

(WILLIAM STANHOPE AND THE QUESTION OF GIBRALTAR)

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CURRICULUM STUDIORUM

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PREFACE

The early diplomatic history of Gibraltar after the Treaty of Utrecht (1713) has not been of great interest to historians. Only two studies exist: Stetson Conn's Gibraltar in the British Diplomacy in the Eighteenth Century, and D. Gomez Molleda's Gibraltar. The first gives a general survey of the problem during the whole century, while the latter investigates the endeavours to regain Gibraltar by Marquez de Pozobueno, Spanish ambassador to the court of St. James, between 1720 and 1727. In Conn's book the Gibraltar problem in the earlier period appears only as a part of his summary review: Gomez Molleda's investigation exposes a limited topic and only from a Spanish point of view.

The writer of this thesis was interested to study more closely the question of Gibraltar following the cession of the fortress to Great Britain from the English point of view as well because of its far-reaching consequences for the relations between England and Spain up to the present day. Very soon it became clear that the most comprehensive exposition of the whole problem was to be found in the diplomatic correspondence of Colonel William Stanhope, British ambassador to the court of Madrid between 1717 and 1729. The abundant documentation for these years was used, firstly to explain the English Gibraltar policy in its origin,

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development and implementation, and secondly to relate it to Colonel Stanhope, whose diplomatic and political career was closely connected with the Gibraltar question.

The evolution of the Gibraltar question is traced in detail insofar as it was affected by William Stanhope's second and third embassies to the court of Madrid between 1720 and 1729. His first mission of 1717-1718 will be mentioned only as a background in the introduction. Little documentation was discovered which might have permitted any conclusion concerning Colonel Stanhope's part in these early negotiations.

At the outset English policy was not clearly defined; it was only during the long and bitter contention with Spain after 1720 that the decision to retain Gibraltar was gradually arrived at.

One cannot expect an ambassador to form the policy of his country; his task is to carry it out. This was precisely the merit of Colonel Stanhope: that he took advantage of the political situation in Spain and of the dynastic ambitions of her Queen to achieve the goal English policy finally wished to achieve: to remove the Gibraltar question as an issue in the diplomatic relations between England and Spain and yet to retain it. The Treaty of Seville of 1729 was the crowning point of his diplomatic

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career. This treaty re-established friendly relations between the two countries, and gave English diplomacy a buffer whenever the dispute over Gibraltar might flare up in the future. Through his capable policy, William Stanhope materially influenced the Gibraltar problem, achieved fame as a diplomat, and fulfilled his personal ambitions when knighted for his services. When Lord Townshend was dismissed in 1730, Stanhope replaced him as Secretary of State in Robert Walpole's ministry.

Colonel Stanhope's correspondence is preserved in the archives of the Public Record Office and of the British Museum, London, England. These documents have been exhaustively consulted. Published sources were available in the British Museum and at the Institute of Historical Research of the University of London.

In the introduction and the first part of this thesis the name of Lord James Stanhope, a distant cousin of Colonel William Stanhope, and Secretary of State until 1721 is frequently mentioned. In order to distinguish them, James Stanhope is referred to as Lord Stanhope and William Stanhope as Colonel Stanhope.

LIST OF ABBREVIATIONS

B. M. - British Museum, London, England.

P. R. O. - Public Record Office, London, England.

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INTRODUCTION: THE EMERGENCE OF THE GIBRALTAR QUESTION
1713-1720

The diplomatic controversy between England and Spain concerning Gibraltar had its origin in the Treaty of Utrecht in 1713,² which ended the long and exhausting War of the Spanish Succession. Spain's European empire was dismembered. She was forced to cede Naples, Sardinia, the Duchy of Milan, and the Spanish Netherlands to the Emperor, Sicily to the Duke of Savoy, Minorca and Gibraltar³ to the Queen of England. By the same treaty she was obliged to extend to England the commercial privileges of the asiento and the

1 Gibraltar is the corruption of the Arabic word Jabal el-Tariq, Mount of Tariq. He was the Persian general, who led the Barbary tribes into Spain in 711.

On August 4, 1704 the fortress was conquered for the Archduke Charles of Austria by the combined forces of the Grande Alliance. The commander of the expedition was Prince George of Hesse-Darmstadt.

2 Georg Chalmers, Collection of Treaties between Britain and other Powers, London, 1790, I., p. 83.

Alexandro del Cantillo, Tratados de Paz y de Comercio, Madrid, 1843, p. 75.

3 Article X of the treaty runs:

"The Catholic King does hereby, for himself, his heirs and successors yield to the crown of Great Britain the full and entire property of the town and Castle of Gibraltar together with the port, fortification and forts thereunto belonging, and gives up the said property to be held and enjoyed absolutely with all manner of right for ever, without any exception or impediment whatsoever."

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annual ship.

For England the acquisition of the new territories secured maritime control over the Mediterranean, while the commercial concessions gave her legal access to the Spanish colonies, previously considered by Spaniards as a monopoly of their own.

English politicians soon realized that these treaty stipulations greatly strained relations between England and Spain. They noticed that the cession of Gibraltar irritated the Spanish more than any other loss. The Spanish people considered "The Rock" a part of their metropolitan territory, and a symbol of their valor and endurance. As long as the fortress remained in English hands, prewar friendly relations could hardly be re-established. Restrictions of the treaty, insisted upon by the Spaniards in 1713, made the possession of Gibraltar onerous and costly.⁵ Regulations concerning the

⁴ The asiento was a contract for supplying slaves to the Spanish colonies ceded to England for thirty years.

The annual ship was a privilege to send a ship of 500 tons with the Spanish flota to the fairs at Cartagena and Vera Cruz. Normally all trade with the Spanish colonies had to go through the port of Cadiz and on Spanish ships.

⁵ Article IV of the treaty restricted the possession to the sole Rock forbidding any communication with the Spanish mainland. Supplies had to be brought from North Africa or England.

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commercial settlements exposed English merchants to endless vexations and deprived them of all the benefits they had expected from the rights to the slave trade in the Spanish empire and the annual ship.⁶

The first attempt of the English government to overcome the difficulties, by sending Lord Methuen on a special mission to Madrid in 1714, ended in complete failure.⁷ The mission of his successor G. Bubb would have met the same fate had not important changes occurred at the court of Madrid which also influenced English-Spanish relations.⁸

After the death of his first wife, Maria Louisa of Savoy in 1714, Philip V of Spain married an Italian princess. Elizabeth Farnese was the niece of the Duke of Parma and presumptive heiress to the thrones of Piacenza and Tuscany. Abbé Alberoni, Parma's ambassador at the court of Madrid, became her adviser and soon achieved prominence in Spanish politics. The political aims of the new queen and her able minister coincided with the desires of the Spanish King to

⁶ The so-called explanatory articles in the commercial treaty left the execution of the stipulations to the Spanish authorities. Duty on imported goods doubled between 1700 and 1714.

⁷ Jean O. McLachlan, Trade and Peace with Old Spain, 1667-1750, Cambridge, University Press, 1940, pp. 66-67.

⁸ McLachlan, Trade and Peace, p. 69.

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reconquer ~~for~~ her possessions in the Mediterranean and Italy. This meant nothing less than the overthrow of the Treaty of Utrecht.

Abbé Alberoni, created Cardinal in 1716, well knew that these political aims could only be obtained with the connivance of England. He therefore attempted to secure the tacit acquiescence of the English government by offering, in 1715 and 1716, most advantageous commercial treaties which lifted all the restrictions Spain had imposed on English trade since the war.⁹

While England was not unwilling to accept these commercial advantages, she refused to consent to the political concessions which Alberoni demanded in return. She preferred to fall back on the traditional alliances with the Netherlands and Austria, and, encouraged by the political conditions which followed the death of Louis XIV in 1715, to conclude a treaty with France. With the accession of Holland this treaty became the Triple Alliance of 1717.¹⁰

When Spain attacked Sardinia in 1717 and prepared an expedition to reconquer Naples and Sicily, James Stanhope,

9 McLachlan, Trade and Peace, pp. 69 and 73.

10 Basil Williams, The Whig Supremacy, 1714-1760, Vol. XI of The Oxford History of England, 2nd ed., Oxford, Clarendon, 1962, p. 167.

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English Secretary of State, and Abbé Dubois, the French minister of foreign affairs, invited Austria to join England, France and Holland in an alliance. The aim was to put an end¹¹ to Spanish aggression and preserve peace in Europe.

Neither King Philip of Spain nor Emperor Charles VI of Austria, the rivals in the preceding war, had given up hope of inheriting the whole Spanish empire. Theoretically they were still at war. The Emperor had accepted the settlement of Utrecht with reluctance although it granted him Sardinia, the Duchy of Milan and the Spanish Netherlands. He especially resented the separation of Naples from Sicily, and its being granted to the Duke of Savoy. He made it clear that he would incorporate the island into his territories as soon as the opportunity arose.

The policy of the new Quadruple Alliance was to reconsider the Treaty of Utrecht with the aim of satisfying both the Spanish and Austrian antagonists of the War of the Spanish Succession. The Emperor was to be permitted to exchange Sardinia for Sicily. The duchies of Parma, Piacenza and Tuscany were to be declared imperial fiefs and transferred to the Infant Don Carlos, son of Philip V and Elizabeth

¹¹ Basil Williams, Stanhope: A Study in Eighteenth Century War and Diplomacy, Oxford, Clarendon, 1932, p. 273.
Williams, Whig Supremacy, pp. 172-173.

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Farnese. And finally, the Duke of Savoy was offered Sardinia and retaining of the title of king, which he had¹² assumed through his sovereignty over Sicily.

The allies decided to hinder further Spanish aggression. The English fleet, under the command of Admiral Byng, was ordered to sail for the Mediterranean. England and France appointed extraordinary ambassadors to the court of Madrid in order to compel the King of Spain and Cardinal Alberoni to abandon their offensive plans and accept the propositions of the Quadruple Alliance. The French ambassador¹³ was the Marquis de Nancré, and the English envoy Colonel¹⁴ William Stanhope.

Colonel Stanhope's first despatches from Madrid convinced the representatives of the Quadruple Alliance, assembled in London at the end of 1717, that the Spanish court was determined to carry out its aggressive designs.

12 Williams, *Whig Supremacy*, p. 173.
Williams, *Stanhope*, p. 276.
Ottocar Weber, *Die Quadrupel Allianz vom Jahre 1718*, Wien, 1887, p. 30.
Wolfgang Michael, *The Beginnings of the Hanoverian Dynasty*, London, Macmillan, 1936, p. 345.

13 Ministère des Affaires Étrangères, *Recueil des Instructions, Espagne*, II., 1702-1722, p. 317.

14 Instructions for Colonel William Stanhope, August 17, 1717 in *State Papers* 104/137 (Entry Book), Public Record Office, London.

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It was on this occasion and under these circumstances that Gibraltar was mentioned for the first time in diplomatic exchanges. Abbé Dubois proposed that Lord Stanhope offer Gibraltar to the King of Spain as an inducement to accept the conditions of the Quadruple Alliance. Lord Stanhope agreed and allowed the Duke of Orleans, Regent of France, to make this offer.¹⁵ He himself personally repeated the offer when he travelled to Madrid in August 1718.¹⁶ The offer was declined. This was the last effort to persuade the King and Cardinal Alberoni to change their minds.

The destruction of the Spanish fleet off Cape Passaro on August 11, 1718, and the ensuing war between Spain and the allies in 1719, gave the final blow to the Italian ambitions of the Spanish sovereign.¹⁷ Since it was beyond his power to regain the territories which had belonged to the Spanish monarchy, the King turned to peaceful gains. From now on the two main goals of his policy became the acquisition of the Italian duchies of Parma, Piacenza and Tuscany,

¹⁵ Letters of Dubois to Regent, November 17, 1717, January 15 and 31, 1718, quoted in P. E. Lemontey, Histoire de la Régence, Paris, 1832, II., p. 395.

¹⁶ Letter of Craggs to Lord Stanhope, July 17, 1718, in State Papers 104/138, and letter of Craggs to Stair, February 18, 1720, in State Papers 104/31, P. R. O.

¹⁷ Williams, Whig Supremacy, p. 173.

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as stipulated in the Quadruple Alliance, and the recovery of Gibraltar, which had been promised by the Regent with the consent of England.

From this time on Gibraltar remained the crucial issue in English-Spanish relations. The King of England's promise was to become the cause of the resistance against the restitution of the fortress in England, and at the same time was to furnish the main argument of the Spanish court in demanding its return.

This short introduction was necessary to delineate English and continental politics up to the time when Colonel William Stanhope was given his second mission to Madrid.

This thesis will now endeavour to show how the Gibraltar question became an important factor in British politics and how it influenced English foreign relations. The two alternatives of English policy - to retain Gibraltar for England or to restore it to Spain - fully developed in the course of the diplomatic contention with Spain during 1720. Colonel William Stanhope tried to induce the Spanish court to give up their demands. When this failed, Lord James Stanhope proposed to offer the restitution on political and economic grounds for the second time. His death in February 1721 practically ended the reconciliatory policy towards Spain. The Treaty of Madrid (1721), the work of

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Colonel Stanhope, was a compromise between the two stands on the Gibraltar question. It was concluded on the assumption that the evasive promise of restitution, expressed in a letter of King George, gave England an outlet to exclude the Gibraltar question from further diplomatic exchanges.

Reasons why this policy failed will be discussed. The Gibraltar question became a European concern when Spain tried to reach her goal through intervention of the Emperor. Colonel Stanhope then adopted the new and stronger English foreign policy of Lord Townshend, which caused the rupture with Spain and led Europe to the brink of war.

Finally, the way in which Gibraltar came under the control of Parliament will be investigated. At the congress of Soissons in 1728, where the pending problems between the European Powers were to be settled, the English plenipotentiaries endeavoured by all means to avoid the Gibraltar question. It was Colonel Stanhope who presided over the English delegation and who finally induced the Spanish court to accept a peace treaty which made no mention of Gibraltar and guaranteed England the commercial privileges agreed to in 1713, 1715, and 1716.

CHAPTER I

THE EVOLUTION OF ENGLISH POLICY CONCERNING GIBRALTAR
1720-1721

1. The policy to retain Gibraltar for England.

As we have seen in the introduction the question of Gibraltar played a minor role in English internal and external affairs during the first years after the Treaty of Utrecht. Almost unnoticed by the English people the fortress had passed into English possession in 1713. Opinion concerning its value for England was divided. While one group, composed mostly of soldiers and mariners, emphasized the strategical value of the place, another group of politicians and merchants emphasized the great expenses needed to maintain a garrison, and the friction which would disturb political and commercial relations between England and Spain.¹⁸

This divergence of opinions was unimportant in English political life as long as other internal and external difficulties after the war held the attention of the people, and as long as Spain did not officially demand the restitution of Gibraltar.

¹⁸ Lord Mahon, History of England, 5. ed., London, 1858, Vol. II., pp. 127-128.

Michael, Quadruple Alliance, pp. 127-128.

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This changed as soon as it became known in England that an offer of restitution had been made in 1718 to the King of Spain in a vain attempt to prevent war.¹⁹ In December 1718, the French Regent published a manifesto in which he mentioned that the King of England had authorized him to offer Gibraltar.²⁰ We have an interesting document which shows the first reaction in England against the restitution. A member of Parliament named Fuller, without mentioning the name of the Regent, told the House of Commons that a foreigner had taken upon himself the right to dispose of the possessions of the crown of England and to assure the King of Spain restitution of Gibraltar. Fuller, a Whig political follower of Robert Walpole, did not find the support he had expected from the House. Seeing that the moment was inopportune to bring up the problem, Robert Walpole himself saved the situation. He diverted the attention²¹ of the members to other questions.

This event in itself was unimportant but it showed

19 Michael, Quadruple Alliance, p. 131.

20 Manifesto of the Regent, January 8, 1719, quoted in Louis Wiesener, Le Régent, L'Abbé Dubois et les Anglais, Paris, 1893, II., p. 320.

21 Letter of Destouches to Dubois, February 1719, quoted in Michael, Quadruple Alliance, p. 320.

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that the question of Gibraltar could later be a welcome subject for those opposed to the policy of the government, Only a year later the resistance came into the open when the French Regent insisted on the restitution of Gibraltar.

The Regent seemed to have regarded the English promise before the war of 1719 as definitive. In order to satisfy the Spanish party²² in his country and to please the Spanish court, he had renewed the offer of Gibraltar in a positive way on various occasions without having previously consulted the English government.²³

Lord Stanhope refused to recognize the validity of the French procedure.²⁴ Since no arguments prevailed against the Regent's obstinacy in demanding the restitution of Gibraltar to Spain, the English minister decided "to test the mood"²⁵ of the Parliament. He wished to see if

22 The Spanish party was a group of influential men headed by Torcy and Huxelles, who resented the pro-English policy of the Regent and Abbé Dubois. They advocated an alliance with Spain for political and commercial reasons.

23 P. Bliard, "La question de Gibraltar au temps du Régent d'après les correspondances officielles", in Revue de Questions Historiques, 57 (1895), p. 195.

24 Ibid.

25 Letter of Lord Stanhope to Schaub, March 28, 1720 in State Papers 78/167, P.R.O.

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there existed any possibility of finding a majority which was willing to comply with French and Spanish wishes. The proposal he made in the House of Lords to ascertain whether the House would authorize the King to restitute Gibraltar if he should find it expedient for the good of the country, caused a storm of indignation and opposition. In a letter to his secretary, Luke Schaub, the minister gave a vivid picture of the agitation which his move had aroused and of the consequences which it had almost provoked:

It was impossible to stem the tide and the wisest course was to drop the proposal in parliament, for had it been pressed we would unquestionably have got the reverse of what we intended, and we ran the risk of seeing a bill passed that would have tied the King's hands forever.²⁶

When Lord Stanhope's proposal became known in London and when political pamphlets made public that the restitution had so much as been considered by the ministry before the war, the excitement became general and the strongest²⁷ opposition arose. Many of those people, who until now had shown little interest in the question, and many of those, who for various reasons had advocated the restitution of

²⁶ Letter of Lord Stanhope to Schaub, March 28, 1720 in State Papers 78/167, P.R.O.

²⁷ Ibid.

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Gibraltar, joined in opposition against the Sunderland-²⁸ Stanhope administration. The Gibraltar problem became the rallying point of the government's opponents both inside and outside the Whig party. In the course of this dispute all those reasons were produced and elaborated which served later governments as arguments to decline any discussion over England's rights to Gibraltar.

In the first place, the legal question of the acquisition of Gibraltar was examined. It was reasoned that Gibraltar had become part of the British realm by conquest and treaty. The Treaty of Utrecht had established the unquestionable right of England over the territory. Secondly, as an English possession, Gibraltar was subject to English authority and law. Only Parliament had the right to dispose of national territory. Furthermore, the great strategical value of the fortress was emphasized. England could control the Straits and separate the Spanish as well as the French navies in the Mediterranean from those in the Atlantic. From this naval base the pirates of the Barbary Coast could be effectively checked, and Minorca could be kept only if

28 Letter of Chammorel to Dubois, February 8, 1720, quoted in Bliard "La question de Gibraltar..." in Revue de Questions Historiques, 57 (1895), p. 207.

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Gibraltar were retained. It was finally claimed that the place was of greatest importance for English trade. English commercial fleets could not only be protected, but would have a port to provision and refit their ships on the long voyage from England to the Mediterranean and the Levant.²⁹

For the first time since the Treaty of Utrecht, Gibraltar had become a matter of public interest. It captivated the imagination of the English people and became a symbol of their power just as it previously had become a symbol of valor and endurance for the Spaniards. This popular interest and predilection both among parliamentarians and the public for "The Rock" became one of the most important factors which determined the English policy to retain Gibraltar. It will be shown later that English politicians in their diplomatic contentions with the Spanish court on every possible occasion repeated that the "English people" were opposed to the restitution. This was always put forward as their strongest and ultimate argument against Spanish ambitions.

²⁹ Thomas Gordon, Consideration offered upon the approaching Peace and upon the Importance of Gibraltar to the British Empire, London, 1720, Collection of Political Pamphlets, British Museum, London.

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Yet another fact of English political life closely connected with this argumentation, must be mentioned, namely the eagerness of the members of Parliament to define the limits of the royal prerogative in a matter as important as the restitution of Gibraltar. It is difficult to learn to what extent the royal prerogative in matters of alienation or exchange of national territories was valid at this time. In any case, one thing was sure: the King would lose even the initiative to propose the restitution of Gibraltar as soon as Parliament declared its decision on the matter.

The Sunderland-Stanhope administration was greatly interested to avoid parliamentary intervention. When in the Commons a motion was prepared for an address to the King which would request him at any cost to keep Gibraltar, it was not carried only because the ministers passed word along to the members of Parliament that the government had no plans to restore Gibraltar to Spain.³⁰

Public opinion and probable resistance of the Parliament obliged the Sunderland-Stanhope administration to refuse any demand from the French as well as from the

³⁰ Letter of Lord Stanhope to Schaub, March 28, 1720 in State Papers 78/167, P.R.O.

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Spanish for the restitution of Gibraltar. While the English seemed relieved for the moment, the difficulties with France remained. After the London events it was apparent that the hands of the English ministers were tied. The only policy they could adopt was to convince the Regent that the circumstances now ruled out any possibility of restitution. The diplomatic interchange of notes between England and France in the first months of 1720 were desperate attempts to avoid a rupture. The arguments advanced by the Regent forced the English ministers to explain the circumstances and reasons which had induced the government to consider restitution feasible in 1718, but no longer so in 1720. They pointed out that in 1718 the offer had been made with the proviso that Spain abandon her bellicose designs and recognize the stipulations of the Quadruple Alliance. Since Spain, despite their offer, had forced England into a war which had cost her great sacrifices, the original offer was considered cancelled.³¹

However this reasoning did not seem conclusive to the French Regent. The Spanish party at the court of Paris

³¹ Letter of Craggs to Stair, February 29, 1720 in State Papers 104/31, P.R.O.

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urged him to break with England and to conclude an alliance with Spain. Lord Stanhope, acting upon the pressing invitation of Abbé Dubois, hurried to Paris in March 1720 for the second time in three months.³² To his great relief, he found the French situation changed for the better. The Regent, disappointed by the ambivalent attitude of the court at Madrid,³³ realized that a rupture with England would rouse the former parties of the Grande Alliance against France. He chose instead to continue to base his policy on the Treaty of Utrecht and maintain friendly relations with England. He appointed Abbé Dubois, who always held that the English-French alliance was essential for the peace in Europe, chief minister, and banished the leaders of the Spanish group from the court. He also agreed to postpone the debate on Gibraltar and to bring it before a congress of the European Powers. The members of the Quadruple Alliance had earlier agreed to convoke such a congress in order to settle all existing divergences.

³² Letter of Lord Stanhope to St. Saphorin, April 1, 1720 in State Papers 78/167, P.R.O.

³³ Philip V refused to call back his troops from Sicily as stipulated by the Quadruple Alliance.

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While the differences between England and France over the question of Gibraltar were settled for the moment, the English policy to retain the fortress met with the most obstinate resistance at the court of Madrid.

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2. The English diplomatic contention over Gibraltar begins.

The loss of the war of 1719 obliged the Spanish sovereign to submit to the dictations of the Quadruple Alliance. An armistice between the allies and Spain was signed at The Hague on January 26, 1720.³⁴

The allies now hoped to renew normal diplomatic relations with the court of Madrid. Lord Stanhope and the Regent agreed in January 1720 to send Luke Schaub, the English minister's secretary, to Spain in order to induce their Catholic Majesties to carry out the conditions set by the Quadruple Alliance.³⁵ When Lord Stanhope and the Regent met two months later, they decided to appoint ambassadors and send them to the Spanish court as soon as possible. Lord Stanhope proposed that this mission be entrusted to his³⁶ cousin, Colonel William Stanhope.

Lord Stanhope had shown a great predilection for his cousin William. He had taken him under his protection at a very young age, and had invited him to serve under his

³⁴ Letter of Cadogan to Craggs, December 1720 in State Papers 100/56, P. R. O.

Michael, Quadruple Alliance, p. 125.
Weber, Quadrupel Allianz, p. 105.

³⁵ Michael, Quadruple Alliance, p. 124.
Weber, Quadrupel Allianz, p. 105.

³⁶ Michael, Quadruple Alliance, p. 137.

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command during the War of the Spanish Succession.³⁷ At
 twenty years of age the younger Stanhope was given a cap-
 taincy in the 3rd Foot Guard and, upon his return to England
 after the war he was promoted to the rank of Colonel of a
 dragoon regiment.³⁸ He certainly had not received the
 training of a career diplomat.³⁹ Nevertheless, during the
 war he had carried out some diplomatic commissions to the
 greatest satisfaction of General James Stanhope. His domes-
 tic political experience was limited, but he had entered
 Parliament in 1715, as member for Derbyshire, the home of
 his family.⁴⁰

Colonel Stanhope's knowledge of Spain and the
 Spanish language were great assets to the diplomatic mission
 in Spain entrusted to him by Lord Stanhope. His character
 fitted him in a special way for dealing with the Spanish
 people:

He had a mild and even temper, he
 was patient and perseverent, he was res-
 pected for his moderation, for his good

37 "William Stanhope" in Dictionary of National Biography, London, Oxford University Press, 1920 - Vol. XVIII, p. 927.

38 Ibid.

39 D. B. Horn, The British Diplomatic Service, 1689-1789, Oxford, Clarendon, 1961, p. 107.

40 "William Stanhope" in Dictionary of National Biography, Vol. XVIII, p. 927.

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sense and integrity. He was nevertheless consequent in persuing his goal, and firm in defending his decisions, he was respectful and loyal to his superiors.⁴¹

A second author completes this picture by describing Colonel Stanhope in the following words:

He was known for his taciturnity. With skill and tact he made his suggestions in few words, and in spite of frequent differences of opinion, he avoided all serious dissension.⁴²

It is noteworthy that in all his correspondence one never finds one unfavourable statement about the Spanish people, their customs or beliefs. Rare are the complaints about the difficulties under which he had to work.

He was only twenty-seven years of age when he was sent to Madrid for the first time in 1717. The purpose of the mission had been to induce their Catholic Majesties to accept the stipulations of the Quadruple Alliance. The English government apparently felt that the youthful ambassador was not sufficiently prepared to cope with the difficulties of the task assigned to him. So, Lord Cadogan,

⁴¹ William Coxe, Memoirs of Sir Robert Walpole, London, 1798, I., p. 330.

⁴² Wolfgang Michael, Englische Geschichte im achtzehnten Jahrhundert, Berlin-Leipzig, 1926, II., P. 121.

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British ambassador to The Hague, was ordered to accompany⁴³ him. When this arrangement proved unworkable,⁴⁴ the English ministry asked the French government to send a career diplomat to Madrid,⁴⁵ and to instruct him to act in co-operation⁴⁶ with his English colleague, Colonel Stanhope.

Colonel Stanhope arrived on his first Spanish mission on October 7, 1717. Not before March 1718 could he report that the French ambassador, the Marquis de Nancré,⁴⁷ had also arrived. During more than five months he had to assume by himself the role of ambassador for the Quadruple Alliance. He had to bear Cardinal Alberoni's indignation⁴⁸ over English rearmament. He was embarrassed by his own government, for, at the outset, he was not kept sufficiently informed. In letters to the Secretary of State Joseph

⁴³ Draft of Instructions for Lord Cadogan, no date, in State Papers 94/87, P. R. O.

