldegrave found him very civil. James wrote to Sempill on 3rd March 1740 that Campo Florido was known to have Jacobite sympathies "for many years past" (RA SP 221/18: James to Lord Sempill, 3 March 1740, Rome). For his contacts with O'Brien see O'Brien's letters to James on 29th March (RA SP 221/119), 25th April, (RA SP 222/5), 29th August, (RA SP 225/179), 5th September (RA SP 226/16). For his contacts with Lord Sempill during the same period, see Sempill's letters to James of 15th August (RA SP 225/137), 1 August (RA SP 225/89) and a letter from Edgar to the Lord Marischal, passing on the news that Lord Sempill was "more and more pleased with Campo Florido your old Valencian acquaintance". (RA SP 225/165: Edgar to Lord Marischal, 24 August 1740, Rome).

<sup>53</sup>Parlt. Hist. XI, 711, cited Richmond, I, 135.

<sup>54</sup>BL Add. MSS 32,802, f. 147: Newcastle to Waldegrave, 10 June 1740, London.

<sup>55</sup>Newcastle comments to Waldegrave, "Every conversation you have with the Cardinal and every report from 101 i.e. de Bussy show plainly that you cannot have dependence on the truth of either." (BL Add. MSS. 32,802, f. 25: Newcastle to Waldegrave, 22 January 1739, London).

<sup>56</sup>PRO SP 78/220, f. 228: Newcastle to Waldegrave, 7 June 1739, London.

<sup>57</sup>PRO SP 78/220, f. 26: Waldegrave to Newcastle, June 1739, Paris.

<sup>58</sup>BL Add. MSS. 32,801, f. 10: Waldegrave to Newcastle, 5 June 1739, Paris.

<sup>59</sup>BL Add. MSS. 32,801, f. 75: Waldegrave to Newcastle, 28 June 1739, Paris. BL Add. MSS 32,801, f. 190: Waldegrave to Newcastle, 15 August 1739.

<sup>60</sup>BL Add. MSS. 32,802, f. 6: Waldegrave to Newcastle, 21 January 1740, Paris. BL Add. MSS 32,802, f. 25: Newcastle to Waldegrave, 22 January 1740 (OS), London.

<sup>61</sup>BL Add. MSS. 32,802, f.6: Waldegrave to Newcastle, 21 January 1740, Paris. PRO SP 78/222 f. 78: Newcastle to Waldegrave, 22 January 1740 (OS) London. PRO SP 78/222, f. 59: Waldegrave to Newcastle, 1740.

<sup>62</sup>PRO SP 78/222, f. 188: Waldegrave to Newcastle, 13 March 1740, Paris. The Cardinal showed Waldegrave a letter from James to Tencin as evidence.

<sup>63</sup>PRO SP 78/222, f. 125: Waldegrave to Newcastle, 2 March 1740, Paris.

<sup>64</sup>BL Add. MSS. 32,802, f. 6: Waldegrave to Newcastle, 21 January 1740, Paris.

<sup>65</sup>PRO SP 78/222, f. 129: Newcastle to Waldegrave, 27 February (OS) 1740, London.

<sup>66</sup>RA SP 221/140: Lord Sempill to James, 4 April 1740, Paris.

<sup>67</sup>PRO SP 78/222, f. 232: Waldegrave to Newcastle, 3 April 1740, Paris.

<sup>68</sup>PRO SP 78/223, f. 383: Waldegrave to Newcastle, 11 September 1740, Paris.

<sup>69</sup>M.A.E. Esp. CP, t. 461, f. 274. Fleury to Philippe V, 15 August 1740, Paris (cited Baudrillart, IV, 559).

<sup>70</sup>M.A.E. Angleterre CP, t. 408, f. 29, cited, Vaucher, 338-340.

<sup>71</sup>See chapter III on the Jacobites and the Second Treaty of Vienna, 1731.

