

Pitt's Spanish Policy in 1761

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(A THESIS FOR THE DEGREE OF MASTER OF ARTS)

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- (1) Cf. Pitt to Cabinet 2 Oct, Newcastle's minutes.
- (2) Fuentes's final note Parl. Hist. Vol.15.
- (3) Cf. Titley's letter in Hist. M.S. Rept. X
- (3) Pitt's speech 9 Dec. 1762 Parl. Hist. ~~XV~~ 1259 to 1270
- (4) Gren. Papers Vol I & II Bedford Corres. III Walpole's Geo. III, Walpole's letters V Grafton Memoirs, Lonsdale's papers Hist. M.S.S. Rept. XIII Pt. VII
- (5) Cf. Amer. Hist. Rev. V:1659 ff.
- (6) Papers in Eng. Hist. Rev. XXII, 756
- (7) Cf. contemporary ideas - Reviews in Gentleman's Magazine Oct. and Nov. 1761. also Entick vol.V.

Pitt's Spanish Policy in 1761.

I

The fall of the great ministry of the Elder Pitt is easily the prime event in the first year of the reign of George III. From the standpoint of ultimate consequences it is likewise one of the most significant occurrences of the sixty years of that reign. Its results—direct or eventual—are readily recalled. It meant the transference of the French war - which Pitt logically had made his own⁽¹⁾, and of the inevitable Spanish war - which was about to be declared⁽²⁾ against him - into hands, new to administration, less able to direct. It brought a peace⁽³⁾ incommensurate with British conquests, and yet, not a lasting peace. It opened⁽⁴⁾ the way for the early break-up of the Whig system, and the reassertion of half-forgot Tory ideas of the royal prerogative, thus involving new party alignments, further corruption, and a back-~~set~~ to constitutional development. For England it deferred reform. For America⁽⁵⁾, it allowed the substitution of blind drifting, and obstinate folly for the rational colonial policy - the imperial plan⁽⁶⁾ - he had conceived.

There exists very general agreement as to the results of Pitt's resignation; there are divergent⁽⁷⁾ opinions as to the causes and the ethics of his action. Whether Pitt should - or could - have retained the seals after the events culmi-

- (1) EntickV pg. 202 - Gent. Mag. Nov 1761 Vol. ~~XXXI~~ Pg. 514-15 notes.
- (2) Revue Historique Vol.94 P.1 ff. esp. 8.
- (3) Example Horace Walpole.
- (4) Bedford etc. Cf. Cor. III 14 & 42, EntickV:199.
- (5) Cf. Walpole's Letters, V. p. 91, 144.
- (6) Fuentes to Wall. Pitt Cor. II p. 100.

nating in the Cabinet Session of 2 Oct. doubtless will remain a mooted point, for it is quite largely a matter of the personal equation. It is interesting in this connection, however, to note that there were those of his contemporaries who upheld his action on ⁽¹⁾ constitutional grounds such as are of comparatively recent acceptance. Passing now, therefore, the question of the proper bestowal of blame or commendation upon Pitt, the causes of his resignation may be considered.

Various explanations - or conjectures - have been made as to the fundamental reasons for the retirement of Pitt at this time. The French and Spanish ⁽²⁾ ministries - Choiseul in particular - surmised that important among the causes was British opposition to the war showing itself in internal disaffection, especially opposition to military service and taxes, or in the difficulty of securing necessary parliamentary grants, and the sale of British stock. Desire for peace, assuredly there was in England, but no necessity nor demand for peace. There were ⁽³⁾ many who deprecated the existence of continued war, who felt that war was evil. There were some ⁽⁴⁾ statesmen, too - who shivered at the wind of British renown, who were frightened at the growth of their conquests. But ⁽⁵⁾ there were many others who enjoyed the shouting and the bonfires of victory celebrations, and some besides who thrived financially in war time. The suspicion that a popular opposition to the war was raising itself is indeed essentially groundless. It doubtless was based chiefly upon an ⁽⁶⁾ exaggerat-

- (1) Gent. Mag. 31: 137-8 Annual Register 1761. Calen. Home Office Papers (1760-65) 1761. Passim.
- (2) Ibid. i.e. *Home Office Papers*,
- (3) Ibid.
- (4) Letters of Newcastle to Hardwicke.
- (5) Entick V 88, 267, Gent. Mag. Vol. 31 p 517.
- (6) Compare Stock quotations in Gent. Mag. 1759, 1760, 1761, 1762.
- (7) Walpole Geo. III, Vol I: 9 (Ch. I & II) Mitchell MSS. quoted in Pitt Cor. II: 83.
- (8) Cf. Gent. Mag. lists 1760 & 1761, B.M. add. M.S.S. 32915 f 332.

ed notion of the importance of the Yorkshire Militia riots. In reality these ⁽¹⁾ matters were isolated and petty. The only one of any importance, that at Hexham, was quelled in a few hours, without requiring unusual measures, and the subsequent trial of the participants attracted no interest. While to offset this, other ⁽²⁾ counties raised their new levies with alacrity and were ready in camp before the specified times. The number of criminals ⁽³⁾ receiving commutation of sentences on condition of military service was below the average, and such enlistments were only in the marines or in Jamaican foot regiments. The Duke of Newcastle, Chancellor of the Exchequer, indeed, as his use was, ⁽⁴⁾ complained of raising the necessarily increasing war expenditures, but he really admitted that it could be done without serious difficulty - Moreover, on the other hand, contemporary accounts agree that at no time had the funds ⁽⁵⁾ been so easily raised. In ^aparliament the grants were made with remarkable unanimity. Indeed, of the amount authorized for 1761, a considerable sum had not been used when the new ^aparliament met in November. Loans issued met ^{ready} bids. Londoners were eager. The stock market ⁽⁶⁾ was unusually strong during most of 1761.

Again, the supposition has been advanced that the admission ⁽⁷⁾ of Tories into the household of the offices of government is evidence of a rising faction at court opposing Pitt and his measures. In fact the number ⁽⁸⁾ of Tories thus favored or indeed coming to court, is remarkably small, especially in view of the party bias of the King and the favorite, Bute.

- (1) Walpole's Letters V: no. 726.
- (2) Ibid.
- (3) Mitchell in Pitt, Cor. II: 82-3 note.
- (4) Walpole Letters V: 152
- (5) B.M. add. MSS. 32929 f. 18.
- (6) Rigby ~~MS. A. 9. 2. 18~~ 18 Aug. "They expect opposition in Parliament"
Bedford Cor. III : 40.
- (7) Walpole Letters Vol V no. 736. Compare Analytic List in Gent, Mag. 1761 also Cf. lists of members in Parl. Hist.
- (8) Gent, Mag, Vol, 31 : 460-66.

Newcastle along - and he not without similar sin - seems to have objected, being jealous at ⁽¹⁾his loss of the nomination privilege. As usual he raised a teapot-tempest to the delectation of the wits. Pitt did not ⁽²⁾complain, and with reason, ⁽³⁾for the Tories had ~~not~~ been among his staunchest supporters in the late parliament. In view of such facts the idea of a Tory opposition at this time is clearly baseless.

Pitt himself in his farewell ⁽⁵⁾speech in the Cabinet (2 Oct.) declares that he ~~was~~ no longer has enough support in council or parliament to act. Just what he meant to imply by "support" and how largely, in view of this lack of support, his decision was influenced by personal feelings, how largely due to necessities of the situation, we do not know. It is true that on the policy in point he had no supporter in the council save Lord Temple. Also he was aware of the King's attitude. The reference to Parliament may imply that he was apprehensive of ⁽⁶⁾opposition from the newly elected Commons, in which body there would be ^{an} ⁹ ^{ed}unprecedented number of new men. Usually, however, Pitt was frankly independent of a parliamentary party. He counted chiefly on the effect of popular pressure, because of his popularity in the City and throughout the country. He controlled no patronage. His personal following was small. However the voting strength of the other Whig factions which supported the coalitions of Whig leaders was doubtless essential to him, and he may have referred to the coming effects of the defection of his colleagues. Resignation on the ⁽⁸⁾

- (1) Calendar State Papers - Parl. Hist. etc - Annual Register.
- (2) Lecky', Stanhope, etc.
- (3) Cf. Winstanley Eng. Hist. Review Vol. 17 p. 678.
- (4) The question might be settled upon a thorough sifting of all MSS. and printed sources, especially the Bute papers and whatever may show the King's personal part and views. The article by D.A. Winstanley, Eng. Hist. Rev. Vol 17 is based almost wholly ~~based~~ upon Newcastle and Hardwicke MSS., which should have been balanced with published "papers". Its bias is evident. Also in using his MSS. he makes errors. Ex. *His account of the cabinet meeting of 19 Sept disagrees with the source upon which it is ostensibly based.*

grounds assigned was so unprecedented - was considered by many so absurd - in the 18th. century that it is scarcely to be assumed that Pitt resigned from constitutional scruples, incident to the situation in which he found himself.

Other theories might be named but are inconsequential. However, a well-beaten track has, customarily, been followed in treating this subject. In March 1761 France made formal overtures for peace. In March Lord Bute regularly entered the inner Cabinet, as Secretary of State for the Northern Province. In September occurred the rupture of the negotiations, and the same month the isolation of Pitt in the Cabinet, with the opposition gathered seemingly around Bute. Evidently because of these striking coincidences, it has been assumed that two trains of circumstances were at work during this time, either or both of which tending directly toward the overthrow of Pitt's dominance. Thus events of the year are considered from two aspects, the one domestic - political, partisan -, the other foreign - diplomatic.

The political hypothesis, that the displacement of Pitt merely announced the first victory of a definite governmental program, or at least that it was due to a regular cabal actuated by jealousies or spite, - finds in the analysis of accessible sources quite inadequate support. Granted the Toryism of the King and his Leicester House advisors, yet what evidence, uncolored by personal bias, not transparently based upon an interpretation derived from subsequent events, may be adduced

- (1) Cf. Walpole's Geo. III Vol. I Chaps. I & II.
- (2) Rockingham Memoirs I p. 6. Cf. article "Transactions of
Royal Hist. So. 1908 (*"Decline of the Family of York"*)
- (3) Cf. his Diary especially page 433.
- (4) Pitt Cor. II p. 89-101 passim.
- (5) Bedford Cor. II 423.
- (6) Cf. Eng. Hist. Rev. supra.
- (7) Cf. events of 1761.
- (8) Walpole Geo. III Vol. I p. 8.
Rockingham Mem. I :8ff; B.M. add. MSS. 32917 f. 171.
- (9) Rockingham Mem. I
- (10) Walpole: Geo III.
- (11) Walpole: Letters V:1 to 10, +124
Cf. Walpole's Geo. III Vol. I Chaps. 1 to 3.

for the assumption that Geo III, with or without Bute, inaugurated⁽¹⁾ from his accession a consistent policy of crushing the Whigs, and reviving the royal prerogative, at the earliest possible date? The Hardwicke⁽²⁾ Memorial usually quoted is undeniably biased; expost facto, and often erroneous. Newcastle's whining jealousies and jerniads,⁽³⁾ Bubb Dodington's wishes and advice, or the Spanish guesses of Fuentes,⁽⁴⁾ are scarcely⁽⁵⁾ proofs sufficient for conviction in the absence of direct or probable evidence from the side of Bute or Pitt - or the King. It is largely evidence of this dubious sort which has been offered in support of the theory that a four act plot was enacted to force Pitt out. We might⁽⁶⁾ grant the four shifts in the royal attitude toward Newcastle and Pitt -, and still with at least as excellent⁽⁷⁾ reason ascribe it all to the vacillation natural to the lack of policy, as to the subtlety of a deep purpose.