⁴⁴ Lord Cadogan was asked by his government to stay in the Hague and attempt to bring the States General into the Quadruple Alliance.

⁴⁵ Weber, Quadrupel Allianz, p. 46.

⁴⁶ Recueil des Instructions, Espagne II, 1701-1722, pp. 279-280.

⁴⁷ Letter of Colonel Stanhope to Lord Stanhope, March 28, 1718 in State Papers 94/88, P. R. O.

⁴⁸ Letter of Colonel Stanhope to Addison, February 21, 1718, in State Papers 94/88, P. R. O.

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Addison, he repeatedly complained about this.⁴⁹

When the Marquis de Nancré finally arrived, it became clear that the co-operation between the French and English ambassadors would not be so close as might have been expected. This was not due to any lack of good will, but to the divergent instructions each had received from their governments. It has been seen that the English government had permitted the Regent to offer Gibraltar to Spain in 1718 in order to avoid a war and in return for Spanish agreement to the terms of the Quadruple Alliance.⁵⁰ It is difficult to understand why the English representative in Spain had had no orders to make a similar offer. It is not even clear whether Colonel Stanhope had had any knowledge of the offer contained in Nancré's instructions.⁵¹ To Cardinal Alberoni the divergent instructions understandably had seemed to denote a lack of sincerity on the part of the allies, and had cast more than a shadow of doubt on their offer. This was one reason which had led him not to give too

⁴⁹ Letter of Colonel Stanhope to Addison, November 17, 1717, in State Papers 94/88, P. R. O.

⁵⁰ Recueil des Instructions, Espagne II, p. 281 and see note 15 page 6.

⁵¹ Letter of Nancré to Regent, May 23 and June 3, 1718, in State Papers 78/172, P. R. O.

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much importance to the offer.

All Stanhope's efforts to change the mind of the Spanish King and his minister had therefore remained fruitless. He could report only negative results for his diplomatic advances and write that:

His Catholic Majesty being absolutely determined to attack the Emperor with the utmost vigor notwithstanding all Europe should threaten to make war upon him for so doing.⁵³

Colonel Stanhope kept a watchful eye on the Spanish war preparations and sent minute information concerning her army and navy to England.⁵⁴ He predicted when the attack against Italy would take place, and his estimate proved to be true. He felt that England and Spain would break following the arrival of the English fleet in the Mediterranean.⁵⁵ When he heard of Lord Stanhope's intention of going to Madrid in a last effort to ward off war, he expressed his

⁵² Affaires Étrangères, Correspondance Politique, Espagne, vol. 271, p. 67, quoted in Stetson Conn, Gibraltar in British Diplomacy in the Eighteenth Century, New Haven, 1942, p. 35.

⁵³ Letter of Colonel Stanhope to Craggs, June 6, 1718 in State Papers 94/88, P. R. O.

⁵⁴ Letters of Colonel Stanhope to Addison, November 29, December 23, 1717, and January 24, 1718, in State Papers 94/87 and 94/88, P. R. O.

⁵⁵ Letters of Colonel Stanhope to Lord Stanhope, July 4, 5 and 18, 1718, in State Papers 94/88, P. R. O.

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"steadfast opinion that it is almost impossible for Lord Stanhope to meet with success at this court."⁵⁶

This prediction proved correct. Nothing weakened the obstinacy of the Spanish King and the Queen, not even the naval disaster off Cape Passaro in August 1718, when⁵⁷ Admiral Byng sank the greater part of the Spanish navy.

Colonel Stanhope's first Madrid mission had therefore met with failure. He could comfort himself with the thought that more experienced diplomats than he had not been any more successful. The Marquis de Nancré had believed to the last that it was possible to patch up matters. Lord Stanhope, who had been confident that his personal intervention at the last moment would avert the conflict between the European Powers and Spain, had met with the same fate. In any case, the eleven months of his first embassy were to prove of great value to Colonel Stanhope for his following⁵⁸ missions to the court of Madrid.

When Colonel Stanhope arrived in Paris on his return from Spain in November 1718, a new assignment awaited him.

⁵⁶ Letters of Colonel Stanhope to Craggs, July 28 and August 8, 1718, in State Papers 94/88, P. R. O.

⁵⁷ Letter of Colonel Stanhope to Craggs, September 12, 1718, in State Papers 94/88, P.R.O.

⁵⁸ D. B. Horn, British Diplomatic Representatives, 1689-1789, London, Royal Historical Society, 1932, p. 127.

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He was appointed to the court of Turin to win the Duke of Savoy over to the Quadruple Alliance. But, before he set out, news arrived that the Duke had already announced his accession to the Alliance. So he was instead sent to Marshall Berwick's headquarters in Southern France to serve as military and diplomatic liaison between English and French military forces.⁵⁹ He had crossed the Spanish border with the French troops in 1719, and assumed a leading role in the English raids on the coast of Galicia in Northwest Spain.⁶⁰ This expedition ended his active military career. During the following nine years the Gibraltar question became his main diplomatic and political concern.⁶¹

⁶² When, on his second mission, Colonel William Stanhope arrived as British ambassador to Madrid, the Gibraltar question had had only a short history. In the previous months the Spanish court had developed a strong and clearly defined policy demanding the restitution of the fortress. It has already been underlined that until the end of the war of 1719 the matter of Gibraltar had never been

⁵⁹ "William Stanhope" in Vol. XVIII., p. 927; Dictionary of National Biography

⁶⁰ Michael, Quadruple Alliance, p. 101.

⁶¹ Horn, Diplomatic Representatives, p. 127 and following pages.

⁶² Letter of Colonel Stanhope and Schaub to Craggs, June 24, 1720, in State Papers 94/89, P. R. O.

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brought up by Spain, and that she had not even seriously considered the English offer of restitution in 1718.

As soon as it became obvious that their ambitious plans in the Mediterranean were condemned to failure, the Spaniards concentrated on minor political objectives with great firmness. In fact they began to behave as the victors rather than as the vanquished and tried to impose their terms on the allies. They demanded the restitution of Gibraltar as a condition for the ratification of the armistice, for the evacuation of Sicily, and for the renewal of England's commercial privileges.⁶³

Up to this date the question of Gibraltar had involved all the members of the Quadruple Alliance. Their strong and uncompromising stand had obliged the Spanish court to moderate its demands. From now on, however, the question became a bone of contention between England and Spain alone, and centred about Spain's demand of Gibraltar in return for the fulfillment of the commercial treaties.

The English merchants had hoped that, following the signing of The Hague armistice, they would be able to resume

63 Ibid.

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their prosperous trade with Spain.⁶⁴ The envoy extraordinary of England to Madrid, Luke Schaub, while awaiting the new ambassador Colonel Stanhope, was urged to begin talks with the Spanish government in this direction.⁶⁵ He requested the Spanish ministers to bring the King to agree to the re-establishment of trade and commerce in accordance with the treaty of 1716, and requested the cedulas⁶⁶ for the negro trade and the permission for the annual ship. When his application remained unanswered, he concluded quite rightly that this matter could become a serious source of friction, and that the court would withhold the cedulas for bargaining purposes.⁶⁷

The Spanish knew that this refusal could greatly harm English trading interests.⁶⁸ They were convinced that

⁶⁴ Jean O. McLachlan, Trade and Peace with Old Spain 1667-1750, University Press, Cambridge, 1940, pp. 6-22.

According to McLachlan the figures for English trade with Spain between 1701 and 1705 were the following:

Export: £ 600.000

Import: £ 540.000

(Ibid., Graft before p. 1)

⁶⁵ Letter of Craggs to Schaub, March 3, 1720, in State Papers 94/89, P. R. O.

⁶⁶ Cedulas were the official documents of the Spanish King for the asiento and the annual ship.

⁶⁷ Letters of Schaub to Craggs, April 29 and May 8, 1720, in State Papers 94/89, P. R. O.

⁶⁸ Lachlan, Trade and Peace, p. 176.

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their insistence upon restitution of Gibraltar in return for commercial advantages would finally induce the English government to come to terms. In order to give weight to his demands, the King of Spain appointed Marquez de Pozobueno ambassador to the court of St. James. The Marquez received special orders to take advantage of the English desire to re-establish commercial ties with Spain and Spanish America to achieve the cessation of Gibraltar.⁶⁹

Luke Schaub had orders from Lord Stanhope to reject these demands of the court of Madrid,⁷⁰ but he himself was convinced that the English policy to retain Gibraltar would never succeed and would only bring political and commercial disadvantages to England. He appeared unable to cope with the Spanish policy and shocked the Spanish ministers with his direct and forceful sallies. Small wonder that he awaited the arrival of Colonel Stanhope. When Schaub announced the appointment of William Stanhope to the court, the Spanish King answered: "Que Monsieur le Colonel Stanhope lui seroit très agréable."⁷¹

69 D. Gomez Molleda, Gibraltar; Una contienda diplomática en el reinado de Felipe V, Madrid, 1953, p. 45.

70 Letter of Lord Stanhope to Schaub, March 28, 1720, in State Papers, P. R. O.

71 Letters of Schaub to Lord Stanhope, June 7 and 10, 1720, in State Papers 94/89, P. R. O.

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Shortly before Colonel Stanhope arrived at Madrid Luke Schaub summarized his observations in a memorandum to Lord Stanhope. He explained that the restitution of Gibraltar had become an obsession with the King of Spain, who had given his word of honour to the Spanish people that the fortress would be returned. The King considered the fulfillment of this promise a matter of personal and national prestige, and no argument would ever prevail against this resolve. Luke Schaub pointed to the fact that the Spanish Sovereign did not question the legal and treaty rights of England to the territory on Spanish soil, but that he expected the restitution as an act of friendship and as a fulfillment of the promise. He could not be led to see why this should be refused. Schaub concluded:

We should rather be glad to see him so warm upon having again a place which is but a burden to our nation, and of which we shall never get rid of with any grace if we let this occasion slip.⁷²

He also called the attention of Lord Stanhope to the political consequences which continuous rejection of the Spanish wishes would bring, namely a closer bond between France and Spain and a possible French-Spanish alliance against England:

⁷² Letter of Schaub to Lord Stanhope, June 17, 1720, in State Papers 94/89, P. R. O.

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The Regent has a weapon in his hand that he can use to our disadvantage. The hope to achieve the restitution through his mediation will bind Spain closely to France against England.⁷³

Schaub's memorandum furnished many of the arguments which a few months later moved Lord Stanhope to propose a change in the English policy with regard to Gibraltar as the only means to secure the political and commercial advantages, advantages which could be expected from friendly relations with Spain.

This then was the situation when Colonel Stanhope⁷⁴ arrived in Madrid in June 1720. Did he bring orders from his government to gratify their Catholic Majesties? Would the English return the fortress in order to renew their profitable trade with Spain and to reap at last all the commercial advantages of the slave trade and the annual ship? Would England carry out the promise of restoring Gibraltar as a sign of good will to renew friendly relations with Spain?

⁷³ Letter of Schaub to Lord Stanhope, June 17, 1720, in State Papers 94/89, P. R. O.

⁷⁴ Letter of Colonel Stanhope and Schaub to Craggs, June 24, 1720, in State Papers 94/89, P. R. O.

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Colonel Stanhope's instructions⁷⁵ did not coincide with the expectations of the Spaniards, and his personal attitude gave rise to disappointment. In accordance with his instructions, he tried from the beginning of his embassy to insist upon the juridical aspect of the problem, which was to demand the delivery of the cedulas as an independent and distinct obligation of the Spanish court. In his conferences with the Spanish ministers and audiences with the King and the Queen, he stoutly contended that Gibraltar belonged to England by the Treaty of Utrecht. Since the commercial rights to the slave trade and the annual ship had been bestowed by the same treaty and confirmed again by the commercial pact of 1716, he concluded that there was no legal ground to force the English government to give up one of these rights for the other. He claimed that the promise of restitution made by the Regent after the last war had been made without the consent of the English government and that, consequently, it was not binding upon the English nation. Spain's interpretation, he asserted, contradicted the treaties, for to deny England's rights in both the commercial and Gibraltar cases, and to consider the restitution a conditio sine qua non for the commercial rights was both

75 Instructions for Colonel Stanhope, May 8, 1720, in Foreign Office Papers, XC 13, P. R. O.

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unreasonable and illegal. To insist this way, he added, would make it exceedingly difficult for both countries to⁷⁶ renew their friendship.

In their first audience with Colonel Stanhope and Schaub, the Spanish King and Queen came straight to what was in their eyes the most important issue at stake. They informed the envoys that the King would never have consented to the peace agreement of 1720 or to the evacuation of Sicily had he known that objections would be raised to restitution of the fortress. Stanhope reminded them that they had accepted the conditions of the Quadruple Alliance without conditions and had renounced to making any further demands. If they had not agreed to their terms, the allies⁷⁷ would have continued the war. In fact, during this interview, the English ambassador insisted on asking for the delivery of the cedulas. Colonel Stanhope told the Spanish Sovereigns that their policy of tying the problem of Gibraltar to the delivery of the cedulas would antagonize the English people and render the restitution even less possible. They could count on the good will of the English King and nation only if they voluntarily carried out what the treaties

76 Ibid.

77 Letter of Colonel Stanhope and Schaub to Craggs, June 24, 1720, in State Papers 94/89, P. R. O.

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obliged them to do.

In a following audience, granted on the occasion of Luke Schaub's departure for England, Colonel Stanhope made a last attempt to obtain the cedulas in order that Schaub might take them to London. But success was not forthcoming. The King and the Queen expressed their firm resolution to retain the cedulas as long as England remained in possession of Gibraltar. They told the ambassadors that if the English government decided to bring the matter of the commercial treaties before the congress, the question of Gibraltar would be submitted to the same assembly. When Schaub asked to send the cedulas with the new Spanish ambassador to England, Marquez de Pozobueno, the King answered that his minister had been instructed to deliver them as soon as Gibraltar was ceded.⁷⁹ Luke Schaub thereupon left Madrid in July 1720 without the trade patents, and with the Gibraltar⁸⁰ question very much up in the air.

The Spanish King did not hesitate to threaten the use of force in this issue. In August Colonel Stanhope sent

78 Letter of Schaub to Craggs, July 1, 1718, in State Papers 94/89, P. R. O.

79 Letter of Colonel Stanhope and Schaub to Craggs, July 8, 1720, in State Papers 94/89, P. R. O.

80 Letter of Colonel Stanhope to Craggs, July 22, 1720, in State Papers 94/89, P. R. O.

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a dispatch to England reporting troop movements in the vicinity of Gibraltar. Twenty-six thousand soldiers were concentrated around Cadiz and Estapana. Great supply-depots were set up, and a hospital established at Tariffa. Troops arriving from Sicily were immediately directed to the South.⁸¹ The situation appeared explosive.

Although the Spanish government gave assurance that the military operations were aimed against North Africa, Colonel Stanhope found it necessary to call the attention of the English ministry to Gibraltar's weak state of defence. Only 1150 men were garrisoned there and there were only⁸² enough provisions for five weeks.

This war threat was nothing but a Spanish show of force. From this time on it became the custom for the Spanish government to concentrate troops around Gibraltar whenever negotiations came to a standstill. No one has ever established whether this expedition, which later was directed against Ceuta in North Africa, was originally intended against Gibraltar.

While these military preparations in the south were in progress, Stanhope still continued his attempts to secure

⁸¹ Letters of Colonel Stanhope to Craggs, August 5, 12, 19, 26, 1720, in State Papers 94/89, P. R. O.

⁸² See letters footnote 81.

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the cedulas. The British Secretary of State James Craggs, who followed J. Addison as head of the Southern Department and was, at the same time, a director of the South Sea Company, urged Stanhope on in this direction.⁸³ The ambassador assured his superior that he had done everything possible, and even used Craggs' arguments that the obstinacy⁸⁴ of the Spanish court was both imprudent and unreasonable.

To all Colonel Stanhope's arguments the Spanish ministers replied that the promise of the restitution had been made by the English government, and that the King of Spain in his declaration to the French Regent had it made a conditio sine qua non for accession to the Quadruple Alliance terms. The allies had not fulfilled their obligations, and⁸⁵ this dispensed Spain from fulfilling hers.

Stanhope's efforts appeared doomed to frustration. He did not wish to leave this last declaration of the court unanswered, and asked for a conference with the minister of foreign affairs Grimaldo where he "endeavoured by all arguments I was master of, to convince him of the injustice of

⁸³ Craggs to Colonel Stanhope, July 21, 1720, in State Papers 94/89, P. R. O.

⁸⁴ Letter of Colonel Stanhope to Craggs, August 19, 1720, in State Papers 94/89, P. R. O.

⁸⁵ Letter of Colonel Stanhope to Craggs, August 19, 1720, in State Papers 94/89, P. R. O.

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his procedure". He told the Spanish minister:

That this manner of acting would be far from procuring Gibraltar, that on the contrary it was the likeliest means to prevent their ever getting of it, and might possibly cool the zeal His Majesty would otherwise have for his Cath^k Mat^ys interest at the congress.⁸⁶

Stanhope's arguments seemed to impress Grimaldo, who asked him to repeat them to the King. The King however remained adamant. He informed the English ambassador that the Marquez de Pozobueno had orders to give the cedulas the very moment Gibraltar was handed over.⁸⁷

It is understandable that Stanhope became depressed because of these continuous setbacks. He began to lose all hope of achieving anything worthwhile for his country, and he therefore asked his superiors to recall him home for reasons of health.⁸⁸ His request was declined. Lord Stanhope ordered him to stay at his post.

⁸⁶ Letter of Colonel Stanhope to Craggs, September 23, 1720, in State Papers, 94/89, P. R. O.

⁸⁷ Ibid.

⁸⁸ Letter of Colonel Stanhope to Craggs, September 30, 1720, in State Papers, 94/89, P. R. O.

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3. The proposal to restore Gibraltar to Spain.

In the early fall of 1720 it was apparent that the endeavours of the British ambassadors to prepare a final peace treaty and to re-establish friendly diplomatic relations with Spain had not succeeded. The policy to negotiate a settlement with Spain on the conditions of the Treaty of Utrecht had met with complete failure.

The European political situation can here be summarized. The political evolution after the war of 1719 had not taken the desired turn towards an easing of tension in Europe. Instead, the emergence of the Gibraltar question, pressed by the Spanish government, strongly supported by the court of Paris, made reconciliation with Spain impossible and continuation of the English-French alliance precarious. Spain refused to allow the resumption of commercial relations with England, and France insisted on bringing the Gibraltar question before a European congress. This necessarily led the English government to reconsider its position. It was Lord Stanhope who made a decisive move in an attempt to break the deadlock: he offered Gibraltar to Spain a second time.

It is the general opinion of historians that King George I, involved as he was in Northern European politics, was indifferent to Gibraltar, and that Lord Stanhope had to

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some extent always shown a similar lack of interest.⁸⁹ In 1708 he had conquered Minorca and, since then, he had a great predilection for that island. He had inspected Gibraltar in 1709 and come to the conclusion that the port and the fortifications could be brought into a state of readiness for war only at a very great expense.⁹⁰ The annual costs to keep Gibraltar were then calculated to be as high as £ 90.000. This sum did not include expenses for transportation of arms and supplies from North Africa and England.⁹¹ He believed that the fortress was a burden to England, and that Port Mahon on Minorca gave all the defensive advantages Gibraltar could offer.⁹² But most of all, he correctly foresaw the political and commercial consequences which retention of the fortress would entail for England.

France tended to favour Spain in the Gibraltar issue. This played a great part in reconciling the two

⁸⁹ Stetson Conn, Gibraltar in British Diplomacy in the Eighteenth Century, New Haven, Yale University Press, 1942, pp. 29 and 37.

Michael, Quadruple Alliance, p. 129.

Williams, Stanhope, p. 346.

Mahon, History of England, II., p. 128.

⁹⁰ Mahon, History of England, II., p. 127.

Williams, Stanhope, p. 346.

⁹¹ See footnote 5 above.

⁹² Williams, Stanhope, p. 346.

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countries to each other after 1715. The French attitude on the Gibraltar question since the war of 1719 became a token of her good will towards Spain. As a result, the personal and dynastic differences which had separated France and Spain, - the dissension following upon the death of Louis XIV between the Bourbon King Philip V of Spain and the French Regent, the Duke of Orleans, - began to fade away.

France herself also had a more direct interest in transferring the fortress to Spain. England's presence in the Mediterranean was considered a threat by both France and Spain. France was also jealous of the commercial advantages given England by the Treaty of Utrecht. It became her aim to further her own national and commercial interest with the help of Spain. An alliance between France and Spain would have been very dangerous for England. It was the only political union she had to fear in her effort to expand her commercial empire in Europe and overseas, and this had to be avoided.⁹³

The danger existed that if England continued to claim Gibraltar as her own, she might throw Spain into the arms of France. The immediate consequence would be that England would be in an isolated position at the planned

⁹³ Letter of Lord Stanhope to Craggs, October 1, 1720 quoted in Mahon, History of England, II., Appendix xcvi.

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European congress. Spain would bring up the Gibraltar question and would be supported by France. An immediate solution to the Gibraltar question was therefore imperative.⁹⁴

Under these circumstances Lord Stanhope felt that the solution was evident. If the King of Spain received Gibraltar as a free gift, he would be obliged to England. English-Spanish friendship would hinder a Spanish-French alliance and constitute a strong guarantee for European security. England would then finally enjoy her commercial privileges without any delays or restrictions.⁹⁵

These and other reasons were discussed by the English ministers following Lord Stanhope's return from Paris in April 1720. The reports from Colonel Stanhope as well as the memorandum of Luke Schaub confirmed the opinion that negotiations in Madrid had come to a standstill and that a decision had to be reached if the present difficulties were to be overcome and a Franco-Spanish coalition hostile to England avoided.⁹⁶

The differences of opinion about the importance of Gibraltar, which existed in certain political circles at the

94 Ibid.

95 Ibid.

96 Ibid.

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beginning of 1720 had developed within a few months into two well defined political programmes. The policy to retain Gibraltar had apparently suffered a great setback. Hope had vanished that England could expect both that Spain renounce to "The Rock" and that the privileges of the commercial treaties be granted. The policy to restore Gibraltar seemed to be justified after the failure of the diplomatic efforts during the last months. This policy seemed to be more realistic and its prospects of success better. Popular excitement in England over "The Rock" had died down a little and many merchants and politicians now asked themselves whether, after all, it was not in the interest of the country to appease Spain.

It was partly due to this changed political climate that Lord Stanhope believed he could succeed in his policy. He summarized his opinion in a memorandum to the Lord Justices in London, who were in charge of the government while the King and Lord Stanhope were absent in Hanover. The minister asked, in the name of the King, that the whole problem be reconsidered and that the possibility of exchanging Gibraltar for commercial advantages be examined. At the invitation of Secretary of State James Craggs, Lord Townshend defended the proposal of the ministry before the Lord Justices. The latter agreed that the reasons given by

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the King and his ministers were valid, but they argued that the commercial advantages were not sufficient to compensate for the cession of Gibraltar. They wished an exchange of territories as well. Lord Townshend, minister in the Sunderland-Stanhope government since April 1720, proposed⁹⁷ Florida or the Eastern provinces of Hispaniola.

The resolution of the Lord Justices deserves consideration. It was the only time that an English body representing the King and the country decided to surrender Gibraltar to Spain. The group which had advocated the policy to give back the fortress apparently had gained a victory over those who insisted on retaining the territory on Spanish soil. Never did the possibility of the restitution come closer to realization. There existed at this moment even the probability that the consent of Parliament could be obtained, since Robert Walpole and Lord Townshend, who had opposed the Sunderland-Stanhope foreign policy, had⁹⁸ joined the ministry and possibly would support the project.

Two circumstances, however, destroyed the project. The court of Spain rejected the English proposal by alleging

that the

97 Letter of Schaub to Colonel Stanhope, November 1720, quoted in Mahon, History of England, II., cii.

98 J. P. Plumb, England in the Eighteenth Century, Baltimore, Pelican, 1960, p. 58.

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that the territorial exchange proposed in the colonies was contrary to the Treaty of Utrecht, thus refusing to grant any territorial compensation whatsoever for Gibraltar.⁹⁹ Furthermore, in September 1720, the South Sea Company collapsed, and their financial plans made with the Sunderland-Stanhope ministry to redeem the debts of the State fell to pieces.¹⁰⁰ This compromised the government to such an extent that Lord Stanhope's plan for Gibraltar would have been hopelessly defeated. All the victims of the South Sea bankruptcy would have joined forces against the government.¹⁰¹

Internal difficulties, which resulted from the disaster of the South Sea Company, demanded the English ministers' undivided attention. The English had to gain time and continue to rely on the alliance with France instead of moving towards Spain. Lord Stanhope still was not disposed to give up his pro-Spanish policy, and he hoped to weaken the French hold on the Spanish court by at least giving the Spaniards assurances that Gibraltar would be returned as soon as the present turmoil in England had subsided. He

⁹⁹ Letter of Colonel Stanhope to Schaub, January 18, 1721, in Hardwicke Papers, Public Library, New York, quoted in Conn, Gibraltar, p. 60.

¹⁰⁰ Williams, Whig Supremacy, pp. 176-177.

¹⁰¹ Williams, Whig Supremacy, p. 171.

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even offered Spain England's help against Austria in order to secure for the King of Spain occupation of the Italian duchies of Parma, Piacenza and Tuscany - the other object of Spanish policy dear both to the King and the Queen. He asked the French government to show understanding and
¹⁰²patience, and wrote to Colonel Stanhope in Madrid in the same tone requesting him to persuade the King of Spain to
¹⁰³postpone bringing up the affair before the congress.

However, Lord Stanhope's death in February 1721, brought a change in English policy towards Spain and the problem of Gibraltar. The Walpole-Townshend group of the
¹⁰⁴Whigs formed the new administration.

Before discussing the new approach to the Gibraltar problem which the new administration developed, it is well to examine the relations which had existed between Lord Stanhope as foreign minister and his cousin the English ambassador in Spain, and to compare their views on the problem of Gibraltar. There is little doubt that the younger Stanhope showed the highest respect and admiration for his

102 Letter of Destouches to Regent, January 20, 1721, quoted in Alfred Baudrillart, Philippe V et la Cour de France, Paris, 1890, II., p. 447.

103 Letter of Lord Stanhope to Schaub, January 18, 1721, quoted in William Coxe, Memoirs of the Kings of Spain of the House of Bourbon, London 1813, III., p. 27.

104 Williams, Whig Supremacy, p. 178.

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famous relative and that he was very thankful for the experience and promotion he had received through him. When Colonel Stanhope heard of the death of Lord James Stanhope he wrote of the "infinite obligations"¹⁰⁵ which he felt towards the man who had so greatly influenced and determined the course of his life. Even the concise diplomatic style of his letter to the Secretary of State could not conceal the emotion he felt over this loss:

In a particular manner ~~this sad event~~ is grievous to me by being deprived not only of a most kind relative but of one who always honoured me with protection and friendship in a degree even beyond what I could hope for...¹⁰⁶

This did not however mean that he had always been in agreement with the political ideas of the deceased as far as Gibraltar was concerned. From Colonel Stanhope's stubborn silence on this matter, we may gather that he did not agree with his cousin. His subsequent actions indicated that as a military man he was in favour of retention of the fortress.

When he had arrived in Madrid the second time in June 1720, Luke Schaub informed him of the memorandum he had sent to Lord Stanhope recommending the restitution of

¹⁰⁵ Letter of Colonel Stanhope to Townshend, March 10, 1721, in Townshend Papers 22520, p. 51, British Museum.

