

CHARLES BOYLE, 4TH EARL OF ORRERY, 1674-1731

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ABBREVIATIONS

Add. MS: Additional Manuscript.

AECP: Archives Ministère Étrangères Correspondence Politique, Angleterre. Quai D'Orsay, Paris.

AR: Algemeen Rijksarchief, The Hague, The Netherlands.

Army Lists: Charles Dalton, ed., *English Army Lists and Commission Registers, 1661-1714* 6 vols., London: Eyre & Spottiswoode, 1892-94; Rpt. London: Francis Edwards, 1960.

BIHR: *Bulletin of the Institute of Historical Research.*

BL: British Library.

Bodl.: Bodleian Library, Oxford University.

Bol. Corr.: *Bolingbroke Correspondence: Letters and Correspondence of Henry St. John, Viscount Bolingbroke, During the Time He Was Secretary of State*, Gilbert Parke, ed. 4 vols. London: C.G. and J. Robinson, 1798.

Boyle: Charles Boyle, *Dr. Bentley's Dissertation on the Epistles of Phalaris, and the Fables of Aesop, Examined*. London: for Thomas Bennet, 1698.

Ch(H): The Cholmondley (Houghton) MSS, Papers of Sir Robert Walpole.

CJ: Great Britain, Parliament, The House of Commons. *The Journals of the House of Commons, 1547-1900*. (119 vols., London: Reprinted by the Order of the House of Commons, 1803; Rpt. New York: Readex Microprint, 1962).

CJ Ire.: Great Britain, Parliament. *The Journals of the House of Commons of the Kingdom of Ireland*. 6 vols. (Dublin: Abraham Bradley & Abraham Bradley King, 1782).

CKS: Centre for Kentish Studies, Maidstone, Kent.

CTB: Great Britain. Public Record Office. *Calendar of Treasury Books, 1660-1728*. 28 vols. London: H.M.S.O., 1904-57.

CUL: Cambridge University Library.

Dip. Reps.: *British British Diplomatic Representatives, 1689-1789*. David Bayne Horn, ed. 3rd ser. xlvii. (London: Camden Society, 1932).

DNB: *The Dictionary of National Biography.*

ECS: *Eighteenth Century Studies.*

Epis. Corr.: *The Epistolary Correspondence, Visitation Charges, Speeches, and Miscellanies of the Right Reverend Francis Atterbury, D.D., Lord Bishop of Rochester*, John Nichols, ed. (4 vols., London: J. Nichols, 1783-84).

Erle Papers: Churchill College Archives Centre, Cambridge University. Papers of General Thomas Erle.

Hearne: Thomas Hearne. *Remarks and Collections of Thomas Hearne, C.E. Doble, et al.*, eds. (11 vols., Oxford: Clarendon Press, 1885-1921).

Heinsius: Anthonie Heinsius. *De Briefwissling Van Anthonie Heinsius, 1702-20*. A.J. Veenendaal, Jr., ed. xi-xii, (1 August 1710-30 Jan. 1712), (The Hague: Institute for Dutch History, 1990-92).

HLRO: House of Lords Record Office, Westminster.

HMC: Great Britain. Historical Manuscripts Commission.

- H.M.S.O.: Her/His Majesty's Stationery Office.
- JCAHS: *Journal of the Cork Historical and Archaeological Society.*
- JRSAI: *Journal of the Royal Society of Antiquaries of Ireland.*
- JSAHR: *Journal of the Society for Army Historical Research.*
- KD: Kreienberg Dispatches, Calenberg Briefe Archiv 24, England. Niedersächsisches Staatsarchiv, Hanover, Germany.
- LDM: *Letters and Dispatches of John Churchill, 1st Duke of Marlborough, from 1702-1712.* Sir George Murray, ed. (5 vols., London: J. Murray, 1845).
- LJ: Great Britain. Parliament. House of Lords. *The Journals of the House of Lords.* (69 vols., London: n.p., n.d.).
- M-G Corr.: *The Marlborough-Godolphin Correspondence,* Henry L. Snyder, ed. 3 vols. (Oxford: Clarendon Press, 1975).
- Marl.-Heinsius Corr.: *The Correspondence of John Churchill and Antonie Heinsius, 1701-1711.* B. Van 'T Hoff, ed. (The Hague: Martinus Nijhoff, 1951).
- NLI: National Library of Ireland, Dublin.
- NLS: National Library of Scotland, Edinburgh.
- ND: Newhailes Diaries, Accession 7228, Vols. 530-32, National Library of Scotland, Edinburgh. Anonymous three-volume diary in the uncatalogued Newhailes Papers of Dalrymple of Hailes & Newhailes.
- N & Q: *Notes and Queries.*
- NRRSL: *Notes and Records of the Royal Society of London.*
- NUL: Nottingham University Library, Nottingham.
- NYPL: New York Public Library, New York City.
- OPH: Orrery Papers, Houghton Library, Harvard University, Cambridge, Massachusetts.
- OPP: Orrery Papers, Petworth House, West Sussex.
- PH: *The Parliamentary History of England from the Earliest Period to the Year 1803.* William Cobbett, 36 vols. (London: T.C. Hansard, 1803-20).
- POAS: *Poems on Affairs of State: Augustan Satirical Verse, 1660-1714,* George F. de Lord, et al., eds. 7 vols. (New Haven: Yale University Press, 1963-75).
- PRO: Public Record Office, Chancery Lane, London.
- Protests: Rogers, J.E. Thorold, ed., *A Complete Collection of the Protests of the Lords.* (3 vols., Oxford: Clarendon Press, 1875).
- PRO, WO: Public Record Office, War Office Papers, Kew, Surrey.
- Report: *House of Commons Sessional Papers of the Eighteenth Century.* Sheila Lambert, ed., vol. iii, *George I, the Atterbury Plot.* (Wilmington, Delaware: Scholarly Resources, 1975).
- RA, Stuart Papers: Stuart Papers, The Royal Archives, Windsor Castle.
- RO: Record Office.
- SP: State Papers, Foreign Series.
- SRO: Scottish Record Office. H.M. General Register House, Edinburgh.

'St. John-Orrery Letters, 1709-1711': 'The Letters of Henry St. John to the Earl of Orrery, 1709-1711.' H.T. Dickinson, ed. Camden Society. *Camden Miscellany*. xxvi, 4th ser., xiv (London: Royal Historical Society, 1975), pp. 137-200.

'St. John-Orrery Letters, 1712-1713': 'The Letters of Henry St. John to the Earl of Orrery, 1712-1713.' H.T. Dickinson, ed. Camden Society. *Camden Miscellany*. xxxi, 4th ser., vol. xliv. (London: Royal Historical Society, 1992), pp. 349-71.

Timberland: Ebenezer Timberland. *The History and Proceedings of the House of Lords from the Restoration in 1660 to the Present Time*. (8 vols., London: for Ebenezer Timberland, 1742-43).

NOTE ON DATES AND QUOTATIONS

Dates for all letters written from Britain or Ireland are given in the Old Style Calendar, which remained in use until 1752. The beginning of the new year, however, is given as occurring on 1 January rather than on Lady Day, or 25 March. Letters from the Continent are always taken to be in the New Style. In letters in which the date is particularly significant or where confusion is possible the style is specified. To preserve some of the period's flavour, the idiosyncratic capitalisation of the first letter of many nouns in quotations from contemporary documents has usually been reproduced without alteration. Prepositions, however, such as the, that, what, and which, have been given in the modern form, rather than using ye, yt, etc.

Lawrence Berkley Smith, Jr.

CHARLES BOYLE, 4TH EARL OF ORRERY, 1674-1731.

This thesis comprises the only exhaustive examination to date of the life and career of Charles Boyle, 4th Earl of Orrery. Hailing from a family which dominated Anglo-Irish affairs throughout the 1600s, Orrery was an Irish peer of relatively modest means whose diverse career spanned not only politics and military affairs, but diplomacy, literary and scientific activities, and Jacobite conspiracies. His public career was facilitated in the 1690s by acclaim resulting from his role in the celebrated academic controversy between the Ancients and the Moderns. Court and family connections, associations acquired through scientific and literary interests, and his brother's untimely death enabled Orrery to win a Parliamentary seat and obtain an army commission, and, finally, to inherit the Orrery title and estates.

Orrery's military and diplomatic activities were particularly noteworthy. Both were characterised by a sporadic, bitter rivalry with the Duke of Marlborough. Orrery's power and influence attained their greatest heights near the end of Queen Anne's reign and in the early years of the reign of George I. A client of John, 2nd Duke of Argyll for most of his life, Orrery remained closely linked to the Tory ministry of Oxford and Bolingbroke from 1710-1713 and played a crucial role in enabling that ministry to assume power. Later, due largely to personal dissatisfaction and misgivings about his future political prospects, Orrery reverted to a stance more palatable to the Hanoverian regime which was ushered in following Queen Anne's death in 1714.

Orrery served briefly as Lord of the Bedchamber to George I, a position which afforded him intimate access to the sovereign and the court. Thereafter, however, Orrery's close ties to the previous administration apparently proved his undoing. By 1717 he had fallen from grace, lost all of his offices and perquisites, and defected to the parliamentary opposition. He then sought favour with the exiled Stuart Pretender, and later served as one of the principal Jacobite strategists in England during the 1720s. These activities led to charges of treason and a prolonged imprisonment in 1722-1723. Thereafter, Orrery lived out the rest of his life as a political outcast. He appears to have remained a devoted member of the opposition and a loyal Jacobite, although there is dubious evidence which suggests that he was in fact pensioned by the Hanoverians as a government informant. Orrery's rich career has been virtually ignored by scholars of the period. This thesis rectifies this neglect and in the process explores the world of early-eighteenth century diplomacy, court politics, intrigues, and intra-military rivalries.

'Jew, Infidel, or Atheist, May Enter here, but not a Papist'.
Inscription over the town gates of Bandon Bridge, County Cork.

'youre poore brother Charls has not a grot; they pretended a letter from my mother to acquit them and then kept me without bread, but please neither the younger children should not have anything'.

OPP, MS 13218, Bundle 3. Lady Mary Broghill to Lionel, 3rd Earl of Orrery, Cork, 18 Aug. [n.y.].

'Shall Banter so securely Triumph over Learning and Phrase and Confidence over Sense and Truth?'

[Solomon Whately], *An Answer to a Late Book Written Against the Learned and Reverend Dr. Bentley, Relating to some MS Notes on Callimachus* (London: n.p., 1699).

Boyle observed him well, and soon discovering the helmet and shield of Phalaris, his friend, both which he had lately with his own hands polished and gilded, rage sparkled in his eyes...so Boyle...took a lance of wondrous length and sharpness, and as this pair of friends compacted stood close side to side, he wheeled him to the right, and with unusual force, darted the weapon. B-ntl-y saw his fate approach, and flanking down his arms close to his ribs, hoping to save his body, in went the point, pressing through arm and side, not stopping or spent its force, till it had also pierced the valiant W-tt-n who, going to sustain his dying friend, shared his fate. Jonathan Swift, *The Battle of the Books*, 1704.

Despite recent criticisms of the term's usage,¹ the ancestry of Charles Boyle, 4th Earl of Orrery, can most properly be described as Anglo-Irish. The Boyle family's origins are traceable as far back as thirteenth-century Herefordshire and, more recently, to Kent.² The 4th Earl of Orrery's contemporary biographer claimed that the Boyles believed themselves descendants of Sir Philip Boyle, an Aragonese knight who had distinguished himself in a tournament staged by Henry VI.³ Whatever their origins, by the 1600s several members had

¹Jim Smyth, 'Like Amphibious Animals': Irish Protestants, Ancient Britons, 1691-1707', *Historical Journal*, xxxvi (1993), 785, discusses the collective identity of early-modern Irish Protestants and criticises the use of 'Anglo-Irish'. For further discussion of this term, and an extensive historiographical review of recent literature on seventeenth and eighteenth-century Ireland, see T.C. Barnard, 'Farewell to Old Ireland', *idem*, pp. 909-28.

²*Biographica Britannica: or the Lives of the Most Eminent Persons who have Flourished in Great Britain and Ireland*, 2nd ed. (5 vols., London: W.& A. Strahan, 1778-93), ii, 880, claims a link to Humphry de Biuville, a figure from a Herefordshire Domesday entry; cf. John Lodge, *The Peerage of Ireland: Or a Genealogical History of the Present Nobility of that Kingdom* (7 vols., Dublin: James Moore, 1798), i, 144; Arthur Collins, *The Peerage of England* (7 vols., London: for H. Woodfall, et al., 1768), vii, 113; and Peter Townend, ed., *Burke's Genealogical and Heraldic History of the Peerage, Baronetage, and Knightage*, 104th ed. (London: Burke's Peerage Ltd., 1967), p. 604.

³This tradition is recorded on page 2 of the only biography of the 4th earl ever attempted, which is among the works of essayist Eustace Budgell (1686-1737), in his *Memoirs of the Life and Character of the Late Earl of Orrery, and of the Family of the Boyles...With a Short Account of the Controversy Between the late Earl of Orrery and the Reverend Doctor Bentley; and Some Select Letters of Phalaris,...translated from the Greek* (London: for W. Mears, 1732). Second and third editions were printed in 1732. In 1734 Budgell published: *Memoirs of the Life of the Right Honourable Charles, late Earl of Orrery; and Likewise of the Family of Boyle...to which is added,*

become prominent in Irish affairs. Charles Boyle's most important ancestor was undoubtedly his paternal great-grandfather, Richard, the 'Great' Earl of Cork, who was born in Canterbury in 1566. Following attendance at Cambridge and the Middle Temple, he set out in 1588 to seek his fortune in Ireland, little more than an impoverished adventurer. The controversial Boyle won appointment to the lucrative position of Deputy Escheator and soon amassed enormous property and extended his power throughout Jacobean Ireland. His sensational social ascent included his knighthood in 1603, his creation as Baron Boyle of Youghal in 1616, and as Earl of Cork in 1620. His annual income in the 1630s is estimated to have exceeded £20,000.⁴ A member of both the Irish and English Privy Councils, he also served as a Lord Justice of Ireland.⁵

Twice married, his third surviving son from the second marriage, named Roger, was destined to become the progenitor of the Orrery branch of this illustrious family.⁶ In 1628, at age six, Roger received the title Baron Boyle of Broghill in Ireland from Charles I.⁷ Following an education at Trinity College, Dublin, and a grand tour, cavalier courtier

an Account of the Hon. Robert Boyle, Esq., 2nd ed. (London: for W. Mears, 1734); cf. *Memoirs of the Lives and Characters of the Illustrious Family of the Boyles; particularly, of... Charles Earl of Orrery... With a Particular Account of the Famous Controversy between... Mr. Boyle, and the Rev. Dr. Bentley...*, 3rd ed. (London: for Oliver Payne; and William Smith, 1737), editions of which were also published in 1754 and 1755. All references to Budgell hereafter are to the first 1732 edition.

⁴His holdings ranged over 17 Irish counties: see David Dickson, 'An Economic History of the Cork Region in the 18th Century' (2 vols., unpublished Ph.D., University College, Dublin, 1977), i, 10-11.

⁵*Burke's Peerage*, p. 604; Lodge, *Peerage*, i, 150-57. The most important printed source for Cork and his family is Alexander Grosart, ed., *The Lismore Papers* (5 vols., London: Chiswick Press, 1886-88). Recent examinations of his role in seventeenth century Irish society include: Nicholas Canny, *The Upstart Earl: A Study of the Social and Mental World of Richard Boyle, First Earl of Cork* (Cambridge: University Press, 1982); T.O. Ranger, 'Richard Boyle and the Making of an Irish Fortune', *Irish Historical Studies*, x (1957), 257-97; *idem*, 'The Career of Richard Boyle, First Earl of Cork, in Ireland, 1588-1643' (unpublished D.Phil., Oxford University, 1959); and Michael MacCarthy-Morrogh, *The Munster Plantation: English Migration to Southern Ireland, 1583-1641* (Oxford: Clarendon Press, 1986).

⁶The Boyle family was amazing in its own right. Two of Broghill's seven sisters, including the famous Puritan diarist Mary, Lady Warwick, married into the English nobility. Several of Roger's brothers also merit notation. The eldest, Richard (1612-97), succeeded his father as 2nd Earl of Cork and was created Earl of Burlington in 1664. His great-grandson is remembered as Pope's friend and the builder of Chiswick House. Younger brothers were Francis, created Viscount Shannon in 1660, and Robert, the brilliant scientist and founder of the Royal Society.

⁷The title was exchanged for a hefty fee paid by Cork; PRO, *Calendar of State Papers, Relating to Ireland in the Reign of Charles I, 1625-1632* (3 vols., London: Eyre & Spottiswoode, 1900), i, 286. The price of an Irish barony then ranged from £1,000 to £1,500. For an analysis of the consequences of the Irish peerage's augmentation in this period see Charles R. Mayes, 'The Early Stuarts and the Irish Peerage', *EHR*, lxxiii (1958), 227-51.

Broghill and his brothers flocked to the Royalist standard and played a critical role in the defence of Protestant Ireland.⁸ In 1649, Broghill's treasonous correspondence with Charles II was discovered,⁹ and after a legendary surprise encounter with Cromwell, Broghill was forced to collaborate in the Parliamentary subjugation of Ireland.¹⁰ During the 1650s he became one of Cromwell's closest advisers and is usually regarded as one of the figures chiefly responsible for offering the Lord Protector the crown.¹¹ Thanks to his Irish influence and his cooperation with Cromwell, Broghill acquired his own holdings and power in southern Ireland,¹² particularly after Lord Cork's death in 1643.¹³

⁸The standard contemporary account of Roger's life, written by his chaplain and containing letters and other papers (many of the originals now lost) relating to his political career, is Thomas Morrice, *A Collection of the State Letters of the Right Honourable Roger Boyle, the First Earl of Orrery* (London: James Bettenham, 1742); a manuscript copy can be found in BL, Sloane MS 4227. For a more recent monograph see Kathleen M. Lynch, *Roger Boyle, First Earl of Orrery* (Knoxville: University of Tennessee Press, 1965).

⁹See Morrice, App. i, 10, for Charles II's letter to Broghill, dated April 1649; Charles Bernard Gibson, *The History of the County and City of Cork* (2 vols., London: Thomas C. Newby, 1861), ii, 111, remarks on Broghill's 'aptitude for changing sides'.

¹⁰PRO, *Calendar of State Papers, Domestic, of the Reign of Charles I, 1644-1645*, John Bruce, ed. (23 vols., London: Longman, Brown, Green, Longman, & Roberts, 1858-97; vols. 18-23 pub. London: H.M.S.O. by Eyre & Spottiswoode), p. 251; HMC, *Seventh Report of the Royal Commission on Historical Manuscripts, Pt. I, Report and Appendix* (London: Eyre & Spottiswoode, 1879), p. 73. Tradition has it that Cromwell confronted Broghill with the incriminating evidence: Morrice, pp. 9-11; Denis Murphy, *Cromwell in Ireland: A History of Cromwell's Irish Campaign* (Dublin: M.H. Gill & Son, 1883), pp. 193-94; Collins, *Peerage*, vii, 147-48; and Frederick Barlow, *The Complete English Peerage*, 2nd ed., (2 vols., London: S. Bladon, 1775), ii, 252-53. More recent studies include T.C. Barnard, *Cromwellian Ireland: English Government and Reform in Ireland, 1649-1660* (London: Oxford University Press, 1975); Liam Irwin, 'The Earl of Orrery and the Military Problems of Restoration Munster', *Irish Sword*, xiii (1977), 10-19; *idem*, 'Politics, Religion and Economy: Cork in the 17th Century', *JCHAS*, lxxxv (1980), 7-25; C. Yuan 'The Politics of the English Army in Ireland during the Interregnum' (unpublished Ph.D., Brown University, 1981); D. D. Deignan, 'The Ormond-Orrery Conflict, 1640-1680: A Study of Mid-Seventeenth Century Irish Society and Politics' (unpublished Ph.D., Brown University, 1982).

¹¹Broghill is also credited with saving Cromwell's life in an abortive assassination attempt in London: for his career under the Commonwealth and the Protectorate see Peter Berresford Ellis, *To Hell or Connaught: The Cromwellian Colonisation of Ireland, 1652-60* (New York: St. Martins, 1975), pp. 194-99; and Basil D. Henning, ed., *The House of Commons, 1660-1690* (4 vols., London: Secker & Warburg, 1983), i, 702. Broghill's administration of Scotland in 1656 is discussed in F.D. Dow, *Cromwellian Scotland, 1651-1660* (Edinburgh: John Donald, 1979); and J. Buckroyd, 'Lord Broghill and the Scottish Church, 1655-1656', *Journal of Ecclesiastical History*, xxvii (1976), 359-68.

¹²*CJ*, vii, 316, 544, 577; PRO, *Calendar of State Papers, Domestic Series, 1655, Preserved in the State Paper Department of Her Majesty's Public Record Office*, Mary Anne Everett Green, ed. (London: H.M.S.O., 1881; Rpt. Vaduz: Kraus Reprint Ltd., 1965), pp. 139, 157, 177. Broghill captured and retained Blarney Castle in January 1649: *CSP Domestic, 1649-50, Ireland*, p. 473.

¹³Broghill was largely responsible for formulating the methods employed in the confiscation of land and the transportation of displaced Irish gentry to Connaught: Morrice, p. 20; Gibson, ii, 118-19; Ellis, *To Hell or Connaught*, pp. 5-170, *passim*; Charles Smith, *The Antient and*

By 1659 the incredibly dexterous Broghill had again changed political allegiances as effortlessly as a suit of clothes.¹⁴ Charles II created him 1st Earl of Orrery in 1660, a title which originated from an ancient Irish tribe indigenous to northern County Cork,¹⁵ and provided several tokens of appreciation for his 'loyalty'.¹⁶ Thereafter Orrery was numbered among the most influential Restoration politicians.¹⁷ Following his father's example, he combined profits from government posts with shrewd purchases and further expanded his Irish holdings during the 1660s and 1670s,¹⁸ acquiring land and promises of money for his participation in the composition of the Acts of Settlement and Explanation.¹⁹ Rankings based upon respective tax payments by the principal landowners in Ireland in 1676 placed Orrery's property fifth in value.²⁰ Orrery renamed a village and its surrounding manors Charleville as a gesture of gratitude to his munificent sovereign. Accorded borough status in 1671, Charleville sent two MPs to the Irish House of Commons and remained under the Boyle family's electoral influence until the nineteenth century.²¹ In 1695 it provided the young Charles Boyle with a convenient entrée into politics.

Present State of the County and City of Cork (2 vols., Dublin: A. Reilly, 1750), ii, 166-73. Barlow, *Peerage*, ii, 240-42, prints a copy of Cork's will.

¹⁴For Orrery's career and some interesting contemporary comments about his political inconsistencies see *House of Commons, 1660-1690*, i, 701-03.

¹⁵*Lismore Papers*, iii, 250; Richard Cox, *Hibernia Anglicana...* (London: for H. Clark, 1689), pt. 1, p. 460, describes the barony of Orrery and Kilmore located in northwestern Cork. It was originally known as Orriria Barria, which belonged to the Barrie family; cf. Smith, *History of Cork*, ii, 311.

¹⁶Orrery was compensated for the loss of several Irish sinecures by a royal grant of £8,000, the total sum of which was apparently unpaid at the time of his death; Barlow, *Peerage*, ii, 254-55; Collins, *Peerage*, vii, 154; Gibson; ii, 119; Lynch, *Orrery*, pp. 140ff.

¹⁷Favoured by both Charles II and the Duke of York, Orrery reputedly resisted their entreaties to accept the post of Lord Chancellor after Clarendon's fall; Morrice, p. v; and Lynch, *Orrery*, pp. 129-31, citing the Earl of Burlington's diary at Chatsworth House, Derbyshire.

¹⁸Along with lands in Kerry and Kilkenny, Orrery amassed over 4,000 acres in Cork from 1661-63; CKS, Sackville MS U269, C17/2; Thomas J. Westropp, 'Notes on Askeaton, County Limerick, Pt. II, The History after 1579', *JRSAI*, xxxiii (1903), 171-72; Lodge, *Peerage*, i, 179, 189.

¹⁹Gibson, ii, 127-28; Lodge, *Peerage*, i, 189; Lynch, *Orrery*, pp. 113-15, 125-26; and the acts themselves: *A Collection of all the Statutes Now in Use in the Kingdom of Ireland: With... the Acts of Settlement and Explanation...* (Dublin: Benjamin Tooke, 1678), pp. 500-20.

²⁰Gibson, ii, 119; Lynch, *Orrery*, p. 127.

²¹PRO, *Calendar of State Papers Relating to Ireland Preserved in the Public Record Office: September 1669-December 1670* (London: H.M.S.O., 1910), pp. 154-55; Gibson, ii, 277; for a guide to Charleville and County Cork MPs see C.M. Tenison, 'Cork MPs 1559-1800', *JCAHS*, 2nd ser., i (1895), 39-43, 73-76, 117-20, 176-80, 230-34, 276-80, 322-28, 377-80, 421-25, 471-75, 522-25, 561-62; and *idem*, ii (1896), 37-41, 136-39, 178-81, 225-27, 274-77, 323-26, 368-71.

Nearly a decade prior to the borough creation, Orrery had designed and supervised the construction of an elegant mansion, also called Charleville, situated about a mile west of the village. Contemporaries described it as among the 'finest and largest' houses in Ireland, and its cost was estimated in excess of £40,000.²² Here Orrery held his presidential court, and later added elaborate gardens and a stag park.²³ Along with his political activities Orrery made numerous literary contributions, dabbling in poetry and anti-Catholic pamphleteering, but he was best known for innovations in the genre of the heroic romance, in which he produced several plays,²⁴ and for his classic 1677 military treatise, *The Art of War*.²⁵ A devoted husband, Orrery was also the father of five daughters and two sons. At his death in 1679 he was succeeded by his eldest son, who was also named Roger and was styled Lord Broghill after his father was created earl. The 2nd Earl of Orrery emulated his father by seeking a wife among the English nobility. In February 1665 he married Lady Mary Sackville, daughter of Richard, 5th Earl of Dorset.²⁶

It would be difficult to imagine a more distinct contrast between the attributes of any father and son than those between the 1st Earl of Orrery and his son and heir; and these differences affected the heir's marriage. Moreover, the young couple themselves were hardly a perfect match, for their own personalities were diametrically opposed. Withdrawn and

²²For Charleville House see Morrice, App., pp. 74ff.; Barlow, *Peerage*, ii, 255; E.S. de Beer, ed., *The Diary of John Evelyn* (6 vols., Oxford: Clarendon Press, 1955), v, 37; T. Crofton Croker, *Researches in the South of Ireland* (London: 1824; rpt. New York: Barnes & Noble, 1969), pp. 100-01; and Philip Luckombe, *A Tour through Ireland* (Dublin: for J. & R. Byrn, 1780), p. 182.

²³Orrery was commissioned Lord President of Munster in 1660 for life, but the office was abolished in 1672. His instructions are in BL, Egerton MS 2542, f. 334, and his warrant of appointment is in BL, Egerton MS 2551, ff. 69-70; see also *House of Commons, 1660-1690*, i, 703; and Liam Irwin, 'The Suppression of the Irish Presidency System', *Irish Historical Studies*, xxii, (1980), 21-32.

²⁴His most important plays were: *Henry the Fifth*, *Mustapha*, and *The General*, the last of which was revised, performed, and published in the early 1700s under the title of *Altemera*; for more details see below, Ch. 11, and for a critical discussion of Orrery's theatrical works see W. S. Clark, ed., *The Dramatic Works of Roger Boyle, Earl of Orrery* (2 vols., Cambridge, Mass.: Harvard University Press, 1937); A. W. Ward, *A History of English Dramatic Literature to the Death of Queen Anne*, 2nd ed., rev., (3 vols., London: Macmillan, 1899), iii, 340-45; and Lynch, *Orrery*, Ch. 4. Robert Shrells, *The Lives of the Poets of Great Britain and Ireland to the Time of Swift* (5 vols., London: R. Griffith, 1753), ii, 182-98, provides a more contemporary assessment.

²⁵Lynch, *Orrery*, pp. 195-97. Historians of the period make extensive use of Orrery's treatise, e.g. C.H. Firth, *Cromwell's Army*, 3rd. ed. (London: Methuen & Co., 1962).

²⁶See the marriage licence referred to in *The Index to the Act Books of the Archbishop of Canterbury 1663-1859* (London: British Record Society, 1929; Rpt. Nendeln, Liechtenstein: Kraus Reprint Ltd., 1977), pt. 1, p. 91. Frances, Lady Mary's mother, was the daughter of Lionel Cranfield, 1st Earl of Middlesex, Lord Treasurer under James I.

unambitious, with a 'serious and contemplative disposition', Broghill was reportedly so 'diffident and bashful' that his 'humility was a fault'.²⁷ These traits were apparently reflected in his reluctance toward government and military service, although he sat briefly as MP for County Cork in the 1660s,²⁸ and served as captain of a troop of horse from 1666 until his death. In 1669 Broghill was appointed to the largely ceremonial Vice-Presidency of Munster,²⁹ and it was probably in this capacity that he led a procession of the Lord Lieutenant's entourage into Limerick in 1678.³⁰ Broghill displayed limited abilities in the management of his estates and, partly due to his wife's insistence, lived far beyond his means. Other evidence suggests that Lady Broghill was a true termagant, as well as an extroverted socialite and reputed spendthrift. She took few pains to conceal a pathological dislike for Ireland,³¹ and, for reasons which are not completely clear, she failed to develop an amiable relationship with her Boyle in-laws. Partly to blame was her insistence on long, expensive intervals residing in London, which saddled him with considerable debts.³² Despite Irish sinecures and a £1,000 annual 'allowance' from his father, these obligations soon became insurmountable, and Orrery's intercession and paternal suggestions of frugality only had the effect of irritating his recalcitrant daughter-in-law. The situation deteriorated until the couple finally separated permanently in 1675.³³

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²⁷Morrice, p. 50; Lodge, *Peerage*, i, 193.

²⁸*The Returns of the Names of Every Member Returned to Serve in Each Parliament from the Year 1696 up to 1876...and Titles of all Members of the Lower House of Parliament of England, Scotland, and Ireland, with the Name of the Constituency Represented and the Date of Return for Each*, 1 vol. in 2 pts. (London: H. Hansard, 1878-91), pt. 2, p. 609.

²⁹*CSP Ireland, 1666-69*, p. 205.

³⁰Barlow, *Peerage*, ii, 255; John Ferrar, *The History of Limerick, Ecclesiastical, Civil, and Military, from the Earliest Records to the Year 1787* (Limerick: A. Watson, 1787), p. 121.

³¹Lady Mary vividly recalled that while she was pregnant with her son Charles, Broghill's coach was assailed by a local mob as the couple travelled through Charleville; CKS, Sackville MS U269, C18/24.

³²Edward MacLysaght, ed., *Calendar of the Orrery Papers*, (Dublin: Stationery Office, 1941), pp. 100-50ff. The *Calendar* is largely based upon The Orrery Papers, Petworth House Archives, West Sussex, when this massive and extremely valuable collection was held in Ireland in the 1940s, and provides a useful guide and supplement.

³³For their stormy relationship see CKS, Sackville MS U269, C17/2; *Calendar of the Orrery Papers*, pp. 100-50; OPP, MS 13218, and 13222; and Lynch, *Orrery*, pp. 202-03, 217.

This was the turbulent domestic environment into which Charles Boyle, the future 4th Earl of Orrery, was born. His life, later distinguished by paradox and contradiction, also had uncertain beginnings, for reliable sources establish that Boyle was born in 1674, instead of 1676, as stated in several accounts.³⁴ Contemporary parish records verify the earlier date:

The Honourable Charles Boyle, Esq., ye 2nd son of Right Honourable Roger, Lord Broghill (ye son and heyre apparent of ye Right Honourable Roger, Earle of Orrery) and ye Lady Mary, his wife, was borne at Dr. Whitaker's house in Little Chelsea on Tuesday ye eight and twentyeth day of July [1674], between ye houres of five and six, in ye afternoone, and was baptized on Saturday ye first day of August by ye Reverend Dr. Clarke, Deane of Winchester.³⁵

Charles was born the youngest son and the youngest surviving child in his family. An elder brother and heir, named Roger after his father and grandfather, and a sister named Elizabeth, both perished as infants, leaving Lionel, born in 1670, as the heir to his father's title and estates, and a sister named after her mother.³⁶

Broghill's worsening financial situation had a significant impact upon the childhood and upbringing of his youngest son Charles. Broghill's resources were hardly modest by the standards of the day. He owned a house in Little Chelsea, then outside London, and possessed the estate and surrounding lands of Broghill manor in Ireland. As early as 1672 he also owned a house at Moyallo (or Mallow) Park on the Blackwater River in northern Cork.³⁷ Yet the maintenance of these households and the money required to satisfy Lady Mary's expensive tastes left Broghill encumbered with debts which by 1676 totalled over £4,000.³⁸ Orrery attempted in vain to reconcile his son and daughter-in-law, remonstrating that their separate residences only incurred greater expenses, rather than contribute to their domestic

³⁴An otherwise fairly accurate section on the Boyle family in Collins, *Peerage*, vii, 139, lists his date of birth as 1676, an error that is repeated in *DNB*, ii, 1017; and for some reason escaped notice in later corrections listed in *BIHR*, xiv (1937), 202. *Burke's Peerage*, p. 604, and G[eorge] E[dward] C[okayne], *The Complete Peerage of England, Scotland, Ireland, Great Britain, and the United Kingdom, Extant, Extinct, or Dormant*, Rev. ed. (13 vols. in 14 pts., London: St. Catherine Press, 1910-59), x, 179, give the correct date. None the less, the error persists in modern works. It was repeated in a recent scholarly edition of seventeenth-century satirical verse (cited below, Ch. 11, p. 456), and remains incorrect in entries in the recently-compiled Eighteenth Century Short Title Catalogue CD-ROM database.

³⁵F.N. MacNamara and A. Story-Maskelyne, eds., *The Publications of the Harleian Society: The Parish Registers of Kensington, Co. Middlesex, from A.D. 1539 to A.D. 1675* (London: Harleian Society, 1890), p. 56.

³⁶Lodge, *Peerage*, i, 193; Morrice, p. 50; and Smith, *History of Cork*, ii, 187.

³⁷PRO, *Calendar of State Papers Domestic, October 1672, to February, 1673, Preserved in the Public Record Office* (Norwich: for H.M.S.O. by The Norfolk Chronicle Co., 1901), xiv, 164.

³⁸CKS, Sackville MS U269, C19/7; *Calendar of the Orrery Papers*, pp. 156-57. Orrery to Lady Broghill, 19 Oct. 1676.

residences only incurred greater expenses, rather than contribute to their domestic economy.³⁹ Nevertheless, renewed intervention by Lord Dorset, Broghill's refusal (or inability) to pay his wife according to the terms of her marriage settlement, Lady Broghill's own increasingly violent letters to Orrery, and Charles II's failures to ensure payment of sums promised years earlier, exacerbated the already distressing relations between Broghill and his spouse.⁴⁰

In his will of 1676 Orrery stipulated that £2,000 would go to Broghill for the improvement of his estates.⁴¹ Orrery later consented to supply Lady Broghill with an annuity of £200 provided she restrained her prodigal tendencies and thereby assist her husband in improving his financial posture.⁴² Her cooperation was not easily obtained, and she frequently importuned her father-in-law with insistent letters: 'I am myself willing to better my share of the misfortunes my husband has brought himselfe and me into but shall never able to beare the misery of my younger children's having no provision; they are as much youre family as the eldest therefore what the law of man keepes for him in a reasonable proportion the law of God ties for ye other'.⁴³ A year later an additional measure designed to alleviate further demands upon Broghill's resources was achieved concerning his children's upbringing. Since the couple's separation around 1675, Lady Broghill had resided primarily at Knole, her father's seat in Kent, or in London. Shortly after Charles' third birthday it was decided that he would be reared separately by his maternal grandmother, the dowager Lady Dorset.⁴⁴ In return, the ailing, elderly Orrery would provide a home for Lionel and the boys' sister.⁴⁵ Thus, Charles grew up primarily in England and apparently did not visit the kingdom

³⁹Orrery also implied that Lord and Lady Broghill were temporarily separated prior to Charles' birth: CKS, Sackville MS U269, C19/8. Orrery to Dorset, 7 April 1677.

⁴⁰Lynch, *Orrery*, pp. 217-19; *Calendar of the Orrery Papers*, pp. 160-62. Orrery to Lady Broghill, 7 April 1677.

⁴¹For the will see *Calendar of the Orrery Papers*, pp. 222-23; Lynch, *Orrery*, p. 232.

⁴²CKS, Sackville MSS U269, contain numerous letters documenting the family's marital and financial squabbles. Typical of their exchanges is a letter in which Lady Broghill claimed: 'My Ld throws enough Idle [money?] away & this country is good for nothing...any innkeepers wife has a better time than myself'; CKS, Sackville MS U269, C17, Bundle 1. Lady Broghill to Richard, 5th Earl of Dorset, 7 March [n.y.]. Also see *idem*, U269, C19/8. Orrery to Lord Dorset, 7 April 1677; and the same letter printed in *Calendar of the Orrery Papers*, p. 160, as well as pp. 180-81. Lady Dorset to Orrery, 19 Jan. 1678.

⁴³OPP, MS 13218, Bundle 3. Lady Broghill to 1st Earl of Orrery, '22nd' [n.y.], Knoll.

⁴⁴Upon his death in Aug. 1677, the 5th Earl of Dorset was succeeded by his son Charles, the famous Restoration rake and poet.

⁴⁵*Calendar of the Orrery Papers*, p. 182. Broghill to the dowager Countess of Dorset, 17

where his family's principal holdings were located for several decades. This fact's significance, and the role it played in the evolution of his personality and political ambitions, should not be disregarded.

Charles spent his boyhood in the tranquility of the Kentish countryside, the same shire from whence his great-grandfather had embarked nearly a century earlier. Amidst Knole's splendour Charles grew up relatively sheltered from his parents' domestic squabbles, although he seems to have been a sickly child who experienced several close brushes with death.⁴⁶ The dowager Countess of Dorset corresponded frequently with the 1st Earl of Orrery during the final years of his life and kept him informed of his grandson's antics, whom she described as 'as fine a boy as was ever born'.⁴⁷ Despite Lady Mary's bitterness toward her husband and father-in-law, the dowager Lady Dorset ensured that Charles was educated in strict conformity with his father's wishes.⁴⁸ Although little specific evidence exists that might indicate precocity, Charles' inclination toward intellectual pursuits must, at the very least, have been stimulated by his thorough education, which began with enrolment at a free grammar school in nearby Sevenoaks.⁴⁹ He then proceeded to attend St. Paul's, where he studied under the renowned Greek and Latin scholar, Dr. Thomas Gale.⁵⁰ Boyle later expressed gratitude for Gale's kindness and credited him with primary responsibility for his proficiency in the

Sept. 1677. Charles had already spent considerable time at Knole by the age of two: CKS, Sackville MS U269, C17/1-21, *passim*.

⁴⁶CKS, Sackville MS U269, C18/15. Mary, Lady Broghill to Richard, Lord Dorset, 20 Aug. [1675], reported Charles was gravely ill of 'a Bloody flux...[and a] small feavour' from which his mother was unsure if he would recover. Later in his childhood, Lady Broghill reported her son was 'weake tho thay assure me out of danger but his illness is still dreadful..to me it was Sertanely an apoplexy fit the Dr terms it epeletick this blood is Still very bad & Sunday thay purged him & by it came _____[?] all Stones & abundons of _____[?] from his guts it is new to me but they asshure me not dangerous he is hectick thay will Sweate him & purg him for he has Severall distempers to deale with yet': *idem*, C106. Lady Mary to Charles, 6th Earl of Dorset, 12 April [after 1677].

⁴⁷*Calendar of the Orrery Papers*, p. 197. Lady Dorset to Orrery, Knoll [sic], 23 Feb. 1678; CKS, Sackville MS U269, C17.

⁴⁸In letters to his mother-in-law, Broghill had extolled the importance of a pious and virtuous education which incorporated an indoctrination of one's responsibility to serving God, king, and country; OPP, MS 13224, Bundle 7. Lady Dorset to Orrery, 6 Oct. [1677?]; *Calendar of the Orrery Papers*, p. 182. Broghill to Lady Dorset, 17 Sept. 1677.

⁴⁹Lodge, *Peerage*, i, 193.

⁵⁰Gale was also Edmund Halley's tutor: R.B. Gardiner, *The Admission Registers of St Paul's School, from 1748 to 1876; edited, & with Biographical Notices and Notes on the Earlier Masters and Scholars of the School from the time of its Foundation* (London: George Bell, 1884), i, 60; *idem*, (London: George Bell, 1906), ii, 21; Michael McDonnell, *The Registers of St Paul's School, 1509-1748* (London: n.p., 1977), p. 312.

During this same period Charles' family's affairs became increasingly complicated and embittered. With the death of his grandfather, the 1st Earl of Orrery, in 1679, the title and estates passed to Charles' father. He enjoyed his title only briefly, however, expiring in 1682 and leaving Lionel as heir under the joint guardianship of the 2nd Earl's brother, Richard, 2nd Earl of Cork and 1st Earl of Burlington, and Lionel's paternal grandmother, now the senior dowager Countess of Orrery.⁵² Since 1681 she had resided at Syon House with her sister Elizabeth, Lady Northumberland, and Lionel was brought to Syon and educated with an emphasis on military training.⁵³ Lady Mary responded to her husband's death by instituting what turned into a lengthy and acrimonious suit in the Court of Chancery in order to obtain legal confirmation of an allowance promised her at the time of her marriage.⁵⁴ She exhibited a devoted preference for her son Charles, claiming his father had made no provision of 'even a grot' for Charles and his sister, and demanded that Charles be supplied with an allowance comparable to the one provided for Lionel.⁵⁵ The suit dragged on until June 1688, when a 'hard and unreasonable' settlement was finally decided to Lady Mary's advantage.⁵⁶ The strain of this bitter familial dispute appears to have taken its toll on some of the participants as well, as the dowager Lady Dorset died in April 1687,⁵⁷ followed by her counterpart at Syon

⁵¹*Complete Peerage*, x, 178; *DNB*, vii, 818-20; for the comments see Boyle's famous work: *Dr. Bentley's Dissertations on the Epistles of Phalaris, and the Fables of Aesop, Examin'd*, 2nd ed. (London: for Thomas Bennet, 1698), pp. 59-60, which is discussed in detail below.

⁵²Lodge, *Peerage*, i, 193; *Complete Peerage*, x, 172; Barlow, *Peerage*, ii, 255, and Collins, *Peerage*, vii, 157-58, all mistakenly place the 2nd Earl's death as occurring in 1698.

⁵³Lynch, *Orrery*, pp. 237-39. The training was provided by Lord Cutts at the behest of Lionel's aunt Catherine, the dowager Viscountess of Ranelagh.

⁵⁴*Ibid.*, pp. 228-29; *Calendar of the Orrery Papers*, p. 259, Statement of the Case between Mary, Dowager Countess of Orrery, Pltf., and Margaret, Dowager Countess of Orrery, Deft., c. April 1682; and *ibid.*, pp. 312-13.

⁵⁵OPP, MS 13218, Bundle 3; *ibid.*, MS 13222, Bundle 6. Lady Mary Orrery to Lady Margaret Orrery, 27 April [n.y.].

⁵⁶*Calendar of the Orrery Papers*, p. 363. Captain Henry Boyle to the (senior) dowager Countess of Orrery, 17 July 1688; OPP, MS 13225, Bundle 23.

⁵⁷*Complete Peerage*, iv, 425. Since she had remarried a few years prior to her death, another unrelated suit ensued involving the surviving husband's rights. This suit was instigated by Lady Mary and her brother Charles, 6th Earl of Dorset, the latter also serving as co-defendant in his sister's suit against the dowager Countess of Orrery; Edward Alexander Fry, ed., *Index of Chancery Proceedings (Reynardson's Division) Preserved in the Public Record Office, A.D. 1649-1714* (2 vols., London: British Record Society, 1968), ii, 65; Brice Harris, *Charles Sackville, Sixth Earl of Dorset: Patron and Poet of the Restoration* (Urbana: University of Illinois Press, 1940), pp. 75, 109.

House in August 1689. Yet the settlement did little to relieve the distressed financial condition of the Orrery estates which Lionel had inherited; even prior to the 2nd Earl's death a large portion of the rents from the estates were mortgaged to creditors.⁵⁸ This legacy of financial insecurity was transmitted down through successive generations and also affected the finances of the 4th Earl of Orrery and his descendants.

Events in Ireland in 1689 shrouded Lionel's future in further uncertainty. Despite his estates' diminished income it was deemed he should be sent on what evolved into a rather lengthy Grand Tour. Attending Eton before his departure, he also studied at Utrecht.⁵⁹ Limited finances, probably compounded by an alienation engendered by their separation at childhood, prevented Charles from accompanying his brother.⁶⁰ When renewed civil war broke out in Ireland, Lionel and most of the titled members of his family were attainted along with numerous other loyal Anglo-Irish Protestants by the Jacobite Irish Parliament.⁶¹ Lionel returned to Ireland in hopes of defending Charleville, yet barely escaped with his life in the autumn of 1690, when Berwick's retreating army passed through Cork,⁶² and after dining inside and sacking the house of its contents to pay his troops, Berwick ordered the Boyle's palatial estate put to the torch.⁶³ Charleville House's destruction was another significant factor in alienating members of the Orrery branch of the Boyle family from their Irish holdings. Compared to Lionel's experiences, Charles undoubtedly found his own activities less eventful, albeit significant. Possibly assisted by Gale's influence or perhaps that of Charles' uncle, the 6th Earl of Dorset,⁶⁴ Charles Boyle began his formal academic studies at

⁵⁸*Calendar of the Orrery Papers*, pp. 137-200, *passim.*; and Lynch, *Orrery*, pp. 228, 236.

⁵⁹Lady Mary's letters addressed to Lionel at Eton are dated in the middle 1680s, e.g. OPP, MS 13204, ff. 7-16; and *Calendar of the Orrery Papers*, p. 300; but Wasey Sterry, ed., *The Register of Eton College, 1441-1698* (Eton: Spottiswoode, Ball & Co., 1943), p. 251, gives the dates as 1682-85.

⁶⁰Frequent letters from the Continent failed to mention Charles, and indicated Lionel was often ill-clothed and barely had enough money to sustain himself, his governor, and a footman while abroad. Lionel's Account books can be found in: CKS, Sackville MS U269, A10/3-4; *cf.* OPP, MS 13225, Bundle 23; *Calendar of the Orrery Papers*, pp. 334-55.

⁶¹The 2,000 persons attainted by the Act are listed in John Oldmixon, *Memoirs of Ireland from the Restoration to the Present Times* (London: for J. Roberts, 1716), pp. 126-34; *cf.* the peers absent from James II's Irish Parliament in *Complete Peerage*, iii, App. D, pp. 631-34.

⁶²For Lionel's desperate plea for succour see BL, Add. MS 38847, f. 273.

⁶³*Evelyn Diary*, v, 37, entry for 26 Oct. 1690; Narcissus Luttrell, *A Brief Historical Relation of State Affairs from September 1678 to April 1714* (6 vols., Oxford: University Press, 1862; Rpt. Farnborough, Hants. Gregg International Publishers, 1969), ii, 120-21; Morrice, p. viii; Smith, *History of Cork*, ii, 311.

⁶⁴Charles' uncle, the 6th earl of Dorset, was also his godfather: CKS, Sackville MS U269,

Oxford. Here at the bastion of High-Church Toryism, Boyle not only broadened his knowledge of the Classics but made intellectual and political acquaintances which helped determine his actions and attitudes for the rest of his life.

II

In the 1690s England was engulfed in an intellectual dispute of enormous magnitude, a dispute characterised by one of the most impassioned debates that the country had ever experienced. The controversy raged between two divergent schools of thought, the Ancients and Moderns, and was sparked by the 1690 publication of Sir William Temple's *Essay upon the Ancient and Modern Learning*. Sir William Wotton's response to this work, and Swift's *Battle of the Books*, a later satire on the controversy, helped immortalise it. In terms of the generation of public interest and displays by zealous participants, the most famous episode in the controversy almost certainly stemmed from the literary quarrel pitting the pro-Ancient wits of Christ Church College, Oxford, against the unsurpassed genius of eccentric Classical scholar Dr. Richard Bentley of Trinity College, Cambridge.

The confrontation exhibited many of the trappings of a popular scandal. Perhaps partly due to its dichotomy along Whig/Tory and Oxford/Cambridge lines, it roused the reading public's interest to a fever pitch. Thus, the antagonists' social status and the issues they raised not only galvanised academic opinions, but social and political loyalties as well. Most importantly, the debate over Phalaris originated largely because it involved the participation of a readership which, on the whole, was unqualified to pass judgement on the scholarly issues at hand: the authenticity of the *Epistles of Phalaris*. Eventually, it became evident that this same reading public was sufficiently sophisticated to level unbridled condemnation upon a low-born, conceited Cambridge don whose response to Charles Boyle, a nobleman, neophyte student at Christ Church, and his first postgraduate academic endeavour, a partial translation of the *Epistles*, largely ushered in the second round of the controversy.

The intellectual, literary, and historical perspectives of the Ancient-Modern controversy have recently been subjected to a comprehensive treatment by Joseph Levine.⁶⁵ The

C21/1.

⁶⁵Joseph M. Levine, *The Battle of the Books: History and Literature in Augustan England* (Ithaca: Cornell University Press, 1991); cf. Levine's earlier study: 'Ancients and Moderns Reconsidered', *ECS*, xv (1981), 72-89.

squabbles between Boyle, his tutors, and Bentley comprise several early chapters in Levine's study.⁶⁶ Focusing specifically upon several aspects of the controversy not treated by Levine sheds light on a number of additional interesting details, including actual culpability for the misunderstanding which prompted it, and specifically, the role of bookseller Thomas Bennet, whom Boyle hired to collate a manuscript version of Phalaris prior to the translation. A more speculative facet revolves around Bentley's personality and the degree of blame he bears, and there also remains the unwitting central figure of the initial stages of the literary conflict, Boyle himself. His intellectual and personal background, his role in initiating Bentley's vengeful reaction, and his own degree of culpability have yet to be examined with thoroughness. The remainder of this chapter will examine these aspects of the controversy and the questions which they provoke.

On 5 June 1690 Charles Boyle, aged fifteen, matriculated in Christ Church, Oxford, where he was admitted a nobleman of the college,⁶⁷ and where Dr. Henry Aldrich had been installed as the dean the previous year. The extent of Aldrich's personal acquaintance with Boyle prior to his matriculation remains unclear, but he apparently had contacts with Boyle's family and at least some knowledge of the young man's academic potential, for he displayed an unusually strong personal interest in his education. A close relationship quickly developed between the new student and the older schoolmaster, a conservative, witty man who was gifted in a wide spectrum of artistic applications and who was himself a graduate of Christ Church.⁶⁸

Lady Orrery's dearth of income and her sincere desire to provide for her son's education were manifested in Aldrich's carefully conceived projections for Boyle's studies. She

⁶⁶Boyle's dispute with Bentley over the antiquity and authenticity of the letters is also explored in (unobjective) detail by James Henry Monk, *The Life of Richard Bentley*, 2nd rev. ed. (2 vols., London: J.G. & F. Rivington, 1833), i, 55ff. A less biased assessment which prompted Swift to write *The Battle of the Books* can be found in Irwin Ehrenpreis, *Swift: The Man, His Works, and the Age* (3 vols., Cambridge, Mass.: Harvard University Press, 1962-83), i, 227ff.

⁶⁷Anthony a Wood, *Athenae Oxonienses; An Exact History of All the Writers and Bishops Who Have Their Education in the University of Oxford*, Philip Bliss, ed. (4 vols., London; Thomas Davison, 1820; Rpt. Hildesheim; Georg Olms Verlagsbuch, Andlung, 1969), iv, 669; and *Alumni Oxonienses: The Members of the University of Oxford, 1500-1714: Their Parentage, Birthplace, and Year of Birth, with a Record of their Degrees*, Early Series, Arr., rev., and annotated by Joseph Foster (4 vols., Oxford: Parker & Co., 1891-92), i, 163.

⁶⁸Aldrich took degrees in the arts and holy orders at Christ Church in the 1660's, and was subsequently installed as canon in 1681, and Dean in June 1689; *Athenae Oxonienses*, iv, 652. A talented composer, author and collector of rare musical texts, Aldrich was also a master engraver and architect whose designs rivalled Wren's. For his many interests see W.G. Hiscock, *Henry Aldrich of Christ Church, 1648-1710* (Oxford: The Holywell Press for Christ Church College, 1960); E.F.A. Suttle, 'Henry Aldrich, Dean of Christ Church', *Oxoniensia*, v (1940), 115-37.

provided him with a quarterly sum of £35, an amount which Aldrich deemed sufficient for Boyle's maintenance and personally collected and applied toward his student's expenses. Aldrich further arranged to provide Boyle not only with a regular tutor but an under-tutor to promote his studies and protect against distractions of 'idle pupils, which too many worthimen miscarry by'.⁶⁹ Boyle was placed under the tutelage of Francis Atterbury, the brilliant, and ambitious rising spokesman of High-Tory Anglicanism.⁷⁰ At the outset, Atterbury--already restless and wearied by the tedium of tutorials and college business--looked upon his new pupil as a 'fine gentleman' and resolved to do all he could 'to make him a man'.⁷¹ Atterbury's associations with Boyle proved of enormous importance in both the young student's academic as well as his literary career, and despite the vicissitudes of time, the two men would again interact decades later in the cause of the exiled Stuart Pretender.

Boyle gave his teachers scant reason for displeasure and seems to have adapted rapidly to university life. In a letter to his illustrious uncle, Charles expressed great esteem for Aldrich, calling him 'a great scholar' of 'extraordinary temper'. Charles scarcely doubted that a few years at Christ Church would enable him to fulfil his educational objectives: 'a competent stock of learning & good sense'.⁷² Under the guidance of Atterbury and fellow tutor Dr. Robert Freind,⁷³ Boyle exhibited a talent and passion for literary scholarship and

⁶⁹Guildford Muniment Room, Guildford, Surrey, Midleton MS 1248/1, f. 233. Aldrich to St. John Brodrick, Christ Church, 11 Feb. 1690. Aldrich does not name his choice for sub-tutor, but it was probably Robert Freind; see below, n. 73.

⁷⁰Atterbury's career and associations with Boyle are described in G. V. Bennett, *The Tory Crisis in Church and State, 1688-1730: The Career of Francis Atterbury, Bishop of Rochester* (Oxford: Clarendon Press, 1975). A contemporary account up to his impeachment in the Lords and expulsion from England is: Thomas Stackhouse, *Memoirs of the Life and Conduct of Dr. Francis Atterbury* (London: E. Curll, 1723).

⁷¹See Atterbury's letter to his father, 24 Oct. 1690, in Francis Atterbury, *The Epistolary Correspondence, Visitation Charges, Speeches, and Miscellanies of the Right Reverend Francis Atterbury, D.D., Lord Bishop of Rochester*, John Nichols, ed. (4 vols., London: John Nichols, 1783-84), i, 9-10, *idem*, cited in the older biography by H. C. Beeching, *Francis Atterbury* (London: Isaac Putnam, 1909), p. 14; in J. H. Jesse, *Memoirs of the Court of England From the Revolution in 1688 to the Death of George the Second* (3 vols., London: Richard Bentley, 1843), ii, 214-15; Bennett, *Atterbury*, p. 32.

⁷²The Library of the Royal Society, 6 Carlton House Terrace, London, Boyle MS BL.1, f. 98. Charles Boyle to Robert Boyle, 31 July [1690]. This is the only extant letter between the two men.

⁷³Attempts to identify the 'Dr. Freind' who was Boyle's tutor has resulted in considerable confusion, which is compounded by the fact that several Freind brothers attended Christ Church. Robert (1667-1751), matric. 17 Dec. 1686; B.A. 1690; M.A. 1693; proctor 1698; B.D. and D.D. 1709; rector of Witney, 1711-39; headmaster of Westminster 1711; archdeacon and canon of Westminster, 1731-44. His younger brother John (1675-1728), matric. 7 July 1694; B.A. 1698; M.A. 1701; B. Med. 1703; D. Med. 12 June 1707; Prof. of Chemistry, Christ Church, 1711; F.R.S. 1712; Fellow, College

academic pursuits. Boyle's sycophantic biographer, Eustace Budgell, first described his unbridled enthusiasm, reporting that Boyle's rigorous application to his studies 'made all his Friends apprehend that he would injure his Constitution, which was none of the strongest: [but] Their Remonstrances to him upon this Occasion had no Effect'.⁷⁴ Another eighteenth-century writer further claimed that Boyle was convinced 'science was a higher blessing than life' and 'death was not a greater evil than ignorance'.⁷⁵ Such exaggerated claims must be weighed with caution, yet the evidence is indisputable that Boyle was a diligent student and voracious reader and, that he underwent a rigorous training in the Classics. He must have demonstrated some measure of ability and precocity as well, for his tutorials were resumed through correspondence--then a rather extraordinary practice--after Atterbury's appointment to his first preferment in London in October 1691.⁷⁶ Atterbury's most recent biographer belittled Boyle's application and scholarly potential, describing him as 'a priggish and superior youth' who 'covered a considerable amount of reading' yet had 'no notion of the time and application which went into the making of a genuine scholar'.⁷⁷ Interestingly enough, the same author later tempers his judgement, calling Boyle 'a studious man not given to the lifestyle of many noblemen', and singling him out with distinction as the only nobleman who

of Physicians, 1716. He became one of the most celebrated medical authorities of his day: see *Alum. Oxon.*, ii, 533; *DNB*, vii, 681-85; *Biographica Britannica*, iii, 2024-35; and *A Catalogue of All Graduates* (Oxford: University Press, 1851), p. 245. Budgell simply reports that Boyle's tutors were Atterbury and the 'Reverend Dr. Friend (sic)'. In his *Literary Anecdotes of the Eighteenth Century* (9 Vols., London: Nichols & Bentley, 1812-16), v, 93, prolific eighteenth-century writer John Nichols claims John Freind was elected to Christ Church in 1690, not 1694, and that he was 'Director of the Studies to Mr. Boyle,' while Aldrich's biographer claims that 'John Friend (sic) (who later became a noted physician)' was Charles Boyle's 'official tutor': Hiscock, p. 51. This error was repeated recently in Levine, *Battle of the Books*, p. 53. In Boyle's letters to Atterbury, in 1693, e.g., *Epis. Corr.*, ii, 18-19, he referred to John Freind more in the context of friend and fellow student, and Nichols probably confused John, who at that time did not even possess his B.A., with his brother Robert; cf. also p. 19, below.

⁷⁴Budgell, p. 156. This assessment is echoed in Barlow, *Peerage*, ii, 255; Lodge, *Peerage*, i, 194; and *Biographica Dramatica: Or, a Companion to the Playhouse: Containing Historical and Critical Memoirs, and Original Anecdotes of British and Irish Dramatic Writers*, David Erskine Baker, et al., comps. (3 vols., London: Longman, Hurst, Rees, Orme, & Brown, 1812), i, 57.

⁷⁵*Biographica Britannica*, ii, 934.

⁷⁶Beeching, pp. 15-16, comments on Boyle's obvious 'cleverness'; for the tutorials see *Epis. Corr.*, i, 484; and *ibid.*, ii, 1-14, letters between teacher and pupil from Nov. 1691 to March 1692.

⁷⁷Bennett, *Atterbury*, pp. 39-40, also fails to mention the tutelage by correspondence.

attended Christ Church for three decades who stayed to take a B.A.⁷⁸ In 1692 Boyle began a translation of Plutarch's *Life of Lysander* from the Greek into Latin.⁷⁹ Boyle's letters illustrated his daily routine: 'My Bible and Euclid take up my morning; Caesar and exercise, Lysander and some French, my afternoon',⁸⁰ as well other aspects of his life, such as his frail health and his emerging reputation as a man of letters. Budgell's claim apropos the former seems justified. Several times in early 1692 Charles complained of a stomach ailment which he sought to remedy by being bled.⁸¹ References to similar instances of ill health recur throughout his life; indeed, it was probably at this time that intestinal disorders sparked his lifelong interest in 'physick.'⁸² At the same time, the seventeen-year old Boyle's literary stature was already attaining considerable heights and his efforts to acquire an extensive library attracted London booksellers' attention. Playwrights also sought Boyle's favour for literary patronage, which was reciprocated and will be examined in greater detail below.

The sizable respect Boyle soon came to command at Christ Church resulting from his intellectual prowess and his literary abilities proved critical in his involvement in the Ancient-Modern Controversy. Aldrich was so impressed with him that he decided to compose a manual on logic especially for his young protégé's benefit.⁸³ In contrast, Atterbury's estimation of Boyle diminished with time. Irritated by rumours of his pupil's disrespectful comments, he became increasingly impatient with Boyle. Dismissing the allegations as

⁷⁸G.V. Bennett, 'University, Society and Church, 1688-1714', in L.S. Sutherland and L.G. Mitchell, eds., *The History of the University of Oxford*, (5 vols., Oxford: Clarendon Press, 1986), v, 372, 380.

⁷⁹Budgell, p. 157, claimed it was published, yet none were published in Oxford while Boyle was at Christ Church. However, BL, Add. MS 10388 contains a printed copy of a translation from an unknown source; cf. *Biographica Britannica*, ii, 934; *The Term Catalogues, 1668-1709 A.D....*, Edward Arber, ed., (3 vols., London: for Edward Arber, 1903-06), ii; W. G. Hiscock, *The Christ Church Supplement to Wing's Short Title Catalogue, 1641-1700* (Oxford: for Christ Church at the Holywell Press, 1956).

⁸⁰*Epis. Corr.*, ii, 16. Boyle to Atterbury, 10 May 1692.

⁸¹*Epis. Corr.*, ii, 14-15. Boyle to Atterbury, 22 March 1692, and the letter cited in n. 80.

⁸²Along with his interests in the classics, physics, mathematics, and astronomy, Boyle became an avid reader and collector of domestic and foreign treatises on herbs, medicines, and prescriptions, formulating and administering his own concoctions to a wide circle of friends; Budgell, p. 237; Collins, *Peerage*, vii, 161; *Biographica Britannica*, ii, 936; Barlow, *Peerage*, ii, 256; and below, Ch. 11.

⁸³Aldrich fondly dedicated the book to the 'magnum AEdis nostrae ornamentum Carolus Boyle'; see the preface of *Artis Logicae Compendium* (Oxford: Sheldonian Theatre, 1691). Later editions were published in 1692, 1696, 1704; cf. Hearne, i, 123.

unfounded, Boyle attempted a reconciliation with Atterbury by acknowledging his indebtedness and gratitude,⁸⁴ but by 1693 their strained friendship had become too pronounced to ignore. Sources of the bilateral personal conflict were numerous.⁸⁵ Boyle was consumed by youthful ambition to acquire wealth and a reputation. As the younger brother of an impoverished Irish earl, his future was uncertain at best, and he found little solace in the unlikely prospects of inheriting the title and the Orrery holdings. Unabashed and forthright, Boyle proclaimed his own aspirations in a letter to Atterbury in 1693,⁸⁶ in the process clashing not only with his tutors, but also with Lady Orrery, who had proposed that Charles either travel with her to Ireland,⁸⁷ or continue his studies. Charles was averse to either option, certain that both would cause his 'utter undoing', and he defended his own youthful designs by claiming they were motivated solely to 'put myself in some way of getting bread' and 'make my fortune'.⁸⁸

Boyle left little ambiguity as to his career aspirations. The British Army was then actively engaged against Louis XIV's forces in Flanders, and Boyle contemplated seeking an officer's commission in order to pursue his goals. In this direction he was probably influenced by his close friendship with Christopher Codrington, who had taken a degree from Christ Church and was admitted a fellow at All Soul's in 1689.⁸⁹ Professing powerful inclinations toward military service, Boyle defended Codrington from any accusations of undue influence. Boyle admitted that if his own fortune were solidly established, obstinacy toward the journey with his mother would be unfounded and unreasonable. But if Lady Mary saw fit to

⁸⁴*Epis. Corr.*, ii, 14-15. Boyle to Atterbury, 22 March 1692; Folkestone Williams, *Memoirs and Correspondence of Francis Atterbury, D.D., Bishop of Rochester* (2 vols., London: William H. Allen & Co., 1869), i, 39-40.

⁸⁵*Memoirs of Atterbury*, i, 40, makes unsubstantiated attributions of the friction to Boyle's 'disinclination' as well as a lack of 'scholastic control', yet use of this source requires discretion, as its editor also comments on Boyle's failure to mention his father (who had died in 1681!) in his letters to Atterbury in the early 1690s.

⁸⁶*Epis. Corr.*, ii, 17. This letter must have been written some time after June, for Boyle mentions that Atterbury had been his tutor for three years.

⁸⁷Lady Orrery's trip was undertaken in hopes of settling a lawsuit. Charles Boyle's attitude toward Ireland remained negative; see BL, Althorp MS C-17, f. 23. Lady Mary Hyde to Mary, Duchess of Queensberry, New Park, 23 Aug. 1699; *cf.* below, Chs. 2-3.

⁸⁸*Epis. Corr.*, ii, 17-18.

⁸⁹Codrington left All Souls without a second degree, however, obtaining instead a commission in the 1st Foot Guards; Bodl., MS Ballard 4, f. 14; Bodl., MS Ballard 35, f. 77; William Gordon, *A Sermon Preached at the Funeral of the Honourable Colonel Christopher Codrington, Late Captain General and Governor in Chief of Her Majesty's Caribbee Islands* (London: G. Strahan, 1710), pp. 20-21; *Biographica Britannica*, iii, 1374-75. For details on his career and his associations with Boyle, see Vincent T. Harlow, *Christopher Codrington* (Oxford: Clarendon Press, 1928).

cast her son off because of his reluctance to yield to her maternal imperiousness, the choice was hers. Fearing it would alienate him from the numerous diversions and entertainments of London, where he was already determined to reside, the aspiring wit and literary patron was highly critical of her proposal and concluded by stating his objective: 'a groom of the bedchamber's place'.⁹⁰ In hopes of securing such a post, Boyle intended to journey to London and apply directly to the favour of retired diplomat, Sir William Temple.⁹¹ The aspiring courtier set his sights upon Temple because he believed him to possess substantial influence at court. Ultimately, Aldrich proposed an idea which serve both to challenge Boyle and to persuade him to remain at Oxford, thus postponing (temporarily at least) his pursuit of a military career. In the process, Aldrich unwittingly contributed to circumstances which produced one of the most celebrated academic controversies in British history; it also ensured a place in history for which Charles Boyle is still chiefly remembered today.

The beginnings of the Boyle-Bentley Controversy date from a request Aldrich made of his college's young 'ornament.' The Dean's predecessor had often selected the brightest undergraduates at Christ Church to undertake translations of classical texts, and Aldrich continued this practice and issued the completed editions to students as New Year's presents. In the summer of 1693 he asked Boyle to edit and translate the *Epistles of Phalaris*.⁹² It was hardly a coincidence that, in his *Essay upon the Ancient and Modern Learning*, Temple had proclaimed *Phalaris* and *The Fables of Aesop* singularly meritorious examples of ancient authors' literary superiority over their modern counterparts, then the subject of debate between English and Continental scholars.⁹³ Thus, Boyle was supplied with a means whereby he

⁹⁰*Epis. Corr.*, ii, 17-20. Boyle to Atterbury, 1693. Boyle intimates that Atterbury had been corresponding with Lady Mary about a solution to her son's restlessness. Atterbury was probably irritated by Boyle's associations with Codrington, who had initially studied under him at Christ Church, where they had evidently clashed, for an 'honourable parting' was arranged in 1688. Codrington was admitted to All Soul's as a 'probationer fellow'; see *idem*, cited in Beeching, p. 7; and Bennett, *Atterbury*, p. 31.

⁹¹Temple had served as English ambassador to the Dutch; Thomas Peregrine Courtenay, *Memoirs of the Life, Works, and Correspondence of Sir William Temple, Bart.* (2 vols., London: Longman, Rees, Orme, Brown, Green, & Longman, 1836); Richard Faber, *The Brave Courtier: Sir William Temple* (London: Faber & Faber, 1983).

⁹²The quasi-historical Phalaris of Agrigentum was a ruthless tyrant who ruled in Sicily, c. 550 B.C. His most infamous legacy was his practice of roasting enemy captives alive in a brazen bull.

⁹³Temple had composed his Essay in response to contrary views expressed by Fontenelle and Perrault; see Temple's *Miscellanea* (London: for Richard Simpson, 1690), pt. 2, i; and *The Works of Sir William Temple*, (2 vols., London: A. Churchill, 1720), i, pt. 2, 151-69; and Hiscock, p. 51; John Edwin Sandys, *A History of Classical Scholarship* (3 vols., Cambridge: University Press, 1908), ii, 403ff.; more recent studies of the philological background and issues can be

could simultaneously adhere to Aldrich's wishes, avoid the trip to Ireland, and ingratiate himself with Temple.⁹⁴ Robert Freind was assigned to assist Boyle in the edition.⁹⁵ At the project's inception, Boyle and others at Christ Church realised it would be necessary to collate texts of the *Epistles* with a manuscript version held in the King's Library at St. James. Toward this end, sometime late in 1693,⁹⁶ Boyle hired Thomas Bennet, a well-known London bookseller, to secure the manuscript and perform the collation. Described as 'a first rate bookseller' highly favoured by 'the leading men of Oxford,'⁹⁷ Bennet seemed a logical choice for a Christ Church endeavour.

The events which transpired thereafter are still disputed. Bennet's initial efforts to collate the manuscripts coincided with Dr. Richard Bentley's appointment as Keeper of His Majesty's Library. An eminent classical scholar, this Cambridge professor of modest Yorkshire stock did not assume control of the Library until May.⁹⁸ Bentley and his biographers always contended that he responded promptly and courteously to requests like the one made in the spring of 1694 by Bennet's hired collator, a Mr. George Gibson.⁹⁹ Yet delays following the request extended for almost nine months. Bennet's inexperience in procuring such a rare manuscript was alleged as their cause, and his own actions tend to confirm his censurability. Gibson's direct involvement renders the account he supplied to his cousin, Dr. Edmund Gibson (later Bishop of London), of fundamental importance. George Gibson could not recall the date of the initial request, yet remembered Bennet giving him a personal printed copy of the *Epistles* and what Gibson believed was a manuscript from St. James which he was instructed to

found in Levine, *Battle of the Books*, pp. 1-40; and C.O. Brink, *English Classical Scholarship: Historical Reflections on Bentley, Porson, and Housman* (New York: Oxford University Press, 1986), pp. 49-52.

⁹⁴Levine, *Battle of the Books*, p. 60, comments on how patently obvious Boyle's motives must have been to his contemporaries.

⁹⁵Hearne, i, 158.

⁹⁶Monk, i, 66, claims the initial request for the manuscript was made 'in early 1694,'; R.C. Jebb, *Bentley* (London: MacMillan, 1909), p. 50, places it in September 1693, as does Bentley's most recent biographer, R.J. White, *Dr. Bentley: A Study in Academic Scarlet* (Ann Arbor: University of Michigan Press, 1968), p. 93.

⁹⁷Nichols, *Literary Anecdotes*, iii, 709; Henry G. Plomer and Arundell Esdaile, et als., eds., *A Dictionary of the Booksellers and Printers Who Were at Work in England, Scotland, and Ireland, From 1688 to 1725* (Oxford: University Press, 1922), p. 29.

⁹⁸Even though his long-delayed warrant was signed in December 1693; see Bodl., MS Ballard 13, f. 15; Jebb, p. 50; White, *Bentley*, p. 85; and below, pp. 33-34.

⁹⁹Bentley later argued this was particularly true in Boyle's case, since he was a relative of the endower and namesake of the lectureship which Bentley, elected the first Robert Boyle lecturer in 1692, then enjoyed.

collate 'with all the Speed' possible. He was only able to complete approximately 20 or 30 pages before 'Bennet's man came to collect them', as Bentley waited impatiently, presumably at Bennet's shop. Despite Gibson's explanations as to the unfinished collation, the manuscripts were then returned to Bentley.¹⁰⁰

This narrative of events contrasts Monk's account, which relates Gibson's claims that Bennet simply ignored Boyle's requests and failed to make the requisite application to St. James's for permission to consult the manuscripts.¹⁰¹ Instead, Bennet's request came during an informal visit Bentley made to his bookshop. Perhaps anxious about the potential profit to be realised from the translation's publication, the bookseller questioned Bentley for his opinion of the work's merits. The arrogant don is said to have replied: 'the great names of those who recommend it would ensure its sale; but that the book was a spurious one and unworthy of a new edition'.¹⁰² The admittedly partisan Oxonian, Dr. William King, later supplied Boyle with an account of the bookstall encounter that corroborated Bennet's story, describing how Bentley had likened Phalaris to a 'Squeeze'd Orange' which if collated 'would be worth nothing'.¹⁰³

The manuscript's retraction was the catalyst for the bilateral accusations which ignited the dispute and its circumstances are also the focus for determining the culpability of both Bennet and Bentley and any possible motives they might have had for refusing to assist Boyle. Boyle, understandably, castigated Bennet for the delays and, Bennet in turn cast the blame entirely upon Bentley, describing how the doctor had belittled the effort and spoken in a defamatory manner about the translators. Bennet insisted he had made unsuccessful

¹⁰⁰Bodl., MS Ballard 5, f. 52, 2 April 1695. Gibson's letter is partly printed on p. 124 of a similar account of the proceedings, purportedly written by Bennet (but more than likely by Atterbury) in the anonymously-authored *A Short Account of Dr. Bentley's Humanity and Justice to Those Authors who have Written Before Him; With a Letter From the Honourable Charles Boyle on that Subject* (London: for T. Bennet, 1699), pp. 98-109; Bodl., MS Rawlinson JA 4, f. 109, suggests this work may have been planned for publication in 1699; for Atterbury's authorship, see Monk, i, 178-79.

¹⁰¹This latter claim is refuted in *Short Account*, p. 104, where it is argued that Bennet solicited for the Phalaris manuscripts in Boyle's name.

¹⁰²Monk, i, 65-66, quoting an untraced letter in the Bodleian's Ballard manuscripts; Jebb, pp. 51-52. In *Reflections Upon Ancient and Modern Learning* (London: J. Leake, 1694), Bentley's friend Wotton examined Temple's claims about the Epistles and voiced strong reservations about their chronology and authenticity.

¹⁰³William King, *Miscellanies in Prose and Verse* (London: B. Lintott & H. Clements, 1709), pp. 261-62. King to Boyle, 13 Oct. 1697; *idem*, also printed in *Short Account*, pp. 134-38.

applications to Bentley for months.¹⁰⁴ In a chance encounter shortly after Bentley had assumed personal control of the Library's holdings,¹⁰⁵ Bennet reportedly once again asked for the *Epistles*, which Bentley now agreed to supply on condition that application was made at St. James, where Gibson was summarily dispatched. There Gibson was warned that the collation must be performed with alacrity, since Bentley was preparing to depart for Worcester.¹⁰⁶ Accounts vary, but it appears Gibson possessed the manuscripts for around a week,¹⁰⁷ long enough to perform a satisfactory collation of the 127 epistles.¹⁰⁸ Whatever the reasons--Bennet's dishonesty and procrastination; Gibson's incompetence; Bentley's impatience; or possibly a combination of all these factors--only 40 of the epistles had been collated when Bentley recovered the manuscripts from Bennet.¹⁰⁹ Bentley later claimed that when the manuscripts were returned absolutely no mention was made of the collation being incomplete.¹¹⁰ Furthermore, he lamented that the matter had been left in Bennet's hands, rather than Boyle treating with him directly, in which case the Librarian vowed he would not only have loaned the manuscripts but assisted in the collation.

A principal issue in determining the true causes of the controversy revolve around the veracity of Bentley's claim that he composed a letter to Boyle (which apparently has not survived) conveying his account of the incident and offering to make amends. Bentley's good intentions seem to be highlighted by the fact that, ostensibly out of a desire to oblige Boyle, he had already overstepped his authority by lending the manuscripts without the usual

¹⁰⁴*Short Account*, pp. 117-18, claimed that he sought the manuscripts for over ten months.

¹⁰⁵*Short Account*, pp. 110-15, disputed the validity of Bentley's excuse of not possessing the warrant to be King's Librarian and stated he was involved in the Library's business for nearly eight months prior to its reception.

¹⁰⁶Bentley was to serve for two months as a prebendary there: Monk, i, 66-67; Jebb, pp. 50, 64; Bennett, *Atterbury*, p. 40, states that he was heading for Cambridge.

¹⁰⁷To his detriment, Gibson failed to specify the number of days in his letter cited above. Several years later in Bentley's *A Dissertation Upon the Epistles of Phalaris, With an Answer to the Objections of the Honourable Charles Boyle, Esq.* (London: for Henry Mortlock & John Hartley, 1699), p. xxv, he stated the period as 'five or six days'; Monk, i, 67, estimates from five to nine; Boyle gives it as 'not nine'; and Bennet, in wonderful self-incriminating ambiguity, simply gave the time as 'a few days': see Boyle, preface, and p. xx.

¹⁰⁸Bentley later claimed he undertook a collation of the 40 epistles as a test and the task took him only two hours: Jebb, p. 51.

¹⁰⁹Bentley planned to set out on a Sunday, and thus refused Bennet's pleas to allow him to return the manuscripts then because on the Sabbath the Library was inaccessible even to its Keeper.