There seems to⁽⁸⁾ be no fair reason to assume that the King was insincere⁽⁹⁾ in pressing his grandfather's ministers to remain in office. Why suspect in his first audiences⁽¹⁰⁾ with these leaders, an intention to slight Pitt and to sow dissension in the council? Why may not Walpole's contemporary⁽¹¹⁾ impression be truer, than the estimate colored by the knowledge of other years? For it is a patent fact that King and favorite came to power untrained in handling men, inexperienced in statescraft. They needed to grope their way, to use the aid of men already versed in the situation. And

- (1) Walpole: Letters V p. 3.
- (2) Cf. above page 5.
- (3) Dodington pages 415-35.
- (4) Example Grenville Ministry 1763 ~~ministry~~
- (5) Walpole Geo. III Vol 1 p 8, *however*.
- (6) As Groom of the Stole .
- (7) Walpole: Letters V p. 36.

(8) Frankly there are various questions regarding Bute the solution of which might affect these conclusions e.g. Was he always quite sincere? What was the extent of his influences with the king? Can we infer Geo III's ideas at this period from Bute's attitude? Did Malcombe really possess Bute's confidence, - either to know his purposes, or to influence his attitude? In fact strangely the Earl of Bute has been left somewhat of a mystery to us. It is much to be wished that a systematic publication of his papers might be made, and that a thorough study of his life should be given us.

the unaided progress of man or master was not startlingly rapid. It was anticipated⁽¹⁾ with reason that a revolution would be made at once in the household. The changes were few, and Newcastle's outcry over Tories⁽²⁾ was scarcely the gossip of an hour. Subsequent changes were made, but they likewise were not many. In such cases, indeed, Bute⁽³⁾ took his own counsel chiefly, and Newcastle did not control the patronage now, but nothing indicates that the King at all contemplated at this time a Whig proscription.

That on other grounds - personal dislike or lack of confidence for example - the king initiated, or from the start fostered an intrigue against Pitt is most dubious: that Bute was the intriguer seems quite as improbable. George III later showed himself an adept in double-dealings with his⁽⁴⁾ ministers, in setting men at variance with their associates. In such cases however, the facts, motives and course of the intrigues are clear.⁽⁵⁾ In this case facts, motive, and experience are wanting. As to Bute, there is no motive, his former coolness with Pitt was forgotten, there was no jealousy, for his own⁽⁶⁾ position was more secure, and it was unattended with the anxious⁽⁷⁾ responsibility of a chief minister. True, the secret manoeuvres attending Bute's entrance into office in March lend color to the⁽⁸⁾ charge against him. But if from distrust of the aggressiveness - or the sincerity - of the directing minister, it was intended that as coordinate in the secretariat he should

- (1) Eng. Hist. Rev. Vol. 17. p. 678.
- (2) Weston papers in Hist. MSS. Com. Repts X p. 320,
- (3) Cf. Jenkinson's Letters in Grenville Papers vol. II.
- (4) Bedford Cor. pgs. 14 & 29 to 34, *Pitt Cor. vol. II. p. 136.
- (5) Grenville Papers Vol. I. *again*
- (6) Cf. letters of Fuentes in Pitt Cor. Vol. II, also *Mitchell, Walpole etc.*
- (7) B.M. add. MSS. 32928 - f -259, also cf. Bute to Melcombe in Adolphus I 572 Ap.
- (8) Cf. Spanish Declaration of War, Parl. Hist. XV.
- (9) Cf. Grenville Papers I, Pitt Cor. II. etc

be a foil for Pitt and insure the consummation of the proposed peace, then Lord Bute scarcely played his ⁽¹⁾ rôle. He certainly avoided crossing Pitt's foibles, or so far as we know, of causing friction in their mutual administrative ⁽²⁾ intercourse. He ¹uniformly ³acquiesced in Pitt's conduct of the diplomatic situation in the spring and summer of 1761. His idea ^{to}as ⁴the scope of British demands from France agreed with that of Pitt, and he refused to consider Bedford's urgent advice "of generous terms". The courtier indeed probably deprecated, on behalf of the King, the brusqueness of the "commoner", he apparently treated Bussy and Fuentes politely, but his attitude ⁽⁵⁾was likewise firm, until the close of August. In short at the beginning of the year, by uniform ⁽⁶⁾report, the union between Bute and Pitt was complete, as Cabinet colleagues they worked in unison, while in September Bute joined the other faction in ~~the~~ opposition. He did so with frank ⁽⁷⁾reluctance, and continued with them because the situation made the ⁽⁷⁾outcome inevitable, as he believed. Indeed after Pitt's resignation some men, both in England and on the ⁽⁸⁾continent, suspected that Pitt worked through Bute, while it is well known that subsequently Bute ⁽⁹⁾sought on several occasions the return of Pitt to power.

While the general agreement of Bute and Pitt may be conceded, unquestionably there was friction between Pitt and others of his colleagues. They complained of his manner, although his discourtesy probably has been overemphasized. Indeed, the language of Temple was more offensive, and Pitt

- (1) B.M. add. MSS. 35870 f. 301, & 32928 f. 303.
- (2) Fuentes's to Wall. *indicates the...*
- (3) Antick V: p. 182 ff. - Gent. Mag 1761 -
Cf. Bussy & Choiseul Cor.
- (4) Eng. Hist. Rev. ~~1767~~ Vol. 17 p. 678.
- (5) Bedford Cor. III: 22 ff.
- (6) Granville Papers I : 382.
- (7) ~~ibid~~ Pitt Cor. passim.

(1) apparently had to bear the offenses of both. Jealousy of Pitt there was perhaps especially: a general dissatisfaction with their position in the Cabinet, finding vent in muttering against his policies, diplomatic meddling, and a growing revolt against his dominance. They had intercourse with Bussy and he, in pursuance of his real mission of raising all manner of opposition to the virtual premier, had filled their not unwilling ears with insidious hints, and had heightened their discontent. Thus the faction of Newcastle - Bedford (including ~~Had~~wicke and Devonshire) was disgruntled, and yet, betwixt Newcastle's pique over his loss of the right to name the bishops, and Bedford's desires to treat France better than Choiseul's own overtures had stipulated, it is doubtful whether there was among them full enough agreement as to aim or object, to warrant naming their opposition, a cabal. They feared, or affected to fear that peace was being lost sight of. But neither with them, nor probably with the King either, was it at bottom a question of anxiety for peace. Pitt, as they undoubtedly knew, was probably as desirous of a "solid peace" as was any man in the council. Granted that the others were equally sincere as to the desirability of peace, yet it is hardly to be assumed that they were oblivious of the advantage of the policy of posing as those who would remove the burdens of war, or unconscious of the handle they would have in the event of an unnecessary protraction of the conflict. And to balance words against conduct, it is

- (1) Cf. his letters Bedford Cor. Vol III.
- (2) Kings speech in Apr. ~~and~~ closing Parl. - also -
cf. Gent Mag. Vol 31.
- (3) Dodington p. 422.
- (4) B.M. add. MSS. 32928 f. 362.

useful to recall that the Duke of Bedford⁽¹⁾, whose cry for peace at almost any price was loudest when Pitt dictated conditions, took a considerably altered attitude when he was negotiator. The exact position of the King on the peace question is difficult to ascertain in the absence of almost all evidence other than his accession⁽²⁾ speech to Parliament, ~~also~~ (inferentially) the statements of walcotent ministers in September, and his rejections of Pitt's Spanish demand. If however it can be assumed that Bute really was his mouth-piece, it would seem that the King's idea was chiefly to prevent an increase in the⁽⁴⁾ scope of the war, and a growing⁽³⁾ purpose to refuse a renewal of the Prussian subsidy at the approaching expiration of the existing arrangement.

Finally then it is manifest that political plan, or systematic intrigue did not force the retirement of Pitt. It is conceded that opposition existed, but likewise that it required the introduction of the Spanish War proposal to crystallize this opposition, to make possible a coalition of the disaffected, and to bring^o definite expression of opinion from the crown. It hardly needs stating, therefore, that the second of the two commonly advanced theories - that of a diplomatic reason beneath Pitt's resignation - remains valid. In other words, the party opposition was incidental to, and finally effective only in connection with the negotiations - the foreign policy of the year.

- (1) Calen. Home Office Papers 1761 - ⁺Cleveland's Embassy
Cf also Gent. Mag. Vol 31 (1761)
- (2) Weston Papers Hist. MSS, reports # X.
- (3) Cf. Newcastle MSS. Papers, ~~Gent. Mag~~
- (4) Gent. Mag. 1761.
- (5) Dodington p. #22.
- (6) Entick 91 to 96, vol. V.
- (7)-a Cf Br. Ultimatum of Aug. with Treaty of 1763.
- (7)-b Lansdowne Papers Hist. Mss. report III 131-2.
- (8) Parl. Hist XV 1019 ff.
- (9) Mar. 26.

II

The chief negotiations ⁽¹⁾ of 1761 were those with Russia, Denmark, the States General, Portugal, and the ⁺Barbary powers; ²secondly, the unsuccessful efforts for peace; the projected Augsburg Congress, but particularly the preliminaries with France; and lastly the exchange touching the chronic differences with Spain. The improvement of ⁽²⁾relations, the adjustment of standing differences with the neutral maritime nations, bearing indirectly at least on the war situation by the removal of ³danger from these quarters in the contingency ⁴of a new phase of the struggle, and, too, the indications of the King's desire, and perhaps preparations, to ⁵withdraw active Prussian aid, thereby complicating the precariousness of Pitt's ⁶situation - are alike worth noting. At first blush it would seem that the French negotiations were the vital diplomatic affair of the moment, and we ^{7a}may admit that in so far as they were accepted as the ^{7b}preliminary arrangements for the definitive Treaty of Paris of 1763 (which was chiefly as respects French concessions) that to this extent they were highly significant. Nevertheless the Spanish War proposed which came as the climax of the complication and final wrecking of the peace pour parler by Spanish interferences and the formation of the Family Compact was the real crux of the situation.

It will be recalled that the preliminaries of 1761 began with the formal overtures of Choiseul Mar 25/31 for a General Congress, at Augsburg, of all European combattants

- (1) Pitt Cor. Grimaldi to Fuentes.
- (2) Extract from Choiseul letters Revue Historique p/10.
- (3) Parl. Hist. XV:1045,

and active allies, and simultaneously the preparation of a distinct treaty between France and England. The agent of France was Comte de Bussy, of England Mr Hans Stanley; the real negotiators were Choiseul and Pitt. Despite the reputed rigorousness of Pitt's terms, the progress of the negotiations from June until late August is apparent evidence that peace was sincerely sought, and would have been possible save for Spanish meddling. For Pitt's demands were not extravagant, he easily could have placed them higher, while Choiseul began ⁽¹⁾ with the expectation of admitting fuller concessions to Pitt than he would have considered in dealing with a pettier man. ⁽²⁾ Consequently when Bussy (July 23) presented a memorial on behalf of His Catholic Majesty with its demand for the redress of certain grievances, and its hint of the consequences of a refusal, he precipitated the prime crisis of the negotiations. Yet apparently content with a vigorous protest, and the resultant apology of France, Pitt continued the negotiations until he had undoubted assurance of the full alliance of the Bourbon Monarchs, when he at once recalled his plenipotentiary.