¹⁰⁶ Letter of Stanhope to Townshend, March 10, 1721, in Townshend Papers 22520, p. 51, B. M.

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Gibraltar. Colonel Stanhope's absolute silence and subsequent action warrants the conclusion that he disliked the idea. He asked his colleague to stay on with him in Madrid until Lord Stanhope's answer arrived.¹⁰⁷ In his audiences and conversations at the court he never mentioned the possibility of cession. On the contrary, he uncompromisingly emphasized the rights of England to Gibraltar. When later in the fall he heard about the proposal of Lord Stanhope to the Lord Justices to restore Gibraltar to Spain and the deliberations in London, he chose to describe the Spanish expedition against Ceuta in great detail to his government and to ignore the issue of Gibraltar completely. When he was ordered to find out if the Spanish court was prepared to accept an exchange, he did not try to overcome the resistance of the Spaniards. And he later came to be on good terms with those men who had opposed his cousin's stand on the Gibraltar question.

We know that Colonel Stanhope, before he set out for Spain, had spent some time in England where he had had the opportunity of observing the general excitement over the Gibraltar question. This experience may have confirmed him in his conviction that the restitution of the fortress was

¹⁰⁷ Letter of Schaub to Craggs, July 1, 1720, in State Papers 94/89, P. R.O.

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against the true interests of the country and the will of many. Colonel Stanhope was undoubtedly more of a soldier than of a politician, and in English military circles the opinion dominated that the possession of Gibraltar was a matter of prestige and power. This possibly led him to believe that Parliament could never be brought to give up Gibraltar.

In view of this, one has good reasons to believe that the two Stanhopes stood for the two possible solutions to the Gibraltar question: to retain the fortress for reasons of prestige and domination, or to return Gibraltar to Spain for commercial and political advantages. The first position gained ascendancy over the second in the years following Lord Stanhope's death. The promise of the late minister to give back the former Spanish territory hindered the initiative of his successors. Only after years of diplomatic struggle, due in large part to the prudent and persevering action of Colonel Stanhope, did the new policy become successful. Spain was finally left with no other alternative but to recognize what she had submitted to in the Treaty of Utrecht.

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4. The King's letter.

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The sudden death of Lord Stanhope in February 1720 was followed in the same month by that of Lord Craggs, the second Secretary of State.¹⁰⁹ These deaths and the forced retirement of Lord Sunderland¹¹⁰ from politics, brought new men into the administration. Robert Walpole became Chancellor of the Exchequer and First Lord of the Treasury,¹¹¹ and Lord Townshend, his brother-in-law, became Secretary of the Northern Department.¹¹² These two men had been dismissed from the administration in 1716 and had formed a powerful opposition against the Sunderland-Stanhope administration and its Gibraltar policy. They had been the driving force behind the dispute over the Gibraltar question, and had pressed in February and March 1720 for a pronouncement of Parliament. In order to break the strength of this opposition, Sunderland and Stanhope had decided to invite Lord

108 Letter of Craggs to Colonel Stanhope, February 6, 1721 (OS), in Carteret Papers 22620, p. 44, B.M.

109 Letter of Colonel Stanhope to Townshend, March 17, 1721, in Carteret Papers 22520, p. 51, B.M.

110 Williams, Whig Supremacy, p. 178.

111 Williams, Ibid.

112 Williams, Ibid.

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Townshend and Robert Walpole to join their ministry.¹¹³ Despite this it cannot be ruled out that Lord Townshend still intended to wreck Lord Stanhope's proposal to restore Gibraltar demanding an equivalent such as Florida or¹¹⁴ Western Hispaniola.

There could be hardly any doubt that Townshend and Walpole, on their own now, would adopt another course in foreign affairs and try to carry out the programme they had defended against the policy of their predecessors. That would mean a change from the conciliatory attitude towards Spain. There were however, three important factors which induced them to avoid an immediate break with the ideas of Lord Stanhope. Firstly, the after-effects of the South Sea Bubble were still strongly felt in the whole country, and any change in politics abroad which probably had repercussions¹¹⁵ on home affairs, had to be avoided. Secondly, an alliance with Austria was impossible at the present time, because the Emperor had eluded his Italian obligations under the Quadruple Alliance, and had created two trading

113, Williams, Ibid.

114 Letter of Schaub to Colonel Stanhope, November 28, 1720, quoted in Mahon, History of England, II., App. cii.

115 Pierre Muret, La Prépondérance Anglaise, 1715-1763, Vol. XI of Peuples et Civilisations, Paris, 1949, p. 145, and Weber, Quadruple Allianz, p. 135.

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companies operating from free ports at Triest and Fiume,¹¹⁶ much to the annoyance of the English. Finally, owing to the influence of Lord Sunderland, "who remained a powerful rival retaining the confidence of the King,"¹¹⁷ some of Lord Stanhope's followers were placed in key positions. These men attempted to continue his foreign policy to some degree. Lord Carteret took the office of Secretary of the Southern Department,¹¹⁸ and Luke Schaub, Lord Stanhope's ex-secretary and confidant, was sent as ambassador to the court of Paris. Colonel Stanhope remained on his post in Madrid.

Lord Carteret, as Secretary of State for the Southern Department, was responsible for Anglo-Spanish relations. He held that England's right to Gibraltar and the commercial privileges admitted no restrictions or conditions. In this respect, a remark to the English ambassador in Paris is revealing. "We must justly insist upon our Treaties renewed without touching the affair of Gibraltar."¹¹⁹ But he was also prepared to seek a compromise if¹²⁰ every other solution proved impossible.

117 Williams, Whig Supremacy, p. 178

118 Archibald Ballantyne, Lord Carteret, A Political Biography, 1690-1763, London, Bentley, 1887, p. 66.

119 Letter of Carteret to Sutton, March 27, 1721, in Carteret Papers 22515, p. 24, B.M.

120 Ballantyne, Carteret, pp. 73-74.

Luke Schaub was the only one who faithfully followed the old policy of Lord Stanhope. He was convinced that restitution of the fortress would be the most reasonable way of avoiding further clashes with Spain, and to reap the commercial advantages of past treaties. As ambassador to the French court and as an expert in Spanish affairs,¹²¹ his opinion carried considerable weight. The compromise arrived at in June 1721 was largely due to his influence.

Colonel Stanhope himself was convinced that Spain had no right to insist on the restitution of Gibraltar. Nevertheless he too finally recommended a compromise to his government as the only means of breaking the deadlock in the relations between England and Spain. But a study of his correspondence between March and June 1721 clearly shows that he considered any compromise only a temporary solution to gain time. He hoped new circumstances would develop which would free England from the obligation of fulfilling her promise.

After Lord Stanhope's death, English foreign policy lacked strong leadership. A certain inconsistency very soon became apparent in England's dealing with Spain about the

¹²¹ Schaub's mission to Madrid, see Chapter I, 1.

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question of Gibraltar. At first the English statesmen tried to adopt a rigid policy towards Spain, and carefully avoided confirming the offer of Lord Stanhope to hand Gibraltar over to Spain. They alleged that the present state of internal affairs in England made this impossible. At the same time they continued to cultivate friendly relations with France in the hope that the Regent might support England in defending her rights to Gibraltar.¹²²

While the rift between England and Spain widened during the summer of 1720, the French and Spanish courts came closer together, as Colonel Stanhope observed in several dispatches from Madrid.¹²³ Diplomatic relations between France and Spain were re-established in October 1720,¹²⁴ during the winter of 1720-1721 several proposals and counterproposals for a defensive alliance were made by Paris and Madrid. Finally, the treaty of friendship and peace was signed in March 1721.¹²⁵ Secret articles promised the

¹²² Townshend to Sutton, March 1, 1721, in State Papers 78/170, P.R.O.

¹²³ Colonel Stanhope to Craggs, October 14 and 28, 1720, in State Papers 94/90, P.R.O.

¹²⁴ Ministère des Affaires Etrangères, Recueil des Instructions, Espagne, II., pp. 378-79.

¹²⁵ Cantillo, Tratados, p. 194.

Regent's intercession with the King of England to secure the
 restitution of Gibraltar,¹²⁶ and it was agreed that efforts
 should be made to bring England into the new alliance.¹²⁷

The great obstacle of course, was the question of Gibraltar.
 The King of Spain made the restitution a conditio sine qua
non for the admission of England to the treaty. This ob-
 stacle¹²⁸ seemed to be unsurmountable.

The Regent and Abbé Dubois, his chief minister
 tried to convince the King of Spain that it was imprudent to
 insist upon restitution now. They expressed their personal
 conviction that the King of England would respect the
 promise given by the late Lord Stanhope as soon as the ex-
 cite¹²⁹ment over the financial disaster had died down.

The suggestion to find a way out of the dilemma
 came from the Duke of Parma. He proposed to the courts of
 Madrid and St. James that the King of England give a
 written guarantee. This was put out the first time in a
 letter from the Parmesian ambassador in London to Abbé
 Dubois in which the Duke explained:

126 Cantillo, Tratados, p. 196.

127 Cantillo, Tratados, p. 198.

128 Baudrillart, Philippe, II., p. 451.

129 Letter of Dubois to Maulevrier, March 28, 1721,
 quoted in Baudrillart, Philippe, II., p. 459.

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Il n'y avait qu'un seul expedient. Le roi écrivait une lettre au roi d'Espagne, ratifiant la promesse de Gibraltar et d'obligeant à ménager les circonstances à l'accomplir.¹³⁰

Luke Schaub took this idea up immediately. In a letter to the English ministers he used the following formula:

Que sa majesté aura l'attention de faire agréer par lement la cession de Gibraltar contre quelque equivalent, aussitôt que les despositions lui paraîtraient favorables, et qu'elle les rendrait telles.¹³¹

Colonel Stanhope in Madrid received a similar proposal from the Spanish foreign minister Grimaldo, which showed that the Parmesian proposal had fallen on good ground. Grimaldo wrote Stanhope:

That a letter be sent from the King... to His Catholic Majesty promising the Restitution of Gibraltar for an Equivalent whenever he should find His Parliament in a temper to give their consent.¹³²

¹³⁰ Letter of Chavigny to Dubois, February 6, 1721, quoted in E. Bourgeois, La Diplomatie Secrète, 3 Vols, Paris, 1909-1910, III., pp. 250 and 459.

¹³¹ Letter proposed by Schaub to Sunderland and Townshend quoted in Colonel Stanhope's letter of April 23, 1721 in Carteret Papers 22521, p. 16, B.M.

¹³² Letter of Grimaldo to Colonel Stanhope, March 30, 1721 (Copy), in Carteret Papers 22520, B.M.

After all the previous fruitless attempts to overcome the resistance of the Spanish sovereigns, this letter was quite a concession. Colonel Stanhope's reaction to this proposal was very different from what might have been expected. He adopted the rigid position of his government as his own. In the presence of the King's confessor he told Grimaldo:

I would in confidence acquaint them with the unalterable resolution which the King our Master had been necessitated to take in relation to that affair which was, that upon no consideration whatever, could he be brought either to give up at the present or to enter into any positive engagement for doing of it for the future, and that he would even continue the war ten ¹³³ years longer than give in to such a proposal.

The King was immediately informed about this conversation. He called Stanhope to an audience in which the ambassador repeated:

In the strongest words the absolute impossibility ever to comply with what his Majesty required in Mon^r Grimaldo's letter to me, and also the very great inconvenience in what was therein demanded.¹³⁴

¹³³ Letter of Colonel Stanhope to Schaub, April 23, 1721, in Carteret Papers 22521, p. 16, B.M.

¹³⁴ Letter to Colonel Stanhope to Schaub, April 23, 1721, in Cartèret Papers 22521, p. 16, B.M.

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Since Colonel Stanhope acted according to the orders of his government, these two passages clearly expressed the policy of the new ministry. One may wonder why the Spanish King did not refuse to further negotiate England's admission to the French-Spanish alliance. Instead he insisted that the ambassador send the Spanish proposals by special messenger to the government in London.

In a later audience the King repeated his suggestions. He promised that the letter would be kept secret, and that he considered it a sufficient guarantee for an alliance to be concluded and commercial concessions renewed.¹³⁵

But the proposal of the Spanish King found little favourable response in England. Lord Carteret, referring to Colonel Stanhope's dispatch, wrote Luke Schaub in Paris:

Ne nous laisseroit guère esperer d'accommodement le roy d'Espagne, car il demande des explications par écrit qui ne nous conviennent pas du tout, et auxquelles le Roy ne consentira jamais.¹³⁶

¹³⁵ Ibid.

¹³⁶ Letter of Carteret to Schaub, April 14, 1721, in Carteret Papers 22515, p. 42, B.M.

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Abbé Dubois tried once again to remove the obstacle which separated England and Spain by convincing the English ministers that England too had to make concessions. He sent instructions to his ambassador in London to inform the court of St. James that an alliance had been concluded between France and Spain, and that it was the express wish of the Regent that England join this alliance. He added that their Catholic Majesties would consent to this only if they were given positive assurance that Gibraltar would be given back to them.¹³⁷

Under the present political conditions in Europe, and confronted with the accomplished fact of the Franco-Spanish treaty, the British ministry had no other choice but to accept the Parmesian suggestion. They reluctantly agreed and Carteret ordered Stanhope to negotiate with the Spanish court the definite form of the proposed letter.¹³⁸

When Colonel Stanhope was informed about the decision of his government to abandon its unyielding stand on the question of Gibraltar in order to foil an alliance which might be hostile to England, he agreed that an agree-

¹³⁷ Letters of Dubois to Destouches, April 12 and 28, 1721, quoted in Bourgeois, Diplomatie Secrète, III., pp. 269-270.

¹³⁸ Letter to Carteret to Stanhope, April 15, 1721, in Carteret Papers 22515, p. 47, B.M.

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might now be reached. He began cautiously to negotiate with Grimaldo, who was very confident that, at last, the disputes between the two countries would be settled to their mutual satisfaction. The English ambassador regretted that there appeared to be no other solution for the moment except that of complying with the Spanish King's wishes:

I would happily have wished that his Catholic Majesties would have been satisfied without anything in writing, but I am fully persuaded that it was absolutely impossible to be brought about before the congress, tho at the same time I am still of opinion that after having pushed the affair to the last extremity, in point of time, his Catholic Majesty would not have continued the war, for the sake of such a letter as is proposed.¹³⁹

At any rate, he concluded, a letter from the English King on this subject would have one good effect; the Regent could no longer pretend that Spain owed the offer of Gibraltar to him. His interference had long enough con-
stituted an unpleasant lever in this affair.¹⁴⁰

In May 1721 Stanhope had an audience with the King. The King maintained that the new treaty suggestions would offer many advantages to England but none to Spain. He de-

¹³⁹ Letter of Stanhope to Schaub, April 23, 1721, in Carteret Papers, 22520, p. 16 and following pages, B.M.

¹⁴⁰ Ibid.

manded compensation for the Spanish ships lost off Cape Passaro in the last war. Stanhope replied that the new treaty could only be a confirmation of former agreements. As far as the compensation was concerned, he said he did not believe that his government was willing to assume any such obligation. During other negotiations with Grimaldo, Stanhope became aware of the importance which the Spanish King attached to a letter from the King of England. He was now convinced that it would open the way to an agreement. He anxiously hoped such a letter would be sent in reply to his earlier request:

At that time I flattered myself this letter would, if approved in England, engage the King of Spain to put an end at once to all matters and dispute between the two nations.¹⁴¹

But new difficulties arose. The Spanish minister now refused to recognize any treaty previous to that signed with the Quadruple Alliance of 1720. He maintained that all earlier agreements had been annulled by the war between England and Spain.¹⁴² Stanhope vehemently denied this, and informed Grimaldo that it contradicted the proposals the

¹⁴¹ Letter of Colonel Stanhope to Carteret, May 14, 1721, in Carteret Papers 22521, p. 16, B.M.

¹⁴² Ibid.

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minister himself had earlier made, when he had promised to respect the commercial privileges which had existed before the war in return for the promise of Gibraltar from the English King. He answered that his Sovereign would not sign any agreement at all if the former treaties were not recognized. Any hope for the restitution would vanish if England received such unfriendly treatment from Spain.¹⁴³

Stanhope also insisted strongly that Grimaldo agree on the article of the draft treaty concerning the letter of the King of England. This had to be considered as conditional, and must be accepted as such by the Spanish King. The letter should be kept secret, and Gibraltar should not be mentioned in any other treaty thereafter.¹⁴⁴ Stanhope's intention in securing this was twofold: he wished to avoid making the King's promise of Gibraltar a definite obligation and to exclude any further interference by the Regent in this matter.

At the end of May, Stanhope could report with a certain satisfaction:

¹⁴³ Letter of Colonel Stanhope to Carteret, May 14, 1721, in Carteret Papers 22520, p. 74, B.M.

¹⁴⁴ Ibid.

That after innumerable difficulties started here, all matter hitherto in dispute between the two nations are at last entirely settled beyond the possibility of a new chicane.¹⁴⁵

However, when King George's letter finally arrived, the Spanish King and his ministers raised many objections, especially against its wording:

That the restoring of Gibraltar was so darkly mentioned and what his Majesty promised so faintly expressed that it really and strictly engaged for nothing.¹⁴⁶

That was exactly the intention of the English ministers and of Stanhope. The greatest objection the Spaniards raised concerned the "equivalent" for Gibraltar. They felt that the English Parliament might well demand a whole province in exchange for Gibraltar and that the King of Spain be put in such a position that he would have been better off if he had renounced his claim to Gibraltar. Stanhope replied that King George had adopted the formulation accepted and proposed by his Catholic Majesty. He offered to ask the King of England for another letter in which the words "for an equivalent" would be omitted.^{146a}

¹⁴⁵ Letter of Colonel Stanhope to Carteret, May 29, 1721, in Carteret Papers 22520, p. 103, B.M.

¹⁴⁶ Ibid.

^{146a} Ibid.

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A new letter was drawn up and sent to England, whereupon King Philip consented to confirm all former treaties. Stanhope then promised to prevail upon his government to surrender the Spanish men-of-war which were anchored at Port Mahon.

Colonel Stanhope saw this approach as the only means of coming to an agreement. He considered the wording of the King's letter a pure formality since Parliament:

Will absolutely refuse to part with Gibraltar upon any terms or at least, insist upon an equivalent for it, and that the King of Spain, if he hoped ever to have that place, must see the necessity of and consent to the having it proposed to the parliament upon the condition for an equivalent.¹⁴⁷

This statement reveals the English ambassador's real thought. He was convinced that England would always find an interpretation of the letter which would suit her purpose. Concerning the Spanish ships, she remarked that he had information "that they are at present not worth the taking out of harbor."¹⁴⁸ Possibly the ships could be bought from Spain for a nominal sum. The English property which had been confiscated at the beginning of the war should not

¹⁴⁷ Letter of Colonel Stanhope to Carteret, May 29, 1721, in Carteret Papers 22520, B.M.

¹⁴⁸ Letter of Colonel Stanhope to Carteret, May 29, 1721, in Carteret Papers 22520, p. 74, B.M.

be withheld by the Spanish "for such trifling object." Finally Stanhope asked for full powers to negotiate and to sign the treaty with France and Spain.

Luke Schaub in Paris too, asked Carteret not to object to the new formulation of the letter:

L'expedient suggeré par Monsieur Stanhope ne doit vous faire aucune peine, qu'au premier abord l'omission des paroles sur le prix d'un equivalent, paroît considérable, mais que dans le fond no changera rien au sens de la lettre, que la lettre portera toujours que Sa Majesté reglera la restitution de Gibraltar avec le consentement de son parlement et que ce consentement et le terme "regler" implique l'equivalent.¹⁴⁹

The same day Stanhope wrote to Luke Schaub asking for the opinion of a "real friend" about the treaty he had proposed to his government: "If you approved of it, I shall¹⁵⁰ be encouraged to hope for the same success in England."

New difficulties about certain formulations were brought up to the last moment, but the treaty between England and Spain was finally signed in Madrid on June 13, 1721. On that day the Spanish ministers, Colonel Stanhope, and the French ambassador Marquis de Maulevrier signed the

¹⁴⁹ Letter of Schaub to Carteret, May 29, 1721, in Carteret Papers 22521, pp. 156-158, B.M.

¹⁵⁰ Letter of Colonel Stanhope to Schaub, May 29, 1721, in Carteret Papers 22520, p. 159, B.M.

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Spanish-French-English Alliance.

In the English-Spanish agreement, both sides expressed the desire to renew their former ties and to conclude an alliance "of sincere and eternal friendship."¹⁵²

In Article Two, the treaties of 1713 and 1716 were confirmed and all former privileges renewed, and mutual restitution of confiscated goods and ships was promised. Since the newly formulated letter of King George had not yet arrived, the King pressed for a declaration that the treaty be invalidated if His British Majesty did not send the letter concerning Gibraltar. One additional article read:

Nous déclaront pour la présente, qu'en cas que Sa Majesté Britannique ne consente pas a écrire et faire délivrer la dite lettre ci-dessus insérée la traité signe aujourd'hui demeurera nul et sans aucune validité.¹⁵³

The day after the signing of the treaty, Stanhope informed Lord Carteret of the matter and excused himself for not having waited for an answer from London. He wrote that a letter of Lord Townshend had confirmed his believe that the King of England would approve of his proposal, and the

¹⁵¹ The Treaty of Madrid, June 13, 1721 in Carteret Papers 22520, B.M.

Cantillo, Tratados, p. 201.

Chalmers, Treaties, pp. 213-218.

¹⁵² Ibid.

¹⁵³ Ibid.

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King of Spain had been unwilling to put off the signing of
¹⁵⁴
 the treaty any longer.

The same day the treaty was signed, Grimaldo
 promised the delivery of the cedulas as soon as the Spanish
 ships were returned. Two weeks later, a messenger arrived
 from England with full powers for Stanhope. Stanhope at
 once notified the Spanish King, who expressed his extreme
 satisfaction that friendly relations between the two
 countries had been re-established.¹⁵⁵ The next mail delivery
 authorized the English envoy to deliver the Spanish ships
¹⁵⁶
 taken at Passaro, and the Spanish ministers assured him
 that orders to return British property would be issued as
 soon as possible. On August 16, 1721 King Philip signed
 these orders and two days later he signed the cedulas for
¹⁵⁷
 the South Sea Company.

After all the frustrations of the endeavours of the

¹⁵⁴ Colonel Stanhope to Carteret, June 14, 1721, in
Carteret Papers 22520, B.M.

¹⁵⁵ Colonel Stanhope to Carteret, June 30 and July
 11, 1721, in Carteret Papers 22520, B.M.

¹⁵⁶ Colonel Stanhope to Carteret, July 29, 1721, in
Carteret Papers 22520, B.M.

¹⁵⁷ Colonel Stanhope to Carteret, August 18, 1721,
 in Carteret Papers 22520, p. 190, B.M.

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English government to find a mode of accommodation with Spain, the Treaty of Madrid was a great success. England derived some important benefits from it. The friction with Spain was reduced and the continuance of the Anglo-French alliance guaranteed the Utrecht settlement. This was most important for England, for the internal confusion following the South Sea Bubble made it imperative for her to avoid any disturbances in foreign politics. The Gibraltar question was put off, and the problem was thus ruled out as a topic of discussion at the forthcoming congress. Finally, commerce between the two countries was renewed, and English merchants could again enjoy the benefit of trade with Spain and the Spanish colonies.

These advantages had been achieved only because the King of England had promised that he would propose the restitution of Gibraltar to Parliament as soon as he believed this feasible. The English ministers and their ambassador in Madrid were well aware that the formula proposed by the King of Spain and accepted by the King of England gave them a loophole for not fulfilling the promise. They played upon the ignorance and trust of the Spanish sovereign, knowing that the Parliamentary system in England would always allow them to find a sufficient majority in both Houses to oppose any project of surrendering the fortress. They considered the letter an empty promise

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which in no way bound the King. They had advanced a great step, for the question of Gibraltar was postponed indefinitely.

Colonel Stanhope had achieved a great diplomatic success. He had acted according to the principle that diplomacy is the art of the possible. He had refused any compromise whatsoever as long as it seemed reasonable to hope for success. When this appeared impossible, he himself advised his government to satisfy the King of Spain, and send the proposed letter. He considered it a pure formality, but a formality which could, and did, avoid a break between England and Spain.

CHAPTER II

THE FAILURE OF THE POLICY TO RETAIN GIBRALTAR
1721-1727

1. Gibraltar or the Italian Duchies?

The Treaty of Madrid restored peace between England and Spain, but it was concluded under conditions which soon turned the English success into a source of new troubles. It is true that the South Sea Company received the cedulas for the slave trade and the annual ship, but much friction persisted over the implementation of these privileges. The correspondence of Colonel Stanhope is full of complaints regarding this. It tells of endless quarrels which arose over the restitution of the goods confiscated during the last war, and of the ambassador's efforts to receive redress for the manifold grievances of English seamen and merchants against the lack of co-operation of Spanish officials in the American colonies.¹⁵⁸

The English statesmen were not unaware of the fact that the two main aims of Spanish politics which could affect English-Spanish relations at any time, remained unsolved: the investiture of the Italian duchies, and the

¹⁵⁸ Letters of Stanhope to Carteret, January 6, 20, 26, March 25, 30, July 20, August 6, 10, 29, September 14, 1722, in State Papers 94/91, P.R.O.

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restitution of Gibraltar. By the Treaty of Madrid, both issues had assumed a certain interdependence. On the one hand, the treaty gave the English government respite concerning Gibraltar, but on the other hand it intensified Spanish pressure to gain Parma, Piacenza and Tuscany.¹⁵⁹ The hope of obtaining the duchies with the help of England had been one of the main reasons why the Catholic Majesties allowed England to join the new alliance. In the Treaty of Madrid, both England and France had given positive assurance that they would support the Spanish pretensions in Italy.¹⁶⁰

Only a successful policy against the Emperor, who had eluded the obligations imposed upon him by the Quadruple Alliance to return the duchies to Spain, could persuade the Spanish court to postpone their demand for the restitution of Gibraltar long enough to allow the English to find a way out of the promise given by the King of England. It became therefore the aim of the English foreign policy to divert the attention of the Spanish court towards Italy, and to force the Emperor to satisfy the claims of the King and the Queen of Spain.

¹⁵⁹ Letter of Stanhope to Carteret, September 15, 1722, in Carteret Papers 22520, B.M.

¹⁶⁰ Cantillo, Tratados, p. 201.

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In order to carry out their policy, the English ministers needed the support of France. The alliance between the two countries had suffered some setbacks in the past, and the English were almost certain that France had given Spain assurances regarding the restitution of Gibraltar.¹⁶¹ With envy and distrust, they observed the increasing influence of France at the court of Madrid. Stanhope reported that a double marriage agreement had been concluded between the young King of France, Louis XV, and the three-year-old daughter of the Spanish sovereigns, and between the Prince of Asturias and Madame Montpensier, daughter of the Regent.¹⁶² Only the common interest of England and France against the political and commercial ambitions of the Emperor appeared to impede a deterioration of their relations.

At the court of Vienna the treaty between England, France and Spain had provoked consternation and anger. In the Emperor's eyes, the Quadruple Alliance had come to an

¹⁶¹ Letter of Schaub to Carteret, August 30, 1721, in Carteret Papers 22521, pp. 411-412, B.M.

Letter of Stanhope to Townshend, September 8, 1721, in Carteret Papers 22520, p. 265, B.M.

¹⁶² Letters of Stanhope to Carteret, September 22, and October 27, 1721, in Carteret Papers 22520, p. 279, B.M.