¹¹⁰This is yet another element of the controversy refuted in *Short Account*, p. 123.

prerequisite royal warrant.¹¹¹ Contrary, yet dubious, opinions that blacken Bentley's credibility are found in the anonymously-authored *A Short Account of Dr. Bentley's Humanity and Justice*. When this work was written it was claimed that Bentley's letter of apology to Boyle had survived and was dated 'a good while' before the publication of the translation, therefore implying that Bentley indeed knew beforehand that his demands had impeded the collation and, in the process, risked a grave insult to Boyle and Christ Church.¹¹² On the other hand, if Gibson's account is credible, then Bentley's claim may indeed be mendacious.¹¹³ Monk's account emphasises Boyle's disbelief in Bentley's sincerity, arguing that 'not a shadow of blame could be attached' to Bentley based upon his (and Monk's) rendition of the transactions. None the less, his use and interpretation of Gibson's letter is understandably biased, ignoring sections which might incriminate his subject. His primary consideration is to accuse Gibson and Bennet of incompetence.¹¹⁴

III

Though hardly evident in 1694, some contemporaries, later eighteenth-century writers and Bentley's biographers all tended to agree that the bruised egos and misunderstandings which resulted from the loan of the manuscripts were occasioned first and foremost by Bennet.¹¹⁵ His reputation among Oxford scholars was such that his integrity was never seriously questioned.¹¹⁶ Therefore, rather than Charles Boyle, Bennet's incompetence and carelessness initiated the delays and thus he would seem to bear principal responsibility for instigating the controversy. If they existed, ulterior motives remain unclear, yet the months which elapsed during the delays suggest Bennet retained the manuscript in order to make a

¹¹¹Bentley, pp. iv, ix; White, *Bentley*, pp. 93-94; Beeching, p. 18.

¹¹²*Short Account*, pp. 121-22.

¹¹³Gibson related in detail how 'any one may easily suppose the Library-Keeper was sufficiently acquainted, how far I had gone, seeing ye MS and Printed Book, with ye corections (sic) on a sheet of paper folded in 16 lengthways, put in it, were carried [away] all together...': Bodl., MS Ballard 5, f. 52. Why Bentley would have wanted the correction sheets is anyone's guess.

¹¹⁴Monk, i, 67-69.

¹¹⁵*Biographica Britannica*, ii, 737, 934-35; Monk, i, 68; Jebb, p. 51.

¹¹⁶After Bennet's death he was praised for his 'honest industry' and 'prudent' and 'religious' life; for this and other examples of the typical Oxonian opinion of Bennet see Bodl., MS Ballard 14, ff. 38, 93; and Atterbury's remarks in Bennet's 1706 funeral eulogy in *Literary Anecdotes*, iii, 709-13.

copy for himself. Other motives seem even more mysterious.¹¹⁷ It seems possible that the initial delays were accidental, and as Monk reasons, Bennet then exacerbated the situation to avoid admitting failure in procuring the manuscript. It would also seem plausible to consider that once the heightened animosity between representatives of both Oxford and Cambridge became apparent, Bennet shrewdly realised that animosity could translate into notoriety and lend itself to the sale of copies of the translation as well as books associated with the controversy which seemed certain to follow,¹¹⁸ despite the existence of a denial letter purportedly written by the printer of Boyle's initial Oxford translation.¹¹⁹

Bennet's claims of commercial disinterest in the publication do not bear up under close scrutiny; rather, he seems to have relished controversy and intentionally antagonised the participants of not only the Phalaris translation dispute but other publications then underway.¹²⁰ Other curious facts surround Bennet's behaviour towards Gibson.¹²¹ It should also be noted that Bennet and Bentley had experienced previous disagreements. Bentley had earlier provoked Bennet's anger by insisting that he furnish arrears in book donations which Bentley was obligated to collect as Librarian.¹²² Ample manuscript evidence illustrates similar problems with London booksellers and scholars' projects for publication.¹²³ It is

¹¹⁷Monk rebuked him for his ignorance and upbraided him for sending 'a collator with a printed Phalaris to Sion College, imagining as it seems, that and the King's Library to be the same': Monk, i, 68, suggests that repeated enquiries from Oxford only encouraged Bennet as to the book's saleability, but *cf.* n. 119 below.

¹¹⁸Hearne, i, 287, remarked upon Bennet's death that he was rumoured to be worth over £10,000. It is also worth noting that Bennet may have been related to a Mr. Thomas Bennet who was Master of University College until his death in 1692, when he was replaced by Charlett: see *idem*, ii, 11.

¹¹⁹The letter contains a statement from an Oxford printer affirming that Bennet had nothing to do with the actual printing and publishing of Boyle's *Phalaris*: see the letter in *Short Account*, p. 119; *cf.* a work variously attributed to Atterbury and to Francis Gastrell, later Bishop of Chester, *A Short Review of the Controversy Between Mr. Boyle, and Dr. Bentley...With Suitable Reflections upon it* (London: for A. Baldwin, 1701), p. 16.

¹²⁰[Solomon Whately], *An Answer to a late Book Written Against the Learned and Reverend Dr. Bentley, Relating to some MS Notes on Callimachus...Together with an Examination of Mr. Bennet's Appendix to the Said Book* (London: n.p., 1699), pp. 1-4, attacked Bennet for Bentley's threatened criticism of an appendix he had supposedly written, also arguing that the Christ Church group had made it known after Bentley's 1699 work appeared that they were 'in readiness for him' and could write a book a month against him. Bennet himself reportedly announced that Bentley could write all he wanted because the Oxonians had 'Rods in Piss against' him.

¹²¹Gibson claimed Bennet forced him to relinquish the printed version and even 'Variations I had set down in convenient slips of Paper, but which I intended to transcribe before anybody should see ym'. Another discrepancy concerns Gibson's contention that he had possession of the St. James manuscripts only once: Bodl., MS Ballard 5, f. 52; Monk, i, 66.

¹²²White, *Bentley*, pp. 93-94; *cf.* 'Bennet's' refutation in *Short Account*, pp. 119-20.

¹²³Dr. Arthur Charlett, Master of University College, encountered problems and delays

extremely unlikely that Boyle was ignorant of these quarrels, but regardless, he could easily have been dissuaded from impugning the bookseller's character by his Christ Church tutors.¹²⁴ Whatever the case, Boyle fatefully placed complete trust in Bennet's version of the return of the manuscripts. A comment in the preface of Boyle's published *Phalaris*, and his own actions following its publication, aptly illustrate his reliance upon the veracity of Bennet's statements.¹²⁵

One may assume that Bentley believed there was no reason to anticipate the slightest degree of disaffection from the Christ Church circle over the translation, yet, unfortunately, this was not the case. When Bennet notified Boyle of the incomplete collation the latter placed the principal blame upon Bentley for his lack of civility and his unwillingness to permit Gibson to retain the manuscripts for a sufficient period of time. Trusting implicitly in Bennet's version of the affair, and with legitimate reasons for doing so, it seems Boyle sincerely believed that both he and Christ Church had been subjected to an indignity by a Whiggish, Cambridge-educated commoner.¹²⁶ Public opinion later reflected this belief. A majority of the reading public naturally came down on Boyle's side. Bentley, Keeper of the Royal Library, was thus in a position of public trust and was also a scholar whose eminence was enhanced, ironically, by a lectureship named after Boyle's own great-uncle. All these factors made Bentley's deportment appear all the more odious; a man of his stature possessed no right to behave in such an infuriating and disrespectful manner.

Bentley's unique personality certainly aggravated the situation. His remarks about the insignificance of the *Phalaris* edition has been noticed above. Bentley's profundities in the Classics, as well as his legendary arrogance and vindictiveness, were also widely known in academic circles.¹²⁷ Three months before receiving his cousin's letter, Edmund Gibson had

similar to Boyle's in the printing of a catalogue to the Cottonian Library. For his complaints see Bodl., MS Smith 47, f. 192; also Hearne, i-iv, *passim*. *Short Review*, pp. 12-13, contains an interesting discussion of the lies and tricks booksellers often employed in their trade.

¹²⁴Robert Freind's service as unofficial advisor to Boyle in the translation was an arrangement Hearne, i, 158, believed 'nothing but prudence'.

¹²⁵*Short Account*, pp. 101-02, prints an undated letter to Bennet (and attributed to Boyle) explaining how letters concerning the delays in acquiring the manuscript that the bookseller preserved were decisive in convincing the young editor of the veracity of his story.

¹²⁶Hiscock, pp. 51-52, is one of the few authors who defend Boyle's taking offence at Bentley and examines the circumstances prompting him to do so.

¹²⁷BL, Add. MS 23235, f. 173, contains a memorandum concerning Bentley copied in 1845 by J.W. Croker. Bentley reportedly remarked he would 'bestow on the world (Though it does not deserve it of me) a new edition of Homer...in which that poet will make another sort of figure than he has hitherto done'. Although the memo's authenticity is weakened by Croker's admission

expressed surprise at Bentley going to lengths which required Boyle 'to make such a publick resentment'.¹²⁸ Many of Bentley's few friends who concurred with him regarding the spurious nature of Phalaris nevertheless denounced the hostility of his responses to Boyle.¹²⁹ The admiring editor of Bentley's letters even acknowledged certain unpleasant characteristics of his personality, including an 'utter want of principle' and 'overbearing tone and manner to all who opposed him'.¹³⁰ Furthermore, Bentley had recently implemented an increasingly restrictive policy regarding the loan of manuscripts in the Royal Library for endeavours specifically like Boyle's. Even recognised scholars were forced to persist in repeated requests for access to the Library.¹³¹ Substantial evidence suggests that Bentley's stewardship of the Library was characterised by carelessness and a selfish desire to hinder research which might contradict his own.¹³² During Queen Anne's reign scholars involved in undertakings which lacked Bentley's blessing were regularly forced to endure incessant, often unexplained delays in admission and pay exorbitant fees for borrowing manuscripts.¹³³ It should also be remembered that Bentley was deeply critical of the worthiness of the *Epistles*

that he forgot who loaned him the originals, its hubris is echoed by Bentley's contemporaries; cf. *The Correspondence of Richard Bentley, D.D., Master of Trinity College, Cambridge* (2 vols., London: John Murray, 1864), i, 170.

¹²⁸Bodl., MS Ballard 5, f. 50. Gibson to Arthur Charlett, 10 Jan. 1695; *Short Review*, p. 17, makes the interesting point that Bentley responded as he did because the prefatory comment was in Latin and therefore his reputation would suffer among Continental scholars as well as learned Englishmen.

¹²⁹Bodl., MS Smith 59, f. 363; Bodl., MS Cherry 22, ff. 61v-62v; Hearne, iii, 76.

¹³⁰See the diary of Bentley's fellow Trinitarian in Henry Richards Luard, ed., *The Diary (1709-1720) of Edward Rud, Sometime Fellow of Trinity College and Rector of North Runcton in Norfolk: To Which are added Several Unpublished Letters of Dr. Bentley* (Cambridge: Deighton, Bell, & Son, 1860), p. iv.

¹³¹Soon after his appointment as Librarian Bentley had convinced Queen Mary that to permit even the compilation of a catalogue of the Lambeth Manuscripts in St. James Library would be a hazardous and unnecessary risk: Bodl., MS Ballard 34, ff. 31, 112. The intercession of a figure as weighty as the Archbishop of Canterbury failed to persuade the queen otherwise.

¹³²Over a decade after the Phalaris episode, Humphrey Wanley, who thought himself fortunate enough to enjoy Bentley's favour, still gained access only after considerable effort to combat Bentley's intentional procrastination. Upon gaining admission, Wanley expressed amazement at the 'inexpressible disorder and confusion' in which he found the Library's books: BL, Add. MS 70476, [n.f.]. Charlett to Wanley, 26 April 1698; Hearne, ii, 15; and Bodl., MS Ballard 13, f. 41; and *idem*, cited in Levine, *Battle of the Books*, p. 66, n. 54. White, *Bentley*, pp. 86-87, describes how the Librarian frequently took rare books into his own apartment for 'safe keeping'.

¹³³For examples, see Hearne, ii, 15, 30-32. After the Phalaris Controversy had raged for several years, Bentley made it common practice to acquire Oxford manuscripts and retain them for long periods of time, ignoring entreaties for their return. Hearne, i, 203, noted that a Horace manuscript which Bentley borrowed in 1703 was still missing from the Bodleian three years later.

and of Temple's opinions. These criticisms were expressed in early 1693, over a year before Boyle's translation, when Bentley had ridiculed Temple by describing how a 'late ingenious author' had praised Phalaris as exemplary Greek prose and employed it an argument 'for the decay of human wit'.¹³⁴

Another author has speculated on possible links between the Whig ideology of the Moderns, many of whom were devoted supporters of the Glorious Revolution--versus the widespread non-juring and, in some cases, Jacobite--sympathies of nearly every member of the Ancient camp. Though beyond the scope of the present study, and perhaps an additional coincidence derived solely from the ideological traditions of the participants' respective universities, it is worth noting that advocates of divine-right monarchy seem to have been particularly well represented among Oxford's Ancients. There are also similarities between their obsession with authenticity in historical texts and Jacobite and Nonjuror devotion to the divinely-anointed James II.¹³⁵ Personal and intercollegiate rivalries may have aggravated the dispute as well. Dr. Arthur Charlett of University College was accused of involvement 'on both sides of ye controversy' between Bentley and Christ Church and in 'animating one agst. ye other'.¹³⁶ Upon Charlett's death in 1722 Hearne recorded the passing of a 'very busey' man who had done 'a vast deal of Mischief to the University'.¹³⁷ Other ulterior motives may revolve around the ironic involvement of George Gibson, Edmund's cousin. Edmund Gibson had been Bentley's rival for the King's Librarian post.¹³⁸ Although he shared Bentley's Whig

¹³⁴*Correspondence of Bentley*, i, 64. Bentley to Joshua Barnes, 22 Feb. 1693.

¹³⁵Margaret C. Jacobs, *The Newtonians and the English Revolution, 1689-1720* (Hassocks, Sussex: Harvester Press, 1976), pp. 78-79, 271-72, discusses these similarities and labels Bentley a Newtonian.

¹³⁶In 1698 Charlett had supposedly supported two different candidates for the same seat in a parliamentary election at Oxford; Bodl., MS Ballard 13, f. 36. An admittedly-prejudiced Thomas Hearne accused Charlett of underhanded dealings and various transgressions and described him as a haughty, vain man who was a 'great obstructor of real Learning'. Charlett was also thought jealous of Christ Church, and in 1710 he was described as the College's 'most implacable Enemy': Hearne, ii, 167, 183, 187, 341; also Bodl., MS Smith 59, f. 361. For more favourable opinion contradicting Hearne, see R.T. Gunther, ed., *The Life and Letters of Edward Lhwyd* (Oxford: University Press, 1920; Rpt. London: Dawson's, 1967), p. 290.

¹³⁷Hearne, i, 89-90; ii, 45, 120, 182-83; iii, 132; vii, 2; and viii, 16. For Charlett's clashes with the Dean of University College in 1697 see Bodl., MS Ballard 13, f. 35. There is also evidence suggesting that Charlett did not share his fellow Oxonians' esteem of Thomas Bennet: see Bodl., MS Ballard 14, f. 38.

¹³⁸Gibson's interest in the post may be the reason why Bentley's Librarian's patent was delayed for a year after his predecessor's death. This was largely because Benjamin Stillingfleet, Bishop of Worcester, whom Bentley affectionately referred to as 'my old Patron,' may have hesitated to recommend him and preferred Gibson instead. Bentley had also demanded that he be granted the post for life: BL, Add. MS 6209, ff. 312-14; BL, Add. MS 4275, f. 38; White,

political sentiments, Edmund Gibson had a reputation as an opportunist,¹³⁹ and the fact that a pivotal figure in the Phalaris affair, collator George Gibson, was related to the future bishop of London may be more than an ironic coincidence.

If these implicit resentments are coupled with the bitter Whig-Tory political rivalries inherent in any squabble between England's two universities, and with Boyle's concern for his reputation and his rather pompous sense of self-importance as grandson of a famous dramatist, it is easily understood why conditions were conducive for a full-scale academic showdown. Judging himself and his college to have suffered a grievous insult, Boyle prepared his partially-complete translation for publication in early 1695,¹⁴⁰ some seven months after the B.A. degree had been conferred upon him at Christ Church on 12 May 1694.¹⁴¹ His translation was reverently dedicated to Aldrich and offered up for sale in January 1695.¹⁴² It included a brief life of Phalaris and a discussion of the epistles. There were no references to the problems encountered in the acquisition of the manuscripts except for a single (and later oft-quoted) sentence in the preface: '*Collatas etiam curavi usque ad Epist. 40 cum MS in Bibliotheca Regia, caju mihi copiam ulteriorem Bibliothecarius pro singulari sua humanitate negavit*'.¹⁴³ Bentley's first exposure to the comment came when he read a friend's copy of the book on 26 January. Understandably dismayed, he reportedly composed a detailed, sincere letter to Boyle conveying his own account of the events of the previous spring.¹⁴⁴ Boyle failed to respond for several days. In his belated response, he in effect informed Bentley that he still believed Bennet's version of the affair, which was in marked contrast to the Librarian's. Moreover, no alteration could be made to the book's preface because it had already been offered to the public. Adopting the terminology of a duel, Boyle concluded that if Bentley remained discontented, then he had leave to seek whatever form of 'satisfaction as

Bentley, p. 85, fails to mention this rivalry.

¹³⁹Hearne, i, 217, observes that Gibson always sided with the Low Church faction in disputes because it was the one 'most able to prefer him.'

¹⁴⁰Hiscock, p. 52; White, *Bentley*, p. 95.

¹⁴¹*A Catalog of All Graduates*, p. 245; *Alum. Oxon.*, i, 163.

¹⁴²Bodl., MS Smith 47, f. 136; Charles Edward Mallet, *A History of the University of Oxford* (3 vols., London: Methuen & Co., 1924-27), iii, 8, n. 1.

¹⁴³Trans.: 'I have procured a collation of (or I have attended to the collation of) the letters with the MS in the Royal Library as far as Epistle 40; the Librarian, with that courtesy which distinguishes him, denied me further access'; see White, *Bentley*, p. 95; Jebb, pp. 52-53. The latter states that Bentley translated the offensive passage more literally, as 'out of his singular humanity'.

¹⁴⁴Jebb, p. 53, says Bentley wrote the letter the same day he read the comment.

publicly' as he pleased.¹⁴⁵ The learned doctor set out to do just that, quietly and inconspicuously formulating a response amidst his other duties.

Boyle's chief faults in the controversy probably lie with his failure to respond promptly to Bentley's letter and in lending undeserved credence to Bennet's account of the delays in acquiring the manuscript. Nevertheless, his reaction is logical and understandable. Bennet had a high reputation at Oxford, and given his involvement in nearly every stage of the translation, such a retraction would surely have been a grave embarrassment for Christ Church, doubly humiliating as a socio-political as well as an academic affront. Defending Boyle's actions on the grounds that it was too late to recall copies of the books is more difficult. Had he wished, Boyle could have made a public declaration with a retraction of the statement.¹⁴⁶ But it must be remembered that Boyle, a young, ingenuous, perhaps vainglorious, and noble Oxford undergraduate, needed but little encouragement from his tutors and Bennet to refute Bentley's story.¹⁴⁷

Soon after the *Epistles*' publication Boyle was elected MP for Charleville borough.¹⁴⁸ His participation in Irish politics was minimal, however, and by late 1697 the publication of a new work on Phalaris demanded that he return to England. In June of that year a second edition of Wotton's *Reflections on Ancient and Modern Learning* was published and included a long essay by Bentley.¹⁴⁹ Both offerings proved immensely popular. Bentley's contribution was recognised by later generations as the epitome of erudition and classical scholarship. Exhaustively, methodically, he presented an extraordinarily cogent argument demonstrating beyond doubt that the *Epistles* were forgeries which had originated centuries later than the year to which they had previously been ascribed. Bentley's host of discrepancies effectively ridiculed Boyle's (and Christ Church's) standards of scholarship. The venerable doctor's conclusions passed a harsh judgement upon the *Epistles*; Bentley relegated them to literary

¹⁴⁵Quite correctly, Bentley protested that no attempts were made to reacquire the manuscripts during the months after he had returned from Worcester in the summer of 1694. Furthermore, upon his return Bentley spent two weeks in Oxford and conversed with some of the leading academics at Christ Church but no reference was made to the manuscript: Bentley, pp. iii-ix; Jebb, pp. 53-54.

¹⁴⁶As Monk, i, p. 69, implies.

¹⁴⁷*Short Review*, p. 7. Even the hostile Monk conceded Boyle was censurable only for giving implicit credit to the 'representations of his agent': Monk, i, 68; also see 'Bennet's' persuasive defence in *Short Account*, pp. 101-04.

¹⁴⁸See Ch. 2, below.

¹⁴⁹*A Dissertation Upon the Epistles of Phalaris, Themistocles, Socrates, Euripides, and others* (London: for J. Leake, 1697).

obscurity by classifying them as little more than 'a fardle of common places'.¹⁵⁰

The translation's subject matter was not the only object to suffer Bentley's condemnation. In an offensive and condescending tone, interspersed throughout his work were disparaging references to Boyle's tutors. Bentley delighted in literary sneers at 'our Late Editors' who were in dire need of someone like him 'to weed all their book for them'. Alongside such comments, Bentley at the same time rather astonishingly endeavoured to assure Boyle that he bore no personal malice toward him. Boyle was a 'young Gentleman of great Hopes,' and Bentley's criticisms were not to be interpreted as detractions upon the young scholar's abilities, but rather 'a reproof only to his teachers'.¹⁵¹ Bentley's 'reproofs' had just as well been directed toward Boyle, however, for along with his collegians he sensed that in the literate public's eyes the honour and image of Christ Church, Oxford's pre-eminent college during the 1680s, had been seriously tarnished. Furthermore, in essence Boyle was attacked personally; he was accused of not having performed his own translation and not authoring his own book.¹⁵² As Bentley's early nineteenth-century biographer has remarked, 'a perfect ferment' resulted.¹⁵³

Work began on a fitting response in the autumn of 1697. Under the guise of Boyle's name, the collaborative effort saw the involvement of Robert and John Freind, Atterbury, Christ Church tutor Anthony Alsop,¹⁵⁴ Dr. George Smalridge,¹⁵⁵ and Dr. William King.¹⁵⁶ Wotton

¹⁵⁰Bentley, *Dissertation*, pp. 62-64; *idem*, cited in Brink, p. 54.

¹⁵¹Bentley, *Dissertation*, pp. 66-68, and *passim*.; also see Hiscock, pp. 52-53.

¹⁵²Boyle, preface; Jebb, pp. 56-58. Bentley's 1699 treatise against Phalaris and the Christ Church group, *Dissertation, ... With an Answer to the Objections of the Honourable Charles Boyle, Esq.*, p. 73, insulted Boyle outright, and compared him with Lucian's Ass.

¹⁵³Monk, i, 88.

¹⁵⁴Anthony Alsop (1672-1726), matric. Christ Church, 12 July 1690; B.A. 29 Jan. 1695; M.A. 23 March 1697; B.D. 1700; rector of Nursling, 1712; Alverstoke 1714; Brightwell, Berkshire, 1715; prebendary of Westminster, 1715; *Alum. Oxon.*, i, 20.

¹⁵⁵Smalridge (1663-1719), matric. Christ Church, 18 Dec. 1682; B.A. 1686; M.A. 1689; B.D. 1698; D.D. 1701; prebendary of Lichfield 1693; canon, Christ Church 1711; Dean (replacing Atterbury, who replaced Aldrich following his death in 1710), 1713-19; deputy professor of Divinity at Oxford, 1700-06; *Alum. Oxon.*, iv, 1367; *Athenae Oxonienses*, iv, 667; *DNB*, xviii, 383-85. Smalridge is thought to have served as Codrington's tutor for a time, and Codrington is also suspected as having assisted in the collaboration: White, *Bentley*, p. 101; Harlow, p. 45.

¹⁵⁶William King (1663-1712), matric. Christ Church 16 Dec. 1681; B.A. 1685; M.A. 1688; B. and D.C.L. 1692; Secr. to Princess Anne of Denmark (1694); later served as Judge of the High Court of Admiralty and Vicar-General to the Lord Primate of Ireland: *Alum. Oxon.*, ii, 855; and *Athenae Oxonienses*, iv, 606; for details on King's involvement see Colin J. Horne, 'The Phalaris Controversy: King vs. Bentley', *Review of English Studies*, xxii (1946), 289-303.

later speculated that Boyle's former master from St. Paul's had a hand in the endeavour.¹⁵⁷ The collective, self-appointed task of the Christ Church 'wits' was a formidable one. In essence, they were to defend the untenable. By necessity, their composition was more an artful and sophisticated satirical attack on Bentley's boorish impudence and egregious disrespect for social superiors than an outright refutation of his scholarship. The authors' principal tactic was to divert attention toward peripheral issues. The validity of the historical and philological questions which Bentley raised (and all but settled) in his essay was either intentionally obscured or represented as insignificant.

The onerous chore of authoring such a work was borne largely by Atterbury.¹⁵⁸ Along with the Freinds' assistance,¹⁵⁹ Atterbury was chiefly responsible for a shrewd re-categorisation of Bentley's evidence in a manner that diminished his arguments' force. Then Bentley's ideas were rather ludicrously stretched out of proportion; his criticisms were portrayed as running counter to Scripture, and his methods likened to those used to raise sacrilegious questions about Biblical authorship. Other sources show that King authored a particularly acrid section of 'Boyle's' arguments which applied the same logic Bentley had used to refute the authorship of Phalaris to disprove Bentley's authorship of his *Dissertation*.¹⁶⁰ He also lashed out at Bentley personally, recounting details of 'rude and scurrilous language' Bentley had used in reference to Boyle and others at Christ Church when King had been 'victim of the misfortune to be in the same place' with Bentley.¹⁶¹ Alsop's efforts centred on the discussion of AEsop,

¹⁵⁷Wotton, *Reflections on Ancient and Modern Learning*, 3rd ed. (London: 1705), App. Gale's own remarks would seem to prove otherwise: Monk, i, 110, citing Gale's letter to Pepys, 18 March 1699; cf. Hearne, ii, 158, for his own unflattering assessment of Gale's Grecian proficiencies.

¹⁵⁸Atterbury clearly wrote most of the response. This is borne out by the most reliable account of the division of labour among the participants, comments found on the flyleaf of a copy of the book belonging to Atterbury's chaplain, Richard Duke: Bodl., MS Radcliffe E100; *idem*, cited in Levine, *Battle of the Books*, p. 59, n. 35; and Horne, p. 290, n. 2. Hearne, ii, 78, corroborates Duke's comments.

¹⁵⁹Jebb, pp. 60-61.

¹⁶⁰This 'Bentleian' style is analysed in Horne, pp. 292ff.; cf. Levine, *Battle of the Books*, pp. 103-05.

¹⁶¹The unfortunate encounter occurred in Bennet's bookshop around April 1694; King's letter to Boyle describing the incident, dated Oct. 1697, is printed in the latter's *Dissertations* and in *King's Miscellanies in Prose and Verse* (London: B. Lintott & H. Clements, 1709), pp. 261-67; also cf. Horne, p. 289.

an area in which he demonstrated expertise.¹⁶²

It has usually been assumed that Boyle's contribution to the rejoinder bearing his name was unsubstantial. Atterbury's biographer remarked as to how he could have expected little assistance from Boyle, a 'pretentious and vain aristocrat' with only 'amateur abilities'.¹⁶³ Sources based on the authority of none other than Alexander Pope claimed Boyle wrote only a narrative account of his transactions with Bennet,¹⁶⁴ yet Monk, Bentley's most adulatory biographer, contradicted Pope and alluded that Boyle's participation was greater than believed.¹⁶⁵ Other evidence supports the theory that Boyle's input was minimal. A scathing letter from Atterbury revealed Boyle's reservations about the project in which his fellow Oxonians' were engaged. Atterbury castigated Boyle for disregarding the thankless task which had occupied the former's attention for months, and admonished him for ingratitude and utter apathy concerning the undertaking, all the more infuriating since it was primarily for Boyle's benefit. Boyle's only response was to remark on the possible consequences of the book's composition, hoping that its completion and publication would cause 'no harm'.¹⁶⁶ Atterbury's own comments also indicated that Boyle disapproved of, and possibly went as far as to discourage, his services in the riposte's composition.¹⁶⁷

Several additional points need to be remembered concerning Boyle's involvement in the book's composition. Regardless of his actual input into the effort, after the first edition of Boyle's *Dr. Bentley's Dissertations* appeared in early 1698 the reading public generally agreed that its young 'author' did not deserve the ill treatment and 'plain and so publick an Affront' he had received from Bentley.¹⁶⁸ Harsh insults and vindictive rancour were hardly

¹⁶²The Vice-Chancellor of Oxford forced Alsop to remove an insulting reference to Bentley in the preface to his translation of the *Fables*. Alsop begrudgingly complied, and the translation was published in 1698; see Bodl., MS Ballard 13, f. 18; Bodl., MS Ashmolean 1815, f. 326; Nichols, *Literary Anecdotes*, ii, 235.

¹⁶³Bennett, *Atterbury*, p. 41.

¹⁶⁴*Letters from a Late Eminent Prelate to One of His Friends* (London: for T. Cadell & W. Davies, 1808), pp. 9-10. William Warburton, Bishop of Gloucester, to Richard Hurd, Bishop of Worcester, 19 Aug. 1749; *idem*, quoted in *Literary Anecdotes*, v, 86; and *Memoirs of Atterbury*, i, 41.

¹⁶⁵Monk, i, 89, is not specific as to the extent of Boyle's contribution. Monk also claims that Smalridge, rather than King, was responsible for pp. 184-201 of Boyle's *Dissertation*, but King's authorship is convincingly proven by Horne, pp. 289-303.

¹⁶⁶*Epis. Corr.*, ii, 21-23. Atterbury to Boyle, addressed to Lady Orrery's, Park Place, London; Monk, i, 109-10.

¹⁶⁷*Memoirs of Atterbury*, i, 42.

¹⁶⁸Bentley was later condemned for replying to the 'reflexion of a private Gentleman with the general abuse of the Society he belong'd to' with the 'manners of a dirty Boy upon a Country

appropriate forms of criticism for the efforts of a young, inexperienced scholar such as Boyle. It should not be forgotten that the genuineness of the *Epistles of Phalaris*, initially a subject of fundamental importance for both sides and one toward which Bentley had devoted many trenchant pages, was never maintained by Boyle; indeed, he made strong assertions to the contrary, painstakingly compiling a list of arguments pro and con, quoting contradictory opinions and even adding his own reservations. In both his translation's preface and in the resulting response to Bentley, Boyle proclaimed: 'I have not anywhere in my Book asserted, that the *Epistles* which carry Phalaris's name, are genuine; and I am not therefore engag'd to defend their Reputation against the Attacks of Dr. Bentley, or any other person'. Boyle modestly stressed that when he undertook the translation he 'wished well to Learning [rather] than profess'd it'.¹⁶⁹ Boyle did not pronounce the *Epistles* 'spurious', but only strove with 'Caution and Reserve...which I thought became a Young Writer' to let others form a judgement.¹⁷⁰ As Levine has rightly indicated, Boyle probably inspired his adversary's attack on the *Epistles* and even 'stimulated Bentley's thinking' on their spurious nature.¹⁷¹ One is forced to speculate whether the controversy would have occurred at all but for Boyle's prefatory remarks. Another factor was Temple's unschooled and rash comments, and his public proclamation of the authenticity of Phalaris.¹⁷² Along with these factors, Boyle's behaviour must be seen as disproportionately affected by his tutors' guidance and his own desire to curry favour with Temple.¹⁷³ These hopes ultimately seem to have been realised,¹⁷⁴ for the young writer was invited to Temple's country retreat in Surrey in the summer of 1698.¹⁷⁵

Green': see Atterbury's *Short Review*, p. 45.

¹⁶⁹Boyle, preface (unpaginated); Hiscock, pp. 53-55; Jebb, pp. 56-57. Monk and Macaulay conveniently gloss over this point.

¹⁷⁰Boyle, preface; Brink, pp. 51-53, makes much of how Boyle 'loved the book and wished it might be genuine', yet then relates how Boyle had no 'settled views'; cf. the source of these remarks, Boyle's *Phalaris*, preface; *idem*, cited by Jebb, p. 58.

¹⁷¹Levine, *Battle of the Books*, p. 52.

¹⁷²*Memoirs*, ii, 185-88; *Works*, i, 151-69; Homer E. Woodbridge, *Sir William Temple: The Man and His Works* (New York: Modern Language Association, 1940), pp. 316-17.

¹⁷³See his comments and praise for Temple in Boyle's *Dissertations*, preface. Temple began his own reply to Wotton and Bentley in the mid-1690's, but it was apparently incomplete at his death in 1699: Woodbridge, p. 315.

¹⁷⁴For Temple's delight at reading Boyle's 1698 response to Bentley see Temple's letter to Swift, 30 March 1698, printed in A.C. Guthkelch and D. Nicholl Smith, eds., *The Battle of the Books* (London: Chatto & Windus, 1908), p. xlv; and *Short Account*, p. 140.

¹⁷⁵Whether Boyle visited Temple there or in London is uncertain. A transcript letter from Temple to Boyle at his mother's house in Park Place, London, 17 July 1698, can be found in the 36 volume collection of Orrery Papers in the Houghton Library, Harvard University, MS Eng. 218.2,

Dr. Bentley's Dissertations was a phenomenal success when it was published early in 1698. It appealed to readers who possessed sufficient academic background to be vaguely aware of its issues, but who lacked the classical training to enable them to pass sentence on the evidence marshalled by the opposing sides. For months the book and the controversy which had provoked its composition were the primary topics of conversation.¹⁷⁶ Several editions of *Dr. Bentley's Dissertations* appeared in subsequent months.¹⁷⁷ There soon followed an assortment of works espousing Boyle,¹⁷⁸ and a few siding with his Cambridge adversary.¹⁷⁹ The most renowned of the pro-Boyle works was by an obscure cleric named Jonathan Swift.¹⁸⁰ Bentley did not rest on

v, 10-11; and an ambiguous and inaccurate facsimile (with no author given) is printed in the selectively-edited collection of some of the same manuscripts by Emily Charlotte DeBurgh-Canning, Countess of Orrery, ed., *The Orrery Papers* (2 vols., London: Duckworth & Co., 1903), i, 21; it is also printed in A.C. Elias, Jr., *Swift at Moor Park: Problems in Biography and Criticism* (Philadelphia: University of Pennsylvania Press, 1982), pp. 253-54, n. 113.

¹⁷⁶Smalridge's remarks exemplify the reasons for Boyle's book's popularity. He believed that Bentley's 'great lashes and arrogance have made him much despised there [Cambridge]...all persons of quality and good breeding will declare against him, when it shall appear how clownishly, and unlike either a gentleman or a scholar, he has treated Mr. Boyle and Sir William Temple, who have something at least of both'; see John Nichols, *Illustrations of the Literary History of the Eighteenth Century* (8 vols., London: Nichols, Son, and Bentley, 1817-58), iii, 268-69. Smalridge to Walter Gough, Oxford, 22 Feb. 1698. (Smalridge's emphasis); such attitudes are mirrored elsewhere, e.g. Bodl., MS Smith 59, f. 363; and Bodl., MS Ballard 5, f. 71. Edmund Gibson to Charlett, 26 March 1698, who praised Boyle's unparalleled combination of 'wit, language, argument and learning'.

¹⁷⁷The second in June 1698; the third, June 1699; *Term Catalogues*, iii, 60, 83.

¹⁷⁸Pro-Christ Church works included [John Milner], *A View on the Dissertation Upon the Epistles of Phalaris...* (London: by H.C. for J. Jones, 1698), who (pp. 45-78) defended Boyle's mistakes by attributing them to printing errors; William King, *Dialogues of the Dead* (London: A. Baldwin, 1699); and the anonymously-authored *Short Account* (cited above, p. 20, n. 100), which was devised as a counter-blow to Bentley's 1699 *magnum opus*; and [Atterbury's] *Short Review*; also see Bennett, *Atterbury*, p. 42; Levine, *Battle of the Books*, p. 107.

¹⁷⁹Works favourable to Bentley included: *A Free but Modest Censure of the Late Controversial Writings and Debates* (London: n.p., 1699); and the work by T.R. (attributed to Thomas Rymer), *An Essay Concerning Critical and Curious Learning...* (London: for R. Cumberland, 1698), pp. 55-68, which, while branding Aldrich as 'notorious' for having employed Boyle to be 'made a child of' for such 'malicious ends,' defended Boyle's right to respond to Bentley as he had done, if in fact the doctor had denied Bennet access to the manuscripts.

¹⁸⁰I.e., *A Full and True Account of the Battel Fought Last Friday Between the Antient and Modern Books in St. James Library*, was written between 1696 and 1698 while Swift was serving as secretary to Temple, but not published, however, until 1704; see Ehrenpreis, i, Chs. 2, 4; David Nokes, *Jonathan Swift, a Hypocrite Reversed: A Critical Biography* (Oxford: University Press, 1985), p. 43; Monk, i, 114, says both this work and *Tale of a Tub* were written to 'soothe the mortified feelings' of Swift's patron.

his laurels, however. Even before the Christ Church collaboration was published one Oxford intellectual expressed misgivings about Bentley's preparations for his own response.¹⁸¹ In 1699 the decisive counterblow was delivered: a mammoth 600-page retaliation.¹⁸² It too was later seen for the pinnacle of classical exposition which it embodied, yet it was also largely ignored or ridiculed at the time of its publication. Public reaction to Bentley's latest work, which was particularly hostile in its insults toward Boyle and the Christ Church circle,¹⁸³ only reiterated previous conclusions. The young noble champion and his college had been awarded the laurels of victory by educated English society, and a concomitant of their victory was the widespread acclamation of Boyle's name to celebrity status. Even a poem attacking the apothecary profession--an occupation seemingly quite removed from a controversy over divergent opinions on the authenticity of a classical text--and written by Boyle's friend, Dr. Samuel Garth, could not escape the insertion of one thinly-veiled insult directed at the despicable Dr. Bentley.¹⁸⁴ Shortly after Bentley's second repudiation of Phalaris one enterprising editor capitalised on the letters' lingering popularity with an English translation which sang their praises and maintained their authenticity.¹⁸⁵ And as late as 1749, Thomas Francklin, a fellow of Bentley's own Trinity College, Cambridge, published an English translation of Phalaris which was dedicated to Boyle's son and heir, John, 5th Earl of Cork and Orrery. Francklin praised the *Epistles*, argued they were indeed genuine, and vindicated the 'foolish opinion' that Charles Boyle received assistance in his efforts

¹⁸¹Oxonian Tancred Robinson warned: 'I am afraid he will expose the University, which I am very sorry for'; Bodl., MS Ashmolean 1817a, f. 341.

¹⁸²See Bentley's *Answer*, cited above, p. 21, n. 107.

¹⁸³Bentley directed an especially ironic and personal aspersion toward Boyle and Aldrich when he commented on the latter's flawed logic, implying that if Aldrich's manual had inspired the arguments Boyle had used in determining the authenticity and chronology of Phalaris, then Bentley preferred the more dated variety: Jebb, p. 68.

¹⁸⁴Educated at Peterhouse College, Cambridge, Garth, whom Samuel Johnson described as 'an active and zealous Whig', was a friend of both Atterbury and Boyle; see *Memoirs of Atterbury*, i, 82-83; Samuel Johnson, *The Lives of the English Poets*, George B. Hill, ed. (3 vols., Oxford: Clarendon Press, 1905), ii, 60-61; *Alum. Oxon.*, ii, 551; Shrells, iii, 263, 271; and Harvey J. Cushing, *Dr. Garth: The Kit-Cat Poet, 1661-1718* (Baltimore: The Lord Baltimore Press, 1906). For remarks about Boyle and Bentley in Garth's poem, *The Dispensary*, see below, Ch. 11.

¹⁸⁵John Savage, *A Select Collection of Letters of the Antients...originally by Phalaris, Solon,... Whereby is Discover'd the Morality, Gallantry, Wit, Humour, Manner of Arguing, and in a Word the genius of both the Greeks and Romans* (London: for J. Hartley; F. Coggan; W. Davis; R. Gibson; and T. Hodgson, 1703).

against Bentley in the 1690s.¹⁸⁶

By 1698 and the publication of *Dr. Bentley's Dissertations* the controversy between Oxford and Cambridge had risen to great heights. Many members of the academic community relished the fervour with which the adversaries had waged their literary combat, and greatly enjoyed their witty outpourings, but they had regretted the hostility the compositions had generated. Intellectuals who initially greatly admired Bentley's proficiency in Greek would likely have remained favourable to him, had they not been repelled by the haughty and obnoxious condescension which characterised both of his responses to Boyle. In late 1697, just before the publication of *Dr. Bentley's Dissertations*, the Chancellor of Christ Church, Dr. Thomas Smith, remarked that Bentley's tone had proven a 'great blemish to him & takes very much off from that excellence (sic) wch [is] otherwise due him for his great skill in the Greek tongue'.¹⁸⁷ Some years later in 1710, Thomas Hearne made a similar assessment based on an opposite perspective. Reflecting on Atterbury's literary abilities, Hearne admitted he was possessed of a 'sharp pen', but thought his learning superficial and lamented how his 'Affectation of Wit & Satyr' and his 'witty expressions' were inappropriate for serious academic subjects and more suited for 'juvenile essays'.¹⁸⁸

By 1699 some observers felt sufficient altruism to adopt the role of peacemaker between the aggrieved parties. A letter from Greek scholar Thomas Dodwell, an acquaintance of Bentley, reveals much about the Doctor's irascibility and Boyle's unwitting involvement and absence of malice. Dodwell, who was also interested in Phalaris,¹⁸⁹ was rumoured to have been approached about making a contribution to the Christ Church response to Bentley in 1697, but appears to have declined.¹⁹⁰ Bentley had written to Dodwell in 1698 with a query about Phalaris and later presented Dodwell with a copy of his own book,¹⁹¹ whereupon Dodwell

¹⁸⁶Bentley must have rolled over in his grave the following year when Francklin was elected Regius Professor of Greek: Jebb, pp. 81-82.

¹⁸⁷Bodl., MS Smith 60, f. 63. In his preface Whateley lamented that 'Worthy Men be made the mock of Fools, because they that make them so write Things so wretchedly trifling that a Man who hath any regard to his own Reputation would be ashamed of having so mis-employed his time as to answer them.'

¹⁸⁸Hearne, iii, 108.

¹⁸⁹For Dodwell's scholarly background, his opinions on Phalaris and his clashes with Bentley see Levine, *Battle of the Books*, pp. 76-77, 93-97.

¹⁹⁰Bodl., MS Smith 60, f. 65.

¹⁹¹*The Carl Pforzheimer Library: English Literature, 1475-1700* (3 vols., New York: Biblio Corporation, 1940), iii, 1153-54. Bentley to Dodwell, St. James, 10 May 1698; *idem*, cited in Levine, *Battle of the Books*, p. 77.

complimented his scholarship but chastised his lack of 'Christian humility'. Doubting that Bentley really thought the Christ Church wits 'contemptible', Dodwell none the less agreed with his contention that Boyle's 'second hand' information had been the primary cause of the quarrel,¹⁹² and, in the interests of scholarship, Dodwell proceeded--apparently with Bentley's tacit encouragement--to arrange a reconciliation between him and his Christ Church foes.¹⁹³ In a long letter to Boyle, Dodwell professed disinterest in everything but that object. Despite his failure at having made Boyle's acquaintance before composing his letter, Dodwell emphasised his awareness of Boyle's 'temper so averse to quarrells' and his 'generous disposition to a reconciliation from the beginning'. Dodwell appealed to Boyle so that the 'Charity of the Christian' would overcome the 'Resentment of the Gentleman', in hopes that Boyle would accept his offer of mediation, authorised by Bentley, and judge him 'without prejudice from any informations from other hands, Especially when he lets you know by the publick that whatever you have complained of is not likely to be any precedent to him'. Most significantly, Dodwell suggested 'the heats have been occasioned...by the intervention of another, as promising himself a better event of it if it had been carryed on by Letters from yourself',¹⁹⁴ perhaps an allusion to Bennet's intentional false representation of the sequence of events in order to reap profits from the academic squabble.

The effects of Dodwell's intercession with Boyle are unclear, but he certainly prompted him to consider a reconciliation at the very least. The notoriety and bitterness generated by numerous publications must have rendered a public cessation of hostilities extremely unlikely. One of Bentley's biographers, however, has recorded a tradition that sometime after 1703 Boyle actually visited his former adversary at Cambridge. Circumstantial evidence also exists that implies mutual esteem, if not an actual reconciliation, between the two in the early 1720s.¹⁹⁵ An anonymous work dating from 1721 remarked that 'as a Secret, Doctor Bentley has the greatest Deference for his *Noble* Adversary, both as a Person of eminent Parts and Quality; and I dare say his *Noble* Adversary [i.e. Boyle] thinks of Doctor Bentley as of a Person as Great in Critical Learning, as England has boasted of for many Centuries'. Other comments imply familiarity with the composition of the first Christ Church response to

¹⁹²Bodl., MS Cherry 22, ff. 61-62.

¹⁹³Dodwell's efforts at mediation between Bentley and Christ Church are discussed in Levine, *Battle of the Books*, pp. 93-96.

¹⁹⁴Bodl., MS Cherry 22, f. 63.

¹⁹⁵Jebb, pp. 84-85; Monk ignored these rumours.

Bentley and suggest that the 1721 publication may have been authored by Boyle himself.¹⁹⁶

As to Boyle's culpability in provoking the controversy, recent judgements which accuse him of deliberately insulting Bentley must be qualified and his actions understood in their historical context. The prefatory remark was certainly inserted deliberately and was understandably perceived as insulting, yet considering the position in which Boyle found himself and the information about the incident at his disposal, his actions are, at least, more clearly understood, even if somewhat unjustified. Boyle did question the wisdom and the intellectual merits of a rebuttal, and he probably had the best knowledge of the *Epistles* among those involved. It is not difficult to envisage Boyle being overruled by the imperious Atterbury and his other tutors and in the name of collegiate pride and rivalry. Boyle was probably urged on even upon receipt of Bentley's apologetic, albeit insincere, letter; thereafter he was consistently hesitant and wary of the attempt to rebut Bentley's arguments.

The controversy is perhaps best explained by a comment in Dodwell's letter to Bentley, written after mediation had clearly failed: 'It is a great temptation to desingenuity both to yo'self and yr. Adversarys, when both sides are more concern'd for Reputation than Truth'.¹⁹⁷ Through a complicated, almost farcical sequence of events, compounded by what to modern readers may seem excessive pedantry and petty misunderstandings, Boyle's name became immortalised. That this had occurred as the result of a private academic quarrel concerning issues which most Englishmen could not even fathom and which Boyle technically had lost, was immaterial. The Boyle-Bentley controversy demonstrated that in late seventeenth-century England wit and ingeniously-sarcastic prose counted for more than the logic and persuasion of recondite learning. Bentley was certainly victorious in the long run, but his hollow triumph was first and foremost a scholarly and philological one, and its significance would only gradually be recognised.¹⁹⁸

A detailed examination of the controversy is absolutely necessary because its effects

¹⁹⁶*The Apothecary's Defence of Dr. Bentley, In Answer to The Spy: Together with some Observations, Moral and Critical upon the Fable of the Jackdaw in Peacock's Feathers; Particularly address'd to the Author of The Spy* (London: for J. Roberts, 1721), p. 36. The title of this work is also interesting when one recalls Boyle's interest in pharmacology.

¹⁹⁷Bodl., MS Cherry 23, f. 159, 24 June 1699.

¹⁹⁸Opinions about the Ancients' victory were by no means universal, and many were transformed with the passage of time. Furthermore, not all critics of Bentley were automatically pro-Boyle. Hearne, iii, 76, gives a good example of this in his remarks about a conversation with mathematician and astronomer, Dr. Edward Bernard, a fellow Oxonian who disliked Bentley but still thought Phalaris spurious and the Christ Church wits 'bad Criticks'; cf. Bodl., MS Smith 47, ff. 157, 206; Levine, *Battle of the Books*, p. 69.

upon Boyle's career were of profound significance. His misguided and near arbitrary and irrelevant defence of Phalaris and his public ridicule of Bentley, became the Ancients' *cause célèbre*. Boyle's name became commonplace in intellectual circles across Western Europe. As for the implications of the controversy concerning Boyle himself, the unfavourable treatment given to him by pro-Bentley biographers and classicists requires tempering. Levine's recent interpretation goes some way in the right direction.¹⁹⁹ With little malice and no premeditation, Boyle committed a misjudgement of youthful naiveté, reflecting his social rank and largely attributable to the preponderant influence of his tutors and his collegial loyalties, and encouraged by the generally-pervasive subordination of the spirit of modern scientific enquiry to the social conformities of his day. Not unlike some modern literary work which is banned and then acquires advanced notoriety and commercial success, Bennet, perhaps unwittingly in the initial stages, may have transformed a rather simple misunderstanding over the manuscript into an incident which he could eventually convert into publishing success. Less discernible personal animosities and motives may have obscured the issues and possibly provoked the primary antagonists, but evidence for these is speculative, largely circumstantial and inconclusive. Notwithstanding remaining uncertainties, it can be concluded that Boyle had achieved notoriety among those who could expedite his political career. All that remained for him to do now was to seek out the proper office and apply accordingly in the appropriate places. He had taken a significant step toward making his fortune.

¹⁹⁹Levine, *Battle of the Books*, p. 50.

'when mercenary Men creep into the House by such Unwarrantable ways and have power of voting in all publick affaires...and the publick is only made use as a pretence...they who have bought their places with mony will be ready to sell their Voices for Mony'.

BL, Add. MS 27440, f. 150. Richard Allestree, 1703.

A Petition of John Pedley, Esquire was presented to the House and read; setting forth, That, at the election of Burgesses to serve in this present Parliament for the borough of Huntingdon, the Petitioner Francis Wortley, and Charles Boyle, Esquires, stood candidates; at which Election, a Peer of this Realm, with the Assistance of others, with Swords & Clubs, did menace, assault, and strike the Recorder of the said Borough [Francis Wortley] and others of the Petitioner's Voters; some being wounded, others durst not appear and some were carried under a strong Guard to give their Votes for Mr. Boyle; but were not permitted to give their Second Votes, which they would have done, for the Petitioner; and would have been for the Petitioner; and were carried back by the same Guard, and locked up, so that the Petitioner, nor his friends, could speak with them; by which undue practices, contrary to the Liberties of the Subject, the Majority fell on Mr. Boyle, which otherwise would have been for the Petitioner: And praying the House to take the Premises into consideration.
CJ, xiii, 333, petition, 15 February 1701, O.S.

where do we see any man who purely out of love to his Country acts on Steady Principles, & without respect to his private Interest?...honest ambition...is now degenerated into Interest and faction and the name of Patriot no otherwise affected than to blind the people & serve our particular ends. I begin to think that all Mankind follow their particular humours in everything they do.

BL, Add. MS 47025, f. 106v. Perceval to Dr. Smallbrooke, Dublin, 9 Dec. 1708.

Interpretations of the years encompassing Charles Boyle's parliamentary career rank them among the most interesting and the most discordant in British political history. The Triennial Act of 1694 instituted constitutional guarantees requiring regular general elections. Thereafter, electoral frequency, though hardly any measure of tranquility, was certainly the norm for the period; an unprecedented ten general elections were held in the two following decades. Furthermore, the number of constituencies in which elections were contested was greater than for any other period during the existence of the unreformed House of Commons. One recent study concluded that in the ten elections held from 1695 to 1715, only 21 constituencies went uncontested.¹

Nor were these hotly disputed elections simply struggles for places, social status, material gain, or political power. Deeply divisive ideological issues fundamental to men from all levels of the social stratum, regardless of their membership in the relatively narrow ranks of the enfranchised, characterised the fervent electoral battles waged during these

¹W.A. Speck, 'The Electorate in the First Age of Party', in Clyve Jones, ed., *Britain in the First Age of Party, 1680-1750: Essays Presented to Geoffrey Holmes* (London: Hambledon Press, 1987), p. 47; also see the two premier studies of the period, Geoffrey Holmes, *British Politics in the Age of Anne*, Rev. ed. (London: Hambledon Press, 1987); and W.A. Speck, *Tory and Whig: The Struggle in the Constituencies, 1701-1715* (London: Macmillan, 1970).

general elections. Lingering effects of the Revolution Settlement of 1688-1689, serious questions about the future of the Anglican Church's privileges, the status of Protestant Dissenters and the implications posed by their increased toleration; Britain's increasing entanglement in European affairs; perennial concern over government patronage; and divisions over the succession to the throne combined to fire men's passions and intensify the 'rage of party' that was so clearly at the heart of the political contests of the day.

Charles Boyle's early political career is concerned with three spheres of activity. Two of these, his early service as an Irish MP in Dublin, and his appointment to a minor post in the Treasury, are relatively insignificant. His election to the House of Commons, however, is more important. Circumstances surrounding his initial election as MP for Huntingdon in 1701 are unique in several ways. They not only exemplify the contentious nature of Augustan politics but, as with so many aspects of Boyle's public career, an examination of these circumstances provides a fascinating glimpse into the electoral, political, and social structures prevalent in Britain in the early eighteenth century.

I

Charles Boyle's political career began amidst the confusion of the early stages of the Phalaris Controversy. Although evidence for his activities following the publication of his translation of Phalaris is scant, sometime during these months he must have undergone a change of opinion as to the consequences of seeking his fortune in Ireland. On 13 August 1695 Boyle was elected as one of two MPs representing Charleville borough in the Irish House of Commons in Dublin.² He may have sought to follow his brother Lionel's example, whose own parliamentary career was also launched in 1695. Contrary to their paternal grandfather's activities, Boyle's participation and impact in Irish politics was negligible. He was apparently absent when elected,³ while his fellow member for Charleville, John Ormesby of Athlacca, was fending off accusations of electoral improprieties.⁴ There were no such allegations against Boyle, but at nearby Askeaton, a manor within the Orrery estates, a

²BL, Add. MS 9715, ff. 17-18; *Members of Parliament*, 2, p. 609; Gibson, ii, 277; Tenison, 'Cork MPs', i, 118.

³*CJ Ire.*, ii, 490.

⁴Ormesby was the grandson of Arthur Ormesby, who had received large grants of land in Cork and Limerick in 1665: Tenison, 'Cork MPs', ii, 137.

petition was lodged against the appearance of voters who 'were poor papists, many of whom could not speak English'.⁵

Boyle also does not seem to have attended the House in the busy early weeks of the session.⁶ He is included on a list of MPs absent in England and ordered to attend the Irish House within a month's time which was presented on 26 September 1695.⁷ The biography of Boyle for the forthcoming volumes of the History of Parliament's *The House of Commons, 1690-1715*, questions whether he ever took up his seat in Dublin.⁸ Admittedly, the evidence is sketchy, but it seems sufficient to confirm a limited attendance. Boyle wrote in his *Dissertations* that soon after the publication of Bentley's *Dissertation* in 1697 he was 'call'd away into Ireland' to 'attend the Parliament there. The publick business and my own private affairs, detain'd me a great while in that kingdom'.⁹ This implies a brief attendance during part of the 1697 session. Boyle is listed with members who professed loyalty in the wake of an unsuccessful assassination attempt on William III in 1696.¹⁰ On another occasion Boyle sought permission of the House to spend a month in the country to recover his health.¹¹ It should also be noted that the Irish House sat much less frequently than its English counterpart, and

⁵*CJ Ire.*, ii, 148; and *idem*, cited in J.G. Simms, 'Irish Catholics and the Parliamentary Franchise, 1692-1728', *Irish Historical Studies*, xii (1960-61), 28-37.

⁶Thirty bills were transacted on a single day on 24 Oct. 1695: BL, Add. MS 9715, ff. 22-23. For recent discussions of Irish politics during this period see J.G. Simms, 'The Establishment of Protestant Ascendancy, 1691-1714', *A New History of Ireland*, T.W. Moody and W.E. Vaughan, eds., iv, *Eighteenth-Century Ireland, 1691-1800* (Oxford: Clarendon Press, 1986), pp. 1-30; *idem*, *War & Politics in Ireland, 1649-1730*, D.W. Hayton & Gerard O'Brien, eds. (London: Hambledon Press, 1986); and David Hayton and D. Szechi, 'John Bull's Other Kingdoms: The English Government of Scotland and Ireland', in Clyve Jones, ed., *Britain in the First Age of Party 1680-1750: Essays Presented to Geoffrey Holmes* (London: Hambledon Press, 1987), pp. 259-68.

⁷*CJ Ire.*, ii, 490.

⁸Although I disagree with some of his conclusions, I am very grateful to Dr. David Hayton, editor of the forthcoming *House of Commons, 1690-1715*, for allowing me to consult a draft of his biography on Orrery and the section dealing with the Huntingdon constituency.

⁹See Boyle, preface; *idem*, cited in Jebb, pp. 58-59.

¹⁰For the Irish Parliament's compliance in the 1690s see HMC, *The Royal Commission on Historical Manuscripts Report on the Letter-Books of William King (1650-1729)* (4 vols., London: Royal Commission on Historical Manuscripts, 1983), iv, 121; and [James Ralph], *The History of England: During the Reigns of K. William, Q. Anne, and K. George I* (2 vols., London: Daniel Browne, 1744-46), ii, 763.

¹¹*CJ Ire.*, ii, 641, session of 28 March 1696; *ibid.*, 717, session of 15 Sept. 1697. At the same time, there were MPs like St. John Brodrick, who was elected for Midleton in 1695. Brodrick was a barrister who handled legal affairs for Lady Mary, the dowager Countess of Orrery (and who may have been her lover), and made arrangements for Boyle's education, was excused 'by reason of sickness' and did not sit at all: see Tenison, 'Cork MPs', i, 177.

these irregular sittings and the Phalaris response obliged Boyle to return to England and contributed to his erratic participation.¹² On 1 December 1697 the Irish Parliament was prorogued and ordered not to reconvene until September 1698.¹³

Since Boyle was not allowed the occasion of making the traditional Grand Tour, it was important that he travel and acquire some of the cosmopolitan flair characteristic of an Augustan gentleman. The prorogations left Boyle no longer fettered by his vexatious responsibilities in Dublin, and free to enjoy a journey abroad if he fancied. He used this opportunity to make a trip to France which merits discussion because of the relationships which were cultivated as a result. Prospects for foreign travel at this time were opportune, as they corresponded with the long anticipated cessation of hostilities in Europe. The Treaty of Ryswick had ended the largely indecisive War of the League of Augsburg. After many years the gaiety of Paris and the opulence of Versailles were again accessible to foreign visitors. Boyle was one of many Englishmen who took advantage of this turn of events. Perhaps the most important of those who travelled to Paris was the newly-appointed English ambassador to France, the 1st Earl of Portland. His entourage of attendants and courtiers was phenomenal,¹⁴ and the magnificent embassy reportedly cost more than £80,000.¹⁵

The regal embassy's movements would be irrelevant to the present study except that a dozen young gentlemen accompanied the ambassador at 'their own expense', figures who would play prominent roles in British affairs during Queen Anne's reign and thereafter. In addition to Charles Boyle, these included Thomas Wentworth, Baron Raby,¹⁶ and Colonel James

¹²See above, Ch. 1, pp. 28-30.

¹³*CJ Ire.*, ii, 770, 870.

¹⁴Attending Portland's embassy were nearly a hundred servants: see Joseph McCormick, ed., *State Papers and Letters Addressed to King William Carstares, Confidential Secretary to King William III during the Whole of his Reign* (Edinburgh: for W. Strahan & T. Cadell, 1774), pp. 372-74. M. Van Leven to Carstares, Paris, 28 April 1698: 'the French confess they never saw so much splendour'; cf. Bodl., MS Ballard 33, f. 15.

¹⁵Portland was recalled and had returned to Kensington Palace by June: John Dalrymple, *Memoirs of Great Britain and Ireland* (3 vols., London: T. Strahan & T. Cadell, 1790), iii, 118-19; for other accounts of the Paris embassy see that by contemporary Huguenot emigre-author and journalist Abel Boyer, *The History of King William III* (3 vols., London: A. Roper & F. Coggan, 1703), iii, 279, 335-36; and Matthew Prior, *The History of His Time* (London: for Adrian Drift, 1740); and biographies by Charles Kenneth Eves, *Matthew Prior: Poet and Diplomatist* (New York: Columbia University Press, 1939), pp. 102-04; and L.G. Wickham Legg, *Matthew Prior: A Study of His Public Career and Correspondence* (Cambridge: University Press, 1921; Rpt. New York: Octagon Books, 1972), pp. 82ff.

¹⁶Wentworth (1672-1739), later created Earl of Strafford, was a relative of the famous Strafford executed in 1641 and was awarded his ancestor's title in 1711. He had surprisingly little formal education. After lengthy military service in Flanders in the 1690s, he was

Stanhope.¹⁷ Also making the journey were Boyle's friend (now Colonel) Christopher Codrington, and Spencer Compton.¹⁸ Boyle arrived in Paris in early spring. Accompanied by Compton and Codrington,¹⁹ the rakish young bachelors' stay extended throughout the summer as they partook of the myriad diversions available in Paris. Boyle and his friends took exceptional delight in French wine and Parisians of the female variety. Portland's secretary and Boyle's friend, Matthew Prior,²⁰ once cautioned him as to whether some of the 'succulent ladies' with whom they were acquainted were not actually French spies.²¹ Boyle also almost certainly spent time at the Paris residence of Lady Sandwich, his cousin's wife, which was frequented by members of both English and French society.²²

Whether Boyle continued onward to Dublin to attend to his parliamentary duties after

appointed A.D.C. to William III in 1695 and held numerous other posts, including: Groom of the Bedchamber, 6 May 1695 to 8 March 1702; cr. 4th Baronet and then Baron Raby 16 Oct. 1695; Colonel, Royal Regiment of Dragoons, 30 May 1697; Major General, Jan. 1704; Lt. General, Jan. 1707; appt. Envoy, May 1701, and Envoy Extra. 1703-05, and Amb. Extra. to Berlin, 1705-11; Amb. Extra. and Plen. at The Hague 1711-14; Amb. and Plen. to Utrecht 23 Dec. 1711. Articles of impeachment were presented against him in the Commons Aug. 1715 but not acted upon. He was one of Orrery's Jacobite co-conspirators in the 1720s; see *Complete Peerage*, xii, 329-30; Collins, *Peerage*, iv, 286-92; and *Dip. Reps.*, pp. 103-04, 160. Strafford's diplomatic career was recently examined in Mark C. Herman, 'Sir Thomas Wentworth, Third Earl of Strafford, and the Treaty of Utrecht, 1711-1713' (Unpublished Ph.D., University of South Carolina, 1988).

¹⁷Stanhope (1673-1721), cr. 1st Earl Stanhope 1718, unlike most leading Whigs in the eighteenth century, attended Trinity College, Oxford. In 1698 he was appointed 2nd Secretary to the Paris Embassy; *Complete Peerage*, xii, pt. 1, pp. 229-33. For Stanhope and Prior in Paris see Basil Williams, *Stanhope* (Oxford: Clarendon Press, 1932), pp. 21-23.

¹⁸Compton (1674-1743), ed. St. Paul's, and matriculated to Oxford 28 Feb. 1690. He probably became acquainted with Boyle at one of these places, and along with his brother Lionel, 3rd Earl of Orrery, had stood as an unsuccessful candidate in the parliamentary elections held in 1695. Compton was also Whig MP for Eye 1698-1710; East Grinstead 1713-15; Sussex 1715-28; Chmn. of the Committee of Privileges 1705-10; cr. Baron, and then Earl of Wilmington, May 1730; K.G. June 1733; briefly replaced Walpole as Prime Minister 1741-42; see *Complete Peerage*, xii, 717-18; and *Members of Parliament*, i, 597, 604; ii, 5, 13, 44, 56.

¹⁹Bodl., MS Ballard 38, f. 19; cf. Charlett's letter to Boyle, 12 April 1698, begging the recipient to give his humble respects to Compton and Codrington, in *Orrery Papers*, i, 19-20; and the original in OPH, MS Eng. 218.2, iii, 8-10.

²⁰Boyle's friendship with Prior may have arisen out of his patronage by Dorset, who secured Prior's post as Secretary; Shrells, iii, 121.

²¹A letter addressed to Portland in 15 Sept. 1698 finds Prior recommending ladies to Boyle whom the former believed were 'whores rather than plotters'. Similar questions arose when several French women travelled to London following Boyle's return from France; HMC, *Calendar of the Manuscripts of the Marquis of Bath, Preserved at Longleat, Wiltshire* (3 vols., Hereford: for H.M.S.O. by Anthony Brothers, 1904-08), iii, 264; cf. OPH, MS Eng. 218.2F, i, 1. Prior to Boyle, Compton and Codrington, 15 Oct. 1698; and *idem*, printed in HMC, *Bath*, iii, 275.

²²Williams, *Stanhope*, p. 22. For more details on Boyle and Lady Sandwich see below, pp. 50-51, 59.

returning from Paris in the summer of 1698 is unclear. The prorogued session was scheduled to reconvene in September,²³ but, as with the earlier sessions, the extent to which mandatory attendance was enforced remains ambiguous.²⁴ Absentees were taken into custody in 1697 and 1698, and in early 1699 the Speaker of the Irish House ordered that if ten other MPs remained absent after Christmas they too were to be arrested.²⁵ A few days later on 21 January, several were taken into custody, although Boyle was not among them. By February Parliament had again been prorogued until late spring, only to be dissolved in June 1699.²⁶ Presumably, Boyle was attended these final sessions. As Boyle's service as MP for Charleville concluded, he also secured his first political preferment. In mid-October 1699 Treasury Commissioners designated Boyle as 'Receiver [General] of the Alienation Office',²⁷ a relatively minor branch of the Exchequer dating from the Middle Ages. Its once not insubstantial functions had included the collection of fines payable in the High Court of Chancery for the alienation (or transference) of land held of the Crown in chief; or for the collection of fines pardoning such a transference undertaken without the prerequisite licence. A Restoration statute abolishing feudal tenures had eradicated the need for the collection of fines and the administration of pardons for alienation. Thus, by the 1690s, both the Office's functions and its importance had greatly diminished, and although managed by the Treasury after May 1689,²⁸ the Office was still classified as a branch of the Chancery. The Alienation Office's business concerned 'all Writs of Covenant and Entry', the levying of fines, 'and Recoveries suffered'.²⁹

²³*CJ Ire.*, ii, 830.

²⁴In the 1690s absenteeism was widespread in both the Irish and the English House of Commons: Edward and Annie G. Porritt, *The Unreformed House of Commons: Parliamentary Representation before 1832* (2 vols. Cambridge: University Press, 1909), ii, 423. Commenting on the 'rampant' absenteeism in the English House of Commons at this time, a more recent authority on the parliamentary history of the period states that for William III's reign the average attendance was less than half of the Commons' total membership: Henry Horwitz, *Parliament, Policy, and Politics in the Reign of William III* (Manchester: Manchester University Press, 1977), p. 323.

²⁵BL, Add. MS 29581, ff. 203, 281, 285; BL, Add. MS 29582, f. 38.

²⁶The order was issued 13 Jan. 1699; *CJ Ire.*, ii, 874, 880, 887; BL, Add. MS 38151, f. 37.

²⁷PRO, T53/14/454; *CTB*, xv, 15.

²⁸S.H. Steinberg, *et al*, eds., *A New Dictionary of British History* (London: Edward Arnold, 1963), p. 8; *cf.* the brief history of the Office in M.S. Giuseppi, ed., *Guide to the Contents of the Public Record Office* (2 vols., London: H.M. Stationery Office, 1963), i, 139.

²⁹*A New and Compleat List of Officers, Civil and Military, in Great Britain...* (London: for Abel Roper & Robert Gosling, 1714), preface, and p. 22.

The identity of Boyle's patron and the process by which the appointment was secured are uncertain. One explanation is that it resulted from Temple's influence, which Boyle had earlier pursued so vigorously.³⁰ His favour with Temple was certainly thought sufficient to further his objectives,³¹ yet Boyle may have overestimated Temple's influence,³² whose connections with successive Stuart monarchs appear to have left him somewhat estranged from the court by the 1690s.³³ Another possibility is that the appointment came through the influence of Boyle's uncle, the Lord Chamberlain, Lord Dorset. Initially it was reported that Boyle was replacing a deceased Commissioner of Appeals for the Excise, Sir William Honeywood. But false rumours reporting Honeywood's 'death' were retracted and Boyle was then awarded a vacancy in the superior post in the Alienation Office caused by the death of Edward Nicholas. In his capacity Boyle was to receive an 'annuity' of £160, and two commissioners and several clerks were assigned to serve under him.³⁴

The Alienation Office does not appear to have been a markedly significant governmental department, nor does it seem to have promised further advancement. Modern exhaustive studies of both the Treasury and of English landed society during the period fail to mention the Office.³⁵ Due to its restricted functions, the Office's responsibilities appear rather minimal in comparison to other Crown offices. An annual average intake of revenue by the Alienation Office computed for a seven-year period ending in 1700, excluding adjustments for the salaries of its officers, indicated a paltry total of only £4,804. Boyle's patent as

³⁰See above, Ch. 1, pp. 18-19, 32, n. 175.

³¹In comments about Boyle crossing literary swords with Bentley Smalridge told an acquaintance: 'You will not think the character of Sir William Temple too great, when you find Mr. Boyle preferred to a good post by Sir William's interest for the compliment he has paid him; which is not unlikely he may'; Nichols, *Illustrations*, iii, 271.

³²P.A. Hopkins, 'Swift and Anne Long: Friendship, Scandal and a Missing Cache of Poems and Letters', *N & Q*, xxxvi (1989), 457, records Swift's description of Temple as a 'capricious and ultimately neglectful' patron.

³³Crippled with gout by the 1690s, Temple lived the life of a virtual recluse at his estate at Moor Park. His death in January 1699 occurred some months before Boyle's appointment. Temple wrote to Boyle in the summer of 1698 and invited him to visit Moor Park, but it does not appear Boyle accepted the offer; see Temple's letter in *Orrery Papers*, i, 21, dated 17 July 1698; *idem*, lacking a named addressee, in OPH, MS Eng. 218.2, iii, 10-11; *DNB*, xix, 527-29.

³⁴Luttrell, iv, 580, entry for the week of 7 Nov. 1699; *CTB*, xv, 18, 193; PRO, (Kew), T 53/15/256, Treasury Warrants Relating to Money, (Alienation Office).

³⁵Stephen B. Baxter, *The Development of the Treasury, 1660-1702* (Cambridge: Harvard University Press, 1957); Henry Roseveare, *The Treasury: The Evolution of a British Institution* (New York: Columbia University Press, 1969); G. E. Mingay, *English Landed Society in the Eighteenth Century* (London: Routledge & Kegan Paul, 1963).

Receiver General of the Alienation Office was renewed in July 1702.³⁶ He retained this meagre sinecure until at least 1714,³⁷ but frequent absences demonstrate that his obligation was largely delegated to underlings. Now 25 years of age, he had secured a place which can best be classified as a humble beginning; such an office would prove unsatisfactory to one with such great ambitions and illustrious ancestors. It is little wonder, then, that Boyle sought a more active role in the English political world: a seat in Parliament at Westminster.

II

Although Charles Boyle avoided the severe financial straits which often confronted the younger sons of peers with large families,³⁸ in 1700 he had limited prospects of inheriting his brother's title and estates.³⁹ At the same time, Boyle was an ideal prospective candidate for a parliamentary seat. Young, educated and of noble birth, his name was well known thanks to the controversy with Bentley and the notoriety which had resulted. Boyle's aspirations of acquiring a seat in the English House of Commons probably originated when he left Oxford; it is plausible that he accepted his Irish seat in 1695 as a temporary compromise. His brother Lionel's ambitions for an increased role in English affairs at this time were realised when he again secured his uncle Dorset's electoral patronage and was returned for the Sackville's borough seat of East Grinstead, Sussex, in the election held in July 1698.⁴⁰ Charles' admission to the Commons as a member for Huntingdon borough would be accomplished through another relative's influence.

Prior to 1832 voting qualifications displayed little geographical or jurisdictional

³⁶*CJ*, xiii, 420; *CTB*, xvii, 297; xxix, 139.

³⁷See below, Ch. 7, p. 286, n. 195.

³⁸Even after inheriting the Orrery estates, Boyle died deeply in debt: see below, Ch. 11.

³⁹In Feb. 1692 Lionel married his first cousin Mary Sackville, the natural daughter of his uncle Charles, Earl of Dorset and Middlesex, and a Mrs. Waldegrave, his mistress. After nearly a decade of marriage, there appears to have been no surviving children born to the couple; see Harris, *Dorset*, pp. 161-62.

⁴⁰Dorset himself held the seat as Lord Buckhurst from 1661-75: *House of Commons, 1660-1690*, i, 421-22; Lionel held it for only eight months, having served as replacement for a deceased member. Along with running mate Spencer Compton, he lost a bid for re-election in a hotly-disputed contest held later that year; Luttrell, iii, 567; *Members of Parliament*, 1, pp. 569, 576. In June 1697 Lionel took his seat in the Irish House of Lords: *A Collection of the Protests of the House of Lords of Ireland, from 1634 to 1770*, J. Almon, comp. (London: J. Almon, 1771), p. 29; *Complete Peerage*, x, 178.

uniformity. The complex arrangements in the prevailing categories of voting qualifications throughout boroughs in England and Wales included freemen boroughs, burgage franchises, and the less common residential and inhabitant qualifications. The latter two were often those most prone to abuse and corruption.⁴¹ In other towns voting privileges were granted only to members of the town's corporation and local government administration, like the mayor and town aldermen. The small, sparsely populated, largely rural county of Huntingdonshire returned four MPs to Parliament, two for the county and two for the borough. The latter's voting qualifications were a combination of the freemen and the inhabitant franchises, with privileges extended to resident householders who paid their local levy (scot and lot).⁴² Estimates vary as to the actual size of the Huntingdon borough constituency. Speck places the number at approximately 125 to 130 voters,⁴³ while several eighteenth-century sources--upon which he relies--place the number slightly higher at around 200.⁴⁴

While determining the exact size of Huntingdon borough's constituency may prove difficult, identifying the county's predominant electoral influences is a less formidable task. From before the Restoration until nearly a century after Boyle's election these influences emanated from representatives of two branches of the Montagu family: the Houses of Manchester and Sandwich.⁴⁵ In 1701 the former was headed by Charles Montagu, 4th Earl of Manchester, a distinguished soldier and diplomat who owned vast estates in the county and was

⁴¹Speck, *Tory and Whig*, p. 9, lists 19 such boroughs. Inhabitants who were enfranchised and not receiving any charity were known as those who could maintain their own kitchen pot, and thus were called 'potwallopers.'

⁴²Romney Sedgwick, ed., *The House of Commons, 1715-54* (2 vols., London: H.M.S.O., 1970), i, 264; Edward Griffith, ed., *A Collection of Ancient Records Relating to the Borough of Huntingdon, With Observations Illustrative of the History of Parliamentary Boroughs in General* (London: for H. Butterworth, 1827), pp. 5, 130-31. Discussions of the pre-Reform Act electoral system include Porritt, i; Speck, *Tory and Whig*, Ch. 1; L.B. Namier's *The Structure of Politics at the Accession of George III*, 2nd. ed. (London: Macmillan, 1960); and the more contemporary accounts in Browne Willis, *Notitia Parliamentaria: Containing an Account of the First Returns and Incorporations of the Cities, Towns, and Boroughs in England and Wales, That Send Members to Parliament* (London: Browne Willis, 1750), p. 27; and Thomas H.B. Oldfield, *An Entire and Complete History, Political and Personal, of the Boroughs of Great Britain* (3 vols., London: G. Riley, 1792), ii, 139, 143.

⁴³Speck, *Tory and Whig*, App. E, p. 128.

⁴⁴This discrepancy possibly reflects perceived increases in income and in the town's population: see John Stockdale, *Stockdale's Parliamentary Guide* (London: John Stockdale, 1784), p. 170; Willis, p. 27; and Oldfield, ii, 139, 143.

⁴⁵Porritt, i, 320; Oldfield, ii, 138, 143, described Huntingdonshire in the 1780s as a county 'as much under the influence of two individuals [Manchester and Sandwich] as any borough in the kingdom.' They consistently controlled returns of the two county members, while Sandwich nominated primarily candidates for the borough seats.

a devoted protagonist of the Whig interest.⁴⁶ Boyle's parliamentary career is more closely connected with Manchester's somewhat inferior adversary, Edward Montagu, 3rd Earl of Sandwich, the grandson of the famous naval commander and Pepys' acquaintance. In 1667 the 3rd Earl's father, Edward, 2nd Earl of Sandwich, had married Lady Anne Boyle, daughter of Charles Boyle's uncle Richard, Earl of Burlington and 2nd Earl of Cork. Despite Anne's death at an early age in 1671, the marriage produced a son who later became the 3rd Earl of Sandwich, and was Charles Boyle's cousin.⁴⁷ Reputedly a 'tall thin black man' of 'very ordinary parts',⁴⁸ Sandwich inherited his title and estates in 1688. The following year he married the outspoken Lady Elizabeth Wilmot, daughter of Restoration rake and poet, John, 2nd Earl of Rochester, whom she is said to have resembled in her 'fire and vivacity'.⁴⁹ In the 1690s Sandwich consistently, but often unsuccessfully, sponsored candidates for Huntingdon borough seats. His electoral influence in Huntingdonshire itself was even less substantial, and seems to have diminished further during Queen Anne's reign.⁵⁰

The Parliament to which Lionel was elected sat until its dissolution on 19 December 1700.⁵¹ Even before the election was called, the forthcoming session promised to be stormy and momentous. A principal reason for such adumbrations were questions pertaining to the Protestant Succession to the English throne. The death in 1700 of Princess Anne's only surviving child, the sickly Duke of Gloucester dramatically altered the situation. Furthermore, mounting apprehension stemming from the practice of occasional religious

⁴⁶Manchester (1662-1722), ed. St. Paul's; Trinity, Cambridge; M.A. 1680; numerous army commissions 1685-1702; at the Boyne with William III; Lt. of Huntingdonshire 1689-1722; Privy Council 1698, 1702, and 1714; Amb. to Venice, 1697-98, 1706-08; to Paris, 1699-1701 (replacing Portland); Lt. of the Bedchamber to George I, 1714-22; cr. 1st Duke 28 Apr. 1719; *Complete Peerage*, viii, 372-73. Much of his correspondence was printed in William Drogel Montagu, 7th Duke of Manchester, ed., *Court and Society From Elizabeth to Anne, Edited From Papers at Kimbolton* (2 vols., London: Hurst & Blackett, 1864).