The Spanish memorial of July 15/23 ⁽³⁾ insisted that a guarantee by Spain of the projected treaty was essential to the solidity of the peace. For France, it affirmed, feared, if the differences between Spain and England were not adjusted, a new war in Europe and America. The points of the dissension as intrusted to France by Spain were three: "First, the restitution of some prizes made during the present

- (1) Grenville Papers II: 379-80.
- (2) Parl. Hist. 1133-4.
- (3) Cf. Papers, Parl. Hist. Vol. XV: 1129-1132.

war, on his Catholic Majesty's flag, and the satisfaction due for the violation of Spanish territory by the English navy - Second, the liberty to the Spanish nation of the fishing on the Bank of Newfoundland. Third, The destruction of the English establishments formed on the Spanish territory in the bay of Honduras."

The memorial of course as regards Spain, was insidiously forced into the French negotiations. The method and the language used in the presentation of these claims stirred the anger of the British Government. By the unanimous vote of the Cabinet, Pitt replied⁽²⁾ to Bussy, indignantly refusing to permit the blending of the Spanish dispute with the peace exchanges and denying in no equivocal words, the presumption on the part of France to a right of intermeddling thereafter in such disputes.

The disputes which Spain had sought in so extraordinary a manner to force to an adjustment had been pending for upwards of a century. The trouble, long chronic, had lately been growing acute. The dispatch which Pitt sent to Lord Bristol therefore really involved two considerations. - First, an examination of the claims, clearly defining the stand of England and seeking to close the trouble. Second, a precise expression of British feeling relative to the memorial, and a demand for a categorical explanation of the Spanish attitude and intent relative to England, desired in consequence of suspicious actions of Spain, and of the

- (1) Parl. Hist. XV:1134-1155
- (2) Bedford Cor. III p 101 ff
- (3) Cf. Gent. Mag., Parl. Hist., and all contemporary sources used
- (4) Gent. Mag Vol 31 p 469
Entick V p. 188ff.
- (5) Pitt Cor. with Colonial Governors Cf. indices.

war predictions afloat in London.

A proper understanding of the issue now virtually about to be joined would seem to require at least a cursory consideration of the status of the claims. Of the three points of the July Memorial, one, the complaint of maritime neutrality violations by England is ostensibly recent. In reality, it is an old quarrel in new guise. Moreover it, like the other two demands, is merely a single phase of the prime question: What was the English status in the "Indies"? In other words: How fully could Spain maintain her exclusion policy in her colonial empire in the face of British aggressive enterprise.

The spoliation claims as stated in the memorial nominally involved two points, viz: indemnity⁽¹⁾ for vessels (or cargoes) seized, and satisfaction⁽²⁾ for violation of territory. What the basis of the second charge may have been is uncertain. In the subsequent conferences between Wall and Bristol it was not discussed, nor was it raised by Grimaldi⁽²⁾ in the renewed preliminaries of the Peace of Paris. The statement holds true⁽³⁾ as far as is ascertainable, as to English discussions of the time whether popular or official. The phrase may have been added merely for general effect, whether unguardedly or from bravado. Possibly, though, it may have reference to Admiral Hawke's cutting-out feat at Alge⁽⁴⁾ çaras, in which case, knowing her own flagrant culpability in many instances, it may have seemed imprudent to Spain to discuss the matter. As to the⁽⁵⁾

- (1) Calendars Colonial State Papers 1660 - 1698,
- (2) Commons Journals.
- (3) Pitt Colonial Gov. I p. 105 (dated 16 Sept, 1755),
- (4) Order dated 5 Oct. 1756.

other point, English violations of neutral commerce seem to have been entirely in West Indian waters, chiefly at the beginning of the struggle, and usually if not always by Colonial vessels, commonly rendezvousing in the Bahamas. The issuance of letters of ~~war~~ marque and reprisal has been an English war measure more securely entrenched than the sacred acts of Navigation. With the first adventure of the English into the forbidden precinct of the Indies it became the favorite and most effectual ⁽¹⁾ method of harassing Spain. In fact such licensed piracy had frequently been maintained by the various interested ~~maritime~~ states - a state of war was regarded as existent - on the Spanish Main even in those intervals when the parent countries were all at peace. In previous wars Parliament ⁽²⁾ had especially fostered the practice. While, of course, in the present contest Spain was a non-belligerent and nominally neutral, the privateers were not noted more than than at other times for scrupulous observance of the law. For such vessels Spain was the inveterate enemy and their richest spoil. Moreover England notoriously has preferred to formulate and define for herself the rules for the status of Neutral maritime rights and contraband of war. At the very outset ⁽³⁾ of the war a general order ⁽⁴⁾ had been sent out to the Colonial governors and admiralty officers giving regulations for properly handling the subject. Whether the order was more stringent than usual, or whether, as was claimed, the Spanish vessels captured were usually carrying cargoes actually contraband, and often were in reality French boats

- (1) Pitt Cor, with Colonial Governors I p.105 etc.
- (2) *ibid.* Vol. I *passim*.
- (3) By Spain.
- (4) Parl. Hist, XV:1130.
- (5) *Ibid* 1134 to 43.
- (6) *Ibid* 1147.

obligingly furnished with Spanish papers, this is true that offences were committed by the English, in consequence of which Pitt, upon representations made by D'Abreu, had several times ⁽¹⁾ to issue general and specific instructions, sternly denouncing ⁿ the practices, and ordering strict care by the colonial governors to prevent the offenses and to bring the offenders to summary punishment. The replies ⁽²⁾ received indicate that the majority of the complaints specifically named were baseless. In some instances no such vessel had been taken, or else it was legally taken, while certain vessels the Spanish claimant had failed or refused to libel. In about all the valid cases, justice already had been done, or was pending. Comprehensive data relative to these cases cannot be obtained unless from the admiralty papers; however, there is little question that Pitt, ⁽³⁾ despite allegations to the contrary, sincerely endeavored to remove all ground for complaint on this score and to conciliate Spain. Still, while he sought to expedite the delivery of justice in such cases, he insisted, nevertheless, that by international law Spain ⁽⁴⁾ must recognize the competence of the British Admiralty Courts to handle such matters, certainly without appeal to extraneous courts. Especially was the hint of reference to an actual enemy, preposterous and a hurt to national honor. In accordance with very explicit instructions from Pitt dated 28 July, Lord Bristol ⁽⁵⁾ (Ambassador to Spain) so presented the case, and General Wall ⁽⁶⁾ in reply, admitted perforce that Spain must in propriety await

- (1) Parl. Hist. VII Ap.
- (2) Parl. Hist. XV:1147
- (3) De Koch/Schoell II Chap. 16.
and
- (4) HARRISSE, *cf. index*
- (5) PROWSE Chap. III cf. esp. the Spanish sources quoted.

the decision of the English prize courts, and that his king assuredly had no idea of appeal to the judicature of Versailles. In fine, Spain thus admitted that upon this point the grievance was not material enough for insistence.

The next point in the "Memorial", the claim to a share in the Newfoundland fisheries, seems first to have become a diplomatic question - probably first appeared as a matter of moment - in the negotiations and public discussions incident to the Treaty of Utrecht. For one thing Spain had a real desire for a secure participation in fisheries of so peculiar moment to her Basque seamen. Again it was of interest to all Spaniards as Catholics from necessity for the fish as an article of food. However she was fully aware, also, of the value of a well-supported, or at least long-maintained pretension of this sort as an offset to British encroachments, or mercantile claims of somewhat analogous nature in the Caribbean and Gulf regions. She desired an excuse for terminating - or at least an equivalent for still permitting - the concessions extorted by England in the Colonial treaty of 1670 and the assientos and annual ship stipulations of 1713, in so far as they were kept valid by subsequent conventions. The prime basis of the Spanish fishery case is the priority and continuity of Basque fishing voyages to the Newfoundland region. Their earliest cruises like those of the Bretons may have antedated the discovery by Cabot, but from such legendary accounts it would be

(1) Browse Hist. of Newfoundland. Chap. III & cf. index.

(1) impossible to guess whether they visited the Grand Bank or perchance the neighboring coasts. But such voyages if credible must have been isolated, and if from policy details thereof were suppressed, or not, at least no interest was aroused even in the home district. Any general Basque interest dates from about 1545 after which a marked desertion of old fishing grounds near Ireland followed. They fished the shores of Newfoundland chiefly for cod, the Gulf of St. Lawrence, Belle Isle Straits and the Labrador coast waters for cod also, but chiefly for whales. Their fleets were more numerous than those of the English, French or Portuguese; some years in the reign of Elizabeth they were having as high as two hundred ships to fifty of the English. But the halcyon period of their fisheries was terminated by the destruction of the Armada, although after 1588 some boats crept back, and through French protection or general sufferance the voyages were resumed on a small scale, and were continued practically unmolested for more than a century. The authentic discovery by Cabot, and claim then asserted; regular voyages to, and early occupation of the island, gave the sovereignty to England, disputed only by the French on the west coast. The Biscayners, like the Portuguese, never sought to occupy in the region, and thus so long as few came and but for the season, their voyages were scarcely noticed, during the 17th. century, either by Spain, in meeting whose demands for bacallao their small catch

- (1) Statutes at Large 10 & 11 Wm. III Chap XXV, Sec. 1,
last clause.
- (2) Parl. Hist. VII Appendix LXX I.
- (3) Parl. Hist. VII App.
- (4) Commons Journals Vol. 17 - 348.
- (5) Parl. Hist. VII App. LXX ff.

counted little, of by England as yet little aware of the possible value of her possession. The growth of the continental Colonies of Britain - Especially New England - brought with it a real exploitation of the Northern fisheries. The seamen of West England also - the pioneers - were still awake to their opportunity. Then more and more insistently it was impressed upon King and Council that "The Fishery" was a peculiar treasure to be maintained inviolate for Englishmen. Rights and sovereignty already held were safeguarded by statutes such as the law of 10 and 11 William III, while the acquisition of yet more exclusive rights became an important object in negotiations with France, The Newfoundland law of William III regulating the fishery was reputed to interdict participation to all aliens. Though promulgated at a time when Anglo-Spanish relations were very close, it evidently brought no protest from Spain. Doubtless however, the law was not rigorously enforced. At length in consequence of a memorial from the Marquis Monteleone presenting the Spanish claim, instructions were given the Lords of Trade to investigate the matter thoroughly. Lord Dartmouth from the Board, June 13, 1712/13, ^{it was} reported substantially, that they had found that some Spaniards had been going to Newfoundland with passes from "her Majesty" [Queen Anne] some might have ~~fairly~~ fished privately, but none claimed it as a right. Spain followed up this memorial and secured in the treaty of Utrecht an article (no 15), confirming to the

(1) Parl. Hist, XV:1147.

Biscayners and Guispuscoans such share in the fishery as they might claim by right. This article was one of the rocks of offense to the Parliamentary ⁽⁵⁾ committee of investigation, who feared that Spain might base a pretense upon this clause, which claim was contrary to articles 7 and 8 of Sir Wm. Godolphin's treaty of 8/18 July 1670, counter to the Dartmouth report, and in violation of the Statute of William III. It was maintained in rebuttal, however, that since no valid right did now exist, the treaty clause clearly confirmed nothing. It was so interpreted by Great Britain thenceforward and the contention being kept smouldering by the simple reaffirmation of the Utrecht treaty in all intervening conventions had ^{thus} flared up again in 1761. This time the claim, which before had been asked merely for the "Bay" provinces was set up for the whole Spanish Nation. Like demand was largely bravado - "a bluff". Charles III seems to have experienced difficulty in impressing the British government. Of course, too, a large claim could be compromised advantageously. And yet Wall in his resultant interviews with Bristol merely puts forward the old claim. Bristol then in line with his orders from Pitt absolutely denied that any such right ever had been admitted, often as it had been asserted, and reiterated the utter impossibility of making such a grant now. Wall in ⁽¹⁾reply said that the basallao was as much desired by the Spaniards, as was the logwood by the British, and that the Newfoundland rights

- (1) Bedford Cor. III p. 101-13, 144 ff.
- (2) But while properly stressing this point, it must be recalled that the grievance was a real one to both nations.

for Spain were as valid as any British rights in Yucatan. In 1762 Grimaldi again ⁽¹⁾ revived this demand, insisting so obstinately as to threaten the issue of the peace negotiations and eventually compelling Louis to command his signature to the treaty which, in effect terminated the claim. From the whole tenor of Wall's argument in 1761, however, it is evident that his second demand, like the first, was not in itself a sine qua non with Spain. It was ⁽²⁾ probably, above all, intended to serve as an exchange for English renunciation of the logwood cutting franchise, doubtless with keen realization that the fishery was a tender subject for England. Inevitably also the frequent renewal of such claim, could but intensify the mutual ill will of the countries.