<sup>72</sup>The accuracy of Robinson's information can be seen by his report of 11 July 1740 (RA SP 224/206: Robinson to

James, 11 July 1740, Paris) which is almost a precis of the letter Waldegrave sent to Newcastle, 6 July 1740 (PRO SP 78/223, f. 138: Newcastle to Waldegrave, 6 July 1740, Paris).

<sup>73</sup> RA SP 218/34: James to Lord Sempill, 9 November 1739, Rome. RA SP 218/96: James to Lord Sempill, 2 December 1739, Rome.

<sup>74</sup> RA SP 221/140: Lord Sempill to James, 4 April 1740, Paris.

<sup>75</sup> RA SP 230/3: Brett to James, 7 January 1741, Paris.

<sup>76</sup> For Barrymore's relations with Jacobites see Colley, In Defiance of Oligarchy, 245. He was later involved in the conspiracy of 1744. For his visit on this occasion see RA SP 221/107: Brett to James, 28 March 1740, Paris. When he did come he was, it seems "very diffident of Fleury's sincerity" (RA SP 224/37: Kelly to Edgar, 24 June 1740, Madrid).

<sup>77</sup> RA SP 223/67: Lord Sempill to James, 6 June 1740, Paris.

<sup>78</sup> RA SP 224/17: Lord Sempill to James, 20 June 1740, Paris. RA SP 224/73: Lord Sempill to James, 27 June 1740, Paris.

<sup>79</sup> Clermont's return to Paris reported on 5 September 1740. (RA SP 226/20: Lord Sempill to James, 5 September 1740, Paris).

<sup>80</sup> RA SP 221/53: James to Balhady, 13 March 1740, Rome. RA SP 221/64: James to Lord Sempill, 16 March 1740, Rome.

<sup>81</sup> RA SP 226/67: Lord Sempill to James, 12 September 1740, Paris.

<sup>82</sup> RA SP 226/172: Lord Sempill to James, 2 October 1740, Paris.

<sup>83</sup> M.A.E. Esp. CP t. 462, f. 81: Fleury to Philippe V, 8 October 1740, Paris and f. 192, Philippe V to Fleury, 30 October, 1740, Madrid: cited Baudrillart, IV, 561.

<sup>84</sup> M.A.E. Angleterre CP 84, f. 180: Lord Marischal to Lord Sempill, June 1740, Madrid.

<sup>85</sup>M.A.E. Angleterre CP, 84, f. 182: Lord Marischal to Lord Sempill, 3 July 1740, Madrid.

<sup>86</sup>RA SP 228/184: Lord Marischal to James, 30 November 1740, Madrid.

<sup>87</sup>RA SP 229/75: Lord Marischal to James, 18 December 1740, Madrid.

<sup>88</sup>RA SP 226/187 and 226/187A: James to Lord Sempill, 5 October 1740, Rome.

<sup>89</sup>RA SP 228/132: Lord Sempill to James, 14 November 1740, Paris.

<sup>90</sup>RA SP 228/160: Lord Sempill to James, 21 November 1740, Paris.

<sup>91</sup>RA SP 229/28: James to Lord Sempill, 7 December 1740, Rome.

<sup>92</sup>RA SP 229/82: Balhady to James, 19 December 1740, Paris. RA SP 229/83: Lord Sempill to James, 20 December 1740, Paris.

<sup>93</sup>RA SP 230/14: James to Lord Sempill, 9 January 1741, Rome: ostensible letter in French.

<sup>94</sup>RA SP 230/25: James to Lord Sempill, 9 January 1741, Rome.

<sup>95</sup>RA SP 230/22: James to Lord Marischal, 9 January 1741, Rome. RA SP 230/59: James to Cecil, 9 January 1741, Rome. RA SP 230/60: James to Lord Sempill, 9 January 1741, Rome.

<sup>96</sup>RA SP 230/170: James to Lord Sempill, 8 February 1741, Rome. RA SP 231/32: James to Lord Sempill, 1 March 1741, Rome.