Letters of Stanhope to Carteret, January 7, 13, 20, 1722, in State Papers 94/91, P.R.O.

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end, and he felt he was no longer bound to carry out the obligations of the former alliance.¹⁶³ Moreover, he was no longer disposed to consider the interests of his former allies. He not only extended the trade of his subjects with the East through the free ports of Trieste and Fiume, but also founded the Ostend Company in December 1722,¹⁶⁴ thereby legalizing the trade of his subjects in the Netherlands with the East Indies.

The Italian policies of Charles VI of Austria and his creation of the Levant and Orient Companies had vexed England; his new measures exacerbated the English even more. The foundation of the Ostend Company brought Holland to their side, and both decided to bring their claims before the European congress,¹⁶⁵ which had been projected by the allies of the Quadruple Alliance in order to settle the differences between the European Powers after the war of 1719. Out of

163 Weber, Allianz, pp. 117-119.

Louis Wiesener, Le Régent, l'Abbé Dubois et les Anglais, Paris 1893, II., p. 360.

164 Michael, Englische Geschichte, III., p. 387.

Max Braubach, Versailles und Wien von Ludwig XIV bis Kaunitz, Bonn, Röhrscheidt, 1852, p. 137.

165 Letters of Stanhope to Carteret, September 8, and October 25, 1721, in Carteret Papers 22520, B.M.

Letters of Stanhope to Carteret, January 7, May 3, August 6 and 29, 1722, in Carteret Papers 22520, B.M.

Baudrillart, Philippe, V, III, p. 515.

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consideration for Abbé Dubois, created Archbishop of Cambrai in 1720, this city had been chosen for the Assembly. Since the essential problems between England, France and Spain had been agreed upon, the congress appeared to be directed against the Emperor. It is no wonder that he tried to delay its beginning with numerous legal objections about the renunciation of titles and territories. It was only the constant pressure of England and France that finally made him consent in principle to transfer the duchies to the Infant Don Carlos and to send plenipotentiaries to the congress. The English government considered this a great step towards their goal and they did not fail to call the attention of the Spanish King and the Queen to all the efforts they had undertaken for their interests.

When the congress finally opened in February 1724, after more than two years' delay, the differences between the two groups became apparent. The only agreement reached was that the Quadruple Alliance should be the basis of the negotiations.¹⁶⁶ The English and the French plenipotentiaries tried to impose their mediation; the Austrians disregarded it. The English and French brought up the question of the investitures, but the Austrians retorted with all kinds of

166 Michael, Englische Geschichte, III., p. 255.

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objections to the immediate occupation of the Italian duchies by the Spanish prince. However, they showed they were willing to comply with the Spanish wishes if the European Powers accepted the Pragmatic Sanction, which would secure the integrity of the Austrian territories and the Habsburg succession.¹⁶⁷ The project was rejected as not belonging to the agenda of the congress. The Austrians retaliated. When the Dutch demanded the suppression of the Ostend Company, they used the same argument: that the matter was not contained in the Quadruple Alliance.¹⁶⁸ The negotiations came to a standstill towards the end of the summer, and no practical step was taken in the matter of the Italian duchies. Thus the English attempt to satisfy the Spanish court failed.

This failure brought the Gibraltar question to the attention of the Spanish sovereigns once again. Colonel Stanhope had been convinced from the beginning that the Treaty of Madrid would give the English government only a respite. The delay of the congress and its fruitless negotiations about the Italian duchies increased his fear that the question might be brought up again and that the Spanish court

167 Letter of Stanhope to Newcastle, January 10, 1724, in Newcastle Papers 32739, p. 86, B.M.

Michael, Englische Geschichte, III., p. 255.

168 Newcastle Papers 32730 and 32739, B.M.
Baudrillart, Philippe V, III., pp. 75 and 175.
 Michael, Englische Geschichte, III., p. 257.

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would insist on the fulfillment of King George's promise.

Only once, during the years from 1721-1724, did Colonel Stanhope mention the problem of Gibraltar. The Duke of Veraguas, a descendant of Christopher Columbus, who intended to lay before the congress at Cambrai some personal claims about the confiscation of his property on the island of Jamaica, proposed to exchange Hispaniola for Gibraltar.¹⁶⁹ The plan found favour neither in Madrid nor in London. Lord Carteret told Colonel Stanhope to avoid any discussion about this matter in the future.¹⁷⁰ This clearly indicated the intention of the English ministry to avoid the question of Gibraltar, and to elude fulfillment of the promise contained in the King's letter.

Despite this rebuff Stanhope believed it necessary to inform his government that the Gibraltar question would take on great proportions in English-Spanish relations, and probably very soon. Referring to recent conversations with the Spanish minister, he wrote:

The Marquis de Grimaldo has not only of late severall times mentioned that affair to me with a good deal of earnestness, but

¹⁶⁹ Letter of Stanhope to Carteret, November 25, 1722, in State Papers 94/91, P. R. O.

¹⁷⁰ Letter of Carteret to Stanhope, December 1722, in State Papers 94/91, P. R. O.

Letter of Carteret to Polwarth and Whitworth, December 18, 1722, in Polwarth Papers, Historical Manuscript Commission.

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has often repeated that his Cat^k Ma^{ty} saw with the greatest satisfaction the readiness and zeal which the present Parliament seemed to come into all the King our master's measures, both upon account of the strict friendship so happily established between the two Crowns as also upon the favourable conjuncture this good Disposition of the Parlt^t naturally afforded of proposing this very session the affair of Gibraltar.¹⁷¹

Stanhope was less optimistic about the readiness of the English Parliament to please the Spaniards than the Spanish King and his minister. He tried to dissuade the Spanish court from pressing the matter at that time, because he knew that, if it should be rejected by Parliament, it would be impossible to bring it up again in the future. The arguments seemed to impress the Spanish minister, but he left no doubt that the King would repeat his claims at "a more convenient and favourable occasion."¹⁷²

At this point, it is well to mention two events which greatly affected the relations between England and Spain. In Madrid, the renunciation of the Spanish throne by Philip V, in February 1724,¹⁷³ with the consequent growth of

171 Letter of Stanhope to Carteret, January 10, 1723, in State Papers, 94/92, P. R. O.

172 Ibid.

173 Letter of Stanhope to Carteret, January 16, 1724, in Newcastle Papers 32738, p. 7, B. M.

Abdication of Philip V, in State Papers 94/92, P. R. O. (Copy)

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the influence of the Queen on Spanish politics, when the King resumed the government after the death of his son, only five months later, and in London, the removal of Lord Carteret from his post as Secretary of State for the Southern Department.¹⁷⁴

After Lord Sunderland's death in April 1722, the men of Lord Stanhope's group lost their strongest support against the Townshend-Walpole group. Robert Walpole had now won the confidence of the English King and the people by overcoming the worst effects of the South Sea disaster and successfully re-organizing the national economy. It was only a matter of time before the Sunderland-Stanhope group were removed from their positions. They were only tolerated as long as the relations with France recommended their retention in office. The deaths of Cardinal Dubois in August,¹⁷⁵ and of the Regent in December 1723,¹⁷⁶ removed these obstacles. Luke Schaub was recalled from the embassy at Paris and Lord

¹⁷⁴ Letter of Stanhope to Newcastle, May 1, 1724, in Newcastle Papers 32738, p. 288, B. M.

Ballantyne, Lord Carteret, p. 100.

¹⁷⁵ Letter of Robert Walpole to Schaub, August 5, 1723, quoted in Coxe, Sir Robert Walpole, I., p. 151.

Muret, Prépondérance Anglaise, p. 155.

¹⁷⁶ Letter of Stanhope to Carteret, January 16, 1724, Newcastle Papers 32738, p. 5, B. M.

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Carteret was forced to resign shortly afterwards.¹⁷⁷ The Duke of Newcastle took the office of the Secretary of the Southern Department,¹⁷⁸ and Horace Walpole, the brother of Robert Walpole,¹⁷⁹ went as ambassador to the court of Versailles.

The arrival of these men to key positions in administration and diplomacy did not only complete the changes which Townshend and Walpole had initiated, but ended in most respects the tradition of Lord Stanhope's policy.¹⁸⁰ Owing to the now dominant influence of Lord Townshend in foreign policy, the relations of the English government became more unfriendly towards the Emperor,¹⁸¹ and more uncompromising towards Spain. The possibility of fulfilling the promise of the King was definitively discarded, and from this time forward the aim of the new Whig government became definitely to

177 Letter of Newcastle to Stanhope, April 9, 1724, in Newcastle Papers 32738, p. 216, B. M.
Ballantyne, Lord Carteret, p. 100.

178 Letter of Stanhope to Newcastle, May 1, 1724, in Newcastle Papers 32738, p. 288, B. M.

179 Letter of Newcastle to Stanhope, April 9, 1724, in Newcastle Papers 32738, p. 216, B. M.

180 Muret, Prépondérance Anglaise, pp. 155-156.

181 Muret, Prépondérance Anglaise, p. 156.
Letter of Horace Walpole to Newcastle, September 1724, in Newcastle Papers 32740, B. M.
Letter of Newcastle to Horace Walpole, September 29, 1724, In Newcastle Papers 32740, B. M.

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keep Gibraltar for England.

Colonel Stanhope stayed on at his post. He even seemed to have strengthened his position under the direction of his new superiors. In one sense this was surprising, since his name and relationship with the late Lord Stanhope did not recommend him to Lord Townshend and Robert Walpole. One of the reasons was doubtlessly the difficulty of finding
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a man to take over the embassy at Madrid. It had always been hard to fill this post. But, as we have already indicated, Stanhope had a predilection for men who advocated the
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policy of retaining of Gibraltar for England.

With time, Stanhope became very friendly with the Duke of Newcastle, and quite co-operative with Lord Townshend. Newcastle encouraged Stanhope in his difficult task. Because of his protection, and the ministry's more rigid attitude, the ambassador became more confident in his proposals and decisions. From now on there was to be no longer any vacillation in dealing with the problem of Gibraltar. The English government was against restitution, and Stanhope became the faithful executor of the new course.

182 Muret, Prépondérance Anglaise, p. 156.

183 Horn, British Diplomatic Service, p. 87.

184 See Chapter I, part 3.

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This change in English policy and the active intervention of the Spanish Queen in political affairs following the death of the young King in August 1724,¹⁸⁵ led to an unexpected turn in European politics. The Gibraltar question became a matter of European concern.

¹⁸⁵ Letters of Stanhope to Newcastle, September 5, 9 and 11, 1724, in Newcastle Papers 32740, p. 185, B. M.

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2. The Treaty of Vienna.

After the delays and futile negotiations at Cambrai and the evasive attitude of the English ambassador at Madrid the Spanish court became suspicious that her allies were trying to evade their obligations under the Treaty of Madrid and that England intended to postpone the execution of the King's promise indefinitely. During the negotiations at Cambrai the Spanish plenipotentiaries had pressed the English and French representatives several times to agree to the immediate occupation of the Italian duchies by the Spaniards and to their right to garrison them with Spanish troops. At Madrid, the Spanish ministers had asked Stanhope on several occasions to remind the King of England of his¹⁸⁶ promise concerning Gibraltar.

Since they had not received the desired response from one side or the other, the Queen urged the King to send the Marquis of Monteleone as extraordinary envoy to the British Government to renew the Spanish demands in a decisive manner. Monteleone met Townshend in The Hague and the French ministers in Paris, but neither France nor England

¹⁸⁶ Letter of Stanhope to Newcastle, July 26, 1724, in Newcastle Papers 32739, p. 505, B. M.

Letter of Townshend to Stanhope, August 3, 1724, in Newcastle Papers 32740, p. 5, B. M.

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were willing to go to war for Spain's Italian demands.¹⁸⁷

The English plenipotentiaries were instructed to be reserved in these matters. At the same time, in Madrid, Stanhope received clear directives concerning Gibraltar from Lord Townshend "to insist that no further notice be taken of it."¹⁸⁸

Dissatisfied with the results of the congress and disappointed with the outcome of Monteleone's mission, the Spanish sovereigns decided to negotiate a direct agreement with the Emperor.¹⁸⁹ This idea had probably been suggested by the Dutch-Spanish official, Baron de Ripperda, who had served as an expert in the Spanish-English negotiations for the commercial treaty of 1716.

In a dispatch of February 1725, Stanhope mentioned the name of Ripperda for the first time. He had learned that he left Madrid in all secrecy for Vienna in November where he had daily conferences with the Count of

¹⁸⁷ Letters of Stanhope to Carteret, March 13, and April 15, 1724, in Newcastle Papers 32738, B. M.

Letters of Newcastle to Stanhope, April 29, and June 5, 1724, in Newcastle Papers 32739, B. M.

¹⁸⁸ Letter of Newcastle to Horace Walpole, September 29, 1724, in Newcastle Papers 32740, B. M.

¹⁸⁹ Basil Williams, "The Foreign Policy of England under Walpole" in English Historical Review, 15 (1900), pp. 488-489.

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Zinzendorff, the Imperial Minister. Ripperda's instructions concerned three main objectives. First, the King and the Queen of Spain proposed a marriage between the Houses of Bourbon and Habsburg. They also asked for the friendly settlement of the question of Parma, Piacenza and Tuscany, and, finally, they expected the Emperor's intervention to secure the restitution of Gibraltar and Minorca. With regard to the last point the instructions said it would be a sign of friendship if the Emperor would help to recover territories which had been lost through his co-operation with Spain's enemies. As for Gibraltar, the King of England had already promised to return the fortress.¹⁹¹

Two stipulations contained in Ripperda's instructions made negotiations tricky: the marriage proposals, and the request to mediate in the Gibraltar affair. The imperial council, Prince Eugene, Count Starhemberg and the Count of Zinzendorff, was divided in its opinion.¹⁹² Only Zinzendorff recommended the marriage proposals, while Prince Eugene and Starhemberg opposed them. A union of the Bourbons and the

¹⁹⁰ Letter of Stanhope to Newcastle, March 12, 1725 in Newcastle Papers 32742, p. 286, B. M.

¹⁹¹ Cantillo, Tratados, p. 214.

¹⁹² Grete Mecenseffy, Karls VI Spanische Bundnispolitik, 1725-1729, Innsbruck, 1954, p. 27.

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Habsburgs would provoke the jealousy of the German Princes and of all the other European Powers. With regard to Gibraltar, they entreated the Emperor not to promise more¹⁹³ than his good offices.

Negotiations at Vienna progressed slowly and would probably have ended in failure if an event had not occurred which changed the whole situation. On the 8 of March 1721 a courier from Paris arrived in Madrid to notify their Catholic Majesties that the court of France had decided to annul the engagement of marriage between Louis XV and the Spanish¹⁹⁴ Infanta.

The King and the Queen reacted to this news with the greatest violence. They ordered the French diplomats to leave the country, and recalled the Spanish ambassador in Paris and their plenipotentiaries at Cambrai. They asked¹⁹⁵ England to mediate at the congress, and, most important of all, they gave Ripperda full power to conclude an agreement

¹⁹³ Alfred von Arneth, Prinz Eugen von Savoyen, Gera, 1888, p. 175.

¹⁹⁴ Letter of Stanhope to Newcastle, March 20, 1725, in Newcastle Papers 32742, p. 359, B. M.

¹⁹⁵ Letters of Stanhope to Newcastle, March 26, 1725, in Newcastle Papers 32742, p. 451, and of April 16, 19, 30, and of May 7, 1725, in Newcastle Papers 32743, B. M.

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with the Emperor "coûte que coûte."¹⁹⁶

The English ambassador at Madrid was aware what that turn of the events would bring. From the start he was sure that Ripperda's negotiation in Austria had an official character. Ripperda had sent messages from Vienna to Madrid¹⁹⁷ giving hope of success to the court. In May, a courier from Ripperda arrived at Madrid with the surprising news from Baron de Ripperda that a treaty had just been concluded¹⁹⁸ between the Emperor and the King of Spain.

The reconciliation between Spain and Austria created a completely new situation in European affairs. The antagonists of the War of the Spanish Succession finally recognized the Treaty of Utrecht and the settlement of the Quadruple Alliance. The problem of titles and renunciations was solved, and the investiture of Don Carlos in Italy was arranged to the satisfaction of the "Catholic Majesties"; the duchies of Parma, Piacenza and Tuscany were to be transferred after the death of the present possessors. Spain in return recognized the Pragmatic Sanction. In regard to the Gibraltar question, the Emperor promised his good

196 Cantillo, Tratados, p. 214.

197 Letter of Stanhope to Newcastle, May 21, 1725, in Newcastle Papers 32743, p. 203, B. M.

198 Ibid.

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offices - si amicabiliter fieri potest - but only when both partners could agree to accept the mediation. Spain, as a compensation, recognized the Ostend Company and gave the subjects of the Emperor special privileges in Spain and the West Indies.¹⁹⁹

Both emphasized that the treaty was based on the settlement of the Quadruple Alliance. They sent a copy to the plenipotentiaries at Cambrai, and invited the European Powers to join the Alliance. But the news had an opposite effect.²⁰⁰

The English statesmen were greatly annoyed. The Treaty of Vienna signified the failure of what had been their policy since 1721. The Gibraltar question was brought up again, but this time under changed conditions. It was no longer possible to use the Italian duchies as a bait to divert the Spanish attention from the restitution of Gibraltar. England had now to decide whether to fulfill the engagement of the royal letter or not. English statesmen feared a common Italian policy between Austria and Spain on this matter which would harm English interest. They had

199 Cantillo, Tratados, pp. 202, 207-208, 216 and 217.

200 Letter of Stanhope to Newcastle, May 21, 1725, in Newcastle Papers 32743, p. 203, B. M.

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supported the Spanish claims to the duchies in order to satisfy Spain and to check the Emperor's power in Italy and the Mediterranean. The trading charter issued to the Emperor's subjects in the Austrian Netherlands had aroused indignation and resistance and the recent commercial agreements between the Emperor and the King of Spain were considered a violation of former treaties between England and Spain and an attack upon English privileges. England joined the Netherlands in bitter complaint about their rights in Old Spain and in the Spanish Americas. The Austrian offer of mediation in the Gibraltar affair, although expressed in the most inoffensive terms, provoked anger and indignation in England.

What Colonel Stanhope had anticipated with fear again became the crucial issue between England and Spain and a stumbling block in his diplomatic endeavours. As soon as he heard about the treaty and learned that the Emperor had promised his mediation "at least for the restitution of Gibraltar if not further engagement on his part upon that
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head," he asked for an audience. The King made no secret of this article, and repeated several times that he would

201 Letter of Stanhope to Newcastle, June 22, 1725, in Newcastle Papers 32743, p. 293, B. M.

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accept the mediation which the Emperor had offered him. ²⁰²

It soon became clear that interpretation given to the term "the emperor's mediation" by Austria and Spain differed. While the Austrian diplomats maintained that the King of Spain had asked for mediation, the Spanish ministers contended that the Emperor had taken the initiative. Stanhope blamed the Emperor, Ripperda, but especially the Spanish Queen for the revival of the Gibraltar affair:

This court will push this affair of Gibraltar with greatest earnestness, as has been stimulated so to do by Ripperda and the Court of Vienna and also by the Queen, who knowing how much her husband had always had that affair at heart, thinks the obtaining for him absolutely necessary.²⁰³

Lord Townshend was of the same opinion. For him the Gibraltar question became a test of relations between England and Spain: "The friendship of England is now to be lost by the insisting upon Gibraltar."²⁰⁴ Lord Townshend took the affair into his own hands and it was due to this that the relations between England and the Allies of Vienna rapidly deteriorated. His prejudices and animosity against

202 Ibid.

203 Ibid.

204 Letter of Townshend to Stanhope, July 9, 1725, in Newcastle Papers 32743, pp. 505-509, B. M.

the Emperor obscured his views and influenced his decisions. He was convinced that the Emperor had offered the reconciliation to the King of Spain in order to form an alliance of the continental Powers, including France, against England, and to carry out what Louis XIV had proposed to the court of Vienna in the last year of his life. According to the English minister's view, the commercial policy of the Emperor had been planned with the intention of impeding English trade in the Mediterranean and the Spanish colonies, and of breaking English and Dutch monopolies in the East Indies. Townshend blamed the Emperor for the renewed troubles with Spain. He advocated a strong policy against "the Imperialists" as the only means of bringing the Spaniards to reason.²⁰⁵

There was another circumstance which, at this point, greatly contributed to increase the tension. Lord Townshend accompanied King George to Hanover during his sojourn in the summer of 1725.²⁰⁶ All diplomatic and governmental dispatches had to be sent to Hanover, and from there came all proposals and decisions. English historians have

205 Ibid.

206 Letter of Stanhope to Townshend, July 2, 1725, in Newcastle Papers 32743, p. 364, B. M.

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pointed out that the absence of the Hanoverian kings at certain times had the greatest influence on national and international events. This was particularly true because during these months, the King depended on his accompanying minister for information and advice. Far from England, there could be no quick reaction to issues and the moderating influence of the other ministers was lacking.²⁰⁷

From Hanover Lord Townshend launched his strong counter-attack against the Emperor and the King of Spain. He rejected the mediation of the Emperor in the question of Gibraltar and told Colonel Stanhope to let the King and the Queen of Spain feel "that the King of England was so far from accepting any mediation touching Gibraltar, that he will not give the least ear to anything that can be said with relation to the restoring it to Spain".²⁰⁸ Townshend wrote Stanhope concerning the basis on which the English policy of Gibraltar was founded. First, he referred to the legal status of the fortress, stating that Gibraltar had become part of the English dominion by the Treaty of Utrecht.

²⁰⁷ Ibid.

G. C. Gibbs, "Parliament and Foreign Policy in the Age of Stanhope and Walpole" in English Historical Review, 77 (1962), pp. 18-37.

²⁰⁸ Letters of Townshend to Stanhope, June 28, and July 9, 1725, in State Papers 94/93, P. R. O.

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Secondly, he emphasized that public opinion was against restitution, and argued that this was a sufficient reason not to test the strength of the opposition. And finally, he underlined the constitutional position of the King of England, reminding Stanhope to point out that the King of England had no right to dispose of national territory, as only Parliament could give this authorization.²⁰⁹

The following passage of Lord Townshend's letter is quoted not only because it proves his prejudice against "the Imperialists", but also because it shows the motives behind the English policy.

The Imperialists are thoroughly sensible of the great fondness the Parliament and even the whole nation have for Gibraltar. They likewise know that by our laws and constitution the Crown cannot yield to any foreign Power whatsoever any part of his Domination without the consent of parliament and that Gibraltar being yielded to Great Britain by the Treaty of Utrecht, is as much part of England as Ireland, or any part of England.²¹⁰

Lord Townshend's arguments were repeated in all Stanhope's conversations and negotiations with the Spanish court. He added furthermore that the King of Spain, by

209 Ibid.

210 Ibid.

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abandoning the alliance concluded in the Treaty of Madrid, had lost every right to exact the fulfillment of the²¹¹ promise.

The Duke of Newcastle, the second Secretary of State, shared Lord Townshend's views. However his influence in such affairs was small, and he was overshadowed by Townshend's authority. Like Townshend, he also blamed the Emperor for all troubles and advocated a strong policy²¹² against him as the only means to bring Spain to reason.

Stanhope followed this line, and agreed almost without restriction to their views. He was at fault in that he did not make sufficient efforts to dispel certain misconceptions. He was too eager to believe all that fitted in with the general idea that the Emperor was the aggressor and that his intention was to organize an alliance against England. The manner in which he observed and judged events greatly helped to foster the animosity and the prejudices of his superiors. Stanhope liked the strong expression in Townshend's letters and approved the uncompromising policy

²¹¹ Ibid.

²¹² Letter of Newcastle to Stanhope, January 13, 1726, in State Papers 94/93, P. R. O.

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of the minister wholeheartedly.²¹³

Townshend told Colonel Stanhope that the King had full confidence in his abilities. He should, as he might best judge, interpret the stand of the English government to the Catholic Majesties.²¹⁴

In Vienna Ripperda helped arouse the suspicion and indignation of England and of French politicians by his indiscreet and imprudent boastings. In an audience with the Spanish King, Colonel Stanhope protested against certain remarks Ripperda made in Vienna who asserted:

That in case Gibraltar was not forthwith restored, his master would look upon all his Engagements with the King as void and particularly those relating to the Commerce of his subjects...²¹⁵

Stanhope asked for an explanation, because the King of England was obliged to protect his subjects and the rights granted by solemn treaties. The Spanish King appeared surprised at the tone of the English ambassador, and informed him that Ripperda had had no orders to make such statements,

213 Letters of Stanhope to Newcastle, June 22, and July 14, 1725, in Newcastle Papers 32743, B. M.

214 Letter of Stanhope to Townshend, July 2, 1725, in State Papers 94/93, P. R. O.

215 Letter of Stanhope to Townshend, July 14, 1725, in Newcastle Papers 32743, p. 418, B. M.

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and asserted that there was no reason to create misunderstanding and tension. The King took the opportunity to tell Stanhope that he wanted friendship with England, but on the condition that Gibraltar would be given back to him. The following quotation reveals the feeling of the Spanish Sovereign. The restitution, he said, he expected as a sign of friendship and a guarantee of peace between the two countries. The King continued:

That that place being upon his continent and a door into the heart of his Dominions was such a thorn in his Side, as could not let him be easy till removed and therefore hoped from Our Masters friendship which he most earnestly desired to preserve, that the King would facilitate to him that satisfaction, especially considering that that place was only a Burden and Expense to the English Nation and no sort of advantage to them.²¹⁶

The Queen took an active part in the conversation. Stanhope gently asked for her mediation in this affair, saying that it would be more efficient than that of the Emperor and more agreeable to the King of England. The King told Stanhope toward the end of the audience:

I might assure His Ma^{ty}, that this affair of Gibraltar should not lessen his friendship for him, nor cause any Moles-
tation to his Subjects in the full enjoyment of all the Priviledges, to which

216 Ibid.

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they were entitled by the several Treaties betwixt the two Crowns, but that the King must not take it ill, if he persisted in his Solicitation in that affair, and hoped H. M. would prepare his P. for the facili- 217 tating what he (the King of Spain) desired.

The next day, through Grimaldo, the King and Queen protested their sincere desire for friendship with England and their will to secure the rights of English subjects in Spain and the colonies. The Queen recalled however "that they must still hope soon to obtain what they so justly desired" and invited him to be her solicitor in that affair. She informed him that about twenty several times offers had been made to them "for the surprising Gibraltar", but that they had always declined such proposals for their friendship with his British Majesty and the respect for the treaties. She referred to services done to the King of England "of 218 infinitely greater importance than fifty Gibraltar."

After this audience and after several conversations with Grimaldo, Stanhope came to the conclusion that the Catholic Majesties did not want a break, but that:

During the life of this King of Spain
I shall always apprehend from his imoderate
Desire of Gibraltar. Whenever an opportunity

217 Ibid.

218 Ibid.

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will arrive he will take it. It is therefore necessary to be prevented.²¹⁹

Stanhope was writing his report to Townshend when he received a letter from Grimaldo, at two o'clock in the morning, which made void all the protests of good will manifested during the last audience:

In the said Letter, they not only in a manner peremptorily declare the Restitution of Gibraltar as the condition upon which their observance of Their Treaties depends, but instead of Desiring His Ma^{tys} would endeavour to induce his P. to approve of what they demand, tell Him 'tis from Himself they require the restitution of Gibraltar and that soon. (Presto)²²⁰

This sudden change of attitude was caused by the news brought by a courier that the treaties had been signed
²²¹
at Vienna.