⁴⁷Sandwich (1670-1729), educ. Eton and Cambridge (no degree); Master of the Horse to Prince George of Denmark, c. 1695-1705; D.C.L. from Oxford 1702; Collins, *Peerage*, iii, 344; *Complete Peerage*, xi, 434; Lodge, *Peerage*, i, 174.

⁴⁸John Macky, *Memoirs of the Secret Service of John Macky* (London: n.p., 1733), p. 80.

⁴⁹Mark Noble, *A Biographical History of England From the Revolution to the End of George I's Reign, Being a Continuation of the Reverend S. Granger's Work* (6 vols., London: for W. Richardson, 1806), ii, 54; and Robert Carruthers, *The History of Huntingdon, From the Earliest to the Present Times* (Huntingdon: A.P. Wood, 1824), p. 317.

⁵⁰J.B. Owen, 'Political Patronage in Eighteenth-Century England', in Paul S. Fritz and David Williams, eds., *The Triumph of Culture: Eighteenth Century Perspectives* (Toronto: A.M. Hakkert, 1972), p. 375; HMC, *The Manuscripts of the Duke of Buccleuch at Montagu House* (3 vols., London: H.M.S.O. by Eyre & Spottiswoode, 1899-1903), i, 359.

⁵¹*CJ*, xiii, 323; Boyer, *History of William III*, iii, 467.

conformity by Protestant Dissenters, which enabled them to circumvent the restrictions of the Test and Corporation Acts, coupled with widespread consternation over the seemingly imminent renewal of French hostilities, emphasised the importance of the session which would meet in 1701. As a result, the elections preceding the session were certain to be fiercely contested. Preparations for the promotion of candidates proceeded at a furious pace and began some weeks before the sitting Parliament was dissolved. Matthew Prior described the activity:

...there never was so much work as at present, on both sides, of securing Parties and bribing Elections; Whig and Tory are railing on both sides so violent that the Government may easily be overturned by the Madness of either faction. We take it to be our Play to do nothing against common sense or common law, and to be for those who will support the Crown, rather than oblige their Party; and in order to do this, Men are preferred who are looked upon to be honest and moderate.⁵²

The months leading up to the election scheduled after the holiday season gave every indication that it would be as fiercely contested as its precursors. This proved an uncommonly accurate assessment of the situation in Huntingdon where, despite Sandwich's activities, the two seats had for decades been under the virtual control of the Earl's uncle, Sydney Wortley (alias Montagu).⁵³ Alternating with one of his two sons, Edward and Francis,⁵⁴ and with but few interruptions, Wortleys held one of the borough seats from 1688 until 1734. Their staunch Whiggism was hardly compatible with the Tory sympathies of their relative, Lord Sandwich.⁵⁵ As a result, they were more warmly embraced as political allies by the Whig Manchester, whose nominees for seats included his son Robert, and Manchester's brother, Heneage. Despite Sandwich's rather docile character, Tory nominees were not without some success in securing electoral victories in the 1690s. Longtime county member, John Dryden (the famous poet's cousin), was described as 'a strong Tory', and another such candidate was pamphleteer and amateur poet Anthony Hammond.⁵⁶ It should be emphasised, however, that Tory candidates for both town and county were more properly under the patronage of the

⁵²Christian Cole, ed., *Memoirs of Affairs of State: Containing Letters Written by Ministers Employed in Foreign Negotiations From the Years 1697 to the Latter End of 1708* (London: Henry Woodfall, 1733), p. 269. Prior to Manchester, 10 Dec. 1700.

⁵³Sidney Wortley Montagu, described as 'a moderate country candidate', and borough recorder Nicholas Pedley personally controlled the borough seats from 1679 onwards; *House of Commons, 1660-1690*, i, 273-74; *House of Commons, 1715-1754*, ii, 557; Bodl., MS Carte 180, f. 624.

⁵⁴The former married Lady Mary Pierpoint, more commonly known as Lady Mary Wortley Montagu.

⁵⁵The Countess was later a Jacobite correspondent: HMC, *The Calendar of the Stuart Papers Belonging to His Majesty the King Preserved at Windsor Castle* (7 vols., London: H.M.S.O., 1902-23), vi, 234; vii, 416; and below, Ch. 10, pp. 403, 410-12, 415-16, 444.

⁵⁶A useful narrative of the political history of Huntingdonshire during the period can be found in William Page, Granville Proby, and S. Inskip Ladds, *The Victoria History of the Counties of England: Huntingdonshire* (3 vols., London: St. Catherine Press, 1926-36), ii, 34-36.

politically-active Lady Sandwich, and Dryden and Hammond are both depicted as her nominees.⁵⁷ Furthermore, by the late 1690s her husband's local influence had been compromised by a deteriorating financial situation. Married to an extravagant, intelligent socialite, Sandwich's financial duress was compounded when he was compelled to mortgage his estates to his uncle, Sydney, who, for all practical purposes, assumed legal possession of Sandwich's property as mortgagee and trustee. The distraught nobleman was further humiliated when Sydney demanded that his nephew exchange domiciles with him, forcing him to vacate his lavish manor house at Hinchbrooke and settle for an enforced confinement at Wortley Hall near Leeds.⁵⁸

Preparations for entering Boyle's name at Huntingdon began in earnest several weeks before the election. A week before the old parliament was dissolved Prior, himself contemplating running as a candidate for a seat at Cambridge University, reported that Lady Sandwich had journeyed to Huntingdon to 'set up Charles Boyle against Mr. Wortley Montagu's interest', perhaps bringing to fruition plans which had been hatched in Paris several years earlier. Torn between his friendship with Boyle and the great political debts he owed Manchester (his former superior and advocate of the Wortley interest),⁵⁹ Prior attempted to remain impartial, commenting: 'vive le guerre, whosoever is chosen or cast out, or on what side soever things turn'.⁶⁰ On Christmas Eve 1700, Boyle deposited £20 and was sworn a burgess and candidate.⁶¹ The separate borough election was held on 6 January 1701. Three candidates jockeyed for the seats: Boyle, John Pedley, son of the longtime town and county MP, and Sydney Wortley's son, Francis, town member during the previous parliament and the town Recorder. Confusion remains as to the identity of the latter two candidates' patron in this election. The county history places Sandwich in the role of nominator.⁶² Since Wortley

⁵⁷While at Cambridge, Hammond reputedly hid a woman in his lodging and she became his lover. The woman, Susanna Freeman, later married Joseph Centlivre and became a noted playwright; H.T. Riley, 'Lady Student at Oxford,' *N & Q*, 4th Ser., (23 August 1873), 128, 152; for Hammond's links to Lady Sandwich see Bodl., MS Rawlinson A-245, f. 66.

⁵⁸*CJ*, xiv, 23; Page, *et al.*, *Hunts.*, ii, 34; Noble, ii, 54, observed that the 'meek but worthy' Sandwich's wife put him into 'durance vile' in his own house; and *idem*, quoted in *Complete Peerage*, xi, 434; *cf.* BL, Add. MS 31143, f. 135v; and below, p. 55, n. 84.

⁵⁹Prior served as Manchester's Secretary in Paris after Portland's recall. At this time he was writing to Manchester to request a letter of recommendation to send to officials at Cambridge University: Cole, p. 269.

⁶⁰Cole, p. 269; *idem*, (the date is incorrectly listed as 1760) in Manchester, *Court and Society*, ii, 85.

⁶¹Cambridgeshire Record Office, Huntingdon, Acc. 3991, Ferrar 1809, (photocopy of original in Magdelene College Library, Cambridge), Corporation order 24 Dec. 1700.

⁶²*Members of Parliament*, i, 588; Page, *et al.*, *Hunts.*, ii, 35.

and Pedley were both Whigs, however, and in light of information which surfaced after the parliament convened, this seems doubtful. It is not inconceivable that because of his financial condition in relation to Sydney Wortley, Sandwich was coerced into nominating his nephew against his will. Nor is it wholly unlikely, from what is known of her, that Lady Sandwich would hesitate to advance a candidate to run against her husband's, or that of his oppressive uncle.

On initial examination the election's results hardly seemed extraordinary. Lady Sandwich's intervention on Boyle's behalf was decisive, for before the polling was over Pedley 'desisted' and Wortley 'paid his charges', leaving Boyle and Wortley the returned members.⁶³ Yet a fuller recounting of the circumstances surrounding the election raised serious questions about its orchestration and about the principal characters: questions which remained unanswered and obscured even after the beginning of the new session on 6 February. Within a week allegations against Boyle as well as the true extent of electoral corruption and improprieties throughout the country had been made manifest. In a single day on 13 February 16 petitions for disputed elections were presented before the Commons.⁶⁴ A host of others appeared in the weeks which followed.⁶⁵ Charges against candidates ranged from outright bribery to the illegal exclusion of voters; from permitting unqualified men to cast ballots to the provision of diverse 'entertainments' to prospective voters and the physical obstruction of polling places. Sydney Wortley and his fellow candidate were charged with bribery in the election at Peterborough.⁶⁶ None of the petitions presented, however, alleged behaviour and practices as egregious as the one lodged early on 15 February which disputed the election at Huntingdon borough. Its claims merit a detailed quotation:

A Petition of John Pedley, Esquire was presented to the House and read; setting forth, That, at the election of Burgesses to serve in this present Parliament for the borough of Huntingdon, the Petitioner Francis Wortley, and Charles Boyle, Esquires,

⁶³BL, Add. MS 15665, ff. 77-78; cf. BL, Add. MS 69938, f. 39, for a letter dated 11 Jan. 1701 from former Huntingdon MP Hammond, who was successfully elected to one of the Cambridge seats which Prior sought in this election; *idem*, printed in HMC, *Twelfth Report, Appendix, The Manuscripts of the Earl Cowper, K.G. Preserved at Melbourne Hall, Derbyshire* (3 vols., London: H. M. Stationery Office, 1888-91), ii, 415.

⁶⁴*CJ*, xiii, 327-29. For the committees which ruled on these elections see W.A. Speck, 'The Most Corrupt Council in Christendom': Decisions on Controverted Elections, 1702-42', in Clyve Jones, ed., *Party and Management in Parliament, 1660-1784* (Leicester: Leicester University Press, 1984), pp. 107-21.

⁶⁵Out of elections held in 261 constituencies 86 were contested. Of these 47 were eventually controverted; see Horwitz, App. A, pp. 329-34; Speck, *Tory and Whig*, App. E, pp. 127-31; and *CJ*, xiii, 327-56, *passim*.

⁶⁶*CJ*, xiii, 330.

stood candidates; at which Election, a Peer of this Realm, with the Assistance of others, with Swords & Clubs, did menace, assault, and strike the Recorder of the said Borough [Francis Wortley] and others of the Petitioner's Voters; some being wounded, others durst not appear and some were carried under a strong Guard to give their Votes for Mr. Boyle; but were not permitted to give their Second Votes, which they would have done, for the Petitioner; and would have been for the Petitioner; and were carried back by the same Guard, and locked up, so that the Petitioner, nor his friends, could speak with them; by which undue practices, contrary to the Liberties of the Subject, the Majority fell on Mr. Boyle, which otherwise would have been for the Petitioner.⁶⁷

Boyle was obliged to make a swift denunciation of the charges against him and in the process delivered his maiden speech in the Commons. Fortunately, this response has survived, for it is one of only two extant speeches he delivered in Parliament. It is also valuable for an assessment of the veracity of the charges levied against him, and for determining the identity of the peer who purportedly assisted him at the election. Boyle began his speech by asking what 'interest' his accuser possessed at Huntingdon, and answering his own question by explaining to the House that he and his accuser were in fact both nominees of the same (unspecified) person. Still, Boyle claimed that the petition's 'violence' stemmed from the fact that it 'came from one that originally had no interest in the Burrough, but what he had from the very same Place that I have mine and I doubt has no interest in it now, but what he has from a much worse cause'. Emphasising the 'great Repute and Esteem' of witnesses who were willing to testify in his own behalf, Boyle then charged that any 'affront' Wortley had suffered was solely attributable to his own misconduct, namely 'being where it did not become him to be, and by doing what it did not become a Justice of Peace, Recorder, and Deputy Lieutenant [of the county]'.⁶⁸ Wortley's duties as Town Recorder were more properly concerned with the maintenance of Quarter Session records, rather than the supervision of elections, particularly one in which he himself was a candidate. Yet in many towns the office of Recorder was often combined with other responsibilities and evolved into the predominant municipal judicial office. In addition to Wortley being a barrister,⁶⁹ his deputy lieutenancy and office as JP combined to enhance his local status.⁷⁰ With relish Boyle made a somewhat

⁶⁷*Ibid.*, xiii, 333; the petition is also printed in full in Thomas Carew, *An Historical Account of the Rights of Elections of the Several Counties, Cities, and Boroughs, of Great Britain: Collected from Public Records, and the Journals of Parliament, to the year one thousand seven hundred and fifty-four* (London: for John Nourse, 1755), p. 300.

⁶⁸For a manuscript copy of the speech see BL, Add. MS 10388, ff. 39-40. Budgell, pp. 198-202, also prints it in part.

⁶⁹A recent study calculates that four out of every 10 lawyer MP's in Queen Anne's reign came from small or 'select' boroughs, and that out of 533 members in the Parliament which sat in Feb. 1701, a total of 80 attorneys were MPs: David Lemmings, *Gentlemen and Barristers: The Inns of Court and the English Bar, 1630-1730* (Oxford: Clarendon Press, 1990), p. 182.

⁷⁰Both of the latter were almost certainly due to the favour of Manchester, the Lord

snide acknowledgement of the fact that Wortley was a lawyer,⁷¹ and that he may have believed his presence was legitimate and therefore should not have been not interpreted as electoral interference. None the less, Boyle concluded that Wortley's penchant for his chosen avocation was evident in his appearance; like all attorneys, Boyle argued that Wortley had proven most adept at 'setting people together by the ears', and despite the claims of Pedley's chief witness (apparently Wortley himself) that he had been physically beaten, Boyle instead recalled sarcastically that the only visible injury he had detected was that Wortley's periwig was 'a little weather beaten.'⁷²

A significant element of the charges levelled against Boyle was the implication of an English peer's involvement in the electoral improprieties. Along with the aforementioned severity of the charges, this distinguished the petition against Boyle from the other contested elections. MP James Lowther, who was himself involved in a contested election at Carlisle, wrote on the day Boyle's petition was read that 'a great many also complained of Lds meddling at Elections'.⁷³ Lowther's remark may have been based on comments he heard in conversation but omitted from the petitions. It is likely that the practice of peers involving themselves in elections was so common that it did not evoke comment. Even so, aside from Boyle's, not a single contested election from 1699-1704 alleged a peer's direct involvement.⁷⁴ Whatever the case, the charges of a peer's participation evoked swift action by the House. Immediately after the presentation of the petition against Boyle, the Speaker

Lieutenant: see above, p. 48, n. 46, the Lord Lieutenant making appointments to both of these positions.

⁷¹In 1693 Wortley graduated from Trinity College, Cambridge, thereafter studying law at either the Inner or the Middle Temple: *Alumni Cantabrigienses: A Biographical List of All Known Students, Graduates, and Holders of Office at the University of Cambridge, From the Earliest Time to 1900*, John and J. A. Venn, comps. (10 vols. in 2 pts., Cambridge: University Press, 1922-54), pt. 1, ii, 466.

⁷²BL, Add. MS 10388, ff. 38-40.

⁷³Cumbria RO, Carlisle, Lonsdale MS D/Lons./W2/2/4, letter #109. James Lowther to Sir John Lowther, London, 15 Feb. 1701. I owe this reference to Dr. David Hayton of the History of Parliament.

⁷⁴A petition presented on 5 March 1701 accused an unnamed peer and several accomplices of influencing the borough election at Lostwithiel in some unspecified manner. Later in the session the Earl of Peterborough was voted guilty of 'many indirect Practices' in an unsuccessful attempt to procure a candidate's election at Malmesbury: *CJ*, xiii, 512, 711-12; Carew, pp. 380-81; there are also implications of a peer's involvement in the Westmoreland election of 1701. On 4 March of that year Atterbury observed that after Lord Thanet's recent behaviour in the election 'all the Church of England men will never be able to hold up their heads there again'; see Bodl, MS Ballard 9, f. 40.

resolved that henceforth no peers or Lords Lieutenant were to concern themselves in elections for MPs, which was considered 'a High infringement' of the House of Commons's 'Liberties and Privileges'.⁷⁵ Resolutions of this type were hardly novel. A similar ruling was issued in the Commons in 1699, provoked, coincidentally, by the intervention of Manchester in an earlier election at Huntingdon. After 1701 comparable resolutions were pronounced regularly by the Commons and then summarily ignored by British peers with a scandalous consistency.⁷⁶ Studies of later electoral magnates has demonstrated that, if anything, the peerage's disregard for the perceived privileges of the Commons escalated during succeeding decades.⁷⁷ Criticism of these and other corrupt practices did not escape the contemporaries' censure; in vain, they complained bitterly of the inefficacy of laws whose professed *raison d'être* was to eliminate such practices.⁷⁸

Attempting to identify the peer who reputedly collaborated with Boyle in the election fracas poses problems. The peer was not explicitly named in the petition, but Boyle's speech provided some clues. He eloquently disputed the Commons' denial of a peer's right to appear at an election, especially when that peer possessed extensive holdings near a borough. Boyle commented that such a denial was especially offensive when that peer was a man whom he was 'pleased to esteem his Friend...and had the Honour to be his Relation', implying the peer could only be Boyle's cousin, Lord Sandwich. This conjecture becomes more credible when Boyle's description of the peer as 'a Gentleman of great Honour, of a genteel and easy Temper' is considered.⁷⁹ The fact that Lady Sandwich was instrumental in engineering Boyle's successful candidacy has already been established. Lowther's letter, which otherwise simply repeats the petition's allegations, provides the sole verification of his identity.⁸⁰ Still,

⁷⁵*CJ*, xiii, 333.

⁷⁶Porritt, i, 547; A.S. Turberville, *The House of Lords in the Reign of William III* (Oxford: Clarendon Press, 1913; Rpt. Westport, Conn.: Greenwood Press, 1970), pp. 179-80; *CJ*, xiii, 648, 654, repeats the resolution of 1701 stemming from activities in the election held in Nov. 1701.

⁷⁷L.B. Namier and Basil Williams, 'The Duke of Newcastle and the Election of 1734', *EHR*, xii (1897), 448-88.

⁷⁸Several weeks after the election diarist John Evelyn remarked: 'there was never so much perjury, bribery, and other enormous means used as in the Election of this Parliament... [which is] filled with young debauched boys and worthless members'; see *Evelyn Diary*, v, 446; cf. BL, Add. MS 27440, f. 150; James Drake, *The History of the Last Parliament, Begun at Westminster, the Tenth Day of February, in the Twelfth Year of the Reign of William III, Anno Domini 1700* (London: Francis Coggan, 1702).

⁷⁹BL, Add. MS 10388, ff. 40-41.

⁸⁰Cumbria RO, Lonsdale MS D/Lons./W2/2/4, #109.

the ambiguity concerning Sandwich's exact role has been noted above,⁸¹ and further doubts arise when the charges of violence--exaggerated though they may be--are juxtaposed with Sandwich's meek character and his diminished local position vis-a-vis the Wortleys. If Sandwich interceded with a gang of toughs in Boyle's behalf it was a rather extraordinary feat; he would have had to escape from his restraints at Wortley Hall, ride to Huntingdon, and appear in the midst of the polling, yet ingratiate himself with his wife while exacting revenge from his jailors. Such an appearance strikes one as all the more unlikely when one ponders that Sandwich is recorded as having voted with the Whigs in a Lords debate concerning the Occasional Conformity Bill in 1702.⁸² It was later alleged that visitors to Hinchbrooke were offered bribes for procuring votes for Whig candidates in elections.⁸³ Five years after Boyle's election Sandwich appeared at court against his wife's wishes, in the company of and at the urgings of his former adversary.⁸⁴ This evidence suggests a man with Whig loyalties with little reason to undertake such a daring exploit to engineer the election of his domineering wife's Tory candidate.

A very remote possibility is that the unnamed peer was Laurence Hyde, 4th Earl of Rochester. The younger son of Lord Clarendon, and the uncle of Princess Anne of Denmark (future Queen of England), Rochester was related to Boyle through marriage in 1665 to the fifth daughter of Charles' uncle Richard, 2nd Earl of Cork, an admittedly slight degree of kinship which was further diminished by Henrietta's death in 1687.⁸⁵ Nevertheless, Rochester had been closely acquainted with Margaret, dowager Countess of Orrery. In 1702 Boyle's brother Lionel requested Rochester's influence in procuring a place as a Commissioner of Trade.⁸⁶ Rochester was an important advocate of the High-Church Party,⁸⁷ and Robert Walcott's

⁸¹The county's history specifically classifies Boyle as a Tory in this election, while stating that Sandwich nominated Wortley and Pedley; Page, *et al.*, *Hunts.*, ii, 35. The mystery could perhaps be solved if the pollbooks for this particular election were not lost; W.W. Bean, 'Polls at Parliamentary Elections before 1832', *N & Q*, 8th Ser., lxxvii (17 June 1893), 463-65.

⁸²Deutsches Zentralarchiv Absteilung Merseburg, Germany, Report 11, England, 25B, f. 313v, (from microfilm in the possession of Professor H.T. Dickinson).

⁸³Carew, p. 301.

⁸⁴In Feb. 1706 Lord Raby's sister reported: 'Lord Sandwich is come back to court in spite of his Lady's resistance; & ye prine (sic) says he is as sober as ever he knew hime (sic); so they intend to turn her out of ye Lodgings at St James & he is to come in for at present he is wth Mr Wortley Montague who has perswaded him to take this courage; & take her son from her wch She says will brak her heart but designs to proceed for all yt if Mr Wortley can but keep up his spirits': BL, Add. MS 31143, f. 135v.

⁸⁵*Complete Peerage*, xi, 50.

⁸⁶BL, Add. MS 15895, f. 241; *idem*, printed in Samuel Weller Singer, ed., *The Correspondence of*

study of electoral connections classified Charles Boyle as a 'Rochester disciple'.⁸⁸ Boyle's negligible kinship with Rochester, however, and Walcott's poorly-supported arguments in its behalf, along with Lowther's identification of Sandwich, would seem conclusively to identify that peer as the manipulator of the election's outcome. Rochester may have exercised electoral influence,⁸⁹ but he had little local clout in Huntingdon, and his appearance there for Boyle seems unlikely, as does the only alternative possibility; that Lady Sandwich herself, rather than her husband, appeared at the election with some hired cronies.

The manner in which Pedley's petition was handled after its presentation suggests that some influential figure manipulated its outcome. The Committee on Privileges was usually dominated by the party which was victorious in the previous election. Its sessions were also 'virtually a Committee of the Whole House'. Many election petitions heard in the House received summary and biased attention. Petitions referred to committees were sometimes more risky because the opposition had the opportunity to canvass support, but many of those referred to committees were withdrawn or never heard,⁹⁰ the petitioners having determined their support was insufficient to procure enough votes for an election's contravention. This latter scenario apparently proved the case with the petition against Boyle. After the petition's hearing was postponed several times in March, it was finally scheduled for 10 April, yet when that date arrived there was no mention of the Huntingdon election. Indeed, the next reference to it in the Commons *Journals* was on 25 April, where an irritatingly terse entry simply stated that Pedley was granted permission to withdraw his petition contesting the election.⁹¹ Like other aspects of the petition, the exact reasons for its sudden

Henry Hyde, Earl of Clarendon and of His Brother Laurence Hyde, Earl of Rochester (2 vols., London: Henry Colburn, 1828), ii, 444-45, and 174, 183, 320.

⁸⁷Contemporary John Macky, p. 45, called Rochester 'one of the finest men in England for Interest, especially the Church Party, and [he] is very zealous for his friends'.

⁸⁸And one of a dozen men in the Hyde-Granville-Gower-Seymour connection: Robert R. Walcott, *English Politics in the Early Eighteenth Century* (Oxford: Clarendon Press, 1956), pp. 178, 211. Walcott's methods and conclusions have been discredited and largely superceded by Holmes and others. His identification of Boyle's connections are therefore dubious at best.

⁸⁹Informed observer Anthony Hammond commented on rumours of Rochester's plans to remain in England until after the 1701 election, despite his recent appointment as Lord Lieutenant of Ireland: BL, Add. MS 69938, f. 39; and HMC, *Cowper*, ii, 411.

⁹⁰Speck, "Corrupt Council", p. 108; cf. O.C. Williams, *The Clerical Organisation of the House of Commons, 1661-1850* (Oxford: Clarendon Press, 1954).

⁹¹*CJ*, xiii, 404, 407, 508; cf. Granville Proby, 'Huntingdonshire Members of Parliament', *Transactions of the Cambridgeshire and Huntingdonshire Archaeological Society*, vi (1947), 237, lists the petition as withdrawn on 7 April 1701.

withdrawal are unclear. Embarrassment and concern for Boyle's honour after his election appear to have been common knowledge. Opinion at Oxford was that Boyle should be offered a seat for the University, provided he 'might with decency drop his election at Huntingdon.'⁹² That some unseen influence in high places (and in Boyle's favour) was at work is suggested, since during the weeks between the presentation and withdrawal of the Huntingdon petition, dozens of similar disputes were ruled upon in the Commons.⁹³

Another explanation is that the aggrieved party(ies) felt that they had obtained satisfaction of their grievances through other means. Angered and a 'little embittered' by the speech Boyle delivered in his defence, it appears that sometime in March 1701 Francis Wortley decided to vindicate his own honour and that of his defeated fellow candidate by challenging the arrogant, newly-elected Huntingdon MP to a duel. On 27 March 1701, Boyle and Wortley confronted each other in a Hyde Park gravel pit. A bitter struggle ensued. Boyle received several wounds and lost a great deal of blood. Among others, Wortley suffered a grave wound to the groin which probably prevented him from killing Boyle on the spot.⁹⁴ Wortley supposedly begged for quarter, and despite the severity of Boyle's wounds, he was awarded victory in the duel, which was supposedly the rage of conversation in the taverns and coffee houses for days.⁹⁵ Thus came the unusually violent resolution to what Wortley must have viewed as a public slight. If there were other reasons for the duel, no evidence has been uncovered which would reveal what they were.

III

Little can be discovered of Boyle's activities in the aftermath of his duel with Wortley. His wounds were sufficiently serious to require that he spend several months recuperating,⁹⁶ and his attendance in the Commons was temporarily postponed. Prior to the duel it appears that Boyle's participation was more significant than during his years as an Irish MP. In the light of the scarcity of reports of Boyle making speeches or other references to him in

⁹²Bodl., MS Rawlinson Letters 92, ff. 55-56.

⁹³*CJ*, xiii, 350-520, *passim*.

⁹⁴Budgell, p. 202; BL, Add. MS 10388, ff. 41-42; Luttrell, v, 38; *Biographica Britannica*, ii, 935.

⁹⁵Budgell, p. 202; *Memoirs of Atterbury*, i, 85.

⁹⁶BL, Add. MS 10388, f. 42. Also see Harlow, p. 171, n. 2, who cites a letter from the Codrington MSS (now held in Barbados), Codrington to Boyle, 14 Aug. 1703.

contemporary accounts of the Commons' proceedings, one method which can be utilised, with a certain degree of caution, is by taking his appointment to various parliamentary committees into account. Only days after the session began he was appointed to a committee that was to consider laws 'against the spreading of false news'. A few weeks later he was named to a more important committee ordered to draw up an address to be laid before William III protesting the dangers of the Partition Treaty.⁹⁷ Other sources may also shed some light on Boyle's voting patterns. His name is missing from a list probably drawn up to forecast Tory support for Robert Harley's plan for the Protestant Succession,⁹⁸ but he was identified as a probable supporter of Harley on a list thought to indicate support for his nomination for Speaker of the House in 1701.⁹⁹ In the controversy over the Kentish Petitioners the same year Boyle definitely cast a negative vote.¹⁰⁰ After his encounter with Wortley references to Boyle for the duration of the session are scarce.

This Parliament passed the Act of Succession in June and was dissolved in November 1701.¹⁰¹ Despite rumours that Boyle was considered for a seat for Oxford University,¹⁰² he and his hostile colleague were again returned in the election held at Huntingdon on 25 November 1701. This election witnessed little of the acrimony or the allegations of the earlier contest, although there were again numerous contested elections nationwide.¹⁰³ On the

⁹⁷*CJ*, xiii, 338, 419; on both this committee and the one for considering 'False News' Boyle was accompanied by prominent members such as his friend Henry St. John, his cousin Henry Boyle, and Sir Christopher Musgrave; for the petition and events in this session see Horwitz, *Parliament*, pp. 281-85.

⁹⁸BL, Add. MS 28091, ff. 179-80, lists Hammond, Charles Caesar, and Henry St. John but not Boyle; for the list see Horwitz, *Parliament*, p. 340; for useful discussions of the various types of division lists and their validity see David Hayton and Clyve Jones, eds., *A Register of Parliamentary Lists, 1660-1761* (Leicester: University of Leicester History Department, 1979); idem, *Register of Parliamentary Lists, 1660-1761: A Supplement* (Leicester: University Press, 1982); Aubrey Newman, ed., *The Parliamentary Lists of the Early Eighteenth Century: Their Compilation and Use* (Leicester: Leicester University Press, 1973); and less recent articles by Robert Walcott, 'Division Lists of the House of Commons, 1689-1715', *BIHR*, xiv (1936), 25-36; and E.S. de Beer, 'Division Lists of 1688-1715: Some Addenda', *BIHR*, xix (1942), 65-66.

⁹⁹BL, Harleian MS 7556, f. 97. It is referred to in Hayton and Jones, *Lists*, p. 95; and discussed in Horwitz, *Parliament*, p. 339.

¹⁰⁰Boyle's name was excluded from a 'black list' condemning those in favour of impeaching the members in question. For the Petitioners' proceedings see *PH*, v, 1249-56. For the black list see Denis J. Rubini, *Court and Country, 1688-1702* (London: Rupert Hart-Davies, 1967), App. A, pp. 269-78. Rubini's thesis that party lines were thinly drawn and fluid in the Commons during this period has largely been discredited by Horwitz.

¹⁰¹*CJ*, xiii, 641-44.

¹⁰²Bodl., MS Rawlinson Letters 92, ff. 55-56.

¹⁰³BL, Add. MS 15665, ff. 79-80; *CJ*, xiii, 646ff.; Carruthers, p. 335.

session's opening day Boyle was appointed to a large committee that was to consider matters 'touching Returns, Elections, and Privileges'.¹⁰⁴ Boyle's voting during this session followed Tory Party lines on at least one important vote, when he joined members in February 1702 who voted for the impeachment of some of William III's chief ministers.¹⁰⁵ The king's death on 8 March 1702 did not cause an immediate dissolution of Parliament, which came later in July, when elections were held for the first Parliament of Queen Anne's reign.¹⁰⁶ Boyle again ran as a Tory under Lady Sandwich's patronage, as did Hammond.¹⁰⁷ This contest saw the Wortley-Montagu candidates fare even worse than in the previous election. Boyle and Hammond were both returned with 91 and 89 votes, respectively, compared to 41 for Pocklington and 34 for Wortley. Boyle's brother Lionel, Earl of Orrery, ran as a fifth candidate for one of the two seats, but his candidacy scarcely proved a challenge to his brother for Lionel compiled only two votes.¹⁰⁸

In the early months of this session numerous committees listed a Mr. Boyle as a member. Some of these references must be to Charles, for several are similar to those he served on in previous sessions, such as the committee on elections and privileges.¹⁰⁹ Attempts to pinpoint Boyle's committee participation are fraught with recurring problems which stem from the identification of members by surname only. It would be misleading to attribute all references to MPs named Boyle to Charles and not Henry, his prominent and more active Whig relative,¹¹⁰ and since distinctions between Charles and Henry are occasionally made, it seems prudent to

¹⁰⁴*CJ*, xiii, 646.

¹⁰⁵See the list in *A Collection of Scarce and Valuable Tracts...of the Late Lord Somers*, 2nd ed. (13 vols., London: T. Cassell & W. Davies, 1809-15), xii, 215-18; and discussed in Walcott, 'Division Lists', p. 27.

¹⁰⁶*CJ*, xiv, 2.

¹⁰⁷Hammond was defeated in the previous election, possibly because he voted against the war supply and he was linked with a French agent named Poussin; see the Black List, 11 Nov. 1701 in Bodl., MS Rawlinson D-918, ff. 165-68; Horwitz, *Parliament*, pp. 297-98.

¹⁰⁸Carruthers, p. 335; Bean, pp. 463-64; Proby, p. 237; Page, *et al.*, *Hunts.*, ii, 35; *PH*, vi, 42.

¹⁰⁹*CJ*, xiv, 3-4, 10, 34, 88, 91.

¹¹⁰Educ. Trinity, Cambridge; MP for Tamworth, 1689-90; Aldborough, 1690; Cambridge University, 1692-1705; Westminster, 1705-10; P.C. March 1701; Chancellor of the Exchequer 1701-08; Sec. of State, Northern Dept., 1708-10; cr. Baron Carleton on 19 Oct. 1714; Henry Boyle was the younger brother of Charles, 2nd Earl of Burlington and 3rd Earl of Cork; see *Complete Peerage*, iii, 26-27; Lodge, *Peerage*, i, 175.

assume Charles was less active.¹¹¹ Committee appointments were usually related to one's expertise in some area of government under consideration or one's loyalty to the court. Aside from the elections and privileges committee, there is no conclusive evidence to establish whether or not Charles was the 'Mr. Boyle' on a host of other committees formed during this session. Furthermore, verification of appointment to a committee hardly confirms an appointee's attendance. There was, however, a seventeenth-century convention in existence which stipulated that committee appointees had to be present in the House at the time of appointment, thus some relation between attendance and appointments can be inferred.¹¹²

Other evidence attesting to his attendance is scarce. On one occasion Boyle was positively identified as gaining admittance to a Lords session in order to relay a message confirming a Commons' grant of permission for two baronets to attend a Lords committee meeting which concerned an estate dispute involving Lord Peterborough.¹¹³ In the autumn of 1702 Boyle led in the defence of his friend Christopher Codrington in a debate in the Commons. After succeeding his father as Governor of the Leeward Islands, Codrington's intercession in litigation which was being manipulated by corrupt colonial officials resulted in a judgement which compromised the interests of a wealthy planter named Mead, who journeyed to London and levelled charges of tyranny and dishonesty against Codrington.¹¹⁴ Protracted hearings by the Council of Trade and Plantations and long consideration by a committee of MPs were followed by a debate.¹¹⁵ The speech Boyle delivered then in his friend's defence has survived. Boyle attacked his friend's accusers for their 'frivolous and absurd' evidence and went on to examine it and the issues in question. Displaying an expert knowledge of procedure

¹¹¹*CJ*, xiii, 655, 713, 808, 860, and *passim*. When two are listed and their identity is not distinguished, it has been assumed that these two are Charles and Henry.

¹¹²Lemmings, p. 199; *cf.* T. Moore and H. Horwitz, 'Who Runs the House?', *Journal of Modern History*, xliii (1971), 205-27.

¹¹³Clyve Jones and Geoffrey Holmes, eds., *London Diaries of William Nicolson, Bishop of Carlisle, 1702-1718* (Oxford: Clarendon Press, 1985), p. 180.

¹¹⁴Charges against Codrington included blanket accusations of corruption, judicial high-handedness, and military incompetence: *A Copy of the Petition of William Freeman, Esq; in behalf of himself and others, against Col. Christopher Codrington Governour of the Leeward Islands; Presented to the House of Commons the 19th. of February, 1701* ([London?]: n.p., 1702); *The Case of William Freeman, Esq.; and others, the Proprietors of Lands in the Charibbee Islands in America, Under the Government of Coll. Codrington...* ([London?]: n.p., 1702); for a pro-Codrington response see: *A Copy of the Articles Exhibited by Mr. Freeman to the House of Commons against Col. Codrington: and Some Observations and Remarks in Answer to the Same* (London?: n.p., 1702).

¹¹⁵*CJ*, xiii, 749-50; and Harlow, pp. 130-42.

and the jurisdiction of various governmental departments, he concluded that Codrington possessed 'too much merit to be endured by those with none' and that he was being harassed out of impartiality by those accustomed to graft and corruption. The speech must have had a considerable impact, for Codrington was acquitted of all imputations by a healthy margin.¹¹⁶ He never forgot his obligation to Boyle.¹¹⁷

Boyle's activities in the Commons from 1703 to 1705 appear more consequential than in previous sessions, although this impression may result from fewer difficulties encountered in determining his identity. Absent from a 1703 list of supporters and opponents of amendments to the bill prolonging time for swearing the Abjuration Oath,¹¹⁸ after his brother's death without issue in August 1703 and Charles's succession to the title, he was referred to as Lord Orrery in the Commons *Journals*,¹¹⁹ and the uncertainty for earlier periods is alleviated.¹²⁰ He is thus listed among members of another committee for privileges and elections formed in November 1703. Orrery was appointed to committees which drew up a response to the Queen's speech, discussed the naturalisation of citizens, the registration of conveyances in Yorkshire, and the disposition of some estates. Other committees to which he was nominated deliberated methods for the founding and maintenance of a navigational school; a government official's bribery case, and the payment and regulation of annuities.¹²¹ Orrery was probably also present at the heated debates over the celebrated Ashby-White electoral controversy.¹²² After 1704 the co-existence of Orrery's military career with his political obligations caused its share of problems. His regiment's deplorable condition and his

¹¹⁶The speech is printed in Budgell, pp. 203-08; and Harlow, pp. 237-38.

¹¹⁷Upon his death Codrington left £10,000 and a library valued at £6,000 to All Soul's College, Oxford; he also left Boyle £1,500. Codrington's will can be found in BL, Microfilm RP 2616/27-28. There is a copy in Bodl., MS Rawlinson C-983, ff. 157-58; cf. Hearne, iii, 25; Harlow, p. 219; *DNB*, iv, 660.

¹¹⁸See the list in Richard W. Chandler, *The History and Proceedings of the House of Commons, From the Restoration to the Present Time, Containing the Most Remarkable Motions, Speeches, Resolves, Reports, and Conferences* (14 vols., London: for R. Chandler, 1742-43), v, 112-14; and John Oldmixon, *The History of England During the Reigns of King William and Mary, Queen Anne, and King George I* (London: Thomas Cox, 1735), pp. 283-84; *CJ*, xiv, 192-94.

¹¹⁹He will henceforth be referred to by his title; for details on the title and his estates see below, Ch. 11.

¹²⁰*PH*, vi, 42, incorrectly refers to him as Lord Orrery in the 1702 session.

¹²¹*CJ*, xiv, 211, 458, 470-74, 478, 491.

¹²²Eveline Cruickshanks, 'Ashby v. White: the Case of the men of Aylesbury, 1701-04', in Clyve Jones, ed., *Party and Management in Parliament, 1660-1784* (Leicester: University Press, 1984), pp. 87-106.

dereliction of duty were attributed to and partly excused, on account of his parliamentary duties. On one occasion, his superior, the Duke of Ormonde, Lord Lieutenant of Ireland, drew criticism for defending Orrery's long absence in England which had resulted from his parliamentary obligations.¹²³ Ormonde's defence of his regimental commander was justified because many other officers who were also MPs exhibited similar behaviour.¹²⁴

Attempting to determine Orrery's party affiliations during his parliamentary career also poses certain challenges. Ostensibly, he professed allegiance to the Tory Party, and he was repeatedly elected while running as a Tory. His education at Christ Church, Oxford suggested strong symbolic ties to the High-Church Party, yet despite indications of Toryism--sympathies more clearly manifested in the 1720s--his political posture during the earlier stages is less definite. Indeed, as an MP Orrery may have attempted to steer a moderate course between elections, possibly because of the strong links which he possessed to many influential Whigs. He was undeniably subjected to strong Whig influences early in his career, for the Burlington branch of the Boyles, as well as Charles' uncle, Dorset, all displayed allegiance to the Whigs, just as did many of Boyle's friends in the late 1690s and early 1700s, such as Compton, Garth, Prior, Congreve, Steele, and Vanbrugh.

Similar evidence suggests Orrery may have been a member of the most famous Whig association of the early 1700s: the Kit-Cat Club. The Club's brainchild, printer Jacob Tonson, had contacts with Orrery dating as early as 1693, and served as its Secretary after 1700.¹²⁵ Including many leading Whig noblemen and many of Orrery's acquaintances from Will's Coffee House, one authority described the original Kit-Catters as merely a congregation of young wits.¹²⁶ The Club's first meetings seem to have occurred in the late 1690s. For a time the Club co-existed and shared membership with a similar, more jocund society called the Knights of the Toast.¹²⁷ Many objects of the Knights' adulation were either wives or

¹²³HMC, *Seventh Report of the Royal Commission on Historical Manuscripts, Pt. I, Report and Appendix* (London: for H.M.S.O. by Eyre & Spottiswoode, 1879), p. 778.

¹²⁴For further discussion of Orrery's military responsibilities see below, Ch. 3.

¹²⁵Orrery's uncle, Dorset, played a major role in the Club's founding: HMC, *Bath*, iii, 394.

¹²⁶Robert J. Allen, *The Clubs of Augustan London* (Cambridge, Mass.: Harvard University Press, 1933), pp. 41ff.; John Timbs, *Clubs and Club Life in London; With Anecdotes of its Famous Coffehouses, Hostelries, and Taverns from the Seventeenth Century to the Present Time* (London: Chatto & Windus, 1872), pp. 47-56; *Dictionary of Booksellers*, pp. 291-92; Kathleen M. Lynch, *Jacob Tonson, Kit-Cat Publisher* (Knoxville: University of Tennessee Press, 1971), pp. 37-52; and G.F. Papali, *Jacob Tonson, Publisher: His Life and Work (1656-1736)* (Auckland: Tonson Publishing House, 1968), pp. 91-99, give more recent discussions of Tonson's club; for further details on Orrery's literary activities and the Will's circle see below, Ch. 11, pp. 464-75.

¹²⁷The foremost pastimes of the Knights were toasts to the beauty of the most eminent

relatives of Kit-Cats.¹²⁸ The Knights also made gestures of tribute to Dorset's natural daughter (and Lionel's wife), Lady Mary, Countess of Orrery.¹²⁹ Despite similarities, however, differences existed as well.¹³⁰ Always generous patrons of literature and the theatre,¹³¹ after William III's death members gradually came to embrace strictly Whig political principles.

Circumstantial evidence supports the possibility that the then Charles Boyle could be counted among the ranks of the Kit-Cat Club. By 1703 his fondness for the patronage of literature had been evident for some time. Also significant is that a contemporary list of the Kit-Cats compiled by Abel Boyer ranked Orrery (as Charles Boyle) among twelve men who were 'at first' members.¹³² A later, more reliable membership list circa 1715, however, omits Orrery, nor is he mentioned in a later 'memoir' account of the Club.¹³³ Concrete evidence beyond Boyer's list is scarce but, it would seem plausible that Orrery could have been a

females of the period. The Knights appear to predate the Kit-Cats, and some Kit-Cats may have been Knights as well: Allen, *Clubs*, pp. 41-42; Lynch, *Tonson*, p. 49.

¹²⁸An unfriendly 1700 ballad criticised these ladies for 'ogling' in church those who had complimented them. Two women in this particular case were Boyle's relatives: Lady Burlington, and Arethusa Boyle, daughter of Lord and Lady Clifford; see *Poems on Affairs of State; From 1641 to this Present Year* (London: n.p., 1704), iii, 372-73; and *The Critical and Miscellaneous Prose Works of John Dryden*, Edward Malone, ed. (3 vols. in 4 pts., London: H. Baldwin, 1800), i, pt. 2, p. 116.

¹²⁹*Poems on Affairs of State; From 1641 to this Present Year*, iii, 406; Harris, *Dorset*, p. 162; and *Poems on Affairs of State: A New Collection of Poems Relating to State Affairs, From Oliver Crowell (sic) to this Present Time* (London: n.p., 1705), p. 552.

¹³⁰Self-perceived distinctions caused the two groups to sit on opposite sides of the theatre, as during Thomas Betterton's *The Humours of Sir John Falstaff* in 1701; HMC, *Bath*, iii, 394; Lynch, *Tonson*, p. 49.

¹³¹Despite his Toryism, members attended Dryden's funeral as a group in April 1700: HMC, *Fifth Report of the Royal Commission on Historical Manuscripts* (London: H.M.S.O., 1876), pp. 359-60; Cushing, p. 19, prints a facsimile of Garth's 'invitation' to Dryden's funeral.

¹³²The list includes Orrery's kinsman Henry Boyle, and Dr. Hans Sloane: Abel Boyer, *The History of Queen Anne* (London: T. Woodward, 1735), p. 524, note. For Boyer's historiographical significance see G.C. Gibbs 'The Contribution of Abel Boyer to Contemporary History in England in the Early Eighteenth Century', in A.C. Duke and C.A. Tansie, eds., *Britain and the Netherlands*, viii, *Clio's Mirror: Historiography in Britain and the Netherlands* (Zutphen: De Walburg Press, 1985), pp. 87-108.

¹³³Oldmixon, *History*, p. 479; James Caulfield, *Memoirs of the Celebrated Persons Composing the Kit-Cat Club* (London: Hurst, Robinson, & Co., 1821), pp. vii-ix. These sources do list several of Boyle's relatives as members: Richard, 4th Earl of Burlington (1695-1753), known as a patron and friend of Pope and the builder of Chiswick, and Richard Boyle, 2nd Viscount Shannon (1675-1740), who served in the army under four monarchs and as MP in both the Irish and English Parliaments. Shannon was the grandson of Lord Broghill's brother, Francis; see above Ch. 1, p. 2, n. 4; Lodge, *Peerage*, i, 175-79; and *Complete Peerage*, ii, 432-33; *idem*, xi, 656.

member of the Club in its early days, only to leave its ranks after it became more predominantly entrenched in Whig doctrines and exhibited a decreased emphasis toward purely literary pursuits. Such speculation is supported in his many friendships, and in changes in the Club's membership during the late 1690s and early 1700s. Finally, members could have provided precisely the kind of influence to which he aspired to satisfy his career interests. Orrery's appointment in 1699 may have been achieved through contacts cultivated in the Club with men such as his cousin, Henry Boyle, a powerful and highly respected Whig MP, and Charles Montagu, 1st Baron Halifax. Unfortunately, little correspondence between these figures has survived, and remarkably little is known about Halifax.¹³⁴ Also an intimate of Matthew Prior,¹³⁵ Halifax was a powerful Treasury official in 1699, and Budgell claimed that he and Orrery were friends despite fundamental political differences.¹³⁶

IV

Throughout his years as an MP Orrery maintained intimate friendships with many of the pundits who frequented Will's. If his membership of the Kit-Cat Club cannot be confirmed, more confident assertions can be made about Orrery's voting in one of the most important divisions in Queen Anne's reign: the notorious attempt to 'tack' the Occasional Conformity Bill onto the Land Tax Bill. Occasional conformity was one of the most deeply divisive issues of the day. The Bill's significance can scarcely be overstated. It provoked internecine discord among moderates and the more zealous branches of the Tory Party as well as an instinctive Whig anathema. Earlier attempts at passage in 1702-1703 had failed, largely due to the intentional insertion by opposition peers of amendments that proved unpalatable to diehard

¹³⁴The present author attempted to acquire a copy of M.J.H. Henderson, 'Charles Montagu, Earl of Halifax 1661-1715: a Study of Patronage', (unpublished M.Litt., University of Bristol, 1971), but the University was unable to comply with an Inter-library Loan request.

¹³⁵*Cf.* the letters written in 1698-99 between Prior and Halifax in Henry Ellis, ed., *Original Letters of Eminent Literary Men of the Sixteenth, Seventeenth, and Eighteenth Centuries*, 1st ser., (London: Camden Society, 1843), xxiii, 264-66, 294-95.

¹³⁶Budgell, p. 212, and below, Ch. 7, p. 274. Halifax (1661-1715), was a younger son of the 1st Earl of Manchester; educ. Trinity, Cambridge; MP for Maldon, 1689-95; Westminster, 1695-1700; Lord of the Treasury, 1692-94; Privy Councillor, 1694-1702; Chancellor of the Exchequer, 1694-99; First Lord of the Treasury, May 1697-Nov. 1699; Auditor of the Exchequer, Nov. 1699-1714; Pres. of R.S. 1695-98; cr. Baron Halifax 13 Dec. 1700; K.G. Dec. 1714; cr. Viscount Sunbury and Earl of Halifax, Oct. 1714; see *Complete Peerage*, vi, 245-46; Shrells, iii, 243-47; and the contemporary, eulogistic [Anon.], *The Works and Life of the Right Honourable Charles, Late Earl of Halifax* (London: E. Curll, 1715).

Tories.¹³⁷ Late in November 1704, members of the High-Church Party prepared for another attempt to push the Bill through Parliament.¹³⁸ Speaker of the House Robert Harley sought at this juncture to increase his favour with the Queen, who was strongly supportive of the Bill. Harley initially worked for its passage, in league with several of the more moderate court Tories, compiled a lobbying list, which has survived, identifying members who were to be canvassed to support the Bill.¹³⁹ Although identified as a likely supporter of Harley's nomination for Speaker of the House in 1701,¹⁴⁰ Orrery's support for Harley's measures in 1704 was more questionable. Since Orrery was not on the list, the implication is that he was leaning toward the moderates preceding the vote.¹⁴¹

Re-introduced in the Commons, after long, furious debates, the Bill survived a vote calling for a second reading,¹⁴² but opposition remained firm. Determined proponents of the measure doubtless realised prospects for passage in the Lords were slim. Consequently, the Bill's supporters undertook to 'tack' the measure onto a Land Tax Bill, which the government needed and which peers did not normally reject. This controversial tactic, described by one authority as not only 'factious' but 'constitutionally dubious,'¹⁴³ caused a series of rancorous debates that had generated 'Suspense' and 'Alarms' nationwide. Occasional Conformity had now been momentarily overshadowed by constitutional procedure and resulted in one of the most famous mass defections in the Commons during Queen Anne's entire reign. Sensing disaster, Harley marshalled his forces against the Bill, and after a gruelling seven-hour debate, the measure was defeated by a vote of 251 to 134.¹⁴⁴ Several lists regarded as reliable name Orrery and the other MPs for Huntingdon borough and county as opposing the Bill.¹⁴⁵ Ultimately, attempts at passage failed when it was defeated in the Lords.¹⁴⁶

¹³⁷Holmes, *British Politics*, p. 102.

¹³⁸For this important political event see H.T. Dickinson's definitive biography of Henry St. John: *Bolingbroke* (London: Constable, 1970), pp. 39-40; and Edward Gregg, *Queen Anne* (London: Routledge & Kegan Paul, 1980), pp. 192-94.

¹³⁹This list is examined and discussed as an example of Harley's political expertise in Patricia M. Ansell, 'Harley's Parliamentary Management', *BIHR*, xxxiv (1961), 92-97.

¹⁴⁰BL, Harleian MS 7556, f. 97.

¹⁴¹Ansell, p. 96. Henry Boyle was among the most vocal opponents of the Bill; see Abel Boyer, *The History of the Reign of Queen Anne Digested into Annals*, (11 vols., London: for A. Roper, 1703-1715), iii, 172-73.

¹⁴²*CJ*, xiv, 435.

¹⁴³Holmes, *British Politics*, p. 102.

¹⁴⁴Boyer, *Annals*, iii, 172-75; *PH*, vi, 326-67; *CJ*, xiv, 437.

¹⁴⁵*Somers Tracts*, xii, 475-80; Oldmixon, *History*, pp. 346-49. While correctly identifying

Little else can be ascertained as to Orrery's role in the House of Commons during the 1704-1705 session. He did not seek re-election in the polling conducted in May 1705, an election characterised by Whig gains nationwide.¹⁴⁷ Huntingdon's two borough seats were the source of an intense contest and a tied vote, with the seats initially awarded to Edward Wortley, the younger brother of Orrery's earlier opponent, and Sir John Cotton, another Sandwich Tory nominee and a High-Church supporter.¹⁴⁸ This election also provoked a petition by Pedley, and Cotton and Wortley both accused each other of vote-buying. A counter-petition submitted by the town's former mayor and several aldermen and burgesses (perhaps vindicating Orrery from his earlier election improprieties in 1701) accused Wortley of bribery. The petition was heard before the House and witnesses testified for both sides, but Cotton's election was contraverted.¹⁴⁹ Perhaps Orrery anticipated such a violent contest. He may also have had some inklings of the shift in the public's sentiment toward more-strongly Whig candidates; or dissatisfaction and his own failed expectations of life as an MP, plus increasing regimental responsibilities, could have led him not to seek re-election. For whatever reasons, he had developed a distaste for the Commons which he retained until his death.¹⁵⁰ The Tack vote was very likely the decisive turning point in his parliamentary career. One recent study argues that he lost Sandwich's support after being 'drawn in to support the court',¹⁵¹ which he may have offered as a *quid pro quo* for the commission as colonel he received in 1704.

The picture that emerges from an assessment of the first stage of Orrery's political career is that of an extremely ambitious young man generally lacking in any governing political ideologies or religious convictions. Instead, his behaviour was dictated more by

Orrery as casting a negative vote, Chandler, v, 125-35; and *PH*, vi, 362-67, are purported to have distorted the numbers: *cf.* Walcott, 'Division Lists', pp. 28-29; and De Beer, p. 66.

¹⁴⁶Boyer, *Annals*, iii, pp. 174-75; *PH*, vi, 368; *CJ*, xiv, 459.

¹⁴⁷Henry L. Snyder, 'Party Configurations in the Early Eighteenth Century House of Commons', *BIHR*, xlv (1972), 38-72.

¹⁴⁸Bodl., MS Carte 180, f. 621; BL, Stowe MS 354, ff. 161-62; NUL, Nottingham, Portland Loan 2, Harley Papers, Pw2 Hy, #855, (BL Microfilm M2003/3); Carruthers, p. 336; Page, *et al.*, *Hunts.*, ii, 35-36. Chandler, *History of the House of Commons*, v, App., pp. 137-38; *cf.* the erroneous listing in *PH*, vi, 447. Cotton was later tried and acquitted for publicly displaying a portrait of Maria Clementina, wife of the Old Pretender: Paul K. Monod, *Jacobitism and the English People, 1688-1788* (Cambridge: University Press, 1988), p. 290.

¹⁴⁹Carew, pp. 300-01.

¹⁵⁰See below, Ch. 4, p. 113.

¹⁵¹Hayton, unpublished draft manuscript biography of Orrery, p. 8.

self-interest than by any creed or political loyalties. After his graduation from Oxford, he proceeded to cultivate connections within his family, as well as those which resulted from his affiliations as a litterateur and patron of rising young authors. Armed with an education far superior to that of many of his colleagues, the young MP was only moderately active in parliamentary business. Orrery's initial election in 1701 was extremely controversial in the aftermath of an general election which saw Tory gains nationwide and in which controversy was the rule. The withdrawal of Pedley's petition implies that its claims were groundless and that it had little chance of success.

An infrequent speaker, the excessively polite, intellectual courtier has recently been characterised as lacking the same 'mettle' as other Augustan parliamentarians who thrived on debate.¹⁵² Orrery's only recorded speeches are those he gave in response to the election petition and in Codrington's defence. Orrery's oratorical timorousness continued in the House of Lords, and he was not destined to make his mark as an orator. This aversion to delivering speeches is somewhat paradoxical when considering his obvious mental faculties. His extraordinary education has been alluded to, and contemporaries remembered him as a man who 'in private' was unsurpassed in conversing 'with greater ease to himself, or [in bringing] pleasure to those who heard him.'¹⁵³ Commenting on these qualities, Orrery's biographer praised him as one who possessed abundant oratorical abilities but who simply lacked the desire. Thus, Budgell likens him to other, virtually silent politicians such as Addison, Shaftesbury, and Matthew Prior. Orrery appears to have relished time spent with fellow intellectuals, men of 'true tastes', or those who could amuse him.¹⁵⁴ His intellectual superiority may have been somewhat compromised by a phobia of criticism or derision after the delivery of his speeches. Traces of his father's timidity are evident in incidents throughout Orrery's own career.¹⁵⁵

Other than the evidence presented by his two speeches and by the scrutiny of his voting patterns, there is little basis for determining Orrery's genuine political views, at this stage or even during later stages of his career. It is therefore difficult to ascertain the extent of his party allegiance. As with his political behaviour at other stages, Orrery's parliamentary career appears to have been motivated more by self-interest and ambition than

¹⁵²Hayton, unpublished draft manuscript biography of Orrery, p. 8.

¹⁵³*Biographica Britannica*, ii, 936; and similar comments in Budgell, pp. 242-43.

¹⁵⁴Budgell, pp. 200, 242-43.

¹⁵⁵See above, Ch. 1, p. 6.

by any over-arching party principles. Recently described as 'Careerist',¹⁵⁶ this type of MP aptly applied to Orrery, whose early political persuasion smacks of a whimsical opportunism based on ingratiating with the court. His Oxford background and the Boyles' tradition of Anglicanism and Stuart loyalism signified a person who would be expected to embrace Tory viewpoints in politics. Budgell, in one of the few clues as to Orrery's religious views, described him as a devoted Anglican as well as an enlightened lover of liberty who detested corrupt ministers who tried to 'screen themselves with any pretended Prerogatives of the Crown' while encroaching upon personal freedoms.¹⁵⁷ These implications are contradicted by his grandfather's expedience in the Protectorate and by the 4th Earl of Orrery's links to court Whigs and possible inclusion in the Kit-Cat Club; the moderate Court Whig label attributed to him for the last part of Queen Anne's reign also seems appropriate in numerous instances both before 1705 and during George I's reign.¹⁵⁸ Though Orrery's parliamentary impact was at this stage minimal at best, he proved an important figure in the Opposition in the Lords following the Hanoverian Succession. Furthermore, and also in keeping with family tradition, Orrery's military career was well underway by 1705 and doubtless impacted upon his decision to discontinue his parliamentary activities. Accordingly, an examination of his career now must turn from the halls of Westminster to the battlefields of Flanders.

¹⁵⁶'young men in a hurry, anxious to impress ministers and win a reputation by espousing causes...'; for this see David Hayton, 'The "Country" Interest and the Party System, 1689-c.1720', in Clyve Jones, ed., *Party and Management in Parliament, 1660-1784* (Leicester: Leicester University Press, 1984), p. 55; cf. Holmes, *British Politics*, p. 223.

¹⁵⁷Budgell, pp. 241-42.

¹⁵⁸Holmes, *British Politics*, p. 426, accurately described Orrery as a Court Whig who supported Harley from 1710 to 1713.

the Enemy's whole Foot and Horse went off. We pursued them about a League And remain'd Masters of the field of Battle 14 pices (sic) of cannon and Severall Standards and Collours which with Some Prisoners are the trophies (sic) of this Glorious Victory, Where Our foot gave the Enemy proofs they could beat them any where.
Newhailes Diary, ii, f. 123, 11 September 1709, O.S.

'It is forbidden to Kill; therefore all murderers are punished unless they kill in large numbers and to the sounds of trumpets'.
Voltaire, *The Philosophical Dictionary*, 1764.

'In many places they lie as thick as ever did a flock of sheep. I really think I never saw the like...I hope in God it may be the last battle I may ever see'.
George, Earl of Orkney, September 1709.

In May 1703 the English government signed the Methuen Treaty with Portugal, which had joined the Grand Alliance against Louis XIV in 1701. In addition to strengthening commercial ties with Portugal, the Treaty reiterated England's resolve to persist in the War of the Spanish Succession until Spain and her crumbling empire had been wrested free of French control. Another result of the new alliance was the need for an augmentation of Her Majesty's troops in the Iberian theatre, and when this requirement was met in 1703 with the dispatch of some 7,000 men to Portugal, the ministry decided to replace them by raising seven new regiments of foot.¹ Two of the new regiments were to be raised in Ireland in the summer of 1703.² Later in the same year Orrery seems to have determined he would again endeavour to emulate his paternal grandfather by seeking a name for himself in the profession of arms. Despite a total lack of experience, commissions for lesser noblemen and gentlemen were obtained with relative ease throughout the eighteenth century. A fee coupled with the right connections were usually the only prerequisites necessary. The standard fee for a colonel's commission usually ranged from £400 to £500, and such awards often bypassed veteran, non-aristocratic officers.³

Orrery's commission award fell into such a category. His total inexperience as an officer would provoke criticism and reproofs towards the superiors with whom he enjoyed favour. None the less, it must have been increasingly clear that his parliamentary career was

¹Sir John Fortescue, *A History of the British Army*, (13 vols., London: MacMillan, 1910-30; Rpt. New York: AMS Press, 1976), i, 419.

²BL, Add. MS 29589, ff. 153-54.

³BL, Add. MS 21553, f. 60; for commission purchases and a host of other intricate and mysterious procedures in the British Army in the period see R. E. Scouller, *The Armies of Queen Anne* (Oxford: Clarendon Press, 1966); and more specifically, Scouller's 'The Purchase of Commissions and Promotions', *JSAHR*, lxi (1984), 217-26; also for commissions cf. Anthony Bruce, *The Purchase System in the British Army, 1660-1871* (London: Royal Historical Society, 1980), pp. 10-22; and H. Biddulph, 'The Era of Army Purchase', *JSAHR*, xii (1933-34), 221-33.

not to prove overly significant, therefore, continuation of his political career and future court influence would rely upon achievements in other spheres and the development of friendships and contacts made in the Commons. Success in the military sphere, accompanied by the Whigs' loss of control of the government and an evolving situation whereby Orrery ultimately became a useful tool for undermining the Duke of Marlborough's political and military authority, all contributed to Orrery's increasing importance in public affairs and justify close examination within the parameters of the present study. These conditions are also characterised by an extremely tangled inter-relationship; distinctions between what constitutes Orrery's activity in fomenting anti-Marlborough and anti-Whig discontent in the army and actions of his that are purely military in nature prove muddled, confusing and often overlap. Notwithstanding these difficulties, this chapter will attempt to analyse Orrery's initial military activities and associations and trace the years during which he was actually engaged in military operations in three campaigns against the French in Flanders at the height of the War of the Spanish Succession.

I

Orrery acquired his soldierly responsibilities shortly after assuming the mantle of absentee landlord from his deceased brother. Exactly when Orrery applied for a commission is unknown, but from his actions it can be inferred that he was confident of its pending award by late 1703, when he was busily engaged in the nomination of his officers. A mysterious letter written in his own hand from The Hague in April 1703 may constitute evidence that he visited the Army before actually receiving his commission,⁴ which as Colonel of a Regiment of Foot was granted on 1 March 1704.⁵ On 5 June he was further empowered to raise recruits for his regiment which was to consist of eleven companies. Orrery's commission may have been procured by his friend Henry St. John, who as the recently-appointed Secretary at War, affixed his signature to the commission's warrant.⁶

⁴The autograph letter in Bodl., MS Eng. misc. c. 75, ff. 18-19, is dated simply 1 April and signed Charles Boyle. It also mentions the writer having travelled to Brussels and seems to indicate he was on an errand for the Lord Treasurer.

⁵He was also commissioned captain of a company in the regiment. The original manuscript commission remains in the possession of Orrery's descendant, the Hon. Colonel G.H. Boyle, Esq., Bisbrooke Hall, Rutland, Leicestershire. I am grateful to Col. Boyle for permission to quote the commission and to Michael McGarvie for supplying a copy; *cf.* PRO, SP 41/5/254; *Army Lists*, v, 246, 263.

⁶*CTB*, xix, 46, 272. Orrery's regimental warrant is found in PRO, WO 25/3149/29. Other

Prior to the Act of Union in 1707, three separate armies served the British Crown. Like four other regiments raised at this time, Orrery's Foot was part of the Irish establishment, which supplied nearly half the British regiments raised for service from 1702 to 1713.⁷ Along with a number of other peculiarities concerning rank, seniority of officers, pay, etc., its finances were derived from Irish Exchequer revenues.⁸ Subordinate to the royal prerogative, regiments on the Irish establishment answered to the Lord Lieutenant, then newly-appointed in the person of James Butler, 2nd Duke of Ormonde. St. John's authority as Secretary at War notwithstanding, the selection of colonels and the dispatch of recruiting instructions seems to have been left largely to Ormonde's discretion.⁹ The phenomenon of the soldier-playwright was a rather common one at this time, with men such as Vanbrugh and Steele notable examples. Orrery's preference in officers directly reflected his predilection for men of letters as companions. Playwrights George Farquhar and Thomas Southerne, lesser literary acquaintances and relatives all eventually found themselves under their patron's command. Since many of these figures remained close companions and clients for much of Orrery's life they deserve some explanation.

Orrery secured Farquhar's commission as a lieutenant of grenadiers,¹⁰ while Southerne received the more lucrative appointment of regimental agent, whose primary function was the administration of supplies, a task for which he received a fee of two pence per pound. Most agents were appointed by a regiment's Colonel, who in turn was responsible for the procurement of supplies and thus almost universally garnered substantial profits from incoming monies. Southerne, and others like him, therefore, perpetrated graft for themselves

evidence suggests the commission came through then Secretary of State Robert Harley's favour; HMC, *Fifteenth Report, The Manuscripts of His Grace the Duke of Portland Preserved at Welbeck Abbey, Appendix, Pt. X* (10 vols., London: H.M.S.O., 1897-1931), x, 61.

⁷C.T. Atkinson, 'The Irish Regiments of the Line in the British Army', *Irish Sword*, i (1949-53), 20-23; cf. R. Wyse Jackson, 'Queen Anne's Irish Army Establishment in Ireland in 1704', *idem*, i (1949-53), 133-35, which prints excerpts from manuscripts in the Cashel Diocesan Library.

⁸Scouller, *Armies of Queen Anne*, pp. 83-84, 162; and PRO, WO 25/3149/29-30.

⁹BL, Add. MS 29589, pt. A, f. 161. Charles Hedges to Lord Nottingham, 9 Sept. 1703; BL, Add. MS 36771, f. 29. Numbered among Queen Anne's wealthiest subjects, Ormonde (1665-1745), was the grandson of the 1st Duke and political rival of the 1st Earl of Orrery. He replaced Rochester (his former father-in-law) in Feb. 1703, retained the post until Apr. 1707, and held it again from Oct. 1710 until Sept. 1713. Himself a Christ Church graduate, the popular Ormonde enjoyed a long military career but was a lacklustre commander. His military career and later Jacobite activities are summarised in *Complete Peerage*, x, 157-61.

¹⁰Farquhar's commission was dated the same day as Orrery's; see PRO, WO 25/91/1; BL, Egerton MS 1631, f. 13; BL, Add. MS 9759, f. 103; and Robert J. Jordan's valuable 'George Farquhar's Military Career', *HLQ*, xxxvii (1974), 251-64.

and their Colonel's mutual benefit.¹¹ Orrery's intercession ensured that several other friends either received commissions or were transferred into his regiment. Among its most experienced appointees were Multon Lambarde and Captain William Cecil,¹² who both became their Colonel's lifelong friends. Cecil was a veteran of several cavalry regiments.¹³ Lambarde was commissioned Lt. Colonel of Orrery's Foot on 1 August 1706 and would command the regiment at Malplaquet.¹⁴ Robert Freind, Orrery's former tutor and collaborator in the response to Bentley, was commissioned as regimental chaplain.¹⁵ Orrery did not enjoy unqualified success in securing places for his cohorts. His recommendations combined with the those of the Duchess of Devonshire apparently proved ineffectual for procuring a commission for playwright Francis Manning.¹⁶ Orrery's close friend, the Virginia tobacco planter William Byrd II of Westover, was forced to decline the offer of a commission.¹⁷

¹¹Scouller, *Armies of Queen Anne*, pp. 117-27; Southerne's military career is ignored in *DNB*, xviii, 688-90; but is subjected to an analysis in Robert J. Jordan, 'Thomas Southerne, Agent', *N & Q*, ccxiv (1979), 14-21. Southerne's literary career and relationship with Orrery is discussed below, Ch. 11, pp. 463-64.

¹²BL, Add. MS 9759, f. 103; BL, Add. MS 9762, f. 135; *Army Lists*, v, 264, n. 8.

¹³Apparently a cousin to Lady Elizabeth Cecil, whom Orrery married in 1706, Cecil later followed his commanding officer's example by embracing Jacobitism in the 1720s. His Jacobite career is examined in *House of Commons, 1715-1754*, i, 113-14; and Eveline Cruickshanks, *Political Untouchables: The Tories and the '45* (London: Duckworth, 1979), pp. 13-39, 60, 67-69. Orrery's marriage is discussed at length below, in Ch. 11, pp. 501-03.

¹⁴BL, Add. MS 38712, ff. 1-2; BL, Add. MS 61287, f. 80; HMC, *Fourteenth Report, Calendar of the Manuscripts of the Marquess of Ormonde, K.P., Preserved at Kilkenny Castle*, New ser. (8 vols., London: H.M.S.O. by Mackie & Co., 1902-20), viii, 54; HMC, *Cowper*, iii, 32, 96; and BL, Egerton MS 1631, f. 22. Lambarde had been appointed Captain in the Earl of Huntingdon's Regiment of Foot in 1702. A year younger than Orrery, he came from an ancient Kentish gentry family and may have been an acquaintance from Orrery's days at Sevenoaks school: see J.J. Howard, ed., *Genealogical Memoranda Relating to the Lambarde Family, Extracted from the Lambarde Diary* (London: Taylor & Co., 1869), pp. 15-16; for Lambarde's ancestors see *Bibliotheca Topographica Britannica* (London: for John Nichols, 1790), i, 530.

¹⁵BL, Egerton MS 1631, f. 3; BL, Add. MS 9762, f. 143; and above, Ch. 1, pp. 14, 29-30. Freind's commission bore the same date as Orrery's.

¹⁶HMC, *Ormonde*, viii, 140.

¹⁷Byrd's disinclination was due more to his private affairs than to a lack of his benefactor's influence: The Wilson Library, University of North Carolina at Chapel Hill, North Carolina Collection, Papers of William Byrd II, Byrd to [Orrery, endorsed to 'the Lord Bordelio'], (copy), c. early 1704; *idem*, printed in Marion Tinling, ed., *The Correspondence of the Three William Byrds of Westover, Virginia, 1684-1776* (2 vols., Charlottesville: University of Virginia Press, 1977), i, 244-45; *idem*, i, 246. Byrd to Southwell, 8 Jan. 1704, says Orrery favoured the Shropshire MP Henry Britt as Lt. Colonel, yet he was excluded in his officer lists: *cf.* BL, Add. MS 38712, f. 1.

Technically, Orrery's regiment was to be raised in Ireland, yet this stipulation proved impractical, as Catholic recruits were prohibited and Irish Protestants were often unreliable and unfit for service.¹⁸ The penury of Dublin's Exchequer delayed the commencement of recruiting for Orrery's Foot until June, and when the beating for recruits did begin it took place not in Ireland but in the English midlands. The activities of Farquhar and his fellow officers led them to the Shropshire towns of Shrewsbury and Lichfield,¹⁹ and formed the basis for Farquhar's popular play, *The Recruiting Officer*, which later met with the hearty approval of both Ormonde and Orrery.²⁰ Either out of zeal to hasten a promised promotion from Ormonde or fear of the consequences of failure to raise sufficient numbers, Farquhar paid out levy money from his own purse and suffered hardships as a result.²¹ Following procurement of its recruits Orrery's regiment was to converge at various ports and embark for garrison duty in Ireland by 14 September.²² Yet during the first few months after its formation, Orrery's regiment encountered a number of difficulties. Problems in securing recruits--who themselves left much to be desired--were at the forefront of those difficulties. Even at this early stage of the war, able-bodied men without the visible means of employment which excluded them from service were becoming increasingly scarce. Despite the sense of duty and concomitant privations of men such as Farquhar,²³ this scenario proved especially true for Orrery's officers. Recruiting which was delayed until the summer and the beginning of the harvest season cast army service as an unattractive alternative for labourers who could find opportunities for agricultural employment. As a result, the time allotted for recruiting had to be extended. In early October reports confirmed that Orrery's regiment was the only one of 14 on the Irish establishment under strength, containing only 11 companies.²⁴

¹⁸For Irish regiments' recruiting regulations in 1704 see BL, Add. MS 9762, f. 95.

¹⁹PRO, WO 25/3149/29; BL, Add. MS 9765, ff. 78-79; *CTB*, xix, 46, 272; Jordan, 'Southerne', p. 17; *idem*, 'Farquhar's Military Career', pp. 252-53.

²⁰The play opened in April 1707.

²¹See his widow's petition and a commendatory letter from Orrery printed in the article by James R. Sutherland in *Times Literary Supplement* (6 March 1937), p. 171.

²²PRO, WO 25/3149/29.

²³Orrery later wrote that his lieutenant recruited men 'to the great prejudice' of his family; see n. 21 above.

²⁴This deficiency was rectified when a company from another regiment was added to round out its numbers: BL, Add. MS 9765, ff. 90, 130, 198.

A fire during the 1922 unrest in Ireland has rendered military records for this period extremely scarce.²⁵ The evidence that can be pieced together from the few available sources indicates that elements of Orrery's regiment began arriving in Ireland in the autumn of 1704. Orders for over 500 muskets and other accoutrements for the regiment were directed to the Master General of the Ordnance in early October.²⁶ A detailed letter from Captain Trott, another one of Orrery's hand-picked officers, nevertheless paints a rather pathetic picture of the condition of Orrery's troops. A day after Trott's arrival he had already lost six men to desertion, and he complained that the entire regiment was 'not yet cloth'd.'²⁷ Four companies in Orrery's regiment were stationed temporarily at Kilkenny Castle, the ancestral home of the Dukes of Ormonde, where they provided a household guard for the Lord Lieutenant. In March 1705 the regiment was transferred to Dublin, where it would remain for a year. The same month, Orrery's Foot was among six regiments reviewed there by Ormonde, but there is no record of Orrery's presence.²⁸ Indeed, Orrery's activities in 1704-1705 suggest little concern for his newly-acquired responsibilities. Quite the contrary, Orrery did not journey to Ireland to command his regiment in 1704, and did so for only a brief period (somewhere in the neighbourhood of two months) in 1705.²⁹ Passing judgement upon Orrery's frequent absences would be pointless; furthermore, the practice was a common one in this period.³⁰ The unpleasant prospects of prolonged Dublin garrison duty, the sorry state of his troops, and the poor equipment they had been issued, probably combined to encourage his irresponsibility. These considerations are illustrated by examining his regiment's activities during one of the few periods when Orrery's duties seem to have compelled him to journey to Ireland and personally assume command.

An annual encampment was held in Kildare in late June and early July 1705.³¹ These

²⁵i.e. the 'Four Courts' fire of 1922; Jordan, 'Southerne', p. 17.

²⁶BL, Add. MS 9765, f. 91; PRO, WO 25/3180/10.

²⁷HMC, *Cowper*, iii, 50. Trott to Thomas Coke, Kilkenny, 26 Oct. 1704.

²⁸HMC, *Ormonde*, viii, 237; *Pue's Occurrences*, 27 March 1705, p. 406; Jordan, 'Farquhar's Military Career', pp. 257-58.

²⁹This is verified by letters from his agent in OPH, MS Eng. 218.25, ff. 1-37. Jordan, 'Farquhar's Military Career', p. 256, estimates he was in Ireland no more than six weeks in 1705; cf. HMC, *Ormonde*, viii, 169, 180. Orrery was also absent when groups of Irish MPs gathered for several occasions, such as Ormonde's birthday dinner on 29 April 1706: see BL, Egerton MS 917, f. 238.

³⁰Scouller, *Armies of Queen Anne*, pp. 121, 176; and John Childs, *The British Army of William III, 1698-1702* (Manchester: Manchester University Press, 1987), p. 51.

³¹PRO, SP 63/365/347; *London Gazette*, 9-12 July 1705.

gatherings were one of the primary methods by which military superiors identified and then disciplined absentee officers. Often highlighted by a presentation and test of firearms, the encampment also provided an opportunity for the Lord Lieutenant or his immediate subordinate to review the rank-and-file. Through the fault of neither the regiment nor its commander, Orrery's Foot proved an embarrassing failure in this exercise. Lord Cutts, Ormonde's chief officer in Ireland, described how most of the muskets previously issued to the Irish Foot Regiments were defective. In Orrery's regiment alone, a test of arms saw the barrels of 195 muskets burst open when fired, resulting in the deaths of two soldiers. Cutts' own more elite regiment of dragoons, traditionally among the best-equipped units in the British Army, suffered a similar fate. The situation was judged of sufficient gravity that the test of arms was suspended out of fear that the regiments would find themselves without serviceable weapons. Cutts remarked grimly that the troops would do as well to hazard a battle unarmed than to carry weapons with the tendency to be more injurious to those who fired them than to the enemy.³²

Disciplinary problems persisted as well. From 1704 to 1706 several of Orrery's 'very incapable' officers faced court-martial for desertion or assorted crimes. Those not appointed at his behest were particularly unruly and violent,³³ and others were charged with lesser offences, such as accepting bribes for discharging soldiers.³⁴ Conversely, some were themselves murdered or involved in other affrays with the predominantly Catholic and often hostile populace whom they were assigned to guard. These factors, the detachments of troops to fill the ranks of regiments headed overseas, and other deprivation and harassment resulting from alehouse billeting, combined to produce a regiment which Cutts could only attempt to defend from criticism.³⁵ There were also financial problems, and disputes between Ormonde and Irish military officials over the provision of levy money aggravated recruiting.