<sup>97</sup>The relation between Lord Sempill and the Lord Marischal is documented by a series of letters in the Sempill papers which are to be found in the Archives Etrangères (Angleterre). Thus in October, 1732, the Lord Marischal wrote to Sempill, "You, my Lord, are about the only correspondent I have confidence in." (M.A.E. Ang. CP 84, f. 30) The Lord Marischal's suspicions of Sempill's integrity rose from observing that Sempill concealed from the King his real opinion of Dunbar and Inverness. He wrote to remonstrate, "I cant help opening my mind and writing freely because I think I can perceive an alteration began of your Lordship's side, and I am for dealing frankly with my

enemy, even and much more so with my friend ..." (M.A.E. CP Ang. 84, f. 167, 25 August 1739). It is clear from this letter that he realised Sempill was already – with him as well as with the King – making use of half-truths as they suited his own purposes.

<sup>98</sup>RA SP 230/26: Robinson to James, 9 January 1741, Paris.

<sup>99</sup>RA SP 230/3: Brett to James, 7 January 1741, Paris.

<sup>100</sup>In September, 1739 one of the English Jacobites wrote to James about their concern at Sempill's silence "We are in great pain here, myself in particular, about Lord Sempill, not having heard one word from him since the time he went to make you a visit. It gives me great apprehensions lest he should have fallen into some disorder or lest any letters of his have miscarried and what increased our concern and impatience the more is that till we receive some information from him we are in a state of utter ignorance and uncertainty about the situation of the King." (RA SP 217/99: Salkeld to James, 22 September 1739, London). In May 1740 Cockburn wrote that there was still no news from Lord Sempill whose "silence makes the King's friends here to be annoyed ... he should advise" (RA SP 222/86: Cockburn to Edgar, 15 May 1740, London).

<sup>101</sup>RA SP 230/3: Brett to James, 7 January 1741, Paris.

<sup>102</sup>M.A.E. Esp. CP 462, 2: Philippe V to Fleury, 30 October 1740 (cited Baudrillart IV, 561) Alcala est. 4077 and M.A.E. Esp. CP 466, ff. 214-224, Philippe V to Fleury, lettre et mémoire, 18 June 1741 (cited Baudrillart V, 51).



## CONCLUSION

### The Jacobite Cause 1730-1740

From this study of the Jacobite response to the varying phases of the relationship between the powers in Europe during this decade, it is possible to make some general statements about the Jacobite movement in the context of diplomatic history.

In the first place it may be said that James in Rome was kept well-informed about what was happening all over Europe. From the network of Jacobite communities he heard quickly, from different sources and from people with a range of access to information, about all the diplomatic incidents, all the actions and reactions of the European Powers. Because of this he was able to adjust his policies and instruct his agents on how to take instant advantage of any opportunity which presented itself in their task of soliciting help. In 1731 The Jacobites knew of Walpole's secret negotiation with Austria and were preparing to use it in Paris before his messenger had even reached Vienna. In 1735 they were actually involved in the secret negotiations between France and Austria while the English government were still uncertain if any such negotiation was taking place.

Secondly James himself assessed and used his information with judgement. He had a sense of what was likely to happen and his predictions on the trend of events were generally fairly accurate. His adjustments of policy followed closely the real changes in relationship between the European powers. He had experience enough to detect the false or unsound elements in schemes that were suggested to him, as he showed in the way he dealt with Dillon's scheme in 1731 and with the manoeuvres of the Spanish government in 1740.

Nevertheless the consistent pattern that emerges from these ten years is one of the failure. The constant efforts which James made to get help were as constantly nullified by Fleury's policy. It seems certain that at no point did the Cardinal seriously intend to help the Jacobites by mounting a major attack on Britain; yet he continued throughout this whole period to assure them of his good will and sympathy, to enter into their plans and encourage their schemes, but always with some proviso that allowed him to withdraw when it came to action. James was therefore always concerned with the factors in the situation which were most often alleged by Fleury as reasons for not committing his government to practical help. One of these was the state of the Jacobite Party in England and the other was the relations between France and Spain.