The next morning Stanhope had a conference with Grimaldo, who tried to calm him a little and to assure him that the Spanish court would not take further steps but would wait until the next session of Parliament to push
²²²
forward their petition.

²¹⁹ Ibid. and p. 435, letter of Grimaldo to Stanhope, July 13, 1725.

²²⁰ Ibid.

²²¹ Ibid.

²²² Ibid.

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The long expected moment of a definite break had apparently arrived. The King of Spain and his Queen were no longer disposed to be satisfied with promises. Four years had passed since they had received the assurance of the King of England that the matter would be brought before Parliament. The circumstances which at that time had moved the Catholic Majesties to accept the royal letter as a guarantee had greatly changed. The last effects of the financial disaster were disappearing, and England was on her way to greater prosperity. The King of England had no reason to further postpone the restitution.

For the English government this ultimatum made a decision necessary: either to bring the affair before the Parliament and propose the restitution as the only way to restore friendly relations with Spain, or to wage a war to create new conditions which would exclude any demand for the restitution in the future. It was Stanhope's opinion that, if England were ready to declare war, the present moment was the most advantageous to do so.²²³ The financial situation of the Spanish court did not permit them to wage a war, and the Emperor had to rely on Spain for subsidies. Both depended on the money that they expected from the Spanish

223 Ibid.

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colonies. This was the first time that Stanhope gave his government a hint as to how the adversaries could be hindered²²⁴ from offering any greater resistance.

Colonel Stanhope's observation had the greatest consequences in the further unfolding of events. It induced the English government in 1727 to send a squadron to the Caribbean in order to block the silver fleet and to deprive the Allies of Vienna of the means to finance their supposed plot against England. This action gave the Spanish court the motive to retaliate and to begin the siege of Gibraltar.

224 Ibid.

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3. The Alliance of Hanover.

Mistrust grew and the measures taken by one side entailed stronger countermeasures by the other. At no time was a serious attempt made to overcome the obstacles. The English and the Dutch became more and more obstinate in their views and demands. They insisted that the King of Spain abandon his claims to the restitution and that the Emperor suppress the Ostend Company. Suspicions confused the situation even more. It was felt that the Treaty of Vienna contained secret articles since, as published, it was of little advantage to Spain.²²⁵ Colonel Stanhope suspected that marriage proposals concerning the Austrian archduchesses had been the primary motive of negotiating for the Queen of Spain.²²⁶ More than the political implications of a marriage between the Bourbons and the Habsburgs, the English feared a plan of the Emperor and the King of Spain to support the Pretender in an attack on England.²²⁷ Finally, they took it for granted that the Emperor had given assurances to help

²²⁵ Letter of Townshend to Stanhope, July 9, 1725, in State Papers 94/93, P. R. O.

²²⁶ Letter of Stanhope to Comte de Morville, August 6, 1725, in Newcastle Papers 32744, pp. 13-15, B. M.

²²⁷ Letter of Townshend to Stanhope, July 24, 1725, in State Papers 94/93, P. R. O.

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recover Gibraltar by force.

In reality such articles did not exist, but the English Statesmen built their whole policy on this supposition.²²⁹ Townshend and Newcastle enjoined Stanhope to make all possible efforts to find out about the secret articles. In several dispatches, the ambassador reported his efforts, but informed his superiors that it was impossible "to come to a certain knowledge of them".²³⁰ Despite this seeming precaution he subsequently furnished his government with information which later proved to be incorrect and false.²³¹

In Madrid, matters took a turn for the worse. In an audience with the Catholic Majesties, Stanhope told the King and Queen that his master resented their unfriendly attempts to recover Gibraltar. The conversation became very agitated when Stanhope alleged that the demands of their Majesties were unreasonable. An immediate restitution was impossible since the King was in Hanover and Parliament would

228 Ibid.

229 Ibid.

230 Letter of Townshend to Stanhope, August 4, 1725, in State Papers 94/93, P. R. O.

231 Letter of Stanhope to Newcastle, October 14, 1726, in Newcastle Papers 32747, B. M.
 Chance, Alliance of Hanover, p. 441.

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not assemble before his return to England the following spring. The Queen interrupted Stanhope:

No, let the King your Master return presently into England and call a Parliament expressly for this purpose, it being no more than we might expect from his friendship for us and I am assuredly and positively informed that the matter, once fairly proposed, would not meet with one negation in either house, let but this short argument be once made use of, either give up Gibraltar or your trade to the Indies and Spain, and the matter (I will answer for it) won't admit of a moments debate.²³²

Stanhope objected that the Queen's "dispositions were not correct", and he gave to understand that "neither His Majesty nor the nation was at present disposed to hearken to any proposal about Gibraltar."²³³

After this audience Stanhope was convinced that the Spanish court would push "the affair with the utmost precipitation and vigor and that a rupture in the relation between England and Spain would hardly be avoided."²³⁴ He was dejected to see all his efforts frustrated. He wrote to Newcastle: "I find myself altogether unequal to the Difficultys I am forced to struggle with all."²³⁵

²³² Letter of Stanhope to Townshend, August 6, 1725, in State Papers 94/93, P. R. O.

²³³ Ibid.

²³⁴ Ibid.

²³⁵ Ibid.

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He had only one desire: to make no decisions which could cause troubles to his country. Unusual is the outburst of his feeling:

All affairs here are brought into such an unhappy Situation, through the hate and resentment of an Offended Woman, the imbecilities and cowardice of the Present Ministers, the madness and villany of the Spanish Amb. at Vienna and the monstrous ingratitude towards his Ma^{ty} of that court. Nothing good²³⁶ or agreeable can possibly be sent from hence...

As the Spanish sovereigns became more obstinate in their demands, the English became more firm in refusing restitution. Townshend asked Colonel Stanhope to remind the King of Spain that he sat on the throne only by the intervention of England, and that Philip V himself had made the offer of Gibraltar in order to secure his rights in Spain. Instigated by the Emperor, the Spanish Majesties had forgotten all the services they had received from England. Now they demanded, "in an abrupt and authoritative manner, the restitution of a place annexed to the Kingdom of Great Britain of which the whole nation was extremely fond"²³⁷. The King of England, in spite of all his desires to maintain friendship with Spain, was not in a position to gratify the

236 Ibid.

237 Letter of Townshend to Stanhope, August 4, 1725, in State Papers 94/93, P. R. O.

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desire of the Spanish. Lord Townshend left no doubt that stern measures would be taken to meet any kind of hostilities:

As to Gibraltar, it is not in his Matys power to restore it (as his Cath^k Maty very well knows) and as to the parliament and nation, they will most certainly receive such a Demand with the highest Resentment and instead of complying with such a proposal, they will in the ferment our late ill treatment from the Spanish Court has already raised, look upon it as the highest Indignity that can be offered to the Crown of Great Britain. The King is not willing to suffer further provocation. He will find means to defend the interests of his subjects. Orders have been given to strengthen the fortification of Port Mahon and Gibraltar.²³⁸

In his next dispatch to Townshend, Stanhope reported a certain change in the attitude of the Catholic Majesties. He had feared an outburst of wrath when he "in the clearest and strongly manner" passed on Townshend's views. Instead, the Queen had answered "with the greatest mildness" that she and her husband desired to preserve friendship between the two crowns. The word "presto" in Grimaldo's letter should be interpreted in such a way as to mean that his Catholic Majesty expected the restitution of Gibraltar within a reasonable time.²³⁹ The King spoke in the

²³⁸ Ibid.

²³⁹ Letter of Stanhope to Townshend, September 4, 1725, in State Papers 94/93, P. R. O.

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same calm manner saying:

He was farr from any Intentions from coming to a rupture with his Majesty and could not have thought that his Desire of having Gibraltar could have been looked upon as incompatible with his friendship for him.²⁴⁰

Lord Townshend received this news with a certain relief, but he found it necessary to make clear once again the stand of the English government. He asked the ambassador to go no further in his proposals, even if the Spanish King should offer to meet him half way. He strongly dissociated the policy of the government from that of Lord James Stanhope:

Such thoughts (equivalents) were suggested in the late Lord Stanhope's time by Sir Luke Schaub, but no ways were approved either in England or Spain... I must tell your Excellency in Confidence that the Offers My Lord Stanhope made in relation to Gibraltar, were done absolutely without the King's Orders.²⁴¹

There is sufficient evidence to prove that
²⁴²
Townshend's statement is false. It shows the great dislike that had existed between Townshend and the late

²⁴⁰ Ibid.

²⁴¹ Letter of Townshend to Stanhope, September 26, 1725, in State Papers 94/93, P. R. O.

²⁴² Chance, Alliance of Hanover, p. 125.

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Lord Stanhope.

Townshend blamed Spain for the impossibility of proposing the affair of Gibraltar to the Parliament. The attitude of the Spanish court and the circumstances under which they had abandoned their allies and concluded an alliance with the Emperor had antagonized the members of Parliament against Spain to such an extent that it was impossible to secure their assent.²⁴³ The only way to lessen the tension between Spain and England would be not to insist any longer on the restitution of Gibraltar and to carry out the treaties faithfully "letting the British subjects enjoy freely and without interruption all the privileges acquired by solemn engagements."²⁴⁴

Townshend gave this advice in the same letter in which he communicated to Stanhope that a defensive alliance against the Emperor and the King of Spain had just been concluded at Hanover between England, France and Prussia.²⁴⁵

It was this new alliance which destroyed the hope of a friendly arrangement between England, Spain and Austria.

²⁴³ Letters of Stanhope to Townshend, September 4, 1725, and November 5, 1725, in State Papers 94/93, P. R. O.

²⁴⁴ Letter of Townshend to Stanhope, September 26, 1725, in State Papers 94/93, P. R. O.

²⁴⁵ Ibid.

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The court of Madrid was soon informed about this treaty. Although Gibraltar was not mentioned in the treaty, the mutual guarantee of the possessions excluded the possibility of a restitution. The news was received with the greatest indignation.²⁴⁶ Colonel Stanhope was not admitted at the court for some time. His attempt to receive from the King a positive assurance not to touch the affair of Gibraltar - as Lord Townshend had ordered him to do - remained therefore²⁴⁷ without success.

The Alliance of Hanover was clearly directed against a change of any part of Minorca and Gibraltar, against the supposed marriage prospect of the Spanish and Austrian courts, and against the attempt of both countries to free themselves from commercial restrictions laid upon them by the English and the Dutch in the treaties of 1713 and after.²⁴⁸

Lord Townshend was greatly interested that his brother-in-law, Robert Walpole, and the other ministers adhere to his policy.

²⁴⁶ Letters of Stanhope to Townshend, October 11, and November 19, 1725, in State Papers 94/93, P. R. O.

²⁴⁷ Ibid.

²⁴⁸ Michael, Englische Geschichte, III., p. 435. Conn, Gibraltar, p. 80.

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These men were "very unanimous" and approved of the Alliance of Hanover. They adopted Lord Townshend's view on the whole affair. Like him they blamed all the new complications on the Emperor, and contended that he had lured the King and the Queen of Spain with the marriage offer, the restitution of Gibraltar, and a plan to bring the Pretender back to the throne of England. They blamed the English representative at Madrid for not having shown sufficient firmness in declaring to their Catholic Majesties that England never would surrender the fortress. They prepared a petition to the King asking: "that H. M. should continue firm not to give Spain any hope of the restitution of Gibraltar...".²⁴⁹ They ended by proposing to fit out the²⁵⁰ squadron "which is intended for the West Indies...".

Lord Townshend thus received the sanction of his policy and he was decided to carry it out. War preparations began, and diplomatic efforts were made to invite other

²⁴⁹ Letter of Newcastle to Townshend (Draft), September 21, 1725, in Newcastle Papers 32687, pp. 155-159.

²⁵⁰ Ibid.

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countries to join the alliance.²⁵¹ Gibraltar was strengthened, and warships for defence to the fortress were sent from English ports.²⁵²

The Alliance of Hanover forced Charles VI to a closer connection with Philip V than he had originally intended.²⁵³ Ripperda took advantage of the indignation of the Emperor to achieve the main goal of his mission: the marriage of two of the Austrian archiduchesses with princes of the Spanish royal house. The treaty of Vienna was amplified by secret articles which were almost identical with the articles the English had imagined, but which had not previously existed. In a secret treaty, it was agreed that two

²⁵¹ J. O. Lindsay, The Old Regime, 1713-1763, Vol. VIII of the New Cambridge Modern History, Cambridge, 1957, p. 202; J. S. Leadam, The Political History of England, 1702-1760 London, Longmans, 1909, p. 326; Williams, Whig Supremacy, p. 199.

To the Alliance of Hanover belonged: England, France, Holland, Sweden and Denmark; to the Alliance of Vienna: Austria, Spain, Russia and Prussia, which defected from the Hannover Alliance in 1727.

The military forces were calculated, on the Emperor's side: 387.000 men, and on the side of the Hanoverians: 160.000 men, added the naval strength of the English and Dutch fleet. (Williams, Whig Supremacy, p. 199.)

²⁵² Letter of Newcastle to Stanhope, February 22, 1726, in State Papers 94/97, P. R. O.

²⁵³ Mecenseffy, Bündnispolitik, p. 35
Martin Naumann, Österreich, England und das Reich, 1719-1732, Berlin, 1936, p. 104.

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of the three daughters of the Emperor should be married to the two sons of King Philip and Elizabeth Farnese as soon as the two reached marriageable age.²⁵⁴

In article XI of the secret treaty, the Emperor also promised active help to the King of Spain, in the case of a war between England and Spain. In the meantime, the Emperor would continue in every way possible to induce the English King to carry out what he had promised about Gibraltar.²⁵⁵

Ripperda was called from Vienna where he completed his mission successfully. Upon his arrival in Madrid in December 1725, he was made a duke, and given the ministry of foreign affairs.²⁵⁶

Shortly afterwards Colonel Stanhope had his first conference with Ripperda. The first impression Stanhope had of him was unfavourable. "He talks here with as much impertinence and insolence as 'tis possible for him to have done at Vienna."²⁵⁷ He was surprised to hear that the new

254 Cantillo, Tratados, p. 231.

255 Cantillo, Tratados, p. 234.

256 Letter of Stanhope to Townshend, December 5, 1725, in State Papers 94/93, P. R. O.

257 Letter of Stanhope to Townshend, December 17, 1725, in State Papers 94/93, P. R. O.

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minister wanted good relations between Spain, England, Holland and Austria. He asked him what stand he would take on the problem of Gibraltar. Ripperda answered:

It was the thing in the World that gave him the greatest pain from the extreme desire he had allways observed in his Cath^k Mat^y for the recovery of that Place, but that he flattered himself however with the hopes of being able in a short time to accomodate that business.²⁵⁸

He was confident that the date fixed by the King for the restitution could be postponed. "The King had only ordered him to declare that he would still wait three months beyond that of January, the time last insisted upon."²⁵⁹ Ripperda told Stanhope, that the Emperor had assured him repeatedly:

He would renew his insinstances in the strongest manner to His Mat^y for the restitution of Gibraltar and if those should be ineffectuall and his Cath^k Mat^y thought fit to declare Warr upon that account he (the Emp^r) would assist him in it, with his whole force.²⁶⁰

At the beginning of the new year, Stanhope had another conference with Ripperda, who asserted that the

²⁵⁸ Letter of Stanhope to Townshend, December 27, 1725, in State Papers 94/93, P. R. O.

²⁵⁹ Ibid.

²⁶⁰ Ibid. and Chance, Alliance of Hanover, p. 441, Baudrillart, Philippe V, III., 188-189.

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Spanish court desired to live in friendship with England. He invited English merchants to continue their trade. Stanhope did not believe these assurances; on the contrary, he considered them as an expression of the "Insincerity" of the Spanish court and a way to "gain time purely of getting home their Flota and Gallions".²⁶¹ He was convinced that the King had decided to regain Gibraltar by force:

For were they not disposed to break upon the affair of Gibraltar whenever a favourable occasion shall offer, they would not thus equivocate about it, but make an end of it at once.²⁶²

In the same letter Colonel Stanhope reported that news about differences between the Regent, the Duke of Bourbon and Fleury, Louis XV's tutor had arrived from Paris. He commented: "A new French ministry will act upon different principle, particularly with regard to the Hanoverian League, and even enter into a religious one in favour of the Pretender."²⁶³ Stanhope suggested that the government had to obtain a guarantee of the reliability of the French ally under the new ministry. Only a few weeks later, Louis XV and Fleury took over the government in France. This

261 Letters of Stanhope to Newcastle, January 7, and 21, 1726, in State Papers 94/94, P. R. O.

262 Ibid.

263 Ibid.

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change had a great influence on the coming events.

Nothing occurred during the month of January 1726. Ripperda made no secret of the treaty of Vienna, and spoke quite openly about an offensive agreement with the Emperor. Towards the end of January, Colonel Stanhope could report some news about the secret treaty, and in the next month, he was able to give greater details which Ripperda himself had furnished him. The treaty appeared to be both defensive and offensive. It gave the Emperor support for the Ostend Company, while he in turn, engaged himself to secure Gibraltar for the King of Spain by his good offices, if possible, and, if not, by force. Thirty thousand soldiers would be sent to Spain and another thirty thousand posted in other parts of Europe, all to be supported by Spanish subventions.²⁶⁴

Ripperda told Stanhope that the Spanish King would never give up his claims, but that he would not break with his British Majesty over this question, "although his Majesty would not limit any fixed time at all..."²⁶⁵ Ripperda insisted that England should negotiate this question, and make reasonable proposals for an equivalent to eliminate this

²⁶⁴ Letter of Stanhope to Newcastle (Private), April 11, 1726, in State Papers 94/94, P. R. O.

²⁶⁵ Letter of Stanhope to Newcastle, February 28, 1726, in State Papers 94/94, P. R. O.

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great obstacle between the two countries. He proposed to ask the Dutch for mediation, or to convoke an international congress.²⁶⁶ Stanhope and the Dutch ambassador rejected the suggestion that the question of Gibraltar and the Ostend Company should be discussed at all. Ripperda answered that no one could convince the King of Spain to give up his claim to Gibraltar or the Emperor to revoke the charter of the Ostend Company.²⁶⁷

Ripperda's position at the court of Madrid became stronger from day to day. He replaced Orendayn, who had been created Duke de la Paz after the Treaty of Vienna and Grimaldo, the foreign minister, and took all power in his hands. They soon were angered by the neglect of their claims under Ripperda's leadership. They soon found a strong helper in Count Koenigsegg, the Austrian ambassador at Madrid, who accused Ripperda of having "deceived the court of Vienna."²⁶⁸ Stanhope had no doubt that Ripperda would soon be disgraced.²⁶⁹

²⁶⁶ Letter of Stanhope to Newcastle, April 11, 1726, in State Papers 94/94, P. R. O.

²⁶⁷ Ibid.

²⁶⁸ Letter of Stanhope to Newcastle, February 28, 1726, in State Papers 94/94, P. R. O.

²⁶⁹ Letter of Stanhope to Newcastle, March 25, 1726, in State Papers 94/94, P. R. O.

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Stanhope had judged correctly Vienna's difficulties. The Emperor was not in a position to wage a war because of lack of money. He depended on Spain, and Spain had no resources of her own; she depended in turn on the West Indies for money.²⁷⁰ He hinted to his government that a blockade of the Spanish West Indies fleet might later be effective.

In the middle of April Philip V granted Stanhope an audience. The Spanish King again expressed his wish to avoid a war, and said that it should be possible to find a means of reconciliation between Holland, England and Spain. The differences about Gibraltar and the Ostend Company should be settled in a peaceful manner. He mentioned that he had even proposed to the Emperor the transfer of the seat of the Ostend Company to Trieste.²⁷¹

What Stanhope had predicted for Ripperda took place. Earlier than expected, on May 14, 1726, Ripperda was suddenly deprived of all his offices.²⁷² Koenigsegg and the court opposition had finally overcome the resistance of the Queen. Ripperda, fearing the vengeance of his enemies at

²⁷⁰ Letter of Stanhope to Newcastle, March 25, 1726, in State Papers 94/94, P. R. O.

²⁷¹ Letter of Stanhope to Newcastle, April 22, 1726, in State Papers 94/94, P. R. O.

²⁷² Letter of La Paz to Ripperda (Copy), May 14, 1726, in State Papers 94/94, P. R. O.

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the court, fled to Stanhope's house in the coach of the
²⁷³ Dutch Ambassador. His enemies were indeed bent on revenge
 and, before long, he was charged with three crimes: having
 disclosed secrets while in the ministry, having given orders
 without the consent of his Catholic Majesty, and having
 committed treason by fleeing to the English Ambassador's
²⁷⁴ house with state papers. Stanhope asked for an audience
 with the King, who repeated the same charges against the
 deposed minister, but also gave Stanhope assurance that he
²⁷⁵ did not believe in his complicity.

Stanhope's house was surrounded by Spanish guards
 and the English minister was asked to deliver Ripperda. When
 he refused, Spanish soldiers entered the embassy and took
 Ripperda by force. Stanhope protested against this violation
 of the diplomatic immunity and sent a note to all foreign
 ambassadors to inform them of the event. The Spanish King
 did the same, justifying the measure he had taken against
²⁷⁶ Ripperda.

²⁷³ Letter of Stanhope to Newcastle, May 25, 1726,
 in State Papers 94/94, P. R. O.

²⁷⁴ Ibid.

²⁷⁵ Ibid.

²⁷⁶ Letter of Stanhope to Newcastle, May 27, 1726,
 in State Papers 94/94, P. R. O.

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Although Stanhope protested that he had nothing to do with Ripperda's flight to the English embassy, his correspondence reveals that he had been encouraged by his government to assure Ripperda of the protection of England in case of trouble, and to take advantage of this opportunity for obtaining from him all possible information about the secret articles of the Vienna treaty.²⁷⁷ Stanhope succeeded in this matter to some extent, but Ripperda revealed no important points he had not already mentioned to the English ambassador in earlier conferences. The only new items were the assurance about a marriage between the Austrian and Spanish royal children and the agreement to help the Pretender, "which said project he assured me had been absolutely approved by the court of Vienna and Madrid".²⁷⁸ This assertion of Ripperda later proved to be false. Stanhope then was forced to admit that the treaty "between the Emperor and Spain and the Pretender was only projected, but had not been

²⁷⁷ Letter of Newcastle to Stanhope, May 23, 1726, in State Papers 94/94, P. R. O.

Letter of Horace Walpole to Newcastle, May 28, 1726, in Newcastle Papers 32746, pp. 90-93, B. M.

²⁷⁸ Letter of Stanhope to Newcastle, July 30, 1726, in Newcastle Papers 32747, p. 35, B. M.

In this letter is enclosed a "Project of the Duke of Wharton" for the invasion of the Pretender, pp. 44-45.

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actually requested".

Stanhope sent Benjamin Keene, the English consul general in Madrid, to London with Ripperda's revelations thus avoiding interception by the Spaniards and protecting Ripperda's life.

The English endeavours to receive complete information about the secret articles of the Vienna treaty had been apparently successful. Extracting the desired information from Baron de Ripperda had been Colonel Stanhope's task. He played a very dubious role in the affair, risking his prestige as a diplomat at the court of Madrid.

Colonel Stanhope's reports about the secret articles later became the object of the strongest attacks not only by the court of Madrid and Vienna, but also by the opposition in England. He was blamed for having received his information from a man who was considered by friend and foe an adventurer and an imposter.²⁸⁰ In many ways, the revelations of Ripperda did not correspond to the real agreements contained in the treaty, while much had been given a different

279 Letter of Stanhope to Newcastle, October 4, 1726, in Newcastle Papers 32747, p. 435, B. M.

280 Letter of Newcastle to Stanhope, March 14, 1726, in State Papers 94/97, P. R. O.
Letters and Memorials, London, 1727, in Collection of Political Pamphlets, B. M.

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interpretation than that intended by the partners of the treaty. This was especially true with regard to the article²⁸¹ which referred to the recovery of Gibraltar. The Emperor had never given positive assurance that he would begin a war over the question of Gibraltar and help to recapture it by force. Stanhope became a victim of the indiscretions of Ripperda, whose intention it was to irritate the English, to force the Emperor to enter upon a war which served the purpose of Spanish politics, and thereby to further his own position at the court of Madrid.

Colonel Stanhope's dispatches during the summer months of 1726 betrayed great concern over his own actions and expressed the fear that it might be the end of his²⁸² career. But he had been encouraged by his superiors to try everything possible to find out the content of the secret²⁸³ articles. Lord Townshend and the Duke of Newcastle became his defenders, and the King of England approved of Stanhope's conduct in the Ripperda affair. Newcastle wrote him that "His Majesty thinks you have shown an uncommon presence of

²⁸¹ Letter of Newcastle to Stanhope, April 4, 1726, in State Papers 94/97, P. R. O.

²⁸² Letter of Stanhope to Newcastle (Private), July 2, 1726, in State Papers 94/94, P. R. O.

²⁸³ Letter of Newcastle to Stanhope, May 23, 1726, in State Papers 94/97, P. R. O.

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mind, coolness and attention to his service, saving at the
same time the Dignity of your Master²⁸⁴".

²⁸⁴ Letters of Newcastle to Stanhope, June 2, 8,
and 18, 1726, in State Papers 94/94, P. R. O.

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4. The Siege of Gibraltar.

The Ripperda affair served to increase the tension between England and Spain, and brought to an end the diplomatic efforts to avoid a rupture. The English consuls now reported that war preparations had begun in all Spanish ports. Troops were sent to the French border.²⁸⁵ Great sums of money²⁸⁶ were transferred to court of Vienna. "All talk about war." There were reasons to believe that both courts were absolutely²⁸⁷ determined to begin the war, and rumors of war did not appear unfounded. The Spaniards soon received information²⁸⁸ from England that the navy had been ordered to sea. These war fears grew during the following weeks of the summer²⁸⁹ of 1726, and turned to anxiety and confusion when, in the middle of August, an English squadron under Admiral

²⁸⁵ Letter of Stanhope to Newcastle, June 11, 1726, in State Papers 94/94, P. R. O.

²⁸⁶ Letter of Stanhope to Newcastle, June 17, 1726, in State Papers 94/94, P. R. O.

²⁸⁷ Letter of Stanhope to Newcastle, June 11, 1726, in State Papers 94/94, P. R. O.

²⁸⁸ Letter of Newcastle to Stanhope, June 18, 1726, in State Papers 94/94, P. R. O.

²⁸⁹ Letters of Stanhope to Newcastle, July 2, and August 21, 1726, in State Papers 94/94, P. R. O.

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Jennings appeared off the Spanish coast.²⁹⁰ Soon afterwards, news reached Madrid that a second British fleet was on its way to the West Indies.²⁹¹ Stanhope was called by the new Foreign minister, Duke de la Paz, who told him that "His Catholic Majesty was incensed beyond imagination"²⁹² at the King of England for these actions "which he looked upon as the highest indignity that could be offered him and little less than a declaration of war".²⁹³

He warned the British ambassador, that his master would be forced to support the Pretender if these provocations were not stopped. Stanhope defended the policy of his government. The dispatch of the fleets, he claimed, was not intended as an aggressive act, but only as a precaution²⁹⁴ against the menace from the Vienna Alliance.

There seemed to remain little hope that war could be avoided. The Spanish court considered the operations of

290 Letter of Stanhope to Newcastle, September 18, 1726, in State Papers 94/95, P. R. O.

291 Letter of Newcastle to Stanhope, April 4, 1726, in State Papers 94/97; and letter of October 4, 1726, in State Papers 94/95, P. R. O.