³²HMC, *Ormonde*, viii, 162. Cutts to Ormonde, Dublin, 30 June 1705. A Dublin newsheet reported that another serjeant cut his own throat in disgust: *Pue's Occurrences*, 26 June 1705; BL, Add. MS 9765, f. 173, contains an order dated 2 Aug. 1705 requesting 105 'fixt and Serviceable Musquetts', rather than 195, to replace the defective ones.

³³In a moment of inebriated arrogance, one Captain Harris drew his sword in an altercation with several fellow officers and then attempted to strike one of them with a candlestick; BL, Add. MS 9765, ff. 115-16, 210.

³⁴BL, Add. MS 9766, ff. 25, 50, and *passim*.; and Jordan, 'Farquhar's Military Career', pp. 255-57.

³⁵HMC, *Cowper*, iii, 70; HMC, *Ormonde*, viii, 207, 237, 275; and the recruiting order issued at Kensington Palace, 23 Oct. 1705, in PRO, WO 25/3149/45-46.

Threats of desertion by new recruits, combined with a need for subsistence monies and shortages and delays in its dispatch, forced officers to foot bills themselves and hope for reimbursement which was often years in coming. Further complications occurred when Orrery's regiment was transferred from the Irish to the English military establishment and then stranded in an Irish port because of transportation delays.³⁶

No record of Orrery's reaction to these misfortunes seems to have survived, but he was unable to escape complete blame for his regiment's disarray. Evidence suggests that he was not present at the disastrous show of arms in early July and arrived in Dublin in August.³⁷ Along with his dereliction of duty, his utter lack of experience was regarded by some as a substantial element of the problem. Ormonde was once severely rebuked for commending Orrery and a fellow colonel for their 'service' when in fact they had yet to depart from England to review their troops!³⁸ Moreover, Orrery bears secondary responsibility for some of the maladministration which befell his regiment, for if he was only indirectly involved in decisions affecting its provisioning, the appointment of his literary friends, and especially Southerne, was certainly not without its negative results; as regimental agent, the latter bore the principal responsibility for the procurement of uniforms.

Even with these weaknesses, Orrery seems to have enjoyed considerable favour with Ormonde, which is all the more remarkable when the latter's attitudes toward inexperienced officers are surveyed. A letter written by Ormonde's personal secretary (and a mutual acquaintance of both William Byrd and Orrery) a few months before Orrery's commission was issued provides illuminating insights in this regard:

my Lord Duke does not care for any feild (sic) officers who are not men that have served: & I hardly see him in passion, but when too many of ye officers of this country who are engag'd in farms or otherwise make difficulty of going abroad or serving any where where the Queen's service calls. It happens that my Lord Orrery is a man that never served any where, my Lord Harry Scott I think has made but one Campagne, so that they will need some that know the business, & who they will bee I know not.³⁹

Notwithstanding Ormonde's preferences, on several occasions he laboured to goad dilatory Irish Treasury officials into supplying payments for recruiting and subsistence to Orrery's

³⁶HMC, *Ormonde*, viii, 69; *CTB*, xix, 272, 346; Jordan, 'Farquhar's Military Career', pp. 254-57; PRO, WO 55/343/267-68.

³⁷Orrery did not arrive in Ireland until 28 July at the earliest: HMC, *Ormonde*, viii, 169, 180.

³⁸BL, Add. MS 29589, pt. A, f. 346; HMC, *Seventh Report*, App., p. 770. Godolphin to Ormonde, Whitehall, 25 Feb. 1705, and p. 778. Ormonde to Godolphin, 1 March 1705.

³⁹BL, Add. MS 29589, pt. A, f. 346. Edward Southwell to Lord Nottingham, 26 Jan. 1704.

troops. After the disastrous arms test, Orrery received Ormonde's personal assurances that steps would be implemented to acquire improved weapons and to ameliorate his troops' condition, which Cutts described as 'weak and indifferent' despite Major 'Lambert's' best efforts.⁴⁰ Ormonde and Cutts also secured more salubrious quarters for Orrery's Dublin garrison after it was ravaged by smallpox and orders terminating its duty there in 1706.⁴¹

As with other commanders in Ireland, the plight of Orrery's regiment was worsened by disease-ridden, overcrowded barracks and by the frequent need to replenish ranks following troop transfers to the Spanish theatre.⁴² Speculation about his own dereliction of duty should also take into consideration the admittedly minimal obligations accompanying his position in the Alienation Office. More important, Ormonde defended Orrery's long absences in England as perfectly justified in the light of his dual obligations as a military officer and MP.⁴³ Despite Orrery's inexperience, Ormonde's defence of Orrery seems legitimate, and despite the fact he did not seek re-election in 1705, Orrery's participation in Parliament from 1703 to 1705 must be taken into account. Indeed, the increasing responsibilities connected with his regiment could have been among the reasons leading him to avoid the hustings. The decision to transfer Orrery's regiment back to England (and onto the English establishment) in 1706 must have been received with gratitude and relief. Orders for transport were issued in September, and by early November Orrery's Foot had returned to England.⁴⁴ Upon arrival the regiment was dispersed for winter quarters, with various companies taking up assignments at garrisons throughout the midlands and northern England.⁴⁵

II

After 1706 Orrery's increasingly close relationship with an important figure proved of the greatest consequence and resulted in additional advances in his military career. Sometime between 1700 and 1705 Orrery began a close and most fortuitous association with John

⁴⁰HMC, *Ormonde*, viii, 186, 213, 218, 261; and Jordan, 'Farquhar's Military Career', p. 255.

⁴¹HMC, *Ormonde*, viii, 180, 237, 261-63; *CTB*, xxiv, Pt. 2, 182-83.

⁴²HMC, *Ormonde*, viii, 248, and 261. Cutts to Ormonde, Dublin, 13 Aug. 1706.

⁴³HMC, *Seventh Report*, App., p. 778; *LDM*, i, 224. Marlborough to Ormonde, 6 Jan. 1705.

⁴⁴HMC, *Ormonde*, viii, 263. Cutts to Ormonde, Dublin, 4 Nov. 1706; BL, Add. MS 9766, f. 39; Erle Papers 2/56/17, 20; and H.T. Dickinson, ed., 'The Correspondence of Henry St. John and Thomas Erle, 1705-08', *JSAHR*, xlviii (1970), 220, 224.

⁴⁵PRO, WO 5/14/8-9, 14-16.

Campbell, 2nd Duke of Argyll.⁴⁶ Undoubtedly one of the most powerful figures in Scottish affairs during the early eighteenth century, he was also among the most ambitious and brilliant commanders to serve in Queen Anne's army.⁴⁷ In June 1705 Argyll solicited a royal warrant from Godolphin authorising him to grant 'Green Ribbons' to the Marquis of Lothian, and the Earls of Haddington and Mar. Argyll was referring to the Order of the Thistle, which was created in 1687 by James II and revived by Queen Anne in 1704.⁴⁸ The Order was accepted as a slightly less-illustrious substitute for the Garter and was traditionally granted to Scottish peers as a reward for their services just as the K.G. was for Englishmen.⁴⁹ Argyll requested another K.T. ribbon for his 'best friend Lord Orrery', whom he described as a man 'everybody must allow to be a man of most extraordinary worth'.⁵⁰ Argyll was insistent on procuring the K.T. for Orrery, which the latter received on 30 October 1705. Orrery proudly wore the Order's representative medallion,⁵¹ and it figures prominently in two portraits of

⁴⁶Educated privately, Argyll (1680-1743), took command of the 10th Regt. of Foot in 1703; K.T. 4 Feb. 1704; Col., 4th Troop of Horse Guards, 1703-15. Upon his father's death in Sept. 1703 he inherited (among others) the titles of Duke of Argyll, Marquess of Kintyre and Lorn, Earl of Campbell; Brig. Gen. 1704; 26 Nov. 1704, cr. Baron Chatham, and Earl of Greenwich (English titles); Major Gen. 1706; Col., 3rd Regt. of Foot, 1707-11; 3rd Horse, 1726-33; Col., Royal Horse Guards, 1715-16, 1733-40; Lt. Gen. 1709; K.G., March 1710; Gen. 1711; Field Marshal 1736; Amb. to Charles III of Spain, Jan. 1711; Privy Council, 1709 and 1714-16; defeated Jacobite Army at Sheriffmuir, 13 Nov. 1715; cr. Duke of Greenwich, Apr. 1719; Lord Steward of the Household 1719-25; see *Complete Peerage*, i, 206-07; *DNB*, iii, 821-25. Argyll desperately needs a modern critical study. A laudatory account is by Robert Campbell, *The Life of the Most Illustrious Prince, John, Duke of Argyll and Greenwich* (London: for Robert Campbell, 1745). Patricia Dickson's more recent: *Red John of the Battles: John, 2nd Duke of Argyll and 1st Duke of Greenwich, 1680-1743* (London: Sidgwick & Jackson, 1973), is adequate but poorly-documented. There is also some information about Argyll in Jan G. Lindsay and Mary Cash, *Inveraray and the Dukes of Argyll* (Edinburgh: Edinburgh University Press, 1973), pp. 5-7.

⁴⁷An essential source for the military history, as well as other aspects of the period, is the detailed (albeit at times biased) biography by admiring descendant Winston L. S. Churchill, *Marlborough: His Life and Times*, 2nd ed. (4 vols. in 2 pts., London: George G. Harrap, 1947).

⁴⁸For a history of the Order, details on its award ceremony, and requirements for recipients see BL, Lansdowne MS 773, f. 17; NLS, MS 3835, f. 105, 'Memorial concerning the Dean of the Order of the Thistle,'; *The Statutes of the Order of the Thistle* (London: William Pickering, 1828); Oldmixon, *History*, p. 332.

⁴⁹The K.T. maintained its strong associations with the exiled Stuarts. Four Knights of the Thistle followed James II into exile in 1688, and in 1705, his son issued three new writs for K.T.s for Jacobites living in Scotland. The Order's popularity at the exiled Jacobite Court has been analysed by Edward Corp: 'The Stuart Court at St. Germain-en-Laye', an unpublished paper read at a symposium entitled 'The 3rd Earl of Burlington-The Man and His Politics', held at Burlington House, London, by the Royal Society of Antiquaries, 26 Feb. 1993.

⁵⁰NLS, MS 3366, f. 33, letter dated 12 June 1705; and printed in: William Campbell, 9th Duke of Argyll, ed., *Intimate Society Letters of the Eighteenth Century* (London: Stanley Paul & Co., 1910), p. 24; and cited (without reference) in Dickson, *Argyll*, p. 64.

⁵¹NLS, MS 3366, ff. 59-60; *Intimate Society Letters*, p. 38; *London Gazette*, 6-10 Nov. 1705;

him attributed to Irish painter Charles Jervas dating from 1707.⁵² Curiously enough, it appears that Orrery was one of very few native-born Englishmen and non-Scottish peers to receive it, a distinction perhaps for some unknown reason attributable to his Irish title.

Along with responsibility for Orrery's K.T., Argyll effected an advancement in his friend's military career by engineering Orrery's escape from the unglamorous command of an Irish garrison regiment. In late February 1707 Argyll became the 3rd Foot's Colonel, and at the same time, Orrery shed the burden of his old regiment when he was granted the colonelcy of Argyll's former regiment.⁵³ Both regiments were comprised of seasoned men who had seen action in the previous campaign and who were then in winter quarters in Flanders.⁵⁴ Since regimental enumeration was just beginning to be introduced, colonels' names remained the normal method of identification. Therefore, this change in regimental commands creates a considerable challenge when tracing Orrery's activities from 1706 to 1709 and causes enormous difficulties in identifying his whereabouts in a particular battle by focusing on his regiment's movements. Confusion is compounded in a case such as Orrery's where a colonel was transferred not once but several times before the war's end. In fact, the Marlburian Wars' pre-eminent historian, the late C.T. Atkinson, named Orrery as a perfect example of this type of problem of officer identification, tracing his initial command in March 1704, transferral in 1707 to the more senior regiment, and his ultimate succession to the colonelcy of the Royal Scots Fusiliers in December 1710.⁵⁵ Furthermore, the common practice of using battalion and regiment interchangeably to designate the same size of military unit simply compounds the difficulties in identifying the locations and movements of specific officers in military operations and engagements with the enemy.

Along with many of his most competent officers, Orrery also appears to have taken a stronger resolve for discipline to his new command. Evidence implies that after 1707 he

Complete Peerage, x, 179. *Biographica Britannica*, ii, 935, dates Orrery's receipt of the Order as 13 October, and attributes the award to the fact that Orrery had 'distinguished himself so remarkably'.

⁵²A portrait possessed by the Boyle family in 1905 but now lost reveals an arrogant and youthful Orrery, and is reproduced in *Orrery Papers*, i. A more mature and dignified Orrery is depicted in a portrait possessed by the National Portrait Gallery in London.

⁵³Raised in 1702, it was known by the name of its original colonel, Thomas Stringer.

⁵⁴*Dublin Gazette*, 22-25 Feb. 1708; Luttrell, vi, 146, entry for the week of 13 Mar. 1708; and *Army Lists*, v, 246; vi, 144.

⁵⁵C.T. Atkinson, 'Notes on the Spanish Succession War: Gleanings from W.O. IV and Other Sources in the Public Record Office', *JSAHR*, xxi (1942), 86-87.

strove to reduce absenteeism among his officers.⁵⁶ Southerne accompanied his patron to the new command as regimental agent, and Robert Freind transferred as chaplain.⁵⁷ Equipped for the forthcoming summer campaign Orrery, his quartermaster, Southerne, and four servants departed from England in April 1707.⁵⁸ Orrery's embarkation marks a watershed in his career. For the next five years, an examination of his public career must focus upon events in the realm of military history and squabbles between army factions, specifically, upon Orrery's growing antagonism towards the Duke of Marlborough and his loyal subordinates, against the backdrop of the war in Flanders. Unlike his military service prior to 1707, thereafter Orrery gained distinction and would be rewarded accordingly.

When contrasted with the sensational victories achieved by the multi-national Allied Army at Blenheim and Ramillies, the campaign of 1707 proved a disappointing stalemate. As with campaigns earlier in the war, the implementation of Marlborough's strategy and his army's mobility remained hindered by the intervention of timid Dutch Field Deputies who would consent to a pitched battle only under overwhelmingly favourable conditions which were well nigh impossible to achieve. Allied defeats off Toulon and in a decisive land engagement at Almanza shifted additional attention and public pressure upon the armies confronting each other in Flanders.⁵⁹ Still, the Allied Army largely spent the summer enduring the boredom of prolonged encampment. Information about Orrery's first campaign is scarce because of limited sources. His departure from England in 1707 must have been unpleasant because duty forced him to leave his new family behind.⁶⁰ He probably arrived at the encampment at Meldert in the spring of 1707, for soon thereafter he sought approval of commissions for several of his officers. It is likely he travelled with Argyll, who made the journey in mid-April,⁶¹ when companies in Orrery's Foot were consolidated and transported to Flanders.⁶² Orders of Battle

⁵⁶BL, Add. MS 61320, ff. 89-91, contains a list of Orrery's officers who were absent and present for duty, dated 1707.

⁵⁷Orrery's friend William Cecil transferred to the regiment in August 1707 as a captain: BL, Add. MS 61320, ff. 89-91; Jordan, 'Southerne', p. 18; *Army Lists*, v, 263-64; *idem*, vi, 351.

⁵⁸Their travel pass is found in PRO, WO 26/12/92.

⁵⁹Churchill, iii, 229-58; *Dublin Gazette*, 12-15, 22-25 July 1707.

⁶⁰He was married in 1706 and became the father of his only son John, in January 1707. For details see below, Ch. 11.

⁶¹SRO, GD124/15/517/1. Argyll to Mar, 12 April 1707, onboard the *Gosport*.

⁶²PRO, WO 5/14/88, is an order dated 3 April 1707 for Orrery's regiment to proceed to Plymouth; PRO, WO 4/5/197, is a similar order dated 4 April relieving a company of Orrery's regiment on garrison duty at Tynemouth Castle.

from the summer of 1707 grouped Orrery's Foot in Evans's brigade, along with two Dutch and an additional British regiment, which together formed the heart of the right flank of the army's first line.⁶³ Later in the campaign Orrery's regiment was ordered to march from Menin to Brussels.⁶⁴

No major battles on the order of previous campaigns were fought in Flanders during 1707. In Orrery's case this inaction was probably for the best. If one of the few extant letters he wrote during this period is accurate, ill health and the poor state of his regiment did little to instil self-confidence in either his men or their commander. Yet one can scarcely avoid suspicion that these explanations were offered in efforts to disguise his incompetence. Orrery alleged that his regiment 'lay under many disadvantages' when he assumed command.⁶⁵ He failed to elaborate as to the nature of these deficiencies, but the regiment was no less fit for duty than its counterparts. It could certainly not have been inordinately depleted by casualties suffered at Ramillies.⁶⁶ Orrery's claims of illness, however, could be legitimate. The stomach ailment which dated from his youth appears to have plagued him periodically for the duration of his life.⁶⁷ An apologetic letter to Marlborough in the spring of 1708 implies that he suffered from this affliction during the 1707 campaign and that it may have induced him to spend the winter months in England. Deferential, Orrery promised to journey to the front by June and 'endure the camp' provided the temperature did not endanger his health.⁶⁸ Marlborough's cordial reply granted Orrery indefinite leave and revealed no hint of dissatisfaction with his conduct.⁶⁹ A more serious personal tragedy soon struck Orrery with

⁶³NLS, MS 2879, f. 271; NLS, MS 2880, f. 2, dated 21 Aug. 1707, at Soignies; *The Order of Battle of the Confederate Army at the Camp of Meldert, June 26, 1707, N.S.* (Dublin: Repr. by Edward Sandys, 1707), p. 1; and Fortescue, i, 493. BL, Add. MS 70944, f. 8, is another Order of Battle dated 21 May 1707. Contained within manuscripts only acquired by the British Library in March 1992, it omits Evans's brigade; see also *LDM*, iii, 462. Marlborough to St. John (as Secretary at War), Meldert, 7 July 1707.

⁶⁴See the 1 Sept. 1707 entry in vol. ii, 10v, of the extremely valuable, anonymous, three-volume unpublished military diary, dating from 1703-1712, in NLS, Accession 7228, Vols. 530-32, Newhailes Papers of Dalrymple of Hailes & Newhailes (cited hereafter as *Newhailes Diary*). The present author's annotated edition, 'The Diary of a Scottish Officer in Marlborough's Army', (forthcoming, Royal Historical Society) is scheduled to appear in print in 1996.

⁶⁵BL, Add. MS 61154, ff. 119-20. Orrery to Marlborough, 18 May 1708.

⁶⁶Eyewitnesses wrote that the British regiments which suffered most heavily there were those under the command of Generals Churchill and Mordaunt: Andrew Crichton, ed., *The Life and Diary of Lieutenant Colonel John Blackader* (Edinburgh: H.S. Baynes, 1824), p. 277.

⁶⁷See above Ch. 1, p. 16.

⁶⁸BL, Add. MS 61154, f. 120.

⁶⁹*LDM*, iii, 50. Marlborough to Orrery, 4 June 1708.

the untimely death of the 21-year old Lady Orrery on 12 June 1708. No reference was made to her health in the earlier letter, so it can be conjectured that her death was unexpected and may have further delayed Orrery's return to the front.⁷⁰

After his belated return in the summer of 1708 Orrery and other Allied officers found themselves preoccupied with trials of a different nature. The principal engagement of the campaign was fought at Oudenarde on 11 July 1708, N.S. A pivotal role in this stunning French defeat was played by 16 battalions (or regiments) commanded by Major General William (later 1st Earl) Cadogan,⁷¹ who successfully secured several bridgeheads across the River Scheldt and enabled Marlborough's army to confront the French on ground of the Allies' choice.⁷² Oudenarde is thought unique because it lacked an official Order of Battle, but one drawn up in May again grouped Orrery's regiment in Evans's brigade under Cadogan.⁷³ Pinpointing Orrery's own whereabouts at the Battle of Oudenarde is more frustrating. Contemporary accounts of his life do not mention his participation,⁷⁴ and although they should not be overemphasised, references to Orrery and his regiment are lacking in numerous firsthand accounts.⁷⁵ One Order of Battle lists Orrery's Foot with Evans's Brigade on the extreme end of the first line's right flank as in 1707.⁷⁶ Another witness described Evans's brigade in an assault in defence of the Allied right near the battle's conclusion.⁷⁷

⁷⁰Lady Orrery was not buried in St. James Church, Westminster, until 21 June: *Complete Peerage*, x, 190.

⁷¹For more on Cadogan see below, Ch. 5, pp. 145-50, 154, 157, 198-200. A brief and uncritical account of his military career is found in Patricia Dickson, 'A Brilliant Soldier; William, 1st Earl Cadogan (1672-1726)', *Army Quarterly*, cvi (1976), 415-22.

⁷²For accounts of the battle see Churchill, iii, 356-80; and David Chandler, *Marlborough as Military Commander*, 3rd. ed. (Tunbridge Wells: Spellmount, 1989), pp. 209-22.

⁷³Fortescue, i, 498, 503, at the time he wrote, knew of no Order for Oudenarde, but *cf.* n. 76 below. The May Order of Battle drawn up at St. Renelle is found in BL, Add. MS 70944, ff. 17-18; and reprinted in Boyer, *Annals*, vii, App. 2, p. 21. For the usefulness of 'Orders' as sources see C.T. Atkinson, 'Marlborough's Orders of Battle', *JSAHR*, xv (1936), 107-13.

⁷⁴Had Orrery been present at the engagement the laudatory Budgell would surely have not missed an opportunity to bestow encomiums.

⁷⁵John Millner, *A Compendious Journal of All the Marches, Famous Battles, Sieges, and Other Most Noteworthy, Heroical, and Ever Memorable Actions of the Triumphant Armies of the Ever-Glorious Confederate High Allies* (London: n.p., 1713), pp. 214-20; and Thomas E. Broderick, *A Compleat History of the Late War in the Netherlands* (London: William Pearson, 1713), pp. 228ff.

⁷⁶C.T. Atkinson, 'Oudenarde: The Missing Order of Battle', *The Fighting Forces: A Quarterly for the Royal Navy, Army & Royal Air Force*, i (1924), 489-97; *idem*, cited in Knight, i, 44.

⁷⁷John Marshall Deane, *A Journal of Marlborough's Campaigns during the War of the Spanish Succession, 1704-1711*, D.G. Chandler, ed. (London: Society for Army Historical Research, 1984), p. 60.

More certain is that Orrery was present at the bitter confrontation which followed Oudenarde: the siege of Lille. The capital and premier city of French Flanders, Lille represented the epitome of Vauban's expertise in fortification design and construction. Not only did it possess huge stone walls, earthworks, and double moats, but inside the city a citadel provided defenders with supplementary fortifications which rendered it nearly impregnable. The siege, which began in August, was later described as 'the longest and most noteworthy' of the war.⁷⁸ A daring French effort here to replenish dwindling powder supplies ended in what can perhaps be designated among the more grisly encounters of the entire conflict, when a contingent of horsemen disguised as Allied troopers attempted to infiltrate the siege lines.⁷⁹ Witnesses also remarked on the siege's severity, recalling how Allied troops were 'killed by shot, drowned and Spoiled by their [the French] Hellish inventions of throwing of bombs, boyling Pitch, tar, Oyle and Brimstone with Scalding Water.'⁸⁰ Despite French decoy manoeuvres at Wynandael, and after weeks of bombardment and arduous trench duty for many Allied foot regiments, the city was finally starved into submission in October. Orrery's Foot and the rest of Evans's Brigade were engaged in foraging operations in mid-October. Later in the month nine battalions, which included Orrery's and another British battalion, were ordered to Lille to relieve units which had suffered heavy casualties in the siege.⁸¹ Evans's Brigade was delayed because of bad weather and arrived late.⁸² The siege of the citadel ended two months later on 10 December.⁸³ Orrery's suffered the second highest

⁷⁸BL, Add. MS 3092, ff. 63-66; Millner, p. 224.

⁷⁹Their true identity was discovered when they were challenged by sentries, but only after a substantial number had succeeded in reaching safety. The remainder 'made a dismal spectacle' as the 40 pound sacks of gunpowder on their backs exploded when struck by Allied musket fire. The Newhailes diarist put the number of lucky French horsemen at 600; Kane reckons the number closer to 1,000: Newhailes Diary, ii, f. 57; Kane, pp. 79-80; *Compleat History*, (1708), p. 293.

⁸⁰John Marshall Deane, *A Journal of the Campaign in Flanders, AD-MDCCVIII, including the Battle of Oudenarde, and the Siege of Lille*, Rev. John Bathurst Deane, ed. (London: privately printed, 1846), p. 26; Deane, *Journal*, pp. 68-69.

⁸¹Newhailes Diary, ii, ff. 75v-76v; [David Jones], *A Compleat History of Europe: or, a View of the Affairs Thereof, Civil and Military, for the year 1708* (London: for Andrew Bell, 1709), p. 346; *The Present State of Europe: or, The Historical and Political Monthly Mercury, Giving an Account of all the Publick and Private Occurrences, Civil, Ecclesiastical, and Military...* (29 vols., London: for Henry Rhodes, 1694-1722), xix, 438; C.T. Atkinson, 'Marlborough's Sieges', *JSAHR*, xiii (1934), 203.

⁸²BL, Add. MS 61312, f. 130.

⁸³BL, Add. MS 3392, ff. 68-69; BL, Add. MS 61312, f. 207; Churchill, iii, 424-40, 464. For other accounts of the siege and a detailed map of Lille see the anonymously-authored *The History of the Campaign in Flanders in 1708* (London: A. Baldwin, 1709); *Compleat History*, (1708), pp. 270-71; and Millner, pp. 224-29. Millner's account and the records left by him and other

ratio of casualties of any Allied regiment involved in the siege, with over 75 men killed and wounded.⁸⁴ In one of his few surviving letters from this period Orrery complained of the 'duty and fatigue at the siege' which prevented his correspondence with Marlborough,⁸⁵ thus establishing that Orrery and his regiment were engaged at Lille and in action for at least the second half of the 1708 campaign.⁸⁶

Despite winter's onslaught, Marlborough realised the strategic necessity of recovering Bruges and Ghent before retiring for the season. Both towns were invested, and it appears that Orrery remained in the field with his regiment and participated in the siege of Ghent castle which began on 18 December. The trenches at Ghent were opened on 24 December and again on Christmas night.⁸⁷ The latter assault was led by four battalions under Evans, who was later captured in a French counterattack.⁸⁸ Orrery's and Preston's (26th Foot) were the only British regiments involved in this attack. One source shows their casualties for the siege as remarkably light.⁸⁹ After the fall of Ghent, Marlborough and his French adversaries decided to seek a respite from the elements and postpone the struggle until spring. Orrery does not appear to have remained with his regiment during its winter quartering. Evidence from prior and subsequent to the 1708 campaign suggests that he always returned to England to spend the winter.⁹⁰ Yet if one determines Orrery's movements solely by his association with Argyll, who received wounds at both Lille and Ghent, it can be deduced that this trip was probably

contemporary soldier-historians are evaluated by Hugh Pearse, 'Marlborough's Men', *Cornhill Magazine*, xxx (1911), 67-75.

⁸⁴BL, Add. MS 61312, f. 209. Col. Lalo to Marlborough, 11 Dec. 1708.

⁸⁵BL, Add. MS 61294, f. 124. Orrery to Ensign Robert Sambee, Oct. 1708, from camp at Havne.

⁸⁶Orrery's regiment's frequent engagements in 1708 were further confirmed by William Cecil's father, who solicited Lord Raby to write to 'duek Malbrow' for a promotion for his son, who had 'been in the hottest of sarvis this year.': BL, Add. MS 31141, ff. 132-33; and *idem*, in the valuable collection from the family of Orrery's travel companion in Paris (and later diplomatic colleague) Thomas, Lord Raby, in James J. Cartwright, ed., *The Wentworth Papers, 1705-1739* (London: Wyman & Sons, 1885), pp. 544-45.

⁸⁷NLS, MS 1033, f. 74; *Present State*, xix, 494; Atkinson, 'Sieges', p. 203; cf. Chandler, *Marlborough*, p. 237, who lists the date as 23 December.

⁸⁸NLS, MS 1033, f. 74.

⁸⁹BL, Add. MS 61231, ff. 134-35, 'Liste des mort et blessés devant Gand' 27 Dec. 1708, contains figures for 7 regiments, with Orrery's and Preston's the only British regiments engaged. Orrery's suffered no dead and 2 officers, 1 sgt., 2 soldiers wounded.

⁹⁰At the end of the 1709 campaign, for example, he journeyed across the Channel with Argyll: Luttrell, vi, 503; and volume A/27 of the seldom-used Diaries, Journals, and Order Books of the 8th Baron Cathcart, now in the possession of the Rt. Hon. 6th Earl Cathcart, Moor Hatches, West Amesbury, Wiltshire.

postponed in 1708, and that Orrery returned after the capitulation of Ghent and his regiment had gone into winter quarters in Brussels.⁹¹

Furthermore, it should be re-emphasised that an officer's absence from one's regiment was a widespread, almost traditional practice which increased with the war's duration. Egregious cases saw officers absent from their regiments as long as five years without reprimand, insulated from reproach by the intercession of favourable commanders.⁹² Orrery's conduct revealed practices nowhere as flagrant as these. On the contrary, by 1708 Orrery's military obligations had assumed a more important position in his career and this importance was reflected by his more serious and conscientious attitude. Accordingly, increases in his rank and responsibilities during the subsequent campaign imply that his service in the 1708 campaign was viewed as meritorious by his superiors. This assumption is substantiated by evidence in Marlborough's correspondence, which also reveals the culmination of the Whig-Tory political rivalries which permeated the British military hierarchy in the last stages of the War of the Spanish Succession and, in which, Orrery played a considerable role.

III

In many respects contemporaries must have anticipated the 1709 campaign as the most decisive of the war. Frigid winter temperatures had ruined crops in France and neighbouring Flanders, leaving despair which weighed heavily upon the shoulders of everyone from the lord of Versailles to the lowliest peasant. Controversial peace talks held in the spring proved fruitless, resulting only in delays in the launching of the season's campaign. When the opposing armies did commence their movements in June, the Allies did so from a position of preponderant strength, possessing the greatest numbers of the war, with over 110,000 men at Marlborough's disposal.⁹³

Orrery began the campaign with prospects of an increase in rank. Relying primarily upon

⁹¹*Army Lists*, vi, 299-301; BL, Add. MS 31141, ff. 132-33; Orrery and Argyll usually returned to the front together in the spring as well: e.g., PRO, WO 4/8/248 lists Argyll, Orkney, and a number of other officers who intended to return in April 1708.

⁹²Scouller, *Armies of Queen Anne*, pp. 274-76; Fortescue, i, 573-74.

⁹³Millner, p. 259; *The Private Correspondence of Sarah, Duchess of Marlborough, Illustrative of the Court and Times of Queen Anne* (2 vols., London: Henry Colburn, 1839), ii, 328; David Chandler, *The Art of Warfare in the Age of Marlborough* (London: Batsford, 1976), p. 94.

the War Office Military Entry Books,⁹⁴ Dalton reports that Orrery was promoted to Brigadier General on 1 January 1709, the same day that Argyll was elevated to Lieutenant-General.⁹⁵ None the less, this date for Orrery's commission is either erroneous or the commission was a long time forthcoming, for he was definitely ignored in the spring promotion of general officers,⁹⁶ and efforts to confirm his elevation in rank continued into June and the days prior to the siege of Tournai. Marlborough sought Godolphin's approval for Orrery's brigadier's commission as early as 20 June, justifying his request by describing him as not only the 'eldest collonel' but 'a man of quallity'.⁹⁷ Godolphin conveyed Marlborough's request to Queen Anne, yet exhibited disapproval and revealed lingering memories of Orrery's earlier dereliction of duty,⁹⁸ by querying Marlborough on the propriety of his choice. The request was then forwarded to the Secretary at War, Robert Walpole. Uncertainty remains as to whether Godolphin and Walpole conspired to forestall Orrery's promotion. At any rate a lengthy delay ensued, and nearly a month later Marlborough found it necessary to reiterate his assessment of Orrery. Nevertheless, vestiges of Godolphin's dislike of Orrery remained, for the long overdue confirmation of Walpole's dispatch of the commission was accompanied by the remark that there were several other 'elder collonels' in line for promotion.⁹⁹ It is possible that, in Orrery's case, bureaucratic inefficiency was encouraged by the personal and political opposition of Godolphin and Walpole,¹⁰⁰ and unduly delayed official approbation of the commission. This seems the only explanation for the seven months which elapsed between Dalton's January 1709 date for the commission and the August date.¹⁰¹ Whatever the case, it was soon common knowledge in the camp that Marlborough had granted Orrery's commission and by

⁹⁴Referring to PRO, SP 44/175, Entry Book, 1707-1714.

⁹⁵*Army Lists*, v, 17, 246; vi, 299-301; cf. Collins, *Peerage*, vii, 160, which gives the date as 27 Aug. 1709.

⁹⁶*Compleat History*, (1709), pp. 132-33.

⁹⁷*M-G Corr.*, iii, 1288-89; *Private Corr.*, ii, 325.

⁹⁸See above, p. 76, n. 38.

⁹⁹*M-G Corr.*, iii, 1301. Godolphin to Marlborough, 4 July 1709, and *idem*, iii, 1340-42; cf. *Private Corr.*, ii, 352, letter dated 14 Aug. 1709.

¹⁰⁰There is evidence from this period of a dispute between Orrery and his regiment's former agent, a dispute of which Walpole had knowledge; PRO, WO 4/8/220, 274.

¹⁰¹The latter date is confirmed by the editor of *M-G Corr.*; cf. PRO, SP 41/5/254; and *Army Lists*, v, 246; vi, 299. A more recent study faulted Dalton for failing to seek out information about cases like Orrery's in which commissions were awarded abroad, concluding that many were not recorded to avoid payment of a stamp duty: Ivor F. Burton and A. N. Newman, 'Sir John Cope: Promotion in the Eighteenth Century Army', *EHR*, lxxvii (1963), 655-68.

8 August, N.S., had 'declared him' brigadier.¹⁰² Even prior to this date, Orrery's reputation seems to have improved, for his responsibilities increased. Several times in July he was listed as commander of the picquet in the allied camp. He was also named ranking Brigadier General and Officer of the Day only two days after being 'declared', and served in the latter capacity on at least four more occasions in the subsequent month preceding what ultimately proved to be the war's most sanguinary struggle: the Battle of Malplaquet.¹⁰³

The severe winter delayed the beginning of the 1709 campaign until June. Orrery's Foot marched out of Brussels under Evans's command on 31 May, making its way toward the front via Lille and Oudenarde and linking up with elements of the main army en route.¹⁰⁴ Dissension among commanders and public criticism over the Allies' lack of a strong initiative at the campaign's outset intensified on 27 June when Marlborough unexpectedly invested Tournai.¹⁰⁵ An arduous and bloody project, the assault consisted of three separate attacks, one of which included seven British battalions.¹⁰⁶ When the city surrendered on 29 July 1709, the citadel's tenacious defenders (as at Lille) endured additional weeks of privation, subsisting on horsemeat, before finally capitulating on 6 September.¹⁰⁷ The evidence for Orrery's participation in the siege of Tournai is problematic, contradictory and inconclusive. Several detailed Orders of Battle for the siege fail to list his regiment;¹⁰⁸ nor was it among seven British battalions designated for siege duty on 21 June.¹⁰⁹ These omissions were challenged

¹⁰²Newhailes Diary, ii, f. 106v, entry for 8 August 1709, N.S., from Camp at Orchies; *cf. Private Corr*, ii, 340. Marlborough to Godolphin, 28 July 1709; *M-G Corr.*, iii, 1326-27.

¹⁰³The dates were 10, 14, 18, 23, 28, and 31 August 1709; Newhailes Diary, ii, ff. 99v, 102v, 105v, 106v, 108v-09v, 111v, 113v-114v.

¹⁰⁴Deane, *Journal*, pp. 79-80.

¹⁰⁵The French were convinced he would try to take Ypres instead; for the siege itself; see Newhailes Diary, ii, f. 96; BL, Add. MS 3392, ff. 77-78; BL, Add. MS 61552, ff. 177-82; *Compleat History*, (1709), pp. 215ff.; *Present State*, xx, 225-30; Broderick, pp. 295-300; Millner, pp. 264-65; Churchill, iv, 573-87; and Chandler, *Marlborough*, pp. 247-48.

¹⁰⁶Numerous underground mines and tunnels caused heavy Allied casualties in their attempts to gain entry into the city: BL, Add. MS 61552, ff. 177-78; HMC, *Fourteenth Report, Appendix, Pt. IX, The Manuscripts of the Earl of Buckinghamshire, the Earl of Lindsey, the Earl of Onslow, Lord Emily, Theodore J. Hare, Esq., And James Round, Esq.* (London: Eyre & Spottiswoode, 1895), ix, 224-26; Chandler, *Art of Warfare*, pp. 257-58; and Kane, p. 83.

¹⁰⁷Louis XIV had refused to surrender the citadel in early August without a general cease fire; BL, Add. MS 41178, ff. 39-40, 45-46; *Present State*, xix, 265, 309-11, 314-16.

¹⁰⁸Especially SRO, GD26/9/439; *cf. idem*, GD26/9/435; and Fortescue, i, 516.

¹⁰⁹Newhailes Diary, ii, ff. 96-97; Deane, *Journal*, p. 81.

in a study which utilised manuscripts compiled by the 2nd Duke of Montagu,¹¹⁰ which referred to an Order that designated Orrery's Foot for siege duty at Tournai, but upon a careful scrutiny of the document in question that designation cannot be confirmed.¹¹¹ Moreover, accounts of the siege list Primrose and Sabine as the only British brigadiers engaged,¹¹² even though other Orders dating from early July 1709 name Orrery's as one of four battalions in Sabine's brigade.¹¹³ An even more confusing Order of Battle dated 24 June 1709, some six weeks before Orrery's promotion, places him commanding a brigade of four regiments on the first line: Preston's, Prendergast's, and the Hanoverian regiments of Recke and Schwerin, who were in Dutch pay.¹¹⁴ Consequently, in light of his pending brigadier's field commission and designation as a brigade commander prior to his commission's formal sanction, Orrery would no longer have served with his own regiment unless it was in a brigade under his command.

Although too late in the summer for Marlborough to contemplate an invasion of France after Tournai's collapse, sufficient time remained for several months of campaigning and, possibly, a pitched battle. Confronted directly ahead and to their right by well-fortified positions, the Duke and his commanders decided to veer left and besiege Mons, and by early September it had been invested and effectively isolated, precluding hopes of a substantial French reinforcement. As the the main French army commanded by the Maréchal Villars

¹¹⁰Atkinson, 'Marlborough's Sieges: Further Evidence', *JSAHR*, xxiv (1946), 84.

¹¹¹The original document is in the possession of His Grace the Duke of Montagu and Buccleuch, Boughton House, Northamptonshire, and entitled: The Duke of Montagu's Scrapbook, The Military Plans of the Duke of Marlborough's Campaigns. Number 14 is a 'Plan de la Ville et Citadelle de Tournay assiégée par l'Armée des Allies, le 7 Juillet 1709'. Atkinson was certainly aware that Orkney's own Royal Regiment of Foot was the sole British infantry regiment which was comprised of two battalions, yet this inconsistency may be explained if he confused a repetition of 'Orkney' in two separate places in the Order of Battle as constituting a reference to Orrery.

¹¹²Cathcart MS A/25, entry for 29 July 1709; *Compleat History*, (1709), pp. 214-23; and *Present State*, xix, 229. BL, Add. MS 3392, f. 73, confirms these two brigadiers' participation, explaining that they were chosen according to the standard practice, in which generals were 'taken as they rise in seniority'. Lord Orkney remarked in 1710 that 'the youngest never are att any sieges as we have now some here in camp that have not been at any': NLS, MS 1033, f. 76. Such evidence confirms this practice and implies that as one of the most junior brigadiers in the field, the newly-commissioned Orrery was inactive at Tournai.

¹¹³SRO, GD26/9/436; *cf.* BL, Add. MS 70944, ff. 26-27, which also designated Primrose and Sabine as siege commanders.

¹¹⁴J.J.G. Pelet and Eugene Francois, Marquis de Le Vault, eds., *Mémoires Militaires Relatifs à La Succession D'Espagne sous Louis XIV...* (11 vols., Paris: Imprimerie Imperiale, 1836-42), ix, 311; *idem*, cited in F.J.G. Ten Raa, ed., *Het Staatsche Leger, 1598-1795: onder toezicht van den Chef van der Generalen Staff* (8 vols. in 11 pts., The Hague: Koninklijke Militaire Academie, 1911-64), vols. vii-viii, *Het tijdperk van de Spaanse Successieoorlog 1702-1715*, J.W. Wijn, ed., viii, pt. 3, 498, 515.

cautiously shadowed their movements, Marlborough and Prince Eugene of Savoy took the main elements of their forces south of the city. Word that the French were threatening a detachment under the Prince of Hesse's command set the allies in motion. By 9 September the two opposing armies manoeuvred into position near two wooded areas, the Bois de Sart and the smaller Bois de Taisnières, which were separated by a large clearing or (trouée) situated adjacent to the small village of Malplaquet.¹¹⁵ The French Foot hastily occupied the wooded areas and constructed breastworks out of earth and felled trees, and the Allies were unable to achieve offensive position in time for an assault on 9 September.¹¹⁶ Despite these activities, the arrival of reinforcements from Tournai, the investment of Mons, and the confidence gained by experience prompted the Allies on the night of 10 September to order preparations for a full-scale attack to commence the following morning.¹¹⁷

Marlborough's relatively simple strategy for the battle was patterned after his previous success at Blenheim. A simultaneous assault on both enemy flanks would cause the French centre to weaken, and it would then become the focus of a massive onslaught by allied infantry reserves, which now consisted primarily of British units.¹¹⁸ Eugene would supervise the left, while Marlborough planned to position himself in the centre, behind the breach and left of the Taisnières Wood. Thus he would personally command the 20 battalions of Foot (approximately 12,000 men) who were to play such a pivotal role in the contest.¹¹⁹ By dawn the allied troops had begun forming into battle ranks. After a hearty meal and religious services, the order was issued at 9:00 a.m. to advance, and 85 allied battalions converged upon the Taisnières Wood, the northernmost forested area which had helped obscure the French left so well. The Dutch attacked later in the Wood of Lanières, where they were destined to

¹¹⁵This terrain is described in A.H. Burne, 'Marlborough's Battlefields Illustrated: Malplaquet', *The Journal of the Royal Artillery*, lx (1933-34), 42-53.

¹¹⁶In his 9 September entry the Newhailes diarist commented that Allied soldiers could hear the frantic labours of the French in the woods throughout the night: *Newhailes Diary*, ii, f. 118.

¹¹⁷A copy of Marlborough's orders for 10 Sept. 1709 can be found in SRO, GD26/9/438; *cf.* the Duke of Montagu's Scrapbook, no. 16; Cathcart MS A/26, entry for 10 Sept. 1709; and BL, Add. MS 61339, ff. 158-59.

¹¹⁸Marlborough's Army was now so large and international in composition that British soldiers numbered only one in seven: Churchill, iv, 566, and for Malplaquet, *idem*, pp. 601-27; also see Alexander Kearsley, *Marlborough and His Campaigns*, 2nd. ed. (Aldershot: Gale & Polden, 1960), pp. 90-104; H.G. Bowen, 'The Malplaquet Campaign and its Aftermath: Flanders, 1709-11', (unpublished M.A., University College of Wales, Aberystwyth, 1960), utilises mainly printed sources. The more recent analysis in Chandler, *Marlborough*, pp. 252-65 is also useful.

¹¹⁹SRO, GD26/9/438; Churchill, iv, 603-06.

endure a horrific slaughter. Largely due to the late arrival of some British reinforcements from Tournai,¹²⁰ the Dutch found themselves confronted by a French force nearly twice the size of their own.¹²¹ In Taisnières Wood allied forces fared considerably better, despite casualties which were also exceedingly high, and British, Saxon, Hanoverian, Imperial, Palatine, and Prussian troops slowly drove the French back through the trees.

For numerous reasons, some of which have been discussed above, Orrery's movements in the battle are difficult, if not impossible, to pinpoint. But it is reasonably certain that he and his men were in the forefront of the fighting. His regiment was present at Malplaquet, and is listed in several 'Orders of Battle' for 1709.¹²² It was near full strength, as its officers had undertaken extensive recruiting prior to the campaign.¹²³ Much more importantly, since Orrery was now authorised to command a brigade, several hypotheses can be proposed as to when and where he attacked. An Order of Battle dated 28 August 1709,¹²⁴ names him as a brigadier commanding two foreign battalions, the 26th Foot, or the Cameronians (Blackader's Scottish regiment) and Sir Thomas Prendergast's regiment.¹²⁵ Another more detailed Malplaquet Order of Battle places Orrery in command of four British regiments: Hertford's, MacCartney's, Primrose's, and a battalion of the 'Royale's'.¹²⁶

Thus, Orrery's own regiment was not among those within his brigade, a situation that was not uncommon.¹²⁷ Argyll, then a Lieutenant General, also had both a regiment and a brigade which bore his name. Furthermore, Argyll's situation differs somewhat from Orrery in that the

¹²⁰Thomas Lediard, *The Life of John, Duke of Marlborough, Prince of the Roman Empire, Illustrated with Maps, Plans of Battles, Sieges, and Medals, and a Great Number of Original Letters and Papers* (3 vols., London: J. Wilcox, 1736), ii, 495.

¹²¹For a discussion of the Prince's culpability in this attack see H.G. Bowen, 'The Dutch at Malplaquet, 11 September 1709: Did the Prince of Orange Exceed his Orders?', *JSAHR*, xli (1962), 39-41.

¹²²SRO, GD26/9/439; Fortescue, i, 527; *idem*, quoted in Churchill, iv, 604.

¹²³BL, Add. MS 61320, f. 92; PRO, WO 4/8/132.

¹²⁴BL, Add. MS 70944, f. 27; as to the units comprising Orrery's brigade, this Order corresponds to the one in Pelet, ix, 311, but differs from SRO, GD26/9/439.

¹²⁵Awarded a baronetcy in 1696 as a reward for information about the Jacobite conspiracy to assassinate William III, Prendergast had received the colonelcy of the first regiment which Orrery had commanded in Ireland; just before the Battle of Malplaquet he correctly predicted his own death in action: *Army Lists*, v, 263; NLS, MS 14413, f. 156.

¹²⁶SRO, GD26/9/439. Argyll's and Orrery's Regiments of Foot were in a brigade commanded by Brigadier General Morrison.

¹²⁷Officers often retained colonelcies and their concomitant lucrative financial benefits without necessarily exercising constant and direct command: Atkinson, 'Sieges', pp. 199-200; Chandler, *Art of Warfare*, p. 94.

3rd Foot was one of the regiments which comprised the former's brigade. Churchill ignores the evidence with his doubts about whether Argyll actually led his brigade when it joined battalions of Prussian troops under Lieutenant General Count Lottum in a counterattack near the lower base of Taisnières Wood which occurred shortly after the principal assault was launched.¹²⁸ Churchill's incredulity is merely bias against one of his ancestor's chief rivals, for Argyll's courage at Malplaquet is legendary. Contemporaries tell an awe-inspiring story of how Argyll charged into battle at the head of his regiment and led it into the enemy entrenchments, indiscriminately risking life and limb.¹²⁹ Orrery's friend Heneage Twysden, serving as Argyll's aide-de-camp, was killed when his general reportedly 'led the Van of the Confederate Army.'¹³⁰ Miraculously, Argyll emerged unscathed even though his coat and periwig were 'cut and shot through' in several places.¹³¹

When previous observations regarding the close camaraderie between Argyll and Orrery and the latter's inferior rank are considered, it seems unlikely that he would not have been expected to exhibit a similar display of valour. Other sources lend credibility to this conjecture. The ever-complimentary Budgell purports that one of Orrery's junior officers described how his general 'led his regiment with the utmost Gallantry in that Part of the Field where the action was hottest, and where most of his men fell on each side.'¹³² Fortescue lists Orrery's and the 3rd Foot (Argyll's) as two of the four regiments which suffered the heaviest casualties of any British units engaged at Malplaquet.¹³³ Another

¹²⁸Churchill, iv, 604, n. 1, 611; Chandler, *Marlborough*, p. 263, concurs, placing Argyll's brigade under the command of General Richard Temple.

¹²⁹George M. Trevelyan, *England Under Queen Anne* (3 vols., London: Longmans, Green & Co., 1930-34), iii, 14-15, drawing on regimental histories of the Buffs; Deane, *Journal*, p. 90, called Argyll's role in the attack 'as bold as any heroe in the world'.

¹³⁰Twysden's epitaph is in CKS, Twysden MS F11/14.

¹³¹Godfrey Davies and Marion Tinling, eds., 'Letters of Henry St John to James Brydges', *The Huntington Library Bulletin*, viii (1935), 127-28; Alexander Cunningham, *The History of Great Britain: From the Revolution in 1688, to the Accession of George the First* (2 vols., London: A. Strahan & T. Cadell, 1787), ii, 258-61. Cunningham served as George I's envoy in Venice and was a close friend of Argyll and his brother, Archibald, Earl of Ilay. Argyll's attack is also mentioned in Boyer, *Annals*, viii, 55; *Dublin Gazette*, 10-13 Sept. 1709; *Army Lists*, vi, 301, n. 1; C.T. Atkinson, 'Gleanings from the Cathcart Manuscripts, Part III: Marlborough's Campaigns of 1709-1712', *JSAHR*, xxix (1951), 98-99; and Dickson, *Argyll*, p. 116.

¹³²Budgell, p. 210; Lodge, *Peerage*, i, 194-95; a similar remark is in *Biographica Britannica*, ii, 935. *Army Lists*, v, 263, n. 3, lists Orrery's friend Lt. Col. Multon Lambard as commander of Orrery's Foot at Malplaquet.

¹³³The other regiments were the Coldstream Guards and Temple's Foot: Fortescue, i, 527; Knight, i, 63. Blackader, p. 354, concurs for Argyll's brigade but fails to mention Orrery's; *London Gazette*, 1-4 October 1709, claimed 15 officers in Argyll's Foot were killed.

source gave the casualties in Orrery's Foot as 138 men killed and wounded,¹³⁴ and casualty lists compiled several months after the engagement reveal the following: among its officers, Orrery's regiment suffered the loss of one captain and three lieutenants dead, and three captains,¹³⁵ four lieutenants, and two ensigns wounded.¹³⁶

Perhaps it is also possible to determine Orrery's action and location in the battle by examining eyewitness accounts.¹³⁷ Despite Budgell's laudatory and uncritical claims, a more reasonable assumption is that Orrery instead led his brigade into battle. This would have been the common practice for an officer of his rank and would have meant that his attack either occurred in conjunction with Argyll's assault or during the larger, climactic infantry advance through the trouée around midday. An Irish officer in the French service mentioned being repulsed during a 'great slaughter' when attacked by troops under Argyll's command, which included Prendergast's regiment.¹³⁸ The Scottish general Lord Cathcart further described how Prendergast was killed as Argyll and his men advanced 'through the darkest wood in the world'.¹³⁹ Therefore, if the aforementioned Order of Battle was adhered to in the battle,¹⁴⁰ this attacking force would have included Orrery's brigade. Unfortunately, the terse personal memoir of the Cameronians, another regiment designated in that brigade, makes no specific reference to the brigadier and seems to indicate the Order was not followed and

¹³⁴SRO, GD26/9/440, 'A List of Officers and men killed and Wounded of the British Foot at the Battle of Taisnières, 11 Sept. 1709, N.S.'

¹³⁵One was Orrery's friend, William Cecil. Lord Raby's agent reported that 'Poor Captain Cecil was sadly mawled at the battle, I am told, his arme was all shattered to peeces, the splent bones are still comeinge oute; he was also shoot through the side'; see the letter, dated 28 Dec. 1709, in *Wentworth Papers*, p. 545.

¹³⁶Boyer, *Annals*, viii, 56-59; *Army Lists*, v, 263-64, 357. If Boyer's figure of a total of 1,866 British Foot casualties is correct, then Orrery's Foot suffered nearly 10% of the entire British Army's infantry losses.

¹³⁷Perspectives of the battle from the French side fail to shed any light on Orrery's location: Jean Claude Hector de Villars, *Mémoires du Marechal de Villars* (6 vols., Paris: Librairie Renouard, 1884-1904), iii, 56-70; Antoine de Pas, Marquis de Feuquières, *Memoirs of the late Marquis de Feuquières, Lieutenant-General of the French Army* (2 vols., London: for T. Woodward, and C. Davis, 1737), ii; and Jean de La Colonie, *Chronicles of an Old Campaigner, 1692-1717* (London: John Murray, 1904), pp. 335-41.

¹³⁸Peter Drake, *Amiable Renegade: The Memoirs of Captain Peter Drake, 1671-1753*, Paul Jordan-Smith and S.A. Burrell, eds. (2 vols., Stanford: University Press, 1960), i, 164-67; cf. the doggerel verse account by participant John Scot: *The Remembrance: Or, The Progress of a Regiment...in the Present War Heir in the Low Countrie and Flanders*, James Ferguson, ed. (3 vols., Edinburgh: T. & A. Constable for the Scottish Historical Society, 1898-1901), iii, 484-97.

¹³⁹Cathcart MS A/26, 11 Sept. 1709.

¹⁴⁰See above, p. 90, n. 124.

that Blackader's men were among 13 battalions led by Lord Orkney in the final infantry assault.¹⁴¹ After enduring the 'most severe' bombardment Blackader had ever experienced, the veteran Scottish officer and his Cameronians witnessed a carnage corresponding to that described in Budgell's account of Orrery's actions. They captured French entrenchments, held their positions and sustained the allied cavalry. Walking the battlefield the next day, presumably over the same ground, Blackader recorded the horrific piles of corpses and wounded men stacked several deep,¹⁴² obvious characteristics of the scene of repeated assaults. His comments suggest that Orrery's Brigade attacked along with other units under Orkney who captured and retained control of enemy redans in the face of no less than six desperate counterassaults by the elite Maison du Roi.¹⁴³ This scenario parallels another British officer's description of the battle's climax in the woods further to the north.¹⁴⁴

Finally, additional, but rather contradictory, evidence comes from a roll of officers present at Malplaquet compiled by Dalton. Since he himself stresses caution in its use, it should not be regarded as absolutely reliable, but it warrants attention, for it lists Brigadier General Lord Orrery as among several officers who, although responsible for a regiment, served 'on the Staff at Malplaquet and did not do duty with their respective Corps.'¹⁴⁵ Dalton's comment, the discrepancies in the Orders of Battle, and the listing of Lambarde as commanding Orrery's regiment all seem to support the possibility that Orrery may indeed have served on Argyll's staff and perhaps confirms earlier assessments; i.e., that he did not exercise strict command over his regiment or his brigade. This hypothesis seems more plausible when other factors are weighed. The Order of Battle may not have been strictly adhered to,¹⁴⁶ because two regiments it designated under Orrery's command suffered

¹⁴¹Vivid accounts of this charge are found in Newhailes Diary, ii, f. 119; NLS, MS 7021, f. 188; and H.H.E. Cra'ster, 'Letters of the First Lord Orkney During Marlborough's Campaigns', *EHR*, xix (1904), 319-21; also see Drake, *Memoirs*, i, 164; Churchill, iv, 619-20; and Kearsey, pp. 60, 102.

¹⁴²Blackader's colonel was literally blown off his horse by a cannon ball. Blackader, pp. 350-52; *idem*, cited in Trevelyan, iii, 18.

¹⁴³Orkney's own account of the action, cited in n. 141, corroborates that the fiercest part of the action came after the redans had been assaulted; for this part of the battle see also Chandler, *Marlborough*, pp. 264-65.

¹⁴⁴David Chandler, ed., *Military Memoirs: Robert Parker and Comte de Mérode-Westerloo: The Marlborough Wars* (Hamden, Conn.: Archon Books, 1968), pp. 86-90, tells how Orkney and the 'other British generals attacked the village of Taisnières and the open woods'; Millner, p. 280, makes a similar comment.

¹⁴⁵*Army Lists*, vi, 298-98, 351.

¹⁴⁶SRO, GD26/9/440. A regimental history suggests as much; see Knight, i, 63.

conspicuously low casualties. Whatever the case, identifying Orrery's actions at Malplaquet proves frustrating, and barring further evidence the conjectures posed must remain.

IV

Malplaquet was a ghastly turning-point in an increasingly sanguinary conflict. Casualties totalling nearly 40,000 men killed or wounded for both sides appalled the courteous societies of the ancien régime.¹⁴⁷ Such losses would not be suffered again by European armies until the Napoleonic Wars. Even Marlborough confessed the costs were high; 'this Battel is very Glorious, but our Foote has suffer'd extreemly', adding that the hard-won contest gave the Allies 'powers to have what peace we Please'.¹⁴⁸ The Dutch were especially distraught, for their infantry was decimated, and would never again prove a force to be reckoned with. Although substantial, British losses were trifling in comparison, with only about 2,000 killed and wounded.¹⁴⁹ Regardless, the Tories seized upon the 'victory' to discredit the Whig administration in power, and even officers favourable to the Duke later questioned his judgement in forcing the engagement.¹⁵⁰

One final engagement between the Allies and the French occurred before the end of the 1709 campaign when the city of Mons was subjected to a siege which proved brief and successful for Marlborough's men.¹⁵¹ Several sources verify that Orrery actively participated in the siege, serving along with Evans as one of two British brigadiers under the Prince of Orange's command.¹⁵² A letter Orrery wrote indicates that both he and his regiment were

¹⁴⁷Contemporaries remembered the horrific cries of the wounded, audible for a distance of three miles away; see the account of the battle by a soldier in Temple's Foot, Corporal Matthew Bishop, *The Life and Adventures of Matthew Bishop of Deddington in Oxfordshire* (London: for J. Brindley, 1744), pp. 214-15.

¹⁴⁸See his letters to Lord Townshend, dated 11 and 13 Sept. 1709, in BL, Add. MS 41178, ff. 65-68; and *idem*, cited in William Coxe, *Memoirs of the Duke of Marlborough, with His Original Correspondence*, Rev. ed., John Wade, ed. (3 vols., London: Henry G. Bohn, 1848), ii. 462; cf. Erle Papers, 2/65/37. Echoing Marlborough's own assessment, one soldier proudly remarked that the English Foot's performance 'gave the Enemy proofs they could beat them anywhere'; see Newhailes Diary, ii, f. 119.

¹⁴⁹Boyer put the figure at 1,866, others slightly lower. See *Annals*, viii, 55; *Present State*, xx, 365; Broderick, p. 312.

¹⁵⁰Kane, p. 85, called Malplaquet 'the only rash thing' of which Marlborough was ever guilty.

¹⁵¹The city fell to the Allies after an assault 'on the second Counterscarp of the Horn Work' on 16 October: Newhailes Diary, ii, f. 133, entries for 12-14 October 1709.

¹⁵²*Het Staatsche Leger*, viii, pt. 2, 548. Lediard, ii, 541, prints the Prince of Orange's

engaged at Mons.¹⁵³ The brevity of the siege there was a blessing to the Allies in several respects. Most influential in terminating the campaign shortly after the siege was the extreme dearth of forage in war-ravaged Flanders, which led commanders on both sides to order their forces into winter quarters following Mons' capitulation. Reports of garrison regiments replacing those which had suffered heavy casualties at Malplaquet apparently indicate that Orrery's Foot was eligible for the early quartering undertaken by four unnamed British and 14 Dutch battalions soon after Mons had surrendered.¹⁵⁴

By mid-October word spread that senior-level officers would soon be returning to London.¹⁵⁵ Thereafter several of these men gave evidence of a deepening rift which was developing between officers largely along party lines, manifested primarily by increasingly frequent demonstrations of antipathy towards Marlborough. Two of the principal officers to fall into this category were Orrery and Argyll, who left the army on the morning of 24 October, N.S., following the surrender of the Mons garrison.¹⁵⁶ Soon after their return to Britain in late October,¹⁵⁷ Orrery assumed a leading role in the instigation of this internecine rivalry. Upon returning increasing evidence pointed to a deepening rift which was developing in the British army's upper echelons, a rivalry characterised by the inter-relationship between military and national politics and by a politicisation and partisan polarisation of military affairs which increased proportionately with the extent of the Tories' gradual takeover of the British administration. Orrery's political role in these developments will be examined in detail in Chapter 5, but it is necessary here to draw attention to the significance that political considerations played in his activities in 1710 and in a promotion to Major-General which he sought and achieved during this, his final active military campaign.

letter to the States General, The Hague, 23 Sept., N.S.; cf. also *The Military History of the Late Prince Eugene of Savoy And the Late John Duke of Marlborough...* (2 vols., London: James Bettenham, 1737), ii, 123; *Compleat History*, (1709), pp. 316-21; *Present State*, xx, 393ff. Newhailes Diary, ii, f. 122, contains an earlier Order of Battle without Orrery.

¹⁵³OPH, MS Eng. 218.1, i, 3. Orrery to St. John, Brussels, 10 March 1711, N.S.

¹⁵⁴Broderick, pp. 319-20; *Post-Boy* (London), 4 October 1709; Atkinson, 'Sieges: Further Evidence', p. 85.

¹⁵⁵See the letter from Army Paymaster General James Brydges to Henry St John, 13 Oct. 1709, in Godfrey Davies and Marion Tinling, 'Letters from James Brydges, Created Duke of Chandos, to Henry St John, Created Viscount Bolingbroke', *Huntington Library Bulletin*, ix (1936), 128-29.

¹⁵⁶Cathcart MS A/27.

¹⁵⁷Luttrell, vi, 503, entry for 25 Oct. 1709, O.S.; Lediard, ii, 556.

Signs of the growing opposition to Marlborough among members of the military hierarchy began to manifest themselves soon after, and partly as a reaction to, the bloodshed of Malplaquet. The enmity between Marlborough and Argyll, in particular, was hardly a secret. Following Argyll and Orrery's arrival in London late in 1709 one observer noted that 'a secret umbrage' had arisen between the jealous Scot and the Commander-in-Chief, and that several other generals were also 'at enmity' with Marlborough.¹⁵⁸ The origins of Argyll's rivalry, however, may date from at least as early as 1708,¹⁵⁹ by which time Marlborough was striving to counter Argyll's Scottish influence by promoting Orkney's aspirations.¹⁶⁰ Dalton attributed the bitterness to an incident which occurred as early as 1694.¹⁶¹ Whatever its original causes, the resentment which both Argyll and Orrery, his military and political protégé, as well as other like-minded officers possessed for Marlborough and his Whig ministerial allies after the 1709 campaign and throughout 1710 became difficult to conceal. Marlborough and Argyll's mutual animosity became increasingly pronounced and often produced violent results. In March 1711, a Colonel Coot, one of the former's aides, had refused to toast Argyll's health because he had 'prov'd ingrate to Marlboro (wt some other hard words.)'. Argyll sought out and bested Coot in a duel in Hyde Park.¹⁶² In another fit of rage Argyll had pledged to Queen Anne that if she so desired he would seize Marlborough and 'lay him in the Tour [sic] till he kneu better to cary as a servant!'¹⁶³

¹⁵⁸Cunningham, ii, 264. During this period Marlborough was also trying to curry favour with Argyll's brother Ilay: see BL, Add. MS 61284, ff. 173-74; and BL, Add. MS 61392, f. 23.

¹⁵⁹Knight, i, 67, observes that up through 1708 Argyll and Marlborough had been cordial and previously exchanged valuable gifts, but that after Malplaquet the men came to a 'serious disagreement' of an unknown cause; Dickson, *Argyll*, p. 171, n. 14, attributes the quarrel to inevitable jealousy and ambition, speculating that the bloodletting at Malplaquet was a turning point in their relationship and caused Argyll's disloyalty and loss of respect for Marlborough.

¹⁶⁰See the letter from Marlborough to Godolphin, composed partially in numerical cipher, in: Alfred Morrison, ed., *Catalogue of the Autograph Collection of Letters and Historical Documents formed between 1865 & 1882 by Alfred Morrison*, 2nd ser. (6 vols., London: for private circ., 1882-95), iv, 148-49; and *idem*, printed in Trevelyan, iii, 44.

¹⁶¹Marlborough allegedly informed James II of the attack on Brest in that year. When it was carried out with heavy casualties, William III's commander, General Tollemache, who was also Argyll's uncle, suffered mortal wounds. Argyll's family thereafter blamed Marlborough for his death. For this and Argyll's career, see Dalton's valuable account of the military establishment under the first Hanoverian: *George the First's Army, 1714-1727* (2 vols., London: Eyre & Spottiswoode, 1910), i, 1-9; *cf.* Cunningham, ii, 264. I am grateful for the advice of Professor John Childs in the Tollemache incident; for a more recent discussion of Brest and the rivalry between Tollemache and Marlborough see Childs, pp. 224-34.

¹⁶²Coot was stabbed in the thigh, disarmed and forced to beg for mercy: SRO, GD45/14/352/5. Balmerino to Henry Maule, 8 March 1710. Coot had described Argyll as a man who sold 'his country for a shilling and would sell his god for a half crown': *Wentworth Papers*, p. 185.

¹⁶³Robert Wodrow, *Analecta: or Materials for a History of Remarkable Providences; Mostly*

Orrery's penchant for insubordination and his 'enmity' toward Marlborough, as well as the inter-relationship between military and national politics, was further demonstrated in the months prior to the 1710 campaign as the Sacheverell trial drew to a close. The political turmoil it precipitated and the Tories' need for the support of moderate Whigs such as Argyll in tempering clamour for the Doctor's punishment were the direct causes for Argyll and Orrery, his intermediary with Robert Harley and the Tories, to receive permission to delay their return to the front. In mid-March 1710 Orrery learned of an order which instructed all General Officers to report to Flanders by 25 March.¹⁶⁴ Orrery believed this 'extraordinary' command was designed 'to send some people out of the way as the properest method to defeat the present scheme.' He urged Harley to persuade the Queen to hint that 'she does not expect the Duke of Argyll and I should go over before we find it absolutely necessary' and to give 'satisfaction to her friends as will leave them no room to doubt of her resolution to pursue those measures they shall advise her to as fast as the circumstances of affairs will permit.' The next day a nearly frantic Orrery again raised the matter with Harley, insisting that permission for himself and Argyll to remain in London must be secured immediately.¹⁶⁵ Orrery's request to remain in Britain temporarily was granted, and Argyll went on to play a crucial role in the Tories' ability to achieve votes in the Lords for a light sentence against Sacheverell.¹⁶⁶

Argyll and Orrery do not seem to have arrived in the field until sometime in April, shortly before the siege of Douai was launched.¹⁶⁷ That same month Marlborough wrote to his embattled friend, the Lord Treasurer, that Orkney, Argyll and Orrery had not evinced 'the same diligence' as other general officers. Unaware of the trio's whereabouts, the Duke, moreover, did not relish locating them, 'considering the temper the last two are in at this time'. Nevertheless, Marlborough resolved to coerce the recalcitrant officers into line

Relating to Scotch Ministers and Christians (4 vols., Edinburgh: the Maitland Club, 1842-44), i, 285. Henry L. Snyder, 'The Duke of Marlborough's Request of the Captain-Generalcy, for Life: a Re-examination', *JSAHR*, xlv (1967), 80, reports that Argyll had offered to apprehend Marlborough 'dead or alive'.

¹⁶⁴PRO, WO 4/8/328-29, 359; *Eugene*, ii, 132.

¹⁶⁵HMC, *Portland*, iv, 537-38. Orrery to Harley, [14] March 1710.

¹⁶⁶See below, Ch. 4, pp. 105-13.

¹⁶⁷BL, Add. MS 31131, f. 241v. It is probably no coincidence that the three generals' names were missing (in their capacity as brigade commanders) from an Order of Battle drawn up 27 April 1710: BL, Add. MS 70944, f. 29.

regardless of their temperament.¹⁶⁸ The trio later attended what must have been a tense ceremony in Marlborough's tent in commemoration of the awarding of the K.T. to Lord Stair; Orkney and Orrery attended by virtue of their own status as Knights of the Thistle.¹⁶⁹ The insubordination became so brazen that Dutch Field Deputy Sicco van Goslinga was compelled to inform the Dutch Grand Pensionary, Anthonie Heinsius, that 'je dois pourtant vous dire que l'apparente disgrâce de milord éclate si fort à l'armée, que les officiers Anglois le négligent quasi entièrement.'¹⁷⁰

The duty which Marlborough expected his army to perform during the 1710 campaign involved the sieges of several fortresses inside the French border. At Douai, the first of these, Marlborough anticipated a quick victory and a rapid procession consisting of a division of his forces and a double thrust deeper into French territory, with one wing attacking the town of Bethune while the other besieged Aire and St. Venant. Douai, however, was a most formidable fortress, and like Lille, nearly impregnable. The siege, therefore, took far longer than anticipated and resulted in particularly heavy casualties.¹⁷¹ Sources again convey a conflicting picture about Orrery's presence. Though he was encamped near the city for some time,¹⁷² casualty lists and contemporary accounts imply that no troops under his command were direct participants.¹⁷³ Other sources record one battalion, the British (or Royal Scots) Fusiliers, from a brigade under his command, as engaged in the siege.¹⁷⁴ Douai's defenders did not yield until late June, when Villars withdrew his army to positions nearby.

¹⁶⁸*M-G Corr.*, iii, 1465-66, 28 April 1710, N.S.

¹⁶⁹*London Gazette*, 20-23 May 1710; HMC, *Tenth Report of the Royal Commission of Historical Manuscripts, Appendix Pt. I, The Manuscripts of the Earl of Eglinton, Sir J. Stirling Maxwell, C.S.H. Drummond-Moray, Esq., C.F. Weston Underwood, Esq., and G. Wingfield Digby, Esq.* (London: Eyre & Spottiswoode, 1885), pp. 140-41.

¹⁷⁰See his letter dated 29 June 1710 in the Heinsius Archief, no. 1507 and cited in *Het Staatsche Leger*, viii, pt. 2, 580.

¹⁷¹NLS, MS 1033, ff. 75-78; Newhailes Diary, iii, ff. 3-4; *Eugene*, ii, 134-37; Kane, p. 86; *Parker Memoirs*, p. 91; HMC, *Report on the Manuscripts of the Mrs. Frankland-Russell-Astley of Chequers Court, Buckinghamshire* (London: H.M.S.O., by Mackie & Co., 1900), p. 200.

¹⁷²Defoe's semi-fictitious account of a woman who disguised herself as a man and served in Flanders records the protagonist's involvement in a dispute over a horse en route to Doauai which was resolved with Orrery's intercession: see *The Life and Adventures of Mrs. Christian Davies, Commonly Called Mother Ross* (London: Peter Davies, 1928), pp. 149-50.

¹⁷³SRO, GD26/9/448-49; Newhailes Diary, iii, ff. 3-7; Lediard, iii, 62-64; *Present State*, xxi, 225; *Life of Matthew Bishop*, pp. 220-21; Broderick, pp. 325ff.; and Atkinson, 'Sieges: Further Evidence', pp. 85-86. BL, Add. MS 70944, f. 29, confirms that Orrery's Foot was not involved in attacks in the actual siege.

¹⁷⁴BL, Add. MS 70944, f. 33; *cf.* Scot, *Remembrance*, p. 559.

Marlborough's plans for a swift advance were now thwarted, his confidence and his optimism undermined by the deteriorating domestic political situation and by sheer exhaustion after eight successive campaigns. A few weeks after Douai had fallen, as the brilliant commander grew increasingly bitter and weary, the news arrived of Queen Anne's dismissal of his obnoxious son-in-law, Charles, 3rd Earl of Sunderland, as Secretary of State.¹⁷⁵

Marlborough's plight was undoubtedly aggravated by the incessant hostility and ruthless ambitions of officers such as Argyll and Orrery.¹⁷⁶ In early June, Orrery wrote to Harley again from Douai. Sarcastically labelling his commander 'the Vicar-General',¹⁷⁷ Orrery gleefully relayed news of the change in the behaviour of the Duke and his supporters as a result of 'prospects of a change of ministry'. Delighted with this development and with Sunderland's dismissal,¹⁷⁸ Orrery reported that he and Argyll now experienced 'a greater air of civility', adding that they had had few contacts with Marlborough since the campaign's inception and hopefully would have no more than were absolutely required by their duties as general officers. Although it was customary to secure Marlborough's permission before leaving camp, in light of the present circumstances Orrery believed this mere 'ceremony' was one that in future he and Argyll 'would willingly omit if we could'. They also hoped they might be allowed to circumvent this prerequisite by applying directly to Queen Anne to return 'when we think fit'.¹⁷⁹

Following the successful, though bloody, siege of Douai,¹⁸⁰ three more towns, Bethune, Aire, and St. Venant, bore the brunt of allied attacks. The investment of Bethune was delayed

¹⁷⁵B. Van T'Hoff, ed., *The Correspondence of John Churchill and Anthonie Heinsius, 1701-1711* (The Hague: Martinus Nijhoff, 1951), p. 499. Marlborough to Heinsius, Tournai, 22 June 1710. Sunderland's dismissal on 14 June, an important milestone in Harley's bid for power, is discussed in Gregg, *Queen Anne*, pp. 312-13; and J.R. Jones, *Country and Court, 1658-1714* (Cambridge, Mass.: Harvard University Press, 1978), pp. 337-38.

¹⁷⁶In May Marlborough wrote 'I am so weary, that could I shew my face anywhere else, while it lasts, I should very gladly retire tomorrow.': BL, Add. MS 61392, f. 37v.

¹⁷⁷Churchill, iv, 697, who labels this comment as a derisive reference to Marlborough's professed wish for the office of governor-general of the Spanish Netherlands, which the duke was first offered several years earlier. For the office and the problems which led Marlborough to decline it, see J.R. Jones, *Marlborough* (Cambridge: Cambridge University Press, 1993), pp. 132-36; and Jean-Baptiste Colbert, Marquis de Torcy, *Memoirs of the Marquis of Torcy, Secretary of State to Lewis XIV* (London: for P. Vaillant, 1757), pt. ii, 76.

¹⁷⁸See HMC, *Portland*, iv, 548, for their reaction.

¹⁷⁹HMC, *Portland*, iv, 544-45, letter dated 10 June 1710, N.S.; *idem*, quoted at length in Churchill, iv, 698.

¹⁸⁰Douai had proven just as difficult as Lille or Tournai, causing some 8,000 Allied casualties; Atkinson, 'Sieges,' p. 204; Broderick, pp. 225ff.; Lediard, iii, 62-64.

by heavy rains, but on 14 July the First Line of Foot was reviewed by Marlborough and Eugene and the same night orders were issued announcing the generals and battalions who were to participate in the siege.¹⁸¹ Bethune may well be the most interesting military engagement in which Orrery participated. There, for the first time in his career, Orrery was given the command of a brigade consisting of four British foot battalions. He was designated to advance in the attack commanded by General Fagell, and the town was invested the next day.¹⁸² Orrery's Foot also provided one of the British battalions and was involved in the second attack on the Gate of Arras,¹⁸³ which seems to have occurred on the night of 23 July. Reportedly executed without the loss of a single allied life, this attack was extremely successful. It brought the army 'within two hundred paces of the Palisades' before the town and the feat was all the more remarkable because it was achieved without the heavy artillery, which had yet to arrive from Douai.¹⁸⁴ During this attack and throughout the siege, Orrery's Foot earned conspicuous merit. In response to the night attack, the French launched a 'very vigorous sortie' which sent reeling two elite, veteran Prussian units, the King's Foot and the Guards. The French counterattack was driven back solely due to the staunch defence of Orrery's Foot, which was forced to 'suffer the heate of the fire' and stood it stoutly for a long time',¹⁸⁵ eventually repulsed the advance and inflicted 'substantial casualties on the enemy'.¹⁸⁶ Lambarde, Orrery's regimental commander, was wounded in the action.¹⁸⁷ Prussian commanders confessed Orrery's Foot had averted disaster and prevented the destruction of a number of allied trenches, and a commendation for the regiment to that effect was relayed to Marlborough via the Prince of Anhalt.¹⁸⁸ Casualty lists for this specific engagement show

¹⁸¹Newhailes Diary, iii, ff. 33-34.

¹⁸²The battalions were Hertford's, McCartney's, Primrose's, and one battalion of the Royale's, or Orkney's; see the Orders of Battle dated 14 July, in the Duke of Montagu's Scrapbook, nos. 21-22; *cf.* BL, Add. MS 31131, ff. 279-80; *Eugene*, ii, 138.

¹⁸³Cathcart MS A/28, entry for 16 July 1710.

¹⁸⁴BL, Add. MS 61392, f. 89. Marlborough to Secretary of State, Henry Boyle, 24 July 1710; Newhailes Diary, iii, f. 37.

¹⁸⁵Deane, *Journal*, p. 112.

¹⁸⁶Atkinson, 'Cathcart MSS, Part III', p. 101; and J.P.F. Reeve, 'The Siege of Bethune 1710: The Journals of Private Deane and General Vauban Compared', *JSAHR*, lxiv (1986), 207. Also see BL, Add. MS 61392, f. 93v. Marlborough to Henry Boyle, 28 July 1710; *idem*, PRO, SP 87/5/200; and BL, Add. MS 38500, f. 351.

¹⁸⁷*Post-Boy*, (London), 25 July 1710; *Army Lists*, v, 263; *Memoranda Relating to the Lambarde Family*, p. 16, records that Lambarde was wounded in the arm by a six-pound shell while covering 'the breaking of ground' at Bethune.