In 1732 and again in 1733 Fleury had promised help to the English Jacobites and then he had withdrawn from his promise. It left them with a profound mistrust of anything the French might say, and this impression was re-inforced by their dealings with France in 1739-40. They were in any case, as the records show, fragmented and mistrustful of each other. Right through the whole ten years there are letters from the King, advising, encouraging and entreating his friends in England to show a united front and send some responsible person over to Paris to convince Fleury that they were ready and willing to act. It was all in vain, for the English Jacobites continued to provide Fleury with what was, on the face of it, a perfectly reasonable excuse for not risking men or money on a futile expedition, which was bound to fail through inadequate support. It is, of course, probable that Fleury would not have backed an expedition in any case, but he certainly did not say so to the Jacobites. He placed on them the onus of proving that there was adequate support in England, and he was always able to maintain that they had failed to do this.

The other excuse Fleury used was that he could not commit France to a Jacobite enterprise without being sure of what part Spain would take. Here again the Jacobites could not deny that relations between the two Bourbon powers were demonstrably bad. Fleury's failure to implement the Treaty of Seville and the exchange of territory in Italy which he

forced on Spain to end the Polish war had left the Spaniards with deep mistrust and resentment against him. O'Brien did his best to remedy this state of things by keeping up a close relationship with the Spanish representatives in Paris, first with Don Ferdinand Trevino, the Secretary at the Embassy, and then with the ambassador, Las Minas. With them he discussed contingency plans for an enterprise, political compensations such as the return of Gibraltar and Port Mahon to Spain, and always he pressed them to get their government to assure Fleury directly and openly of Spain's willingness to back an enterprise. But, in fact, the conduct of Spain in 1739-41 makes it clear that there was no support there at the government level for the Jacobite cause. James himself was always doubtful of Spanish intentions and the farce of their attempts to use Ormonde and the Lord Marischal in a mock-invasion plan merely reinforced this impression. Still he encouraged O'Brien in his efforts to prod the Spanish government into co-operation with France; and he believed that in the long run war between Spain and England would force a treaty between the Bourbon powers, which must be to his advantage.

Although Austria as well as Spain made occasional use of the Jacobite movement (as, for example, in 1735 when they made an approach to France through O'Rourke), the focus of Jacobite diplomacy was inevitably their relations with France — in effect with Cardinal Fleury, and Fleury himself

had his reasons for maintaining the relationship without ever committing himself to actual assistance of the Cause. From the time of the negotiation of the Second Treaty of Vienna between Austria and England in 1731, he was under pressure by those who resented the Treaty as an injury to France. An appearance of private support for the Jacobites may have helped him to forestall opposition that would threaten his own tenure of power. Apart from this, the growing hostility between France and England from 1730 to 1740 increased the value of the Jacobites as a potential threat to the Hanoverian regime in Britain. It also increased the value of the information the Jacobites could provide through their widespread network of families, communities and individuals, their contacts, not only in England but all over Europe. This had been demonstrated from 1735 to 1737 by the special use Fleury made of the Jacobite connection in the process of settlement after the Polish war – and the Jacobites had also given him the first information about England's negotiation at Vienna in 1731.

During these ten years, the Jacobite perception of this relationship did change. At first they thought of the Cardinal as a timid old man, uncertain what to do, vacillating because he was weak and easily influenced. O'Brien, for example was sure he would never declare war on England unless he were pushed into it by Spain. But, by the

end of the decade, in the crisis of the imminent outbreak of war, O'Brien wrote

... his system may be to destroy England by herself holding her always in fear and therefore armed which will more and more ruin her by the enormous expense she will have to sustain and encouraging more and more the internal divisions without ever wishing them to come to a decisive point.

...perhaps his intentions are very different, God grant it!<sup>1</sup>

James himself thought at first that the Cardinal really wished to help him and might be persuaded or encouraged into decisive action and he clung to this idea for most of the decade. By 1740 he, too, had a different view. He wrote to Sempill "I am persuaded that neither you nor no man living in the present circumstances could, by all they can say, put the Cardinal one inch out of his road or make him explain himself further than he thinks proper."<sup>2</sup>

There is a close parallel in this change to the changing views of Lord Waldegrave, the English ambassador; and the specialist studies of Fleury's relations with Spain<sup>3</sup> and with Bavaria<sup>4</sup> confirm the experience of the Hanoverians and the Jacobites. Fleury had the direction of the policy of the most powerful state in Europe and that power created dependence just as mistrust of his intentions created the potent uncertainty which was the basis of his control of the diplomatic pattern in Europe.