292 Letter of Stanhope to Newcastle, September 18, 1726, in State Papers 94/95, P. R. O.

293 Ibid.

294 Ibid.

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the English fleets the beginning of hostilities and there seemed to be no probability that the King and the Queen would change their mind. They refused to offer any satisfaction for the violation of the English embassy and insisted peremp-²⁹⁵torily upon the restitution of Gibraltar.

The tone of the correspondence between La Paz and Colonel Stanhope became increasingly distant. La Paz categorically demanded an explanation for the actions of the English fleets.²⁹⁶ Stanhope assured him, in the name of his government, that although no hostile measure against Spain had been intended, Spain's hostile attitude had made English precautions necessary. The Treaty of Vienna had an offensive character and was unmistakably directed against Great Britain. He stated that "by a certain article of this Alliance there was an engagement to employ open force to obtain Gibraltar for the King of Spain."²⁹⁷ Spain and not England, Stanhope continued, had broken the engagements

²⁹⁵ Letter of Stanhope to Newcastle, October 4, 1726, in State Papers 94/95, P. R. O.

Letter of Newcastle to Stanhope, September 16, 1726, in State Papers 94/97, P. R. O.

²⁹⁶ Letters of La Paz to Stanhope, August 17 and 19, 1726, quoted in Letters and Memorials, Political Pamphlets, B. M.

²⁹⁷ Memorial of Stanhope to La Paz, September 25, 1726, quoted in Letters and Memorials, Political Pamphlets, B. M.

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between the two countries and had begun to prepare the war.

In reply, La Paz indicated that Stanhope's statements were grossly exaggerated, and based more on imagination than on reality. If England had shown any good will, the differences between the two nations could have been easily avoided. The English actions were based on false informations from Ripperda "about an offensive alliance and a positive engagement of the Emperor for the recovering of Gibraltar".²⁹⁸ Concerning the question of the fortress, La Paz left no doubt that the Spanish King had:

Already endeavoured to undeceive H.B.M., in that particular, he having no other view than to engage H.B.M. to repeat those acknowledgements he has already made, from which neither the King my Master, not the Spanish Nation will ever desist.²⁹⁹

La Paz sent Stanhope copies of letters received from Havana which gave an account of the blockade of the Spanish fleet at Cartagena by the English Admiral Hosier.

Colonel Stanhope clearly saw to what an extent this latter news irritated the Spanish court. He warned his government that the Spaniards "were resolved to attempt

298 Letter of La Paz to Stanhope, September 30, 1726, quoted in Letters and Memorials, Political Pamphlets, B. M.

299 Ibid.

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to bring home their flota by force".³⁰⁰ A new minister of the navy was appointed, and ordered to increase the number of ships to make the Spanish fleet strong and efficient. Stanhope was convinced that he could succeed "in such under-taking in this country".³⁰¹ Plans were made to bring a part of the money to Spain via Panama-Cape Horn.³⁰² The plans for war depended on the money from the American colonies, and the future of the alliance with the Emperor depended on the subsidies furnished by Spain. The Spanish money sent to German princes led the Spanish court into the greatest financial distress.³⁰³ A temporary retaliation against England was taken by prohibiting all imports to Spain from England. This was considered by the English as a "declaration of war".³⁰⁴

On November 11, 1726, the Spanish gazette "Noticias"

³⁰⁰ Letters of Stanhope to Newcastle, October 21, and 30, 1726, in State Papers 94/95, P. R. O.

³⁰¹ Letter of Stanhope to Newcastle, October 30, 1726, in State Papers 94/95, P. R. O.

³⁰² Ibid.

³⁰³ Ibid.

Despite the financial difficulties Spain had at the end of 1726 not yet paid half the amount due for 1725. (Arneth, Prinz Eugen, P., p. 224)

³⁰⁴ Letter of Stanhope to Newcastle, November 11, 1726, in State Papers 94/95, P. R. O.

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announced that English reinforcements had arrived at
 Gibraltar under the command of Admiral Hopson.³⁰⁵ Stanhope
 notified his government that Spanish troops were on the
 march to the South.³⁰⁶ There was no doubt that an attack on
 Gibraltar was intended. He reported: "These war-like pre-
 parations are levelled against his majesty",³⁰⁷ and advised
 the English ministers to put Gibraltar in a state of defense.
 He offered excuses for not having informed his superiors
 earlier. The situation in the past months, since the English
 fleet had arrived off Spain, had been very precarious for
 Stanhope. He was even cut off from his friends, who were
 forbidden to see him.³⁰⁸

The Spanish court justified an attack on Gibraltar
 on the basis that it had not received any satisfaction for
 British naval actions in the West Indies.³⁰⁹ Stanhope asked
 La Paz for an explanation for the concentration of troops in

305 Ibid.

306 Letter of Stanhope to Newcastle, November 18,
 1726, in State Papers 94/95, P. R. O.

307 Letter of Stanhope to Newcastle, November 21,
 1726, in State Papers 94/95, P. R. O.

308 Ibid.

309 Letter of Stanhope to La Paz, November 19, 1726,
 in State Papers 94/95, P. R. O.

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Andalusia. La Paz answered that his Catholic Majesty would give an answer when the English Government gave a satisfactory explanation for the British admirals, Hosier's and Jennings's, operations.³¹⁰ From the ports came news that armaments and supplies were embarked for Cadiz and that war-like preparations continued in the vicinity of Gibraltar.³¹¹

In December, Stanhope sent a special courier to England to inform the government that he had:

The moral certainty of this Court being determined not only to raise Forts and Batteries.. on the Spanish side of the Bay of Gibraltar, but even to attempt the Place itself either by formal Siege, or which is most certain by a sudden attack on the side of the Town next to the Sea.³¹²

He gave an exact list of the number of troops and the name of the commanders, and calculated that the attack could be expected in the middle of January.³¹³

While these preparations were being carried out, the Spanish court, of course, tried to secure the Emperor's

³¹⁰ Letter of La Paz to Stanhope, November 20, 1726, in State Papers 94/95, P. R. O.

³¹¹ Letters of Stanhope to Newcastle, November 25, December 2, and 9, 1726, in State Papers 94/95, P. R. O.

³¹² Letter of Stanhope to Newcastle, December 9, 1726, in State Papers 94/95, P. R. O.

³¹³ Ibid.

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help, but expectations were shattered for the Emperor refused to recognize the English naval operations as a sufficient reason to go to war.

The English were certainly prepared to go to war over Gibraltar. Parliament approved the King's measures, and troops and supplies were voted in both Houses by great majorities.³¹⁴

British ships at Malaga and Cadiz were seized. The Spanish revoked Stanhope's privileges as an ambassador, and Stanhope asked the Dutch Ambassador Van Der Meer to represent the English affairs at the Spanish court. Under these circumstances, he left Madrid in March 1727 for France. The last report which Stanhope sent to Newcastle from Bayonne noted that all Spanish ships but three safely arrived in the port of Spain from the West Indies.³¹⁵

But they arrived too late for Spain. The Emperor had already begun negotiations with France, which also refused to recognize the siege of Gibraltar as a casus belli or to enter the war with her English ally.

³¹⁴ Letters of Newcastle to Stanhope, January 3, and 17, 1727, in State Papers 94/97, P. R. O.

³¹⁵ Letter of Stanhope to Newcastle, (from Bayonne) March 21, 1727, in State Papers 94/95, P. R. O.

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Newcastle freely acknowledged the prudent manner in which Stanhope had acted under difficult circumstances. He was especially thankful that the ambassador decided to stay in Madrid as long as he could, in order to furnish to his government all possible informations about Gibraltar.³¹⁶ It was flattering for Stanhope to hear from his superior that the King was very pleased with the exact accounts "of the Motions and Designs of the Spaniards".³¹⁷ Newcastle expressed the highest recognition of his abilities as a diplomat saying: "I assure you whatever your Ex^{cy} shall think proper to do the King will entirely approve of it".³¹⁸ In the last letter of the Secretary of State sent to Madrid, he announced that Stanhope would receive "a most gracious reception in London".³¹⁹

Reviewing the English Gibraltar policy after the Treaty of Madrid (1721), it can be stated that the English decision to retain Gibraltar suffered no further vacillation

³¹⁶ Letters of Newcastle to Stanhope, December 22, 1726, and January 5, 1727, in State Papers, P. R. O.

³¹⁷ Letter of Newcastle to Stanhope, January 26, 1727, in State Papers 94/97, P. R. O.

³¹⁸ Ibid.

³¹⁹ Letter of Newcastle to Stanhope, March 23, 1727 in State Papers 94/97, P. R. O. (The latter sent to Paris.)

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once Lord Carteret was dismissed and the inner unity of the Whigs re-established under Walpole and Townshend.

The English attempt to evade fulfilment of the King's promise by postponing the Gibraltar affair indefinitely failed because English diplomacy had not been able to satisfy the Spanish sovereigns in their Italian ambitions. Spain's reaction was to sign the Vienna Treaty, a step which the English felt freed them from any obligation expressed in King George's letter. The insistence of the Spanish King on restitution and the suspected future intervention of the Emperor induced the English government to adopt a strong policy rejecting further Spanish attempts to regain Gibraltar. They decided to defend the fortress and even go to war in order to keep it permanently. Colonel Stanhope had strongly supported his government's attitude.

CHAPTER III

COLONEL STANHOPE'S FINAL SUCCESS - 1728-1729

1. Gibraltar under the control of Parliament.

At the beginning of 1727 war between the allies of Hanover and the partners of Vienna seemed to be inevitable. Spain began the siege of Gibraltar, and England decided to go to war to protect it. But neither Austria nor France were willing to conjure up the danger of an European conflagration on this issue.

In England herself resistance against such a war grew. When King George and Townshend returned from Hanover in January 1727, they found the political situation less favourable to their plans than they had expected. The people wanted to obtain the commercial privileges and Gibraltar for England, but above all they wanted peace. This was Sir Robert Walpole's policy. He considered peace essential in order to continue the work of domestic financial restoration, to secure the Whig government in power, and to establish firmly the Hanoverian succession. During the first years of his administration, occupied as he was with the financial affairs of the country following the South Sea crisis, he had left the responsibility for external

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³²⁰
 affairs to Lord Townshend. He was soon alarmed however,
 over the aggressive course his brother-in-law was adopting
³²¹
 against the Emperor. Nevertheless, he defended his policy
 in the cabinet and in the Commons in order to avoid the
 appearance of discord in the ministry. He even supported
³²²
 the Hanover Alliance. But this was the turning point.
 From that moment on Walpole began actively to oppose the
 Townshend's policy, fearing it would draw the country and
³²³
 Europe into war.

Upon his return, Townshend prepared a draft for the
 Speech from the Throne, which was so violent that, had it
 been read at the opening of Parliament in January 1727, it

³²⁰ V.H.H. Green, The Hanoverians, 1714-1815, London,
 Arnold, 1960, p. 118.

³²¹ F.S. Oliver, The Endless Adventure, London,
 Macmillan, 1930, I., pp. 401 and 407.

³²² J.H. Plumb, Sir Robert Walpole, London, 1960,
 II., p. 131.

Williams, Whig Supremacy, p.201.

³²³ Newcastle Papers 32687, pp. 155-159, B.M.

Oliver, Endless Adventure, I., p. 399.

A.N. Newman, The Parliamentary Diary of Sir Ed-
 ward Knatchbull, Camden Third Series, Vol. XCIV, London,
 Royal Historical Commission, 1963, pp. 51-52.

³²³ Oliver, Endless Advanture, Ibid.

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would undoubtedly have provoked a declaration of war on the part of the Emperor. Walpole interfered personally, rejected yet a second draft of Townshend and, finally re-edited the text himself.³²⁴ This marked the first open difference between Walpole and Townshend on external policy.

But even Walpole's wording caused anger and protest at the court of Vienna. The statement that the Emperor and the King of Spain had offered the Pretender effective help to regain the English throne,³²⁵ was indignantly rejected by the imperial court as an intended falsification.³²⁶ The ensuing dispute over this passage, which in fact did not exist in the treaties of Vienna³²⁷ but had been merely suspected to exist, led to the rupture between the courts of Vienna and St. James. The Austria. ambassador was obliged to leave England, the English ambassador in Vienna, was

324 Michael, Englische Geschichte, III, p. 446.
G.C. Gibbs, "Parliament and Foreign Policy in the Age of Stanhope and Walpole" in English Historical Review, 77 (1962), pp. 18-37.

325 Anonymous, A Collection of the Parliamentary Debates in England, London, 1740-1749, pp. 422-428.

326 Letter of Newcastle to Stanhope, March 7, 1727, in State Papers 94/97, P.R.O.

327 Letter of Stanhope to Newcastle, October 4, 1726, in Newcastle Papers 32747, p. 435, B.M.

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expelled from Austria.³²⁸ Despite this, open rupture was averted because the Emperor was opposed to plunging his country into a war, and because of the diplomatic interventions of Cardinal Fleury for peace in Europe.

The Emperor had never promised the King of Spain more than his good services in recovering Gibraltar.³²⁹ Even the secret treaty of Vienna of November 1725, was cautiously worded in this respect. It stated that the Emperor would help their Catholic Majesties to recover Gibraltar and Minorca in the case war should break out and that, in the meantime, he would continue his good offices so that the King of England might carry out what he had promised.³³⁰ When Philip decided to lay siege to the fortress as a counter-action against English naval operations, the court of Vienna denied that any military obligation could be deduced from the treaty.³³¹ The Emperor informed the Spanish King that the financial and military conditions of Austria and Spain did not permit a war. Count Koenigsegg was seriously reprimanded by the Emperor for having encouraged the

³²⁸ Michael, Englische Geschichte, III, pp. 495-498
Baudrillart, Philippe V, III., p. 324.

³²⁹ Mecenseffy, Bündnispolitik, p. 34.

³³⁰ Cantillo, Tratados, p. 234.

³³¹ Williams, "The Foreign Policy of England under Walpole" in English Historical Review, 15 (1900), p. 696.

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Spaniards to begin the siege, and for having promised the support of the Emperor.³³² He was ordered to inform the Spanish court of the peace negotiations which had begun between Vienna and Paris, and to invite the King of Spain to take part in them.³³³

As soon as it became evident that Spain intended to recover Gibraltar by force, Cardinal Fleury asked the Emperor not to encourage the King of Spain in his hostile designs. He made a proposal asking him to suspend the Ostend Company for a limited time and to put the question of the legality of the Company before an international congress.³³⁴ Charles VI immediately agreed with this proposal. He promised to interrupt trading with the Indies, and to suspend the Ostend Company if the congress proved that the charter of the Company was contrary to former treaties.³³⁵

The rupture of English Austrian relations at the

332 Letter of Emperor Charles VI to Koenigsegg, November 2, 1726, quoted in Mecenseffy, Bündnispolitik, p. 81.

Letter of Koenigsegg to Emperor Charles VI, December 17, 1726, quoted in Baudrillart, Philippe V, III., p. 273.

Letter of Koenigsegg to Emperor Charles VI, February 12, 1727, quoted in Baudrillart, Philippe V, III., p. 316.

333 Ibid.

334 Baudrillart, Philippe V, III., p. 313.

335 Baudrillart, Philippe V, III., pp. 314-315.

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beginning of February 1727 seemed to bring Fleury's media-
 tion to an end, but he did not give up.³³⁶ In a letter to the
 Spanish Queen he impressed upon her that France would not
 declare war on Spain over the question of Gibraltar.³³⁷ At
 the same time he resisted English pressure to recognize the
 Spanish hostilities as "a casus foederis."³³⁸ To the Emperor
 the Cardinal sent new proposals; the Ostend Company should
 be suspended for ten years, English and Dutch privileges
 recognized, and all possessions should be confirmed as
 guaranteed by the treaty of Utrecht and the Quadruple
 Alliance.³³⁹

Vienna was annoyed over the attitude of the English
 government, and unwilling to accept a peace which would
 destroy cherished commercial projects, so it tried to pro-
 long negotiations. Cardinal Fleury thereupon ordered troops
 to the German border and sent an ultimatum to the court of

336 Baudrillart, Philippe V., III, p. 324.

337 Letter of Cardinal Fleury to Queen of Spain,
 March 24, 1727, quoted in Baudrillart, Philippe V., III, p. 325.

338 Arthur Mcb Wilson, French Foreign Policy during
 the Administration of Cardinal Fleury, 1726-1743, Cambridge,
 Harvard University Press, 1936, pp. 162-164.

339 Baudrillart, Philippe V., pp. 325 and 335.

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³⁴⁰
 Vienna. The Emperor realized the impossibility of carrying out his commercial design against the combined resistance of the Maritime Powers and France. He could not count on the help of the Empire itself, which was divided between the adherents of the Hanoverian Alliance and his own followers. Help from Spain was out of the question, and ³⁴¹ had already proved unforthcoming.

Preliminaries were therefore signed between England, Franck and Austria in Paris on May 31, 1727. Suspension of the Ostend Company was fixed for 7 years. Hostilities over Gibraltar should cease, the English fleets should be called back from the West Indies and the Spanish coast, and a congress should assemble at Aix-la-Chapelle in order to settle ³⁴² all the controversies between European Powers.

The Cardinal increased his efforts to induce the Spanish court to accept the proposed preliminaries. The very day the preliminaries in Paris were signed he wrote to the Queen of Spain:

340 Baudrillard, Philippe V, p. 335.

341 Naumann, Karl VI, p. 132

342 Cantillo, Tratados, p. 241
Wilson, French Foreign Policy, p. 164.

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Si vos majestés persistent à refuser tout tempérament sur Gibraltar et sur le rétablissement du commerce des Anglais, je perdrait toute espérance d'une pacification?³⁴³

In the meantime the Spaniards made no progress in their efforts to regain the fortress. The Spanish commander complained of lack of provisions and ammunition. The officers were divided in their strategy, and the soldiers were mutinous because of the hardships they were suffering.³⁴⁴

Colonel Stanhope had, before he left Madrid, asked the government to send reinforcements to Gibraltar. They arrived under the command of the Earl of Fortmore in time to repel the last Spanish attack. As soon as the news of the preliminaries reached Gibraltar in June, the English and Spanish commanders signed a truce.³⁴⁵

The negotiations about the preliminaries in Paris had been conducted in the presence of the Spanish ambassador Bournonville. Acting on explicit orders from the Marquis de la Paz, he insisted on adding an explanation to the article guaranteeing the territorial integrity to the effect

³⁴³ Baudrillart, Philippe V, III, p. 325.

³⁴⁴ Letter of Van der Meer to Stanhope with enclosed letter of Stanhope's secretary, March 28, 1727, in State Papers 94/95, P.R.O.

³⁴⁵ Letter of Stanhope to Newcastle, June, 1727, in Newcastle Papers 32749, p. 399.

that if territorial changes took place or agreements over the territorial changes were not fulfilled, these cases should be brought to the consideration of the congress. This was intended to leave the question of Gibraltar open, and to remind France and England of the promises they made in 1721. The proposed formula was rejected by France and England but it was agreed that all the pretensions on each side should be "produced, debated and decided" at the same congress.³⁴⁶ Spain signed the preliminaries on July 13, 1727.

As soon as William Stanhope had knowledge of the Spanish intentions, he advised his government to refuse any such discussion at the future congress:

If his Catholic Majesty should pretend to insist to have it added at the preliminaries that the affair of Gibraltar should be referred to the congress to have his pretensions to it discussed there, as it would be in some measure allowing the possibility of a right and title on the part of Spain, it could not be by any means admitted after the sense of the Parliament had so fully declared upon that head, and therefore not the least attention must be given to such demand.³⁴⁷

³⁴⁶ Letter of B. Keene to Newcastle, June 16, 1727, in State Papers 94/99, P.R.O.

³⁴⁷ Anonymous, A short narration of the Reconciliation between France and Spain, and the Preliminaries during the Card. Fleuri's Ministry, in Miscellaneous Papers 33005, pp. 454 and 458 B.M.

Mecenseffy, Bundnispolitik, p. 98.

Cantillo, Tratados, p. 260,

³⁴⁷ Letter of Stanhope to Newcastle, April 8, 1727, in Newcastle Papers 32749, p. 404, B.M.

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With these words Stanhope determined the policy which England was to take in a future congress. At that time he could not know that he would be appointed plenipotentiary to this congress, and would be given the task of implementing this policy.

Before the congress began, certain obstacles had still to be overcome. Difficulties came from the Spanish court where Elizabeth Farnese, having assumed full powers because of her husband's sickness, interpreted the preliminaries according to her best interest. She refused to recall the troops from Gibraltar before the English fleets returned to England. She refused to give back the South Sea Company vessel "Prince Frederick", which had been captured at Vera Cruz in 1726, and to hand over to the English and Dutch merchants money of the silver fleets in return for goods delivered to America.³⁴⁸

France and England were naturally interested in solving these problems together with the Spanish government. The preliminaries made it possible to re-establish diplomatic relations. England sent Benjamin Keene, who had been

³⁴⁸ Mecenseffy, Bundnispolitik, pp. 100-102.
 Captain Sayer. The History of Gibraltar and of its Political Relations to Events in Europe, 1862, p. 215.

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consul general in Madrid since 1722, to Madrid, and France sent Count Rottemburg, a Prussian in French service. Both³⁴⁹ were ordered to work in close co-operation.

Their mission was to reconcile the English, French and Spanish courts. Count Rottemburg brought the cordon bleu of France for the Infant Don Louis. He was received by their Catholic Majesties with all honours, while Keene was not admitted to the court for several weeks.

The attitude of the Spanish court towards England had not changed after the failure of the siege of Gibraltar. The following is an interesting example of the Queen's mentality and her domineering attitude. In an audience with their Catholic Majesties, Rottemburg asked that Spain release the "Prince Frederick". The Queen retorted:

Were the ship your Master's he should have it but the English shall never have it. The English pretend that it belongs to them; let the congress decide. But if nothing more were necessary than to ask, give us Gibraltar, and we will give the vessel.³⁵⁰

349 "Benjamin Keene" in Dictionary of National Biography, Vol. X, p.1189.

Benjamin Keene's Credentials and Instructions, August 18, 1727, in Foreign Office Papers, XC 60, P.R.O.

350 Quoted in Sayer, History of Gibraltar, p. 221.

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During the conversation the Queen took the letter of George I from a casket and handed it to Rottemburg. While the ambassador read the letter, the Queen remarked:

Perhaps it is forged?...See, Sir, the principal reason for admitting the terms of 1725. Let our allies fulfil their part, we will fulfil ours. Let them restore to us what they have.³⁵¹

When Rottemburg tried to divert the Queen's attention from this with the remark that English help was needed to secure the duchies in Italy for Spain, the Queen replied:

You are come again to our successions. I voluntary abandon them, if Gibraltar is restored to the King. You see by what I say in his presence that it is his glory and his interests only that affects me.³⁵²

This defiant attitude of the Queen did not change. All requests to fulfill the stipulation of the preliminaries were disregarded. The Spaniards prepared again for war. In England indignation grew, and the government decided to adopt a stronger policy.³⁵³ The fleet was again put on the alert and an ultimatum sent to Spain. Under this pressure, the Queen was finally forced to give up her resistance, and she promised to accept and to carry out the preliminaries. In

351 Ibid.

352 Quoted in Sayer, History of Gibraltar, p. 222.

353 Letter of Horace Walpole to Keene, March 29, 1728, in Newcastle Papers 32755, pp. 32-33, B. M.

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March 1728 the convention of the Pardo was signed.³⁵⁴

While the European courts made the greatest efforts to avoid a new war and prepared a congress in which the pending differences should be discussed, the question of Gibraltar was brought before Parliament for the first time. At this time, it was firmly resolved by both Houses to retain Gibraltar.

Already in December 1725, when mediation of the Emperor in the affair of Gibraltar was first discussed, Horace Walpole had proposed bringing the affair of Gibraltar before Parliament, "in order to have their final sentiments and decisions upon it".³⁵⁵ The King and Townshend found the proposal "very solid and true".³⁵⁶ From Hanover they informed Robert Walpole and Newcastle about the suggestion.

It was however not until February 1727 that the Gibraltar question was actually discussed in Parliament. The immediate occasion for this was a letter of the Spanish ambassador to the Duke of Newcastle, which, through an indiscretion of the Spanish ambassador, became known to the

³⁵⁴ Cantillo, Tratados, p. 246.
F. Soldevilla, Historia de España, Barcelona, Ariel, 1956, p. 353.

³⁵⁵ Letter of H. Walpole to Townshend, December 2, 1726, in Townshend Papers 38504, pp. 113-116, B. M.

³⁵⁶ Letter of Townshend to Horace Walpole, December 19, 1726, in Townshend Papers 38504, pp. 166-167, B. M.

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political adversaries of the Walpole-Townshend administration. In this letter the ambassador reminded the English minister of the letter of King George, and told him that his sovereign insisted on demanding the restitution of Gibraltar since the King of Great Britain had "on this point given, as he did give, a positive promise".³⁵⁷

Members of the opposition introduced the affair in the House of Commons, declaring that "the ministry had disgraced the nation by breaking a solemn promise."³⁵⁸ A war against the Spanish King was unjustified "because he only claimed his right in virtue of that promise".³⁵⁹ To these potent arguments Robert Walpole answered that in 1721 such a promise had been made only conditionally and under the assumption that the Parliament still had to give its consent. The hostile attitude of the Spanish King had freed his Majesty from all obligations. Walpole refused to produce the royal letter, arguing that a private letter of the King was "as sacred as the person of the King". He assured the House that the ministry would take all effectual care to secure the possession of Gibraltar. The motion to lay the

357 Letter of Pozobueno to Newcastle, January 1, 1727, in State Papers 100/57, P. R. O.

358 Mahon, History of England II., p. 133.

359 Coxe, Robert Walpole, I., p. 304.

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letter before the House was rejected by 204 votes to 97.³⁶⁰

In an address from the House of Lords, the King was asked "to defend your right to Gibraltar and the island of Minorca which are of the greatest importance to the preservation of the commerce and the naval strength of Great

³⁶¹Britain". In the House of Commons a similar motion was carried "to declare the resentments of the Commons of Great Britain at the unjust demand of the King of Spain for the ³⁶²restitution of Gibraltar.

The opposition, under such able leaders as Pulteney, Bolingbroke and Wyndham, kept up their attacks against the bellicose policy of Lord Townshend. Following the dispute in Parliament, they launched a heavy attack both inside and outside Parliament against this policy. They accused the English ministers for having considered Ripperda's information sufficient reason to draw England and Europe into a new war. This attack indirectly involved Colonel Stanhope, especially since his correspondence with the Spanish foreign minister was published by the Spanish embassy with the intention of blaming the English government and its

³⁶⁰ William Cobbett, Parliamentary History of England, London, 1810, VIII., p. 548.

³⁶¹ Anonymous, Parliamentary Debates, p. 229.

³⁶² Anonymous, Parliamentary Debates, p. 230.

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representative in Madrif for the deterioration of the relations between the two countries. In commentaries to these letters it was stated that the ministry had become the victim of its own imagination and prejudices since they based their course of action on the declarations of Ripperda, a man who was generally considered a liar and an impostor. They contended that Hosier's Jennings's naval expeditions had been not justified, and that the English government had obliged the Spanish sovereigns to defend their interests.³⁶³

The government did not fail to answer these accusations by arguing that Spain was to blame for the whole affair. It was claimed that the King of Spain broke the treaties and began to prepare for war. He "resolved - right or wrong - to quarrel with us and to disturb the tranquility of Europe". They concluded that England was forced to defend "whatever is dear to us, as our trade, our Properties with our Laws, Liberty and Religion against all foreign

363 Letters and Memorials, London, 1727, in Collection of Political Pamphlets, B. M.

Charles Bechdolt Realy, "The Early Opposition to Sir Robert Walpole in 1720-1721, in Bulletin of the University of Kansas Humanistic Studies, Vol. IV, No. 2, p. 209.