The Honduras question is one of those matters which have had an influence on diplomacy and events utterly disproportionate with any intrinsic importance of their own. England asserted a right secured by treaty to cut logwood - to be shipped to England and Holland for dyeing purposes - in the unoccupied territories of the Yucatan Peninsula, about the Bays of Campeachy and Honduras. But England virtually had to admit that her title was somewhat clouded: that originally she had stolen it, that the reputed confirmations of her privileges were merely by inference, that these privileges had been flagrantly abused. The exact date of British entrance into the Honduras region is uncertain. Probably the ^(1 over) first logwood voyages began 1663 - 5 to Cape Catoche. In time the sphere of cutting was transferred to

- (1) Calendars Colonial Papers Am^{and} West Indies (1660-1698).
Cf. indices,
- (2) Röcher, Bourne Ch. XIX, Moses. etc
- (3) Parl. Hist. X p. 732 etc.
- (4) Entick V:192-7.
- (5) Calndrs. Colonial Papers.
- (6) Lucas Vol. II Chap. IX.

- (1) the north shore of Yucatan on the Bay of Campeachy and when fresh forests were desired removal was made to the region of the Bay and Gulf of Honduras north of the Mosquito coast. With the proclamation of peace between England and Spain for both Europe and America the swarm of "privateers" which had infested West Indian waters for the many long years of war, were forced to settle down as planters in recently-taken Jamaica, become legitimate seamen, or remain pirates and openly hoist the black flag. Many of the middle type kept their vessels and returning to their old rendezvous on the Honduras coast began cutting and carrying logwood to Jamaica. for trans-shipment to England. For this carrying trade many New England vessels in time resorted to Jamaica, as well as English ships, and some of these cut their own wood. Under the regulations of the Casa ⁽²⁾ De Contratacion all foreign seamen found upon the Spanish Main were to be treated as pirates. Attempts to secure commercial arrangements for England with Spain or her possessions was long in vain. ⁽³⁾ Finally in 1667
- (4) a commercial treaty was made between the two nations, but
- (5) it specifically exempted the colonies from its provisions.
- (6) July 8/18,1670, however, England finally succeeded in wringing from Spain, who was unable to cope with the state of affairs in the Caribbean, a treaty confirming all territory, rights and privileges held by either, in statu quo. Notice seems ⁽⁶⁾ not to have been taken until this year of the Logwood expeditions and the temporary settlements of the cutters in

- (1) Vol. 17 of Commons Journals ,
- (2) Parl. Hist. VII App. LXX,
- (3) DeKoch II p. 122 etc .
- (4) Parl Hist, X Debates. in 1738 ~~pt~~ 562-787.
DeKoch II p. 280 etc.
Commons Journals, Vol, 17,
Burrows Foreign Policy of Gt. Br. chaps. IV & V .

Yucatan. In 1672 a cedula of the Queen regent forbade the trade, and ships were taken and cargoes confiscated. At such times England protested to Spain, for although publicly forbidding the practice, she really connived at it. After a time the Spanish local authorities also usually winked at the trade. Meanwhile the settlements spread and became somewhat permanent.

Legally, however, the question continued on very much the same basis. From 1672-1713 England could have found no opportunity, either because of conditions at home or in Spain to bring the matter to a settlement. An article of the Treaty of Utrecht confirmed the treaties of 1667 and 1670 with the addition: "without prejudice to any liberty or power which the subjects of Great Britain have enjoyed either through right, sufferance or tolerance", while other articles contained mutual guarantees of the territorial status quo, and commercial privileges of both parties.

But the separate articles of the "assientos" and "annual ship" further complicated the matter. The friction arising from the seizure of logwood vessels and maltreatment of the cutters being merged in the whole illicit trade controversy. This Spanish depredation dispute beginning about 1715 had brought crises in 1721 and 1728, and especially in 1738. Then in a long debate in Parliament, Walpole's peace policy was denounced. Resolutions and an address were adopted asserting British rights in Yucatan and Tortugas and to certain commercial privileges as indisputable and desiring

(1) Parl. Hist, ~~XV~~:1146.

(2) Weston Papers Hist, MSS, Rept. X p. 212 -21.

that the government press Spain for a settlement of claims. However the treaty of Aix-la-Chapelle merely secured the Tortugas with its salt, leaving the Honduras as the just previous convention had done, on the basis of 1670 and 1713. English rights in Campeachy, and for that matter her ownership of Jamaica, were but inferentially granted. It is true that royal cédulas had been issued from time to time under protest, permitting the cutting of logwood and necessary establishments for the trade within specified limits. Cédulas, however, were revocable at the royal will. They did not insure immunity from the attacks of guarda costas, or forces of colonial intendants. Moreover the limits were too close, new forests were often needed. So English-like the settlements increased and were fortified, local government was established and with an extra-legal dependence on Jamaica, and district by district the area of occupation was extended. Spain made diplomatic protests in vain. She destroyed settlements to find them rebuilt directly, and secured against attack. If she determined on general coöperated measures against the interlopers, strenuous complaints from England usually ⁽¹⁾ caused her to revise or defer such a policy and rescinding her orders to fall back upon the plan of occasional, unexpected harassment.

Thus it was Pitt found the affair in 1757. To his ⁽²⁾ suggestion through Keene of an Anglo-Spanish alliance, Gen. Wall answered that the English attitude on this mooted

- (1) French Instructions to Ambassadors XII bis 337-41,
- (2) Pitt Cor, II.
- (3) Parl. Hist. XV:1132.
- (4) ibid 1147.

question made it impossible for him to consider the proposal. Pitt's offer of reparation for encroachments, and the evacuation of unauthorized establishments made since 1748 on the Mosquito coast, and in the Bay of Honduras was rejected, although made in consequence of the proposal from D'Abreu. Also Wall disavowed D'Abreu's actions. With the coming of Charles III to the Spanish throne in 1759 the matter again became acute. Charles had previously offered his services as mediator between England and France which George II had refused. (1) January 1760, Count Fuentes was sent to London to succeed D'Abreu as ambassador. His orders were strict. He was to repeat the offer of mediation, and to secure settlement of the grievances, especially evacuation of the Honduras establishments. In September 1760, after the death of the Queen who had favored Wall's policy for peace, the King decided on an aggressive attitude toward England. Settlements on the Rio Campeachy were destroyed, and an energetic note was delivered by Fuentes. Pitt answered with a sharp "response verbale". (2) When the matter continued thus with no prospect of settlement until the next July, the protest was lodged again through France, (3) as has been seen. Bristol's answer was the proposal to evacuate new settlements, and to destroy fortifications if previously Spain would utter a formal recognition of English rights. This Wall declared impossible - absurd - as well might a housebreaker agree to go out again, provided first he had been given what he entered (4)

- (1) Rev. Hist. Vol. 94.
- (2) Bedford Cor. III:145 etc.

for. The cedulas were sufficient guarantee. English insistence upon a guarantee made it look as if she were holding on to force agreement to English terms - which might mean sovereignty -, meanwhile she was constantly increasing her sphere of occupation. Doubtless there existed grounds for Wall's suspicion. Still Pitt was probably sincere in desiring an adjustment on his terms, which he had good reason to suppose the only secure basis for settlement, which would conserve long-sanctioned British interests. While indeed Sept. 28, -too late to reach England until a fortnight after Pitt's withdrawal-, a proposition was made to guarantee the logwood if England ordered removal from the Rio Tinto, Rio Walls and Laguna Azul, it is doubtful, even supposing the form and scope of the proposition to have been just, whether Spain was sincere enough in her offer to have insured finality for the arrangement. Like the French ⁽¹⁾ ultissimum, Spain's proposal may have been offering in the confident assurance that it would be rejected. For it is doubtful whether Spain would have consented to any peaceful settlement much short of English abandonment of the region. - Indeed after the war had brought her such speedy and sharp defeat, it was only with difficulty that a recognition of the ⁽²⁾ status quo was exported in the Treaty of 1763. Nor was the fuller guarantee in 1783 the ultimate settlement of the question. It would perhaps be difficult to determine which nation was the greater aggressor. This at least can be said that both nations

- (1) Lecky III p 34
- (2) Fr. "Instructions" XII bis 338
- (3) Rev. Hist Vol 94 p 1.
- (4) **i.S. assignment** - choice of men for station, which was probably ~~grain~~ fortuitous.

considered that they had herein a real grievances

Having thus traced the fundamentals of the Spanish question, let us recapitulate. Of the three grievances set forth through the medium of France, we have seen that the spoliations demand was admitted by Spain as largely improper, that the Newfoundland claim was specious, merely advanced as an offset to the Honduras question, which was a real and chronic grievance. That, however, Spain would have made it a casus belli, except as a result of other influencing motives, is quite improbable. But Charles III had other ⁽¹⁾ grudges against England. He had not forgotten the threatened bombardment of Naples, nor the curt rejection of his twice ² offered mediation. Spain wanted to regain Gibraltar, and Jamaica ⁽³⁾ — to recompense her honor. It was highly desirable for various reasons to detach Portugal from England. Especially, however, had the often repeated French insinuations, and the spectacle of the vast conquests of Great Britain roused Spanish jealousy and apprehension. It seemed more and more apparent that Spain must join France to put a term to British expansion. The threatened Indies must be saved, and England must give up the footholds she had ^{stolen} in the Spanish colonies. The Family Compact was the logical result.

III

For the negotiation of this most famous of Bourbon pactes de famille, the disposition of diplomats was most

- (1) Fr. "Instructions" XII bis 352.
- (2) ibid 337-341.
- (3) Also Fr. "Instructions" vol. III.

favorable. While chief credit for the conception and consummation of the alliance belongs to Choiseul and Grimaldi, yet less conspicuously Fuentes, D'Ossun, and Wall, each in his own part contributed toward the result. The alliance was foreshadowed by the intention of his Catholic Majesty, at the suggestion of Choiseul, to make his supposed mediation an armed one. Again, throughout the autumn of 1760, he was beginning preparations for war, avowing his purpose no longer to truckle to British insolence. Although in consequence of these plans, he felt obliged to refuse a subsidy to France, nevertheless in December he removed the duty on French goods sent overland to Cadiz. Then Jan. 27, 1761

(2) Choiseul authorized D'Ossun (who, by the way, had been transferred by request of Chas. III when that King left Naples for his new realm in 1759) to propose the negotiation of a defensive treaty intended to consolidate the union of the two courts, ^{and} also a commercial treaty. That Charles was already favorable is evinced by the letters of credence given Grimaldi. It was 9th. Feb. when D'Ossun reported the request of the King for an outline of the proposed treaties. Then a few days later Grimaldi - perhaps largely on his own initiative - proposed to Choiseul an offensive treaty between Spain and France for sustaining the common interests of both crowns against England. Most readily Choiseul responded and drew up a project of an offensive and defensive alliance which he sent to D'Ossun, 3rd. March. After the

opening of the peace conferences Charles decided he had best confine himself to a simple defensive treaty. Choiseul then offered to conclude two agreements, the first a perpetual family compact of the Bourbon sovereigns, and no others, the other ~~the~~ a defensive treaty safeguarding the rights of the signatories, in dealings with other nations: These projects were accepted almost in entirety at once, yet minor points delayed the consummation of the final treaties throughout the summer. At length, August 15th, was signed the Family compact with defensive and offensive clauses effective after the next Peace; also a secret convention by which Spain agreed to declare war on England, unless she made peace by the first day of May 1762, in requittal for which declaration France should cede Minorca to Spain. At the same time a secret article was made whereby Portugal should be offered adhesion to the compact, or war. Word was sent to Spain of the signature, 18 August, and Charles sent his ratification 27th. August.