It is not possible to study this period in the detail which the wealth of contemporary documents allows without deriving impressions of the people who wrote the letters, in all their range of individual and revealing comment or assessment. In an incidental way we learn something of their relations with each other, something of the problems that sometimes bedevilled these relations, something of their principles and standards and ideas as well as their performance. The letters indicate that by this time James was very much in charge of his own foreign policy. He received suggestions as well as information from his agents and from others - the heads of the party in England, for example - but the letters sound as though he took his own decisions, although his instructions are often accompanied by a summary of his reasons, and he was prepared to leave what he could to the discretion of the man on the spot. He tried to make his people conform to certain guide-lines, particularly in the matter of accuracy in their dealing with foreign ministries. In August, 1738, at the time of the crisis with Spain and the agitation in England which he hoped to use as an argument for getting help he wrote as follows to Cecil:

My endeavours towards the obtaining of this foreign force shall be both earnest and uninterrupted, but tho' it depend on me to sollicit it depends not on me to succeed and it is not probable that I shall till some Prince may think it his own interest to assist us. I can only represent what is consistent with my knowledge and at present, by consequence, that

is reduced to the general good dispositions of my subjects which will only be credited in as far as it may be conformed to the accounts Foreign Powers receive from their ministers in England. What comes from a Prince and his adherents in Exile has generally little weight. It is natural to suppose we flatter ourselves with vain hopes and may be desirous of any attempt to be made in our favour, tho' without sufficient foundation for success.<sup>5</sup>

A year later he was making the same point to O'Brien, warning him "We must always be very circumspect, not representing anything to the Cardinal in which there is any exaggeration and which is not absolutely in conformity with the information we receive, and that not only not to disregard the rules of truth but because it could be of ill consequence with the Cardinal if the information he gets from us and that he may get from elsewhere contradict each other."<sup>6</sup>

O'Brien was on the whole amenable to such direction and always very apologetic when the King pointed out that he had gone a little too far in presenting a document or discussing a scheme with the French ministry. But in 1739, at Fleury's instance, O'Brien was superseded by Lord Sempill, who disregarded these rules, believed everything Fleury told him, concocted schemes which show an unrealistic assessment of Jacobite support in England, and even disobeyed the King's express directive about refusing to accept any scheme which would involve a separate expedition to Scotland, unsupported by a well-organised general rising in England. James felt very strongly that any such plan



would be a useless sacrifice of his supporters and ruin both the Cause and the country, that it would be, as he said, "as much against my honour as my interest anyways to concur in such a sort of undertaking."<sup>7</sup>

When Fleury died in January, 1743, he left Sempill and Balhady still in place to act as Jacobite agents, apt legacy to the movement from the "man of double deed".

Fleury was not, by himself, responsible for the failure of the Jacobite Cause. That was the inevitable consequence of the weakness and fragmentation of the Jacobite party, the strength of the Hanoverians and their supporters in Britain: circumstances which could not be altered even by the devotion and the labours of James and his active supporters. Nevertheless Fleury's relation with the Jacobites was a factor in the final disintegration of the movement. Deliberately, for his own purposes, he prolonged the half-life of Jacobite hope which sustained an unattainable image of success: the illusion that drew many Jacobites to destruction in 1745.