Thomas Laprade, Public Opinion and Politics in Eighteenth Century England, New York, Macmillan, 1936, p. 287.

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and domestic enemies"³⁶⁴.

Newcastle informed Colonel Stanhope about the controversy between the government and the opposition, and invited him to come to London to defend himself in the Commons against these attacks. As far as is known Stanhope³⁶⁵ declined.

In March 1728 the Question of Gibraltar once again became an issue of heated debates in both Houses of Parliament. This time no objections were made to laying the letter of George I before the members. (The King had died in 1727 on his journey to Hanover.) In the House of Lords the opposition severely criticized the persons who had advised the King to write the letter. It had become "the principal occasion of the King of Spain's resentment and of the difficulties in promoting a pacification"³⁶⁶. The

³⁶⁴ Gibraltar or the Pretender, London, 1727, in Collection of Political Pamphlets, B. M.

³⁶⁵ The Evident Approach of a War, London, 1727, in Collection of Political Pamphlets, B. M.

³⁶⁶ G. C. Gibbs "Parliament and Foreign Policy in the Age of Stanhope and Walpole" in English Historical Review, 77 (1962), p. 27.

³⁶⁷ Coxe, Robert Walpole, I., p. 305.

The dates of the debates given by Coxe, Lord Mahon and Newman, differ from those found in Cobbett's, Parliamentary History, the Journals of the House of Lords and the Journals of the House of Commons. It is certain that debates took place in February 1727, in March 1728 and March 1729. The resolutions were identical.

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Spanish King had considered the promise a positive assurance that Gibraltar would be returned. They moved:

That effectual care be taken in any treaty that the King of Spain do renounce all claims to Gibraltar and Minorca, in plain and strong terms.³⁶⁷

This formulation, however, was defeated. It was argued that there was no need to affirm the titles that England had on this possession: viz conquest, treaty and concession. To insist on a formal renunciation would anger the Spanish and annoy the allies:

Spain is not obliged by any treaty to renounce their title to it, but only to concede it to us... and our allies are only obliged to support us in the maintenance of it, but not to stand by us obliging Spain to renounce.³⁶⁸

A counter-motion was carried:

That the House relies upon His Majesty for preserving his undoubted right to Gibraltar and Minorca.³⁶⁹

The resolution of the House of Lords was the discussed in the Commons. The same arguments, for and against, were advanced, but finally the same formulation was

367 Mahon, History of England, II., p. 133.

368 Newman, Parliamentary Diary, pp. 92-93.

369 Journals of the House of Commons, XXXIII, p. 336.

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accepted. The parliamentary conclusion was: England must not surrender Gibraltar.

The importance of these debates and the resolutions is this: that Gibraltar had now come to the attention of Parliament, and that now neither the King nor the ministry alone could dispose of it. The declaration of the House of Lords expressed the opinion that the fortress belonged to England by right of solemn treaties and emphasized its importance for the security of English interest. Once stated in this form the administration was bound to carry out the decision of Parliament. The resolution became henceforth a clear directive for statesmen and diplomats in their dealing with the Gibraltar problem.

The first opportunity for implementing the decision of Parliament was the congress of Soissons. The English plenipotentiaries, led by Colonel Stanhope, were faced with the most difficult task of restoring friendly relations between the English and the Spaniards, and, at the same time, of rendering ineffectual Spanish ambitions. Their instructions were prepared in accord to the decisions of

370 Cobbett, Parliamentary History, VIII., p. 695.
Mahon, History of England, II., p. 133.
Coxe, Robert Walpole, I., 303.

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Parliament. During the first part of the congress the English representative attempted to keep the Gibraltar question from being brought up for discussion before the European assembly. In the second phase they succeeded, and the Spaniards accepted the proposal to separate this affair from the other topics of the congress, and to leave it to direct diplomatic parleys between England and Spain. Finally, owing to a sudden change in the policy of the Queen of Spain, a modus vivendi between both countries was reached.

It was mainly due to William Stanhope that the negotiations were conducted so successfully, and that a new treaty with Spain was secured without sacrificing England's right to Gibraltar.

371 Instructions for Plenipotentiaries to the Congress of Soissons, April 30, 1728, in Newcastle Papers 32756, p. 56, B. M.

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2. The Congress of Soissons.

The signature of the convention of the Pardo removed the last obstacles to the peace congress which had been proposed in the preliminaries of Paris. Taking into consideration the advanced age of Cardinal Fleury, the Powers agreed to choose Soissons instead of Aix-la-Chapelle for the assembly. During the first month of 1728 the European chancelleries appointed plenipotentiaries, prepared instructions for them, and got in touch with their allies in order to agree on a common policy at the congress.³⁷²

The Emperor's plenipotentiaries, Pendtenriedter and Zinzendorff, were instructed to defend the commercial policy of the Emperor and to support the Spanish demand for Gibraltar.³⁷³ The Spanish plenipotentiaries, Bournonville, Barenechea and the Marquis de Santa Cruz, were ordered to insist upon restitution of Gibraltar, and to protest against the English abuses of their South American trade. Secret instructions spoke of achieving support of Cardinal Fleury for the marriage of Don Carlos with an Austrian Princess and the introduction of a Spanish garrison into Parma and

372 Michael, Englische Geschichte, IV., p. 362.

373 Mecenseffy, Bundnispolitik, p. 105.

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Tuscany. The instructions for the French plenipotentiaries were drawn up by Cardinal Fleury and the French aim, therein described, was "to detach Spain from Austria and associate her with the Hanover powers". The Cardinal warned his representatives to prevent any "rapprochement" between the Emperor and the Maritime Powers alone.³⁷⁵ They were also ordered to support Spanish claims for Gibraltar. The English plenipotentiaries were William Stanhope, Horace Walpole and Stephen Poyntz. Colonel Stanhope was best acquainted with Spanish politics and was the leading figure in the English legation. Horace Walpole had been English ambassador to the court of Versailles since the dismissal of Carteret in 1724, and was on good terms with Cardinal Fleury. Stephen Poyntz, called from his embassy at Stockholm to join the other two,³⁷⁶ had no direct experience with these problems.

The instructions for the English plenipotentiaries stated that the Treaty of Vienna had threatened the former agreement among the European countries, and that the Alliance of Hanover had been formed to avoid the outbreak of a new

374 Baudrillart, Philippe V, III., p. 421.

375 Wilson, French Foreign Policy, p. 196.

376 L. G. Legge, British Diplomatic Instructions, France 1727-1744, VI., p. 28.

Sir Richard Lodge, "The Treaty of Seville" in Transactions of the Royal Historical Society, Fourth Series, Vol. XVI., p. 25.

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war. The English envoys should now insist upon the total suppression of the Ostend Company and recognition of former English commercial privileges. As to the question of Gibraltar they were informed:

Our right to the town of Gibraltar is so clear and firmly established by the Treaty of Utrecht, and since confirmed by several other treatys, and by the preliminary articles... that it is not to be imagined that the King of Spain would expect the restoration of that place. But should he renew his demand at the congress you should return an answer setting forth our right and title to the said town, and declaring in the strongest and most positive manner, that you cannot by any means consent that the congress should enter into any discussion of examination of this matter, which would be directly contrary to the express words and meaning of the preliminaries³⁷⁷ and highly injurious and dishonourable to us.

Thus the stage was set and all actors had their well defined role to play, but it seemed impossible to combine these contradicting instructions. The Austrian ambassador expressed doubt to Cardinal Fleury that the congress could be at all successful:

England would do nothing with regard to Gibraltar, and on the other side... it would not be given up by Spain... France was obliged to imply their good offices and not to desist from them without obtaining satisfaction first

³⁷⁷ Instructions for the Plenipotentiaries to the Congress of Soissons, April 30, 1728, in Newcastle Papers 32756, pp. 63-76; also Legge, Diplomatic Instructions, VI., p. 29.

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to Spain about the restoration of Gibraltar.³⁷⁸

In the first conference with Cardinal Fleury the English plenipotentiaries explained the decision of their government not to allow the Gibraltar question at the Congress. The Cardinal answered that he himself was "averse to such a demand" but that he saw no way of avoiding it "as all the parties have a right to make their demands". In the eventuality Spain did so, he hoped that the English would not leave the congress abruptly.³⁷⁹

The Cardinal agreed that the right of the English to Gibraltar was clear and incontestable, that even the letter of the late King and the promises of the Duke of Orleans in the treaty of 1721 could not invalidate them. He promised to support the English plenipotentiaries in their decision to refuse the discussion about Gibraltar "as not belonging to the affairs of the Congress".³⁸⁰

In a private letter to Newcastle, Stanhope wrote that the Cardinal had without any doubt the best of intentions, but since he wished to content "all the world" he

³⁷⁸ Letter of H. Walpole and Waldgrave to Newcastle, March 30, 1728, in Newcastle Papers 32755, pp. 43-47, B. M.

³⁷⁹ Letter of Stanhope to Newcastle, May 19, 1728, in Newcastle Papers 32755, pp. 519-520, B. M.

³⁸⁰ Letter of Plenipotentiaries to Newcastle, May 17, 1728, in Newcastle Papers 32755, pp. 491-492, B. M.

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would not be able to do too much for England.³⁸¹ In further conversations with the French foreign minister, he asked the minister to give preference to the problem of the Ostend Company as the chief matter which concerned the allies. Cardinal Fleury advised the English representative to insist on the rights of the English crown guaranteed by treaty, and to refuse the interpretation that these rights were abandoned by the letter of King George or by French promises. They³⁸² should adhere to these without any alteration or deviation.

The plenipotentiaries were not entirely satisfied with the Cardinal's proposal. They wanted to have the question of Gibraltar excluded from the congress, but the Cardinal feared that this demand would break up the congress before it started. He promised to "use his utmost industry³⁸³ to prevent it".

Stanhope was convinced that the Cardinal would do his best to avoid a discussion about Gibraltar, and that he would try to make the Spanish representatives accept these

³⁸¹ Letter of Stanhope to Newcastle, May 19, 1728, in Newcastle Papers 32755, pp. 519-520, B. M.

³⁸² Letter of Plenipotentiaries to Newcastle, May 29, 1728, in Newcastle Papers 32756, pp. 17-27, B. M.

³⁸³ Ibid.

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 proposals. He also told Count Zinzendorff that the discussion of the Gibraltar question would have fatal consequences. The good services, which France promised in 1721 and Austria in 1725, could not invalidate English claims and, furthermore, the resolution of the English Parliament and people against restitution of the fortress made it impossible to change the actual state of things. He re-iterated to the Austrian minister that the best way to avoid a rupture was not to bring the question before the congress.³⁸⁵

The Spanish plenipotentiaries were well informed about the intentions of the English, and their efforts to win the Cardinal over to their point of view. They therefore brought forth their counter-arguments. The convention of the Pardo expressed clearly that "all matters of dispute should be discussed at the congress", and that the French ambassador at the court of Madrid had given assurances that Gibraltar would be included in the affairs of the conference.³⁸⁶

³⁸⁴ Letter of Stanhope to Newcastle, May 30, 1728, in Newcastle Papers 32756, pp. 32-34, B. M.

³⁸⁵ Letter of H. Walpole to Newcastle, June 4, 1728, in Newcastle Papers 32756, pp. 85-87, B. M.

³⁸⁶ Letter of Stanhope and Poyntz to Newcastle, June 9, 1728, in Newcastle Papers 32756, p. 102.

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Stanhope asked his government for instructions since he saw no way out of the dilemma either to admit discussion on the question of Gibraltar, or to end the congress. On the same day Stephen Poyntz wrote a letter to Townshend in which he exposed the difficult situation of the plenipotentiaries and the impossibility ever to come to an agreement with the Spanish as long as the Gibraltar question was not solved to their satisfaction. The only means of saving the congress would be to make some concessions on this question to Spain. He proposed accepting the idea of restitution for an equivalent, and continued:

That the considerations of this equivalent maybe submitted to the King and his parliament, leaving our possession in the meantime on the foot of our treatys.³⁸⁷

There is no evidence that Poyntz informed Stanhope of his letter. We are inclined to believe that he expressed his personal opinion only.

A passage of the answer of Lord Townshend reveals one more reason why the English government refused any discussion of the problem, namely the national pride in possession of Gibraltar:

You cannot but be sensible of the violent and almost superstitious zeal which has of late

³⁸⁷ Letter of Poyntz to Townshend, June 9, 1728, quoted in Coxe, Robert Walpole, II., p. 628.

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prevailed among all partys in this kingdom, against any scheme for the restitution of Gibraltar upon any condition whatsoever. And I am afraid, that the bare mention of a proposal which carry'd the most distant appearance of laying England under an obligation of ever parting with that place would be sufficient to put the whole nation in flame.³⁸⁸

The advice Townshend gave the English representative was to promise to correct the English merchants' injurious behavior in their commercial relations with Spanish America. Before this answer arrived at Soissons, the Congress had been opened (June 14, 1728). At the beginning of the Congress an understanding was reached between the French, English and Austrian plenipotentiaries not to mention the question of Gibraltar in order to avoid a breakup of the negotiations. But the English envoys had no doubt that it would eventually be brought up.³⁸⁹

The attention of the congress was at first attracted to the marriage project of the Spanish Queen. The Pensionary Slingelandt, the Dutch plenipotentiary, expressed his opinion that there were only two ways of arriving at an agreement at the present, to separate the Queen from the

³⁸⁸ Letter of Townshend to Poyntz, June 10, 1728, quoted in Coxe, Robert Walpole, II., p. 631.

³⁸⁹ Letter of H. Walpole to Newcastle, June 10, 1728, in Newcastle Papers 32761, p. 150, B. M.

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Emperor, or to gratify her on the point of the marriage.³⁹⁰

Newcastle wrote to the plenipotentiaries that this problem was of European interest and that he feared the consequences of such a marriage.³⁹¹

The Emperor wanted the marriage project discussed at the congress, but only to strengthen his arguments against it. This was the general opinion of the majority of the representatives. Most of the plenipotentiaries themselves clearly opposed the Austrian-Spanish marriage plans.³⁹²

At the beginning of July the Dutch Stadtholder proposed the suppression of the Ostend Company. The Austrian envoys insisted on the Emperor's right to give his subjects the permission of trading in the East Indies and denied that the Treaty of Munster and Utrecht contradicted these rights. Stanhope however was confident that the Emperor would give

³⁹⁰ Letter of Plenipotentiaries to Newcastle, July 3, 1728, in Newcastle Papers 32761, p. 150, B. M.

³⁹¹ Letter of Newcastle to Plenipotentiaries, June 27, 1728, in Newcastle Papers 32756, p. 369, B. M.

³⁹² Letter of Stanhope to Newcastle, July 14, 1728, in Newcastle Papers 32757, p. 44, B. M.

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in on this point.

On the 20th of July a courier arrived from Madrid with a memorandum relating to Gibraltar. Shortly afterwards Stanhope had a conference with Zinzendorff. He wished to know whether or not the Spanish plenipotentiaries had the power "to forbear making the demand of Gibraltar" to which zinzendorff replied "that he had sufficient authority to wave that pretention at the congress"³⁹⁴. Stanhope proposed finding an arrangement whereby all possessions would be confirmed according to former treaties, excluding any kind of secret promises with regard to Gibraltar.

Stanhope and Horace Walpole tried to convince the Duke of Bournonville not to bring up the question before the assembly, but they did not have the desired results. One Spanish envoy repeated again that the whole Spanish nation had taken the problem of Gibraltar to heart, and the other, the Duke of Santa Cruz, told Stanhope and Walpole that they had orders to present demands to the congress. Stanhope

393 Letter of Stanhope and Poyntz to Newcastle, July 6, 1728, in Newcastle Papers 32756, p. 439.

Michel Huisman, La Belgique Commerciale sous L'Empereur Charles VI. La Compagnie D'Ostende, Bruxelles, 1902, pp. 5 and 435.

394 Letter of Stanhope and H. Walpole to Newcastle, July 20, 1728, in Newcastle Papers 32757, p. 124, and Resumé of correspondence of English Plenipotentiaries concerning Gibraltar, in Miscellaneous Papers 33006, p. 94, B. M.

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objected:

That if they continued the resolution of demanding Gibraltar, which we and the whole English nation considered, as not at all founded upon the Preliminaries, we should be indispensably obliged to make an immediate reply to it, and perhaps in such terms, as might not be agreeable to them.³⁹⁵

Santa Cruz finally agreed to write to Madrid for new orders, especially as Cardinal Fleury had also approached him not to mention the question.

On July 1728, Zinzendorff received a letter from Koeniggsegg, the Austrian ambassador to the court of Madrid, bringing the welcome news that the Queen of Spain with a great deal of reluctance, agreed not to insist upon the return of Gibraltar. But he also wrote that there existed strong opposition against this policy, "which may suddenly occasion revolution in the government..."³⁹⁶

The differences of opinion on the main issues at the conference seemed to be unsurmountable. The Dutch Bensionary Slingeland proposed that they at least agree on certain smaller points and prepare a provisional treaty which would serve as a basis for final negotiations. Certain matters of dispute would then be settled in special

³⁹⁵ Letter of Stanhope and H. Walpole to Newcastle, August 5, 1728, in Newcastle Papers 32757, p. 269, B. M.

³⁹⁶ Letter of Plenipotentiaries to Newcastle, August 10, 1728, in Newcastle Papers 32757, p. 325, B. M.

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conferences between the respective Powers.³⁹⁷

Stanhope believed that a guarantee of the present possessions, to be included in such a provisional treaty, would be "a good foundation for building something solid and advantageous upon".³⁹⁸ He hoped therefore to have a special guarantee for Gibraltar inserted in the provisional treaty.

The Spanish envoy to the congress, Bournonville, told the Cardinal that Spain would be the loser at this conference and that he would not agree to any negotiation that would not include the restitution of Gibraltar. On the same day Keene wrote from Madrid to Stanhope:

We are here in a strange situation. It is an uneasy calm that I can't comprehend tho there is one thing that is clear enough, and that is their Resolution to make the strongest Instances for Gibraltar. I can't well express to Y^r Ex^{cy} with what Industry and Success they have inflamed the Nation against us. There is not so much as the appearance that there ever was an English Interest in Spain.³⁹⁹

The Queen was the driving force behind the movement for she had to please the Spanish opposition with some political success while her husband was sick and her step-son

³⁹⁷ A. Goslinga, Slingelandt's Efforts toward European Peace, The Hague, 1915, p. 256.

³⁹⁸ Letter of Stanhope to Newcastle, August 9, 1729, in Newcastle Papers 32757, pp. 311-312, B. M.

³⁹⁹ Letter of Stanhope and H. Walpole to Newcastle, August 14, 1728, in Newcastle Papers 32757, p. 495, B. M.

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jealous of her position:

The Prince of Asturias is not caring for her and the whole nation is against her... If by Her ill Fortune she should be left only as a Dowager of Spain, and have no other Protectors than the Infants she would be the most miserable Princess on Earth.⁴⁰⁰

The English plenipotentiaries replied to Keene that restitution was out of the question since both Houses of Parliament had taken a resolution "that neither H. M. nor His Ministers can agree to any treaty that does not preserve his undoubted Right to it"⁴⁰¹...

Things did not follow this course, for the Spanish court refused to withdraw its troops from Gibraltar. They forbade all intercourse with the English by land and sea,⁴⁰² and disregarded the provisions of the preliminaries. Bournonville declared to the English plenipotentiaries that Spain would not accept the project of the provisional treaty. He asserted that this was his last official statement on the

⁴⁰⁰ Letter of Keene to Newcastle, May 16, 1728, in Newcastle Papers 32755, pp. 439-447, B. M.

Letter of Keene to Stanhope, May 16, 1728, in Newcastle Papers 32755, pp. 495-496, B. M.

⁴⁰¹ Letter of Plenipotentiaries to Keene, August 15, 1729, in Newcastle Papers 32762, pp. 151-152, B. M.

⁴⁰² Letter of Townshend to Plenipotentiaries, August 15, 1728, in Newcastle Papers 32757, p. 460, B. M.

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matter.

While the French foreign minister doubted that Spain would accept the proposal for a provisional treaty, Zinzendorff was hopeful that Koenigsegg could still convince the Queen to accept it. On September 12, Stanhope and Walpole wrote to Newcastle that the Spanish plenipotentiaries had received orders not to bring up their memorandum relating to Gibraltar, or any other issue whatsoever, at least for the present.

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Stanhope saw this as the result of his perseverance and hoped that the Queen would be reasonable and also accept the project of the provisional treaty. A draft was sent to Keene in Madrid. Stanhope warned him to be alert, and not to allow any change in the article confirming the territories guaranteed in the former treaties.

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But the Spanish court was not disposed to accept the proposal as the plenipotentiaries desired. They changed several articles, thereby leaving open the question of the territories, and requested commissioners to be appointed to

403 Letter of Stanhope and H. Walpole to Newcastle, August 18, 1728, in Newcastle Papers 32757, p. 411, B. M.

404 Letter of Stanhope to Townshend, August 20, 1728, in Newcastle Papers 32757, p. 427, B. M.

405 Letter of Stanhope and H. Walpole to Newcastle, September 12, 1728, in Newcastle Papers 32758, p. 1, B. M.

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negotiate the English Spanish differences at Madrid. Stanhope became impatient over this "perpetuating of differences", and asked Keene to remind the Queen that the Spanish court relied on English guarantees for her son's position in Italy and yet refused any friendly settlement with England.⁴⁰⁶

The plenipotentiaries did not give up hope of securing the adherence of Spain to a provisional treaty. They agreed to the Spanish idea and asked the Spanish court to appoint commissioners for the negotiations which should be conducted in conformity with the peace preliminary of El Pardo. The next day the English envoys were informed by Chauvelin, the French foreign minister, that Santa Cruz insisted that the word "pretensions" be inserted in the provisional treaty "to leave open a door for having the point of Gibraltar as well as the affairs of commerce",⁴⁰⁷ discussed by the commissioners.

Stanhope and Walpole refused any new formulation and told Chauvelin:

⁴⁰⁶ Letter of Stanhope and H. Walpole to Keene, October 4, 1728, in Newcastle Papers 32758, pp. 232-233, B.M.
⁴⁰⁷ Letter of Keene to Stanhope and H. Walpole, no date, in Newcastle Papers 32758, pp. 434-436, B. M.

⁴⁰⁷ Letter of Stanhope and H. Walpole to Keene, October 4, 1728, in Newcastle Papers 32758, pp. 232-233, B.M.

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That we could never consent that any general words should be inserted in that article, that might, although by a forced Construction, give an occasion to mention Gibraltar.⁴⁰⁸

Such a general word as this would have destroyed the whole purpose of a provisional treaty and have left England in an even worse condition than ever.⁴⁰⁹ Stanhope stated:

That we had much rather have Gibraltar brought before the Congress fairly debated there upon the Strength of our Treatys and the Confidence we have in the Guarantee and Fidelity of our Allys".⁴¹⁰

The position of both sides over the question of Gibraltar seemed to be inalterable, both claimed the will of the people as the last reason for their intransigence. Bournonville explained to Stanhope that the Catholic Majesties:

Must have some management and regard for the inclination of their people, who had that affair at heart, and therefore their C. M. could not openly make such a change in the act of the Pardo, as might utterly include them from all prospect of ever being able to renew their pretensions on that place and consequently disoblige all Spain.⁴¹¹

408 Ibid.

409 Ibid.

410 Ibid.

411 Letter of Stanhope and H. Walpole to Newcastle, October 19, 1728, in Newcastle Papers 32758, pp 348-356, B.M.

Bournonville thereupon proposed a compromise formulation of the treaty in terms of the convention of the El Pardo, and pledging of private assurances "that the commissioners would not mention Gibraltar at the conference"⁴¹²

Stanhope and Walpole agreed that a way out of the impasse would be to adopt Boubonville's suggestion and to word the article "without mentioning the King of England's rights on Gibraltar"⁴¹³. This formula was to become finally the basis for a peaceful arrangement between England and Spain.

In Madrid the English ambassador requested the Spanish minister, the Marquez de Brancas, to bring about a change of attitude of the Queen towards England by showing the Queen the injury she did to her own interests by "spiriting up the King and Spanish Nation against England, on account of Gibraltar"⁴¹⁴. The Queen replied in an uncompromising tone:

That she would have him imagine himself in her place, that she knew the sentiment of the Spaniard with regard to her and that they would immediately reflect upon her if she desisted from this pretension, that she had

⁴¹² Ibid.

⁴¹³ Ibid.

⁴¹⁴ Letter of Stanhope and H. Walpole, no date, in Newcastle Papers 32758, pp. 429-432, B. M.

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sacrificed her nation to her own Interests,
and exasperate them more than ever against
her.⁴¹⁵

Brancas thereupon suggested that the Queen should explain before "a group of distinguished people the title we had to Gibraltar"⁴¹⁶ by guarantees and treaties, demonstrating the impossibility of changing the things at the present time or of taking the fortress by force.

The plenipotentiaries took a firm stand and warned the Spanish court against any hope of achieving a change with regard to Gibraltar. They entreated Keene to abstain from any kind of conversation which might encourage the court, telling him that England had decided not to make any concessions and that she was supported in her position by France and the Dutch.⁴¹⁷

All possibilities seemed to have been attempted, but no result had been achieved. So the plenipotentiaries asked Newcastle what they should do "when Spain still refused to consent".⁴¹⁸

⁴¹⁵ Ibid.

⁴¹⁶ Ibid.

⁴¹⁷ Letter of Stanhope and H. Walpole to Keene, November 1, 1727, in Newcastle Papers 32759, pp. 200-201, B. M.

⁴¹⁸ Letter of Stanhope and H. Walpole to Newcastle, November 17, 1727, in Newcastle Papers 32759, pp. 205-206, B. M.

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In November, Keene wrote to Newcastle concerning the Spaniards that he was informed "by a very good hand that their idea at present is to be silent upon the affairs of Gibraltar", but that they intended to reduce the commercial rights of England to the agreement of 1713. They will exasperate the English nation "and endeavour to make them realize that it is Gibraltar which is the cause of the interruption of their commerce"⁴¹⁹.

By the end of 1728 the congress of Soissons seemed to be condemned to failure as had been the congress at Cambrai in 1724. Both sides were unyielding on the point of Gibraltar. But, just as in 1724, an unexpected change in Spanish politics took place which helped to overcome the deadlock and reach an agreement.

⁴¹⁹ Letter of Keene to Newcastle, no date, in Newcastle Papers 32759, pp. 205-206, B. M.

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3. The Treaty of Seville.

During the month of November, the English plenipotentiaries observed that many couriers were travelling between Madrid and Vienna. They became suspicious that a difference of opinion between them existed:

That the Delay and Difficulties in the Negotiation arise from some Differences and Disputes between the two Courts which have no direct relations with the Congress... and indeed it is not unlikely that their C. M. are pressing the Emperor to declare himself with regard to the mariages.⁴²⁰

If this were true, England might have a chance to achieve its ends by siding with Spain.