¹⁸⁸Atkinson, 'Sieges', p. 204; and his 'Sieges: Further Evidence', p. 86. Anhalt's letter

that Orrery's Foot suffered heavy losses, with the total killed and wounded numbering 158, and losses among officers and serjeants ranked as high as any allied regiment at Bethune.¹⁸⁹ Despite these efforts, the besieged garrison tenaciously endured until August.¹⁹⁰ The prominence of Orrery's regiment at the siege, and perhaps its Colonel's increasing arrogance and contumacy, are suggested in a letter Marlborough wrote just after Bethune's fall on 29 August. The letter requested that Orrery order his regiment to 'march into Bethune...[and] for your own Person, you will please come along with the Troops when they join the Army.'¹⁹¹

Although not apparent at the time, the successful completion of the siege of Bethune effectively ended Orrery's active military career. The increasing recalcitrance he exhibited toward Marlborough was mirrored in the actions of Tory officers, and moderates, and became more firmly entrenched among the previously disenchanted. In July Argyll had informed Harley that he, Orrery and General Hill had resolved to 'suffer out this campaign but never to serve another' under Marlborough.¹⁹² Upon the capture of Bethune Orrery had renewed his earlier entreaties for a favour of unprecedented proportions: direct permission from the Queen for him and Argyll to return to England at their pleasure.¹⁹³ Though Argyll also longed to return to exercise electoral influence, judging from his marked embarrassment upon learning of the request,¹⁹⁴ he apparently had no part in making it. None the less, the outrageous request,

remains untraced in Marlborough's general military correspondence for the period and in his correspondence with the King of Prussia, Count Lottum, Fagel, and Field Marshal Grumbkow: e.g., BL, Add. MSS 61181, 61231, 61312, 61314, and 61392.

¹⁸⁹'Des Tues ex Blessés du 23 au 24 Juillet devant Bethune a la Sortie Sur L'Attacque de L.E. le General Fagell', in BL, Add. MS 61181, f. 148; also SRO, GD26/9/449. C.T. Atkinson, 'Queen Anne's Army: Gleanings from the Calendar of Treasury Books and Papers', *JSAHR*, xxxvi (1962), 51, noted that for the 1711 campaign the regiment of which Orrery served as colonel in 1710 required over 250 recruits, the most of any British regiment for that year.

¹⁹⁰Marlborough attributed the delays to a scarcity of engineers: BL, Add. MS 61392, f. 109. Bethune's garrison was commanded by the illustrious Vauban's nephew: for this and French accounts of the siege see: Villars, iii, 95-96; and Pelet, x, 53-68; *ibid.*, 298-306, contains the orders of capitulation; also see Isaac Lamigue, *Histoire de Prince D'Orange et de Nassau* (Lewarde: Francis Halma, 1715), pp. 234-41.

¹⁹¹BL, Add. MS 61392, f. 123v. Marlborough to Orrery, 31 Aug. 1710.

¹⁹²HMC, *Portland*, iv, 545, and 548. Argyll to Harley, 17 July 1710, N.S.

¹⁹³BL, Add. MS 70026, n.f. Orrery to Harley, before Bethune, 29 Aug. 1710, N.S.; *idem*, printed in HMC, *Portland*, iv, 568.

¹⁹⁴Even Marlborough was surprised when Argyll personally visited him to deny involvement in making the request; for Marlborough's reaction see Coxe, *Marlborough*, iii, 146; *LDM*, v, 172. Marlborough to Henry Boyle, 2 Oct. 1710; *cf.* HMC, *Portland*, iv, 569. Argyll to Harley, 18 Aug. 1710; and Scouller, *Armies of Queen Anne*, p. 271. This response raises interesting questions, because at the time Orrery requested permission to leave the field Argyll had been confined to his tent for striking Marlborough's personal secretary: Dalton, *George the First's Army*, i, 4.

which Marlborough described as 'an extraordinary step', was ultimately granted,¹⁹⁵ and it served as additional proof of how Orrery's insolence increased proportionately with the erosion of Marlborough's control over those serving under him.¹⁹⁶

The evidence illuminating Orrery's military career admittedly evokes mixed reactions. The initial phase, characterised by negligence, social arrogance and nepotism, was partially vindicated by his later demonstrations of compliance and diligence. Although it is difficult to verify his participation in certain engagements, the disrepute of Orrery's first few years as an officer are also partly offset by his apparent courage at Malplaquet and during the remainder of the 1709 campaign. In 1710 Orrery would receive the colonelcy of a more prestigious regiment and retain it for another five years, yet his influence in military affairs thereafter takes on a decidedly more political tone. The coming year would see profound alterations in Marlborough's stature, as well as changes in the political atmosphere in Great Britain. The significance of Orrery's role in the 1710 campaign and his increasingly conspicuous schemes to undermine Marlborough's authority so as to assist in the Tory takeover of the government would not become fully apparent until after the Godolphin ministry's collapse, when Orrery's ambition and his politically-motivated military insubordination would prove more momentous than his activities on the battlefield.

¹⁹⁵Argyll appears to have remained in Flanders for nearly another month as his passport was signed in the Allied camp on 17 Oct. 1710, N.S.: BL, Add. MS 61282, (2), ff. 230-31; NLS, MS 14413, ff. 114-15; PRO, SP 87/5/282-83.

¹⁹⁶Marlborough's letters to Godolphin reveal his despair: 'Everything is done to lessen my credit here. By the last post Mr. Secretary wrote, by the queen's order, to acquaint Lord Argyle that his friends have desired leave for him to England, and she had allowed of it;' see Coxe, *Marlborough*, iii, 146; *cf.* Erle Papers, 2/12/33.

Chapter 4: Orrery, the Army and Politics in the Age of Party, 1705-1712

It is the nature of ambition to make men liars and cheaters, to hide the truth in their breasts, and show, like jugglers, another thing in their mouths, to cut all friendships and enmities to the measure of their own interests.
Sallust, *The War With Catiline*, c. 40 B.C.

...some restraint should be put to that exorbitant power Lord Marlborough has in the army. I am every day more convinced of that necessity, for he plainly disposes of preferments here with no other view but to create a faction sufficient to support him against the Queen and her friends in case every other prop shall fail.
BMC, *Portland*, iv, 553. Orrery to Robert Harley, 31 July 1710, N.S.

When first young men that have been well educated and enter the World they come imbued with the highest notions of honour, fidelity, Religion & Virtue; they have fresh in their memories the various instances Historians record of Men famous for their good actions, they detest vice & resolve to distribute themselves in the world by a virtuous & usefull life, but how soon are those bright Notions effaced...We must learn to dissemble, defraud, oppress, contemn & destroy our Neighbours or we are not sufficiently on our guard but are hurt for want of equall arms to defend us.
BL, Add. MS 47025, f. 107. Perceval to Dr. Smallbrooke, Dublin, 9 Dec. 1708.

The winter of 1710 marked a crucial turning point in the political history of Queen Anne's reign. Significant events at home and abroad precipitated a political crisis which, ultimately, was resolved only by a complete administrative upheaval. Marlborough's relationship with Queen Anne deteriorated in the wake of her increased friction with his irascible duchess, and was exacerbated by his imprudent request for the Captain-Generalcy of the Army for life early in 1709.¹ In Britain public opposition to the war grew more adamant. France's refusal of the infamous 'preliminary articles' proposed at The Hague; an astronomical national debt; inflated prices for food and other necessities; rising taxes; incessant recruiting; serious deficiencies in trade; public prejudice over the not-unfounded perception that leading Whigs were lining their purses through practices of questionable legitimacy; all of these factors tended to strengthen Tory support for achieving a swift termination of the conflict. Particularly offensive to Tory eyes were the important concessions granted to the Dutch with the signing of the first Anglo-Dutch Barrier Treaty in October 1709. Since it bestowed virtual economic and military control of the Southern (formerly Spanish) Netherlands upon the Dutch Republic, it was perceived as a crippling blow to British commercial interests.²

¹*Private Corr.*, ii, 16-108, *passim.*; Gregg, *Queen Anne*, pp. 286-87, 297-329; and Snyder, 'Marlborough's Request', pp. 67-83.

²Gregg, *Queen Anne*, pp. 288-89, 298; and for the Treaty and its successors see Roderick Geikie and Isabel Montgomery, *The Dutch Barrier, 1705-1719* (Cambridge: University Press, 1930; Rpt. New York: Greenwood Press, 1968).

In the midst of these developments a strong opposition party evolved, painstakingly conceived under the watchful auspices of Robert Harley. In ministerial exile since 1708, Harley had busily courted the favour of both moderates and fervent Tories alike, while nurturing his relationship with Anne through his second cousin, the queen's confidante and Lady of the Bedchamber, Mrs. Abigail Masham.³ The tentacles of Harley's political machine gradually expanded over a wider area as the Tories sought to undermine Marlborough's authority in steady increments until the war's conclusion and he could either be effectively controlled or disposed of as a political threat. The years 1710-1711 would see the success of Harley's schemes and a dramatic transformation in British politics. During the same period, Orrery's political stature would rise commensurate with the fortunes of the Tory Ministry of his friends Robert Harley and Henry St. John.

I

As the year 1709 drew to a close an event transpired which was of great significance in the Tory Party's resurgence.⁴ A sermon delivered on 5 November 1709 by Dr. Henry Sacheverell, a High-Church Tory, impugned the Whig government's integrity, and more dangerously, the Protestant Succession. An infuriated Whig government impeached Sacheverell and charged him with treason. This act incited a nationwide outrage of extraordinary proportions. His trial began in late February 1710. Queen Anne attended every session, and its similarities to hearings which had determined her grandfather's fate some 70 years earlier did not go unnoticed. Anti-war malcontents, hitherto-cowed Jacobites and zealous Anglicans were instantly supplied with a figure around whom they could rally. The public outcry on his behalf was widespread; riots erupted in London and Dissenting churches were looted. Soon the unrest spread throughout the country.

Robert Harley bears principal credit for the Tory Party's resurgence in the midst of this crisis. He quickly took steps not only to strengthen partisan bonds with the likes of St. John and Simon Harcourt, but attracted the support of High-Church Tories such as

³Angus McInnes, *Robert Harley, Puritan Politician* (London: Victor Gollancz, 1970), pp. 85-110, 112-17; B.W. Hill, *Robert Harley: Speaker, Secretary of State, and Prime Minister* (New Haven: Yale University Press, 1988).

⁴Gregg, *Queen Anne*, pp. 297-98, 305-07. The best account of the political background and significance of the Sacheverell Trial is Geoffrey S. Holmes, *The Trial of Doctor Sacheverell* (London: Eyre Methuen, 1973).

Rochester, Nottingham,⁵ and William Bromley. Moreover, Harley was also able to lure several prestigious figures away from a miscellaneous group of largely disgruntled, moderate, nominally-Whig noblemen who strongly supported the Hanoverian Succession.⁶ One of these was conceited and overly self-confident Charles Seymour, 6th Duke of Somerset.⁷ More significant was Harley's renewed collaboration with Charles Talbot, 1st Duke of Shrewsbury. Popular but indecisive, Shrewsbury, a veteran courtier with experience in the reigns of William III and Anne, was unpredictable and prone to vacillation.⁸ Most consequential in the military and for present purposes was another nobleman who was enticed into support of Harley's schemes: Argyll. Vindictive, with an insatiable appetite for honours and power, he was not only a natural magnet for other anti-Marlborough elements of the army elite but was extremely influential in his native Scotland. In Harley's designs he saw a vehicle for further advancement of his already illustrious career and, doubtless by Argyll's example, his friend Orrery began supplying Harley with frequent counsel on political and military affairs.

Sacheverell's trial, therefore, marked a major turning point in Orrery's political career, which was largely suspended after his decision not to run for re-election as MP for Huntingdon in 1705. Acquainted with Harley from his stint as an MP, aware of his increasing political importance and anxious to advance his own career, Orrery bound up his fortunes completely with the Tory ministry which assumed power in 1710. Though a member of neither House of Parliament during the trial, he achieved his newfound importance not through offices or ministerial appointments but because of his covert influence. Orrery played a critical role in persuading Argyll to withdraw his support from the Whigs, functioning as a mediator between the Tory minister and the Scottish duke throughout the Sacheverell Trial and the year 1710.⁹ A letter written to Harley as the trial concluded announced that Orrery had 'obeyed

⁵For Nottingham see Henry J. Horwitz, *Revolution Politicks: The Career of Daniel Finch, Second Earl of Nottingham, 1647-1730* (Cambridge: Cambridge University Press, 1968).

⁶Holmes, *Sacheverell*, p. 208, identifies a group of six 'notables' which included the Dukes of Somerset, Shrewsbury, and Argyll, his brother Ilay, and Lords Rivers and Peterborough.

⁷Master of the Horse throughout most of Anne's reign, Somerset was commonly perceived as the proudest and most pompous man in England: see *Private Corr.*, i, 300; and Holmes, *British Politics*, p. 226.

⁸His first unabashed opposition to the Whigs coincides with the erosion of the Marlborough-Godolphin court faction's power. See T.C. Nicholson and A.S. Turberville, *Charles Talbot, Duke of Shrewsbury* (Cambridge: University Press, 1930); for letters primarily pertaining to his career in the 1690s see William Coxe, ed., *Private and Original Correspondence of Charles Talbot, Duke of Shrewsbury, with King William, the Leaders of the Whig Party, and Other Distinguished Statesmen* (London: Longman, Hurst, Rees, Orme, & Brown, 1829).

⁹Holmes, *Sacheverell*, p. 227, calls Orrery Harley's 'emissary'. For other evidence of his

your commands' regarding Argyll and aptly illuminates the former's activities and his level of involvement in Harley's machinations.¹⁰ The Presbyterian Argyll was probably relatively indifferent from a religious standpoint, yet he was unable to dispel personal reservations totally, and informed Orrery that he could not 'bring himself to vote for an acquittal' and that the controversial clergyman merited 'censure' at the very least. Argyll continued to exhibit moderate tendencies but remained unyielding on this point, fearful that a complete acquittal would only serve to 'promote a high Tory scheme' and endanger his Scottish interests. Nevertheless, Argyll pledged to 'warmly oppose [Sacheverell's] fine and imprisonment' and to sway Somerset towards a similar vote. Urging absolute secrecy regarding his influence over Argyll, Orrery expressed joy that he had been 'brought so great a length,'¹¹ yet thought it was pointless to jeopardise their relationship by pressing for further concessions. Apologetic over Argyll's unwillingness to endorse fully Harley's wishes regarding Sacheverell's sentence, Orrery attributed his friend's reluctance to jealousy over rumours of a pending Garter award and a British dukedom for James, Duke of Hamilton. Even so, Orrery was later instrumental in securing Argyll's reward for support in the Sacheverell trial: Argyll's own Garter;¹² and in this context Orrery also deserves credit for convincing Argyll's brother Archibald, Earl of Ilay, to vote with the Tories.¹³ Some of Orrery's same letters to Harley coaxed him into procuring permission for Orrery and Argyll to ignore the orders instructing General Officers to report to Flanders in March 1710, and Harley's probable endorsement of Orrery's belief that the order was an attempt 'to defeat the present scheme' had the desired effect.¹⁴ Desperate for Argyll's vote, Harley granted the request and may have suggested it himself.

importance and close friendship with Argyll see RA, Stuart Papers 109/130; HMC, *Portland*, iv, 600; SRO, GD24/5/70. Harley to Argyll, 5 June 1710, O.S.; and P.W.J. Riley, *The English Ministers and Scotland, 1707-1727* (London: Athlone Press for the University of London, 1964), pp. 147-48.

¹⁰The unfoliated holograph original is in BL, Add. MS 70026; and printed in HMC, *Portland*, iv, 537. Orrery to Robert Harley, [14] March 1710. It is quoted in Holmes, *Sacheverell*, p. 227; and the classic study by K.G. Feiling, *A History of the Tory Party, 1640-1714* (Oxford: Clarendon Press, 1924; Rpt. 1950), p. 418.

¹¹It is worth noting that Argyll was still attending strategy session meetings with Junto members as late as April 1709: see Clyve Jones, 'The Parliamentary Organization of the Whig Junto in the Reign of Queen Anne: The Evidence of Lord Ossulston's Diary', *Parliamentary History*, x (1991), 180.

¹²HMC, *Portland*, iv, 538-39. Orrery to Harley, 15 March 1710.

¹³Orrery arranged a meeting between Harley, Argyll and Ilay on 16 March; see BL, Add. MS 70026, n.f. Orrery to Harley, 15 March 1710, (section not printed in HMC, *Portland*, iv, 538-39).

¹⁴HMC, *Portland*, iv, 537-38. Orrery to Harley, [14] March 1710; cited above, Ch. 3, p. 97.

The outcome of Sacheverell's trial in the Lords proved disastrous for the Whigs. Though there was a majority of 17 for his conviction, the sentence of a three-year suspension from the pulpit was trifling in proportion to the unrest generated. Perhaps even more momentous than the tally of votes was the demonstration of blatant opposition to the Whig ministry's position. Argyll, Somerset and Shrewsbury all displayed their newly-acquired willingness to compromise with Harley, and foreign observers rightly judged the event a gloomy adumbration of the demise of Godolphin's ministry.¹⁵ Argyll spoke out 'very severely againt (sic) Church men's meddling with Politicks' and seeking the restoration of Church lands, and voted Sacheverell guilty.¹⁶ None the less, he voted for a light sentence. He and Mar reportedly argued 'very hotly' for Sacheverell, and it was either Ilay or Argyll himself who proposed a one year suspension of the Doctor in response to Lord Carlisle's more stringent seven year proposal.¹⁷ Orrery's direct role in securing the votes of Argyll and his followers is undoubtedly one of the most significant acts of his entire political career; it can be said without exaggeration that he was one of the chief instruments Harley used in bringing the Tory Ministry into power,¹⁸ for Harley desperately required the votes of the three aforementioned dukes and their followers. If Orrery's influence upon Shrewsbury is difficult to determine, he certainly bears principal credit for winning over Argyll, who himself brought along Mar and Ilay,¹⁹ and their combined concessions probably convinced Somerset to

¹⁵Gregg, *Queen Anne*, p. 306, citing a letter written by the Habsburg envoy to London dated 29 April 1710, N.S. The newly-formed group of moderate Whigs in league with Harley were derisively referred to as the 'Juntilla'; cf. Churchill, iv, 703-05.

¹⁶Clyve Jones, 'Debates in the House of Lords on "the Church in danger," 1705, and on Dr. Sacheverell's impeachment, 1710', *Historical Journal*, xix (1976), 769-70; H.T. Dickinson, ed., *The Correspondence of Sir James Clavering 1708-1740* (Durham: Surtees Society, 1967), p. 71. Holmes, *Sacheverell*, p. 218, describes Argyll's speech as the 'most sharply anti-clerical' to originate from the Whig side of the House and rightly suggests peers such as Argyll, Ilay and Rivers had attacked the doctor with too much overt virulence to perform a volte-face and openly declare his innocence.

¹⁷For this and the debates on Sacheverell's sentence see Bodl., MS Ballard 34, f. 79; CKS, Chevening MS U1590, C/9/31/7; Holmes, *Sacheverell*, p. 228. For Scottish reaction to Argyll's vote see NLS, MS 7021, ff. 207v, 209v; and Herts. RO, Panshanger MS, D/EP F55, f. 23. Newcastle to Cowper, 2 Aug. 1710.

¹⁸For Godolphin's admission of the significance of Argyll's vote and Marlborough's bitterness at ever advocating his preferments, see Coxe, *Marlborough*, iii, 25-27.

¹⁹Argyll, upon hearing that Sacheverell was to visit him to pay him thanks, declined the honour with the comment that his actions in Parliament 'was not done for his [Sacheverell's] sake': Cunningham, ii, 300; *idem*, cited in Coxe, *Marlborough*, iii, 27. Ironically, Argyll had been appointed commander of troops who were to prevent riots in the trial's aftermath: BL, Add. MS 61652, f. 207.

avoid attending the House.²⁰ Argyll and Orrery remembered their role in Harley's victory, and it will be seen that his rather negligent compensation of their efforts in particular almost certainly led to their alienation and ultimate defection from the Court in 1713.

II

Orrery's political activities continued from afar after he and Argyll returned to Flanders in 1710. Corresponding frequently with Harley throughout the campaign, he conveyed important information regarding Argyll and Ilay,²¹ who one Whig complained bitterly had become Harley's 'Lieutenant Generals'.²² Through his close association with the pair, Orrery himself exerted a growing influence in Scottish affairs and was involved in negotiations with Argyll, Ilay and Harley as to their preferences in the Scottish peerage election of 1710. In the autumn Orrery reminded Harley he was 'linked with him [Argyll] and his brother in so particular a manner' and was anxious that they 'should be made easy in all respects.'²³

In accordance with his alliance with the Campbells, Orrery proceeded in efforts to undermine Marlborough's military authority. With virulent animadversion, Orrery communicated to St. John the urgent necessity that 'some restraint should be put to that exorbitant power Lord Marlborough has in the Army.' Observing how the Duke awarded preferments 'with no other view but to create a faction sufficient to support him against the Queen and her friends', Orrery missed no occasion for justifying his own claims for promotion, arguing that such an accretion in rank would not only strengthen the anti-Marlborough 'faction' but 'add a little to the present mortification of his Highness [Marlborough].'²⁴ Orrery's confidence was bolstered by prospects of the Godolphin ministry's imminent collapse and he began to exhibit his personal ambition in a most shameless fashion. Almost a year had passed since his last promotion. Orrery and Argyll were both eager for a promotion to help subvert Marlborough's

²⁰Orrery informed Harley on 15 March that Argyll could be convinced to vote for a light sentence and that Argyll believed 'Somerset may be brought to concur with him': HMC, *Portland*, iv, 538; *idem*, cited in Holmes, *Sacheverell*, p. 227; *cf. Correspondence of Clavering*, p. 74.

²¹See Orrery's letters written in August and September in HMC, *Portland*, iv, 553-54, 568-69, 600-05; and *idem*, x, 330-31. Mar to Harley, 21 Aug. 1710.

²²CKS, Chevening MS U1590, C9/31/12. Sir John Cropley to Stanhope, 17 June 1710.

²³HMC, *Portland*, iv, 600, 626-29.

²⁴BL, Add. MS 70026, n.f. Orrery to Harley, from Camp before Bethune, 31 July 1710, N.S.; HMC, *Portland*, iv, 553-54; *idem*, cited in Churchill, iv, 698, who adds it 'is not often that personal motives are so nakedly exposed.'

remaining authority. The covetous brigadier somewhat disingenuously informed Harley that his motivation lay not in the promise of an increase in pay, but because he was 'plainly left out in the last promotion out of pique which has stopped at me.' Orrery further justified his promotion on the grounds that it was 'proper for our common cause at this time...[so] the Queen may show she will not suffer his Highness to wrong the service or prejudice any person that does not misbehave himself to her or the public.'²⁵

Orrery's complaint contained a kernel of truth. A periodic general promotion of senior officers had been scheduled for January 1710. Marlborough had imposed certain limits which directly affected men such as Mrs. Masham's husband and her brother Jack Hill, but he was ultimately overruled by the queen.²⁶ Newspapers reported details of the delayed promotion of a large number of Lieutenant, Major, and Brigadier Generals which occurred in April 1710, around the same time that Orrery wrote his letter, but he was not named among the recipients of the new commissions.²⁷ Instead, his long-sought promotion to major general, like his promotion to brigadier,²⁸ did not occur with the regular annual promotion of general officers. Orrery's advancement in rank is yet another event for which conflicting evidence exists. Manuscripts in the Public Record Office record the official date for the promotion as 1 January 1710,²⁹ but its omission from contemporary announcements and confirmed delays in its award again imply that Orrery's promotion was intentionally blocked, and did not occur until August 1710.³⁰ Orders of Battle and accounts of the 1710 campaign also designated Orrery as acting in the capacity of a brigadier until after his return from Flanders.³¹

²⁵HMC, *Portland*, iv, 544-45. Orrery to Harley, before Douai, 21 June 1710.

²⁶Burton, *Captain-General*, pp. 171-72. References to Orrery are lacking in the Duke's correspondence with Walpole during this period: William Coxe, *Memoirs of the Life and Administration of Sir Robert Walpole, Earl of Orford, in Three Volumes* (3 vols., London: for T. Cadell & W. Davies, 1798), ii, 12-15; and *LDM*, v, 135-36. Marlborough intended that no brigadiers commissioned after 1707 were to be promoted, a restriction which would have also rendered Orrery ineligible. For further discussion of the promotion system in 1710 see below, pp. 117-20.

²⁷*The Post-Man and Historical Account*, 15 May 1710; *London Gazette*, 9-11 May 1710; *Present State*, xxi, 180; BL, Add. MS 61392, f. 55; cf. *Army Lists*, v, 263, n. 3; *idem*, vi, 298, 351; and Oldmixon, *History*, p. 447. New Lt. Generals included Orrery's kinsman Lord Shannon, and future Jacobite conspirator, William, Baron North & Grey.

²⁸See above, Ch. 3, pp. 86-87.

²⁹PRO, SP 41/5/254; PRO, SP 44/175/8.

³⁰Dalton dates the commission 17 August, O.S., the date Bethune surrendered to the Allies: *Army Lists*, v, 246; cf. *Complete Peerage*, x, 179.

³¹On 10 July 1710 Orrery was designated as a ranking brigadier among the officers of the day; four days later Orrery was again named as a brigadier in plans for the siege of Bethune: Newhailes Diary, iii, ff. 31v-33v. The Duke of Montagu's Scrapbook, nos. 21-22, which are orders

Moreover, the August 1710 date is further confirmed by the fact that St. John defended criticism of Orrery's elevation in rank in that month.³²

If Orrery's 1710 promotion was delayed, only to be obtained ultimately through political favouritism and the exertions of his Tory friends like the brigadier's commission in 1709, it was most assuredly unlike the previous promotion in that it heralded the death knell of the Godolphin ministry and the curtailment of Marlborough's domination of the army's higher echelons.³³ The disrespect officers such as Argyll and Orrery exhibited towards Marlborough during the summer of 1710 so infuriated Prince Eugene that he refused to speak to Argyll.³⁴ The latter's resolution that he and his fellows would 'never' serve in another campaign under Marlborough has been pointed out earlier.³⁵ Hardly the result of Marlborough's vigorous advocacy of a man who had earlier appeared a dutiful officer, Orrery's promotion only served as unnecessary encouragement to his insubordination. Harley's confidant John Drummond later reported the duke's indignation and bitter reflections on the Tories' practise of granting preferments to 'people under his command who made it their business to lessen him and be ill with him, meaning Lord Orrery's being made Major General'.³⁶ The legacy of Orrery's disloyalty endured for months to come. After his appointment as Envoy Extraordinary and Plenipotentiary to The Hague and Brussels early in 1711, the Hanoverian ambassador remarked that Orrery's attachment to Argyll and their treatment of Marlborough during the subsequent campaign had lent Orrery more notoriety than his scholarly clashes with Bentley.³⁷

While Orrery was certainly interested in advancing his career,³⁸ it is simplistic to see the shifting military loyalties of officers such as Orrery and Argyll at this time as sheer pique and avarice. Since Malplaquet numerous officers had begun to question the war's purpose

of battle also dated 14 July, make similar designations.

³²HMC, *Portland*, iv, 575. St. John to Harley, 25 Aug. 1710; and the original in BL, Add, MS 70026, endorsed 'Lord Orrery's commission'.

³³LDM, v, 139, 191; though Godolphin was dismissed in early August, Walpole lingered on in the War Office.

³⁴CKS, Chevening MS U1590, C9/31/12. Sir John Cropley to Stanhope, 17 June 1710.

³⁵HMC, *Portland*, iv, 548; cited above, Ch. 3, p. 101.

³⁶For Marlborough's lingering bitterness over the promotion see HMC, *Portland*, iv, 634-35. John Drummond to Harley, 29 Nov. 1710; *idem*, cited in Jones, *Marlborough*, p. 200.

³⁷KD, No. 99, f. 62.

³⁸Burton, *Captain-General*, p. 171, places Orrery among several anti-Marlborough military figures 'moved solely by personal ambition.' Burton offers no specific evidence for this statement, but Orrery's words and deeds largely confirm its accuracy.

and Marlborough's motives for prolonging the slaughter. In the summer of 1710 Orrery himself articulated such concerns, explaining to Harley how the present campaign 'ought to be near an end'. It had begun early in the year, witnessed two costly sieges, and had been rendered all the more deadly because of widespread sickness; in Orrery's opinion, another siege would serve only to 'support the General by the destruction of the Army'. As usual, the motivations for such rhetoric are thinly cloaked, for in the very same letter Orrery solicited his commission and persisted in requests for permission for Argyll and himself to leave the field.³⁹ In such letters one detects the arguments of an experienced officer and aspiring courtier, buttressed, as well as tainted, by ever bolder defiance and disloyalty.

Orrery's promotion to Major General also demonstrated his own heightened political activity and his affinity with men who were soon among the most powerful members of Queen Anne's final ministry. Aside from Harley, St. John was foremost among these and far more influential in his impact upon Orrery's career. The Orrery-St. John relationship is among the most fascinating and significant aspects of this career, for even by exaggerated standards of Augustan courtesy, St. John's letters seem to display a profound and sincere esteem. His influence in helping to secure Orrery's first commission has already been discussed,⁴⁰ and although no correspondence between the pair prior to 1709 has survived, they must have maintained close personal ties. Having lived a life of leisure on his Berkshire estate since his resignation in 1708, St. John revealed to Orrery his restlessness and his desire to return to politics in an earnest letter a year later.⁴¹

St. John could have had little inclination for cultivating Orrery's friendship out of self-interest; he obviously could do far more for Orrery than vice-versa. Despite Orrery's correspondence with Harley throughout 1710, St. John found it necessary to intercede on his

³⁹HMC, *Portland*, iv, 568, 18 Aug. 1710, N.S.; Jones, *Marlborough*, pp. 200-01.

⁴⁰See above Ch. 3, p. 70.

⁴¹The letter also provides a classic brief exposition of the landed classes' grievances, their opposition to the recent proliferation of the moneyed interests, and the latter's close links to the Whigs. Dated 9 July 1709, this letter is the first in a collection of 53 found in two letterbooks: Bodl., MS Eng. misc. e. 180, and MS Eng. lett. e. 4., both of which were edited by H.T. Dickinson and published in: 'The Letters of Henry St. John to the Earl of Orrery 1709-1711', *Camden Miscellany*, 4th ser., xxvi (London: Royal Historical Society, 1975), pp. 145-99. Copies of many of these letters are found in PRO, SP 104/12, Foreign Entry Books, Flanders, 1707-1712; PRO, SP 104/74, Foreign Entry Books, Holland, 1707-1713; and PRO, SP 104/79, Foreign Entry Books, Holland, 1711. The oft-quoted 9 July 1709 letter is also included in Geoffrey Holmes and W.A. Speck, eds., *The Divided Society: Parties and Politics in England, 1694-1716* (New York: St. Martins Press, 1968), pp. 135-36; quoted in Holmes, *British Politics*, pp. 176-77; and in Dickinson's *Bolingbroke*, p. 69.

behalf just before Orrery's promotion was granted. St. John defended his friend's request for it against Marlborough's opposition with the argument that George Wade (later of Highland Road fame) and 12 other colonels had been promoted to brigadier over Orrery's head, therefore claiming that it would 'be no injustice to anybody to make Lord Orrery a Major-General.'⁴² Even so, despite their friendship, Orrery and St. John do not seem to have shared a mutual loathing for Marlborough. On the contrary, St. John still held the Duke in high regard as late as June 1711. Only when it became politically impossible to continue conciliatory gestures did St. John, who was appointed Secretary of State for the Northern Department in September 1710, abandon the Commander-in-Chief as a potential supporter of the Tory ministry.⁴³ This glaringly incongruous element of Orrery's connection with St. John cannot be overemphasised; indeed, St. John's prolonged contacts with and continued support of Orrery's avowed enemy were probably conducted for some time without the Major-General's knowledge, and may partly explain a serious rift which later developed between Orrery and his friend, the Secretary of State.⁴⁴

The impending dissolution of Parliament, the promise of a subsequent general election, the anticipation of a change in administration, and the pervasive partisan turmoil which affected Britain in the summer of 1710 all instilled an urgent desire in many noblemen to return to exercise their political influence and join the scramble for the spoils of office. Orrery's influence in terms of electoral activity at this time was negligible,⁴⁵ but his yearning to abandon the campaign was none the less encouraged by success in achieving permission for Argyll and himself to return at their leisure.⁴⁶ Soon after the fall of Bethune Orrery's request was granted and he had returned to England, just in time to witness firsthand the furiously-contested general election called that month that confirmed the Tories' domination of the British ministry. Continuing as an intermediary between his

⁴²HMC, *Portland*, iv, 575. St. John to Harley, 25 Aug. 1710; and the original in BL, Add, MS 70026, endorsed 'Lord Orrery's commission'. See also St. John to John Drummond, Whitehall, 3 Dec. 1710, in *Bol. Corr.*, i, 35; cf. the most interesting letter on Marlborough's reaction from J[ohn] D[rummond] to [Harley], Amsterdam, 9 Dec. 1710, N.S., in HMC, *Portland*, iv, 634-35.

⁴³Dickinson, *Bolingbroke*, pp. 8, 35, 49, 76-77; and Davies and Tinling, 'Letters of Henry St John to James Brydges', p. 161.

⁴⁴See below, pp. 120-21.

⁴⁵Orrery does seem to have been involved in sanctioning the candidates of seats in Cork for Irish elections during this period: see BL, Add. MS 47025, f. 93. Sir John Perceval to Orrery, Cork, 4 Aug. 1708.

⁴⁶HMC, *Portland*, iv, 544.

Scottish friends and Harley, he solicited the latter to fulfil his promises of sinecures for Argyll,⁴⁷ Ilay, and Mar, but warned against their aversion to any plans Harley might entertain for their cooperation with the Scottish Whigs known as the Squadrone.⁴⁸

Orrery also made frequent supplications to Harley and St. John for an improvement in his own situation, either within the ministry or with a more lucrative and prestigious military post.⁴⁹ Initially most specific in regard to what appointments he deemed appropriate, he repeated his long-standing dissatisfaction with the minor Treasury post he still retained, condemning it as 'too little and unfit for me to keep.' Furthermore, he was quite adamant in his reluctance to heed a suggestion made by several acquaintances who had proposed procuring another borough seat, resolving 'never [again] to sit in the House of Commons.' Instead, Orrery sought the 'Command of the Beefeaters', referring to the Lord Lieutenancy of the Tower. Growing impatient with Harley's evasive promises, Orrery threatened in November 1710 to retire unless he 'had not soon some mark of the Queen's favour.'⁵⁰ By the end of the year, however, Orrery's letters had taken on a more acquiescent tone. In lieu of the Tower post, he expressed hopes of gaining a new regiment, preferably one of Horse or Dragoons. At the same time he enthusiastically greeted reports that he was under strong consideration for admission into the Privy Council.⁵¹ Orrery's attitudes to preferments varied between conceit and arrogant self-assurance on some occasions and humble deference on others. It is difficult to assess the sincerity of his claims that he sought a place or promotion not 'out of avarice or ambition', but only to better assist in the 'zealous' service of friends. Although his cooperation with Harley and St. John doubtless proved useful in furthering their schemes, his incessant entreaties must have at the same time only added to the deafening clamour of office seekers who daily solicited Harley.

⁴⁷Orrery was probably largely responsible for the 'continuous pressure' exerted upon Harley to secure Argyll's Garter in Dec. 1710: Trevelyan, iii, 160-62; Riley, *Scotland*, p. 160.

⁴⁸HMC, *Portland*, iv, 600-03. Orrery to Harley, 24 Sept. 1710. For the election and the Squadrone see Daniel Szechi, *Jacobitism and Tory Politics, 1710-1714* (Edinburgh: John Donald, 1984), pp. 63-67.

⁴⁹Harley was now Chancellor of the Exchequer and predominant Treasury Commissioner.

⁵⁰BL, Add. MS 70026. n.f. Orrery to Harley, 9 Nov. 1710; HMC, *Portland*, iv, 626, *idem*, and the letters of 10 Nov. 1710.

⁵¹HMC, *Portland*, iv, 626, 10 Nov. 1710; *idem*, quoted in E.R. Turner, *The Privy Council of England in the Seventeenth and Eighteenth Centuries, 1603-1784* (2 vols., Baltimore: Johns Hopkins University Press, 1932), ii, 22.

Harley's pressing dilemma--how to satisfy the appetites of power-hungry men such as Orrery while striving to conciliate and retain Marlborough for as long as possible in order to maintain pressure on the French--was eased somewhat by an incident which occurred in December 1710, when pro-Tory informants delivered information that seriously incriminated some of Marlborough's most devout subordinates. Three officers, Lieutenant General Meredith, Major General Macartney, and Brigadier General Honeywood, had in a moment of reckless abandon supposedly made a toast calling for 'Damnation and Confusion to the new Ministry, and to those who had any Hand in turning out the Old.'⁵² Another recollection of the incident included Argyll among those condemned.⁵³ The officers' protestations that their only crime had been to wish for Marlborough's health and confusion to his adversaries, a common form of toast in the army, had little effect. Their plight became more serious when it was purported that in their inebriated zeal they had also fired muskets at an effigy of Harley.⁵⁴ The personalities of the accused and precedents stemming from recent disputes in the military also did little to protect them from widespread reproach.⁵⁵ Meredith's cruel misfortune was his particularly close friendship with Marlborough and the general's having received the regiment which Queen Anne had earlier intended to grant to General Jack Hill.⁵⁶

Without any investigation the Queen ordered George Granville, her newly-appointed Secretary at War, to notify the officers she no longer had 'occasion for their Services' and thus ordered them to resign their commissions. Out of her mercy she would, however, allow the trio to dispose of the commissions themselves but at a price she would designate. Additional salt was rubbed in the Whig military clique's wounds when it was learned that Marlborough,

⁵²Lediard, iii, 94; Coxe, *Marlborough*, iii, 146; and the discussion of the incident in Scouller, *Armies of Queen Anne*, pp. 272-73.

⁵³See James Campbell's letter in: James Maidment, ed., *The Argyll Papers* (Edinburgh: Thomas G. Stevenson, 1834), pp. 173-74; cf. KD, No. 99, f. 21.

⁵⁴For Swift's highly sarcastic account of the incident see issue no. 20 of *The Examiner*, 21 Dec. 1710, in Herbert Davis, ed., *The Examiner and Other Pieces Written in 1710-11* (Oxford: Basil Blackwell, 1966); and Swift's *Journal to Stella*, Harold Williams, ed. (2 vols., Oxford: Clarendon Press, 1948), i, 120; cf. Churchill, iv, 772-73; and the more balanced account in Burton, *Captain-General*, p. 177.

⁵⁵Macartney, a carousing, immoral Irishman, had a reputation as a 'gamester' and wench. Once accused of raping his own sister, in 1712 he was implicated as a second in the infamous Hamilton-Mohun duel and forced to flee to avoid murder charges: Theophilus Lucas, *Memoirs of the Lives, Intrigues, and Comical Adventures of the Most Famous Gamesters...* (London: for Jonas Brown & Fernando Burleigh, 1714) in *Games and Gamesters of the Restoration*, Cyril H. Hartmann, ed. (London: 1930; Rpt. London: Kennikat Press, 1971), pp. 110-16.

⁵⁶HMC, *Portland*, iv, 250-55. Meredith had been wounded in the cheek at Oudenarde: *Compleat History*, (1708), p. 232.

still in the Low Countries, was to relay the orders to his trusted lieutenants and to deliver them unopened.⁵⁷ The reaction of both foreign and domestic observers was one of deep concern.⁵⁸ The order's timing must have been particularly rankling to Marlborough, who also learned that on the previous evening a motion in the Lords to present an address of thanks for the previous campaign had drawn bitter attacks from Argyll and other disaffected peers.⁵⁹

At the time of the 'toasting' incident Orrery's position was auspicious. Here was an opportunity for Harley to reward him with exactly the type of preferment he craved and to avoid the alienation of any potential political ally, while smearing the glorious reputation of Marlborough. In the process Orrery would reap the benefits of his service to his friends in the government and his growing favour with the Queen. Harley did not fail to capitalise on his good fortune. Orrery's 'Loyalty, courage and Good Conduct' were soon rewarded with the grant of Meredith's colonelcy of the prestigious 21st Regiment of Foot,⁶⁰ yet another event in Orrery's career around which inconsistencies have arisen. The official date for the grant is given as 8 December, O.S.⁶¹ Several studies offer conflicting dates, however,⁶² and the recent editor of a Marlburian War journal makes the mysterious and totally unsubstantiated claim that Orrery's old regiment 'became the 21st Foot', and that Orrery became its colonel seven months afterwards.⁶³

⁵⁷Philip Roberts, ed., *The Diary of Sir David Hamilton, 1709-1714* (Oxford: Clarendon Press, 1975), p. 21; Lediard, iii, 94-95; Scouller, *Armies of Queen Anne*, pp. 126, 272; Churchill, iv, 772-73; and the more partisan account in Oldmixon, *History*, p. 455.

⁵⁸See KD, No. 99, f. 20v, 23 Dec. 1710; the dispatch of Imperial ambassador Hoffmann, 30 Dec. 1710 (N.S.), in Onno Klopp, *Der Fall des Hauses Stuart und die Sukzession des Hauses Hannover in Gross Britannien und Irland...*, (14 vols., Vienna: W. Braumhuller, 1875-88), xiv, 23; and *idem*, cited by Churchill, iv, 773.

⁵⁹KD, No. 99, f. 5; AR, Letters of L'Hermitage, Dutch resident in London, to Anthonie Heinsius (MF290, Microfilm in possession of Newcastle University, deposited by H.T. Dickinson), no. 1536, 5 Dec. 1710, (extract in English); *Bol. Corr.*, i, 29; Wodrow, *Analecta*, i, 311; and below, pp. 123-24.

⁶⁰Orrery's warrant is in PRO, SP 44/175/26-27; also see John Millan, *Millan's Succession of Colonel's to all His Majesty's Land Forces, General and Field Officers, with Dates, Uniforms, &c.* (London: n.p., 1758), p. 8; Boyer, *Annals*, ix, 333; Luttrell, vi, 679; *Army Lists*, v, 98.

⁶¹*George the First's Army*, ii, 123; N.B. Leslie, *The Succession of Colonels of the British Army From 1660 to the Present Day* (London: Gale & Polden, for the Society of Army Historical Research, 1974), p. 63; Atkinson, 'Gleanings from W.O. IV', p. 87; J.B.M. Frederick, *Lineage Book of the British Army: Mounted Corps and Infantry, 1660-1968* (Cornwallville, NY: Hope Farm Press, 1969), p. 220, all list Orrery's succession to the colonelcy as occurring in Dec. 1710.

⁶²Donald Anderson, 'A Note on Orrery's Regiment', *JSAHR*, xvii (1938), 177, says Orrery assumed the colonelcy of Royal Scots on 1 May 1710.

⁶³Deane, *Journal*, p. 79, n. 43. In fact, Orrery's old regiment was sold in December 1710: *cf.* below, p. 116, notes 66 and 68.

Founded in the 1670s, the veteran 21st was a member of the permanent British military establishment.⁶⁴ The regiment's colonelcy cost Orrery £3,000, but how much of this sum he had to raise is difficult to ascertain because there was a substantial amount of regimental off-reckonings--monies retained in a separate Army fund and provided for the purchase of clothing--which was in arrears when he took over as Colonel.⁶⁵ Informed observers nevertheless considered this sum a bargain and an expenditure Orrery could recoup solely by the sale of his own regiment, which was sold to Major General Charles Sybourg.⁶⁶ Lord Raby's brother reported that Orrery's old regiment could fetch a higher price than what Meredith must have been forced to accept.⁶⁷ Whatever the price, since there are numerous references to the co-existence of the regiment formerly known as Orrery's Foot and to his new regiment,⁶⁸ it is difficult to see how Orrery's could have 'become the 21st Foot' as is stated above.

III

Certainly, Orrery's acquisition of the regiment which later became known as the Royal Scots Fusiliers was ultimately a boon to his military career in remunerative terms. Regardless of the degree of veracity in the charges surrounding the 'drinking damnation' incident, it had proven a timely expedient for Harley as well, supplying him with the means whereby he could partially satisfy a valuable political ally in the military who hungered for office and

⁶⁴Also known as the North British Fusiliers, the 21st was formed in Scotland by the father of Orrery's acquaintance John, Earl of Mar. For the origins and history of the regiment see John Buchan, *The History of the Royal Scots Fusiliers (1678-1918)* (London: Thomas Nelson & Sons, 1925), pp. 5-8, 45-72; and Richard Cannon, *Historical Record of the Twenty-First Regiment, or, the Royal North British Fusiliers* (London: Furnivall & Parker, 1849), pp. 2-17.

⁶⁵PRO, WO 4/10/184; PRO, WO 72/1, Bundle 1.

⁶⁶KD, No. 99, f. 21; HMC, *Fourteenth Report*, ix, 355; PRO, SP 44/175/27; *Heinsius*, xi, 443-44; Luttrell, vi, 681; Boyer, *Annals*, ix, 333; *idem*, *History*, p. 484; *George the First's Army*, i, 330. The amount Sybourg was required to pay is unknown.

⁶⁷BL, Add. MS 31135, ff. 277-78; *Wentworth Papers*, p. 165. Peter Wentworth to Raby, 19 Dec. 1710. Swift reports all three officers were forced to sell their commissions at half-price; *Journal to Stella*, p. 120.

⁶⁸For example, Atkinson, 'Gleanings from the Calendar of Treasury Books and Papers', 51, noted that 'Sybourg's (late Orrery's)' required over 250 recruits for the 1711 campaign. PRO, WO 55/346/31 is an abstract of an order dated 15 May 1713 for 'Orrery's' Foot to be disbanded, while the Royal Scots were a permanent member of the British military establishment, and as discussion in Ch. 7, below, amply demonstrates, remained in existence. See also *CTB*, xxvi, pt. 2, 525; *Army Lists*, vi, 164, 351; and PRO, SP 41/5/n.f. 'Report of the Genll. Officers in Relation to the Rank of the fforces, 19 Feb. 1714'.

power. Yet, at the same time, and from a broader perspective, it was much more; it was probably the first application of a new experimental policy in military affairs by the Harley Ministry. Since Orrery was instrumental in this policy's formation, it was only fitting that he should find himself among the first to profit from it.

It has been demonstrated that the year following Malplaquet was a period characterised by increasing hostility exhibited toward Marlborough by Orrery, Argyll and others for both personal and political motives. Marlborough's misfortune was that this antagonism coincided with his wife's declining influence with Queen Anne and the corresponding erosion of Godolphin's power in the government, and both contributed to the deterioration of Marlborough's military authority. By the autumn of 1709 these developments were compounded by officer unrest in response to Malplaquet and the reaction thereafter to Marlborough's own poor judgement and desperation. This rancour was no doubt further heightened by two military disputes which had occurred in 1710. One involved the disposition of the Lieutenancy of the Tower and the colonelcy of Lord Essex's regiment of dragoons, which Anne awarded to candidates contrary to the Duke's preferences. The second concerned the promotions of Colonels Jack Hill and Samuel Masham, brother and husband, respectively, of Queen Anne's confidant.⁶⁹ The Essex incident resulted in the alienation of Richard Savage, 3rd Earl Rivers, another general with hitherto moderate Whig political tendencies. Furthermore, it underscored army discontent over shrinking opportunities for advancement and commissions and increased disgust that remaining awards were disposed of almost solely on the basis of favouritism; thus somewhat confirming Orrery's objections to Marlborough's excessive power.⁷⁰

Senior officers such as Argyll and Rivers led the chorus of complaints and Marlborough's response was the ill-timed step of requesting that Queen Anne declare him Captain-General for Life,⁷¹ a decision which only fueled the antagonism of Orrery and the Duke's other adversaries. Another problem was the double tier promotion system. Brevet promotions were given to junior officers without adequate compensation for their increased responsibilities, and the government could delay their claims almost indefinitely so as to wait for a vacant colonelcy. Consequently, the system of promotion for general officers, ostensibly done

⁶⁹NLS, MS 7021, ff. 199-200; Gregg, *Queen Anne*, pp. 300-01; and Burton, *Captain-General*, pp. 169-71; also C.T. Atkinson, *Marlborough and the Rise of the British Army* (London: G.P. Putnam's Sons, 1922), pp. 413-14.

⁷⁰See Orrery's complaints cited above, p. 108.

⁷¹Snyder, 'Marlborough's Request', pp. 67-83; and Jones, *Marlborough*, p. 216.

'almost entirely by seniority', nearly collapsed because of an overabundance of colonels and brevet officers. Responding to the rising tide of insubordination and solicitations which this provoked, Marlborough himself complained of eroding discipline, and when the toasting incident implicated three of his most loyal generals he was both embarrassed and humiliated because his opponents saw him compelled to take swift non-partisan punitive measures.⁷²

To Harley's military supporters, logic dictated that a comprehensive diminution of Marlborough's authority could be most readily achieved through the implementation of constitutional restraints, which would be the least offensive to the Whigs and the least vulnerable to parliamentary attack. Furthermore, no Cabinet minister controlled the Army at this time and Harley was anxious not to disconcert members of the Alliance or generate suspicions about Britain's commitment to seeing the war through to its conclusion. In response to these restrictions, and at Harley's command, Orrery outlined a blueprint for such restraints and presented his thoughts to Harley and St. John sometime in September 1710.⁷³ Orrery contended that the sole method whereby the government could dominate the army was to assume responsibility for awarding senior appointments--particularly the colonelcies of regiments--which hitherto had been the prerogative of the commander-in-chief. Orrery also believed the Queen must regain some of the Crown's authority which had been encroached upon by his present commander. The Queen should sign colonels' commissions herself, and make the commissions of all general officers temporary ones which would be issued at the beginning of a campaign and remain in effect only for its duration. Orrery also urged Harley to appoint a pro-Tory Secretary at War to 'give satisfaction...to all the officers of the Army, as well as to his particular friends.'⁷⁴

To advise Her Majesty in these and other military affairs, Orrery proposed the formation of a new committee of all Privy Councillors who held the rank of general officer. He believed the creation of a new committee was vital because the existing Board of General Officers was of 'a different interest from that of their real Sovereign.'⁷⁵ In other words, it was

⁷²Burton, *Captain General*, pp. 165-68, 177; Trevelyan, iii, 44.

⁷³HMC, *Portland*, iv, 605; cf. the MS original in BL, Add. MS 70026, which is pencilled 'Oct. 1710'.

⁷⁴HMC, *Portland*, iv, 600, 24 Sept. 1710; *idem*, cited in the biography of the Secretary at War the Tories appointed: Elizabeth Handasyde, *Granville the Polite: The Life of George Granville, Lord Lansdowne, 1666-1735* (Oxford: University Press, 1933), p. 108.

⁷⁵The Board also suffered from poor attendance and an inability to produce a quorum; for its background earlier in Anne's reign see Scouller, *Armies of Queen Anne*, pp. 44-47. Orrery's role in the formation of the new committee is discussed below and in I.F. Burton, 'The Committee

Whiggish and too pro-Marlborough to be a reliable tool in the administration's hands. Harley undoubtedly found Orrery's ideas interesting and of great potential utility. Orrery had indicated that his proposals were more suitable for personal discussion than for correspondence. Harley agreed, and met with Orrery on several occasions for conferences during which he was presented with a rough draft of Orrery's plan which he had originally shared with St. John.⁷⁶ Its contents and the results of the meetings became apparent when on 30 October Harley drew up his own 'Plan of Administration'. It set forth the ministry's policies on a wide range of issues. Under the heading of military affairs Orrery's propositions were endorsed and included nearly verbatim from his earlier letter. Both Army and Admiralty officers were to be 'dependant on the Crown' and the Queen was to appoint 'all the general officers who shall serve that year' and 'suffer no one to dispose of regiments [but] herself'.⁷⁷

Among Orrery's ideas for revamping the military, the only stipulation missing from Harley's Plan was the immediate formation of a separate board of general officers. This segment of Orrery's plan became a reality in February 1711 with the first meeting of the War-Office Committee, and it eventually implemented a number of army reforms.⁷⁸ At the time of its formation six generals were eligible to sit on the committee: Orrery, Argyll, Orkney,⁷⁹ Ormonde, the retired Duke of Schomberg, Rivers, and Thomas Erle, the sole member whom Marlborough considered sympathetic and trustworthy.⁸⁰ Orrery himself had become one of the handful of eligible members after he was sworn a member of the Privy Council on 9 February.⁸¹

of Council at the War-Office: An Experiment in Cabinet Government under Anne', *Historical Journal*, iv, (1961), 77-84; and *idem*, *Captain-General*, pp. 178-79.

⁷⁶HMC, *Portland*, iv, 607. Orrery felt the 'dignity and security of the Crown' were in jeopardy; *ibid.*, pp. 628-29. Orrery to Harley, 15 Nov. 1710.

⁷⁷See Harley's 'Plan' in Philip Yorke, Earl of Hardwicke, ed., *Miscellaneous State Papers...from the Collection of the Earl of Hardwicke* (2 vols., London: for W. Strahan & T. Cadell, 1778), ii, 485-88. A manuscript copy can be found in BL, Stowe MS 248, ff. 1-4.

⁷⁸Minutes of the Committee's meetings are found in BL, Add. MS 61134, ff. 9-37; there are copies of the minutes for four meetings held in March in BL, Add. MS 22264, ff. 63-65.

⁷⁹The Committee's initial meeting may have been conducted clandestinely, as the pro-Marlborough Orkney did not attend, despite his presence in England; Burton, 'Committee', p. 82.

⁸⁰Burton, *Captain-General*, p. 171, 178, says Erle, the Lt. General of the Ordnance, was 'lured over' to support Harley in 1710, and then calls him the only member Marlborough could trust. It will become clear that he undermined the functions of the new Committee.

⁸¹PRO, SP 34/14/163, 'List of Her Majesty's Most Honourable Privy Council,' 26 Feb. 1711; *Scots Courant*, 14-16 Feb. 1711; Boyer, *History*, p. 485; *idem*, *Annals*, ix, 332-33. Orrery's admission into the Privy Council was granted at least a week earlier, for St. John invited him to attend a meeting on 1 February: 'St. John-Orrery Letters, 1709-1711', p. 150.

Of these, only Argyll, Erle and Rivers were present at the inaugural meeting held on 28 February.⁸² The new regulations adopted in the following weeks were embodied in formal resolutions issued as an eight-point order dated 1 May 1711.⁸³ Largely sanctioning Orrery's proposals, they included orders which effectively terminated future brevet promotions as well as promotions to brigadier.⁸⁴ The sale of commissions was prohibited except under exceedingly strict conditions, and no commissions were to be awarded to anyone under the age of 16.⁸⁵

Additional Tory vengeance was exacted upon the trio of cashiered officers with a regulation which forbade further military employment of general officers who had sold their commissions, effectively eradicating the influence of men such as recently-cashiered generals Honeywood, Macartney and Meredith. This provision must have been particularly galling to them and to Marlborough, since Orrery was excused from compliance, despite the fact that he had sold his old regiment at the same time and, indeed, as a result of their mandatory relinquishment of their regiments. Coupled along with another regulation disallowing the attendance of any general officers under the rank of major general at the committee's sessions, this provision served as a partial safeguard against the influx of potentially-uncooperative members.⁸⁶ The creation of the War Office Committee was essentially an alternative to Marlborough's dismissal.⁸⁷ For his own part, however, Orrery was destined never to attend a single meeting of the committee which owed its origins to his inspiration: a committee which not only limited the awarding of colonelcies for political motives, but which genuinely attempted to reduce corruption and fostered the institution of meaningful,

⁸²BL, Add. MS 61134, ff. 11-12, minutes from 28 Feb. 1711; also Burton, 'Committee', p. 78; and *LDM*, v, 301. For Marlborough's anger at the creation of the committee see Erle Papers 2/40/72. Marlborough to Erle (autograph), 16 April 1711, N.S.; *idem*, cited in Holmes, *British Politics*, p. 462, n. 78.

⁸³BL, Add. MS 61134, ff. 35-38; PRO, SP 41/4/228-29; the plan is also discussed and summarised in Scouller, 'Commissions', pp. 220-21.

⁸⁴The issue of brevet promotions was resolved during the committee's second meeting on 5 March: BL, Add. MS 61134, ff. 11-12, 17-18; PRO, WO 26/12/Bundle 3, f. 49; Burton and Newman, 'Promotion', p. 665.

⁸⁵Minimum service of 20 years was required for sale of commissions and the sale was usually prohibited unless the officer had become disabled: see PRO, WO 26/12/Bundle 3, f. 49; PRO, SP 41/4/228-29; BL, Add. MS 22264, f. 64; BL, Add. MS 61134, f. 19; Burton, *Captain-General*, p. 178; *idem*, 'Committee', pp. 79-80; Scouller, *Armies of Queen Anne*, p. 77.

⁸⁶BL, Add. MS 61134, ff. 11-12; Burton, 'Committee', p. 78. It was not totally partisan and applied unfairly on the basis of an officer's loyalty to Marlborough, however, for as Burton, *Captain-General*, p. 178, points out, this provision also applied to Rivers.

⁸⁷Burton, 'Committee', p. 81.

non-partisan and worthwhile reforms. Ironically, although he had little opportunity to participate directly in these reforms or in the committee's meetings, for the immediate future Orrery could congratulate himself with the conviction that he had played an instrumental role in devising measures which struck a serious blow to the authority wielded by his adversary and superior.

At the time, hints of the implementation of these measures and the scheduling of the new committee's first meeting must have been all the more gratifying. Its effectiveness was prematurely forestalled, however, by the dissimulation and subversion of an unlikely conspirator. Orrery's friend Henry St. John virtually negated the nascent committee's influence at its inception,⁸⁸ not only by failing to attend its meetings on a consistent basis, but by serving as one of Marlborough's principal informants as to its activities.⁸⁹ Marlborough was the person who stood to gain most from this information and with whom the committee was at odds, and Erle, his sole ally on the committee, also kept him abreast of decisions which hampered his authority and helped determine what countermeasures he needed to suggest to St. John.⁹⁰ In the process they both assisted the Duke in regaining some of the authority which the committee, as originally engineered by Orrery, had sought to check.⁹¹ Marlborough vigorously opposed the committee's decisions regarding the promotion of brigadiers and the sale of commissions. St. John's assistance was instrumental in acquiring the queen's signature on amendments to the original regulations of 1 May.⁹² By the summer St. John notified Marlborough that he had not attended any meetings of the committee for 'a considerable time' and that it was in 'a declining state and will, I believe, very soon expire.'⁹³

It would appear reasonable to classify St. John's motives as early manifestations of his

⁸⁸St. John attended the inaugural meeting; see his letter to Secretary at War Granville in PRO, SP 44/109, n.f.

⁸⁹Dickinson, *Bolingbroke*, pp. 76-77; *Bol. Corr.*, i, 166. St. John to Marlborough, 27 April 1711; and 237, 8 June 1711. The latter reference provided the first evidence of the committee's existence; Burton, 'Committee', p. 83.

⁹⁰Erle Papers 2/40/71-73, 80-81.

⁹¹Trevelyan, iii, 115, claims that when the trio of generals were reprimanded St. John 'wished at once to cashier many more of Marlborough's men', but his behaviour regarding the War Office Committee seems to disprove this statement.

⁹²PRO, WO 26/12/Bundle 3, f. 52; *LDM*, v, 412, 462; Burton, 'Committee', p. 83. For St. John assisting Marlborough with the commissions of new brigadiers in the summer of 1711 see NYPL, Montagu Collection, n.f. St. John to Granville (copy), 2 Aug. 1711.

⁹³*Bol. Corr.*, i, 237; and quoted in Burton, 'Committee', p. 83.

rivalry with Harley, who was incapacitated for much of the period the committee met,⁹⁴ and as a last-ditch attempt to lure Marlborough into backing the Court. Additionally, St. John's diligence and experience as Secretary at War had left him enamoured of the commander and convinced that Marlborough was indispensable to the war effort.⁹⁵ At what stage Orrery discovered St. John's role in this treacherous sabotaging of his contributions is unclear. The discovery seems to have come later, while Orrery was abroad, and had no effect upon his participation in the War Office Committee. Instead, Orrery's direct participation in the committee was prevented because its initial conferences coincided with a new, and what probably proved the most significant, phase of his public career: his embassy to Brussels and The Hague. As a diplomat where he had served as an officer for several years, Orrery would demonstrate his zeal for 'the common cause' to the utmost, and exhibit the least amount of avarice, and concurrently, the greatest sense of duty, for the tasks to which he was assigned. In return he would be granted an English peerage and his public career would reach its zenith.

Since the War Office Committee which was Orrery's brainchild was subverted by the Secretary of State whom he regarded as one of his closest friends, Orrery's embassy raises important questions concerning the genuine political ramifications of the appointment and others like it. That men such as Argyll and Orrery had proved annoying suitors for spoils has been demonstrated above yet, it is none the less curious to consider how Harley and St. John rewarded Orrery's military opposition to Marlborough and his strategic role in ensuring Argyll's support in 1710, as well as the other peers the Tories manipulated in one manner or another in their rise to power. Shrewsbury, probably the least ambitious of the trio of dukes whose votes had been so important, was given the sinecure of Lord Chamberlain.⁹⁶ Somerset, who one observer had remarked in 1710 had 'so great a hand in all these changes', was turned out later in the year and became an object of ridicule.⁹⁷ Snubbed by Marlborough for a

⁹⁴Burton, 'Committee', pp. 83-84. Harley was stabbed by a French assassin in March 1711.

⁹⁵Dickinson, *Bolingbroke*, pp. 76-77. After Argyll's appointment to a separate command in Spain in Jan. 1711, St. John remarked with duplicity: 'We shall do what we can to support him [Marlborough] in the command of the army, without betraying our mistress': see *Bol. Corr.*, i, 81. St. John to Drummond, 23 Jan. 1711. St. John's stint as Secretary at War and his close relationship with Marlborough is also discussed in G.A. Dudley, 'The Early Life of Henry St. John' (unpublished Ph.D., University of California, 1955), pp. 133-34, 142, 163-64.

⁹⁶*Diary of Sir David Hamilton*, p. 8.

⁹⁷Erle Papers 2/12/33 and 3/2. By the autumn of 1710 Somerset was the butt of courtiers' jokes and was derisively referred to as 'Master of the Naggs' by 'Creatures' of Shrewsbury and Mrs. Masham: see BL, Add. MS 31143, ff. 580-81. For Somerset's rapidly declining influence after

Spanish command, Lord Rivers had joined the Tories in 1709 after becoming the beneficiary of the disputed appointment of the Lord Lieutenancy of the Tower.⁹⁸ In the autumn of 1710 he was dispatched to Hanover on a mission of goodwill that evolved into an embarrassing and humiliating reception with the future George I, largely because of faulty instructions and Harley and St. John's desires to avoid offending Marlborough.⁹⁹

The circumstances concerning the respective recompense of the two remaining members of the 'Juntilla'--Argyll and Orrery--is at once more relevant and more problematic. Argyll's self-esteem was stimulated the day after Sacheverell's sentence with the promise of the Order of the Garter.¹⁰⁰ Tacit approval of Argyll and Orrery's insubordination throughout 1710 is evident, yet their behaviour may have also adumbrated the Tory ministry's need to find a solution for such troublesome supporters. After their return from Flanders at the close of the campaign Argyll continued to demonstrate his hostility towards Marlborough, as well as his apparently unappeasable rapacity. Rumours that Argyll was to be appointed General of the Foot proved true,¹⁰¹ but many court observers feared that he and others would be satisfied with nothing less than Marlborough's total humiliation.¹⁰² Others suspected Argyll sought to supplant the commander-in-chief at the head of the Allied Army.¹⁰³

Argyll's actions in the Lords seemed to confirm these fears. He led the condemnation of Marlborough after the proposition of an address of thanks for the duke's success in the 1710 campaign, questioning why a commander who had captured a few fortified towns of trifling importance at the cost of thousands of lives deserved anything but reproach.¹⁰⁴ Argyll also

the Harley ministry's formation see also NLS, MS 7021, f. 245; BL, Add. MS 22222, f. 189; and 'St. John-Orrery Letters, 1709-1711', p. 149.

⁹⁸See above, p. 117; BL, Add. MS 31143, ff. 439-40, 444-45. For Rivers' character and libertinism see Macky, pp. 57-58.

⁹⁹For Rivers' mission and resulting discontent see *Private Corr.*, i, 364, 372; William (later 1st Earl) Cowper, *The Private Diary of William, First Earl Cowper, Lord Chancellor of England, (1705-1714)*, E.C. Hawtrey, ed. (London: Roxburgh Club, 1833), p. 49; *Wentworth Papers*, p. 165; Wodrow, *Analecta*, i, 293; Longleat, Portland MS vi, 34. Shrewsbury to Harley, 20 Oct. 1710; 'St. John-Orrery Letters, 1709-1711', p. 148; and the discussion in Churchill, iv, 748-52.

¹⁰⁰CKS, Chevening MS U1590, C/9/31/7.

¹⁰¹AR, Heinsius Archives no. 1536. L'Hermitage to Heinsius, 27 Nov. 1710; cf. Erle Papers 2/12/33. Craggs to Erle, London, 19 Sept. 1710: 'Argyll has got leave to come over and expects to be made Genll. of the Foote'.

¹⁰²For Shrewsbury's efforts at pacifying Argyll in the autumn of 1710 see Longleat, Portland MS vi, 34; cf. Lord North's own pretensions in conflict with Argyll in Bodl., MS North a.3, ff. 254-55.

¹⁰³Wodrow, *Analecta*, i, 293.

¹⁰⁴KD, No. 99, f. 5; AR, L'Hermitage, no. 1536, 5 Dec. 1710, (extract in English); *PH*, vi,

lashed out at Marlborough in early 1711 on the presentation of Sunderland's papers.¹⁰⁵ Argyll's fiery outbursts and incessant importunity for a new command were temporarily silenced by his appointment in January 1711 as Ambassador Extraordinary and Plenipotentiary to Charles III in Spain, and Commander-in-Chief of Her Majesty's forces there. Although this was the separate command which he had demanded, Argyll was aware of the innumerable hardships suffered by previous commanders in Spain and initially balked at the appointment,¹⁰⁶ which Trevelyan aptly described as a 'fool's errand'.¹⁰⁷ Later, after receiving a pension of £3,000,¹⁰⁸ he begrudgingly accepted his new responsibility and underwent severe hardships which saw him return a bitter enemy of the Harley-St. John ministry. His alienation was one of the reasons for Orrery's corresponding defection from the court in 1713.

Orrery's dispatch to a diplomatic post in the Low Countries can be seen in a similar light. On the surface it would appear that Orrery possessed an advantage (which proved to be of admittedly debatable value after the outcome of the War Office Committee meetings) over his Scottish comrade, by virtue of his friendship with St. John. Despite this influence at the upper levels of the British political hierarchy, both Argyll's and Orrery's appointments can certainly be interpreted as steps undertaken by the Harley ministry wherein unpredictable and potentially troublesome clients could be placated with relatively important (albeit sometimes undesirable) posts which would effectively prevent their interference with the government. The fact that Orrery's appointment was announced on the same day as Argyll's is certainly an interesting coincidence, and Churchill argued that their dispatch to distant posts was a sign of 'consideration shown to Marlborough's position at the head of the Army'.¹⁰⁹ A later chapter will illuminate how, albeit in a different capacity, and unlike

1037-40; Wodrow, *Analecta*, i, 311. Peter Wentworth noted that Argyll's attack on Marlborough made his serving under the duke in another campaign virtually impossible: *Wentworth Papers*, p. 161.

¹⁰⁵Bodl., MS Ballard 31, f. 62.

¹⁰⁶Boyer, *History*, p. 484; for his unwillingness to accept the post see BL, Add. MS 31144, ff. 7-8; *idem*, printed in *Wentworth Papers*, pp. 176-77. Peter Wentworth to Raby, 23 Jan. 1711. For the Hanoverian envoy's reaction see KD, No. 99, ff. 87-88.

¹⁰⁷Trevelyan, iii, 113-14; cf. Patricia Dickson, 'Argyll, Commander-in-chief of the British Forces and Her Majesty's Ambassador in Spain', *Army Quarterly*, cvii (1977), 41-47, 469-76.

¹⁰⁸PRO, *The Thirtieth Annual Report of the Deputy Keeper of the Public Records: 25 February 1869* (London: Eyre & Spottiswoode, 1869), p. 495.

¹⁰⁹Churchill, iv, 829, concluded that 'the clique of officers who had gained favour by backbiting in 1710 were given higher, but other employments'; cf. Elizabeth Hamilton, *Backstairs Dragon: A Life of Robert Harley, Earl of Oxford* (London: Hamish Hamilton, 1968), p. 194. Wodrow, *Analecta*, ii, 132-33, shows that this possibility was not ignored by contemporaries.

Argyll, Orrery continued to have frequent contacts and occasional clashes over authority with Marlborough. The wisdom and motivations for Orrery's selection to serve in Flanders, therefore, remain open to speculation.

IV

Orrery set out on his embassy to Flanders in February 1711 and remained abroad for the next eight months.¹¹⁰ Ordered to The Hague briefly during the summer as a temporary replacement for Lord Raby, Orrery himself returned to London in November 1711 and received further compensation for his efforts and support with a British peerage. It is difficult to ascertain when he first requested the peerage, but he had been promised a title as early as July and it seems quite likely that he accepted his diplomatic assignment on the condition that one would be forthcoming. In the spring of 1711 Orrery reminded Harley (now Earl of Oxford),¹¹¹ that he desired 'nothing for my own particular advantage', but nevertheless, he did beg:

...leave to put you in mind of my peerage. I flatter myself that you wish me so well that you will lend a particular regard for my satisfaction in a matter that is so much at my heart, and that has been so long delayed already, that I hope my friends will think I have been made sufficiently uneasy about it.¹¹²

St. John first mentions the peerage in a letter to Orrery dated 12 June,¹¹³ informing him that their mutual friend, the Lord Keeper, Sir Simon Harcourt,¹¹⁴ would also be honoured with a title. A few weeks later Orrery was assured that his patent's preamble was under preparation and Crown offices were engaged in the title's validation.¹¹⁵ Knowledge that the title was forthcoming seems to have been widespread among his diplomatic colleagues, when Strafford and other statesmen began offering their congratulations.¹¹⁶ In late July newspapers heralded Orrery's new title as Baron Boyle of Marston in Somerset; 'the Privy Seal

¹¹⁰For a complete discussion of Orrery's activities abroad in 1711 see below, Ch. 5.

¹¹¹Robert Harley was created Earl of Oxford and Mortimer in the spring of 1711.

¹¹²BL, Add. MS 70027, ff. 159-60, Brussels, 18 May 1711; *idem*, printed in HMC, *Portland*, iv, 686.

¹¹³*Bol. Corr.*, i, 245.

¹¹⁴Harcourt was appt. Attorney General in 1707 and defended Sacheverell. On 18 Oct. 1710 he was made Lord Keeper of the Great Seal and the Lord Chancellor in April 1712; see Collins, *Peerage*, vi, 72-73; and E.W. Harcourt, ed. *Harcourt Papers* (12 vols., London: n.p., 1880-1905), ii, 26-28, 39.

¹¹⁵*Bol. Corr.*, i, 261, 26 June 1711.

¹¹⁶BL, Add. MS 37209, ff. 49-50. Strafford to Orrery, The Hague, 2 July 1711, N.S.

being sent for'.¹¹⁷ Unforeseen circumstances, however, combined to delay the Privy Seal's dispatch and with it Orrery's peerage. The Duke of Newcastle, Lord Privy Seal, had already authorised grants for two ministerial appointments and Orrery's peerage, yet in mid-July he succumbed to injuries suffered in a fall from his horse at his Nottinghamshire estate.¹¹⁸ The Queen's Council convened in a special session to discuss candidates for his replacement. Observers expressed apprehension, lest the Council failed to announce an appointment before the month's end, which would 'occasion the loss of the three grants that are signed.'¹¹⁹ These fears rang true, for moderate Tory John Robinson, Bishop of Bristol, was not named the new Lord Privy Seal until almost a month had transpired.¹²⁰ Orrery's grant was one of those which became null and void. Thus, his peerage did not become official until September and he was forced to wait another month for a tangible sign of compensation for his services.¹²¹

Soon after Orrery's return to London, he made his long-awaited entrance in the Lords and was introduced during the opening session on 27 November.¹²² His Letters Patent, dated 5 September, created him Baron Boyle of Marston in the County of Somerset.¹²³ Following the presentation of his patent, his Writ of Summons was read.¹²⁴ According to this ornately-

¹¹⁷*Dublin Gazette*, 28-31 July 1711; cf. Boyer, who also gives late July as the date of the creation in his *History*, p. 514; and *Annals*, x, 215.

¹¹⁸Herts. RO, Panshanger MS D/EP F55, ff. 15-16; *Complete Peerage*, iii, 250.

¹¹⁹HMC, *Report on the Manuscripts of the Marquess of Downshire, Preserved at Easthampstead Park, Berkshire* (4 vols., London: H.M.S.O., 1924-40), i, 894.

¹²⁰Robinson (1650-1723), grad. Brasenose College, Oxford; fellow of Oriel; chaplain and envoy to the Swedish court until 1709; appt. Bishop of Bristol, Nov. 1710; named first British plen. at Utrecht in 1711; *DNB*, xvii, 23-26; Oldmixon, *History*, p. 470.

¹²¹*London Gazette*, 4-6 Sept. 1711; Oldmixon, *History*, p. 470; PRO, SP 35/13/29. The second revised Privy Seal docquet can be found in Bodl., MS Rawlinson C-393, f. 9. The preamble to Orrery's patent (see below, n. 124) was published along with the British peerage of the Duke of Hamilton, whose patent application was made the same time as Harley's title of Earl of Oxford and Mortimer on 23 May but was delayed from passing the Privy Seal until 10 September 'to prevent hostility'. See the analysis of the controversy over Hamilton's peerage in Geoffrey S. Holmes, 'The Hamilton Affair of 1711-1712: A Crisis in Anglo-Scottish Relations', reprinted in *Politics, Religion, and Society in England, 1679-1742* (London: Hambledon Press, 1986), pp. 83-108.

¹²²*LJ*, xix, 332-33. Parliament had been prorogued since 12 June.

¹²³*LJ*, xix, 332; HMC, *The Manuscripts of the House of Lords, 1514-1714*, New ser., Maurice F. Bond, ed. (11 vols., London: H. M. Stationery Office, 1900-62), ix, 166. For a history and description of his Marston estate see below, Ch. 11, pp. 498-500. Although he is referred to thereafter in the *Lords Journals*, protests, and in some voting lists as Lord Boyle, for the purposes of reference the present study will continue to use his Irish title.

¹²⁴Orrery's Writ is printed in its entirety (in Latin) in *LJ*, xix, 332-33. A version of his preamble was translated into English and published: *The Reasons Which Induc'd Her Majesty to Create the Right Honourable Charles Earl of Orrery, and James Duke of Hamilton, Peers of Great Britain* (London: for J. Morphew, 1711); cf. Francis Nichols, *The British Compendium: or,*

composed document Orrery deserved admittance into the august body of British peers by virtue of his descent from a family 'either Extraordinary for Human Literature, or Highly Renown'd for their most profound Knowledge in Natural Philosophy'. Orrery's 'military Valour', the 'Genius' which rendered him 'capable of Managing Political affairs' and his 'ability in Negotiations' were all additional proofs of his meriting the title. Orrery immediately displayed an enthusiasm for participation in the day-to-day business in the Lords. Quite unlike his sentiments on serving in the Commons, he regularly attended sessions in the Upper Chamber and was absent only rarely. In the weeks following his introduction he was also appointed to serve on several committees.¹²⁵ Orrery also made it a habit to attend sessions of the Privy Council.¹²⁶ His frequent parliamentary attendance proves valuable, for in a period for which there is little extant correspondence, it helps shed light upon his political affiliations during the period: affiliations which eventually shifted away from St. John and the Tory Party and back toward the Whigs and moderation.

Shortly after Orrery took his seat in the Lords several famous divisions occurred. One concerned an amendment to the Lords' address in response to the Queen's speech given at the opening of Parliament. The outspoken Lord Nottingham had proposed the insertion of a clause proclaiming against a peace settlement which did not include the complete restitution of Spain and the West Indies to the Austrian claimant. After heated debates,¹²⁷ the Whigs achieved a close (though largely symbolic) victory over the ministry by a margin of eleven votes.¹²⁸ Despite the absence of a *bona fide* division list, it can be determined that Orrery voted with the Court.¹²⁹ Orrery's name is also found on a crude, hastily prepared 'white' list which was recently discovered. The list, apparently presented to the Queen and designed

Rudiments of Honour, 8th ed. (2 vols., London: A. Bettesworth & C. Hitch, 1738), ii, 184-87.

¹²⁵*LJ*, xix, 334-51, 375, 386, 404.

¹²⁶Bodl., MS North a.3, ff. 187-88, 191.

¹²⁷*LJ*, xix, 336-37; *PH*, vi, 1036-39; also see Geoffrey S. Holmes, 'The Commons Division on "No Peace without Spain," 7 December 1711', *BIHR*, xxxii (1960), 223-34. There is an especially colourful account of the debate in *Wentworth Papers*, pp. 222-23; also NYPL, Montagu Collection, n.f. Oxford to Strafford, 7 Dec. 1711, O.S.

¹²⁸Burnet, vi, 72-77; [William Pittis, comp.], *The History of the Proceedings of the Second Session of the Present Parliament* (London: John Baker, 1711), pp. 2-7.