Whether for the consummation of this negotiation Choiseul should be highly praised or censured, is immaterial, here. In either case the onus of the judgment must be shared with Grimaldi, at least. What Choiseul's real purposes were, must remain largely conjectural. Probably, however, there are no positive grounds for denying the ^(I over) patriotism of his motives, or the sincerity of his desire for peace with England and Prussia. There may be truth also in

- (1) Cf. Waddington's remarks in Transactions Royal Hist. Society 1908. Also see Reviews of his, "La Guerre de Sept Ans." Cf. Eng. Hist Rev. Jan. 1909 p. 161=7.
- (2) Rev. Hist. Vol. 94
- (3) Ibid p. 7. Cf. Choiseul's opinion.
- (4) See Appendix.
- (5) Walpole's Geo. III p. 97.

Choiseul's statement⁽²⁾ that he reluctantly agreed to this expedient which possibly would prolong the war, and that he suspected that Spain, in the test, would afford little help. If however, Choiseul⁽¹⁾ did expect some immediate advantage for France from this brilliant stroke of diplomacy he speedily was disappointed. If he had hoped by his finesse to be in position to force a satisfactory issue from his negotiations with Pitt he had over-reached himself. Scarcely had the ratifications of the facts been exchanged when Pitt abruptly terminated negotiations, and recalled Stanley. Then began the months dispute in the British Cabinet over the proposed Spanish War - the meetings of 19 and 21 September, and the well known culmination 2 Oct. The coincidence of events is striking. That there must have been some underlying connection⁽³⁾ between the Bourbon alliance, and Pitt's projected policy is obvious. Again, Pitt's suspicions of Spain's purposes and the wisdom of his plans for combatting her designs were fully sustained by ensuing events - despite the failure of his colleagues to agree with him. Evidently, then, Pitt's policy was founded on more than mere shrewdness. The query therefore is: What information⁽⁴⁾ did he have, and how had he⁽⁵⁾ obtained it?

That Pitt had early trustworthy information of the secret compact of 15 August is now undoubted. Opinions differ⁽⁴⁾ as to the scope and source of this information. Walpole in⁽⁵⁾

- (1) Adolphus I 41 to 45.
Lecky III : 36.
Mahon (II)* Quarterly Rev. Oct 1899.
- (2) Green : Chatham.
Cf. Review of books in Quarterly Rev. Oct 1908.
- (3) Walpole Geo III Vol I p 97 note.
- (4) Weston Papers, Stewart Papers, also Elphinstone Papers—
Hist. MSS. Reports. *ex. IX*
- (5) Pitt Cor. Vol II p. 140 Note.
- (6) Cf. Eng. Hist Rev. XXI B.M. add. MSS. #32928 ff. 225-26.

"Memoirs of Geo. III" says that Mr. Pitt by a "masterpiece of intelligence" had early knowledge of the alliance of Spain and France. Secondary historians ⁽¹⁾ apparently with little deviation have done little more than paraphrase this statement, supplementing it possibly with the supposition that Stanley sent this information from Paris, or that perhaps Earl Marischal Keith, grateful for the removal of his Jacobite outlawry sent Pitt a copy of the Compact ~~wixk~~ from Spain. While a comparatively late theory has been advanced, that such a copy was sent by Louis Dutens, secretary of the British embassy in Turin. And, thus, indeed the statements of the more recent ⁽²⁾ writers in general do not differ essentially from those of the earlier historians.

It is improbable, judging both from external and internal evidence, that Pitt had seen either a copy or a full outline of the compact in Sept. 1761. The only evidence in support of the Keith idea is a statement in a scanty memoir, while nothing at all indicative of such a service appears in his ⁽³⁾ letters. Moreover it is not certain that Keith was in Spain at that time. The Dutens thesis fails of acceptance, for ~~the~~ evidence is palpably weak at the essential point. It seems to depend too largely upon the "suggestive method" of its exposition to create an impression that everything has been proved. As to Stanley, that he sent ⁽⁴⁾ word of some such treaty is known, but the imperfect information in his letter of 2nd. Sept., of itself ⁽⁵⁾ (alone) is not adequate

- (1) Cf. Eng. Hist. Rev. XXI B.M. add. MSS, 32928 ff, 225-26.
- ~~(2)~~ Granville Papers Vol. I, 386.
Weston Papers. *Miss MSS. Report*
- (2) See Appendix for discussion
- (3) Notably by Winstanley in Eng. Hist. Rev, Vol, xvii ,
- (4) Pitt Cor, II p. 89.

for an explanation of the extent ⁽¹⁾ or the date of Pitt's knowledge of the situation. The advice which he drew up to give the King (18 Sept.), and the confidential arguments in the Cabinet in support of such advice, the points - as to motive, intent and methods - in each case being essentially the same, indicate no such peculiar points as possession of the treaties of 15 August would afford. Moreover the paper and arguments are not only consistent, with each other, but also consonant with Pitt's entire Spanish policy that other explanation seems necessary.

In the collection of Pitt's correspondence published in 1838 is a series of apparently intercepted letters between Fuentes, Spanish ambassador to Great Britain, and Gen. Wall, the Spanish Foreign Minister, and also between Fuentes and Grimaldi, representative of Spain at Versailles. This correspondence which illuminates the mooted question seems to ⁽²⁾ have been overlooked, or so obscurely mentioned, in such connection as to carry no significance, although it has been utilized in support of other ⁽³⁾ hypotheses, even where its competency as evidence might be ⁽⁴⁾ impugned.

The first ⁽⁴⁾ of these letters - Fuentes to Wall, 23rd. Jan. 1761 is of interest here, merely as indicating that Fuentes expects no justice for Spain from Pitt, ~~and~~ who seems all-powerful and is backed by Bute [not yet of the inner Cabinet]; while the other party [of Newcastle and Devonshire] do not oppose him hoping to see some consequence result, ending in his fall.

Fuentes's

(1) Citations for the letters quoted from ~~Rikk~~ Correspondence hereafter, are :

- Pitt Cor. II p. 91.
- " p. 92.
- " p. 95.
- " p. 96.
- " p. 98.
- " p. 100.
- " p. 105.
- " p. 137.
- " p. 139.
- " p. 142.

The first hint of the future "Compact" comes in a second letter dated 15th. Feb., wherein Grimaldi after discussing the prospects of early French overtures, tells Fuentes that he will not "fail trying to take measures with this [French] people", Says he, "It is certain we have thought of it a little late. I don't know whether our court will come into it, but I think it my duty to propose what may be useful to us and I judge it necessary without exposing the King".

Writing again 26th. Feb. to Fuentes, Grimaldi after noting the earnest desire of France for peace, gives his opinion of the possibility of failure yet, although it is considered certain in France on the purposed offer of terms. He continues, "In consideration of this, and of our situation I begin working on making some alliance with France to protect us from those accidents we ought to fear." Whether they succeed or not, since France objects that Spain, having waited until she is destroyed, is now too late, it is still necessary to dissemble that the project be not suspected. There is good chance, he thinks, of separating France and Austria, since France complains that the alliance has greatly hurt her, and she is not bound by treaty.

In a third letter (5 Mar.) Grimaldi tells Fuentes he has despatched three messengers to Spain "to sow seeds of an alliance with France", the result of which action he will duly report. He thinks it important to engage France

before she makes peace, for afterwards it is doubtful if she will go to war again for Spain's sake. The notion of a peace congress continues, "but for all this peace is not made".

Fuentes in turn, 10th. March, acknowledges the need of secrecy, discusses the proposed negotiations, doubting a successful outcome, and especially deprecates the eagerness of France for peace as playing directly into the hands of the British ministry, hence directly contrary to the interests of France - and Spain. Of Grimaldè's project he says; "It is certain that we have lost time but this is our opportunity". France will not loose and may gain by continuing the war if Spain enters it. The risk of Spain will not be great if she is assured by an alliance stipulating x that one shall not leave the other. At the end of the year both can have a peace to suit. He is persuaded that only force and fear will make the British ministers do Spain justice. The Spanish preparations are talked of in London, but nothing has been said to him. It should be Grimaldè's aim - he thinks - to persuade France that Spain takes part with her" from affection and policy, not from necessity in order to settle the [Spanish] pretensions with this [British] Ministry".

March 17th replying to Grimaldè's letter of 5th March after repeating his opinions as to the peace pour parlers

(1) Calendar Home Office Papers 1761 no. 246.

(2) " " " " 1761 nos. 203 & 214.

July 9. Under-Sec. Robt. Wood of Pitt's Office requests from Messrs. Moneth & Co, to be sent to Mr. Sauré, a passenger list for all their vessels to or from Dover, also the name of any foreign couriers.

Fuentes closes: "If we behave with proper resolution and if the Court of France thinks and acts as it ought I promise myself great satisfaction and the greatest of all will be to reduce this nation to proper limits and to reason".

Fuentes next on his part "sows seeds" for the project with his court, in a letter to Gen. Wall 20th. Mar. He deprecates the rumors of peace as favorable to England, detrimental to France and Spain, while delay would cause party divisions in England to bring on civil war. Every day he is more convinced that "this is the opportunity for us to obtain justice and reduce this nation to its due limits. ----- If France continues the war we can cooperate more at ease, however the blow is not less certain if the King is willing to strike it alone".

Writing again to Wall (27th. Mar.) Fuentes recounts the active war movements in England and discusses the changes and factions in British Cabinet. He dwells upon Pitt's avoidance of him, and surmises that Pitt is waiting word from Bristol, or the effect of the peace overtures, in Spain - "flattering us now in order to make fools of us afterwards, when they are persuaded we shall not talk so big".

Whether the correspondents, becoming wary, succeeded in covering their line of communication for a time, or that Pitt for some reason found it inexpedient to intercept - for a time - we do not know; but we find no letters from the close of March until the one of 7th. Aug. from Wall to

Fuentes, called out by Pitt's letter to Bristol (28th. July) complaining of the Bussy note, and of various suspicious preparations making in Spain - to meet all which complaints Wall suggests certain plausible but evasive explanations which Fuentes is to make - seemingly to Bute.

A despatch from Grimaldi to Fuentes 31st. Aug. shows the consummation of their project. He has a letter from Fuentes of 25th Aug. and the advices of which he has deemed so important as to forward them by courier to Spain. He has compared Bussy's advices with those of Fuentes, with which they agree. The answer to be given Bristol (he learns from Wall) will follow the advice given by Fuentes. Spain has fears for the Indies fleet. "They want time there until she is arrived at Cadiz and are privately sending twelve ships as convoy". Then referring to another letter from Fuentes expressing fears as to whether France is bound to Spain by the Family Compact and convention, he replies: "There is no longer ground for this fear since both instruments were signed on the 15th. and I expect shortly the ratification." An article previously sent makes it clear that France cannot finish the war without Spanish affairs being settled. Bussy has had such orders.