## Notes to Conclusion

<sup>1</sup>RA SP 217/44: O'Brien to James, 3 September 1739, Paris. Waldegrave, commenting on the re-arming of the French fleets in 1740, wrote to Newcastle "Their preparations in the sea-ports go on. I really think they mean nothing more by them than to keep us on the watch and oblige us to increase our armaments and consequently our expenses; the Cardinal's emissaries hint about that he hurts us more by keeping us in a state of suspense and uncertainty than he should were he to declare openly for Spain." (PRO SP 78/223 f. 64: Waldegrave to Newcastle, 8 June 1740, Paris). Newcastle agreed with this interpretation that "their party is to alarm us, put us to expense without engaging themselves in the expense and hazard of a war and that is a terrible consideration, tho' I dont well see how it is to be avoided ... the Truth is the French preparations do necessarily oblige us to keep such a fleet here as is in other respects useless and might be much more advantageously employed elsewhere" (PRO SP 78/223, f. 111: Newcastle to Waldegrave, 12 June 1740, London).

<sup>2</sup>RA SP 231/12: James to Lord Sempill, 1 March 1741, Rome.

<sup>3</sup>A. Baudrillart, Philippe V et la Cour de France (Paris, 1890-1901).

<sup>4</sup>M. Sautai, Les Préliminaires de la Guerre de la Succession d'Autriche (Paris, 1907).

<sup>5</sup>RA SP 209/7: James to Cecil, 28 August 1738, Rome.

<sup>6</sup>RA SP 216/118: James to O'Brien, 4 August 1739, Rome.

<sup>7</sup>RA SP 221/85: James to Ormonde, 22 March 1740, Rome.

## APPENDIX A

### The Charitable Corporation

The Parliamentary enquiry into the Charitable Corporation documents in great detail the whole process by which Robinson and his associates exploited the assets of this Company. Robinson had first appeared as a stockbroker in 1722; he was closely concerned in the York Buildings Company and certain of his clients lost heavily by speculation in York stock. In 1725/26 and, as it appeared later, in a deliberate attempt to re-coup their losses, these men took over the management of a small, inconspicuous and inactive loan Company, founded in 1707 as The Charitable Corporation for the Relief of the Industrious Poor by assisting them with small sums at Legal Interest. The Company was started with a capital of £30,000 and a set of rules and regulations designed to control and safeguard the issue of that capital in loans. The borrower was required to hand over a pledge, usually in the form of goods or merchandise, of sufficient value to cover the amount of the loan. These goods were stored in a warehouse which belonged to the Company, and all the particulars entered in a Pledge-book, while a certificate with a number corresponding to the pledge number was issued to the borrower, so that he could get his money from the cashier and, in due time, redeem his

pledge. The unredeemed pledges were from time to time auctioned off by the Company.

These details are noted because in 1725, when Robinson's clients took over the management of the Corporation, their first concern was to dismantle every safeguard and convert all the Company's funds to their own use. Without reference to the General Court of the Corporation, they appointed men of their own choosing as executive assistants to form a Committee of Accounts, preparing and transacting all the Company's business. They dismissed the officials already in office, such as the surveyor of the warehouse, and again placed their own men in the key positions: John Thomson, the son of an Edinburgh merchant who had long supplied goods and money to one of the directors, Sir Archibald Grant, now became the warehouse-keeper,<sup>1</sup> and George Robinson, the stockbroker, was made the "circulating agent" to handle the cash and, in effect, act as the Company's banker with authority to issue credit notes in the Company's name. They then proceeded to remove or circumvent the statutory checks on the use of the Company's capital. Borrowers were to be allowed to obtain money through brokers, who could conceal the names of their clients; and John Thomson was empowered to issue first £1,000, then £2,000 on any one pledge on the single authorisation of any one of the executive assistants.<sup>2</sup> To keep the supply of money coming in, the confederates twice

obtained a license from Parliament to increase the nominal capital of the Company – to £300,000 in 1729 and to £600,000 in 1730, and, each time, this was done (as the report said) “in a clandestine manner”, concealed from the public until the directors had bought shares to profit by the rise that took place when the increase of capital was announced.<sup>3</sup>