¹²⁹Orrery's name was on Oxford's list of supporters to be gratified dated 10 Dec. 1711, in: BL, Add. MS 70332, n.f.; *idem*, printed in Clyve Jones, '"The Scheme Lords, the Necessitous Lords, and the Scots Lords": the Earl of Oxford's management and the "Party of the Crown" in the House of Lords, 1711-14', in Clyve Jones, ed., *Party and Management in Parliament, 1660-1784* (Leicester: University Press, 1984), p. 154.

to project an image of support for the ministry, contains the names of Orrery and Oxford, and some 40 other peers and MPs who opposed the amendment.¹³⁰

On 20 December 1711 a vote was taken on another controversial issue concerning the Scottish Duke of Hamilton, who had been created Duke of Brandon of Great Britain.¹³¹ The fact that Hamilton was already a Scottish duke, however, provoked criticism of his British title from some peers who opposed admitting more Scots into the Lords than the 16 specified by the 1707 Act of Union.¹³² When the question was put for preventing Scottish peers from sitting, unless elected as one of the 16 representative peers,¹³³ it was resolved in the affirmative by a margin of five votes.¹³⁴ Orrery again voted with Oxford in support of the measure disabling Hamilton.¹³⁵ He was not content simply with opposing Hamilton's peerage, and along with Oxford, Harcourt, Ormonde, and a handful of other peers, he affixed his name to a protest lodged by his Scottish friends.¹³⁶ Furthermore, several related points concerning the division merit notation. The crossover voting by Orrery and his Scottish Whig acquaintances was reciprocated on the opposition side by a number of xenophobic Tory lords, underscoring a fact made painfully clear by the earlier defeat; despite the creation of loyal peers such as Orrery and Harcourt, whose votes were of crucial importance, the ministry's control of the Upper Chamber was tenuous and often in serious jeopardy. At times it was also weakened by the absence of supporters who were fulfilling appointed duties abroad.¹³⁷

¹³⁰Discovered in the University of Kansas Library, the list contains a number of errors and cannot be classified as a division list *per se*, yet its inclusion of Orrery's name indicates his close ties to Oxford: Henry L. Snyder, 'A New Parliament List for 1711', *BIHR*, 1 (1977), 185-93.

¹³¹His patent was included in the broadside publication of Orrery's patent as Baron Boyle: *Reasons which Induc'd Her Majesty*, cited above, p. 126, n. 124.

¹³²Holmes, 'Hamilton affair', pp. 83-108. There is an account of the peerage debate in Bodl., MS Rawlinson A-286, ff. 56-57; also see Bodl., MS North a.3, ff. 192-97. For the political implications of Hamilton's fatal duel with Lord Mohun see H.T. Dickinson, 'The Mohun-Hamilton Duel: Personal Feud or Whig Plot?', *Durham University Journal*, lvii (1965), 159-65.

¹³³Those who had been nobles at the time of the Union.

¹³⁴Pittis, pp. 14-16; Boyer, *History*, p. 529.

¹³⁵He was probably motivated to do so in part by his ties with Argyll, Ilay and Mar, who were all Hamilton's rivals. See Oxford's forecast list of 19 Dec. 1711, and the list of the following day showing how the peers voted, in BL, Add. MS 70332, n.f.; Holmes, *British Politics*, p. 426; and *idem*, reproduced in Jones, 'Scheme Lords,' p. 154; *cf.* SRO, GD220/5/1/596.

¹³⁶Timberland, ii, 359; *A Complete Collection of all the Protests Made in the House of Lords, from their Origins in the Year 1641 to the Present Year 1745* (London: Printed for the Information of the People, 1745), pp. 167-68; *The Case of the Most Noble Douglas, Duke of Hamilton and Brandon* (London: n.p., 1782), pp. 1-4; and *PH*, vi, 1048-49.

¹³⁷Strafford and Argyll are two prominent examples of votes upon which the Oxford Ministry could have relied with confidence. A few days before the impending debate on Hamilton's patent

Orrery's loyalty to the ministry was not the sole factor that determined his vote in Parliament, but these two occasions established a pattern which he continued with relative consistency until his return from Flanders in 1713. Examining how he voted also helps to classify a peer who very seldom spoke in debates. Generally, Orrery appears as a moderate who could convince other moderates to support the Tory ministry. Noting Argyll's powerful influence over peers such as Orrery, the pre-eminent historian of Augustan politics has classified both as Court Whigs, a rather imprecise and easily mutable affiliation, but an accurate assessment none the less, for Orrery's political behaviour is often erratic, especially after 1713.¹³⁸ The Court Whigs' stronghold from 1710-1713 was clearly located in the Lords. A more recent study describes them as a loosely classified, influential group of about 30 peers with diverse ideologies and backgrounds. Argyll was the most important and remained loyal to Oxford until early 1712.¹³⁹ As with Orrery, many Court Whig peers were anti-Marlborough military figures, including the likes of Ilay, Rivers and Peterborough. Their importance to Oxford's ministry is accentuated when one considers that it usually relied upon the support of approximately a dozen Court Whigs to control the government.¹⁴⁰ This weakness in the Lords was partly caused by an unfortunate series of deaths among Tory peers from late 1710 until December 1711. Shrewsbury cautioned Oxford that 'so many of our friends in the Lords being dead and many more sour'd or at least become lukewarm by disappointments in their expectations, I apprehend matters in that house at lest (sic) will meet with difficultys'.¹⁴¹ To offset these 'difficulties' and the potentially catastrophic weakness his ministry languished under, Oxford took the bold step of persuading the queen, despite her reservations,¹⁴² to create twelve loyal supporters of his ministry as peers of the realm.¹⁴³ Besides his own peerage, Oxford created only two new peers prior to his dozen.

Strafford's brother commented that 'a great many Tory Lords' regretted they did not possess his proxy; *Wentworth Papers*, p. 225.

¹³⁸Holmes, *British Politics*, p. 426. Orrery was very much like his friend Lord Raby (created Earl of Strafford in 1711), whom *ibid.*, p. 386, has described as 'hard and quite irrelevant to attach a party tag to'.

¹³⁹Jones, 'Scheme Lords', p. 127. Argyll was also Earl of Greenwich in the House of Lords. For the circumstance of his defection from the court see below, Ch. 7.

¹⁴⁰Holmes, *British Politics*, pp. 226, 426; *idem*, 'Hamilton Affair', p. 86.

¹⁴¹Longleat, Portland MS iv, 68. 27 Aug. 1711; *cf.* Swift's comments on the weak majority in 1712 in *Journal to Stella*, ii, 504.

¹⁴²Despite her earlier promises to moderates that the Upper Chamber 'was already full enough': see this remark cited in *Diary of William, First Earl Cowper*, p. 53.

¹⁴³*LJ*, xix, 352-54; *London Gazette*, 31 Dec.-2 Jan. 1712; *PH*, vi, 1060; Burnet, vi, 86-87.

Orrery was one of these and was the only peer created from 1711-1714 who cannot be classified as a Tory.¹⁴⁴

Orrery's rather unique political affiliations are interesting to consider for other reasons, particularly for his close ties to leading Scottish peers. Other than acquaintance with some by virtue of his status as a Knight of the Thistle, and military service with Argyll, Orrery would appear to have had little in common with these men. As with some,¹⁴⁵ he was less affluent than many English peers. And like nearly all of the Scottish peers, he may have perceived himself as something of a political outsider since his first peerage was less prestigious than an English (or after 1707 British), title. Furthermore, his links and clientage with the Argathelians often led him to vote alongside those whose political views were diametrically opposed to his own. Examples can be found among those peers whom Orrery joined by signing the protest in the aftermath of the Hamilton debate. Many were projected as Jacobites by the Hanoverian court in early 1713,¹⁴⁶ and ten are found on a list of probable Jacobite peers recently compiled.¹⁴⁷ Ironically, when Orrery was abroad as envoy in Brussels he sometimes assigned his own money to gather Jacobite intelligence, yet at home voted alongside adherents of the Pretender's cause.

The evidence conclusively confirms that Orrery's friendship and his desire to retain Argyll's favour, rather than any deep-seated principles or ideology, are the most predominant ingredients in his political views and actions and remained so after the Hanoverian Succession in 1714. Swift grouped Orrery along with Argyll, Shrewsbury, the Duke of Newcastle, and other moderates, as 'Favorers of what is called the Low Church Party'.¹⁴⁸ Orrery maintained close contacts with Argyll after his relegation to the purgatory of his

The peers included Oxford's son-in-law, cousin, two of close political allies (Mansell and Trevor), Mrs. Masham's husband, and three suspected Jacobites: Bruce, Bathurst, and Granville.

¹⁴⁴Jones, 'Scheme Lords', pp. 125, 128.

¹⁴⁵For the poverty of peers such as the Earl of Home see Szechi, *Politics*, pp. 62, 86.

¹⁴⁶*Original Papers: Containing the Secret History of Great Britain, from the Restoration to the Accession of the House of Hanover...*, 2nd ed. (2 vols., London: W. Strahan, 1776), ii, 558-61, the list compiled by Lord Polwarth and sent to Jean Robethon, the Electoral Prince's (the future George I) secretary. Another peer, Lord Kilsyth, was notorious for his Jacobitism: Szechi, *Politics*, pp. 65-66.

¹⁴⁷Szechi, *Politics*, App. 1, pp. 202-03. Two other protesters, the Dukes of Beaufort and Ormonde, were Tory members of St. John's Brothers' Society, for which see below, pp. 131-33.

¹⁴⁸Jonathan Swift, 'An Enquiry into the Behaviour of the Queen's Last Ministry', in *Political Tracts, 1713-1719*, Herbert Davis and Irvin Ehrenpreis, ed. (Oxford: Basil Blackwell, 1953), pp. 68-69.

Spanish command.¹⁴⁹ Orrery often defended his irate Scottish friend and apologised for his violent dispatches.¹⁵⁰ Orrery also continued in an increasingly challenging role as mediator between the Scottish representative peers and the Lord Treasurer. Through this role, Orrery performed an important function for Oxford by helping him preserve the loyalty of peers upon whom the Government's majority in the Lords depended.

Throughout 1712 Orrery's bonds with Argyll appear to have grown stronger in proportion to his increasing disenchantment with St. John and the Oxford ministry. Preceding this alienation, however, Orrery's newfound zeal for political activity in 1711-1712, as well as his affiliations and esteem among leaders of the Tory ministry, were all manifested by his admission into the intimate circle of an elite new social group St. John formed in the summer of 1711. Unlike notorious forerunners, he announced it would display none of the 'extravagance' of the Kit-Cat Club or the habitual inebriation of the Beef-Steak Club. Rather, he pledged that his club's sole purpose was 'the improvement of friendship, and the encouragement of letters'. No reference was made to the role of political affiliations as criteria for membership, but there was little doubt that it would consist of his own personal allies and friends.¹⁵¹

St. John's Society was to prove useful as an instrument with which to make inroads into the influence held by his more powerful adversary, the Lord Treasurer.¹⁵² The Society's first meeting occurred soon after Orrery learned of St. John's plans. The group met every Thursday and was entertained by a president who in turn selected the host for the next meeting.¹⁵³

¹⁴⁹Argyll's letters from Spain can be found in CUL, Add. MS 6570; there are fair copies of these in Bedfordshire RO, MS WY897-98. The letters are discussed and summarised in H.W.V. Temperley, 'Some Additions to the Manuscript Records at Cambridge', *Cambridge Historical Journal*, i (1924), 214-17.

¹⁵⁰In October 1711 Orrery attributed Argyll's shortcomings to his 'temper', suggesting that an 'openness of his nature requires perhaps that he should be treated by all of his friends with as little reservedness as the good of the public affairs will allow': HMC, *Portland*, v, 100. Orrery to Oxford, Brussels, 26 Oct. 1711.

¹⁵¹'A number of valuable people will be kept in the same mind, and others will be made converts to their opinions.': *Bol. Corr.* i, 150. St. John to Orrery, 12 June 1711; and *idem*, partly quoted in G.W. Cooke, ed., *Memoirs of Lord Bolingbroke* (2 vols., London: Richard Bentley, 1835), i, 183-84; and Sheila Biddle, *Bolingbroke and Harley* (London: George Allen & Unwin, 1975), p. 83. This letter is yet another example of the esteem St. John expressed in his correspondence with Orrery.

¹⁵²Despite the inclusion of Oxford's own son and his son-in-law, Viscount Dupplin, both Swift and St. John repeatedly opposed allowing the Lord Treasurer or his close ally Lord Harcourt to partake of the Society's meetings; see Swift's *Journal to Stella*, i, 294, 306.

¹⁵³Swift complained bitterly of the expenses he incurred on his 'presidency'. His *Journal to Stella* is the most valuable account of the Club's meetings; for this and further discussion

Swift first recorded Orrery's inclusion on 29 November 1711, two days after his introduction into the Lords as Baron Boyle. General 'Jack' Hill,¹⁵⁴ and Colonel 'Duke' Disney were selected as new Brothers along with Orrery.¹⁵⁵ Swift recorded that he was to introduce Orrery the following week, and on 13 December the latter was officially recognised.¹⁵⁶ The Society's membership ultimately grew to a total of around 20, who met regularly throughout 1712. On 13 March 1712 Orrery took his turn as president and treated his brethren to wine and dinner. By the year's end, however, interest in the Society had begun to wane. A January 1713 meeting saw only 14 in attendance and a resolution was agreed upon to meet fortnightly. Although two of the group's merriest and most sumptuous meals were enjoyed thereafter,¹⁵⁷ Swift fails to record any meetings after March 1713 and by the summer of that year the Society seems to have ceased meeting altogether.¹⁵⁸

Orrery's friendship with St. John and his interest in the club's ostensible aims (literary patronage) virtually assured his inclusion,¹⁵⁹ yet it is quite interesting to contrast his political attitudes with those of his fellows. All the Brethren were supporters of the Oxford ministry, despite its namesake's ironic exclusion, a denial indicative of the growing rift between Oxford and St. John. Upon reviewing the Club's members when attendance was at its heights, one is immediately struck by the proliferation of some of the most radical and immoderate Tories in parliament. One example was Henry Somerset, 2nd Duke of Beaufort.¹⁶⁰ Others, such as Sir William Wyndham and Lord Lansdowne, the Secretary at War,

see *Journal to Stella*, ii, 293-94, and *passim*; Timbs, pp. 16-17; Stephen Gwynn, *The Life and Friendships of Dean Swift* (New York: Henry Holt & Co., 1933), pp. 154-71; and Charles Kerby-Miller, ed., *Memoirs of the Extraordinary Life, Works, and Discoveries of Martinus Scriblerus* (New Haven: Yale University Press, 1950), pp. 6-7.

¹⁵⁴*Journal to Stella*, ii, 423-24. Hill, Mrs. Masham's brother, had recently returned from the Quebec invasion fiasco, which occurred in August 1711.

¹⁵⁵Disney, the colonel of a regiment of Foot and a jovial womaniser, was a drinking companion of St. John's. See the humorous comment about him in *Wentworth Papers*, pp. 108-09.

¹⁵⁶*Journal to Stella*, ii, 431, 437. Originally called simply the Society, the club came to be known as the Society of Brothers from the habit of members addressing each other as 'Brother.'

¹⁵⁷Those given by Hill, and by Beaufort; *Journal to Stella*, ii, 512-13, 618-19, 636-37.

¹⁵⁸Gwynn, pp. 196-97; Kerby-Miller, p. 7.

¹⁵⁹For St. John and Oxford's supervision of the theatres from 1710-1714 see John Loftis, *The Politics of Drama in Augustan England* (Oxford: Clarendon Press, 1963), pp. 50-58.

¹⁶⁰A devout Jacobite, in 1709 he had formed his own similarly-named club, the Board of Brothers; Holmes, *British Politics*, pp. 296-97. Beaufort's club seems to have concerned itself primarily with imbibing spirits, rather than political ideas. Its leader died a rake's death at age 30 in 1714: Bodl., MS North c.9, f. 75.

also displayed Jacobite tendencies.¹⁶¹ Lords Arran (Ormonde's brother), Bathurst, Dupplin, Jersey, and Masham, and Robert Benson, Chancellor of the Exchequer, if not as zealous, were all Oxford supporters. Members who were less active in domestic politics in addition to Swift included Orrery's old friend, Matthew Prior, and his tutor, Dr. Robert Freind, who also shared Tory sympathies.¹⁶² Along with Shrewsbury, a man with somewhat similar traits and moderate inclinations, one must conclude that Orrery was among the least partisan members of the Society.¹⁶³

Orrery took his seat in the Lords and at the Brothers' table in the midst of a critical and frenzied period in the life of Queen Anne's last ministry. The revelation in 1711 of preliminary French peace proposals confirmed earlier rumours of secret negotiations and exacerbated a series of already savage Tory and Whig attacks and counterattacks in the press.¹⁶⁴ The 'No Peace without Spain' vote had proved a watershed in the Oxford ministry's tenure. Already weakened in the Lords, the Tories now also had to contend with an emerging body of unpredictable MPs whose dubious loyalty led them to be dubbed the 'Whimsical' or Hanoverian Tories. Oxford, committed to a separate peace, was forced to cast moderation to the wind and press on with his schemes, and either appease or risk alienating the radical elements upon which his dwindling support was founded.¹⁶⁵ One course of action that would prevent disaster was to permit a virtual lynching of the more notorious Whig military figures, men whom popular perception labelled as having achieved innumerable benefits from the prolonged conduct of the war.

The first step in just such an undertaking was taken the day after the Hamilton division. In the spring of 1711 a fiercely-partisan group of Tory MPs composed largely of radical backbenchers and Jacobites had been appointed to form a committee entitled 'The Commissioners for the Examination of the Publick Accounts.' Their scrutiny was primarily directed at evidence of malfeasance and the misappropriation of funds by Marlborough and

¹⁶¹Granville was created Baron Lansdowne in 1711: see Handasyde, pp. 170ff.

¹⁶²For a complete list of all the members see *Journal to Stella*, ii, 505-06, n. 43; cf. Cooke, *Memoirs of Bolingbroke*, i, 185; and Kerby-Miller, p. 6.

¹⁶³There is some confusion as to whether Shrewsbury ever attended any of the club's meetings; he may have only been elected and then chose not to attend. This would have left Orrery the only Whig member; cf. *Journal to Stella*, ii, 505-06; and Kerby-Miller, p. 6.

¹⁶⁴The virtual journalistic war and the political intrigues which provoked it during this period are given a lively treatment in Michael Foot, *The Pen and the Sword: A Year in the Life of Jonathan Swift*, 2nd. ed. (London: Monthly Review Press, 1967).

¹⁶⁵Feiling, *Tory Party*, pp. 444-45; Dickinson, *Bolingbroke*, pp. 91-94.

Whigs in the military hierarchy. The Commissioners delivered their first report with allegations against ex-Secretary at War Robert Walpole on 21 December 1711, but no action was taken until after the holiday recess.¹⁶⁶ In the midst of the recess Marlborough received an indication of what his future held in store when on 29 December he got a letter from Queen Anne dismissing him from all of his offices.¹⁶⁷ He was replaced by Orrery's friend Ormonde. Two days later came another eventful announcement, the brilliant stroke which created Oxford's dozen new peers in the Lords.¹⁶⁸

Orrery was present when the new peers were introduced, as he was when Parliament reconvened and voted Walpole guilty of an impropriety concerning a sum of £500.¹⁶⁹ Charges of graft and speculation which were levelled at Marlborough soon afterward made his case much more complex. A few days after Walpole's judgement was passed, a similar report implicating the former Commander-in-Chief was heard in the Commons. The most incriminating piece of evidence the Tories could wield proved to be the deposition of a former bread contractor which described enormous sums which the man had supplied Marlborough with as gratuities, including one of 2.5% of the pay to foreign auxiliaries. That awards of such gratuities of public money were no novel practice, nor Marlborough's production of a warrant from Queen Anne authorising his right to them, made little impression upon a Commons packed with vindictive MPs.¹⁷⁰ Accordingly, a majority of over 100 votes agreed that Marlborough's behaviour had constituted 'Unwarrantable and Illegal' actions.¹⁷¹

While interested in their outcome, Orrery took little direct part in the Commons' proceedings against Marlborough and one can only surmise the degree of satisfaction the vote

¹⁶⁶*PH*, vi, 1055-56; Pittis, pp. 22-23.

¹⁶⁷*Wentworth Papers*, pp. 235-36. After reading the letter a furious Marlborough threw the notice in the fireplace; for his response see Coxe, *Marlborough*, iii, 280-81; *idem*, printed in Churchill, iv, 912-13; and Gregg, *Queen Anne*, p. 349. Marlborough and the Whigs received some solace during this period from a calculated visit from Prince Eugene of Savoy.

¹⁶⁸Cunningham, ii, 399, reports that many Whig peers hung their heads in shame at this dilution of their numbers.

¹⁶⁹Walpole was convicted in a vote of 205 to 148 and spent several months in the Tower; *PH*, vi, 1067-68; *CJ*, xvii, 15-18, 30, 37-38; J.H. Plumb, *Sir Robert Walpole* (London: Cresset Press, 1956), i, 178-84.

¹⁷⁰Longleat, Portland MS iv, 156-57; [John Torbuck, comp.], *A Collection of the Parliamentary Debates in England* (21 vols.; London: n.p., 1741), vi, 2-16.

¹⁷¹*PH*, vi, 1049-57; Coxe, *Marlborough*, iii, 278-79, 283-86; and more partisan accounts in Churchill, iv, 929-35; and Arthur Maynwaring, *The Lives of the Two Most Illustrious Generals, John, Duke of Marlborough, and Francis Eugene, Prince of Savoy* (London: Andrew Bell, 1713), pp. 159-63.

against his former superior brought him. Nevertheless, Marlborough's fate in the aftermath of this public, partisan defamation of character reveals a great deal. The flimsiness and unfairness of the Tory case against him is evident when one considers that Ormonde was permitted almost immediately upon his appointment to receive perquisites very similar to those for which his predecessor had been censured.¹⁷² Furthermore, and perhaps partly as a result of public recognition of these blatant inconsistencies, Marlborough retained his seat in the Lords and was not forced to endure any additional disgrace at Tory hands: proof of his still formidable reputation and esteem.

V

Technically Orrery was only absent on leave from his post in Brussels in 1712, but he did not journey back across the Channel for months to come. The failure to resume his post seems particularly unusual in light of the resumption of a new military campaign in the spring, and its accompanying profusion of arrangements for forage, the procurement of revenues for salaries, and other diplomatic and regimental responsibilities. Attempting to detect clues among the few extant and often vague sources which might dispel the ambiguity concerning the circumstances contributing to his delay proves difficult; for since he was not abroad during the spring of 1712, much of his contact with ministerial leaders was personal, leaving the historian attempting to mould bricks without straw. Largely diplomatic in content, the few surviving letters suggest that Orrery's absence cannot be attributed to a dereliction of duty. He seems to have secured official permission from St. John to remain in Britain throughout the spring of that year. During a parliamentary session fraught with weighty issues and punctuated by stormy debates, and in light of the government's shaky majority in the Lords, Oxford and St. John evidently deemed his presence in London a greater asset for the achievement of their political objectives, and one that outweighed the benefits which could be derived from his absence abroad.

It should not be forgotten that Orrery retained his Army commission and regimental responsibilities concurrently with his diplomatic assignment, and his inclinations for a resumption of military service during this period merit consideration. Probably due to his

¹⁷²Burnet, vi, 104; Cunningham, ii, 415-19; Coxe, *Marlborough*, iii, 285-86. The Commons' hypocrisy was magnified by their passage of a measure making a 2.5% deduction of the pay to foreign troops to be provided to Ormonde for application to the 'public service.'

financial considerations, and in spite of his earlier comments about the excessive casualties and the war's uselessness,¹⁷³ Orrery had preferred to be counted on the active military establishment in the 1711 campaign prior to learning of his diplomatic appointment.¹⁷⁴ After Marlborough was dismissed and relegated to the role of opposition figurehead in the Lords, and Orrery's 'Brother' Ormonde assumed command of the Army, Major-General Lord Orrery seems to have regarded the prospects of serving in another campaign more favourably. In February 1712 he formally requested that he be placed on the military establishment for the coming year. It appears that his intentions were to engage in occasional service in the field while attending to his duties in Brussels.¹⁷⁵ Shortly thereafter, he was added to the list of general officers who were to serve with Ormonde in Flanders in the forthcoming campaign.¹⁷⁶ None the less, he remained in Britain, possibly because of perceptions that his diplomatic appointment and attendant salary constituted a conflict of interest with duty as a general officer.¹⁷⁷

Orrery's failure to return to Brussels in the spring of 1712 was apparently also precipitated by his personal financial affairs. As was the case with military pay, diplomats were often forced to wait months or sometime years before receiving arrears for their services. In December 1711 rumours of his selection as one of the plenipotentiaries chosen to conduct the peace negotiations at Utrecht evoked a hesitant reaction from Strafford, who feared expenses incurred in a long residence there would hasten his financial collapse if his ministerial friends failed 'to promote my pretentions'.¹⁷⁸ Much less affluent than Strafford, Orrery portrays himself in just such a predicament following his return from Brussels. In February 1712, he had sought from Oxford not only the payment of his arrears as Major-

¹⁷³See above, p. 111.

¹⁷⁴Robert J. Jordan and Harold Love, eds., *The Works of Thomas Southerne* (2 vols., Oxford: Clarendon Press, 1988), ii, 442. Southerne to Henry Watkins, 10 Nov. 1710.

¹⁷⁵BL, Add. MS 70029, n.f. (autograph), Orrery to Oxford, London, 26 Feb. 1712; and partly summarised in HMC, *Portland*, v, 145.

¹⁷⁶Along with Evans, Primrose, and Sabine, Orrery was one of four Major-Generals of Foot: see PRO, SP 41/4/n.f., list dated 5 April 1712, O.S.; KD, No. 107a, f. 158; and the *London Gazette*, 5-8 April 1712.

¹⁷⁷Responding to a similar request from Strafford, St. John informed him in April 1712 that he could not be designated in his capacity as Lieutenant General because of other duties: *Bol. Corr.*, ii, 256-57; cf. *Wentworth Papers*, pp. 181-82; BL, Add. MS 31144, ff. 16-17.

¹⁷⁸HMC, *Eleventh Report of the Royal Commission on Historical Manuscripts, Appendix, Pt. V, The Manuscripts of the Earl of Dartmouth* (London: H.M.S.O., 1889), p. 308. Strafford to the Earl of Dartmouth, 8 Dec. 1711.

General, but also those as envoy for the previous nine months.¹⁷⁹ Orrery insisted that he could not depart for Flanders without collecting these sums. He had earlier accused Marlborough of culpability in failing to provide his military pay, since the latter seems to have conveniently omitted Orrery's name from the Treasury Warrant.¹⁸⁰ Orrery's claims appear justified, for Marlborough had requested directions about pay warrants for those general officers not engaged in active duty and feared that in this respect Orrery was among those who 'probably think their pretensions the best grounded'.¹⁸¹ Orrery finally appears to have received his military arrears as Major-General in late March.¹⁸²

Reasons for delays in the payment of Orrery's diplomatic salary are less clear and in all likelihood simply stemmed from bureaucratic inefficiency in the government. Budgell's account of Orrery's life implies that he incurred considerable debts while in Flanders, partly because he upheld the dignity of his post in every way and kept a 'most elegant table'. Based on a conversation held the year of Orrery's death, Budgell also claimed that Orrery 'never received a single farthing from the Treasury all the while he resided at Brussels.'¹⁸³ If interpreted on a strictly literal basis--that is, construing the comment as referring only to the time Orrery was actually in residence in Brussels--then this comment may be true. Otherwise, it appears to be contradicted by a Treasury Warrant from July 1712 awarding Orrery £2,920 as pay as envoy along with £600 for his 'extraordinaries,'¹⁸⁴ and by the fact that Orrery willingly agreed to return to Brussels in the Queen's service. Later evidence indicates that the former sum may never have been paid to Orrery. Whatever the implications of Budgell's remark, the fact remains that the arrears were some months in being supplied. These lengthy delays could well have served as the catalyst which drove a rash and overly sensitive man such as Orrery, with supposedly close friends in the highest government offices in the kingdom, to liken the delay to a slight or an act of neglect by the very friends he had served so zealously.

This assessment is partially validated by studying the circumstances behind Orrery's

¹⁷⁹BL, Add. MS 70029; *idem*, HMC, *Portland*, v, 145, 26 Feb. 1712, cited above, p. 136, n. 175.

¹⁸⁰*Ibid.*, p. 129. Orrery to Oxford, London, 16 Dec. 1711.

¹⁸¹Coxe, *Marlborough*, iii, 250-51. Marlborough to Oxford, 15 Oct. 1711.

¹⁸²For the efforts of Orrery and fellow anti-Marlborough malcontent General Webb to collect their arrears see *CTB*, xxvi, pt. 2, 19, 189, 203.

¹⁸³Budgell, p. 210.

¹⁸⁴*CTB*, xxvi, pt. 2, 352, Treasury Warrant, 7 July 1712; but *cf.* below, p. 212, n. 19.

only prolonged absence from the Lords during the 1712 session. Another of the few surviving letters from this period reveals the beginnings of the erosion of Orrery's friendship with St. John. Written in the spring of 1712, it displays quite a different tone from the more genial correspondence hitherto exchanged with the Secretary of State.¹⁸⁵ Opening the letter with an apology, St. John expiated for some unspecified disappointment he had caused. He lamented his inability to procure military favours for several of Orrery's friends, claiming (with ironic disingenuousness after his conspiracy to sabotage the War Office Committee) that army matters were 'entirely out of my province.'¹⁸⁶ Despondent over recent domestic political setbacks, St. John echoed a desire Orrery had voiced: to withdraw from public service.

Whatever the reasons for delays in the dispatch of Orrery's arrears, and despite notification from St. John, now himself a peer,¹⁸⁷ that his new diplomatic instructions were complete and awaited his reception, Orrery remained in Britain throughout most of 1712. He conscientiously attended sessions in the Lords and voted in 27 of the 29 divisions which occurred during the 1711-1712 session.¹⁸⁸ From 14 January 1712 until Parliament was prorogued in early July, he attended a total of 71 out of 79 meetings, and was eligible to serve on a total of 17 committees of the House.¹⁸⁹ In late March he delivered a committee report

¹⁸⁵The autograph original of this letter, dated 8 May 1712, O.S., is in Pierpoint Morgan Library, New York City, the Autograph Manuscript Collection. A copy is the first in a collection that follows those described above (p. 111, n. 41), and found in Bodl., MS Eng. lett. e.214, a letterbook acquired in 1989. It was also edited by H.T. Dickinson and published in 'The Letters of Henry St. John to the Earl of Orrery 1712-1713', *Camden Miscellany*, 4th ser., xxxi (London: Royal Historical Society, 1992), pp. 353-70. A copy of this entire letterbook exists in PRONI, MS T.3074, and many of the same letters can be found interspersed throughout Orrery's diplomatic correspondence, BL, Add. MS 37209. Furthermore, PRO, SP 104/12, Foreign Entry Books, Flanders, 1707-12, and PRO, SP 104/13, Foreign Entry Books, Flanders, 1713, contain copies of some of these and some are also printed in *Bol. Corr.*, iii-iv. The 8 May 1712 letter is partially printed in Dickinson, *Bolingbroke*, pp. 96-97.

¹⁸⁶The letter mentions both Captain Cecil and the poet Elijah Fenton. Orrery had been seeking a commission or government post for Fenton, his sometime secretary, since the previous summer. Cecil may have been seeking a promotion to Colonel, and was promoted as brevet Lt. Colonel in 1712: See *Bol. Corr.*, i, 337-38, 24 Aug. 1711; and *George the First's Army*, ii, 35-38. Details on Orrery and Fenton are provided below, Ch. 11.

¹⁸⁷Desirous of an earldom whereby to wield influence equal to that of Oxford, St. John was angered and damned with faint praise when to his chagrin he was created Viscount Bolingbroke in July 1712.

¹⁸⁸*LJ*, xix, 333-490; J.C. Sainty, and D. Dewar, comps., *Divisions in the House of Lords: An Analytical List, 1685 to 1857* (London: H.M.S.O., 1976), p. 17.

¹⁸⁹*LJ*, xix, 404-05, 413, 416, 422, 426, 429-30, 433, 449-50, 457, 463, 473, and 490.

concerning the approval of a Bill for the simplification of sheriffs' accounts.¹⁹⁰ He also assisted the ministry's defence of the notorious 'restraining orders' issued to Ormonde in May 1712 which forbade him to engage the enemy in Flanders.¹⁹¹ Public outcries resulted from the orders' publication in the Dutch press and the Whig *Flying Post*. The orders also provoked revilement and accusations of treachery from Whig lords, who moved an address to the Queen that she order Ormonde to resume the offensive. Oxford and Bolingbroke initially defended the orders by attributing them to her direct command. The Lord Treasurer then attempted to obscure their exact contents. Strafford, recently returned to London to be formally admitted into the Lords and to lend much-needed support there, launched into a distracting tirade against Marlborough's military abilities. His rebukes were seconded by Argyll, who reportedly delivered a verbal attack with his usual 'warmth and energy' on the venerated general and revived criticism of the costly sieges of the 1710 campaign.¹⁹² This attack was echoed by calumniation from Oxford's trusted supporter, the Lord Steward, the Earl of Poulet. Poulet's characterisation of the victor of Blenheim as a commander who 'led troops to the slaughter to cause a great number of officers to be knocked on the head in a battle or against stone walls, in order to fill his pockets by disposing of their commission' so enraged Marlborough that he challenged Poulet to take 'the air in the country.'¹⁹³ Another account included Orrery among the Duke's assailants, claiming that he and Poulet both:

cast very severe reproaches upon him and the most flourishing times of England, without any regard to the dignity of the house. For the more any one used bitter invectives the more he was applauded by his party in the lobby, and about the doors of the parliament-house, as if the freedom of parliament had given a right to railers to use what freedom they pleased in reflecting upon others.¹⁹⁴

Thus, in an extremely rare vocal outburst in Parliament, Orrery may have finally enjoyed partial revenge against his sometime adversary and former military superior.

Rather amazingly, the ministry weathered the crisis in exemplary form. Bolingbroke's leadership in the Commons helped defeat a motion to petition the Queen for a resumption of

¹⁹⁰*LJ*, xix, 404-05. Oxford opposed the bill and observers believed it possessed little prospect of passage: *BL*, Add. MS 31144, f. 241.

¹⁹¹The repulsive nature of the orders was enhanced by the fact that St. John had informed French statesmen about them as well, and the British and the French had then conspired to deceive the Dutch and the other members of the alliance: *Bol. Corr.*, ii, 319-21, 351.

¹⁹²Coxe, *Marlborough*, iii, 307; *cf.* *Bodl.*, MS Ballard 36, f. 58; *PH*, vi, 1134-37.

¹⁹³*I.e.*, to a duel; *KD*, No. 107a, f. 242; Coxe, *Marlborough*, iii, 308; Churchill, iv, 950; for a detailed account of Poulet's attack see *Catalogue of Autograph Letters*, ii, 94.

¹⁹⁴Cunningham, ii, 418-19; *PH*, vi, 1135-40, and other accounts make no reference to Orrery.

the offensive similar to the one put forth in the Lords,¹⁹⁵ where Oxford displayed his consummate skill in equivocation by declaring how 'foolish, villainous, and knavish' a separate peace (like that his ministry was then secretly negotiating) would be in foreign eyes.¹⁹⁶ When Whig leaders attempted to withdraw their motion after such a seemingly sincere assurance, Strafford engaged in another heated verbal sparring match with Marlborough and forced a division won by the Tories by a margin of 28 votes.¹⁹⁷ Furthermore, he proposed that the Queen make available the details of the negotiations of the two previous years, which would show that the Dutch had been less veracious with their British allies about their own terms regarding the Spanish monarchy than their Whig sympathisers led the public to believe. Such a measure would go a long way towards dispelling the stigma of secrecy and treachery associated with British efforts for peace, and this shrewd tactic was reportedly conceived by a group of court supporters who had met on the previous day at Orrery's London house.¹⁹⁸

Despite such effective and devoted parliamentary activity, Orrery's loyalty to Oxford and Bolingbroke was already starting to weaken. A few weeks prior to the 'restraining orders' controversy, another significant debate had occurred which centred upon a revamped version of a Grants Resumption Bill originally introduced in 1711.¹⁹⁹ The 1712 manifestation of the Bill was a much more moderate piece of legislation than its predecessor, but even in this form it remained a divisive issue. It was unique in that no clear-cut partisan voting lines existed; men as diverse as the Whig Argyll and the Tory Strafford had both reaped benefits from the generosity of England's former sovereign.²⁰⁰ After a compromise founded on a pledge of support by none other than Oxford himself, the Bill reached the Upper Chamber, where its passage was severely hindered by bi-partisan opposition. Whig and Tory peers usually hostile towards one another now briefly became odd bedfellows when confronted with the possible loss

¹⁹⁵Dickinson, *Bolingbroke*, p. 98.

¹⁹⁶*PH*, vi, 1138; and partially cited in Douglas Coombs, *The Conduct of the Dutch: British Opinion and the Dutch Alliance During the War of Spanish Succession*, (The Hague: Martinus Nijhoff, 1958), p. 322.

¹⁹⁷For this and his importance in these debates see Bodl., MS Rawlinson A-286, ff. 171-72.

¹⁹⁸*PH*, vi, 1138-39; Coombs, p. 323.

¹⁹⁹The Bill, vigorously supported by MPs with Jacobite tendencies, was designed to strike a blow at Whigs and at the memory of William III by 'resuming' to the Crown all grants of pensions and property made since the Glorious Revolution; for a discussion of the two attempts made at attaining its passage see Szechi, *Politics*, pp. 81-83, 112-14.

²⁰⁰Thus both were strongly opposed to the Bill; *Wentworth Papers*, pp. 288-90; Cunningham, ii, 419; Jones, 'Scheme Lords', p. 137.

of their estates and livelihoods. After several contested motions, the Bill was finally defeated in a tied division of 78 votes.²⁰¹ Argyll appeared once to debate forcefully for the opposition,²⁰² yet, in attempts to avoid alienation, he and several other peers made sure to absent themselves when the final question was put before the House.²⁰³

Orrery appears to have absented himself from the Lords for several days when the measure was initially debated,²⁰⁴ perhaps to ascertain court sentiment before committing himself publicly. Either way, his vote on the measure posed a serious dilemma. If he adhered to the wishes and interests of his Scottish friends and diplomatic colleagues such as Strafford, he faced the prospect of opposing Oxford and the ministry which had promoted his career. Orrery still regarded this option as the lesser of the two evils. Ilay held Orrery's proxy dated 3 May and used it two weeks later in the Grants Bill's second reading.²⁰⁵ In the final vote Orrery sided against the ministry in a close and decisive division.²⁰⁶ This vote on the Grants Resumption Bill marks the beginning of the end of Orrery's support for his Tory friends in Whitehall, for it is both Orrery and Argyll's first recorded vote against Oxford and the court since the formation of the Tory government in 1710.²⁰⁷ Orrery's vote is confirmed by his later contacts with Argyll, which tend not to imply any lapse in their friendship or political affiliations.

The same does not apply for his relationship with the Oxford ministry.²⁰⁸ After Parliament was prorogued Orrery appears to have spent the summer and early autumn in a state

²⁰¹On 19 May there were six separate divisions pertaining to the Bill. Orrery was present during the divisions, and his friend Lord Ilay was a teller for the no's in one of them; *LJ*, xix, 450-51; Sainty and Dewar, list showing the divisions and votes for each respective side (no pagination); and below.

²⁰²*PH*, vi, 1130-31.

²⁰³These included Argyll, Strafford and the Tory Lord Trevor; see *PH*, vi, 1132; Bodl., MS Rawlinson A-286, ff. 158-61; KD, No. 107a, f. 230; BL, Stowe MS 224, f. 286; *Original Papers*, pp. 352-53. Strafford to the Electress Sophia of Hanover, 26 May 1712; and Szechi, *Politics*, p. 113.

²⁰⁴Orrery was absent from 5-8 May. On only one other occasion (20-22 Feb. 1712) during his first session as a peer did he miss consecutive sittings of the Lords; *LJ*, xix, 380-83, 437-43.

²⁰⁵HLRO, MS Proxy Book, vi, 1713-14. Orrery's proxy was dated 17 May. For the significance of proxy voting see Holmes, *British Politics*, pp. 45-46, 307-09.

²⁰⁶*LJ*, xix, 450-51.

²⁰⁷For Argyll's opposition speech in the debate on the 3rd reading see *PH*, vi, 1130-32; and KD, No. 107a, f. 231, 20 May 1712. Argyll and a group of Scots peers had visited the Queen about the measure a few days earlier: SRO, GD45/14/352/17.

²⁰⁸For evidence of Argyll's eventual split with Oxford beginning as early as late in 1711 see HMC, *Portland*, v, 100.

of relative inactivity. Early in July he attended court at Kensington and received his new diplomatic instructions,²⁰⁹ but his departure was still months away and settlement of his financial affairs remained his chief concern. Recurring delays not only postponed the resumption of his diplomatic duties but caused increased friction between him and Oxford. Orrery began to exhibit an impatience borne of suspicions of apathy in the resolution of his warrant. Procrastination and prevarication were doubtless developed into an art by Oxford during this period,²¹⁰ yet his intentional disregard for the legitimate pretensions of a valuable ally is rather perplexing. An overwhelming volume of other business and the Lord Treasurer's affinity for fine wine may simply be the answer.

Despite this neglect, by the end of the year Orrery had resumed his post, thus embarking upon the final phase of his diplomatic career. Ironically, completion of the peace agreement at Utrecht in April 1713--the 'common cause' which Orrery and his friends had strove so laboriously (if sometimes duplicitously) to achieve--coincided with his final, definitive break with the Tory ministry he had helped install. Before examining the circumstances behind this permanent political breach, however, it is necessary, against the backdrop of the sequence of events leading to Utrecht, to direct one's focus away from parliamentary strife and towards Orrery's embassy in occupied Flanders.

²⁰⁹The instructions were dated 1 July 1712, and are found in PRO, SP 104/214/339-40. For a complete discussion of their contents see below, Ch. 6, pp. 214-15.

²¹⁰Oxford later paid the price for these practices when he became a political pariah and was dismissed from office. For a discussion of his complex personality see David Hayton, 'Robert Harley's "Middle Way": The Puritan Heritage in Augustan Politics', *British Library Journal* xv, (1989), 158-72.

Chapter Five: Brussels, The Hague and the Council of State, February-November 1711

'...they have the misfortune in Holland very often not to see the opportunity till it is fledged by them; like the fellow in the play, who never finds out the jeast (sic) till half an hour after it is made.'

'St. John-Orrery Letters, 1709-1711', p. 180, 17 July 1711.

'The Hague affords little or no Novelties in summer-time; but however, the Conferences about the Affairs of the North and the Empire would furnish with Matter enough for a long Article.'

Present State, xxii, 315.

I need not repeat how great the difficulties are of a foreign minister unpaid, who must live at vast expense with little or no credit, and taking up ready money on one's own estate is what is both inconvenient and disreputable...when your Lordship looks into that expense you will find one third of it might have been saved. When a pretty fellow was to be provided for it had been better doing it with some place at home of two or three hundred pounds a year than throwing away two or three thousand a year abroad in making him an Envoy & c. Public business would have been better done with fewer ministers, well chosen and well paid, which would have made men of the greatest abilities solicit those employments.

HMC, *Portland*, ix, 292-93. Strafford to Oxford, 29 June 1711, O.S.

On the eve of Marlborough's final campaign as commander of the Allied Army the natural resources of the provinces of the Southern (formerly Spanish) Netherlands, comprising the States of Flanders, Brabant, and Hainault, were nearly exhausted. The scene of nearly all the major engagements and sieges of the war, the region had been subjected to an annual ravaging by the two opposing armies. The commonality's morale suffered increasingly for, in addition to economic hardships, inhabitants had reckoned with the severe winter of 1709 and an outbreak of typhus a year later. Political tension in the region reflected deep-rooted concerns over agriculture, trade, anxiety over the States' strategic role as a geographical buffer zone between two of the major aggressors of the war, and mounting uncertainty about the future.

The Southern Netherlands were under French domination from 1701 to 1706. The French had initially suggested they might allow greater economic liberties and reduced interference in religion, but this lenience never materialised. Instead, they instituted numerous reforms designed to transfer local authority to an arbitrary central administration.¹ Following Ramillies in 1706, the majority of the area reverted to Allied control, which met with widespread popular support fuelled by a yearning for a more enlightened rule.² Thereafter,

¹Pieter Geyl, *The Netherlands in the Seventeenth Century* (2 vols., London: Ernest Benn, 1964), ii, 296-301.

²After the Allies regained control of the region in 1706, they had promised its residents a reinstatement of their 'ancient rights, liberties, and privileges'; see 'The Requests of the States of Flanders', 1706, cited in Geyl, ii, 326.

the region was held in the name of Charles III, the brother of Habsburg Emperor Joseph I and the Imperial candidate for the Spanish inheritance. The States Assemblies of Flanders and Brabant were consulted by Dutch Field Deputies, resulting in a decision to reform the Council of State to serve as a temporary governing body. Largely comprised of former government officials and members of the nobility, the Council met periodically in Brussels.³

From 1706 to 1713 a troubled partnership known as the Anglo-Dutch Condominium, incorporating a British envoy, several Dutch deputies, and the Council of State itself, administered the region's affairs.⁴ Since the Council's reformation, Dutch representatives had consisted of Field Deputy Frederick van Reede, Baron of Renswoude, and Johan Van den Bergh, who was former Burgomaster of Leiden and the more troublesome of the pair.⁵ Almost from the outset the Condominium was rife with problems and marred by clashes between contentious individuals. Recurring intra-council rivalries existed among Flemish and Brabanter members, while French-speaking Walloon members were sometimes reluctant to exhibit a marked loyalty to Charles III in the midst of an ongoing war with an unsettled outcome. Flemish and Brabanter members alike became outraged when measures were proposed for subjecting local tax officials to central government scrutiny. Religious tensions remained entrenched as an underlying element of discord between the Calvinist Dutch and their once again subjugated Catholic neighbours. Dutch exactions to fund the subsistence of foreign troops, whose presence was solely for the 'protection and security' of the populace, often met indignant protests.

To counter a preponderant Dutch influence in the affairs of the Southern Netherlands (and to the States General's dismay), the British government adopted a policy of exerting increased authority in the administration of the Condominium. Such a policy was hardly without effects. Perhaps the foremost of these was another divisive wedge being driven into

³It included representatives from Hainault after 1709. Originally formed under the Dukes of Brabant, the Spanish had abolished the Council in the sixteenth century. Although it lacks a specific study, the evolution of its inferior counterpart in Brabant is traced in A. Galliard, *Le Conseil de Brabant: Histoire, Organisation, et Procédure* (3 vols., Brussels: J. Lebegue & Co., 1898-1902).

⁴The Condominium and its role in the larger scheme of European diplomacy is discussed in Geikie and Montgomery (cited above, p. 103, n. 2); and in Coombs (cited above, p. 140, n. 197).

⁵Van den Bergh had himself served as a temporary Field Deputy; Geyl, ii, pp. 324-27; 'St. John-Orrery Letters, 1709-1711', p. 173, n. 45, and pp. 140-43, for Dickinson's brief introduction to the situation in the Southern Netherlands. His role is examined and some of his letters are printed in H. Van Houte, ed., 'La Correspondence de Johan van den Bergh, plenipotentiaire des Provinces-Unies à Bruxelles sous la Régence Anglo-Batave 1706-1716', *Académie Royale de Belgique Bulletin de la Commission Royale d'histoire*, xcii (1928), 412-50.

the growing diplomatic chasm separating two of the principal Allied powers. Paradoxically, it was to Britain's advantage to display at least a facade of sympathy toward the Council of State's interminable claims of Dutch improprieties and malfeasance. Yet, at the same time, most British and Dutch ministers were cognizant of the necessity for presenting an image of cooperative joint resolve to pursue the war to its conclusion, thus hastening along the peace process that had already taken a few faltering steps by applying constant pressure upon the French to submit to respective Allied demands.⁶ In this respect the promotion of relative domestic harmony in the Southern Netherlands was a vital ingredient in Harley and St. John's diplomatic objectives, and lent the situation there an importance which Britain could scarcely afford to ignore. Furthermore, and equally significant, amiable relations with the nominally Austrian-controlled Southern Netherlands would hopefully establish a sound footing for favourable reciprocal commercial relations once the conflict was concluded.⁷

These concerns were heightened during the Brussels tenure of Cadogan, Marlborough's trusted friend and subordinate, who became Britain's envoy to Flanders in November 1707.⁸ Cadogan's residence in Brussels was notoriously controversial, replete with numerous accusations and disputes with the Dutch and the Council of State.⁹ His attitude towards the Dutch was erratic and inconsistent. Initially quite hostile, Cadogan later reversed himself and went so far as to take a Dutch bride.¹⁰ More importantly Cadogan, and to an even greater extent, Marlborough, severely criticised Van den Bergh's handling of affairs in Brussels,¹¹ a

⁶When Ghent, and later, Bruges, defected from their allegiance to Charles III and admitted French troops inside their gates in July 1708, the defections were blamed upon the 'arrogant and arbitrary proceedings' of the Dutch; see Coombs, pp. 139-40, 177-78; and Coxe, *Marlborough*, ii, 252-53. Marlborough to Godolphin, 9 July 1708.

⁷Material pertaining to the Council of State and the Condominium during Orrery's embassy can be found in the extremely valuable collection of contemporary documents edited by Belgian Royal Archivist Louis P. Gachard, *Collection de Documents Inédits Concernant L'Histoire de La Belgique* (3 vols., Brussels: Louis Hauman et Comp., 1833-35). These and other pertinent materials are discussed in Denise van Derveeghe and Cecile Lefevre, eds., *Inventaire Des Archives Du Conseil D'État de Régence 1706-1716* (Brussels: Hayez, 1950). Hubert Van Houtte, ed., *Les Occupations Étrangères en Belgique Sous L'Ancien Régime* (2 vols., Ghent: Van Rysselberghe & Rombant, 1930); and Maurice Braure, *Les Documents Néerlandais relatifs et à L'Occupation de la Flandre Wallonne, 1708-13* (Lille: Chez Emile Raoust, 1932) are less valuable for Orrery's embassy but contain much useful background material.

⁸*Dip. Repts.*, pp. 7-8.

⁹This troubled relationship's effects upon the 1708 campaign are examined from the Dutch perspective in A.J. Veenendaal, 'The Opening Phase of Marlborough's Campaign of 1708 in the Netherlands. A Version from Dutch Sources', *History*, New ser., xxxv (1950), 34-48.

¹⁰Coombs, pp. 65-66, 74-75.

¹¹Some of the Duke's ill will was due to Van den Bergh's refusal to bow to his wishes in

censure stemming from Marlborough's perception that he was unduly swayed by the opinions and sentiments of the Councillors; 'so very weak and intierly governed' by one member in particular that the duke was convinced Van den Bergh's actions would eventually provoke unrest comparable to that occasioned by the infamous Duke of Alba. Cadogan's military duties and arrangements of winter quarters for garrisons often kept him away from Brussels and thus limited his contact with Van den Bergh. Nevertheless, he too came to dislike his Dutch associate.¹²

With the signing of the Barrier Treaty in 1709 Cadogan's neglected post in Brussels took on a new sense of urgency. One of its articles permitted Dutch merchants to sell their goods to buyers in the Southern Netherlands free from duties, while similar British wares faced stiff tariffs. The States General's policy on commercial rights in the conquered territories was not without its own unpopular stipulations, among them the States General's contention that it alone was justified in asserting the right to administer mercantile regulations in the border territories captured from France. Products from the Southern Netherlands sold in these territories were subject to Dutch duties, while Dutch goods sold there were free from duties.¹³ British merchants became incensed upon discovering their goods were to be subjected not only to a duty in the Southern Netherlands but an additional charge if transported into the conquered territories.¹⁴ Cadogan and Marlborough's apparent mutual indifference toward these obstacles, coupled with their close cooperation with the Dutch, contributed to a situation which by 1710 was in dire need of rectification. The Harley ministry reacted by dispatching Orrery as envoy to both The Hague and Flanders in early 1711.¹⁵ He remained

the settlement of a long-standing family dispute pertaining to the marriage of the Duc de Aremberg, the Governor of Mons and a member of the Council of State: *LDM*, iv, 511. Marlborough to Heinsius, 23 June 1709, N.S.; Coombs, p. 202. Cadogan was also apparently jealous of Van den Bergh's superior influence among residents, which rendered the British general's appointments of even the most minor local officials nearly impossible; Geyl, ii, 326-27.

¹²*Marl.-Heinsius Corr.*, pp. 440-41, and 471. Marlborough to Heinsius, letters dated 23 June, 24 June, and 22 Oct. 1709, N.S., respectively.

¹³After the fall of Lille the Dutch had hastily constructed customs houses ('comptoirs') along the frontier to collect these duties; Geyl, ii, 330-31.

¹⁴The seriousness of the public reaction to the Barrier Treaty's implications in Britain are evident in that its terms were kept secret for well over a year, only to be used later as a principal weapon in the hands of Tory journalists and ministers; see St. John's letter to Strafford, 19 April 1711, in *Bol. Corr.*, i, 153-54; Geikie and Montgomery, pp. 187-214; Coombs, pp. 238-41.

¹⁵Despite an abundance of manuscript material in both English and Dutch, Orrery's embassy, perhaps overshadowed by events at Utrecht, has yet to undergo a detailed historical study. Coombs refers to certain events, while Geikie and Montgomery focus more frequently on Orrery and provide

abroad until November 1711, was absent in Britain during most of the following year, and returned to Flanders in late 1712 for another residence of nearly seven months. His embassy, therefore, divides conveniently into three parts and will be examined accordingly.

I

Shortly after assuming power Harley's ministry issued signals that it viewed diplomatic affairs in any way pertaining to the Netherlands as crucial. His 'Plan of Administration' had emphasised The Hague as Britain's most important foreign policy concern and 'the first to be taken care of.' It was vital that it and the Queen's other embassies were staffed with representatives who would put Her Majesty's business on 'a right line' and provide 'true accounts of affairs'.¹⁶ Ostensibly with this goal in mind, the Tory Ministry began issuing notices of revocation calling for the return of a number of Whig-appointed diplomats. Cadogan was recalled from Brussels in December 1710 and returned to London.¹⁷ The same month St. John dispatched naval veteran Sir James Wishart as Commissioner of the Admiralty in an attempt to goad the Dutch into fulfilling their naval quotas.¹⁸ Harley and St. John realised the necessity of replacing men such as Cadogan with loyal, competent officials who would keep them well informed, safeguard Britain's interests, and follow the Tories' objective of an early separate peace with France. Accordingly, soon after Cadogan's recall, it was announced

useful background on the importance of the Southern Netherlands in the negotiations for the Barrier Treaties. The single most useful printed source is probably vols. xi-xii of *De Briefwisseling Van Anthonie Heinsius, 1702-20*, A.J. Veenendaal, Jr., ed., (The Hague: Institute for Dutch History, 1990-92). In mid-1993 these volumes, covering the period up to 31 Jan. 1712, were the latest published portions of this ongoing project. The relevant diplomatic and administrative background to Orrery's embassy is covered in the Dutch work by A.J. Veenendaal, *Het Engels-Nederland Condominium in de Zuidelijke Nederlanden Tijdens de Spaanse Successieoorlog 1706-1716* (2 vols., Utrecht: Kemink, 1945), but since only one volume of this study was published, it largely falls short of the period when Orrery was in Brussels.

¹⁶HMC, *Portland*, iv, 580-81; BL, Stowe MS 248, ff. 3-4; *Misc. State Papers*, ii, 485; Coombs, p. 230.

¹⁷PRO, SP 104/12/30; 'St. John-Orrery Letters, 1709-1711', p. 150, 10 Jan. 1711. Cadogan's frequent absences were partially attributable to his accreditation to both The Hague and Brussels from 1708-11; *Dip. Reps.*, pp. 7-8, 159; and Henry L. Snyder, 'The British Diplomatic Service during the Godolphin Ministry', in Ragnhild M. Hatton and M.S. Anderson, eds., *Studies in Diplomatic History: Essays in Honor of David Bayne Horn* (New York: Archon Books, 1970), p. 61.

¹⁸BL, Add. MS 31146, ff. 298-301; BL, Add. MS 31135, ff. 306-07, 313-14. Wishart was also assigned the unlikely task of persuading the Dutch to participate in a joint naval venture in the West Indies, but his proposals met with an icy reception; *Bol. Corr.*, i, 39, 49; *DNB*, xxi, 724; Coombs, pp. 241-42.

that his post was to be filled by Richard Hill, a strong Tory who had served in the 1690s as envoy to Flanders and at Savoy from 1703 to 1706.¹⁹ His qualifications were enhanced by his friendship with Harley's unofficial agent in Amsterdam, the Scottish merchant and banker, John Drummond.²⁰ Hill, however, citing reasons of health, proved either unable or unwilling to assume his assignment.²¹

This revelation led to a momentous development in Orrery's career. Despite his new regiment and his admission to the Privy Council, Orrery remained dissatisfied with his public stature. He had evinced interest in the possibility of serving as the representative in Brussels some weeks prior to the news of Hill's incapacity. St. John approached Orrery about the post in late December and by 5 January 1711 he had accepted. St. John relayed the news to Drummond, yet urged him not to disclose the information since the appointment had yet to be 'declared in form.'²² St. John also began relaying advice on affairs in Flanders to Orrery as early as 13 January, O.S.,²³ but public confirmation of Orrery's appointment as 'the Queen's Envoy-Extraordinary and Plenipotentiary to the States General of the United Provinces, and to the Council of State in the Spanish Low Countries' only came on 11 January, N.S.²⁴

On the same day Orrery had an audience with Queen Anne at St. James and received his credentials and instructions.²⁵ The latter were quite detailed and encompassed a wide range of responsibilities. At The Hague, along with Orrery's obligation to supply London with

¹⁹*Dip. Repts.*, p. 120; *DNB*, ix, 856-57. Marlborough's sympathetic 19th-century biographer erroneously blames Hill's appointment on his relationship to Mrs. Masham, making Hill her brother, but they do not seem to have been related; Coxe, *Marlborough*, iii, 189; cf. *DNB*, xii, 1295.

²⁰*Bol. Corr.*, i, 39. St. John to Drummond, 12 Dec. 1710. Highly esteemed by Dutch authorities as well as leading British ministers, Drummond was offered a parliamentary seat by Argyll. For his career see the introduction by James J. Cartwright in HMC, *Portland*, iv, xiii; and Ragnhild M. Hatton, 'John Drummond in the War of Spanish Succession: Merchant turned Diplomatic Agent', in Ragnhild M. Hatton and M.S. Anderson, eds., *Studies in Diplomatic History: Essays in Honor of David Bayne Horn* (New York: Archon Books, 1970), pp. 69-96.

²¹Despite the fact that just before Christmas Hill's doctors declared a 'severe sistula' required immediate attention, Boyer alluded to the latter as to the reason for Hill's decline of the appointment; see his *Annals*, x, 332-33; and *History*, p. 485; cf. Lediard, iii, 94, 113; and *Bol. Corr.*, i, 50.

²²'St. John-Orrery Letters, 1709-1711', p. 149, 29 Dec. 1710; *Bol. Corr.*, i, 62; cf. *Heinsius*, xi, 496.

²³PRO, SP 104/12/32. St. John to Orrery, 13 Jan. 1711.

²⁴*London Gazette*, 8-11 Jan. 1711; Boyer, *Annals*, x, 332-33; Luttrell, vi, 676; *Catalogue of Autograph Letters*, ii, 82. Cardonnel to Watkins, 2 Jan. 1711; Oldmixon, *History*, p. 455.

²⁵Orrery's pass in Latin, signed by Queen Anne, is in PRO, SP 104/214/146.

accurate and informative correspondence and the usual maintenance and (if possible) improvement of relations with members of the Alliance, he was to pursue the war 'with the utmost vigour' and in conjunction with them. In economic matters, Orrery was instructed to 'protect and countenance upon all occasions our subjects trading to any dominions of the States General'. His duties with respect to diplomatic and commercial relations with the States in Brussels were more explicit, and equalled, if not surpassed, those pertaining to his obligations at The Hague. Orrery was to convey personally the ministry's desires to ameliorate relations with the States and with Charles III, and he was to promote and 'procure all the advantages' possible in matters of trade, especially regarding the importation of British woolens, and to ensure the observance of prior treaties regulating commerce. Finally, as would prove his primary task, Orrery was to be 'particularly attentive' to ensure that the provinces of the Southern Netherlands made their requisite contributions to the war effort. Whenever and wherever possible, methods were to be discovered for rendering the States 'more usefull in this regard' and these methods reported in 'frequent accounts'.²⁶

Orrery appeared well equipped to accomplish this variety of sizable feats. His superior education, fluent French and military experience in Flanders would be advantageous in dealings with the Council of State.²⁷ As a nobleman, his social rank was sufficient to command respect abroad and made his choice agreeable to Queen Anne, who took a personal interest in preventing the diplomatic appointment of persons from inferior backgrounds.²⁸ None the less, although his position was bolstered by the Queen's blessing and the backing of a Tory administration now firmly in control at Westminster, Orrery's authority, unlike Cadogan's predicament throughout the latter part of 1710, was not unlimited. Advised to avoid any actions that were liable to 'raise a clamour without justifiable cause', Orrery was expected to remain on close terms with, and to advise, Dutch ministers at The Hague and to 'live in a very friendly manner' with the States General.²⁹

There was another final, ironic result of Orrery's appointment. Now stripped of almost all of his offices and power, Marlborough was preparing to lead the Allied troops in a final brilliant campaign. Despite his diminished prestige, his alienation from the Queen and the

²⁶Orrery's instructions are found in PRO, SP 104/214/138-43.

²⁷Orrery may have had some familiarity with the city and its officials as a result of his regiment's quartering in Brussels in 1708; see above, Ch. 3, p. 85.

²⁸Longleat, Portland MS iii, 61; Snyder, 'The British Diplomatic Service', p. 67.

²⁹PRO, SP 104/214/143.

loss of Godolphin's influence, in reality Marlborough remained deeply immersed in decisions which impinged upon the military and diplomatic affairs of nearly all of the Allied states and kingdoms. For a few months longer he remained joint ambassador at The Hague with the Whig Viscount Townshend, and a British statesman in any way connected with promotion of the war effort in Flanders would inevitably come into frequent contact with the Duke. Orrery was again, therefore, cast in a role which was almost certain to result in clashes with his inveterate enemy, a role that did not escape notice by foreign observers. Following Orrery's appointment the Imperial resident in London reflected that Marlborough's command in the 1711 campaign would be little more than nominal: 'surrounded with declared foes, and a beginning has already been made by sending Lord Orrery to replace his friend and supporter Cadogan.'³⁰ The Dutch resident voiced similar concerns, fearing the appointment of Argyll's 'boesemvrint' would only result in further problems for Marlborough.³¹ Speculation about the genuine political ramifications of diplomatic appointments of figures such as Orrery and Argyll has been attempted already,³² and St. John's dispatch of Orrery definitely raises questions about whether the ministry intentionally sought to counter Marlborough's influence by sending someone whose presence was likely to engender dissension and complications.

Surprisingly, in his new capacity Orrery initially displayed less antagonism toward Marlborough than he had in 1710. This behaviour could be attributed to Orrery's complacency at having assisted the Tories in their recent triumph over the beleaguered commander and his reinforced sense of self-importance. Initially eager to accept the post of envoy, Orrery did show some unwillingness to take up the actual assignment. His arrival was nervously awaited by Dutch authorities, and the day before receiving his instructions Orrery learned of the great anxiety that Heinsius, the Grand Pensionary, expressed over his overdue departure. Such anticipation was understandable. Orrery's appointment occurred on the eve of another campaign and in the midst of numerous proposed changes in the British diplomatic staff. The Tories had temporarily conceded the inevitability of finding a replacement for Marlborough at The Hague. St. John, meanwhile, had expressed cautious indifference towards Townshend,³³ intimating he

³⁰Klopp, xiv, 27; *idem*, cited in Churchill, iv, 797-98. The Hanoverian ambassador reacted in a similar manner by remarking on Orrery's widely-known hostility to Marlborough and affinity to Argyll: KD, No. 99, f. 62, 12/23 Jan. 1711.

³¹*Heinsius*, xi, 496. Vrybergen to Heinsius, 13 Jan. 1711; also *ibid.*, 525, 587; and BL, Add. MS 17677-YYY, f. 180. 'Secreet,' Vrybergen to the States General, 20 Feb. 1711, N.S.

³²See above, Ch. 4, pp. 122-24.

³³BL, Add. MS 38499 contains many of Townshend's papers and draft letters pertaining to the Barrier Treaty negotiations and the Spanish Netherlands. There is also some relevant material

might be allowed to continue in his post if his behaviour was not tainted by partisanship.³⁴ Thus for several months, until the contrary became obvious and the violently anti-Dutch Strafford was named as Townshend's successor,³⁵ Orrery held a position of considerable importance. His initial reluctance to assume the position was probably motivated partly by his disinclination to associate with Marlborough and Townshend, and possibly by a wish to remain in London until he had been formally admitted to the Privy Council.³⁶

Despite Orrery's reluctance, his associations with Marlborough began even before the pair had left Britain at a Privy Council meeting at Westminster a few days after he was sworn. Principal items on the meeting's agenda were conditions in the former Spanish Netherlands and 'measures hitherto taken for the government of them.' Marlborough was the meeting's chief spokesman,³⁷ and a letter from his secretary seems to confirm Orrery's presence as well as the clerk's anxiety about their cooperation in the coming months.³⁸ Orrery was supplied with the fruits of this conference in the form of what St. John described as additional 'private instructions' entitled: 'A Memorial of some points which are in Agitation at The Hague, concerning the Government of the Spanish Netherlands'.³⁹ The Memorial traced the stormy history of the Condominium and the Council of State since 1706 and helped prepare Orrery for the challenges which awaited him. As outlined in the Memorial, his principal function revolved primarily with the exertion of authority in three general areas: the administration of military justice and disposal of commissions in Flemish and Brabanter regiments serving in Austrian pay; the generation of fiscal maintenance for foreign troops garrisoned in the region, and the supervision and sanctioning of the annual appointment of town magistrates. Sole authority for the latter remained in the Council's hands from 1706

in Bodl., MS Eng. hist. d. 118.

³⁴*Bol. Corr.*, i, 54. St. John to Drummond, 26 Dec. 1710.

³⁵*Wentworth Papers*, p. 181; Coombs, pp. 239-40. Strafford's appointment drew Drummond's immediate criticism: *Bol. Corr.*, i, 62.

³⁶*London Gazette*, 10-13 Feb. 1711; 'St. John-Orrery Letters, 1709-1711', p. 150.

³⁷*Bol. Corr.*, i, 84-85. St. John to Drummond, 9 Feb. 1711; the meeting is mentioned and the above letter quoted as well in Turner, *Council*, ii, 271-72.

³⁸HMC, *Eleventh Report, Appendix, Pt. IV, The Manuscripts of the Marquess Townshend* (London: for H.M.S.O. by Eyre & Spottiswoode, 1887), p. 79. Adam Cardonnel to Horatio Walpole, 13 Feb. 1711: 'Lord Orrery is to be here with my Lord Duke this evening and I hope we shall leave matters here pretty easy.'

³⁹*Bol. Corr.*, i, 84-85. The memorial may well have been composed based on suggestions made by Marlborough; it is found in Orrery's diplomatic papers: BL, Add. MS 37209, ff. 309-15; and printed in Veenendaal, *Het Engels-Nederland Condominium*, i, 278-81.

until August 1710, when the States General resolved to render the appointments valid only upon the Conference's approval.⁴⁰ Thereafter, the Maritime Powers' representatives retained primacy for approving nominated candidates for magistrates and in military affairs. Orrery's decisions and involvement in these key areas would prove the most controversial.

By mid-February all preparations for Orrery's embassy had been completed. He was to be paid £8 per day for his services to begin the day of his departure from London, and he was supplied with a three-month salary advance and £500 for 'equipage'.⁴¹ On 18 February he and his attendants set out from London. Their procession was accompanied by that of Marlborough himself.⁴² Orrery and Marlborough also departed by the same convoy,⁴³ but they apparently did not travel across the Channel together on the same yacht, for Orrery arrived at The Hague a day later than the commander.⁴⁴ On arrival Orrery proceeded to attend to his tasks with the greatest alacrity and immediately conferred with Heinsius about the various problems in the Low Countries.⁴⁵ From their earliest meetings Orrery and Heinsius appear to have gotten on well together.⁴⁶ Orrery strongly maintained from the outset that many 'disorders' concerning the Council of State's begrudging cooperation could be remedied with an 'establish'd form of Government' and a resolute reaffirmation of Anglo-Dutch authority in the region. The cautious Dutch minister implied that he concurred completely with Orrery's assessment of the situation in Brussels and claimed that he had already presented a tentative 'scheme' for settling affairs to the satisfaction of all parties, or at least to that of the British and the Dutch.⁴⁷ The proposal for regulating the government was deliberated by the States General

⁴⁰Van den Bergh had hitherto been on good terms with the Council and had supported its pretensions to increased jurisdiction; thereafter he found himself the Council's sworn enemy: BL, Add. MS 37209, ff. 309-13.

⁴¹CTB, xxv, pt. 2, 147, Treasury Warrant signed 22 Jan. 1711; *idem*, p. 153, Money Warrant issued 29 Jan.; also *Thirtieth Annual Report of the Deputy Keeper*, p. 495.

⁴²Lediard, iii, 116-17; Luttrell, vi, 693. Captain Cecil was among those who accompanied Orrery: *Wentworth Papers*, p. 184. Marlborough's guests included the Marquis de Pascal, Governor of Brussels, with whom Orrery later became involved in a military dispute: see Abel Boyer, *The Political State of Great Britain* (38 vols., London: J. Baker, 1711-40), i, 158; *idem*, *Annals*, x, 335.

⁴³*Heinsius*, xi, 597.

⁴⁴*London Gazette*, 1-3 March 1711; *cf.* *Present State*, xxii, 115, which says Orrery arrived at The Hague two days later than the Duke, on 6 March.

⁴⁵*Heinsius*, xi, 634; BL, Add. MS 31131, f. 334.

⁴⁶Orrery's relationship with Heinsius is discussed in more detail below, pp. 164, 181-83.

⁴⁷The largest majority of Orrery's diplomatic correspondence has survived and is found in PRO, (State Papers Foreign, Flanders), SP 77/60-62, and in BL, Add. MS 37209. Orrery also seems to have instructed his secretaries to make draft copies of his most important dispatches.

for several days. Orrery evidently considered his instructions sufficiently explicit to require no clarification; after his credentials were presented he saw little need for a formal, public audience before the States General. A myriad of other matters demanded his attention. He diligently corresponded with his friend and superior, the Secretary of State, on an almost daily basis, and was vigilant for news he deemed valuable. Often he gleaned such news from intercepted correspondence from France.⁴⁸ Orrery also responded to St. John's plea for assistance in locating a renowned Flemish engineer so he could be solicited for service on a forthcoming secret mission which was especially dear to the Secretary's heart.⁴⁹

Within the first days of Orrery's embassy it became unmistakably clear that another extremely urgent problem confronted the Allies, a problem he had been forewarned of before arriving. This difficulty lay in the renewal of contracts for supplies of bread and forage for Imperial and Palatine regiments that comprised foreign border garrisons in Flanders. The problem had contributed virtually to an annual crisis since the region's occupation some five years earlier,⁵⁰ and the situation had worsened after the severe winter of 1709. Following the siege of Mons, Marlborough and Eugene had complained about shortages facing many of the frontier garrisons and Cadogan had grappled with the Council of State over the contracts,⁵¹ but the close of the 1710 campaign found conditions largely unchanged. Discredited and outmanoeuvred on the domestic political front, Marlborough and Cadogan in particular exerted great efforts toward settling the contracts and wrote numerous letters to the States General and St. John in attempts to persuade them of the gravity of the situation.⁵² St. John fully appreciated the consequences of failing to maintain the Imperial and Palatine contingents. With a thorough understanding of logistics by virtue of his tenure as Secretary at War, he knew that reductions in allied strength would only to inspire the French to withstand another expensive campaign and diminish prospects for the swift conclusion of peace negotiations.⁵³

Retained in the Boyle family until the 1920s, these copies are contained in letterbooks listed as MS Eng. 218.1, i-ii, which are now held in the Orrery Papers, the Houghton Library, Harvard University. Unless otherwise specified, all references hereafter to OPH, MS Eng. 218.1, i, are Orrery to St. John. For this paragraph see *idem*, ff. 1-2. The Hague, 6 March 1711.

⁴⁸OPH, MS Eng. 218.1, i, 3-4, 10 March 1711; and the letter cited in n. 47.

⁴⁹I.e. the ill-fated expedition to Quebec in the summer of 1711; PRO, SP 104/12/34v-35; 'St. John-Orrery Letters 1709-1711', p. 151, 20 Feb. 1711; OPH, MS Eng. 218.1, i, 3.

⁵⁰Geyl, ii, 299-300, 327; Veenendaal, *Het Engels-Nederland Condominium*, i, 280.

⁵¹BL, Add. MS 38499, f. 356; Broderick, pp. 319-21; Lediard, ii, 556-59.

⁵²*LDM*, v, 190-91, 203, 224-27; 'St. John-Orrery Letters, 1709-1711', p. 150.

⁵³For the early stages of the diplomatic bartering that led to Utrecht see Trevelyan, iii, 176-88, and the same author's: 'The "Jersey" Period of the Negotiations leading up to the Peace

Despite these efforts, by the time of Orrery's arrival the situation was critical. His particular circumstances relating to the renewal of the contracts proved exacting and significant for two additional reasons. Investigations illustrated that a good deal of what the Dutch regarded as the Council of State's recalcitrance was actually their exaggerated reaction to corruption and outright extortion by Cadogan.⁵⁴ Furthermore, a corollary of these revelations was Orrery's adoption of a stance sympathetic with the Council's claims, which in turn placed him and the British government at odds with the Dutch and accentuated the crumbling alliance between two of Louis XIV's principal opponents. In time Orrery learned that the current status of the contracts revolved around two issues: methods to be employed for funding the purchase of supplies; and the subsidies to be provided by Hainault.⁵⁵ Flemish and Brabanter members soon introduced measures for enlarging revenues which struck at the very hearts of members of the States General: an augmentation of duties. The Council insisted that sums sufficient to renew the Imperial and Palatine contracts could be met only by increasing duties on 'ye Quatre Espèces', which consisted of wine, vinegar, brandy, and salt.⁵⁶

The Dutch vehemently opposed higher duties on the last two items and the issue sparked heated debates. While demands and counterdemands were dispatched between Brussels and The Hague and among members of the States General, the bread and forage contracts expired. Concurrent with these tense discussions a plan was hammered out which outlined the Council's

of Utrecht', *EHR*, xlix, (1934), 100-05. Bolingbroke's culpability in pushing for the perfidious peace settlement is traced in Dickinson, *Bolingbroke*, pp. 93-108; but *cf.* B.W. Hill, 'Oxford, Bolingbroke, and the Peace of Utrecht', *Historical Journal*, xvi, (1973), 241-63; and *idem*, *Harley*, p. 178. The Duke of Shrewsbury's role is touched upon in Dorothy H. Somerville, 'Shrewsbury and the Peace of Utrecht', *EHR*, xlii (1932), 646-47.

⁵⁴For the Council of State's complaints against Cadogan, dated 24 Feb. 1711, see BL, Add. MS 37209, ff. 301-05; *idem*, printed in Veenendaal, *Het Engels-Nederland Condominium*, i, 283-92; and below, pp. 197-98. Similar sentiments are revealed in the unfoliated letter (in French), dated simply 1711, from the residents of Ghent to Queen Anne, in PRO, SP 77/61; while 'St. John-Orrery Letters, 1709-1711', pp. 197-99, prints an unsigned memorial Orrery received in March 1711, hailing the deliverance of the residents of Ghent by the arrival of 'le zelé et brave cavalier du Comte de Orrery'.

⁵⁵Upon his arrival at The Hague the Councillors from Hainault had submitted a proposal based on precedents from previous campaigns that subtracted 90,000 florins from the 'usual Subsidy' to be offered as a contribution. The Dutch, however, flatly rejected this offer: *London Gazette*, 27-29 Jan. 1711.

⁵⁶BL, Add. MS 61154, ff. 121-22; also BL, Add. MS 61191, ff. 79-82. An earlier version of this proposal had been submitted during 1710 and summarily rejected by the Dutch, who wanted to prevent the Flemish from purchasing French salt; see the 'Memorial' in BL, Add. MS 37209, ff. 311-13.

specific authority. In response, Orrery maintained an increasingly conspicuous anti-Dutch stance and exhibited the earliest signs of his commiseration for the rights and liberties of the Southern Netherlanders. He informed St. John that the Council was too weak, but that the States General had nevertheless sought to impose further restrictions upon it. Asserting his own diplomatic authority, Orrery proposed minor alterations advantageous to the Council and the States General begrudgingly conceded.⁵⁷ Confronted with the prospects of thousands of German soldiers harrying a countryside already devastated by war and the elements; or still worse, by the implications of the partial disintegration of the Allied Army,⁵⁸ it is little wonder that Orrery grimly remarked on the seemingly imminent and 'very fatal' consequences this scenario posed. Incensed by the States General's factiousness and its failure to renew the forage contracts and convinced some of its members were intentionally minimising the severity of the situation, Orrery prevailed upon the 'undertakers' (suppliers) to furnish bread and forage to the garrisons for a few weeks longer based only on assurances of payment. He looked forward to continuing on to Brussels and personally conducting business with members of the Council of State.⁵⁹

II

After the 'Regulation of Power' for governing the States of Flanders and Brabant was signed at The Hague by Orrery, Marlborough, and members of the States General, Orrery departed for Brussels.⁶⁰ He arrived on 23 March to the salutes of a 'triple discharge of cannon' and the compliments and professions of cooperation and goodwill from Council members and Flemish

⁵⁷OPH, MS Eng. 218.1, i, 5-6, The Hague, 13 March 1711; *ibid.*, ff. 7-8, 17 March 1711.

⁵⁸Frederick I of Prussia chose the crisis over the Imperial and Palatine contracts as the opportunity to press his tenuous claim to the Orange-Nassau territories which had belonged to William III and bequeathed to the Prince of Orange. The combined Imperial, Palatine, and Prussian forces represented close to a third of Marlborough's Army; *LDM*, v, 283-84. Marlborough to St. John, 27 March 1711; 'St. John-Orrery Letters, 1709-1711', pp. 153-56; Klopp, xiv, 147-49; Churchill, iv, 830-31.