The last of these letters, dated 13th Sept., also Grimaldi to Fuentes, says in discussing the French reply to the British ultimatum that Choiseul yields all except remaining true to his allies. Choiseul having

asked if he should still name the accomodation of Spanish affairs as a sine qua non, Grimaldi while yet of that opinion, thinks the Spanish ought to wish that blame for the failure of peace be not laid to their disputes and he has therefore replied that it should suffice to repeat to Bussy the orders of 10th. Aug. "Not to sign anything without the accomodation of matters with Spain likewise, according to the stipulation of the Treaty between the two courts, which is already ratified and Choiseul has complied. Closing, the letter predicts that failure of the negotiations would be on Spain's account.

The foregoing ~~excepts~~, when corroborated by similar testimony in Pitt's hands, make evident the resolution of Spain to block peace for France until Spain's acquiescence contingent upon the arrangement of her own demands, which must be wrung - with French backing - perforce or by fear - from England. Moreover they indicate the vulnerable point of the Spanish policy; concern for the Indies flota. Possessed of the true animus and purpose of the Family Compact, having proof undeniable of its full consummation, of what moment to Pitt would have been the possession of that instrument with its plausibly phrased articles, elastic enough for all contingencies. Even the other explicit conventions would have added merely certain details to information available from other sources. However, had Pitt known these details - the date Spain intended declaring war and the promise

(1) Cf. ante.

(2) Entick, V: 286, note.
Gentleman's Magazine 1761. - vol. 21. pp. 632-3

(3) Cf. Instructions Bristol, 19 Nov., in Parl. Hist. XV: 1163.

(4) Cf. Discussion hereafter.

Cf. Choiseul's opinions on the same - *Revue Hist.* Vol. 94.

(1)
of Minorca - he certainly would have used them in his argument
(2) Even when a synopsis of the Compact, ^{finally} got to England, it
seems to have been unknown then that the English and Por-
tuguese articles existed. But at this time what work of
Pitt's indicates a perusal either of a copy or an outline
of the main compact? While indeed, it is unlikely that Pitt
had the compact, it is likewise probable that Pitt did not
especially want it. The peace party ministers were anxious,
insistent ⁽³⁾ in their desire to see the Treaty. We do not find
this was Pitt's case. He apparently was sure that he knew
the vital points. He was convinced that the peace had failed,
that a Spanish war was inevitable. He was aware that despite
her dissimulation [#] Spain was a worse enemy than France. He
saw the course for England. He fixed upon a counter policy.
A singleness of idea reads through the formal paper of
advice to the King, and animates his arguments to the Cabinet
urging adhesion to the proposal. This contention in brief
was: The hostility is plain - Strike quick, intercept
Spain's fleet, thwart her schemes, crush the Bourbons!

(4) An analysis of Pitt's arguments will show more clearly
and conclusively the consistency of his paper of 18th Sept.
with his Cabinet utterances in support thereof. Here, how-
ever, it is necessary merely to emphasize what is already
self evident - that in this Fuentes-Grimaldi correspondence
is to be found quite sufficient basis of Pitt's contention.

- (1) Cf. Article in, Quart. Rev. Oct. 1899 pp. 343, 350, etc.
- (2) Calendar Home Office Papers 1761
- (3) Weston Papers in Hist. MSS. Report X p. 221.
- (4) Vide supra.
- (5) Hist. MSS. Report III.
- (6) Pitt Cor. II:69.
- (7) Granville Papers I:352.

In short whatever other information he may, or may not have had, from these letters - assuming that they were then in Pitt's possession - he would have known reliably the essentials of the Spanish scheme. It is pertinent therefore to point out the evidence for assuming confidently that Pitt ^(a) did intercept and ^(b) did utilize this matter as the foundation of his proposal.

There are, of course, a priori grounds for believing that Pitt was intercepting these letters - such as the precedent afforded by the usual diplomatic ⁽¹⁾ practice of the period: the bribery or detention of couriers, the copying of letters and resealing them with counterfeited seals, the maintenance of a corps of spies and secret agents - methods the use of which at this time items in the ⁽²⁾ State ⁽³⁾ Papers, and the evidence of many such ^(a) letters go to substantiate. However, there are besides certain specific reasons, why the British foreign office would have ⁽¹⁾ begun intercepting the Spanish correspondence and would have ⁽²⁾ maintained the practice during 1761.

The tone of Anglo-Spanish intercourse for the preceding two years had been bitter. Relations were becoming constantly even more strained, at least from the time of the Spanish logwood ⁺ Memorial of 5th. Sept. 1760, with its essential avowal of an entente cordiale with France, and of the Mutual communication of all diplomatic exchanges, - which evoked Pitt's terse ⁽⁵⁾ response ⁽⁶⁾ verbale ⁽⁷⁾ (21st. Sept.). All of this clearly

- (1) Cf. Gent. Mag. Vol. XXXI p. 582.
- (2) Benjamin Keene.
- (3) Not necessarily slights to him, at first.
- (4) Pitt Cor II p. 70 Note, p. 20.
- (5) Walpole Letters Vol. IV pp. 393-5, 412.

shows a condition sufficient to commend alertness and caution to an astute statesman. The continuance⁽¹⁾ of this caution, ~~and~~ once roused, would have been insured afresh by the Memorial of July 15th, when presented through the extraordinary channel of an enemy's envoy, and accompanied, as it was with thinly veiled threats.

Aside from the formal diplomatic exchanges, moreover, additional point is afforded by the unfavorable position occupied by the representative of either country at the court of the other. It is evident that Lord Bristol did not enjoy the confidence or influence accorded his predecessor.⁽²⁾ Instances are given in his reports of open espionage upon certain of his interviews with Wall. There are indications⁽³⁾ also of difficulty in keeping in touch with the court. His despatches bear for us uniform indications of the evasions and duplicity of Spanish diplomacy - of which, of course, he is not fully aware. In this connection the evidences of the returning influence of the court faction unfriendly to England should be noted. The Marquis d' Euseu-⁽⁴⁾ ada was again at court. Even Gen. Wall himself hints that court suspicion of his possible overfriendliness to England makes the tenure of his position precarious.

In London Fuentes likewise, could scarcely be called persona grata.⁽⁵⁾ The comments of Horace Walpole, among

- (1) Pitt Cor I:89, 96, 105 etc
- (2) Cf. his letters in Pitt Cor.
- (3) Gent. Mag. Nov. 1761 pp. 468, 469, 474.
- (4) Walpole Letters V:114.

others, indicate the disagreeable impression of his manner - his personal unpopularity. That his relations with the British Foreign Office were unpleasant his constant complaints⁽¹⁾ to Wall of Pitt's avoidance of him and demeanor toward him - and of the attitude later of Bute and Egremont - amply testify⁺ without recourse to other evidences, offered. To be sure, Pitt's tactless method as a diplomat was a rude shock to the punctilious⁽²⁾ suavity of the Castilian, but the relations of Fuentes with the faction⁽³⁾ in the council unfriendly to Pitt, and his share in the Grimaldi project, are doubtless excellent clues as to the mental bias and behavior both of himself and of Pitt.

Besides the awkward situation of both ambassadors, and offsetting the chronic Spanish grievances, there were English complaints of recent breaches⁽³⁾ of neutrality by Spain. In the main these breaches were maritime: the unforgotten Antè-Gallican affair⁽³⁾ - "a bone which the English mastiff would not grind" - certain cases of sheltering French vessels from British seizure, indeed more, aiding or conniving at the fitting out of fleets of French privateers, Spanish-manned, in Spanish ports; or reversing the situation allowing France, with impunity to violate the neutrality of Spanish waters in the capture of British ships. Moreover, there were other reputed violations as the situation became more tense; as the practical subsidizing of France by the loan of money -⁽⁴⁾ coming of Spanish gold on the French border-, and the other

- (1) B.M. add. MSS. 35870 f. 310
- (2) Pitt Cor. II 119
- (3) ~~Mahon~~ A writer in the Gentlemen's Magazine Vol 31 p 582 says: " Pitt had always the conduct of Spain in view, every intelligence of secret conferences between the Spanish Ministry and the French Ambassador ----- Heightened his suspicions etc.
- (4) Mahon IV Appendix,
- (5) Pitt Cor. II 137.
- (6) Parl. Hist. XV p. 1131.

indictments uttered by Pitt⁽¹⁾ (2nd Oct) in his memorable speech to the Council.

It is clear that Pitt already had ample motive for watching² Spanish letters, and yet subsidiary evidences tended to arouse fresh suspicions and to confirm old ones - to corroborate and make available information gained from the intercepted letters.

Sir Jas. Gray minister to the Neapolitan Bourbon court writes⁽²⁾ Pitt at some length under date of 19th May 1761 of a special visit from Marquis Tenucci whom he considers the most reliable member of the Spanish King's household. The object of the visit ostensibly was to urge intercession with Pitt to secure fairer treatment for Spain, and the cultivation of an Anglo-Spanish understanding to forestall the then imminent full alliance - inimical towards England - of Spain and France.

The English consuls in southern Spain were sending reports of war preparations in their districts, Consul Goldworthy wrote⁽⁴⁾ 20th Feb. 1761 from near Cadiz of elaborate war preparations rumoured to be intended against Gibraltar. Wall in his 17th Aug. letter to Fuentes conjectures that Pitt's source of information as to Spanish moves is the reports of the Consuls. Similar reports of approaching Anglo-Spanish hostilities evidently coming by private commercial channels were common in London, to judge from Pitt's 28th. July⁽⁶⁾ despatch to Bristol.

- (1) Referred to in B.M. add. MSS, 32932 f. 367
- (2) Given in Hist. Mss. Report III p. 135.
- (3) Pitt Cor. III 139 Note.
- (4) Pitt Cor II; 140, Note, and 141*
- (5) On 12 July even, he had told of the prospect of Spain's interfering if the war were continued.
Cf. Hist. Mss. Rept. III p. 135
- (6) Newcastle Papers B.M. add. MSS 32928 f. 362
- (7) Parl. Hist XV p 1135

Apparently other intercepted letters were illuminative, as for instance the one ⁽¹⁾ in cipher from Choiseul to d'Avrincourt, in the summer, telling of the plan to protract the peace negotiations until the Spanish flota should have arrived.

Moreover Pitt had valuable confidential reports bearing on the Compact, directly. Whether we receive or deny the Keith or Louis Dutens conjectures, we have proof of Stanley's activity in this regard. One letter ⁽²⁾ 18th Aug. (probably ^{however} ⁽³⁾ that of 20th Aug) is mentioned reporting the suspicious activity of Grimaldi, and the responsibility for the 15th July Memorial. Another note ⁽⁴⁾ 2nd. Sept, reports the signature of the pact and encloses a supposed secret article directed against England. A letter of ⁽⁵⁾ 8th. Sept. tells of the convoy of fifteen vessels sent to meet the plate fleet. In another letter he says: ⁽⁶⁾ "When Spain declares war I suspect an attack on Portugal", - Upon which remark Pitt laid stress in the 26th Sept Cabinet session.

Finally in Lord Bristol's letter of 31st Aug. covering ⁽⁷⁾ the interviews with Wall since the receipt (15 Aug) of Pitt's protest to Spain (of July 28), and enclosing Wall's paper to Bristol of 28th Aug. - there is made by Spain official and complete avowal of Bussy's action and virtual admission of an agreement with France - detrimental to England - purporting to be the outcome of a French proposal. This at last, of course, was matter Pitt could openly produce against Spain, as he did in the 18th Sept "paper".