The result of all this was that by the end of 1730 an interlocking series of frauds and rackets had brought the Corporation close to bankruptcy. Thomson and the two brokers, Wooley and Warren, used the Company's warehouse and the Company's money to carry on extensive trading on their own account. The money that should have been available for the “industrious poor” in “small sums” was lent out in large sums under the fictitious pledges to Robinson and his fellow-directors – most of them as unabashed as Denis Bond, the Member of Parliament, who remarked at a directors' meeting “Damn the poor, let us go into the city where we may get money.”<sup>4</sup>

They did go into the city, and into mines in Norway and mines in Scotland, and other highly speculative projects, in two secret partnerships organised by Robinson and Thomson. Their unsuccessful speculations and their efforts to retrieve their position without disclosing their misuse of the Company's funds were responsible for a final loss to the Charitable Corporation of nearly half a million pounds. And, even beyond this confederated villainy,

Robinson seems to have played his own game, borrowing money for himself on their jointly owned shares, selling out secretly without the knowledge of his partners, all of them by 1731 deeply indebted for shares they had bought with the Company's money and used for their own purposes. The position was further complicated by Robinson's activities as banker and circulating agent . Although the Company's charter specifically forbade the issue of any credit note other than the pledge-note, Robinson had actively promoted the sale of credit notes in the Company's name to a value far beyond the security of the pledges actually in the Company's warehouse. In the final assessment of the Company's loss the Parliamentary Commission found there was still a debt of over one hundred thousand pounds created by these notes, against an actual value in pledges of about forty-four thousand pounds.

In May, 1731, just at the time that Dillon and Orrery produced their scheme for a Jacobite enterprise, their fellow-conspirator Robinson was faced with converging lines of enquiry into his management of the Charitable Corporation. In the first place the use of the warehouse for private trading had roused the opposition of the city merchants, especially the silk-weavers of Spitalfields. They petitioned the Council alleging that

... the practices of the present proprietors are so far from answering the ends of the said Charter by preventing the Impositions and ill-practices of others that they are themselves

become the greatest pawnbrokers and more pernicious to Trade than all the others. That the said Corporation keep public offices which are resorted to by ill-designing persons where under forged names and otherwise as most suits their purposes they can at any time borrow great sums of money on the pledge of goods bought on credit to the ruin of their creditors as well as themselves. ... that the said Corporation, having the goods for the most part left on their hands, make frequent public sales at which they generally sell these at such low rates as no fair trader can afford them, which not only completes the ruin of the borrowers but are also extremely prejudicial to Trade in general.

That the dealings of the said Corporation tend only to enrich themselves and ruin trade and Credit by giving encouragement to fraudulent bankrupts.<sup>5</sup>

The result of these petitions was a Parliamentary inquiry, to which, by April 1731, the Corporation were required to submit their books for examination. The report of 1732 documents the desperate efforts the directors made to select and present a favourable case and hinder the disclosure of the fraud and embezzlement that were now widely suspected.<sup>6</sup>

An even more serious threat came from their illegal circulation of credit-notes. The Bank of England opposed the extension of what was becoming virtually a privately-funded issue of paper money, and the Corporation had already become subject to criticism on this point. To prevent the Bank interest joining the City interest against them in the Parliamentary enquiry, the directors had privately given the Bank a written undertaking that they would issue no more

notes. But in January 1731 they had already issued notes at six months date to the value of £170,000. These would therefore fall due for payment in June, and it now appeared that Robinson, as banker for the Corporation, had not sufficient funds to meet the demand. The threat of exposure was imminent; in May, 1731 Robinson and his confederates decided first to disregard their undertaking to the Bank of England and issue new notes; and then, when that was thought too risky, to issue bonds (equally illegal under their Charter) to exchange for the current notes as they came in.<sup>7</sup>

At this inopportune moment, the cashier of the Corporation died suddenly. This man - his name was Tench - certainly knew or suspected much of the illegal dealings of the directors, but Robinson had secured his compliance by doubling his salary.<sup>8</sup> Now, when he had to be replaced, the information that emerged, in the process of handing over his books to his successor, at last roused the shareholders. One or two of the more influential began to query the proceedings of their directors, to demand why Robinson, as banker, owed such a large sum of money to the Corporation, to ask why the warehouse was never inspected and where the pledges were kept to cover the enormous sums which had apparently been lent out.<sup>9</sup>



Notes to Appendix A

<sup>1</sup>Report on Charitable Corporation, 30-36.