Keene, in Madrid, confirmed the observations of the plenipotentiaries "that some very important is carried on between the Queen of Spain and the Emperor"⁴²¹. He added that the "mysterious behaviour" between Madrid and Vienna is the main reason for Spain's reluctance to come to terms with England. The interest in her marriage project was for the Queen more important "than Gibraltar, the Asiento and the article of Commisionaries". Her only aim is "to settle

⁴²⁰ Letter of Stanhope and H. Walpole to Keene, November 29, 1728, in Newcastle Papers 32759, pp. 293-294, B. M.

⁴²¹ Letter of Stanhope and H. Walpole to Keene, December 7, 1728, in Newcastle Papers 32759, p. 293-294, B. M.

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Don Carlos in Italy and to secure for herself an honourable
⁴²²retreat". She had hoped, as was seen above, to achieve
 this by a marriage with an Archiduchess.

As a matter of fact the Queen's only reason for
 clinging to the alliance of Vienna after all her other
 policies had failed, was her hope of marrying her son to one
 of the daughters of the Emperor and of thereby gaining both
 the Duchies and Gibraltar. The Emperor had given his pro-
 mise only under the pressure of circumstances but evaded any
 clear and definite pronouncement. Since the European Powers
 had declared themselves against a union of the Bourbons and
 Habsburgs, the Emperor came to the decision to decline the
 proposals of the Spanish court.

In October 1728, one of the three daughters of the
 Emperor died. This offered the Queen of Spain an occasion
 to remind the Court of Vienna of its promises and to demand
⁴²³a definite declaration. She wrote directly to the Empress,
 and, through La Paz, to Prince Eugene. The Emperor laid the
 question before his private council, where the imperial
 ministers showed a fear that a marriage between the two
 dynasties would have far-reaching consequences in the

⁴²² Letter of Keene to Stanhope and H. Walpole,
 December 20, 1728, in Newcastle Papers 32759, p. 405, B. M.

⁴²³ Baudrillart, Philippe V, III., p. 486.

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relations of Austria with the princes of the Empire and with the Courts of Europe. They were no less conscious of the consequences which the refusal would have in their relations with Spain. Therefore they formulated a cautious and temporizing answer, and put off a clear decision.⁴²⁴

The Queen sent another special courier to the Court of Vienna giving them an ultimatum to declare themselves. The final and negative decision was taken by the imperial council in February 1729, and the Queen received it a month later in Seville.⁴²⁵

While the negotiations between Madrid and Vienna were still going on, relations between England and Spain had also taken a turn for the worse. It was reported from Vienna that the Spanish pressed the Emperor very hard "to enter into a war" but that the Austrian Court is aware "of their impossibility to carry it on".⁴²⁶ In Spain, war preparations were again being made. The arrival of the gold fleet in February gave the Spaniards the means to increase their armaments and to augment the number of their ships. The

⁴²⁴ Letter of Prince Eugene to Koenigsegg, December, 1728, quoted in Arneth, Prinz Eugen, III., p. 562.

⁴²⁵ Baudrillart, Philippe V, III, p. 490.

⁴²⁶ Letter of Waldegrave to Keene, January 5, 1729, in Newcastle Papers 32759, pp. 477-478, B. M.

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Spanish Court then angered the English and Dutch governments when they absolutely refused to hand over to the Northern merchants their rightful share of the money brought from America.⁴²⁷

The English then received informations that an attack on Jamaica was planned and that if captured, "England priera de la ravoir pour la Place de Gibraltar".⁴²⁸ A keen observer, Lady A. Irving, gave this description of the situation in Spain at the end of February 1729 in a letter:

The Duke of Richmond, who is just arrived from Spain, declares publicly that the Spaniards are unanimous for a war unless Gibraltar is given up, and resolve they will accept no peace but on those terms.⁴²⁹

The English government prepared to meet the challenge. In his Speech from the Throne in January the King declared that England preferred a war to a state of continual uncertainty, and was ready to repel the provocations and encroachments of Spain. In both Houses animated debates took place, and once again the right of England to Gibraltar was asserted. The King's declaration was approved, and the

⁴²⁷ Baudrillart, Philippe V, III., p. 494.

⁴²⁸ Letter of Poyntz to Stanhope, February 15, 1729, in Newcastle Papers 32760, p. 190.

⁴²⁹ Letter of Lady Irving to Carlisle, March 5, 1729, in Carlisle Papers, pp. 57-58, Historical Manuscript Commission, London.

requested subsidies voted. English and Dutch fleets were stationed at Southampton, awaiting orders to sail.⁴³⁰

Cardinal Fleury intervened with efforts to stop a conflagration. He sent messages to London, to Paris and to Vienna pleading with the governments to assist him in preserving the peace. Before the Cardinal received answers he was informed by Brancas that the negative reply which had been received from the Court of Vienna had induced the Queen to abandon the alliance with the Emperor.⁴³¹

The news from Madrid "galvanised the diplomats at Soissons into renewed activity".⁴³² The question of the marriages had indeed been the reason for the delays of all negotiations.⁴³³ Now a pacification appeared to be possible. England and France, happy to see the danger of war pass, were eager to gratify the Queen. Since Spain's accession to the Quadruple Alliance, her demands had kept European diplomacy alert. As her hopes to build up a Habsburg-Bourbon dynasty in Italy with the help of Austria vanished, she turned back to her former plans for securing the dukedoms of Parma,

430 Newman, Parliamentary Diary, pp. 92-93.

431 Baudrillart, Philippe V, III., pp. 500 and 508.

432 Lodge, "The Treaty of Seville" in Transactions of the Royal Historical Society, Vol. XVI, p. 36.

433 Letter of Keene to Newcastle, April 5, 1729, in Newcastle Papers 32760, p. 317, B. M.

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Piacenza and Tuscany for Don Carlos, with the help of England and France.

She informed the English and French courts that she desired to "come to a perfect reconciliation" with the allies of Hanover when they would help Spain to occupy and defend those duchies for her son and secure an honourable retreat for herself".⁴³⁴

The English plenipotentiaries had no objection to meeting the wishes of the Spanish Queen. They believed it most advisable to employ Swiss troops, but had no objections to using Spanish garrisons. And so the old tactics were employed to divert Spanish interest away from Gibraltar towards Italy. Keene was told to remind the Spanish court that the preliminaries of Paris and the Convention of the Pardo "confirmed all rights and possession of former Treaties, by Virtue of which the Question of Gibraltar is out of all dispute".⁴³⁵

The English diplomats, feeling their position much improved, soon added further demands. The King of England expected "the recognition of all treaties earlier than 1725

⁴³⁴ Letter of Keene to Newcastle, May 26, 1729, in Newcastle Papers 32761, p. 120, B. M.

⁴³⁵ Letter of Plenipotentiaries to Keene, June 14, 1729, in Newcastle Papers 32761, p. 158, B. M.

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and the restitution of all damages done to English property".⁴³⁶ Colonel Stanhope's letter of June 17, 1729 to Newcastle reveals his thoughts about the expected reconciliation with Spain. Spain would firstly adhere to the League of Hanover. The Emperor would be left alone for he would "not risk a war", but rather look for understanding for the question of succession to the Austrian throne. The influence of France in Spain could be limited and France would not be the only support for England in the future. He confessed to Newcastle that he was tired of his present employment which was without any prospect of getting out of it".⁴³⁷

His desire to retire was to be fulfilled a few months later, when he finally succeeded in the difficult task of bringing the Spanish court to an accommodation which left England in possession of Gibraltar and, at the same time, renewed all her former commercial privileges.

The wish to come "to an absolute Treaty of Friendship and alliance" with Spain was repeated in correspondence with the Court of Madrid. The offer to gratify the Spanish

⁴³⁶ Letter of Townshend to Plenipotentiaries, no date, in Newcastle Papers 32761, pp. 208-209, B. M.

⁴³⁷ Letter of Stanhope to Newcastle, June 17, 1729, in Newcastle Papers 32761, pp. 199-202, B. M.

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Queen in the matter of her son's succession in Italy was unmistakably linked with the other English demands. To give them more weight, the joint English and Dutch fleets, stationed at Portsmouth, were kept ready to sail to the West Indies or to the coast of Spain "in case we do not come to an accomodation with the Crown".⁴³⁸

The Queen was in no mood to fight and needed English support, so she consented to the main proposals of the plenipotentiaries, namely the possession of Gibraltar by England and the renewal of the commercial treaties. She expressed her desire to begin formal negotiations for a final settlement, and English plenipotentiaries authorized Keene to initiate negotiations. He was permitted to offer English and French guarantees for the occupation of the Italian duchies, and mutual help for securing all present possessions and rights. He was to secure from Spain the delivery of the money from America, satisfaction for just grievances, and support for the suppression of the Ostend Company. They found it necessary to caution him not to permit any concession:

Which may directly or indirectly bring hereafter H. M.' Rights to Gibraltar or any other of H. M.'s possession in question, and if any thing of that nature be offered to

⁴³⁸ Letter of Stanhope and H. Walpole to Keene, July 4, 1729, in Newcastle Papers 32761, p. 257.

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refuse it absolutely, as not to be received even ad referendum... What we expect to be clear and precise, and as far as possible ready, for signing definitely without coming back to the Congress, which is looked upon to be at an end.⁴³⁹

The Spanish Court agreed to all these conditions and asked to appoint commissioners with full powers "to examine, to discuss and to decide in good faith and amicably the interests of the Said Sovereigns, of their Subjects and Countries".⁴⁴⁰ The task of the Commissioners should come to an end within two years, and mediators should intervene in case of differences. Arrangements were to be made with the Duke of Parma and the Grand Duke of Tuscany to allow the garrison of 6000 Spanish troops in the duchies, and the contracting Powers would guarantee all stipulations of the treaty.⁴⁴¹

One problem was not mentioned: What would happen if the Emperor opposed occupation of the duchies? Were the allies ready to go to war for the Queen of Spain's ambitions? Newcastle mentioned this difficulty to Stanhope. He also brought up the possibility of insisting on an explicit

⁴³⁹ Letter of Plenipotentiaries to Keene, July 26, 1729, in Newcastle Papers 32761, pp. 431-432, B. M.

⁴⁴⁰ Letter of Keene to Townshend, August 2, 1729, in Newcastle Papers 32761, B. M.

⁴⁴¹ Ibid.

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renunciation by the Spanish court to restitution of Gibraltar and Port Mahon, but he advised not "to push this point, so as to hinder the conclusion, if it should meet with difficulties".⁴⁴²

The main point of Newcastle's letter however was his request to Stanhope to go to Madrid "to give the finishing stroke to this great work".⁴⁴³ The original proposal came from Sir Robert Walpole who had been moved by the consideration:

That no man can do this thing so well as yourself, from your judgment and experience in this sort of matter, as well as from your particular knowledge of and credit at the court of Spain...⁴⁴⁴

Newcastle encouraged Stanhope saying that the settlement of this affair, of such great importance for England, would be "far from being a disadvantage for you". He closed the letter, saying:

I am firmly convinced, it would be of the greatest service imaginable to the King, so I really think it would be putting a fine end to your foreign embassys. But of this you are the best judge.⁴⁴⁵

⁴⁴² Letter of Newcastle to Stanhope, July 28, 1729, in Newcastle Papers 32762, p. 262, B. M.

⁴⁴³ Coxe, Robert Walpole, II., p. 650.

⁴⁴⁴ Ibid.

⁴⁴⁵ Ibid.

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The mission and the appreciation of his work was flattering to Stanhope. But this mission could also end in failure. It was not easy for him to come to a decision. He wrote to Newcastle that a failure of this mission might:

Expose me to the loss of my reputation in case I could (as is most likely) do nothing, and to that of my head in case I concluded any treaty, tho with never so honest intentions.⁴⁴⁶

Newcastle tried to dissipate Stanhope's fears, arguing that the mission was necessary. He explained that the draft of the treaty:

Will come from you with greater weight it possibly can from Mr. Keene, who, tho he had acted all along perfectly well, yet labours under the disadvantage of being much inferior in rank to the ministers with whom he is to transact.⁴⁴⁷

Stanhope was also encouraged by his colleagues at Soissons, Horace Walpole and Stephen Poyntz, to accept the embassy. It would be "of the greatest service"⁴⁴⁸ to overcome all the obstacles and also of great advantage for his diplomatic career. They admitted that, in a letter to Lord Townshend, they had recommended the appointment of Stanhope.

⁴⁴⁶ Letter of Stanhope to Newcastle, no date, in Newcastle Papers 32762, pp. 386-389, B. M.

⁴⁴⁷ Letter of Newcastle to Stanhope, no date, in Newcastle Papers 32762, pp. 386-389, B. M.

⁴⁴⁸ Letter of H. Walpole and Poyntz to Stanhope, no date, quoted in Coxe, Robert Walpole, II., p. 655.

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Townshend answered on August 12, 1729 from Hanover:

His majesty gives your excellencys leave to assure Mr. Stanhope in his name, that in case he will undertake this commission, he will certainly make him a peer, as soon as the negotiation with Spain is over. I hope this promise will induce Mr. Stanhope to accept the embassy to Spain without any difficulty.⁴⁴⁹

This was interpreted as an order from the King and Stanhope could hardly refuse it. He was aware that this was the only way to please the King and to achieve his own cherished ambitions of nobility, and so agreed. Horace Walpole immediately communicated Stanhope's decision to his brother Robert in London, who showed the letter to the Queen, the Regent during the King's absence. Queen Caroline "said a thousand kind things of you, and expressed the greatest satisfaction in your journey".⁴⁵⁰ Newcastle told Stanhope that his decision had assured him the favour of Robert Walpole, and he himself was very pleased "to hear you was come to the resolution of going to Spain".⁴⁵¹ But it was not before September 1729, that Stanhope gave his final and

⁴⁴⁹ Letter of Townshend to H. Walpole and Poyntz, August 12, 1729, quoted in Coxe, Robert Walpole, II., p. 655.

⁴⁵⁰ Letter of Newcastle to Stanhope, August 25, 1729, quoted in Coxe, Robert Walpole, II., p. 656.

⁴⁵¹ Ibid.

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definite consent to accept the mission to the Court of Spain. In his letter to Newcastle he remarked that it was "the greatest sacrifice I ever made or can make in all my life".⁴⁵²

Stanhope used the remaining days before his departure from Soissons to work out proposals for a definite treaty with Spain. They revealed not only his extensive knowledge of this problem, which had aggravated relations between England and Spain for the past sixteen years, but also disclosed the solution which might make it possible to preserve peace and friendship between the two countries. All treaties and conventions previous to 1725 should be confirmed. The Preliminaries and the Convention of El Pardo should be ignored, for their interpretation had caused much disagreement. The word "pretension" should not be used in order to give the Spaniards any occasion to make any formal demand for Gibraltar "since they still kept such unreasonable a demand in reserve to make it if favourable occasion should offer. Any specific renunciation will not be made although the King had the right to insist upon it".⁴⁵³ He repeated the argument which had been used in the Parliamentary debates

⁴⁵² Letter of Stanhope to Newcastle, September 7, 1729, in Newcastle Papers 32763, p. 319, B. M.

⁴⁵³ Letter of Plenipotentiaries to Keene, September 10, 1729, in Newcastle Papers 32763, pp. 398-400, B. M.

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that the treaties and guarantees confirmed the possession of Gibraltar sufficiently. Such a demand could be interpreted as if:

We supposed that Spain by virtue of Treaties had some Claim or Pretension to it, and would in some measure have weakened or questioned H. M.^s right.⁴⁵⁴

Stanhope had had sufficient opportunity to study the mentality and the attitude of the Spanish court to know that the King and the Queen would never agree to formal renunciation, and that the omission of the Gibraltar question in the treaty by mutual consent was the only way to reach a conclusion. He repeated and left no doubt that "to raise a Demand or Claim to that Fortress... would infallibly break at once the union..."⁴⁵⁵

Keene was ordered to remind the Spanish ministers that the fleet in Portsmouth was being kept in readiness to assist in the transportation of troops to Leghorn"⁴⁵⁶. This offer to transport Spanish troops to Italy helped overcome their aversion against signing a treaty which would not leave them any hope of regaining Gibraltar. Cardinal Fleury and the French foreign minister gave their assurance that

⁴⁵⁴ Ibid.

⁴⁵⁵ Ibid.

⁴⁵⁶ Letter of Plenipotentiaries to Keene, September 11, 1729, in Newcastle Papers 32762, p. 483, B. M.

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they would not allow any alteration of the proposed treaty⁴⁵⁷ which would endanger the negotiations.

Stanhope wrote in September from Bayonne to Horace Walpole and Stephen Poyntz, that he would continue his journey to Spain the next day and that he hoped to arrive eleven days later in Seville, where the King and the Queen⁴⁵⁸ had taken residence. When the Spanish ministers received information that Colonel Stanhope had been appointed to conduct the final negotiations and to sign the treaty, they assumed that he had "special authority to make concessions".⁴⁵⁹ They delayed all further decisions until his arrival.

Since the treaty proposals had already been agreed upon between England and France and any alteration regarding Gibraltar or the commercial treaties was therefore excluded, Stanhope's remaining task was that of overcoming the resistance of certain persons at the Spanish Court. These included La Paz and Brancas. Patiño, then the most influential minister, was not opposed. His intention was to

⁴⁵⁷ Letter of H. Walpole and Poyntz to Stanhope, September 27, 1729, in Newcastle Papers 32763, p. 232, B. M.

⁴⁵⁸ Letter of H. Walpole to Newcastle, October 26, 1729, in Newcastle Papers 32763, p. 442, B. M.

⁴⁵⁹ Letter of Newcastle to Keene, September 30, 1729, in Newcastle Papers 32763, p. 324, B. M.

⁴⁵⁹ Lodge "The treaty of Seville" in Transactions of the Royal Historical Society, Fourth Series, Vol. XVI, p. 39.

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end the tension between Spain and the European Powers, and to secure for Spain a period of peace which she urgently
⁴⁶⁰
 needed.

Until the last moment the Spanish court tried to substitute the English proposals, and Keene and Stanhope, referring to the intentions of the Spanish sovereigns, wrote:

The King of Spain would look upon himself as dishonoured in the world, should he be said to have signed a treaty in the very terms in which it had been offered to him.⁴⁶¹

Finally the proposals were accepted after it had been mutually agreed upon not to mention Gibraltar in the treaty. The mission was a success.

Stanhope's colleagues at Soissons received information about the difficulties that arose in the last moments, and about Stanhope's success. They expressed their feeling in a letter to Newcastle:

We are persuaded this important affair would still have suffered several difficulties and delays, had not Mr. Stanhope undertaken that tedious and fatiguing journey...⁴⁶²

⁴⁶⁰ Ibid.

⁴⁶¹ Letter of Stanhope and Keene to Newcastle, November 10, 1729, in Newcastle Papers 32764, p. 3, B. M.

⁴⁶² Letter of Walpole and Poyntz to Newcastle, November 24, 1729, in Newcastle Papers 32764, p. 124, B. M.

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On November 9, 1729, the treaty of Seville was
⁴⁶³signed. The result has been summarized by William Coxe
 in these words:

The claim to Gibraltar was passed over
 in silence and important advantages were
 secured to British trade in return for
 Elizabeth Farnese's wishes with regard to
 the succession in Tuscany and Parma.⁴⁶⁴

A few days later, Newcastle assured Stanhope that
 he had never seen the King better satisfied with anyone than
 he was with him, and conveyed the special thanks of Walpole
 and Townshend.⁴⁶⁵

Shortly after signing the treaty Stanhope returned
 to France. In January 1720, he was created Lord
⁴⁶⁶Harrington. This distinction was a token of appreciation
 for Stanhope's long and difficult services at the Court of
 Madrid. It was the fulfillment of his personal ambitions
 and a step to further advancements during the administration
 of Sir Robert Walpole.

⁴⁶³ Lodge, "The Treaty of Seville" in Transaction
 of the Royal Historical Society, Fourth Series, Vol. XVI,
 p. 41.

Cantillo, Tratados, p. 247.

⁴⁶⁴ William Coxe, History of the House of Austria,
 London, 1807, II., p. 95.

⁴⁶⁵ Coxe, Robert Walpole, II., p. 665.

⁴⁶⁶ "William Stanhope" in Dictionary of National
 Biography, Vol. XVIII, p. 927.

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The treaty of Seville was hailed by many Englishmen as a great diplomatic success. It put an end to the alliance between the Emperor and the King of Spain. English commercial privileges were recognized and the Ostend trading privileges of Austrian subjects were annulled. England's position in the Mediterranean was strengthened and the military power of Gibraltar was kept in British hands.

The opponents of the Walpole-Townshend ministry did not fail to call attention to the fact that the main problems between England and Spain had not been solved by the treaty. In the first place the government had not been able to force the Spanish court to renounce its rights to the fortress. Furthermore, the assurances given by the treaty that Spanish soldiers would be sent into the Italian duchies would inevitably plunge the country into a war against the Emperor.

In reality this was the weakest point of the agreement. Success or failure depended on the fulfillment of this stipulation. Here the old dilemma for the English policy arose anew. If England and her allies implemented the treaty against the will of the Emperor, in all probability they would have to face a new war. If they did not satisfy the wishes of the Spanish Queen, they ran the risk of putting an end to the new alliance and of losing the advantages gained.

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The Emperor left no room for doubt that he would not tolerate any interference in the Italian duchies. He concentrated troops near the borders and occupied Parma in 1730, when the Duke Francisco died. The Spanish Queen was furious and began to exercise pressure on the English and French governments. She let them know that she would not allow the evasive procedure that had prevailed after the Treaty of Madrid (1721) a second time. She insisted on the armed intervention of the allies.

The Treaty of Seville became the crucial test for Lord Townshend's whole political conception. He decided to face the consequences of his policy and to attack the Emperor's forces in Naples and Sicily, but he remained alone in his plan. Resistance arose not only from the French allies, but also from his countrymen, and, what was worse, from his own brother-in-law, Robert Walpole.

After having overcome the sequel of the South Sea Company's disaster Robert Walpole had become the uncontested leader of the Whig administration, having led the nation on the path of unprecedented prosperity. He knew a war would greatly endanger the progress of the country, the security of the Hanoverian dynasty, and the power of the Whigs. He was convinced that the Queen of Spain was adamant in her demands, but he also saw that the resistance of the Emperor

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might be weakened. He therefore proposed that Lord Townshend recognize the Pragmatic Sanction in return for the Emperor's permission to occupy Parma and Piacenza. When Townshend refused to accept this alternative, Robert Walpole asked him to retire from his post. William Stanhope, now Lord Harrington, took his place. This is in fact surprising, since he had always wholeheartedly supported the policy of the deposed minister and, in the Treaty of Seville, had accepted conditions which almost obliged England to go to war. In any case, this treaty marked the end of Lord Townshend's political activities, and meant the beginning of Lord Harrington's long career as Secretary of State.

As the only way of pacifying the Emperor, and of pleasing the Queen of Spain, the Duke of Newcastle and Lord Harrington, the two Secretaries of State, accepted Robert Walpole's idea. Walpole turned to the Emperor and made concessions on the point of the Pragmatic Sanction. In return the Emperor agreed to the total suppression of the Ostend Company, thus removing the main obstacles which had separated England and Austria since 1722, and consented to the occupation of the Italian duchies by Spanish troops, thus ending the dispute between Austria and Spain. The so-called second Treaty of Vienna confirmed the Treaty of Utrecht and the Quadruple Alliance, and solved some of the problems which had disturbed the tranquility of Europe since 1713.

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Without the new settlement the Treaty of Seville would have ended in failure. In both treaties the question of Gibraltar was passed over in silence.

CONCLUSIONS

Although the Treaty of Seville needed the Treaty of Vienna to be brought to fruition, it did, nevertheless, bring to a close an important period in the history of Gibraltar.

The long and unpleasant dispute between England and Spain had come to an end. Neither diplomatic pressure nor commercial restrictions and actual hostilities had induced English statesmen to comply with Spanish demands. These pressures brought the Gibraltar question to the attention of the English people, provoking their firm resolution not to return the fortress, and led the government to insist that the stipulations of the Treaty of Utrecht be fulfilled. The principle of possession by conquest and contract was made the basis of the English Gibraltar policy.

The hesitation as to whether to return the fortress to Spain or to retain it definitely vanished after the death of Lord Stanhope in 1721. The promises given under Lord Stanhope were evaded as contrary to the real interests of the country, and England decided to keep Gibraltar because of its prestige and strategical importance. These factors outweighed her apprehensions concerning the resulting political and commercial disadvantages.

The decisions of Parliament in 1728 and 1729 to retain Gibraltar was the high point of this policy. The

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power of Parliament was thereby greatly strengthened, while the prerogative of the King in the matter of alienation and exchange of national territories was definitely curtailed.

The siege of Gibraltar in 1727 had demonstrated the value of the fortress and the strength of the English navy. As long as the English naval forces were superior to those of their enemies, the possession of Gibraltar was secure.

The Treaty of Seville certainly did not solve the question of Gibraltar, as the history of the eighteenth century clearly shows. Lord Stanhope's prediction in 1720 that England would lose all expected commercial advantages and that Spain and France would draw together in an alliance against England, became true. But England had given her first official manifestation, although in a negative way, that she would not give in to the Spanish demands. On the other hand it was the first sign that Spain bowed to the realities of power and politics and retreated from an unyielding position. The tactic employed in the Treaty of Seville remained, up to the present day, the guiding star for English diplomacy when dealing with the problem.

The retention of Gibraltar, which was so important for England during the following century, was undoubtedly due to the strong stand taken by Lord Townshend and to the perseverance of Colonel William Stanhope. Both names will

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always be connected intimately with the history of the question of Gibraltar during the first decades which followed the Treaty of Utrecht.

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APPENDIX 1

ABSTRACT OF

William Stanhope and the question of Gibraltar⁴⁶⁷

After the Treaty of Utrecht, the question of Gibraltar became a major issue in English political and commercial affairs. The English possession of the fortress strained the relations between England and Spain. The alternative of British policy to retain Gibraltar or to return it developed into two clearly defined political programs within the Whig party, that of Sunderland and Stanhope on the one side and that of Walpole and Townshend on the other.

Pressed by the opposition, the Sunderland-Stanhope administration made an attempt to carry out the policy of retaining Gibraltar. When this failed in face of the unyielding resistance of the Spanish court, the government began to consider the possibility of restitution. The death of Lord Stanhope in 1721 put an end to this policy.

The new men - Robert Walpole and Lord Townshend - advocated the policy of retaining Gibraltar for England. Tied down by the engagements of their predecessors they made a conditional offer, expressed in a letter of King

⁴⁶⁷ Arthur M. Heinrichs, Master of Arts thesis presented to the Department of History, University of Ottawa, Canada, March, 1965, 204 p.

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George I to Philip V of Spain. This constituted a loophole which would allow England to evade the fulfillment of the "promises" indefinitely.

When the Spanish King felt himself frustrated by the evasive policy of England and turned to the Emperor for aid to recover Gibraltar, the new English government considered itself freed from any obligation towards Spain. They were decided to retain the fortress and to defend it at all cost. The question was brought before Parliament and the policy of the government definitely sanctioned.

The great problem, that of inducing the Spanish court to accept the English demands, remained. English diplomacy played off the personal interests of Queen Elizabeth Farnese against the national interests of Spain, and succeeded. England helped to establish the Bourbons in Italy. The price for the agrandissement of the Bourbon-Farnese dynasty was Spain's tacit renunciation to her claims to Gibraltar. The Treaty of Seville (1729) secured the fortress for England.

During all the years of diplomatic contention over the question of Gibraltar Colonel William Stanhope was the mediator between his government and the court of Spain. Thanks to his clever and perseverant attitude the policy of his country was successful.