⁵⁹OPH, MS Eng. 218.1, i, 7-8, The Hague, 17 March 1711, N.S.; PRO, SP 77/60/47-48, Brussels, 26 March 1711, N.S.

⁶⁰PRO, SP 77/60/45-46. For an interesting contemporary description of Brussels and the surrounding region see: Abel Boyer, *A Description Historical and Geographical of Flanders, Principal Places on the Rhine, Savoy, and Catalonia, &c*, 2nd ed. (London: D. Browne and G. Strahan, 1702), pp. 4-6, 30-32.

dignitaries.⁶¹ Initial conferences with the Council only reinforced his previous assessment as to the predicament of the states it represented, and Orrery repeatedly and vigorously expounded his anti-Dutch views in letters to London that received St. John's qualified assent. Both men strongly resented Dutch opposition to the augmentation of the brandy and salt duties, and expressed disquiet over the resulting potential dangers to the war effort. St. John, however, qualified his support. Conceding that the people of the States had endured privations which had 'soured their minds', he instructed Orrery to proceed 'by degrees in some measure to redress the hardships'.⁶² St. John stopped short of countenancing the interests of the Low Countries as paramount to Her Majesty's; his responses to Orrery were clear and explicit on this point. In part, the Tory administration owed its very existence to prior pledges to end the war and thus curb the burgeoning national debt. With multi-faceted opposition making inroads in the Commons, and public credit and confidence extremely uneasy following the abortive attempt on the Lord Treasurer by a suspected French spy,⁶³ incurring additional war expenses was hardly prudent. Consequently, St. John urged that despite their mutual empathy for the States' plight, Orrery:

must not be wanting to speak in very strong and urgent terms to the States of the Spanish Low-Countrys and lay before them how ill a return they are going to make by this obstinate proceeding to the Queen, who has entered with so much necessary compassion into all their sufferings and has thought fit to make it a particular article of her instructions to your Lordship, that you should contribute all you can to ease their people and settle a regulation of government that has been hitherto observ'd amongst them.⁶⁴

Orrery received, or at least was persuaded he was receiving, cooperation in the procurement of a speedy conclusion to the contracts controversy from an unlikely source. After Orrery departed for Brussels Marlborough had remained behind at The Hague. Relations between the two men thereafter apparently underwent an amazing improvement. With a few exceptions, they corresponded frequently and with mutual respect throughout 1711.⁶⁵ Marlborough professed to share Orrery's sentiments about the Southern Netherlands'

⁶¹*Present State*, xxii, 115; *Dublin Gazette*, 27-31 March 1711.

⁶²'St. John-Orrery Letters, 1709-1711', p. 157. St. John to Marlborough, 20 March 1711; *ibid.*, p. 162, 30 March 1711.

⁶³For the attempt see H.T. Dickinson, 'The Attempt to Assassinate Robert Harley, 1711', *History Today*, xv (1965), 788-95.

⁶⁴'St. John-Orrery Letters, 1709-1711', p. 153, 20 March 1711.

⁶⁵Most of Orrery's letters to Marlborough from 1711 are found in BL, Add. MS 61154, with Orrery's unfoliated copies in OPH, MS Eng. 218.1, i. Copies of some, but not all, of the Duke's responses, are contained within BL, Add. MS 61392-93, and printed in *LDM*, v. There is also a useful series of 45 letters spanning 1703-14 from Marlborough to Orrery in OPH, MS Eng. 218.27.

oppressions, as well as his conviction that Dutch greed and obstinacy were at the core of the forage contract problem. He notified Orrery that he would exert his 'utmost endeavors to bring these people here [the Dutch] to a compliance.' At the same time, in an ostensibly altruistic gesture devoid of party affiliation, he offered to send Cadogan to lend 'assistance' to Orrery.⁶⁶ Marlborough reported having attempted to prevail upon Heinsius to apply his own influence among the States General in order to settle the contracts.⁶⁷ The circumstances behind Orrery's rapprochement with Marlborough are interesting to say the least. Since the former's diplomatic appointment had resulted largely due to his affinity with Oxford and the Secretary of State, Marlborough had little choice but to cooperate with his former antagonist in hopes that their relationship would at least resemble the partnership he had enjoyed with Cadogan in previous years. Moreover, Marlborough, weary from the stress of years of campaigns and domestic and international intrigues, must have derived some inspiration to work hand-in-hand with Orrery from an awareness of the absolute necessity of resolving the contracts deadlock and the disastrous military consequences should one prove elusive.

Not all of the conciliatory behaviour on either side can be attributed to a mutual sensibility of higher priorities nor to self-interest. Pressing as the bread and forage problem was, it does not fully explain the extent of the collaboration between Orrery and Marlborough, for this renewed spirit of harmony and mutual respect extended to other areas and responsibilities. Marlborough professed his desire for cooperation with Orrery wholeheartedly and informed St. John that he would pledge concurrence with Orrery and 'lend my hand where I should think it necessary'.⁶⁸ Such assurances must have contained at least vestiges of sincerity. Marlborough sought and obtained Orrery's assistance and influence with the Council of State in the procurement of commissions and pay arrears for officers and garrisons in Charles III's service.⁶⁹ He also shared secret letters from the States General with Orrery, despite the former's insistence that raising subsistence funds for the Imperial

⁶⁶*LDM*, v, 281-82; OPH, MS Eng. 218.27, ff. 13-17, 30 March 1711. Cadogan journeyed to Brussels en route to the front and remained for three days, but there is no evidence that he contacted Orrery.

⁶⁷*Ibid.*, ff. 39-41. Marlborough to Orrery, 10 April 1711; *LDM*, v, 308-09; BL, Add. MS 61393, ff. 2-3.

⁶⁸PRO, SP 87/6/73v. Marlborough to St. John, Tournai, 29 April 1711; *idem*, printed in *LDM*, v, 320.

⁶⁹*LDM*, v, 280-82, 299, 308-09, 323-24; OPH, MS Eng. 218.27, ff. 23-25, 39-41, 45-47, 69-71, 75-77; and OPH, MS Eng. 218.1, i, n.f. Orrery to Marlborough, 9 April 1711, N.S.

and Palatine troops was impossible unless the British and Dutch were willing to foot the bill.⁷⁰ Marlborough also displayed the appearance of concessions of authority to Orrery for decisions regulating the government of the Southern Netherlands,⁷¹ the administration of military justice in certain areas,⁷² and arrangements for winter quartering and frontier garrisons.⁷³

Despite deference that at times approaches sycophantism,⁷⁴ Marlborough's conciliation and frequent professions of gratitude were most likely suspected as mere expedience by Orrery and his superiors. Observers remarked that his Grace was 'demoralized' and possessed little hope of success for himself and his former adherents.⁷⁵ St. John confided to Orrery that Marlborough's friendly 'advances' were not surprising and only reflected 'how entirely he desires to engage in the present measures, and with the present ministers' to maintain a working relationship that was conducive for the Queen's service.⁷⁶ Furthermore, many of Marlborough's concessions were settlements of affairs that fell in Orrery's sphere anyway and in which the duke must have been frustrated that he could not dictate arbitrarily as he had during Cadogan's embassy; others were relegated to areas where the jurisdiction of authority was ambiguous and ill-defined. With these points in mind, it becomes much easier to understand renewed friction which later developed between the two statesmen.

As might be expected, Orrery's attitudes toward Marlborough underwent a less marked alteration. Orrery's superior political connections relieved him of the need to court the favour of someone with whom in terms of diplomatic authority, at least, he stood in relative equality. If cooperative and obliging when his duties required, Orrery's letters to Marlborough frequently exhibit a carping and insistent tone and he seems to have relished the deference shown him by his former commander. Orrery sided with Van den Bergh and against Marlborough in disputes among members of the influential Aremberg family,⁷⁷ and exhibited

⁷⁰OPH, MS Eng. 218.27, ff. 49-53. Marlborough to Orrery, The Hague, 18 April 1711; and *ibid.*, ff. 93-97, 12 May 1711; also see *LDM*, v, 339-30.

⁷¹*LDM*, v, 320; *cf.* OPH, MS Eng. 218.27, ff. 23-25, 3 April 1711.

⁷²BL, Add. MS 61154, ff. 134-35. Orrery to Marlborough, 18 April, 1711; *idem*, BL, Add. MS 61191, f. 66, 17 April 1711; and *LDM*, v, 287, 313-15; but *cf.* below, pp. 189-90.

⁷³*LDM*, v, 316. Marlborough to the States of Brabant, 18 April 1711; OPH, MS Eng. 218.27, ff. 23-25. Marlborough to Orrery, 3 April 1711; BL, Add. MS 61154, ff. 134-35.

⁷⁴Marlborough occasionally went as far as to invite Orrery to The Hague for dinner and conversation: OPH, MS Eng. 218.27, ff. 67-69, 25 April 1711.

⁷⁵HMC, *Portland*, iv, 663. Drummond to Harley, Amsterdam, 28 Feb. 1711.

⁷⁶*Bol. Corr.*, i, 121. St. John to Orrery, 20 March 1711.

⁷⁷St. John fully supported Orrery's actions regarding Aremberg's marriage to the daughter

strong opposition (echoed by St. John) to Marlborough's proposal that Britain and the States General advance 200,000 guilders to the Council for the Imperial and Palatine troops' forage.⁷⁸ Moreover, Marlborough became increasingly convinced that Orrery's pro-Council posture was symptomatic of his having fallen under the domination of prominent Councillor Conrad Albert Charles, 1st Duc d'Ursell, whom Marlborough maintained 'occasions all the disorders at Bruxelles.'⁷⁹ In summation, Orrery's behaviour was extremely inconsistent and generally less than amiable. Overall he was less arrogant and less blatantly disrespectful than during the 1710 campaign but at the same time often very nearly servile; at other times he was dishonest and insufferably pompous. Orrery's interaction with Marlborough seems to have stemmed more from his elevated public rank and his commitment to serving the Queen than from any sincere changes in his attitude.

In addition to numerous military and diplomatic responsibilities in his new capacity, Orrery came to display an enthusiasm for gathering information through espionage. In the process he came into what were probably his earliest contacts with the Jacobites. Townshend had employed several spies who provided information about the Jacobites' and his agents' work ultimately led to the arrest of a suspected messenger named Seaton.⁸⁰ Orrery continued and extended these clandestine endeavours, employing his own spies in Paris and St. Germain.⁸¹ He ordered all letters to and from the Pretender's court to be confiscated and supplied Whitehall with numerous reports of a purported Jacobite invasion and the assembly of a fleet at Brest, which ultimately, however, proved only a ruse.⁸² Orrery also supplied information concerning the Jacobite Lord Drummond, who resided in Bruges.⁸³ In response to the threatened

of a Neapolitan duke and blamed Cadogan for meddling in the affair: see PRO, SP 77/60/64-65; BL, Add. MS 37209, ff. 1-2. 'Private', St. John to Orrery, 30 March 1711; a copy in PRO SP 104/12/46; *idem*, printed in 'St. John-Orrery Letters, 1709-1711', p. 163; and *cf.* OPH, MS Eng. 218.1, i, 13-15, 2 April 1711, N.S.

⁷⁸*LDM*, v, 291. Marlborough to St. John, 31 March 1711, N.S.; 'St. John-Orrery Letters, 1709-1711', p. 161, 27 March 1711.

⁷⁹*Marl.-Heinsius Corr.*, p. 542. Marlborough to Heinsius, Le Warde, 4 May 1711, N.S.; *idem*, quoted by Coombs, p. 202.

⁸⁰'St. John-Orrery Letters, 1709-1711', p. 154.

⁸¹*Bol. Corr.*, i, 346; PRO, SP 77/60/101-102. Orrery to St. John, 30 April 1711, N.S.; *idem*, OPH, MS Eng. 218.1, i, 30-32. Strafford was also vigorous in his anti-Jacobite activities: BL, Add. MS 70027, f. 180.

⁸²PRO, SP 77/60/81-82, 101-02, 105-06, 143-44, and 153-54; *idem*, OPH, MS Eng. 218.1, i, 22-24, 30-32, 42-45, 49; and 'St. John-Orrery Letters, 1709-1711', pp. 172-73, 22 May 1711.

⁸³PRO, SP 77/60/70-71. Orrery to St. John, 9 April 1711, N.S.; and the same in OPH, MS Eng. 218.1, i, 18-19.

invasion the combined remonstrations of Wishart and Orrery's newly-installed colleague at The Hague, the querulous Raby, procured only vague assurances of the States General's compliance with naval quotas. St. John reacted with a bitterness Orrery shared, sarcastically pointing out that the entire incident had underscored the lack of Dutch commitment to Britain and demonstrated 'what excellent guarantees of our succession the Dutch are likely to prove; and how fine a bargain those people made who sacrificed the liberty of the Spanish Netherlands, and that part of the trade of Britain, to the States'.⁸⁴

During Orrery's first few months in Brussels other momentous events transpired which affected his position in varying degrees. Harley's stabbing by a suspected French spy and subsequent prolonged recovery enabled St. John temporarily to assume virtual control of affairs and push through his secret expedition to Quebec, which Harley had opposed, and which met with disastrous results.⁸⁵ The Prussian monarch's designs upon the inheritance of the House of Orange prompted him to forbid the march of his forces, removing around 20,000 of the Allies' best-disciplined troops.⁸⁶ Coincident with this perilous development came news of the illness of the Habsburg Emperor, Joseph I. Marlborough cautioned Orrery that he should remain quiet about the Emperor's condition when in the presence of Councillors and let them broach the subject.⁸⁷ Yet silence could not forestall the effects of smallpox, and the Emperor's demise on 17 April immediately transformed the diplomatic circumstances in Europe.⁸⁸ It has often been argued that it instantly negated Allied war aims and upset the balance of power.⁸⁹ His heir, now rendered Emperor Charles VI, barely retained a portion of Spain and allied military failures in that theatre had been as stunning as Marlborough's successes in

⁸⁴*Bol. Corr.*, i, 242-47, 12 June 1711; *idem*, cited in Coombs, p. 243.

⁸⁵The scheme led to the detachment of six of Marlborough's veteran regiments. Out of either genuine ignorance or the need for secrecy, Orrery's letters imply he believed the expedition was headed for the West Indies; see 'St. John-Orrery Letters, 1709-1711', p. 161, 27 March 1711; and *cf.* SRO, GD 24/5/72.

⁸⁶*LDM*, v, 284-92; OPH, MS Eng. 218.27, ff. 12-13; and above, p. 155, n. 58.

⁸⁷*Ibid.*, ff. 61-63, *idem*, 21 April 1711, N.S.

⁸⁸*LDM*, v, 323-24. Marlborough to Orrery, 30 April 1711, N.S.; and *idem*, in OPH, MS Eng. 218.27, ff. 69-71.

⁸⁹For the effects of the Emperor's death on British war strategy and peace negotiations see J.B. Hattendorff, *A Study of the English View and Conduct of Grand Strategy, 1702-1712* (New York: Garland, 1987), pp. 238-46; and *idem*, 'England in the War of Spanish Succession: A Study of the English View and Conduct of Grand Strategy, 1701-1712' (unpublished D.Phil, Oxford University, 1979), pp. 350-55; and the most recent exhaustive account of the Utrecht negotiations in English remains A.D. MacLachlan's 'The Great Peace: Negotiations for the Treaty of Utrecht, 1710-1713', (unpublished Ph.D., Cambridge University, 1965), pp. 22-26.

Flanders. Moreover, without a navy, after Charles VI's succession as the elected Imperial candidate his 'control' of the Mediterranean and Spanish Indies would be totally dependent upon Britain. Upon receipt of the news of Joseph I's death Whitehall evidenced this reasoning forthwith by issuing assurances of continued support to the Imperial resident.⁹⁰ In Vienna, Eugene was dispatched to the Upper Rhine and assumed command of the Empire in the new emperor's absence,⁹¹ delaying the arrival of Marlborough's trusted colleague in Flanders. The more significant effects of Joseph I's death were somewhat delayed and less tangible.⁹² Alienated from the inner workings of the minds of his Tory superiors in London, Marlborough's plans for the coming campaign were clouded by uncertainty.⁹³ In France, Louis XIV was supplied with a near infallible argument against the Allies' desire for continuing hostilities and his army enjoyed renewed confidence that they could outlast another offensive and Marlborough's waning fortunes.

Orrery voiced his own solicitude and misgivings about the effects the Emperor's death might have upon the situation in Flanders.⁹⁴ The dilemma over the Imperial and Palatine contracts remained the subject of protracted debate and confusion and, essentially, the Emperor's death simply aggravated prospects for a settlement of this increasingly vexing problem. While the proportion of increase in the 'Quatre Espèces' duties was debated by the Council of State, the undertakers agreed to supply bread and forage to the Imperial and Palatine troops, provided they received Dutch guarantees that the Council would consent at least to the increased duties on salt.⁹⁵ Shortly thereafter, Orrery and his superiors at Whitehall became extremely displeased to learn of a new Dutch proposal. The States General boldly suggested that large sums of arrears due to the Flanders garrisons could be raised by a ten year extension of a mortgage (held by the Dutch) on the Low Countries' postal revenues.

⁹⁰Count Gallas's dispatch to Vienna, dated 8 May, is printed in Klopp, xiv, 92; and cited in Churchill, iv, 802-03. For French recognition of Allied indifference towards the Austrians after Joseph I's death see *Memoirs of Torcy*, pt. ii, 133-34.

⁹¹See his letter to Marlborough in Coxe, *Marlborough*, iii, 199-200; and in Churchill, iv, 801, dated 23 April 1711, N.S.; and OPH, MS Eng. 218.27, ff. 69-71. Marlborough to Orrery, 30 April 1711.

⁹²For a contemporary perspective see the discussion in *Present State*, xxii, 334-50.

⁹³See his letter to Heinsius, 29 April 1711, N.S., cited in Churchill, iv, 802.

⁹⁴OPH, MS Eng. 218.1, i, n.f. Orrery to Marlborough, 2 May 1711, N.S.; PRO, SP 77/60/101-02. Orrery to St. John, 30 April 1711, N.S.

⁹⁵*Ibid.*, ff. 13-15. Orrery to St. John, 2 April 1711, N.S.; PRO, SP 104/12/47-48v. St. John to Orrery, 6 April 1711, N.S.

The money would then be administered as a loan to Charles VI for payment of troops in his service and, based on precedent, the British Government was to guarantee the loan.⁹⁶

This proposal further convinced Orrery of the validity of his convictions that the Dutch were attempting to dominate and manipulate the Southern Netherlands. In nearly every dispatch which followed he elaborated on the 'miserable condition'; the 'arbitrary and cruel treatment'; and the severity of Dutch oppression afflicting a country 'so loaded with taxes and charges of all kinds' that it suffered from 'inexpressible' calamities. Because its government was constantly treated 'despotically by the Dutch', Orrery became increasingly skeptical as to whether its residents could comply with their obligations.⁹⁷ St. John echoed Orrery's anti-Dutch sentiments concerning the proposed postal revenues mortgage scheme, reflecting that it was 'pretty shocking' to consider in light of the States General's refusal to meet their naval quotas 'under the pretence of disability'. Accordingly, St. John and the Queen were in complete accord with Orrery and his 'backwardness' in the matter was not only condoned, but encouraged. Cautioning Orrery to disregard reasons the Dutch might proffer to justify the proposal, Orrery was to act as 'screen' to the residents of the Southern Netherlands 'against all tyranny and oppression, from whatever quarter it may come. We are not ignorant here of the views which the Dutch have in respect to those provinces, and how by barrier, by mortgage, or by enclosure they contrive to reduce them absolutely to their obedience.'⁹⁸

Despite St. John's backing, Orrery's support of the Council of State provoked hostility from Marlborough and the States General. Nevertheless, St. John made little effort to conceal his attitudes and expressed similar thoughts to the pro-Dutch Drummond. He disputed Drummond's evaluation of Orrery's diplomacy as 'so much in the wrong.' Rather, he proclaimed confidence in Orrery's ability, on the one hand, to preclude further British financial burdens and to act as 'an advocate and a protector when any unreasonable proposition is by other people [the Dutch] pressed upon' the region's citizens. Believing previous Allied ministers there were responsible for the 'vile proceedings' characteristic of its administration, St. John consequently viewed Orrery's objective was to rectify these wrongs

⁹⁶PRO, SP 77/60/70-71. Orrery to St. John, 9 April 1711, N.S.; PRO, SP 104/12/47, Whitehall, 6 April 1711; *idem*, 'St. John-Orrery Letters, 1709-1711', p. 164; BL, Add. MS 61154, 129-30.

⁹⁷E.g., 'St. John-Orrery Letters, 1709-1711', p. 164, 6 April 1711; OPH, MS Eng. 218.1, i, 30-32. Orrery to St. John, 30 April 1711, N.S.

⁹⁸PRO, SP 104/12/47-48. St. John to Orrery, Whitehall, 6 April 1711; *idem*, printed in 'St. John-Orrery Letters, 1709-1711', p. 164.

so far as was reconcilable with the war effort and the preservation of the alliance.⁹⁹ Before Orrery's embassy was concluded it would become apparent that a line of demarcation would have to be drawn in order to balance these objectives.

III

Instructions casting Orrery as a 'screen' and 'patron' to the people of the Southern Netherlands were in perfect accordance with the posture he had already deemed it essential to assume.¹⁰⁰ Nevertheless, he strove to avoid an outright breach with the Dutch and gingerly pressed for moderation toward the Flemish and the Brabanters, the latter of whom were particularly ingratiated because of Orrery's appreciation of their hardships.¹⁰¹ This difficult balancing act was attempted in a variety of ways. Orrery's bid to influence Dutch policy by using Marlborough as a medium of communication with Heinsius has been noted above.¹⁰² Following Marlborough's departure from The Hague after the launching of the campaign and the subsequent arrival of Raby,¹⁰³ Orrery was determined to continue his efforts to prevail upon Heinsius. Through Raby, Orrery strove to persuade the States General to lessen the burden on the States represented on the Council. He also wrote directly to Heinsius himself, explaining that the negative perceptions of the Dutch held by the people in Brussels were generated by their not unfounded conviction that ministers at The Hague were conspiring to subjugate their southern neighbours and usurp commercial and political liberties. Emphasising the country's desperation, Orrery urged acceptance of a portion of the 'Quatre Espèces' duties and suggested the States General display a measure of 'tenderness' towards the Council. This, he believed, was imperative, since the interests of the people of the Southern Netherlands 'especially in point of commerce' were 'inseparable' from Britain.¹⁰⁴

⁹⁹BL, Stowe MS 241, ff. 143-44. St. John to Drummond, 27 April 1711; *idem*, printed in *Bol. Corr.*, i, 168-69.

¹⁰⁰PRO, SP 104/12/51-52, Whitehall, 20 April 1711; and printed in 'St. John-Orrery Letters, 1709-1711', p. 167. Orrery did not neglect to remind Marlborough of his instructions to act as a 'screen' either; *cf.* OPH, MS Eng. 218.1, i, n.f., 8 May 1711, N.S.

¹⁰¹OPH, MS Eng. 218.1, i, 29-30. Orrery to St. John, 27 April 1711.

¹⁰²Above, pp. 156-57; *cf.* BL, Add. MS 37209, ff. 30-31. Raby to Orrery, The Hague, 18 May 1711, N.S.

¹⁰³Raby assumed his post in the latter part of April 1711; *Wentworth Papers*, pp. 194-97.

¹⁰⁴PRO, SP 77/60/113-14; *idem*, the original printed in *Heinsius*, xi, 775. Orrery to

Orrery disappointingly described Heinsius's answers as non-committal and 'pretty general' in content. Cautious and ever courteous, Heinsius usually responded to Orrery's requests with a professed interest and promises to call meetings of Dutch officials.¹⁰⁵ Essentially, Heinsius levied blame for the confused state of affairs in the region upon the absence of well-organised government and suggested that Orrery propose a remedial plan and submit it to London and The Hague for consideration.¹⁰⁶ Orrery viewed his response as hypocritical, as along with the Flemish and the Brabanters, he thought the Dutch should be more cooperative since they were 'the cause of the Disease.'¹⁰⁷ After perusing a copy of one of Orrery's letters to Heinsius, St. John remarked that at least it exonerated British culpability and demonstrated London's concern for the region's plight.¹⁰⁸ Heinsius later appeared more apologetic, professing his wish that he could consent to Orrery's proposals and relaying a hollow and oft-repeated concession that his Deputies in Brussels were sometimes unmanageable and in need of admonishment and promising to instruct Van den Bergh to be more conciliatory.¹⁰⁹ Regardless, the sincerity of Heinsius's comments is highly suspect.

Despite Orrery's exertions, protracted dissension over the funding of the forage contracts continued, each development often translating into a new complication in the Flemish diplomatic situation. Orrery believed the main reason the Council and the States General were unable to break the impasse over the contracts' funding concerned authority. A crippling dearth of authority in the Council and among Dutch Deputies in Brussels forestalled swift decisive action. Resolutions and proposals had to be referred to The Hague and London, debated, and channelled back to Brussels. Judging from his instructions and his correspondence with St. John, Orrery appears to have been granted more power of discretion than his Dutch counterparts, and the genuine extent of Van den Bergh's authority was at times

Heinsius, 30 April 1711. There is a copy in OPH, MS 218.1, ii, n.f. See also PRO, SP 77/60/101-02. Orrery to St. John, 30 April 1711, N.S.; and the copy in OPH, MS Eng. 218.1, i, 30-32.

¹⁰⁵BL, Add. MS 61154, ff. 129-30. Orrery to Marlborough, 9 April 1711; *LDM*, v, 308-09. Marlborough to Orrery, The Hague, 10 April 1711.

¹⁰⁶*Heinsius*, xii, 72. Heinsius to Orrery, 19 May 1711; BL, Add. MS 37209, ff. 22-23. Heinsius to Orrery, 5 May 1711; *idem*, printed in *Heinsius*, xii, 16.

¹⁰⁷OPH, MS Eng. 218.1, i, 32-35, 7 May 1711, N.S.; PRO, SP 77/60/111-12; *Heinsius*, xii, 53-54. (French) Orrery to Heinsius, 14 May 1711, N.S.

¹⁰⁸PRO, SP 104/12/54. St. John to Orrery, Whitehall, 8 May 1711; *idem*, printed in 'St. John-Orrery Letters, 1709-1711', p. 171.

¹⁰⁹BL, Add. MS 22205, f. 149; BL, Add. MS 37209, ff. 30-34. Raby to Orrery, The Hague, 18 May 1711.

ambiguous. A resolution on the 'Quatre Espèces' might have been hastened, Orrery argued, if the States General had enabled their Deputies freedom of action and decision; a latitude some of the Council members would even welcome.¹¹⁰ He later insisted that a 'want of power' in the enforcement of an augmentation of customs duties seemed 'one of the many Defects in the present Government here' and one which Whitehall and The Hague would do well to 'remedy'.¹¹¹

Prospects for discovering such a 'remedy' diminished in the face of more unpopular Dutch proposals in the coming weeks. Deliberations of the 'Quatre Espèces' augmentations extended throughout April, while in Brussels, Orrery contended with 'intrigue and bitter underhand' in his negotiations with the Council and found himself forced to endure countless 'final resolutions' from the States General.¹¹² When orders were finally issued to raise the duties, Orrery bitterly commented that the augmentations would prove only a stopgap measure, for arrears had now accumulated to such levels that the new revenues would at best provide subsistence only for the Imperial troops, and only until June.¹¹³ Before the 'Quatre Espèces' settlement and in the midst of the postal revenues mortgage deliberations, there arrived yet another Dutch plan for raising revenues which consisted of plans for increased claims on the 'comptoirs' of Bruges, Ghent, and Ostend.¹¹⁴ As these revenues were already engaged to the Dutch for a decade, the new proposal merely stipulated an extension of eight additional years. Orrery vigorously opposed the measure, calling it an 'unjust and ill tim'd project' and justified his opposition with his usual protestations of the burdens and financial oppression already suffered by Brabant and Flanders.¹¹⁵ After weeks of fruitless diplomatic wrangling Orrery reluctantly suggested an alternative; in lieu of the mortgage Britain and the United Provinces should share part of the cost of the Imperial troops' maintenance in order to buy time for a long range settlement. Orrery believed £15,000 would be sufficient to meet this obligation as well as buy 'the hearts of the people'.¹¹⁶ Heinsius remained

¹¹⁰PRO, SP 77/60/75-76. Orrery to St. John, 13 April 1711.

¹¹¹OPH, MS Eng. 218.1, i, 41-42. Orrery to St. John, 25 May 1711.

¹¹²BL, Add. MS 61191, ff. 79-80; PRO, SP 77/60/101-02; *idem*, OPH, MS Eng. 218.1, i, 30-32, 30 April 1711.

¹¹³BL, Add. MS 61191, f. 131b; PRO, SP 77/60/110-12. Orrery to St. John, 7 May 1711; *idem*, OPH, MS Eng. 218.1, i, 32-35.

¹¹⁴Geyl, ii, 330-31; and above, p. 146, n. 13.

¹¹⁵BL, Add. MS 61154, f. 141. (autograph) Orrery to Marlborough, Brussels, 25 April 1711.

¹¹⁶PRO, SP 77/60/89-90. Orrery to St. John, 23 April 1711; *idem*, in OPH, MS Eng. 218.1, i, 26-28; and *ibid.*, ff. 35-37, 11 May 1711.

incredulous, however, and responded by dispatching Field Deputy Sicco van Goslinga to Brussels to help settle the contracts dispute.¹¹⁷

The most recent of Marlborough's adversaries among the Dutch Field Deputies,¹¹⁸ Goslinga spent only a few days working with Orrery on the contracts dispute before continuing on to the front. His journey is important, however, because his comments are valuable in assessing Dutch opinions of Orrery and the latter's effectiveness in Brussels. Goslinga rather bombastically portrayed himself as peacemaker between Orrery and Van den Bergh, sent 'rétablir la confiance' between the pair.¹¹⁹ Regardless of his limited success on this front, if nothing else Goslinga soon began to dispel negative impressions of Orrery sent to The Hague by Van den Bergh. In his first dispatch to Heinsius after arriving in Brussels, Goslinga was moved to remark after a private conference with Orrery that:

Je vous avoue que je l'ai trouvé tout autre qu'on me l'avoit dépeint. Il est doux, poli, a de l'esprit et du jugement, parle peu et se possède bien. Je lui ai trouvé sur le sujet de ma commission des sentiments entièrement conformes à ceux de l'Etat, aussi n'en a-il pas fait le petite bouche et s'en est appliqué dans la conférence à un des plus capables et des plus accrédités comme il faut. Au reste, il ne me paroît pas si fort prévenu contre nous, comme l'on me l'a voulu faire accroire, du moins a-il-fait à moi des protestations toutes contraires.¹²⁰

He was also happy to report that Orrery, despite his friction and disagreements with the Dutch Deputy in Brussels, 'regarde l'union des deux nations comme le plus solide fondement de leur salut'. Goslinga urged that Heinsius pressure Van den Bergh into conciliation with Orrery because of 'la nécessité indispensable de menager l'esprit du ministre Anglois', whom he perceived as 'doux, raisonnable et poly' and who found the Dutch Deputies' 'manières hautaines', rudeness, and threats to the Council not only repugnant but counterproductive.¹²¹ To what extent their mutual aversion toward Marlborough facilitated the friendship enjoyed between Orrery and Goslinga remains unclear. The arrogant Friesland Deputy also betrayed considerable enmity toward his 'jealous' Dutch colleague.¹²² There is sufficient evidence to

¹¹⁷*Marl.-Heinsius Corr.*, pp. 543-44. Heinsius to Marlborough, The Hague, 11 May 1711, N.S.; PRO, SP 77/60/121-22. Orrery to St. John, 14 May 1711, N.S.

¹¹⁸For a biased assessment of his character and military abilities see Churchill, iv, 83-84, 384-85.

¹¹⁹Sicco van Goslinga, *Memoires Relatifs à Guerre de Succession de 1706-1709 et 1711 de Sicco van Goslinga* (Leeuwarden: G.T.N. Suringar, 1857), pp. 111-13.

¹²⁰For his initial opinion of Orrery see *Heinsius*, xii, 47. Goslinga to Heinsius, 13 May 1711; and the Pensionary's response in *ibid.*, 68.

¹²¹*Heinsius*, xi, 47. Goslinga's opinion of Orrery remained extremely positive. In his *Mémoires*, p. 111, he still remembered him as one: 'qui s'attiroit l'approbation de tous les gen de qualité par se douceur--et par ses manières polies et obligeantes.'

¹²²He recorded with a certain satisfaction how the unpopular Van den Bergh's carriage was

establish that other statesmen and observers shared positive opinions of Orrery and his abilities. Furthermore, Goslinga's comments on Orrery's strained relations with Van den Bergh are also corroborated by other sources.¹²³ After Goslinga departed from Brussels, he continued to relay reports to The Hague which Raby described as 'full of encomiums' of Orrery.¹²⁴

Along with friction with Van den Bergh, during this stage of Orrery's embassy his own policy towards the Council of State as well as the Dutch began to undergo subtle changes. Ultimately proving significant, these shifts did not originate from any single source or result from any single event but, instead, evolved as a reaction to his own experiences and partly as a natural reaction to his predicament in Brussels. His dispatches displayed mounting doubt and pessimism surrounding any prospect for attaining the States General and the Council's cooperation in maintaining the foreign garrisons. As an equitable solution became more unlikely Orrery perceived his duties as increasingly troublesome and was compelled to admit the presence of corruption, dishonesty, and an intentional 'backwardness' in some of the Councillors.¹²⁵ Although still dubious of the legitimacy of Dutch claims that the Imperial and Palatine troops could be maintained solely by the provinces, Orrery remained aware of his superiors' desire to prevent the garrisons' maintenance from being laid at Her Majesty's doorstep. Orrery reflected that the whole tangled dilemma was 'of inconceivable difficulty; it breaks down my rest and perplexes me beyond imagination.'¹²⁶ Cynical about the outcome, Orrery resolved to continue to 'make the best of so bad an affair.'¹²⁷

Forces instrumental in lessening Orrery's contempt for the Dutch emanated from less likely sources as well. A recuperated Harley, now Earl of Oxford and Lord Treasurer, was anxious to preserve the States General's goodwill as much for the most obvious reason--the war effort--as for the more obscured purpose of postponing an Anglo-Dutch rift until preliminary peace negotiations with France were on a solid footing. Drummond and Marlborough's aide Henry Watkins,¹²⁸ furnished Oxford with reports of Orrery's apparently

assailed by a stone-throwing mob on a Brussels street: Goslinga, *Mémoires*, p. 111.

¹²³See below, pp. 170-71.

¹²⁴BL, Add. MS 37209, ff. 34-35. Strafford to Orrery, The Hague, 21 May 1711, N.S.

¹²⁵PRO, SP 104/12/59-60. St. John to Orrery, Whitehall, 26 June 1711; *idem*, printed in 'St. John-Orrery Letters, 1709-1711', p. 175.

¹²⁶BL, Add. MS 70027, f. 150. Orrery to Harley, 18 May 1711, N.S.; *idem*, partially printed in HMC, *Portland*, iv, 685.

¹²⁷PRO, SP 77/60/85-86; *idem*, copy in OPH, MS Eng. 218.1, i, 26-28.

¹²⁸A staunch Whig, Watkins, Secretary to the British Embassy at The Hague, was a veteran

unbridled espousal of the Council of State's grievances and how Orrery seemed 'to lay down for his fundamental maxim that he is to oppose every thing' that the Dutch Deputies proposed.¹²⁹ Oxford's tepid displeasure was resoundingly echoed by modifications in St. John's opinions. Beset by domestic political difficulties, St. John found his ambitious designs somewhat hindered by the Oxford ennoblement and his appointment to the supreme Treasury post. It was now essential for St. John to avoid risking further diminished prestige or favour at St. James by failing to direct envoys like Orrery to steer a moderate, less offensive course. In contrast to St. John's aforementioned response to the proposal for Britain's guarantee of the Dutch loan on the postal revenues, the beginnings of his retraction of support for Orrery's wholesale endorsement of the Council of State can be clearly distinguished by scrutiny of his reply upon learning of the 'comptoirs' mortgage scheme. Notwithstanding the difficulty of Orrery's position and the 'grievances and disorders' in Flanders, St. John now exhibited caution and hesitation, warning Orrery to 'take care that the common cause don't suffer by your indulgence' to the people of the Southern Netherlands. Moreover, St. John failed:

to comprehend how it comes to be a hardship that the Imperial and Palatine troops are put to their charge...And though it be prejudicial to any country to have their revenues mortgaged for a considerable time, yet when they complain of a mortgage of 18 years, your Lordship, I am sure, will not fail to put them in mind that we in Brittain (sic) have mortgages of 32 and 99 years on several branches of our revenue.¹³⁰

Other letters revealed a similar, more didactic tone. Although Orrery received repeated assurances of the Queen's confidence and support, St. John confessed that circumstances might dictate a need for him to 'at last submit to the measures of the Dutch, even where you are convinced that they are in the wrong.'¹³¹

Orrery was also persuaded to appear more acquiescent towards the Dutch by none other

on Marlborough's staff and served as a deputy judge advocate. Early in 1711 he refused to serve under the arrogant Lord Strafford and instead accompanied Marlborough into the field. Some useful letters addressed to him are found in BL, Add. MS 22201, and printed in Linda and Marsha Frey, and John C. Rule, eds., *Observations from the Hague and Utrecht: William Harrison's Letters to Henry Watkins, 1711-1712* (Columbus: Ohio State University Libraries Publications Committee, 1979).

¹²⁹BL, Add. MS 70027, f. 158v; *idem*, partly printed in HMC, *Portland*, iv, 688. Watkins to [Drummond?], Camp at Warde, 25 May 1711, N.S.

¹³⁰PRO, SP 104/12/54, 8 May 1711; printed in 'St. John-Orrery Letters, 1709-1711', p. 171.

¹³¹*Bol. Corr.*, i, 180-83. St. John to Orrery, 1 May 1711; OPH, MS Eng. 218.1, i, 28-30, 27 April 1711, N.S.

than the notoriously-contentious Lord Raby.¹³² Soon after Raby's arrival at The Hague in April, Orrery learned that he had engaged in several long conversations with Heinsius about affairs in Flanders and had cast himself in the unlikely role of mediator between the Grand Pensionary and Ursell, probably the most influential member of the Council, who had journeyed to The Hague to press his people's interests with the States General and Prince Eugene.¹³³ Ursell held a lieutenant general's commission and salary,¹³⁴ and had earlier been strongly recommended for the colonelcy of a regiment in Flanders by the Council of State.¹³⁵ Orrery admitted the existence of rumours of Ursell's 'inclination to an Interest at this time opposite to that of the Allies', which, if true, were certainly significant. Yet he disregarded the allegations and advocated Ursell's preferment, arguing that granting the regiment would be an effective means to win his support on the Council.¹³⁶ Although 'well disposed' as to Orrery's assessment of the urgency of the situation in Brussels, Raby reported that the Pensionary claimed inexperience in military affairs and Ursell's previous predilection for factious behaviour as excuses for the States General's inflexibility in regard to their southern neighbors as well as for his own personal opposition to the commission. These conditions led Heinsius to wish Orrery 'could propose some other expedient to convince Ursell and make him act heartily in the interest of King Charles.'¹³⁷ Heinsius's response was an adroit gesture whereby Orrery might be nudged toward added moderation in his dealings with the States General and Ursell's disruptive influences, of which Marlborough had long complained, might be countered.¹³⁸ While Raby claimed to have received Ursell's assurances that he would henceforth act in a more accommodating manner and help 'heal and settle matters instead of troubling them', he did far more than simply secure Ursell's promises. Raby's discussions with Heinsius underscored differing opinions regarding the Dutch Deputies's effectiveness. The Pensionary repeated his confession that the States General was sometimes displeased with the conduct of their unruly officials in Brussels, 'which they [the

¹³²For his evolving attitudes and role in changing Orrery's mind see Coombs, pp. 244-45.

¹³³*Marl.-Heinsius Corr.*, p. 542. Marlborough to Heinsius, 4 May 1711, N.S.

¹³⁴BL, Add. MS 37209, f. 314; Veenendaal, *Het Engels-Nederland Condominium*, i, 281.

¹³⁵*Heinsius*, xi, 695. He offered to supply Orrery with recommendations from troops; BL, Add. MS 37209, ff. 26-27. Ursell to Orrery, 12 May 1711; also, *idem*, ff. 36-37, 22 May 1711.

¹³⁶BL, Add. MS 61154, ff. 127-28. (autograph) Orrery to Marlborough, Brussels, 6 April 1711.

¹³⁷BL, Add. MS 37209, ff. 30-31. Raby to Orrery, The Hague, 18 May 1711.

¹³⁸*Marl.-Heinsius Corr.*, p. 544.

States General] can't always govern.' Heinsius seconded Raby's disapproval of the stubborn Van den Bergh with censure and claims that he had made 'himself obnoxious' and 'not beloved'. In fact, Raby expressed surprise the Deputy had not been recalled. Heinsius cited constitutional provisions as factors which had forestalled his dismissal, but reportedly again resolved to write to Van den Bergh so that Orrery would find him 'ready to gain your confidence'.¹³⁹

Heinsius may well have simply been playing diplomatic charades here and made such comments to conciliate Raby. The Pensionary's real opinion of Van den Bergh, who held his post long after Orrery's recall to London in 1713, is less clear, and other British observers, even some who were highly supportive of the Dutch in general, held mixed opinions about the Deputy.¹⁴⁰ The credibility of Heinsius's comments about his Deputies in Brussels suffers, too, when they are juxtaposed alongside the Pensionary's correspondence with them and taken in the context of Orrery's relationship with them. Since Orrery's interaction with his Dutch counterparts--both of whom, incidentally, were considerably older than him--was usually on a daily, personal basis, little direct correspondence which would shed light on their partnership has survived.¹⁴¹ It can be asserted that Orrery was definitely more intimate and in greater confidence with the pro-French Renswoude,¹⁴² who often clashed with Van den Bergh himself.¹⁴³ On the other hand Van den Bergh, by accounts an imperious, dour and rather paternalistic figure, regularly complained about Orrery's lenience toward the Council of State, accused him of ignorance of Flemish affairs and displayed an apparent jealousy over

¹³⁹BL, Add. MS 37209, ff. 30-31; *cf.* BL, Add. MS 22205, f. 177. Raby to St. John, 19 May 1711.

¹⁴⁰In May 1711 Watkins mused to Drummond: 'there is scarce any good or bad I have not heard of Vandenberg'; see BL, Add. MS 70027, f. 158v; *idem*, printed in HMC, *Portland*, iv, 688.

¹⁴¹Orrery's diplomatic papers lack any correspondence with Van den Bergh and suggest their relationship was not the most congenial. BL, Egerton MS 1858, is a volume of letters written to Van Den Bergh from 1695-1763, but it contains very few from the years 1711-1713. Many of his relevant letters up through 1712 are printed (in Dutch) in vols. x-xii of *Heinsius*, and succeeding volumes containing correspondence for 1713 are currently undergoing compilation. BL, Add. MS 70943, contains a few 1711 copy and draft letters from Marlborough to Van den Bergh.

¹⁴²Veenendaal, *Het Engels-Nederland Condominium*, i, 116; *idem*, cited in John J. Murray, ed., *An Honest Diplomat at The Hague: The Private Letters of Horatio Walpole, 1715-1716* (Bloomington: Indiana University Press, 1955), p. 125. Renswoude (1659-1738), was from the nobility of Utrecht, a fact which may partly explain why Orrery found him more congenial.

¹⁴³BL, Add. MS 37209, ff. 20-21. Renswoude to Orrery, The Hague, 5 May 1711; BL, Add. MS 70027, f. 184v; *Heinsius*, xi, 722, 733-34, 754; *idem*, xii, 68, and 72-73. Renswoude to Heinsius, 19 May 1711.

his close relationship with Renswoude and their 'impertinence'.¹⁴⁴ Although the dictates of Orrery's assignment often thrust him into the guise of arbitrator between the Deputies and the Council, he too made infrequent comments about his colleague's preoccupation with 'private affairs'.¹⁴⁵

Whatever Orrery's true feelings for Van den Bergh, they seem to have worked together reasonably well under the admittedly difficult circumstances, particularly in the latter stages of Orrery's embassy. On at least one occasion, Orrery reported that the Dutch Deputies were in perfect accord with him concerning the necessity for renewing the Imperial and Palatine forage contracts; their principal differences stemmed from the methods to be employed to supply the necessary funds.¹⁴⁶ Raby also helped Orrery realise something both he and St. John had come to appreciate with time: wholesale concessions and support for the Council in Brussels would only serve to cripple the Condominium and would be detrimental to Allied (and thus British) war aims. A serious rupture in Anglo-Dutch relations had to be avoided at all costs until Britain's Tory government had finalised its secret peace terms with the French.¹⁴⁷ Raby steered well clear of any intimations of this latter motivation but he did impress the former point upon Orrery. Raby also assured Heinsius that Orrery 'was sensible to which consequence it was to England to act in concert with this [sic] Hague' as well as for the Dutch to 'act in concert with the Queen.'¹⁴⁸

Clearly, then, pressure from superiors in London and colleagues at The Hague combined to prompt a transformation in Orrery's position towards the Council. But other factors may have been significant too. At the outset of his embassy Orrery may have assumed his Tory, anti-Dutch stance because he believed it was expected of him from the newly-installed, anti-war ministry in London. His sudden shift in opinion might also be linked to his relative diplomatic inexperience, which, coupled with 'zeal' for the cause, served initially to blind him partly to the situation's practical realities. Orrery's letters do, however, exhibit an apparently sincere and somewhat enlightened concern for the defence of economic, political,

¹⁴⁴*Heinsius*, xi, 754; *idem*, xii, 24. (Dutch), Van den Bergh to Heinsius, 7 May 1711.

¹⁴⁵PRO, SP 77/60/195-98. Orrery to St. John, 2 July 1711, N.S.; *idem*, OPH, MS Eng. 218.1, i, 59-62.

¹⁴⁶PRO, SP 77/60/121-22. Orrery to St. John, 14 May 1711, N.S.; *idem*, OPH, MS Eng. 218.1, i, 37-38.

¹⁴⁷Coombs, p. 245; and Dickinson's introduction to 'St. John-Orrery Letters, 1709-1711', p. 141.

¹⁴⁸BL, Add. MS 37209, f. 31.

and religious liberties in the region. Before he is judged too hastily for his diplomatic naïvete and his shifting views, the complexity of his position in Brussels needs to be considered, as well as the effects of dynastic and international affairs which often became intertwined with those of the Southern Netherlands and impacted upon local and regional affairs there.

Regardless of its many causes, Orrery's diplomatic volte-face mirrored St. John's own change of heart and first became apparent in May 1711. Despite an earlier pledge to 'make the best' of his predicament,¹⁴⁹ Orrery became increasingly pessimistic and all but gave up hope of funding for the Imperial and Palatine contracts by engaging the 'comptoirs'. Opposition to the proposal persisted from both the Council of State and its less influential counterpart, the Council of Finance, which claimed 'honour and conscience' prevented consent. Computations revealed further distressing news; funds in excess of 450,000 florins were required simply to meet prior obligations and sustain the Imperial troops until the end of May, and an additional 550,000 florins were necessary for the duration of the campaign.¹⁵⁰ Confronted with obstacles in devising ways to meet such overwhelming expenditures, Orrery now proposed resorting to unprecedented methods. If acquisition of the former sum was not resolved to his and the Dutch Deputies' satisfaction, he was of the opinion they should treat directly with customs receivers and 'oblige them to provide money' without the Council's intervention. Orrery thought this 'extraordinary step' was essential.¹⁵¹ A few days later, when the Councillors effectively refused to pay future subsistence for the Imperial troops another drastic alternative he saw was to raise money on the British Crown's authority. Orrery outlined his own plan for these proposals in a letter to The Hague.¹⁵²

Weeks passed without resolution of the contracts dispute, and Orrery's dispatches offered constant proof of his dwindling patience and his newfound criticisms. His troubling task was in attempting to 'keep peace' between the Council and the States General, both of whom were 'sometimes in the wrong.' If the latter was faulted for 'too great stiffness', then

¹⁴⁹PRO, SP 77/60/89-90. Orrery to St. John, 23 April 1711, N.S.

¹⁵⁰BL, Add. MS 61191, ff. 81-82. Orrery, Van den Bergh, and Renswoude to the Council of State, 22 May 1711; *Heinsius*, xii, 51; OPH, MS Eng. 218.1, i, 39-42. Orrery to St. John, 18 May and 25 May, 1711 respectively. Orrery later calculated that an Imperial regiment garrisoned in Brabant was costing the province 12,000 florins per day; *ibid.*, ff. 54-56, 25 June 1711, N.S.; and *idem*, in PRO, SP 77/60/179-80.

¹⁵¹PRO, SP 77/60/147-48; *idem*, OPH, MS Eng. 218.1, i, 45-46, 1 June 1711, N.S.; *cf.* BL, Add. MS 61154, f. 148.

¹⁵²PRO, SP 77/60/149-50. Orrery to St. John, 4 June 1711, N.S.

the Council was guilty of 'too great scrupleousness'.¹⁵³ Several schemes providing for a partial remuneration of the arrears and subsistence were submitted to little effect. One exception was Orrery's own brain-child, which stated that the Council pay the Imperial troops 100,000 florins on the condition they leave the country.¹⁵⁴ By the end of June Orrery's views had come nearly full circle:

I have us'd all my endeavours with the States [General] to make 'em use these people with a little more civility, at least in words, but I cannot prevail; on the other side sometimes I try to induce the Council of State to show more complaisance to the Dutch [so as] to give no handle to their enemies to complain of their backward ways.¹⁵⁵

A week later a perturbed Orrery disclosed that 'Everyday I discover more and more evil in this Government; on the one side I perceive these people are cruelly hearted, on the other these people...shew (sic) too much stubbornness...[and] have no respect for the common cause.'¹⁵⁶ Orrery's frustration did not signify a complete change of heart, however, and vestiges of his former attitude lingered, even if effectively tempered in comparison to previously. The Dutch, whom Orrery likened the 'masters of augmentation',¹⁵⁷ appeared to be heading a 'design to impoverish' the region to such an extent that 'it should not be worth the while of the right owner to take them'.¹⁵⁸ Additional factors which may have coloured Orrery's response to the Council's obstinacy were his affliction with a 'feavour' which recurred several times in late June and July,¹⁵⁹ and developments in the religious affairs of Brabant. In May the death of the Archbishop of Malines caused residents of the region to apprehend the Dutch might meddle in the nomination of his replacement. Orrery shared these fears and was relieved to learn that St. John had advised Dutch and British officials not to intervene,¹⁶⁰ despite Imperial complaints that the post was left vacant too long.¹⁶¹

¹⁵³PRO, SP 77/60/161-62. Orrery to St. John, 11 June 1711, N.S.; *idem*, OPH, MS Eng. 218.1, i, 50-51; BL, Add. MS 61154, f. 148. (autograph) Orrery to Marlborough, Brussels, 2 June 1711.

¹⁵⁴The Council later gave their assent to this proposal; see PRO, SP 77/60/179-80, and 185-86. Orrery to St. John, 29 June 1711, N.S.; OPH, MS Eng. 218.1, i, 54-56; also BL, Add. MS 61154, f. 148.

¹⁵⁵PRO, SP 77/60/173-74; and OPH, MS Eng. 218.1, i, 53-54, 22 June 1711, N.S.

¹⁵⁶OPH, MS Eng. 218.1, i, 56-58, 29 June 1711, N.S.; *idem*, PRO, SP 77/60/185-86.

¹⁵⁷PRO, SP 77/60/161-62. Orrery to St. John, 11 June 1711, N.S.

¹⁵⁸OPH, MS Eng. 218.1, i, 56-58; *idem*, PRO, SP 77/60/185-86.

¹⁵⁹PRO, SP 77/60/173-74; OPH, MS Eng. 218.1, i, 53-54, 22 June 1711, N.S.; PRO, SP 77/60/195-98. Orrery to St. John, 2 July 1711, N.S.; *Bol. Corr.*, i, 148. St. John to Orrery, 12 June 1711.

¹⁶⁰PRO, SP 104/12/57-58, 12 June 1711; *idem*, printed in 'St. John-Orrery Letters, 1709-1711', p. 174; and PRO, SP 77/60/195-98; Orrery was instructed to proceed with 'great caution'

Mid-year brought momentous changes in the diplomatic situation. As Orrery and the Dutch Deputies finally shed their onerous responsibilities connected with the subsistence of the Imperial and Palatine troops, a decisive Habsburg victory in Hungary freed most of the Imperial armies in that theatre and many Allied statesmen vainly expected an augmentation of Imperial forces in Flanders.¹⁶² This expectation was reassuring since, after the Emperor's death fears had spread that the French would mount a surprise offensive across the Rhine. When the threat increased in June, almost all of the Imperial troops in Flanders were withdrawn. In Brussels the response was one of jubilation, and a relieved Orrery laconically described the development as 'an Ease to me.'¹⁶³ Although a regiment of hussars and the arrears problem remained,¹⁶⁴ the vexatious problem which had plagued Orrery for several months was now greatly improved. In the wake of this sudden, anti-climactic, partial resolution of the forage contracts problem, Orrery learned of a change in his diplomatic assignment. In June, Raby was recalled to London for consultation and Orrery learned he was temporarily to assume his post and embark upon a new phase in his diplomatic career.

IV

St. John first notified Orrery that the Queen desired him to proceed to The Hague and represent Britain in Raby's absence.¹⁶⁵ Orrery's presence was necessary there 'on account of settling some better regulation of government for the Low Countries',¹⁶⁶ a requisite the bread and forage imbroglio had demonstrated was wanting. St. John's request coincided with

in the Archbishop's replacement: PRO, SP 84/241/164v. St. John to Strafford, 12 June 1711.

¹⁶¹BL, Add. MS 22205, f. 148; cf. Galliard, i, p. 258, for the 'grave conflit' provoked in Brabant by the Archbishop's death. The background to similar problems can be traced in H. Hubert, *Les Pays-Bas Espagnols et la République des Provinces-Unies, depuis la paix de Munster jusqu'au Traité d'Utrecht 1648-1713: La Question Religieuse et les Relations Diplomatiques* (Bruxelles: Hayez, 1907).

¹⁶²E.g., see Marlborough's comments in BL, Add. MS 37358, f. 489.

¹⁶³PRO, SP 77/60/163-64; OPH, MS Eng. 218.1, i, 51-52, 15 June 1711, N.S.

¹⁶⁴The Imperial commanders later returned to Brussels to demand their backpay: OPH, MS Eng. 218.1, i, 53-54, 22 June 1711, N.S., and ff. 54-56, 25 June 1711, N.S.; and PRO, SP 77/60/185-86. Orrery to St. John, 29 June 1711, N.S.

¹⁶⁵Raby was granted permission to return to England on 22 May O.S.; BL, Add. MS 22205, f. 96.

¹⁶⁶*Bol. Corr.*, i, 242-47. St. John to Orrery, 12 June 1711; and 'St. John-Orrery Letters, 1709-1711', pp. 174-75, *idem*, 12 June 1711 (a different letter).

similar pleas from both the Council of State and the States General,¹⁶⁷ but Orrery responded with marked reluctance. In conferences with the Council he claimed he was unacquainted with people and issues at The Hague, and wished to avoid journeying there to find himself forced to pronounce a 'hasty opinion' on affairs. In a letter Orrery outlined more valid reasons for his reluctance. The States General had ignored his proposals concerning the 550,000 florins needed to settle the arrears due to the Imperial troops. In late June Van den Bergh and Renswoude had themselves departed for The Hague.¹⁶⁸ Their absence left Orrery free to negotiate with the councillors in Brussels, untrammelled by the Deputies' interference or the 'ill humour' which they often provoked. Thus Orrery expressed a strong belief to both St. John as well as Heinsius that he would be 'more likely to prevail' during their absence,¹⁶⁹ and hoped their presence at The Hague would ensure the States General's consideration of the matter. He also feared his own absence from Brussels might cause this and other 'affairs of moment' to be settled contrary to his intentions.¹⁷⁰ Orrery had begun work on his plan for the government of the region and hoped he could present it to the States General and to officials in London after the conclusion of the 1711 campaign. Furthermore, finances were a problem. Awaiting an overdue quarter's salary and his salary arrears, Orrery had been forced to supplement the 'extraordinaries' paid to the spies he employed with his own money. He was also undergoing financial stringency due to a protracted monetary dispute concerning debts incurred by his regiment when it was under Meredith's command.¹⁷¹ Orrery reminded St. John that he possessed 'no house or conveniences' at The Hague,¹⁷² and that he was still suffering adverse effects from his recent illness. Despite these concerns, however, Orrery could not ignore his obligations to his sovereign and to his friend and finally agreed to serve as Raby's temporary replacement.¹⁷³

¹⁶⁷*Heinsius*, xii, 209. Orrery to Heinsius, 13 July 1711.

¹⁶⁸PRO, SP 77/60/195-98. Orrery to St. John, 2 July 1711, N.S.; *idem*, OPH, MS Eng. 218.1, i, 59-62.

¹⁶⁹PRO, SP 77/60/149-50. Orrery to St. John, 4 June 1711, N.S.; OPH, MS Eng. 218.1, i, 53-54, 22 June 1711, and ff. 59-62, 2 July 1711, N.S.; BL, Add. MS 22205, f. 148: *Heinsius*, xii, 209.

¹⁷⁰PRO, SP 77/60/185-86. Orrery to St. John, 29 June 1711; *idem*, OPH, MS Eng. 218.1, i, 56-58, and ff. 62-63, 29 June and 6 July 1711, N.S.

¹⁷¹PRO, WO 4/12/47; and above, Ch. 4, p. 116.

¹⁷²*Bol. Corr.*, i, 242-47. St. John to Orrery, 12 June 1711; *ibid.*, pp. 261-63. St. John to Orrery, 26 June 1711; and pp. 337-38, *idem*, 24 Aug. 1711; BL, Add. MS 31131, f. 327v.

¹⁷³PRO, SP 77/60/196-98; OPH, MS Eng. 218.1, i, 60-62, 2 July 1711, N.S.

Upon initial consideration Orrery's repeated efforts to avoid filling Raby's post may seem puzzling. If viewed in their proper perspective, however, possible motives become more apparent. Orrery may have simply begun to grow weary of diplomatic responsibilities. Compared to service in the field, when one might see only a handful of significant engagements for the duration of a campaign, diplomatic service, though certainly less dangerous, was probably the more intense and taxing occupation. Perhaps Orrery had little desire to be thrust into the quagmire of international diplomatic intrigue and dynastic machinations then prevalent at The Hague. Furthermore, protests that he lacked thorough knowledge of the issues then under consideration had some validity. Despite his military experience and close connections to leaders in London and the Allied Army, his diplomatic instructions had been aimed primarily towards functions in Brussels.¹⁷⁴ Since his arrival, unlike Cadogan, who possessed identical accreditation, Orrery had focused almost all of his energy towards affairs pertaining in one manner or another to the Southern Netherlands.

Orrery may have been apprehensive, too, as to the reception he would meet upon arrival. Raby had been recalled for numerous reasons, but principally because St. John and Oxford needed to discuss Dutch reactions to French proposals for a new Barrier Treaty, to the claims presented by the Duke of Savoy, and for Raby to familiarise himself with the status of secret French peace proposals.¹⁷⁵ Tension over these issues would be combined with the likelihood of an icy welcome for Orrery as the consequence of his avid support for the Council of State, which was well known to all Dutch ministers. Finally, the sometimes haughty Orrery may have begun to entertain suspicions of being ignored or manipulated by St. John. Several of Orrery's letters indicate a veiled displeasure stemming from his perception that he did not receive sufficient and prompt replies from Whitehall. Overwhelmed by the sheer volume of his correspondence and by the weight of his multitudinous responsibilities, St. John seems to have given Orrery the impression he was being slighted because he only received one response from London for every two (or sometimes three) letters Orrery wrote from Brussels.¹⁷⁶

¹⁷⁴I.e., the 'Memorial' in BL, Add. MS 37209, ff. 309-15.

¹⁷⁵He was also rewarded with the title of Earl of Strafford. For the circumstances behind Raby's recall in May 1711 see Coombs, p. 254; and Herman, pp. 26-29.

¹⁷⁶E.g., on 18 May St. John commented: 'When you lay your commands upon me, I desire you will not imagine that you give me trouble'. In another letter dated 20 July: 'You will, I flatter myself, believe that I have no affectation about me, when I protest to you that I have been, and that I still continue, in so constant a hurry of intricate various, and important business, that you ought to excuse me if I am not punctual in answering your private letters'; *Bol. Corr.*, i, 216, 279.

Orrery's resolution to journey to The Hague was almost certainly encouraged by a promise which accompanied St. John's request: the promise of the English peerage which he had coveted. While awaiting word on his peerage in mid-July Orrery was exhorted to hasten his departure for The Hague. Still reluctant, Orrery believed his transfer was 'troublesome' and would ultimately prove 'fruitless'. He based this assessment on fears that the States General would press him on affairs which had little to do with the Southern Netherlands.¹⁷⁷ In mid-July St. John, who had hitherto excused Orrery's irresolution on account of his claims of illness, was still uncertain as to whether he would assume Raby's post.¹⁷⁸ But toward the end of the month Orrery finally gave assurances that he was proceeding to The Hague, although he remained confident it would serve little purpose and had resigned himself to go 'only because of the importunities of the States'.¹⁷⁹ News of his departure generated sighs of relief at The Hague. William Harrison, whom Strafford had instructed to serve as Orrery's private secretary, noted that 'nothing less than a Plenipotentiary will content' the States General.¹⁸⁰ Orrery arrived on the afternoon of 21 July N.S.¹⁸¹ Greeted by Drummond, who had been ordered to travel to The Hague and assist him where necessary,¹⁸² Orrery found himself the senior representative at Her Majesty's embassy. Yet if he had not done so beforehand, he soon realised that his actual authority was quite limited; considering his disinclination toward assuming the post to begin with, however, these limitations were probably all the more agreeable to him.

The first dispatch Orrery received at The Hague from St. John was thorough and instructive, and he must have found the comments it contained of inestimable value. For when compared to the vexing, though comparatively simple, problems he had encountered in Brussels, he now found himself confronted by a number of bewildering dilemmas of international proportions. He was told that in the event he was 'pressed in matters which you have no

¹⁷⁷PRO, SP 77/60/215-16. Orrery to St. John, 13 July 1711; *idem*, OPH, MS Eng. 218.1, i, 64-65.

¹⁷⁸'St. John-Orrery Letters, 1709-1711', p. 177, Whitehall, 13 July 1711; *idem*, copy in PRO, SP 104/74/127-28v.

¹⁷⁹PRO, SP 77/60/221-22. Orrery to St. John, Brussels, 16 July 1711, N.S.; *idem*, OPH, MS Eng. 218.1, i, 65-66; PRO, SP 87/6/208; *Marl.-Heinsius Corr.*, p. 556. Marlborough to Heinsius, 20 July 1711, N.S.

¹⁸⁰*Harrison Letters*, pp. xx, 33. Harrison to Watkins, The Hague, 16 July 1711, N.S.

¹⁸¹*Dublin Gazette*, 17-21 July 1711; OPH, MS Eng. 218.1, i, 66-68, 24 July 1711, N.S.; *Harrison Letters*, pp. 40-41. Harrison to Watkins, 22 July 1711, N.S.

¹⁸²HMC, *Portland*, v, 32. Drummond to Oxford, Amsterdam, 17 July 1711, N.S.

answer to give to, or wherein, perhaps it is most expedient to be silent', he should 'refer the ministers to the orders you shall receive from hence,' or to Raby (now Strafford), who, St. John pledged (with a certain amount of prevarication), was to return in 'a very few days.'¹⁸³

Orrery's main concerns were diplomatic complications among Britain, Denmark, Poland, Saxony, Sweden, and the Dutch Republic originating as repercussions from the Great Northern War between Russia and Sweden. The reigning Danish sovereign and Augustus II, Elector of Saxony and King of Poland, spread alarm throughout the Allied camp by threatening to withdraw their troops in order to meet a rumoured imminent Swedish attack.¹⁸⁴ Moreover, the two monarchs wanted the 21,000 men in the 'Corps of Neutrality' to contribute to their defence. The product of an agreement signed at The Hague in December 1710, the Corps was formed primarily to preserve the Empire from Swedish attack. It also helped prevent troops in the service of various German states needed in the war against France from being removed, and dissuaded the German princes from attacking Sweden's German possessions.¹⁸⁵ The Allied Army in Flanders was already weakened due to the withdrawal of a substantial body of Prussian troops, the detachment of most of the Imperial forces following the Emperor's death,¹⁸⁶ and to a lesser degree, the abortive British expedition to Quebec. Furthermore, the Maritime Powers were extremely reluctant to become embroiled in an offensive war on the Baltic coast, situated hundreds of miles from the primary concentration of their troops in Flanders. Thus, they refused to contribute quotas of their own contingents to the Corps,¹⁸⁷ which in turn

¹⁸³'St. John-Orrery Letters, 1709-1711', pp. 177-80, 13 July 1711; see also copies in PRO, SP 104/74/127-28v; and BL, Add. MS 22205, ff. 164-67.

¹⁸⁴The threat was not illusory. Following their disastrous defeat at Poltava, Swedish forces under the command of Ernst Detlof von Crassow were at this time encamped in Swedish Pomerania and poised to attack; see PRO, SP 88/20/1-67; 'St. John-Orrery Letters, 1709-1711', p. 186, 24 July 1711; *idem*, PRO, SP 104/74/108; and Ragnhild M. Hatton, *Charles XII of Sweden* (New York: Weybright & Talley, 1968), pp. 325, 331.

¹⁸⁵Nevertheless, the Danes and Poles were quick to capitalise on Sweden's hindrance, and Prussia prevented Swedish troops from marching through its territories en route to Russia; for a lucid discussion of this complex incident based on some of the same manuscripts which Coxe used in his work on Marlborough see Thomas Somerville, *The History of Great Britain During the Reign of Queen Anne* (London: for A. Strahan, 1798), pp. 431-36; for a discussion from the Swedish perspective, see Hatton, *Charles XII*, pp. 327-29.

¹⁸⁶See above, p. 160.

¹⁸⁷St. John's and Strafford's opinions concerning the Corps of Neutrality crisis can also be studied in the latter's diplomatic correspondence for 1711, BL, Add. MS 22205, ff. 1-200, *passim*.; and BL, Add. MS 37358, ff. 300ff., especially ff. 319-23. Interestingly enough, the latter scarcely makes a single reference to Orrery's role at The Hague.

provoked indignation and additional threats from the Danes and Poles.¹⁸⁸

Orrery faced the brunt of their hostility. He and members of the States General met with the Danish, Polish, and Russian ministers on several occasions. The Danish and Polish envoys presented a formal demand stipulating that if Allied compliance was not forthcoming and the Corps ordered to march into Pomerania then they (the Danes and Poles) were empowered to command an immediate withdrawal of their sovereigns' troops.¹⁸⁹ In response, St. John, apprehensive that a dangerous precedent could follow if other German princes started recalling their contingents over trifles and petty grievances,¹⁹⁰ instructed Orrery to counter Danish and Polish demands by informing the envoys that nine German battalions (apparently all in British pay) had been 'provided,' and that other Saxon regiments maintained by Britain and the States General had been forbidden to march, despite the pretence, false in St. John's estimation, that the Corps was still deficient by a total of three British regiments.¹⁹¹

This observation had little effect on the antagonistic envoys and various proposals concerning funding for the regiments were debated for several weeks. The Danes and Poles made repeated demands for an answer from the Allies, whose representatives, including Orrery, simply stalled for time with claims that they were awaiting instructions from their governments.¹⁹² These delays resulted in a partial decrease in the crisis and a concomitant weakening of the Danish and Polish positions. In Orrery's last conference at The Hague he characterised those envoys as 'not so Stiff' as previously.¹⁹³ Normally somewhat reserved, Orrery expressed bitterness over the entire situation, viewing the Polish sovereign's behaviour as 'very Unaccountable' and remarking: 'what a miserable state we are reduced to, Threatened and ill-treated by those we have supported'; yet he wryly observed that 'these

¹⁸⁸Somerville, pp. 433-34. Tension was extremely high between Britain and the Danish court. Their treaty of alliance had just expired and the Danish envoy at The Hague expected his recall at any moment; PRO, SP 75/31/3-6; OPH, MS Eng. 218.1, i, 66-68. Orrery to St. John, The Hague, 24 July 1711, N.S.; and 'St. John-Orrery Letters, 1709-1711', p. 178.

¹⁸⁹PRO, SP 75/31/103-04; BL, Add. MS 22205, ff. 39, 68; OPH, MS Eng. 218.1, i, 68-70, 28 July 1711.

¹⁹⁰BL, Add. MS 22205, ff. 128-29. St. John to Strafford, 2 June 1711.

¹⁹¹All but one of these were Palatine in composition; see BL, Add. MS 15866, ff. 216-17; 'St. John-Orrery Letters, 1709-1711', pp. 178-79.

¹⁹²PRO, SP75/31/19-20. Daniel Pulteney to St. John, Hamburg, 11 Aug. 1711, N.S.; BL, Add. MS 61154, f. 152; OPH, MS Eng. 218.1, i, 71-73.

¹⁹³BL, Add. MS 61154, ff. 154-55.

angry gentlemen have let it be known that they can be appeased by a sum of money'.¹⁹⁴ Orrery realised the importance of preventing the march of the troops, and his own personal policy was to attempt to appease or 'at least amuse' both the Danes and Poles if possible. Endeavouring to secure a multi-lateral, acceptable compromise, Orrery was forced to endure annoying entreaties for continuance of the war by Count Sinzendorff, the Imperial ambassador at The Hague, whose remarks Orrery believed underscored the fact that 'there was some truth in those reports that have been spread of our treating underhand of peace.' Indeed, this rumour was a factor in Orrery's relations with many of the Allied envoys. At this point Orrery appears to have been cognisant of his old friend Matthew Prior's secret mission to Paris; in his response to Sinzendorff Orrery was careful not to mention 'the wrong subject,' yet sarcastically reminded the minister that 'those who contribute least to the war are most averse to Peace,'¹⁹⁵ a trenchant criticism of the Empire's failure to augment substantially its forces in Flanders after the recently-concluded peace with the Hungarians.¹⁹⁶

Other factors complicated Orrery's duties at The Hague and contributed to diplomatic tensions with his Dutch colleagues. Nearly every letter Orrery wrote from the Dutch capital mentioned an illness which left him feeble, enervated, and desirous of being relieved.¹⁹⁷ His condition was serious enough to impair his ability to pay visits, receive visitors, or to conduct negotiations.¹⁹⁸ Furthermore, the ailment was apparently genuine since its symptoms were corroborated by other correspondents, thus dispelling the notion that Orrery was merely attempting to evade his responsibilities. Drummond reported a few days after Orrery's arrival at The Hague: 'I left my Lord Orrery pretty much indisposed of an ague, but his Lordship endeavors to get the better of it by the Jesuits bark in a few days.'¹⁹⁹ The death of the Dutch minister in London in July, conflicting Anglo-Dutch opinions as to the solution to the Corps of Neutrality contributions, and growing suspicions of secret British peace negotiations also produced uneasiness.²⁰⁰ Heinsius proved reluctant to dispatch the new

¹⁹⁴OPH, MS Eng. 218.1, i, 68-70, and 71-73, dated 28 and 31 July 1711, N.S., respectively.

¹⁹⁵OPH, MS Eng. 218.1, i, 69-70; and *idem*, 79-81. Orrery to St. John, Rotterdam, 11 Aug. 1711, N.S.

¹⁹⁶Many British ministers believed such an augmentation would remove some of their own country's burden; e.g., see BL, Add. MS 37209, ff. 34-35. Raby to Orrery, 21 May 1711, N.S.; and St. John's similar views in *Bol. Corr.*, i, 393; and 'St. John-Orrery Letters, 1709-1711', p. 181.

¹⁹⁷*Harrison Letters*, pp. 47-49. Harrison to Watkins, 27 July 1711, N.S.

¹⁹⁸OPH, MS Eng. 218.1, i, 66-68, 24 July 1711, N.S.

¹⁹⁹HMC, Portland, v, 47; cf. Watkin's comments in *ibid.*, pp. 55-56; and *Heinsius*, xii, 229.

²⁰⁰The British view was to settle the matter quickly and vigorously; the Dutch preferred

minister, the shrewd Willem Buys, until he was aware of the Oxford Ministry's intentions.²⁰¹ Differences in opinion arose as well between Orrery and Heinsius as to the diplomatic concessions conveyed to The Hague by Savoyard representative, the Marquis del Bourg, and British approval of a proposed marriage between the Prince of Piedmont and the daughter of the deceased Joseph I. Orrery discussed the matter once with Heinsius and left a letter from the Queen on the subject in the Grand Pensionary's hands,²⁰² but in his haste to return to Brussels he evidently did not press the matter with sufficient vigour to satisfy St. John.²⁰³

Despite the myriad of issues with which Orrery found himself forced to contend, at least one facet of his brief embassy at The Hague must have proven a pleasant and unforeseen surprise. Contrary to his earlier fears, Orrery encountered little ill-will due to his former patronage of the Council of State. By all accounts, Orrery appears rather to have strengthened his rapport with Heinsius, despite the fact that his inability to do little more than convey official responses on important issues bolstered suspicions of the existence of secret Anglo-French negotiations. Indeed, seen in this light, Orrery conducted himself in the only manner possible: as a minister whose sole purpose was dissimulation and subterfuge. Dutch ministers (and even ministerial intimates such as Drummond) failed to discern that Strafford's absence was intentional, designed to postpone an Anglo-Dutch rupture until the Oxford ministry was reasonably confident of Whitehall's position vis-a-vis Versailles.²⁰⁴ Comments Drummond made to the Lord Treasurer in early August confirmed that Orrery acted out his role to perfection:

Pensionary Buys was very uneasy for want of a return from your Lordship, and entreated me in friendship and secrecy to hear from Lord Orrery if he had any

to procrastinate and settle the problem based on previous campaign's precedent: see BL, Add. MS 22205, f. 125.

²⁰¹HMC, *Portland*, v, 68. Drummond to Oxford, Amsterdam, 11 August 1711, N.S; and Geikie and Montgomery, pp. 215-26. For Buys' mission and the States General's constant problems with foreign relations during the period see J.G. Stork-Penning, 'The Ordeal of the States--Some Remarks on Dutch Politics during the War of the Spanish Succession', *Acta Historiae Neerlandica* ii (1967), 107-41.

²⁰²The marriage (which did not occur) would have allied the House of Savoy more closely with the Empire and provided additional security against the possibility of future French dynastic encroachments: *Heinsius*, xii, 229, and 272. Heinsius to Oxford, 14 Aug. 1711; *idem*, NUL, Portland Papers Pw2, Hy, #1203; cf. OPH, MS Eng. 218.1, i, 78-79; *Bol. Corr.*, i, 282-83.

²⁰³PRO, SP 77/60/275v; *idem*, OPH, MS Eng. 218.1, i, 88. St. John's reasons for approving the match can be found in 'St. John-Orrery Letters, 1709-1711', pp. 183-85. For a pertinent discussion of these issues and this letter see also H.N. Fieldhouse, 'St. John and Savoy in the War of Spanish Succession', *EHR*, 1 (1935), 278-91.

²⁰⁴This point is touched on (though with scarcely a brief reference to Orrery's role) in Geikie and Montgomery, p. 215.

instructions about peace, for that he found his Lordship on the reserve with the Grand Pensionary as the Grand Pensionary is naturally with all men though I must confess I find him friendly to me, though I cannot say very open; but I discover this, that he will not speak plain about peace, and if you will have him into it you must resolve to write the Queen's intentions first to him, or get Lord Strafford to tell them plainly and resolutely. His absence at present is very surprising to them.²⁰⁵

Orrery's correspondence during this period does not clearly indicate whether he fully perceived the surreptitious function he was asked to perform at The Hague.²⁰⁶ His credentials, along with his professed unfamiliarity with some issues then under scrutiny there, made him the perfect candidate to fill Strafford's post; sufficiently accredited to appease the States General's clamours for some representative with stature, he either genuinely lacked or feigned ignorance of knowledge which, if divulged, would have compromised the British government's position. With the exception of Drummond, Orrery served as the sole link between Whitehall and The Hague during this critical period.²⁰⁷ Moreover, despite his awkward predicament in relation to other Allied ministers while there, Orrery established a reputation as a prudent and competent diplomat. Drummond and others at The Hague reported the Dutch were favourably disposed toward him and described him as 'cultured and urbane'.²⁰⁸ Similar opinions of Orrery doubtless proved influential in his recall to Flanders in the following year. Even the impetuous, Whiggish Watkins, who earlier had risked recriminations because hostile comments he had made about Orrery were noticed in intercepted correspondence and who, as a close friend of Marlborough's was certainly no ally of Orrery's,²⁰⁹ was moved to compliment his abilities, although he remained critical of his benevolence toward the Council. Watkins admitted that when in health Orrery possessed:

talents infinitely more proportionable to the post he fills than my good Lord of Strafford, and I could pass my time under him with some comfort; but...I cannot wholly clear his conduct at Brussels, nor allow his reasonings on that subject to be

²⁰⁵BL, Add. MS 70290, unfoliated manuscript original of HMC, *Portland*, v, 68-69, 11 August 1711, N.S.; and *idem*, partially quoted in Geikie and Montgomery, p. 215. MacLachlan, 'The Great Peace', p. 135, observes it was no wonder that Orrery and others found Heinsius evasive about peace negotiations, since he had his own peace project in mind at this time. Enemies of Oxford's ministry in England were well aware the Dutch would arrange their own separate peace if the Tories delayed too long: see BL, Add. MS 31136, ff. 23-26. Strafford to Peterborough, 27 Oct. 1711; *cf.* PRO, SP 77/60/274-75v; and Heinsius seems to have unwittingly revealed as much to Orrery while he was at The Hague: 'St. John-Orrery Letters, 1709-1711', p. 180.