<sup>2</sup>Report on Charitable Corporation, 38.

<sup>3</sup>Report on Charitable Corporation, 39.

<sup>4</sup>Denis Bond (1676-1747), Whig M.P. for Corfe Castle, in 1731 already under investigation for fraudulent dealing as a Commissioner for the forfeited Derwentwater estate. Sedgwick, History of Commons, I, 470-471.

<sup>5</sup>London Guildhall Records, Journal 57, p. 221: Petition of merchants (signed by 162 of them, 10 February, 1731. cf. also Journal of House of Commons, vol. XXI, 620.

<sup>6</sup>Report on Charitable Corporation, 77, 88-89.

<sup>7</sup>Report on Charitable Corporation, 46-45; 93-95.

<sup>8</sup>There is a letter from Thomson to his clerk, written after he left England, in which he says "Though I dont dread guilt, I have all along been acquainted with a dreadful secret which I flattered myself Time would have remedied, but alas it must have, from what happened, grown worse, it has killed some already and it will kill me too, though I was not the instrument or the cause." (Report on Charitable Corporation, 62).

<sup>9</sup>Report on Charitable Corporation, 71.

### Bibliography: Note on Manuscript Material

I have based this thesis on a comparative study of two sets of documents, the Windsor Stuart Papers for the record of Jacobite policy and activity, and for the Hanoverian side, the State Papers, Foreign and Domestic, which are in the Public Record Office, and the Additional Manuscripts in the British Library. Of the latter I have used mainly the Newcastle Papers with some reference to the Mackintosh Papers and the Coxe Papers. I have consulted also the Cholmondely-Houghton collection in the University Library in Cambridge, and relevant volumes in the Archives Etrangères in Paris.

I have supplemented direct reference to these manuscript sources by using material supplied by some of the French historians whose works were published in the late nineteenth or early twentieth century, and who have quoted directly from manuscript sources available to them. I would instance especially A. Baudrillart, whose massive work on Philip V and the Court of France was based on both French and Spanish sources, and who gives direct citations and pièces justificatives from the archives at Samancas. The work of Maurice Sautai, Les Préliminaires de la Guerre de la Succession d'Autriche, has been useful in the same way for

Bavarian and Prussian material. In the section dealing with the acquisition of Lorraine by France, I have made a similar use of the works of Boyé and d'Haussonville, who used sources from Nancy as well as the French archives. In the same category I should perhaps add Coxe's Life and Administration of Sir Robert Walpole.

I have also used the volumes printed by the Historical Manuscripts Commission from private collections of documents, especially the Townshend, Weston, Trevor, Elphinstone and Moray papers. These contain some intercepted Jacobite correspondence and in addition political comment which is revealing of attitudes and pre-occupations of the Hanoverian side.

There is still a great deal of work which can be done to unravel the history of the Jacobite efforts to get assistance in Europe in the period with which I have been concerned in this thesis. Even apart from the extensive material in the French archives, there are untouched sources in other European capitals, as Dr. Bruno Neveu has indicated in his survey of the archival material, "A Contribution to an Inventory of Jacobite Sources", in Ideology and Conspiracy, ed. E. Cruickshanks, 138-158. The enquiry I have undertaken has been directed to understanding the relation between Jacobitism and the changing situation in Europe from the points of view of the Jacobites themselves and their Hanoverian adversaries in Britain. I recognize

that the hypotheses I have put forward and the conclusions I have reached may well have to be modified if research is carried further in the European archives. Nonetheless the interpretations of events provided by the Jacobites and the Hanoverian Ministry are themselves of value and worthy of detailed investigation as the first important step towards a wider synthesis.

Note: The Jacobite agent Daniel O'Brien wrote always in French; but, as I have used his letters extensively in direct citation or summary, I have translated them where necessary.

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