- (1) Vide ante page 42 of this paper.
- (2) Also cf. remarks in Appendix.

Yet as said before, ⁽¹⁾ it should be borne in mind that ^{IV} the Stanley and Bristol letters were, we must believe, merely subsequent subsidiary evidence. In other words, they ⁽²⁾ were rather in the nature of pointed proofs of the earlier, primary intelligences - the intercepted correspondence - while already had by Pitt, which ~~will~~ of themselves doubtless convincing to him, he might not have wished - uncorroborated - to lay fully before his caviling colleagues. It is then clear thus far, that not only might the Fuentes correspondence have been intercepted, but that - according to reliable evidences - Pitt really ^(a) did secure it, that he ^(b) corroborated it, and ^(c) made use of it during this time, as will be shown.

Doubtless the prime testimony in proof of Pitt's actual possession of this correspondence - the test of its authenticity as well - is afforded by the circumstances under which we have it. (1st) These letters are published in the "Pitt Correspondence" and are given there with no editorial explanation other than the general title page statement that the documents printed are from the original Pitt papers, except indeed that each of these letters is marked: "Endorsed, 'translation from cipher'". (2d) The letters are those only, which might be intercepted in England in passing either to or from Fuentes. Not a letter between Grimaldi and Wall - which were routed overland through France by trusty couriers - is found. (3d) They begin and end at approximately the dates when - according

(1) Cf. Weston Papers, Cecil Papers etc.

(2)

to the foregoing argument - Pitt would most have desired them, and when he could most readily have obtained them. (4th) They are plainly the very letters Pitt would have desired preserved to justify his course. (5th) They must have come into his possession originally, for no one had a better chance to obtain them first hand. Again had he obtained them, for the benefit of his future reputation, from some other member of the Cabinet with similar facilities for intercepting - say Bute or Newcastle - which under the circumstances of this relations with them would be unthinkable, some indication of the fact probably would be found among the papers of the original possessor, i.e. some notice, or perhaps a missing letter. (6th) That such letters should have got among the Pitt ~~Ms.~~ instead of being kept in the public archives, by the ⁽¹⁾anachronism of British practice, tends not to weaken but to validate the argument. (7th) No hint, or assertion can be found doubting the genuineness of the letters. Instead the internal evidence of the letters themselves - their consistency, and the external evidence of various events, and the testimony of other correspondence and official papers, alike indicate that they are genuine. (8th) No hint of the letters having been purchased at a subsequent date from some member of the entourage of Fuentes, no possibility of their having been left behind at his departure, no chance of their having been lost, or stolen from the embassy, can be entertained. (9th) In fine, the date and circumstances

(1) B.M. add. ~~Ms.~~ 35870 f. 301.

of the publication of the "Chatham Papers", the absence of any such qualifying statement, the very incompleteness of the chain of letters - all militate against any supposition of the letters having been discovered by accident or search among private papers or in public Archives of England or the continent and copied by the editors of Pitt's papers.

Yet Pitt did not merely have these Spanish letters in his possession; evidence of their use by him is specifically to be found. In Pitt's attitude toward Spain and France, in his remarks at times, there are indications of certain information which could have been gained from these letters, although possibly to be obtained elsewhere. Without entering minutely here into a proof of this point it may nevertheless be well to recall certain prominent evidences thereof. At the opening of the peace overtures, when the impression of the earlier letters is still fresh Pitt seems suspicious of Choiseul's sincerity, When the chain is broken, while it seems that the Grimaldi project has not matured, and when Pitt believes that the new English victories - Belk Isle, Kirch Denekern, Pondicherry, Dominica - have impressed Choiseul, then he has hopes of a successful peace. After 23rd July he is again doubtful, and at the close of August while Stanley is still confident - but when Grimaldi writes Fuentes otherwise - Pitt is convinced of the failure of the negotiations. Also now, as for instance, in the Cabinet ⁽¹⁾ 24th of August, he talks of his desire to fight both France and Spain, if the Peace fails.

- (1) Pitt Cor. II p.126 Note 2.
- (2) Ibid.126.
- (3) Ibid.126-7 Note.
- (4) Was Pitt watching D'Ossun? of Gent Mag. Vol. 31:582.
- (5) Grenville Papers I 368.
- (6) The conduct of Bussy is almost inexplieable except upon the supposition that Choiseul's sincerity was questionable. His relations with the Newcastle faction were so patent that there would seem to be good cause to suppose that his real mission was to create an opposition to Pitt such as would bring his fall.
- (7) Pitt Cor. 296, Vol II
- (8) Home Office Papers 1761, #214.
- (9) Pitt Cor. Vol II 142.

Pitt was vigilantly suspicious through the whole season, however, in the ninth article of Stanley's instructions as envoy is the clause "You will give watchful attention to the conduct and motions of the Spanish ambassador, and of all matters which may be of consequence and worthy our knowledge". Stanley writes in a private letter ⁽¹⁾ 9th. June that he can comply with this though if it be done effectively it will be at "vast expense". His subsequent letters would indicate that Pitt must have thought it worth the expense. Meanwhile Bussy was being ⁽²⁾ shadowed in London and his every move reported to Pitt. Admitting the possibility of various excellent reasons for this espionage - of Bussy, in particular - yet, ~~notwithstanding~~, the necessity of following up the information given in the March letters, and the need ~~on the~~ ⁴ ~~own hand~~ to supply the break in the chain of intercepted letters on the one hand, and on the other the desire to check up the most ⁵ "contradictory behaviour of Bussy" with the proceedings and letters of Grimaldi, may well have been the motive.

That the correspondents themselves suspected something of what Pitt was doing, is indicated by the statement in the Fuentes ⁷ - Grimaldi letter 10th March of the need of a more difficult code. Probably they thereafter eluded Pitt by using the French courier wherever possible. Pitt must have suspected this, hence an attempt ⁸ to verify the suspicion, or to pick up the lost clue may afford an explanation for the complaint made by Bussy to the British Government of the detention of his courier in the post office on the man's

- (1) Parl. Hist, XV 1125 Notes,
- (2) Grenville Papers I. 367,
- (3) B.M. add. ~~Ms.~~ 35870 f. 310.
- (4) Ditto 35928 f. 362.
- (5) "C" 35929 f. 18.

arrival from France. And thereafter ^{long as} as peace was thought possible tampering with the French courier would scarcely have been tried. The 13th Sept. ^(9. 1761) letter from Grimaldi, as it expressly explains - and possibly 31st Aug. note also - was not sent by Choiseul's messenger.

The remarks of Pitt and especially those of Temple in debate ⁽¹⁾ on the Spanish situation 11th Dec. 1761 have been understood to refer to some secret information apparently known to but part of the ministers, Jenkinson ⁽²⁾ and Newcastle both write to their confidantes at times of Pitt's having secret information which he was reluctant to show his Cabinet associates. In Jenkinson's case, of course, it is possible that he was not informed by Bute of all such information. Still there may doubtless have been matter known to Pitt alone, of which some of these letters may have been part.

On the other hand, however, that a few at least of the intercepted Spanish letters were laid before the entire Cabinet is known. Hardwicke's notes on the 2nd Oct. session say that the 13th Sept. letter was read there and discussed, and excerpts given attest the identity of the letter. This ⁽³⁾ draft, moreover, speaks of intercepted letters between Grimaldi and Fuentes. Also Newcastle writes Hardwicke 26th ⁴ Sept of a Grimaldi letter. The Newcastle ⁵ minutes for 2nd Oct. mention a letter being presented - dated 13th Aug.- There is no letter of that date, but a natural inference is that ~~he~~ may refer to the important despatch of 31st Aug.

- (1) B.M. add MSS 35870 f 310
- (2) ditto 32929 f 18
- (3) Parl. Hist XV 1135

or less probably the one of 13th Sept. Likewise it is remotely possible that there may be an unpublished letter of 13th August. A letter of either 13th or 31st August would accord with Hardwicke's statement, just noted, of more than one letter.

According to the minutes quoted, Pitt in his closing remarks speaks of "the ⁽¹⁾papers in my bag" or "matters in ⁽²⁾my bag" of such character as unresented, would be an eternal stain on England. Newcastle thinks the reference is to Bristol's letter and Wall's paper. Hardwicke suspects that Pitt had a copy of the Compact. Yet evidently Pitt refers to matter unknown to the whole Cabinet. The Bristol letter, on the contrary was well known to all; that he had, and withheld any Bristol letters is impossible, that he had the "Compact" is quite as improbable.

That Pitt used these intercepted letters both for his own guidance and to influence the action of the council is evident, that he may have made further use of them is probable. Thus the mention of Bristol suggests the query: Whether the reference in his interviews with Wall to a long negotiation ⁽³⁾by Spain for an alliance with France, hostile to England, and the accompanying hint that probably the real intention of Spain was an early declaration of war - was made upon Bristol's own authority; or since it is usually asserted that Bristol followed his instructions closely in this instance, if Pitt may not have suggested these very statements, and if so, as a result of the intercepted letters.

(1) B.M. add. MSS. 32928 f. 248.

Judgement upon ~~wid~~ evidence such as has been here adduced is admittedly dangerous, assurance of proof may scarcely be had in the absence of full and indubitable statements - and verily such are not many. If then the weight of probability necessarily be accepted, the deduction in respect to the theory here discussed is simply whether it may not be granted that, from their subject matter, from the motives for intercepting and keeping them, from undeniable or apparent instances of their use - these cipher letters of Fuentes and Grimaldi furnished the primary essential basis of Pitt's contention for the commencement of a Spanish war. *V*

Conceding as proved, the contentions here presented, it remains to review the issue. As has been shown Pitt proceeding upon the basis of his confidential information, formulated his program recognizing that peace with neither France nor Spain was longer plausible - having thus secured the recall of Stanley and the termination of the French negotiations at a meeting 15th Sept., Pitt turned to the Spanish phase of his program. With Lord Temple 18th. Sept. he drew up a paper advising the King to immediate War upon Spain. The following day papers showing the gravity of the Spanish relations were laid before the Cabinet meeting. The other ministers were enough impressed by the situation to advise ^(A) reinforcements to the fleets and forces in the West Indies and the Mediterranean but they held that Spain should be notified prior to a declaration of war. Pitt

- (1) Grenville Papers I p. 386.
B.M. add. MSS. 32928 ff. 225-6.
Weston Papers in Hist MSS. Rept. X 222.
- (2) B.M. add MSS. 35870 f. 301.
- (3) "If France should reject (English Fishery abri ultimatum) and the war be continued I had rather it be with France and Spain jointly than with France alone!"
- (4) Probably a chief motive was the desire to adopt a common plan of opposition also to secure delay until such ministers as were known to be for peace or against Pitt, but were out of the city could be communicated with. However the ministers may not have anticipated the time and exact ~~re~~ character of Pitt's proposal, even supposing they fully recognized his attitude toward Spain.
- (5) B.M. add. Mss. 32928 f. 259.
- (6) ditto 32928 f. 248.

thereupon presented his paper to which he sought their adhesion before giving it to the King.

This paper which precipitated the ministerial crisis was couched in formal language, being probably intended for eventual publication. It states that Spain now has acknowledged to Bristol full responsibility for the memorial of 15th. July presented by Bussy demanding the settlement of three Spanish claims (which are then recapitulated) an unjust and unexampled proceeding tantamount to a threat of war. She thus at last has fully avowed the complete union of the Bourbons, a matter so vital that it devolves upon his Majesty to take the necessary measures for the defense of his honour and the interests of his people.

Though Pitt's proposal had been presaged by certain previous remarks, yet his colleagues apparently were quite unprepared for the introduction of his paper. After a lengthy session adjournment was taken until Monday (21st Sept) on the plea of needing longer time to consider the matter. Meantime the opposition arranged a conference which met at Devonshire House that evening, the Dukes of Devonshire and Newcastle, Lords Mansfield and Bute attending. Besides planning their course in the coming meeting and preparing copies of the minutes of these sessions casting a favorable light upon their attitude, they drew up a counter-proposition on the Spanish issue. They declared an immediate declaration of war unjust and imprudent in their view. They would advise the King instead to send a de-

(1) B.M. add.MSS, 32928 f, 259,

(2) ditto : 32928 f, 303,

(3) (six present)

spatch to Bristol affirming his friendliness toward Spain. Thence proceeding to reconsider the Spanish complaints Bristol should reject the first two, but propose a modus vivendi on the Honduras claim suggesting also an ultimate settlement in line with Spain's desire. But in return England should insist upon a candid categorical statement as to whether Spain intended to enter the war against England. Failure to answer this query satisfactorily Lord Bristol should consider tantamount to a declaration of war and should at once demand his passports and notify the consuls.

The motive of this counter project apparently was to provide a method by which the ministers without laying themselves liable to a charge of pusillanimity could let Spain avoid war and yet "save her face" or at least could throw ^{the} onus of beginning ^{the} war upon Spain. Whether these ministers deluded themselves with the hope of avoiding war by this policy is hard to determine. Newcastle at least saw that war would be its logical result, but he preferred this method as less offensive than Pitt's desire that Bristol depart at once without taking leave.

In the ⁽¹⁾ meeting of 21st. Sept. each faction upheld its project. Mansfield however shifted temporarily to Pitt's position, hence neither party had a majority. ⁽²⁾ Because of the King's desire to defer action until Stanley's return the final decision was postponed pending his arrival. Pitt however gave his paper to Bute to be handed to the

- (1) B.M. add. MSS. 32928 f. 325,
- (2) ditto 32928 f. 362,
- (3) " 32929 f. 18.
" 35870 f. 310.
- (4) Cf. evidence given in discussion on previous pages.
- (5) Newcastle & Harwicke Papers quoted ⁱⁿ citations above.

King who ^{had} refused to receive ^{it} from himself that morning. Meanwhile by informal conferences and at a second caucus ⁽¹⁾ (23rd Sept) the opposition strengthened their stand. The accession of the ministers hitherto absent was gained and a series of visits ⁽²⁾ by them to the King objecting to Pitt's policy was carried out. Likewise the resignation of Pitt seeming now inevitable the question of his successor was fully discussed.

The council reconvened 2nd. Oct.. It was a momentous ⁽³⁾ session. Except Bedford, seemingly all Cabinet lords were present. Stanley's return had aided practically not at all in resolving the doubt to Bourbon plans. Pitt opened the discussion, speaking in support of his paper. His argument as presented at the three meetings was a fuller exposition of the essential points of his formal paper, which could be supported now in the secrecy of the council by confidential ⁽⁴⁾ evidences. It involved ⁵ three points: (1) That the attitude of Spain was certainly hostile. (2) That she had a scheme to checkmate England by a Franco-Spanish agreement prompted by an inimical motive, purposing either (a) to force a compliance with Spanish demands or (b) in lieu thereof to prevent peace, and to enlarge the scope of the war. (3) That to meet Spain's designs - now in the final stage - England must accept the fact ^d of an already existing state of war with both houses of the Bourbons, and must intercept Spain's treasure fleet and attack her before she could strike British interests and allies.

(1) B.M. add Mss. 32929 f. 18, and 35870 f. 310.

(2) Annual Register etc.

(3) Parl. Hist. *XV* - *Papers*

The other ministers ⁽¹⁾ spoke in turn, all the nine save Temple opposing Pitt's contention. Their grounds were various but scarcely even specious. They harped chiefly upon fear of superior Spanish strength, the possibility of foreign complications, and the unpreparedness of England. Temple in a second speech angrily retorted and left the meeting. Pitt then made his well known speech rehearsing the reasons for his being in the government and recounting his successful conduct of the war in the face of opposition and lack of support from his colleagues. He reiterated yet more strongly his advice for war with Spain. He reminded them of his relations with the people and announced his intention no longer to remain in a position where while responsible for measures he could no longer guide them. Lord Granville ^{replied} in a complimentary speech but insisted that the present business had been expressly deferred by the King to the action of the whole ministry. Thereafter by action of the majority the measure proposed by Pitt was rejected.

The final outcome ⁽²⁾ is familiar. The resignation of Pitt was tendered and readily accepted 5th Oct. that of Temple 9th Oct. Lord Egremont was Pitt's successor. By him instructions in line with the policy of the opposition faction were sent to Bristol. He was given a haughty ⁽³⁾ answer by Wall and curtly informed that the English note was a virtual declaration of war. The rupture of diplomatic

- (1) Gentleman's Magazine Vol. 32, p. 13.
- (2) American Hist. Review Vol. V, 671.

intercourse followed directly. Bristol was shown no courtesy in departing and with some difficulty reached Portugal. Fuentes in taking leave presented a cavalier note in which war was virtually "⁽¹⁾denounced" against Pitt. Spanish forces were mobilized on the Portuguese border before the close ^{of} 1761 and the opening of the new year brought the formal declarations of war. Thus the peace junto had failed to prevent the war, had subjected British representatives to gratuitous affronts and had thrown the initial advantage into the grasp of Spain. That ~~the~~ event of the struggle was advantageous to England was but little due to the work of the altered ministry. Rejecting ⁽²⁾as we may the legend that Pitt had outlined in advance the whole plan of the war, nevertheless, the incalculable results of his previous labors, the effects of his influences, the fear of incurring his opposition were large factors in bringing victory to England. If Pitt out of the administration was still the prime factor for British success, no argument is needed to show what had been the benefits of his continuance as directing minister. Likewise then it can be conceded with reasonable certainty that the evil results shortly following his resignation would have been obviated.

Having thus with the recognition of the consequences of Pitts resignation returned to the first point of this paper, it were well in conclusion to recapitulate the contentions herein presented. Thus it has been shown: (1st) That

the resignation of Pitt was due not to a long political intrigue - partisan or personal- but rather to his insistence upon a Spanish policy to which all other elements of the Government were averse, and about which an opposition could coalesce. (2nd) That Pitt's Spanish policy ^{was} consistent with the historical status of Anglo-Spanish disputes, and with immediately previous events. (3rd) That his policy was grounded upon a sufficiently full and reliable knowledge of the formation and purpose of the Family Compact. (4) That the primary basis of Pitt's knowledge of the compact was a series of intercepted official letters to or from the Spanish ambassador Fuentes. (lastly) That the issue justified the wisdom of Pitt's Spanish policy.

(1) Lecky III, 36.

(2) Lecky III, 35 Note.

A P P E N D I X.

The introduction in this paper of material so accessible and so perspicuous as is the intercepted Spanish correspondence would, seemingly, be unnecessary. Yet while surely the pertinency of the information therein contained must have been apparent, and in a manner has been recognized, - nevertheless, the full significance of the whole correspondence in respect to Pitt's knowledge of the Family Compact, if perceived, certainly has not been presented, with the proper meaning and emphasis. While this is uniformly true a few instances in point may be presented here.

(1) Lecky says in regard to the source of Pitt's information. "Mr. Stanley --- obtained one of the articles --- and confidential reports from other quarters corroborated the account". He cites as his authorities Walpoles Geo. III, Adolphus, and the Chatham Correspondence (one letter). In an earlier connection, however, a footnote cites the Grimaldi-Fuentes letters as showing the earlier stages of the negotiation, yet he does not show the connection of the beginning with the denouement. He does not perceive that the date of Stanley's "Art. X" letter precludes the chance of its being the first information. Nor indeed does he mention the fact that this "Art X" is not found in the Bourbon "Pactes". Finally the slight notice of the correspondence is so incidental that it is apt to be overlooked entirely even by anyone looking for Lecky's

- (1) Anson's Grafton page 12, Note.
Cf. also introduction page XXXI.
- (2) French Instructions to Ambassadors XII bis.
- (3) Eng. Hist. Rev. Vol. xvii
- (4) Quarterly Review Vol. 190 (Oct 1899).
- (5) " " " 190 (Oct 1899) p335.
- (6) " " " " p339.

opinion on the question.

(2) Lord Anson in editing Grafton's Memoirs has a note referring to the letters, but merely as evidence that the Family Compact came from Grimaldi who forced Choiseul's hand. We have seen from the latest official ^{French} sources that the basis for such assumption is but ~~in part~~ true.

(3) Mr. Winstanley in his article already mentioned quotes certain statements by Fuentes in the early letters as evidence of a long cabal to get rid of Pitt's dominance, but he overlooks entirely the "Compact" information, - not quite consonant with his thesis. - And yet the reliability of knowledge Fuentes might have of the plans and motives of British politicians is dubious, of their own schemes his letters to his colleagues are most competent testimony.

(4) The Oct. 1899 Quarterly Review article has references to the "evidence of certain intercepted despatches of the Bourbon Agents", which notices are vaguely expressed. subordinated in the discussion, and at length lightly dismissed without argument, so that even with several readings their significance is scarcely perceivable. So flippant a depreciation of usual theories of Pitt's source of information seems unaccountable except that the slightness of the Dutens Thesis may have required it. Because Newcastle had information and copies of the two former "Pactes", why should it be postulated that of necessity he had a copy of the third, or that "101" sent it. Why because Dutens mentions that "he warned

- (1) Cf. French "Instructions" Vol XV, apparently the same is true in the case of most of the French envoys cf. vols. I, X & XVI.
- (2) Cf. Quarterly Review Oct 1908.
- (3) On Pitts resignation cf. Green: Chatham pp 180-182.
- (4) Transactions Royal Historical Society, series III Vol. II (1908).
- (5) So far as is known.
- (6) Quarterly Review Oct. 1908.

Pitt early of Spanish motives infer as a consequence that he sent the "Compact" , especially when we know neither the date nor character of the warning sent, and when moreover France gave her own Sardinian envoy scant information of the treaty.

(5) Mr. Green's "Life of Chatham" is recent and has been recognized as perhaps the most competent. On this point his narrative follows the time worn statements. Finally however he says: "The one historical mystery in connection with Lord Chatham is the question how far he knew the terms of the secret treaty (Compact) --- at the time of his resignation. After this statement Mr. Green devotes the remainder of an appendix to questioning"the tradition that he (Pitt) had secret information, and imparted that information to the Cabinet". Needless to say the author does not cite - seems not to have read - the Fuentes-Grimaldi letters.

(6) Indeed the only adequate recognition of the "Fuentes Correspondence is in a brief discussion appended to Miss Hotblack's essay on "The Peace of Paris" - received since the preparation of this paper. The author however in regarding the information as secondary - "Corroborative" merely - has overlooked the fact that the earliest certain mention of the Compact project, and the fullest evidence of its development - accessible to Pitt is found in these letters.

(7) The most recent reference - found in Mr. Robertson's full critical review of Chatham bibliography and sources - possibly from necessity parries the point at issue here with

- (1) American Hist. Rev. XIV, 345
- (2) Eng. Hist. Rev. Vol. XXIV pp 181-7.

the statement, that Pitt demanded war with Spain because he had correctly divined her intentions, but that the evidence submitted to the Cabinet was not conclusive. Likewise critical notices of Corbett's "^{England in} ~~Strategy~~ of the Seven Years War" and the latest volume of Waddington's "² La Guerre de Sept. Ans". are not elucidative.

In view of the foregoing illustrative instances, another presentation of the case with other arrangement, and argument has seemed justifiable.

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