²⁰⁶Some of his letters are composed partially in numerical cipher.

²⁰⁷In addition to Strafford's absence, Buys failed to arrive in London as Vryberg's replacement until October.

²⁰⁸BL, Add. MS 70027, f. 184v. Drummond to Oxford, (portion unprinted in HMC, *Portland*, iv, 692-93); *Harrison Letters*, p. xx.

²⁰⁹BL, Add. MS 70027, f. 158.

just. He found the Council of State low enough, and your deputies very inclinable to keep them so. If they have now power to hurt us, it is chiefly owing to his Lordship; and if he did not choose the particular members of the Council of State, he chose to unite himself so closely with them, that they have been enabled to make head against all other opposition, and to get such power into their hands as may prove fatal to us.²¹⁰

The Grand Pensionary, favourably disposed toward Orrery prior to his arrival, reportedly offered him the highest praise. Having an 'extreme good opinion of his integrity' and 'his serious grave way of doing business', Heinsius confided to Drummond that he was greatly relieved to rely on Orrery's assistance in the diplomatic maelstrom actuated by the Northern crisis and the turmoil caused by the Prince of Orange's sudden death.²¹¹ If not equally flattering, Orrery's estimation of Heinsius was cordial none the less. Cautious and introspective as was Orrery, Heinsius's prevarication and abstruseness was well-known, and in their private meetings Orrery often found him distant and indecisive. He complained that in one meeting Heinsius 'said little to me' and 'seldom opens himself much'.²¹² After he had left The Hague, Orrery conveyed the following observations on Heinsius to St. John:

Conferences are things so habitual to him, he is naturally so Flegmatick, his parts which perhaps were never that quick though probably now by his great age be so impaired, and he is so distracted with ye Weight as well as a Variety of Bis'ness that I question whether it wou'd not be a better method of dealing with him in most matters of moment to leave with him in writing the reasons explain'd & clearly deduc'd, than only to talk with him.²¹³

Notwithstanding favourable assessments of his own abilities, Orrery demonstrated throughout the period of his short-lived embassy at The Hague that he was unwilling to serve as a longterm replacement for Strafford and anxiously awaited news of his colleague's return. Premature reports to that effect began surfacing soon after Orrery's own arrival in the Dutch capital.²¹⁴ In letters to Whitehall Orrery insisted his presence in Brussels was essential; at one point attempting to substantiate his insistence by relaying rumours of an impending siege of the lightly-garrisoned city. Assured of Strafford's imminent return on several occasions, Orrery notified St. John in early August of his own intention to return to

²¹⁰HMC, *Portland*, v, 56. Watkins to Drummond, 30 July 1711, N.S.

²¹¹HMC, *Portland*, v, 47. Drummond to Oxford, Amsterdam, 24 July 1711, N.S.; the same quoted by Geikie and Montgomery, p. 215. See also p. 207, n. 223, below.

²¹²OPH, MS Eng. 218.1, i, 77-78. Orrery to St. John, Rotterdam, 11 Aug. 1711. (The original of this letter is not found in PRO, SP 77/60).

²¹³PRO, SP 77/60/275; *idem*, OPH, MS Eng. 218.1, i, 88; *cf.* the discussion of this conversation in MacLachlan, 'The Great Peace', pp. 109-110.

²¹⁴*Harrison Letters*, pp. 47-49. Harrison to Watkins, 27 July 1711, N.S.

Brussels.²¹⁵ Despite St. John's awareness that Strafford had no plans to return for some time,²¹⁶ the Secretary of State seems to have borne no reservations toward Orrery's proposed departure. If so, his dispatches failed to indicate them.²¹⁷

Accordingly, Orrery proceeded to ignore the States General's wishes and set out on 11 August,²¹⁸ leaving behind a less critical, but still unsettled, controversy involving Danish, Dutch, Imperial, Palatine and Polish ministers and concerning funds and troops for the Corps of Neutrality. His degree of blame for this unfinished business must be judged as negligible, however, for although St. John had personally desired resolute action to settle the controversy,²¹⁹ the dilatory Oxford left the onus of responsibility on Heinsius's shoulders.²²⁰ As a result, Orrery's policy was an odd blend of vagueness and brinkmanship which prohibited resolution. To his credit, before departing he had sufficiently soothed the tempers of the Danish and Saxon ministers so that they had agreed to await Strafford's return before taking any further--and for the Allies, potentially dangerous--action regarding the transfer of their respective armies. In this sense, Orrery's presence at The Hague helped prevent an international crisis in the form of an Allied attack upon Swedish forces in Pomerania.²²¹

Upon returning to Brussels Orrery promptly resumed his duties and his criticism of Dutch treatment of the Council of State.²²² He was disturbed upon learning of the States General's rejection of a measure designed to fill the vacancy caused by the death of the Archbishop of Malines with minimum controversy, yet another example of a 'usage in some respects cruel'

²¹⁵OPH, MS Eng. 218.1, i, 71-73, 31 July, ff. 73-75, 4 Aug., and ff. 75-77, 7 Aug. 1711.

²¹⁶Strafford, in fact, did not return until 18 Oct.; *Dip. Repts.*, p. 160.

²¹⁷*Bol. Corr.*, i, 279-81, 20 July 1711; 'St. John-Orrery Letters, 1709-1711', pp. 188-90, Windsor Castle, 31 July 1711; *idem*, copy in PRO, SP 104/79/110-13.

²¹⁸BL, Add. MS 31131, f. 331. Dayrolle to Strafford, 11 Aug. 1711, N.S.

²¹⁹BL, Add. MS 37358, f. 432.

²²⁰Oxford told Marlborough he hoped Heinsius would find 'the Proper expedient' to solve the crisis: see Longleat, Portland MS v, 241; *cf.* BL, Add. MS 61154, f. 154.

²²¹Some of the diplomatic tension in western Europe had been somewhat diminished too, by the accidental drowning of the Prince of Orange, which thus eliminated the King of Prussia's rival for territory in dispute.

²²²During his absence day-to-day affairs in Brussels embassy had been managed by Orrery's able secretary, John Laws, who had served in that capacity since 1708; *Dip. Repts.*, pp. 7-8.

that had further eroded the Council's respect for the Maritime Powers' authority.²²³ Other transactions occupying Orrery's attentions after his return were largely military in nature. After Marlborough's brilliant forcing of the 'ne plus ultra' lines, he had ordered his army to converge on the French border fortress of Bouchain. Nearly surrounded by marshes and rivers, the town was summarily invested in late July.²²⁴ Supposedly to help expedite the siege,²²⁵ Marlborough had requested over 700 wagons and 6,000 'pioneers'²²⁶ to be furnished by the States of Flanders and Brabant and had solicited and received Orrery's assistance in goading the Council to acquiesce in the Allies' demands.²²⁷ Yet this acquiescence was not without a price. The Council of Finance in Brussels defiantly refused to provide funds which Orrery had requested to maintain a garrison regiment of Imperial hussars. Despite differences with the States General's policies, he was forced to confess growing exasperation with the behaviour of both Councils, their recalcitrance and disobedience being particularly offensive since he had 'stood in opposition to every hardship that was like to fall on [th]em.' In return he expected only 'obedience to the Authority of the Queen and the States who established 'em and a Forwardness to facilitate public service.' His expectations, however, were more often than not disappointed. Dismayed, Orrery was now absolutely convinced that the Council of State possessed 'too much power'.²²⁸

None the less Orrery could still voice limited optimism. He thought Dutch cooperation in implementing the 'proper Remedies' he was then busily composing would serve as an effective 'cure of this disease'.²²⁹ While awaiting his Dutch colleagues' return from The Hague Orrery drafted his relatively simple but comprehensive plan. It contained two primary objectives.

²²³When Orrery left the members of the States General had been willing to accept the Bishop of Antwerp, but they seem to have reversed their decision after he departed. As a result, the archbishopric would remain vacant for four years: OPH, MS Eng. 218.1, i, 75-77, 83-84.

²²⁴For the siege see *Memoirs of Captain Peter Drake*, pp. 232-42; Millner, p. 323-28; and Atkinson, 'Sieges: Further Evidence', pp. 86-87.

²²⁵See below, p. 200.

²²⁶Or military engineers, who were used to dig trenches, build bridges, etc.

²²⁷BL, Add. MS 61154, ff. 158-59. (autograph) Orrery to Marlborough, 30 Aug. 1711; BL, Add. MS 61191, ff. 75-76; BL, Add. MS 61393, ff. 118-19; *LDM*, v, 441-42. Marlborough to the Council of State, 12 Aug. 1711, N.S.; *ibid.*, to Orrery; *ibid.*, p. 450, to St. John, 17 Aug. 1711, N.S.; and 'St. John-Orrery Letters, 1709-1711', p. 192, 17 August 1711; *idem*, copy in PRO, SP 104/79/115. Churchill, iv, 862, completely ignores Orrery's role in the procurement, claiming instead that 'the Dutch immediately produced' them upon the Duke's request.

²²⁸'St. John-Orrery Letters, 1709-1711', p. 193, Whitehall, 28 Aug. 1711; *idem*, in PRO, SP 104/12/68v-69; OPH, MS Eng. 218.1, i, 92-93, 17 Sept. 1711, N.S.

²²⁹PRO, SP 77/60/274-75v; OPH, MS Eng. 218.1, i, 86-88, 27 Aug. 1711, N.S.

One was to impose upon the Council a complete subordination to the the Maritime Powers' authority, thus eliminating problems encountered 'in raising funds' and in their 'ill application'. The other principal aim of Orrery's scheme was to ensure the Councillors' adherence by requiring their signatures as endorsement of the plan 'upon pain of forfeiting their employment if they refuse'. Orrery discussed his plan at some length with Dutch Deputy Ernest de Pestere, Receiver of War Contributions, who then conveyed it to The Hague and was to return in ten days with the States General's reaction.²³⁰ Reports from The Hague indicated that Orrery's regulation met with a favourable reception. Orrery had corresponded with Heinsius about its provisions and Pestere notified Orrery that the States General had offered more 'Remarks than Alterations'. A few minor changes were debated, then the Dutch advised keeping the scheme's existence secret until a complete consensus could be achieved. With this Orrery concurred. At the same time he had begun work on his own modifications. He remained self-assured that with his plan affairs in Brussels could be settled to the satisfaction of both Allies, provided 'the perverseness of the Council' did not hamper its execution.²³¹ Angered at the Council's 'ungrateful' refusal to maintain the Hussars, St. John lent Orrery's proposition complete support. If the refusal demonstrated the Council's 'affectation to the common cause', he believed the time had arrived to modify the Condominium to the Maritime Powers' advantage.²³²

During the interval between Orrery's departure from The Hague and Van den Bergh's subsequent arrival in Brussels late in September, two other noteworthy events transpired. One was the announcement of the writ creating Orrery Baron Boyle of Marston on 5 September. The second was the eruption of a dispute characterised by a recurrence of previous animosity between Her Majesty's envoy in Brussels and the Commander-in-Chief of the Allied Army, the Duke of Marlborough. Far more significant upon Orrery's diplomatic career than his ennoblement, this dispute and its background warrant detailed analysis, because as with his activities at The Hague, it greatly elucidates Orrery's personality, his diplomatic effectiveness, and his authority vis-a-vis the Council of State and other Allied statesmen.

²³⁰'St. John-Orrery Letters, 1709-1711', p. 194, Windsor, 4 Sept. 1711; PRO, SP 77/60/285-86; *idem*, OPH, MS Eng. 218.1, i, 90-91, 7 Sept. 1711; and BL, Add. MS 61154, f. 163.

²³¹PRO, SP 77/60/304-05, and 310-11; *cf. idem*, OPH, MS Eng. 218.1, i, 92-93, 17 Sept. 1711, and ff. 94-95, 24 Sept. 1711; *idem*, MS Eng. 218.1, ii, n.f. (Copy), Orrery to Heinsius, 7 Sept. 1711.

²³²PRO, SP 104/12/70. St. John to Orrery, Whitehall, 14 Sept. 1711; and printed in 'St. John-Orrery Letters, 1709-1711', p. 194.

As the top-ranking British diplomat in the Southern Netherlands, Orrery was effectively one of several military governors of the region. When Renswoude and Van den Bergh were absent,²³³ Orrery's authority in Brussels theoretically was paramount, particularly in matters which pertained to military appointments for soldiers from Brabant, Flanders and Hainault, who were serving the Emperor both within and outside the pay of the Maritime Powers. Notwithstanding Orrery's accreditation and instructions, however, previous discussions have demonstrated that the effectiveness of the Anglo-Dutch ministers in Brussels was severely hampered. Their *de facto* authority in matters such as the raising and disposition of revenue and the annual appointment of town magistrates was often subject to a consensus vote of approval from the Council of State. The latter issue was a particularly sensitive one, since this right had been granted to the Council in 1710 and then subsequently revoked later in the same year.²³⁴ On this issue Orrery claimed he was in complete agreement with his Dutch colleagues, firmly convinced that the final sanction of the 'great Privilege of nominating the Magistrates' needed to lie with the ministers of the Condominium.²³⁵ Throughout 1711 it remained one of the principal bones of contention which would have to be addressed in any meaningful new 'regulation' of government which they might submit.

The nature of Orrery's duties reinforced his conviction that it was essential to ensure the appointment of magistrates at least moderately sympathetic to the Allies and less antagonistic to British merchants. Throughout his embassy he was ordered to arbitrate and obtain settlement of petitions alleging corruption, appropriation of goods without provision of just payment, and the collection of exorbitant duties by merchants and officials in Bruges, Ghent, and Antwerp.²³⁶ Both his behaviour and comments reveal that although Orrery

²³³Much to Orrery's chagrin, Renswoude, who had been contemplating retirement since before his arrival, resigned his commission in late 1711. He later served as one of the Dutch plenipotentiaries at Utrecht: Bodl., MS Rawlinson A-286, f. 185; *The Evening Post* (Edinburgh) 13-17 Jan. 1712.

²³⁴This problem had been discussed in the 'Memorial' Orrery had received before he departed from London in Feb. 1711 and it was the revocation of this right which had placed the Council and Van den Bergh at loggerheads; see BL, Add. MS 37209, ff. 310-12; Veenendaal, *Het Engels-Nederland Condominium*, i, 279.

²³⁵BL, Add. MS 61154, ff. 163-64. (autograph) Orrery to Marlborough, 9 Sept. 1711, N.S.

²³⁶See PRO, SP 104/12/66v; PRO, SP 77/60/310-11, 393-94, 411-12; 'St. John-Orrery Letters, 1709-1711', pp. 176-77, 190, 195-96; and OPH, MS Eng. 218.1, i, 66-68, 89, 94-95.

professed support toward imposing limitations on the Council's authority in the appointment of magistrates in letters to Marlborough, in reality his willingness to endorse their nominations fluctuated; it was often largely subject to his disposition toward the Council at any given moment or contingent upon the level of cooperation it had demonstrated the previous week. In the summer of 1711 Henry Watkins, who as deputy advocate viewed magistrate selection with understandable interest, remarked that the final decision on the selection of candidates could 'almost be said to be his Lordship's [Orrery's] choice'.²³⁷ Orrery was allowed strict control in this aspect of the Condominium very likely in large measure because of his easygoing nature and his prior record of defending the Council of State's interests in opposition to Van den Bergh. Primarily, Orrery seems to have wanted to give the Council the impression that he intended to retain this degree of authority even if, as will become evident, he did not always exercise exemplary judgement in its application.

Orrery received numerous reports from the British resident at Bruges about troublesome magistrates there,²³⁸ but the selection of magistrates at Ghent seems to have caused him the most grief. After receiving a list in May 1711 of the magistrates employed there by the French,²³⁹ Orrery was evidently 'a little impos'd upon' when he was duped into supporting the nomination of several men who, Drummond believed, were responsible for betraying the town in 1708.²⁴⁰ Accordingly, both Watkins and Drummond conspired to persuade Orrery to take a more uncompromising position with the Council regarding the nominations. The Council's actions and Orrery's own pragmatism eventually contributed to this very effect, for soon thereafter Watkins gloated that the 'ground' he and Drummond had gained upon Orrery might prove beneficial and that by late August 'Orrery's eyes had been opened as to the Council of State at Brussels and he was now full of wrath and resentment against them.'²⁴¹ Drummond, a seasoned and less partisan observer, did not view Orrery's endorsements of the Ghent nominations as overly serious, and like his support of Ursell's commission, they were probably motivated out of a desire to exercise lenience in order to win the compliance of Council members and Ghent burgers. Furthermore, Orrery does not appear to have drawn

²³⁷HMC, *Portland*, v, 55-56.

²³⁸PRO, SP 77/60/1-2, 393-94.

²³⁹BL, Add. MS 37209, ff. 16-17. Anthonie Bolanchy, Baron von Pottelsberghe, Alderman of Ghent, to Orrery, Ghent, 3 May 1711.

²⁴⁰BL, Add. MS 70027, f. 184v; *cf.* LDM, v, 513. Marlborough to St. John, 28 Sept. 1711.

²⁴¹BL, Add. MS 33273, f. 104. Watkins to Drummond, Camp before Bouchain, 20 Aug. 1711; *idem*, printed in HMC, *Tenth Report*, i, 141-42; *ibid.*, p. 143, *idem*, 31 Aug. 1711.

criticism from Oxford or St. John as a result of the Ghent nominations; the negative reactions more often derived from Van den Bergh or disgruntled pro-Dutch office-seekers. An example of the latter came from a Ghent resident named Meulemaster, who wrote a scathing letter to Oxford citing Orrery's deficient judgement as a damning indictment upon his conduct. Meulemaster claimed Orrery was responsible not only for the nomination of several magistrates of Flanders who were suspected of complicity in the surprise of Ghent, but for suggesting the employment of a former *maréchal de Camps* in the French service. Meulemaster insisted that it was pitiable that Orrery, 'dans Ses actions et dans ses raisoinements principlement des affaires d'un pays dont il n'a, ni dont il n'aura jamais la moindre connoissance, par ce qu'il ne Veut être informé.'²⁴²

Criticisms of biased parties aside, if Orrery was dynamic in his protection of British commercial interests through his intervention in the magistrate-selection process, then he was even more obsessed with preserving his perceived prerogative in military affairs. His advocacy of Ursell's claims to the colonelcy of an elite regiment of dragoons which was to be formed through a reorganisation and reduction of several pre-existing Flemish Troops of Horse alienated Marlborough, who had lent his support to an alternative candidate.²⁴³ Ursell's sway over Orrery and the latter's gullibility may also be revealed in the patronage for, as suggested earlier, Orrery clearly doubted, or chose to ignore, reports of Ursell's disloyalty because he was more concerned with winning his concurrence in the Council. In Ursell's defence Orrery persuaded Marlborough that he had 'so numerous a party for him that a Stranger will make his Court very ill by resisting the torrent for him'.²⁴⁴

Another of the more interesting and related aspects of the clash between the authority and opinions of Orrery and Marlborough revolved around distinctions which rendered the commission of certain offences answerable to civil or military courts in Flanders and Brabant during the period of the Allied occupation. Specifically, Orrery was deeply involved in several of such cases concerning the jurisdiction of court martials for officers in Flemish

²⁴²One of the points in the Memorial Orrery had received in February 1711 concerned Meulemaster's claims. He had proposed a plan for the regulation of revenue administration in Flanders and the plan had been patronised by Van den Bergh, but it had caused such an uproar in Ghent that the States General had suspended it and Orrery's intervention seems to have perpetuated the suspension. BL, Add. MS 70171, n.f., Meulemaster to Oxford, 'concerning the payment of the subsidies in Flanders', 1 March 1712.

²⁴³BL, Add. MS 37209, ff. 312-14; PRO, SP 87/5/328.

²⁴⁴BL, Add. MS 61154, f. 127.

or Brabanter regiments serving in Charles VI's pay. Orrery questioned the propriety of a court martial in several cases involving high-ranking Flemish officers and in so doing contradicted not only Marlborough's opinion but those of both Van den Bergh and Renswoude.²⁴⁵ The ostensible reasons for Orrery's opposition were that court martials should be applied only to cases of transgressions in military discipline.²⁴⁶ As in so many other disputes, his position must be weighed against the backdrop of moderating Dutch domination of Flemish affairs as well as instituting a check on the unbridled military authority Marlborough enjoyed and of which Orrery had complained in 1710. Questions over whether civil or military magistrates were to deal with cases such as plundering also lent additional significance to the importance of making judicious selections of civil magistrates.

Orrery's sensitivity over his prerogative in military authority never became more obtrusive than in a dispute over an appointment made in August 1711, when another conflict with Marlborough developed.²⁴⁷ As Orrery clashed with the councillors over their refusal to provide the Imperial Hussars with subsistence into September, he and the Council granted a commission to a Lt. Colonel Falconbridge to serve as the commander (or governor) of the citadel in Ghent. The city's strategic location made it an important garrison. In the middle of western Flanders at the convergence of the Scheldt and the Lys, Ghent was nearly equidistant from Brussels and the North Sea, and whoever controlled the city was also master of the canal which linked sea traffic to important commercial centres such as Bruges and Ostend.²⁴⁸ Accordingly, the city was garrisoned during the winter months by a contingent which included several battalions of British troops.²⁴⁹ Little is known of Falconbridge other than that he held a commission in a regiment in the pay of Charles VI.²⁵⁰ Orrery maintained

²⁴⁵The cases involving Colonel Barela and Baron D'Audignies were not settled for months. BL, Add. MS 61191, ff. 68-69. Van den Bergh and Renswoude to Marlborough, 17 April 1711; *idem*, (copy) in BL, Add. MS 70943, ff. 30-31; *cf.* BL, Add. MS 61393, f. 144; *LDM*, v, 499.

²⁴⁶BL, Add. MS 61154, ff. 137, 140.

²⁴⁷PRO, SP 87/6/240-42; OPH, MS Eng. 218.27, ff. 109-11. Marlborough to Orrery, 12 Aug. 1711; *idem*, in *LDM*, v, 441; *ibid.*, Marlborough to the Council of State, 12 Aug. 1711; and p. 471, Marlborough to St. John, 31 Aug. 1711.

²⁴⁸Churchill, iv, 348-49.

²⁴⁹OPH, MS Eng. 218.27, ff. 115-17. Marlborough to Orrery, before Bouchain, 21 Aug. 1711; OPH, MS Eng. 218.1, i, n.f. Orrery to Marlborough, 28 Aug. 1711, N.S.; and *idem*, (autograph) in BL, Add. MS 61154, ff. 156-57.

²⁵⁰He was implicated in a military dispute with Van den Bergh's backing in Ghent in 1714: BL, Add. MS 31139, f. 197. It is also possible that he had some Jacobite connections, for he is mentioned in their correspondence later as being 'taken with affairs' in Brussels in 1718: HMC, *Stuart*, vi, 170.

he possessed no prior knowledge of him and had sanctioned the appointment based on Renswoude's recommendation, yet it was later discovered that the officer was not only an Irishman but a Roman Catholic.²⁵¹

The circumstances surrounding this particular appointment, therefore, left it vulnerable to criticism, especially from Marlborough. The intrigue and subversive machinations of rivals such as Argyll and Orrery may have made inroads upon his authority at home, but with his reputation and his stunning success in the breaching of the 'ne plus ultra' lines, Marlborough still posed a formidable figure in the army. Upon learning of Falconbridge's appointment he immediately advised Orrery that it would be 'inconsistent with the service' if the appointee should attempt to exercise command of a garrison comprised of British troops. Making no allusions to the colonel's religion or nationality, he even observed he had heard commendations as to his merit. Nevertheless, Marlborough reasoned that although Falconbridge could proceed to retain his commission and enjoy its attendant salary and other perquisites, he must do so 'without pretending to exercise the command which can in no ways be allowed.'²⁵² Orrery soon reported compliance with Marlborough's wishes and then proceeded to protest the order's validity and accuse Marlborough of faulty judgement. Not only had he wronged a deserving officer; he had acted in a manner that had undermined Orrery's authority and that of the Council of State as well. Clearly, it was this affront which Orrery found so offensive. He conceded that Marlborough possessed the sole right to make appointments to posts involving the command of British troops, but urged that Falconbridge had 'no intention to interfere' with the exercise of command in the garrison and if deprived he was sure to forfeit 'perquisites' traditionally granted to all its holders. Orrery portrayed Falconbridge as conscientious and unassuming, a man with 'no thoughts of pretending to any justifiable profits of any commandant' whom Marlborough might appoint. None the less Orrery's arguments for the appointment were inconsistent and lacking cogency, and his letter took on a more defensive tone when it touched upon the question of authority. Citing the commission in question as 'the best title that any man can have to any preferment in this country', Orrery believed it one for which an act of denial, regardless of whether actual or in form, would pose a 'slight upon the positive and formal Orders of the Ministers of the Queen and

²⁵¹BL, Add. MS 61154, f. 185; SRO, GD24/5/72. Orrery to Drummond, 21 Sept. 1711, N.S.; *idem*, summarised in HMC, *Tenth Report*, i, 145-46.

²⁵²BL, Add. MS 61393, f. 134; OPH, MS Eng. 218.27, ff. 115-17, 21 Aug. 1711, N.S.

States.'²⁵³ Marlborough was in all likelihood perplexed, and perhaps slightly amused, at Orrery's sensitivity over what he must have regarded as a routine matter. In a postscript to his letter of 29 August, Marlborough calmly responded to Orrery's tirade by requesting a copy of the commission in question. A week later the matter was again the subject of correspondence.²⁵⁴ Marlborough repeated that he bore 'no manner of ill will nor objection' to the appointee. After the war's conclusion and the removal of the British garrison in the town, he would be 'very glad' for Falconbridge to exercise the complete extent of his commission. Until then, however, this was impossible, for several British officers had protested to Marlborough over the commission and expressed wishes to be excused in the event it was not rescinded.²⁵⁵

After such a measured pronouncement a reasonable man would most likely have chosen to abandon the matter. In decisions impinging upon his own authority, however, Orrery was often jealous and unreasonable, and this particular incident appears to have raised his ire to a fever pitch. It also revealed the paradoxical, inconsistent nature of his relationship with Marlborough. Coincidentally, Marlborough was at that very moment seeking similar favours from Orrery and on several occasions had requested Orrery's intercession with the Council of State on behalf of a favoured candidate for the office of burgomaster of Nieuport. When prospects for the candidate's approval appeared bleak, Marlborough exhorted Orrery to apply his influence with the Dutch Deputies and use 'all possible means' for the candidate's benefit. Otherwise, Marlborough feared losing the loyalty of all worthy men in the Southern Netherlands, as well as a decline in Queen Anne's influence.²⁵⁶ Thus, although they were again adversaries over the issue of authority, both men professed nearly identical reasons as justification for their respective positions. Orrery's influence (which he may have chosen to exercise halfheartedly if at all) for Marlborough's candidate proved insufficient to counter the Council's objections.²⁵⁷ To his credit, Orrery's defence of what he jealously viewed as his own diplomatic prerogative was in fact not extended beyond that sphere. In other words,

²⁵³OPH, MS Eng. 218.1, i, n.f. Orrery to Marlborough, 28 Aug. 1711, N.S.

²⁵⁴BL, Add. MS 61393, f. 144; OPH, MS Eng. 218.27, ff. 117-19. Marlborough to Orrery, before Bouchain; *ibid.*, ff. 123-24. Marlborough to Orrery, 6 Sept. 1711, N.S.

²⁵⁵BL, Add. MS 61393, ff. 161v-62; OPH, MS Eng. 218.1, i, 125-26.

²⁵⁶BL, Add. MS 61393, ff. 147-48; *LDM*, v, 473, and 479-79, to Orrery, 2 and 6 Sept. 1711, N.S., respectively; *idem*, OPH, MS Eng. 218.27, ff. 122-23.

²⁵⁷BL, Add. MS 61154, ff. 173-74. (autograph), Orrery to Marlborough, 16 Sept. 1711, N.S.; *idem*, OPH, MS Eng. 218.1, i, n.f.

it can be asserted that during his embassy he sought to make little or no encroachments upon what he believed to be the parameters of Marlborough's recognised military authority. An example of this, along with the recurring frequency of friction between magistrates and officers of the multi-national forces often assigned to garrisons in Flanders, Hainault, and the reconquered border territories, is exemplified in a letter in which Orrery relayed the Council's displeasure over reports that the commandant of Ath, a garrison town on the Dender River in southern Flanders, had taken the town's magistrates prisoner because the garrison failed to receive salary arrears.²⁵⁸ Echoing the Council's concern and fearing the consequences of a public assembly and further violence, Orrery resolved to abide by Marlborough's judgement in settling the incident. Here in the midst of their dispute over the Ghent appointment Orrery grudgingly displayed deference and respect for the Commander's military ascendancy.

The exact reasons for this deference remain unclear. According to Marlborough, he and Orrery had reached a clear understanding as to the delegation of military authority in Flanders while they were together at The Hague, where Marlborough had promised to:

...readily concurr with him [Orrery] in everything that might tend to the good of this Country, but that while I was at the head of the Army, I desir'd he would take upon him the dispatch of what he should judge right and I would lend my hand where I should think it necessary, however, in the humour of the Council of State seems to be in I can't help being apprehensive they will insist on many things that are neither for the benefit of the Country nor for the advantage of King Charles, and the Publick.²⁵⁹

Whether accurate or not, Marlborough's story and his perceived position clearly contradicted Orrery's interpretation of his own authority in the Falconbridge incident. Orrery's deference did not extend so far as to his relinquishing of authority he esteemed his own and his protests over Falconbridge's denial of the Ghent post persisted. Orrery's remonstrances, largely a rehashing of previous arguments, almost imply serious miscommunication between him and Marlborough on some points. Orrery drew Marlborough's attention to the fact that the commission made no reference to the command of troops, and again explained he had acted on Renswoude's recommendation and had no prior acquaintance with Falconbridge. Orrery declared his only interests in the matter were 'Obligations which I think 'tis upon me to use [to] my utmost power that Share of authority which belongs to the Queen in this Country receive no

²⁵⁸BL, Add. MS 61154, ff. 165-66. Orrery to Marlborough, 9 Sept. 1711. The copy of this letter in OPH, MS Eng. 218.1, i, n.f., has some interesting differences in the wording.

²⁵⁹PRO, SP 87/6/73v. Marlborough to St. John, Tournai, 29 April 1711; *idem*, printed in *LDM*, v, 320.

diminution, which it must do, I doubt, to a Great degree if an Order given by her Ministers in conjunction with those of the Dutch can have no effect.'²⁶⁰ He concluded with a courteous request for one final reconsideration.

Perhaps in order to gain support, Orrery provided Drummond with a surprisingly revealing account of the dispute which indicated the true extent of his vexation. He described how he and Renswoude had altered the original commission so as (they presumed) to make it more palatable to Marlborough. Orrery also questioned the 'pretended...inconvenience to the English troops' at Ghent, which had been lodged as an excuse against the commission. Calling attention to the colonel's religion,²⁶¹ Orrery wondered whether there was not some 'unjustifiable and conceal'd reason at the bottom' for Marlborough's opposition and viewed the affair as such 'a contempt to the Queen's authority' that similar recurrences would have the effect of assigning British 'ministers here for the government to this country to very little purpose.' Orrery continued with personal invective against the Duke himself:

I have never had any hint from any of our Ministers of that kind of Conduct wch they think necessary in relation to my Ld Marlborough, but I have upon all occasions endeavored to show him I think I may say at least as much complaisance and respect as is either due to him from his Station and Character, or as the good of the Publick service exacts...some may think I ought to have shown him more coldness; but without regard to one or the other I assure you I have prescrib'd no other rule to myself for my behaviour towards this great man than the Interests of the publick.²⁶²

Despite his wrath, Orrery almost certainly made remarks like these with some sincerity. Having convinced himself as well as Harley and St. John that it was in the government's interests to propose strict limitations upon Marlborough's authority in the field, only to see his proposals nullified by political expediency,²⁶³ Orrery would now surely brook no incursions upon the scant political dominion he himself exercised as a quasi-military governor in the Southern Netherlands.

It may also be worth considering whether Orrery had a reputation for ignoring religious restrictions in the matter of awarding commissions. Although nominally Anglican, Orrery's own personal religious tendencies suggest relative indifference.²⁶⁴ There is ample evidence to show that he was frequently solicited by Roman Catholic aspirants for commissions from both

²⁶⁰*Ibid.*, Orrery to Marlborough, 16 Sept. 1711, N.S.

²⁶¹BL, Add. MS 61154, f. 185; SRO, GD 24/5/72; HMC, *Tenth Report*, i, 145-46.

²⁶²SRO, GD 24/5/72; HMC, *Tenth Report*, i, 145-46. Orrery to Drummond, 21 Sept. 1711, N.S.

²⁶³For example, the outcome of his suggestions for the formation of the War Office Committee, which were only sabotaged by his 'friend' Henry St. John.

²⁶⁴These tendencies will be discussed in detail in Ch. 11.

Britain and other countries. A Roman Catholic kinsman of Strafford was recommended to Orrery by none other than Marlborough and Cadogan, Strafford having observed that the man 'can't be provided for in the Army without my Lord Orrery's recommendations'.²⁶⁵ Orrery also played an important role in interceding with the Council of State on behalf of Shrewsbury's brother-in-law, the Marquis de Paleotti, an officer in the Imperial service with a reputation as a drunkard,²⁶⁶ and numerous other Catholic officers, some of whom were, incidentally, recommended by Marlborough himself in the midst of the Falconbridge dispute.²⁶⁷ More importantly, one of Orrery's main functions as a minister of the Condominium was to promote the prosecution of the war in Flanders and Brabant and thus supervise the award of commissions of Catholic officers who were often ineligible to serve under the colours of any sovereign other than that of Austria or Spain; therefore, any charges of religious preference or favouritism are largely irrelevant.

By mid-September Marlborough, his enthusiasm bolstered by the recent surrender of Bouchain,²⁶⁸ had grown increasingly impatient with Orrery over the disputed appointment. Why had he not been content to let the matter rest? Had it not been sufficient to allow the colonel to receive his pay without exercising command? Not surprisingly, Marlborough sharply disagreed with Orrery's contention that the Queen's authority in the region had suffered. Furthermore, precedent was an issue that could not be ignored. Marlborough claimed that other garrisons had never been commanded by an officer commissioned by the orders of the Condominium at Brussels and believed he would expose himself to extreme censure on the domestic front if he allowed the one British winter garrison in possession of an artillery magazine to be commanded by a Roman Catholic. He concluded these arguments with a declaration which must have infuriated Orrery:

There is one thing more your Lordship will give me leave to add, and then I hope you will be satisfied: it is that I am confident that H.M. and the ministers expect nothing, at least of any consequence, especially in matters relating to the army, should pass at the Conference without my participation while I am on this side, and had I been consulted about this commission, all this trouble would have been

²⁶⁵BL, Add. MS 31144, ff. 46-47.

²⁶⁶BL, Add. MS 22212, ff. 3, 20, 34, 42, 53, 59, 73-74; BL, Add. MS 32709, f. 46; BL, Add. MS 61154, f. 128. Paleotti killed his servant in public in 1718 and was hanged: Nicholson and Turberville, p. 221.

²⁶⁷LDM, v, 472; *cf.*, BL, Add. MS 61289, ff. 97-98.

²⁶⁸The town fell on 11 Sept. 1711, N.S.; Atkinson, 'Sieges', p. 204.

avoided.²⁶⁹

This was certainly an ironic retort, for St. John's collusion regarding the War Office Committee had helped ensure that Marlborough was indeed kept abreast of military affairs.

Orrery still refused to submit after this insulting riposte. He now vented his outrage in a letter to the Tory general Lord North & Grey. A veteran warrior,²⁷⁰ North & Grey was also hostile to Marlborough and can be ranked with several other discontented generals during 1710-1711.²⁷¹ Orrery repeated his accusations of 'contempt' to the Crown's authority and the 'pretended inconvenience' which Marlborough had submitted as the reason for the denial of Falconbridge's post. Orrery believed his opposition 'proceeded from partial and interested views and that his Highness is still led in this as in most other things by two or three valets who have not very good capacity [much] less probity'. Orrery admitted that his persistence in the affair had angered Marlborough, yet the Duke's remarks had produced a similar effect, particularly when Orrery had been corrected 'in a Pretty Surprising Manner' concerning Marlborough's prerogative over decisions made in Brussels.²⁷² Here was more familiar vintage Orrery from the 1710 campaign.

A few days later after Orrery had regained his composure, he penned a final, thorough letter requesting Marlborough's reconsideration of the appointment. Articulate, cautious, and persuasive, Orrery's letter gracefully reiterated that Marlborough's actions constituted a denial of royal authority. Insofar as the Duke's maintenance of the supreme authority over decisions in Brussels, Orrery contradicted Marlborough, arguing that he had received 'no instructions of that kind', yet pledged continued cooperation in keeping Marlborough abreast of developments in the Flemish capital. Then Orrery ended the letter with a virtual concession of defeat, expressing wishes for a continuation of their working relationship and hopes that his behaviour during the disagreement had not shown 'any want of respect' which Marlborough rightfully deserved.²⁷³ In this manner the matter finally reached its terminus;

²⁶⁹OPH, MS Eng. 218.27, ff. 129-32, before Bouchain, 22 Sept. 1711, N.S.; BL, Add. MS 61393, ff. 180v-81v; *idem*, *LDM*, v, 505-06.

²⁷⁰North & Grey served in every one of Marlborough's campaigns from 1702-1711. He had lost a hand at Blenheim, and had led a famous charge at Bouchain a few weeks before receiving Orrery's letter. He was later one of Orrery's Jacobite co-conspirators, for which see Ch. 10, below.

²⁷¹North & Grey had been promised the Lieutenancy of the Tower by Marlborough but the post was given to Cadogan instead. For an irate letter threatening to withdraw his support in the Lords see Bodl., MS North a.3, ff. 254-55. North & Grey to Oxford, 3 Jan. 1711, O.S.

²⁷²See Orrery's letter to Lord North and Grey, marked 'Private', 28 Sept. 1711, N.S., in BL, Stowe MS 241, ff. 154-55, (Orrery's emphasis).

²⁷³One can only conjecture about the sincerity with which this last comment was made; BL,

Marlborough avoided the topic completely in subsequent dispatches.²⁷⁴ Thus in another dispute, not terribly dissimilar from earlier ones with Marlborough over military authority and precedent, Orrery was forced to submit to the Commander's wishes. The clash over Falconbridge's commission was somewhat ambiguously grounded between the spheres of Marlborough's military jurisdiction and Orrery's diplomatic credentials as envoy extraordinary in Brussels. The dispute also produced the same result as previous ones: bitterness towards the Duke which revealed itself anew on various subsequent occasions. Before turning to examine Orrery's activities following the dispute, however, several additional facets which may have influenced the stance taken by each of its participants need to be addressed.

Concentrating solely upon Orrery's diplomatic duties neglects the concurrent and ongoing military responsibilities which remained part of his assignments. Throughout 1711 he attended to the requisition of supplies for his regiment, the accounting of officers,²⁷⁵ and other disciplinary matters.²⁷⁶ This evidence may also lead one to infer a possible link between the Falconbridge appointment and Orrery's regiment. There is some controversy as to how active the Scots Fusiliers were on the battlefield during the 1711 campaign. Several regimental histories describe how the unit served with exemplary valour at Bouchain.²⁷⁷ Yet this assertion is challenged by contemporaries and more recent studies,²⁷⁸ and Orrery's Fusiliers are conspicuously absent from one of two Orders of Battle for the campaign.²⁷⁹ In July 1711 a detachment reinforced Ghent,²⁸⁰ and at the campaign's close the remainder of the regiment was

Add. MS 61154, ff. 184-85; OPH, MS Eng. 218.1, i, n.f., 1 Oct. 1711, N.S.

²⁷⁴OPH, MS Eng. 218.27, ff. 137-41, letters dated the 4th, 13th, and 26th of October, respectively.

²⁷⁵See the return of his officers, 19 May 1711, N.S., in BL, Add. MS 61320, f. 47; and BL, Add MS 37209, ff. 61-62, Orders from Camp at Marchion, 23 Oct. 1711.

²⁷⁶See Orrery's letters concerning the court martial of Major John Platt, dated 17 Feb. 1711, London, and 14 May 1711, N.S., in BL, Add. MS 61336, ff. 31-33; and BL, Add. MS 61154, ff. 136-37.

²⁷⁷Buchan, *Royal Scots*, p. 71; Cannon, *Record of the Twenty-First Regiment*, p. 17; Churchill, iv, 871, cites a letter in private possession written to a Lt. Swan in the Royal Scots Fusiliers at Bouchain, 12 Sept. 1711, N.S.

²⁷⁸*Cf.* Drake, *Memoirs*, p. 232; Atkinson, 'Sieges: Further Evidence', p. 87.

²⁷⁹Atkinson, 'Orders of Battle', pp. 111-12.

²⁸⁰BL, Add. MS 61206, ff. 223-24, and further confirmed by a letter Marlborough wrote to the Magistrates of Bruges: *LDM*, v, 426, Camp de Cote, 31 July 1711.

sent into winter garrison there.²⁸¹ Since part of the regiment took up the Ghent garrison in the midst of the dispute over Falconbridge's commission,²⁸² one wonders whether Orrery's vigorous defence of Falconbridge was somehow related to this assignment. Another interesting facet of the dispute concerns the support--or lack of it--which Orrery received from London. Though suggested, it is unclear whether Orrery shared full details of the incident with St. John or if he had by now become aware of his friend's sympathetic attitude towards the embattled Marlborough. The only clue lies in St. John's evasive remarks that he 'could not imagine what ground my Lord Marlborough has of complaint as General of the Army, or ambassador to the States or Master of the Ordnance or Colonel of the Guards'.²⁸³

Perhaps a more consequential revelation relating to Marlborough's opposition to Falconbridge's appointment lies with the Duke's stormy relations with civic officials in Ghent. Complaints against the Duke and his trusted lieutenant, Cadogan, by Flemish officials have been mentioned earlier.²⁸⁴ Nowhere was their malfeasance more infamous, nor their extortion more flagrant, than in Ghent. Their activities there dated back as early as 1706, and in 1708 they were accused of provoking the unrest which led Flemish magistrates to intrigue with the Elector of Bavaria and open their gates to the French.²⁸⁵ The citizens of Ghent lodged a petition alleging that they had paid Cadogan and his commander over 7,000 pistoles²⁸⁶ for 'protection' which was never provided.²⁸⁷ On another occasion Cadogan received 40,000 guilders for allowing corrupt officials to retain their offices. By 1712 he and Marlborough had reportedly collected over 300,000 guilders by their efforts. Residents of Ghent described Cadogan as a 'a man of a profligate and avaricious character' and along with Marlborough, this pair of 'infamous and contribution-thirsty thieves' were accused of reducing the region's residents to abject penury, evoking protests that they 'would be

²⁸¹Atkinson, 'Order of Battle', p. 112.

²⁸²This is indicated by comments made in a letter Mar wrote to Orrery requesting an extension of leave for Orrery's Lt. Col. William Murray, a friend of Mar's, in July 1711; BL, Stowe MS 750, ff. 34-35.

²⁸³*Bol. Corr.*, i, 365. St. John to Orrery, 25 Sept. 1711.

²⁸⁴See above, p. 154, n. 54.

²⁸⁵For details of the plan to deliver the towns over to the French see the biography of its mastermind: Reginald de Schryver, *Jan van Brouhoven, Graaf van Bergeyck 1644-1725: Een Halve eeuw Staatskunde in De Spaanse Nederlanden en in Europa* (Brussels: Paleis Der Academiem, 1965); and Churchill, iv, 342-52.

²⁸⁶A Spanish monetary unit roughly equal to £1.5.

²⁸⁷See the unfoliated translation of a Flemish letter (in French) to Queen Anne dated 1711 contained at the end of PRO, SP 77/60; and the petition in *Original Papers*, ii, 274-77.

happier to be governed by the Turks'.²⁸⁸

In the midst of his embroglio with Orrery over Falconbridge's appointment, Marlborough expressed suspicion and distrust of the Ghent magistrates who had been nominated by the Council of State with Orrery's approval: magistrates who were the primary causes of 'the ill-will of this Province' and suspected of consorting with the French in 1708.²⁸⁹ Another interesting facet of Orrery's preference for the magistrates is that some of the same ones he was condemned for patronising were referred to by Henry Watkins as 'Cadogan's rogues'.²⁹⁰ This statement would seem not only to further incriminate Cadogan as plenipotentiary but suggests suspicions of pro-French sentiments and possible corruption by him as well as Marlborough. As far as Orrery's tendencies in the magistrate nomination process, if his own choices were for candidates of questionable loyalty in a region characterised by acts of rebellion against outside influence, they only mirrored past tendencies and could very likely have been the subject of criticism by the Dutch for ulterior motives.

In the light of these revelations, exaggerated though they may be, Marlborough's fierce opposition to the appointment of a Roman Catholic commander to the Ghent citadel is easier to comprehend. Conversely, Orrery's advocacy of the candidate could have resulted from a sincere intention to alleviate some of the oppression inflicted by adversaries like Marlborough and Cadogan, intentions stemming from his contacts on the Council of State. Orrery's influence in the nomination of magistrates and, in this vein, his failure (perhaps due to deliberate indifference) to engineer the appointment of Marlborough's candidates may have been yet another means whereby he could subvert the Duke's influence. Moreover, if Orrery himself blocked the magistrate's appointment, he was only acting within the established guidelines of his post.²⁹¹ A final point concerns Orrery's integrity. Despite his intrigues against Marlborough, and the accusations of excessive forbearance towards the Council, Orrery deserves recognition for his rectitude and unblemished conduct. Here Marlborough and Cadogan pale in comparison. Even with his deteriorating relationship with the Council, Orrery appears

²⁸⁸ *Ibid.*, ii, 277, 394-99; *cf.* Norfolk RO, Hare MS 6160, ff. 126-27; and HMC, *Portland*, v, 426-27.

²⁸⁹ *LDM*, v, 513. Marlborough to St. John, 28 Sept. 1711.

²⁹⁰ BL, Add. MS 70027, f. 158v. Watkins also noted: 'the town still has enough to furnish another set.'

²⁹¹ In 3 April 1710 the Council of State had been restored the power to select magistrates, provided Allied ministers in Brussels 'had not weighty reasons to except against the persons;' see the 'Memorial' in BL, Add. MS 37209, f. 310.

on most occasions to have acted with an admirable degree of integrity, and there are few petitions which incriminate or defame his character like those levelled at Cadogan and Marlborough.

Orrery's dogged opposition to Marlborough's authority and intermittent surrender to his wishes are all the more puzzling when compared with Orrery's other contacts with the duke during the first year in Brussels. Not only did Orrery willingly concede to Marlborough over the Ath unrest but, in virtually every other sphere of his influence with the Council of State and his activities at The Hague, Orrery kept Marlborough fully abreast of the latest developments. In some cases Orrery's dispatches to Marlborough are more informative and revealing than those sent to St. John.²⁹² In contrast, it has been pointed out that St. John evidently kept the Quebec expedition a complete secret from Orrery.²⁹³ Also interesting are the circumstances behind Orrery's cooperation in Marlborough's request for wagons and war matériel for the siege of Bouchain. The supplies which Orrery helped garner were actually designed for a siege of Quesnoy, and at the connivance of both Oxford and St. John--the latter made the request for Marlborough--and this fact was also concealed from Orrery.²⁹⁴

There are also professions of mutual courtesy and a willingness for association between Marlborough and Orrery in 1711. En route to the front in the spring Marlborough had hoped to meet Orrery in Ghent, and invited him to visit the camp during the summer.²⁹⁵ Orrery often reciprocated these invitations by intimating his intentions to socialise with Marlborough,²⁹⁶ who may also have had a hand in supporting Orrery's claims for an English peerage.²⁹⁷ In the same letter which described the revision of Falconbridge's commission, Orrery revealed to Marlborough secret plans for a new regulation of the government of the Southern Netherlands, a plan so secret he had 'not communicated this to any living body here'.²⁹⁸ Finally, Orrery

²⁹²See his accounts of the negotiations with the Danish and Polish ministers at The Hague in July: BL, Add. MS 61154, 152-53.

²⁹³See above, p. 153, n. 49; *cf.* SRO, GD 24/5/72.

²⁹⁴On the day Orrery left The Hague Oxford wrote to Marlborough that St. John had 'orders to write to Lord Orrery, according to Lord Stair's proposal, for facilitating the project, but it is in such a manner that his lordship will not be able to guess at the project; but the pretence is taken from your grace of investing of Bouchain': see Coxe, *Marlborough*, iii, 243.

²⁹⁵OPH, MS Eng. 218.27, ff. 67-68; BL, Add. MS 61393, ff. 10v, 12.

²⁹⁶BL, Add. MS 61154, ff. 140-41, 150.

²⁹⁷In mid-August Orrery thanked Marlborough for his 'great Kindness' in 'taking so friendly a part in the Queen's late favour to me': see BL, Add. MS 61154, f. 155; and Marlborough's response, in *LDM*, v, 441, congratulating Orrery on the award of the peerage.

²⁹⁸BL, Add. MS 61154, ff. 173-74, and the draft of the plan itself in ff. 175-78. See

seems to have given Marlborough the impression they were to meet informally at Antwerp before Orrery departed for England in November 1711.²⁹⁹ All these insinuations of friendship and deference from a man renowned as one of Marlborough's most bitter foes and who had taken extraordinary steps to subvert his military authority only a year earlier remain most perplexing. They are also in marked contrast to Orrery's verbal attack on Marlborough a year later in the Restraining Orders debate.³⁰⁰ If Orrery's amiable overtures in 1711 were simply meaningless pleasantries, they cannot be attributed to reprimands or orders for a reconciliation from St. John. Perhaps they point to Orrery's sporadic intentions to begin distancing himself from the Tory ministry he had helped install and to display a more moderate face in preparation for the Hanoverian Succession which was expected to follow Queen Anne's death.

Whatever his reasons, Orrery's admission of defeat in the dispute over the Ghent appointment roughly coincided with the completion of the new 'Règlement' of the government of the Southern Netherlands. After Van den Bergh's return to Brussels he had collaborated with Orrery on the modifications pursuant to the States General's wishes.³⁰¹ After sending the modified plan to The Hague for approval, the regulation dated 5 October was then submitted to the Council of State for its consent four days later.³⁰² If not granted by 13 October, the regulation stipulated that Council members might not expect to serve in the future.³⁰³ Anticipating their reaction, Van den Bergh advocated institution of the regulation regardless of the Council's approval, whose members deliberated and offered excuses for delays in their response. Orrery believed they were 'loath to part with ye absolute power' which he felt they

below, pp. 202-03, for further discussion of the plan.

²⁹⁹The meeting did not, however, take place: see OPH, MS Eng. 218.27, ff 142; *LDM*, v, 562.

³⁰⁰See above, Ch. 4, pp. 138-39.

³⁰¹PRO, SP 77/60/310-11, 320-21.

³⁰²Several variant copies of Orrery and Van den Bergh's 14-point Regulation have survived. The early draft Orrery sent to Marlborough and dated 5 Sept. is in BL, Add. MS 61154, ff. 175-78 and was enclosed with his letter of 16 Sept. A draft of the same sent to St. John in Orrery's of 24 Sept. is in PRO, SP 77/60/312-16. The official copy of the modified regulation dated 5 Oct. is in PRO, SP 77/60/337-41v, and a contemporary printed copy follows in SP 77/60/399-401, along with an undated draft MS copy with slight variations in ff. 478-81. The official copy is printed in Gachard, *Documents*, iii, 278-85. Another draft MS copy signed by Orrery and Van den Bergh can be found in BL, Add. MS 24968, 'Actes et Documens Concernant Les Bays Espagnols 1706-1717', ff. 71-74.

³⁰³For the Condominium's requisition of 9 Oct. 1711, N.S., signed by Orrery and Van den Bergh, see Gachard, *Documents*, iii, 277-78. Marlborough also received a copy: BL, Add. MS 61191, ff. 90-91.

had no justification to exercise.³⁰⁴

By its very nature the new 14-point Règlement was designed to prevent potential clashes over authority. Rather than containing instructions which were 'too general and too loose', it was clear and explicit so as to provide no possible grounds for misinterpretation. The Council of Finance was made subservient to the Council of State, whose own eight-member body retained 'the general administration of power' in recommendations for appointments of local officials and in disputes over 'conflicts of jurisdiction', yet it would be forced to concede subordination to the Maritime Powers and 'execute the Orders of their Ministers for the Publick Service.' Orrery believed such a compromise was reasonable. If the Councillors refused, he planned to concur with Van den Bergh's expedient, for he also agreed that more amenable officials could be sought to serve on the Council. Its lesser counterpart quickly conformed to the regulation except for one article primarily concerned with payments of receivers.³⁰⁵ This article was amended to their satisfaction in a response by Orrery and Van den Bergh on 7 November.³⁰⁶

True to previous form, the Council of State was less pliable. Its initial negative response on the 13th was not the reaction Orrery and the Dutch Deputy had desired, but it was not surprising. In essence the councillors' withheld their approval on grounds that the new regulation was prejudiced against their religious interests and privileges.³⁰⁷ The Anglo-Dutch ministers countered this 'inexcusable' and 'very insolent' response with a strongly worded declaration on the 13th and a longer response of the 19th reassuring the Council of their intentions. Orrery hoped these would dispel their fears and 'convince all unbiased people that nothing is intended against the Religion or Privileges'. In Orrery's words, the Maritime Powers' sole aim was to regain power which the Council had 'usurped as well as made an ill use of and to put the affairs upon such a foot that this Country may be of as much use as possible to the Common Cause.'³⁰⁸ Henceforth, requisitions presented to the Council would require immediate action, without its referral to magistrates or provincial officials for

³⁰⁴PRO, SP 77/60/335-36; OPH, MS Eng. 218.1, i, 99. Orrery to St. John, 8 Oct. 1711.

³⁰⁵OPH, MS Eng. 218.1, i, 99, and 100-01, 15 Oct. 1711, N.S.; and PRO, SP 77/60/345-46.

³⁰⁶See the printed 'Elucidation' of the ninth article in PRO, SP 77/60/401.

³⁰⁷A printed contemporary broadsheet of the Council's response 'contenant le refus d'accepter le nouveau règlement', 15 Oct. 1711, N.S., is contained in PRO, SP 77/60/402-03; and printed in Gachard, *Documents*, iii, 288-89.

³⁰⁸PRO, SP 77/60/365-66. Orrery and Van den Bergh to the Council of State, 15 Oct. 1711; PRO, SP 77/60/359-60; *idem*, OPH, MS Eng. 218.1, i, 103-05. Orrery to St. John, 22 Oct. 1711.

consideration as practised in the past.³⁰⁹

Five days later the Council issued its second response. Though 'more civil' than the previous reply, Orrery still considered it unacceptable because it failed to indicate whether the Council would acknowledge its subordination. Orrery's distrust of nearly all the Councillors now reached new heights.³¹⁰ He resented men who had failed to display the slightest token of appreciation for his 'indulgence on their account'. If an alteration in the government (and in the Council's composition) was made, Orrery vowed to choose men of ability, probity, and zeal, 'regardless of their experience'.³¹¹ Exasperated and impatient, Orrery and his Dutch counterpart presented the Council with what both viewed as a long overdue ultimatum: all members whose signatures were not affixed to the regulation by the month's end would forfeit their offices.³¹² This drastic step seems to have produced something of the desired effect. The councillors begrudgingly signed a declaration, but one signifying only their intent to sign the Règlement at an unspecified date.³¹³ Orrery observed that this was a step in the right direction and the Council had 'condescended very far', yet, if its members continued to 'chicane' in 'so disrespectful' a manner, he admitted he would have no other recourse but to 'show 'em no further Indulgence.' Two weeks later the Council had still failed to sign the regulation and Orrery and Van den Bergh, incensed over the 'groundless clamour' and 'Industry us'd to calumniate the two Powers', advised that representations be made to the Emperor about his subjects' disrespect.³¹⁴ The Council's signature of the declaration of intent rather than the 'Reglement' itself also caused further tension between Orrery and Van den Bergh. Finding their views towards the Council becoming increasingly more compatible, Van den Bergh was nevertheless disgusted that his counterpart

³⁰⁹See the Anglo-Dutch ministers' declaration insisting on acceptance of the regulation, 19 Oct. 1711, N.S., in PRO, SP 77/60/485-86; and printed in Gachard, *Documents*, iii, 290-92.

³¹⁰The sole exception was the self-seeking Comte de Clairmont, who seems to have been the most consistently cooperative member and Orrery's closest ally on the Council. He abstained from signing the first response.

³¹¹PRO, SP 77/60/373-74; *idem*, OPH, MS Eng. 218.1, i, 105-06, 26 Oct. 1711, N.S.; and the Council's response addressed to Orrery and Van den Bergh, 24 Oct. 1711, in PRO, SP 77/60/487; and printed in Gachard, *Documents*, iii, 293-94, signed by all of the councillors.

³¹²PRO, SP 77/60/405; and printed in Gachard, *Documents*, iii, 295-97, requisition dated 27 Oct. 1711.

³¹³PRO, SP 77/60/406; and printed in Gachard, *Documents*, iii, 298. Declaration dated 29 Oct. 1711.

³¹⁴PRO, SP 77/60/ 379-80; *idem*, OPH, MS Eng. 218.1, i, 107. Orrery to St. John, 2 Nov. 1711, N.S.; and *ibid.*, ff. 108-09, 16 Nov. 1711, N.S.

had not demanded the Council's signatures be affixed to the document. One explanation for Orrery's refusal is that it was motivated by his instructions, which stipulated he was to veer away from a pro-Dutch stance in hopes of later securing British commercial advantages, and by his own opposition to Dutch restrictions upon British trade. Until he was convinced that the Dutch would yield on the trade issue, which they were to do in 1713 with the new Barrier Treaty, Orrery continued to follow a difficult, moderate course in which he stopped short of fully embracing the Council yet remained a less than compliant ally.³¹⁵

Another reason for Orrery's apathy was his impatience to return to England, having been granted permission to leave Brussels in mid-October.³¹⁶ In addition to citing health reasons, which made him long for peace and quiet rather than 'the hurry of very much and very disagreeable business,'³¹⁷ his 'private affairs' demanded his presence by early November.³¹⁸ After the Council signed the declaration, St. John evidently thought there was little need for Orrery's presence in Brussels during the winter months. With Orrery's valuable support, Marlborough had largely completed arrangements for the winter garrisons' subsistence, and himself remarked that Orrery had referred a bread contractor whose rates 'were the fairest of any' and over a 'penny a ration cheaper than what the Dutch pay'.³¹⁹

Before Orrery departed he instructed Van den Bergh of his opinions, and he remained confident that with sufficient instructions from across the Channel, Laws, his secretary and the Dutchman could attend to any business which might arise during his absence.³²⁰ The States General had requested that Van den Bergh accompany Orrery to The Hague to engage in further discussions on settling the Low Countries' government, and Heinsius had specifically

³¹⁵Geikie and Montgomery, p. 310.

³¹⁶'St. John-Orrery Letters, 1709-1711', p. 196, Whitehall, 26 Oct. 1711; and *idem*, PRO, SP 104/12/73. Van den Bergh was given the impression Orrery was returning to England for the winter and would be back in the spring: *Heinsius*, xii, 397.

³¹⁷PRO, SP 77/60/349-50; OPH, MS Eng. 218.1, i, 102, 19 Oct. 1711, N.S.

³¹⁸Some of these 'affairs' pertained to problems he was confronting in the collection of rents due from his Irish estates.

³¹⁹Coxe, *Marlborough*, iii, 251. Marlborough to Oxford, 15 Oct. 1711, N.S.; OPH, MS Eng. 218.27, ff. 139-40. Marlborough to Orrery, Bouchain, 13 Oct. 1711, N.S.; *LDM*, v, 538-39, and 547; BL, Add. MS 61154, 139-40; and *Catalogue of Autograph Letters*, ii, 172. In his ancestor's biography Churchill chooses to ignore this worthy service rendered by Orrery. The contractor's services also appear to have been utilised in the 1712 campaign: BL, Add. MS 31136, f. 231.

³²⁰Orrery left Brussels on 20 Nov.: PRO, SP 77/60/393-94. Laws to St. John, 23 Nov. 1711; OPH, MS Eng. 218.1, i, 108-09, 16 Nov. 1711, N.S.

requested that Orrery remain until the new regulation was finalised,³²¹ but either out of personal disinclination or a decision not to leave the Condominium without representation, Van den Bergh failed to make the journey.³²² Orrery's departure was apparently delayed intentionally to avoid repeated Marlborough invitations to meet in Antwerp,³²³ although some observers expected the pair to travel to London together.³²⁴ Orrery arrived at The Hague on 24 November. After several days of conferring with Strafford,³²⁵ who had finally resumed his post, Orrery arrived in London on 18 November 1711, O.S., the same day as Marlborough and Baron Bothmar, the Hanoverian envoy.³²⁶

Orrery's return marks the conclusion of the initial stage of his embassy in Flanders. This stage was characterised by shifts in his attitudes toward both the Council of State and the Dutch and based partly on expedience and alterations in his instructions from the Secretary of State, as well as complications resulting from the evolution of Anglo-Dutch relations during the year 1711 and the accelerated peace process between Britain and France. Bringing along with him with more specific instructions and a more resolute stance in opposition to the arrogance and subterfuge of the Council of State and Dutch attempts at trade encroachments in the region, when he returned a year later Orrery's mediocre diplomatic success in 1711 would be vindicated.

³²¹*Marl.-Heinsius Corr.*, p. 571.

³²²Bodl., MS Rawlinson A-286, f. 30.

³²³OPH, MS Eng. 218.27, f. 142. Marlborough to Orrery, Antwerp, 4 Nov. 1711, N.S.; BL, Add. MS 61154, *idem*, 22 Oct. 1711, N.S.; and *LDM*, v, 553, *idem*, 25 Oct. 1711, N.S.

³²⁴*Catalogue of Autograph Letters*, ii, 84. Cardonnel to Watkins, 22 Nov. 1711.

³²⁵*Dublin Gazette*, 24-27 Nov. 1711, and 27 Nov.-1 Dec. 1711; *The Evening Post* (Edinburgh) 20-22 Nov. 1711.

³²⁶Boyer, *Annals*, x, 270; BL, Add. MS 28041, f. 32v. Contemporaries imply they travelled together: *Catalogue of Autograph Letters*, ii, 84. Cardonnel to Watkins, 22 Nov. 1711

Chapter 6: Diplomacy and Peace: Brussels and Utrecht, December 1712-June 1713

...the Members of the Council were ordered to declare in writing, that they would observe their instructions, and acknowledge their Subordination, or absent themselves from the Council. But they having not only refused to Sign such a Declaration, but also continued their assembly, it was thought fit to revoke their commissions, and appoint others in their Places.
London Gazette, 17-21 March 1713.

The years 1712-1713 encompassed the two last phases of Orrery's diplomatic mission to Brussels. The first of these was carried on by correspondence from afar, with the final phase following his return to Brussels in late 1712. The months between his departure and his return a year later witnessed profound changes on the European scene. Hostilities with the French were terminated. Peace negotiations pursued with vigour by the British and French under Oxford and Bolingbroke's personal supervision had by late 1712 advanced to their closing stages. As the date for the transference of the Spanish Low Countries to their new Austrian sovereign drew near, the authority of the Maritime Powers' Condominium was ignored and directly challenged with greater defiance than had been demonstrated in 1711.

Two intrinsic problems persisted with the Anglo-Dutch Condominium. One was the relative indifference Austria's sovereign exhibited towards his newly-acquired possessions in northwestern Europe. Historical precedent and geographical proximity to the Maritime Powers dictated that these provinces would be exposed to an Anglo-Dutch influence far more dominant than that of Austria even after the provinces' transferral and the signing of the Treaty of Utrecht. This reality was in large part due to commercial considerations, yet even if such conditions had not manifested themselves so pervasively, German and Spanish concerns would have remained paramount in Vienna. This Imperial apathy bitterly disappointed a downtrodden people who with some justification perceived themselves as pawns of war, manipulated by Anglo-Dutch greed and diplomatic objectives. The second problem, authority--or rather the Maritime Powers' deficiency of it--still punctuated the Condominium's transactions. Disagreements over the administration of the region's government were inevitable between two powers with conflicting trade interests there, who the region's population believed had scant legitimate right to administer their affairs to begin with, other than affiliation with Austria by the alliance and the *de facto* right of conquest, and who had constantly played off elements of provincial discontent internally to the Maritime Powers' mutual advantage.¹

Equally important in the ongoing dilemma over political hegemony was the role Orrery

¹These issues are briefly discussed in Geyl, ii, 330-33.

played in plotting policies whereby British commercial interests in the Southern Netherlands would be safeguarded.² His formulation of a detailed plan for the regulation of trade in the region is perhaps the most striking contribution of his diplomatic mission. Another significant development came with the long anticipated, wholesale replacement of the uncooperative members of the Council of State. Otherwise, Orrery's diplomatic exploits conclude on a rather mixed note, with his reluctance to remain abroad after the Utrecht settlement followed by a sudden change of heart in which the Oxford ministry's failure to secure neither another diplomatic post nor a domestic appointment for him actually precipitated his withdrawal of support from Queen Anne's Tory ministers and its policies. This personal disappointment was heightened by Orrery's negative perceptions of Britain's treatment of its Dutch allies, and soon after his return to England he was preparing to abandon Oxford's Tory ministry.

I

During what ultimately proved to be a long absence from his post in Brussels, Orrery remained well apprised of occurrences in the Netherlands through the correspondence of Strafford at Utrecht and Laws, Secretary of the Embassy in Brussels,³ and he continued to participate actively in the affairs and decisions transpiring across the Channel. The chief authority in Brussels remained Van den Bergh, who had stayed behind in the Flemish capital for the winter. Using Laws as a medium of communication, Orrery and the Dutch Deputy continued to address lingering problems connected with the Condominium and the fractious councillors. Van den Bergh had wholeheartedly endorsed a solution Orrery had made to counter their disobedience before his departure: the threat to suspend their salaries. This measure must have been an effective one; by the first of the year consent for funds demanded for forage quotas essential in the forthcoming campaign was already granted by some of the provinces. The States of Hainault had consented to supplying 400,000 crowns. In the spring the provinces of Brabant, Hainault, and Flanders consented to pay over a million guilders for the subsistence

²For general background on Anglo-Dutch trade in this period see Charles Wilson, *Anglo-Dutch Commerce and Finance in the Eighteenth-Century*, 2nd. ed. (Cambridge: Cambridge University Press, 1966).

³PRO, SP 77/60/393-94. Laws's correspondence to Orrery during the year 1712 is contained in PRO, SP 77/61, which for some reason has remained unfoliated. Some letters can also be found in BL, Add. MS 37209.

of Imperial troops in their country, and a special Imperial commissioner's office was established in Brussels to collect the sum.⁴ Another relatively controversial measure designed to enhance the Condominium's efficiency was the implementation of a policy whereby the Council's grievances (during Orrery's absence) were referred to Count Sinzendorff, Imperial resident at The Hague. This was a double-edged sword. Orrery and Strafford attempted to coerce Sinzendorff to apply Imperial pressure upon the Council and 'signifye' the Emperor's consent to the need for revenues, particularly from Flanders. At the same time, the British diplomats agreed to place strict limitations upon the extent to which Sinzendorff could 'concern himself in the management' of the Condominium's affairs. These limitations, agreed to by St. John,⁵ were the British response to rumours that the Dutch had accepted Sinzendorff in January 1712 as commissioned to act in the capacity of the Condominium's third minister in Orrery's absence so as to subdue the ever troublesome Council of State.⁶

Equally important in the ongoing dilemma over hegemony was the role Orrery played in plotting policies whereby British commercial interests would be safeguarded. Interest in this issue was heightened in February 1712 when St. John endeavoured to assuage the tempers of peace-hungry anti-Dutch Tory MPs by launching a public attack on the 1709 Barrier Treaty in the Commons.⁷ Articles which could be construed as detrimental to British commercial interests were systematically examined and denounced, presented as indictments against the Republic and its Whig allies in Britain. Additional enquiries conducted by members of the Board of Trade produced similar, devastating effects. Dutch goods imported into the 'New Conquests' were figured to cost up to 8% less in importation costs than their British

⁴BL, Add. MS 37209, ff. 67-68. Laws to Orrery, Brussels, 4 Jan. 1712; and *London Gazette*, 10-13 May 1712.

⁵*Ibid.*; and OPH, MS Eng. 218.1, i, 110-13. Orrery to St. John, London, 26 Feb. 1712.

⁶In PRO, SP 77/60/472-73. Laws to St. John, Brussels, 7 Jan. 1712, Laws reported: 'the Dutch seem inclin'd to admitt the Count in that character at the Sollicitation of M. Vandenberg, who Supposes by that Means to establish the subordination of the Council of State.' It may be something of a telling indication of Orrery's self-conceit to note that St. John was initially less opposed to this proposition than Orrery: PRO, SP 104/12/87. Furthermore, in light of Argyll and Orrery's hostility towards Marlborough in previous campaigns, it is worth noting that Eugene opposed sending a third Austrian representative to Brussels, believing the country 'well govern'd' by Laws and Van den Bergh during Orrery's absence: see PRO, SP 104/12/78-79. Strafford to St. John, 23 Feb. 1712, N.S.

⁷See above, Ch. 5, p. 146. In Feb. 1712 Peter Wentworth remarked that St. John 'had show'd 'twas our business to provide a Barrier for the Dutch against France only, and that 'twas amassing [sic] that any Englishman should think of giving them one against England'; *Wentworth Papers*, pp. 267-70.

counterparts.⁸ Swift's St. John-inspired pamphlet, *Some Remarks on the Barrier Treaty*, levelled vituperation at the Whig ministers who had consented to the imposition of 'double duties' upon their own countrymen.⁹ In order to procure additional ammunition for his political salvos against the Dutch, St. John sought Orrery's assistance in procuring information. Obviously, Orrery himself possessed little firsthand experience in trade matters, yet his arbitration of settlements of British merchants' grievances in the region helped compensate for this deficiency, and he continued to exercise his jurisdiction in these settlements in his absence.¹⁰

Moreover, soon after returning to London Orrery had instructed Laws to order the Council to draw up a report on commercial grievances then prevalent in the provinces, along with the impact those grievances had upon British trade interests. Although the Councillors themselves (unsurprisingly) proved uncooperative in this task, Laws obtained assistance from other persons in Brussels and submitted a detailed report to officials at Whitehall.¹¹ The substance of the report echoed findings of a Board of Trade study; the principal threat came not so much from Flemish duties and impositions as from unfair competition and Dutch trade practices. All English goods imported into Ostend, the region's principal port, and sold to Flemish merchants for resale in the conquered border territories, were subject to an entry duty in Ostend and another duty upon arrival at the frontier. If the goods were transported there, instead of being sold to Flemish middlemen, a 2.5% transit duty was still incurred. Similar Dutch goods were exempt from the entry duty and enjoyed a greatly reduced transit fee.¹² Revelation of these discriminations, coupled with the opening of negotiations at Utrecht and a torrent of Tory pamphlets which excoriated Britain's Dutch allies, combined to stimulate public sentiment for terminating the war and reprisals against Dutch merchants.

Orrery passed his own strictures upon the unfairness of Dutch trade practices, as he did upon rumours of increased Imperial involvement in the Condominium's affairs. Now all but

⁸Coombs, pp. 300-01.

⁹Foot, pp. 293-306. St. John's role in the 1713 Barrier Treaty is discussed in Dickinson, *Bolingbroke*, pp. 94-95, 103. For the role of anti-Dutch sentiment in politics see *idem*, 'The Tory Party's Attitude to Foreigners: A Note on Party Principles in the Age of Anne', *BIHR*, xl (1967), 153-65.

¹⁰PRO, SP 77/61, *passim.*, Laws to Orrery, Jan.-March 1712,; BL, Add. MS 37209, ff. 78-79, 82-83.

¹¹PRO, SP 77/61. Laws to Orrery, 14 and 18 Jan. 1712; BL, Add. MS 22205, ff. 268-69.

¹²PRO, SP 77/61. Laws to St. John, 25 Jan. 1712, N.S.; *idem*, quoted in Coombs, pp. 300-01.

totally committed to the Council of State's complete subjugation, he confessed that earlier lenience and respect shown them had failed to achieve the desired effect. Rather, the Council he had befriended had used 'various and clandestine methods to blacken' the Anglo-Dutch administration. Nevertheless, he was willing to return to his post in Brussels. Before doing so, he only desired the provision of detailed instructions so he would have no confusion as to his latitude of judgement in selecting the measures necessary to defend British interests: in matters of trade as well as diplomatic and military concerns. These interests required protection not only from the Dutch, but from the Austrians and residents of the Southern Netherlands.¹³

Despite the political participation Orrery undertook in 1712, he did not exhibit irresponsibility by ignoring his diplomatic functions; indeed, he seems to have been considered for another diplomatic assignment. Soon after returning from Brussels rumours had him as a prime candidate for appointment as a third plenipotentiary at the congress at Utrecht, which opened in January 1712.¹⁴ Whether the appointment was declined or ever actually offered to him is impossible to ascertain, but when the grueling eight-month stint he had just completed is taken into account, it should evoke no surprise that he opted not to join his friend Strafford and the Lord Privy Seal, the Bishop of Bristol, in conducting the arduous negotiations. Fiscal frugality on the government's part, and the timidity and distaste which Orrery displayed for the intrigue and posturing at The Hague the previous summer may have affected the government's decision not to send a third negotiator.

Orrery did not journey back across the Channel in either a diplomatic or a military capacity for months to come, despite, as noted, a new campaign underway in the spring and its accompanying logistical arrangements and other responsibilities. His delayed return was by all indications unplanned and unanticipated, at least by figures on the Continent. Laws and Van den Bergh eagerly expected his return when the campaign was launched, and the latter even journeyed to The Hague in May to greet him.¹⁵ Since Orrery was not abroad in 1712, his communication was through personal contacts, leaving few sources to explain the exact circumstances contributing to his delay. There are, however, two, and possibly three, salient explanations for Orrery's absence from Brussels in 1712. His presence in London, and more

¹³OPH, MS Eng. 218.1, i, 110-13. Orrery to St. John, 26 Feb. 1712.

¹⁴*Wentworth Papers*, pp. 215-16. Peter Wentworth to Strafford, 27 Nov. 1711.

¹⁵PRO, SP 77/61. Laws to St. John, 16 May 1712.

specifically, in the House of Lords, was evidently thought necessary to assist the government's two leading ministers in their parliamentary objectives. Intentional dalliance to allow for progression of the peace negotiations with the French may have played a secondary role.

Surviving letters written to Orrery, and his responses, also demonstrate that in both a diplomatic and a military capacity, his absence from Flanders cannot be attributed to a dereliction of duty. Instead, the delays in his return derived from a firm insistence on his part that his instructions be clarified and that his personal financial situation be resolved. Orrery informed Bolingbroke of his readiness to return as early as February 1712 granted these conditions were met.¹⁶ Despite this pledge, however, repeated efforts to collect his salary arrears continued throughout the spring and summer of 1712 and have been mentioned in an earlier chapter.¹⁷ After Orrery received his new diplomatic instructions in July his chief concern remained the settlement of his financial affairs, and his perception of Oxford's neglect of these affairs was among the first signs of Orrery's diminishing loyalty to the ministry.

In late August, Orrery composed an unusually frank and revealing letter to Oxford in which he explained that his reluctance toward returning to Brussels had diminished since Britain's relations with the Dutch and with the Habsburgs had undergone some amelioration. Assuring the Lord Treasurer he could depart in a few weeks, Orrery offered temporarily to accept a partial payment of 12 months salary of his diplomatic arrears which had been authorised by the earlier warrant and postpone the settlement of the remainder of his pay and expenses until after his return, which he was confident could be expected following a residence in Brussels of no more than a few months. Orrery was convinced that Oxford's friendship, Orrery's 'interest with the Queen, [and] her own kind disposition' to him would prevent further delays.¹⁸ The same letter also exhibited an impatience with Oxford borne of suspicions of apathy in the resolution of his affairs. Reiterating his earlier assertion that his dispatch to Brussels was contingent upon reception of diplomatic arrears 'which you [Oxford] had signed a warrant for so long ago',¹⁹ Orrery apologised for the need to 'use so

¹⁶OPH, MS Eng. 218.1, i, 110-11.

¹⁷See above, Ch. 4, pp. 136-37, 141-42.

¹⁸HMC, *Portland*, v, 215-16. Orrery to Oxford, London, 26 Aug. 1712.

¹⁹The warrant for nearly £3,000 had been signed in early July; see above, p. 137; and *CTB*, xxvi, pt. 2, 352.

much importunity' to collect his arrears, yet believed he was justified for doing so, for without the money he had found himself forced to 'suffer great inconveniences a considerable time...with patience and silence.' Not only increasingly frustrated over his financial situation, Orrery intimated growing concern that endless delays would only bring about further deterioration of the Condominium's position in Brussels and see his efforts from 1711 rendered largely moot. If he was to return to Brussels at all, however, Orrery now stressed that alacrity was essential.²⁰

The impasse over Orrery's remained unresolved two months later. Orrery again wrote to the Lord Treasurer, using forceful language which demanded attention in what must have seemed a futile hope of prevailing. Claiming to be 'always more concerned to ask for anything, even though, it may be due, than I am pleased to receive it,' Orrery emphasised his desperation 'now after several months of vain expectation of being paid', and elaborated on the circumstances which dictated the need for his presence in Brussels, arguing that by his:

long absence some people there have been encouraged to encroach very much upon that authority which the Queen, in conjunction with the States, has always exercised since the submission of the country; 'tis certain these gentlemen have given several instances lately of their intentions to wrest the power out of those hands where it has so long been lodged, and where I think it ought to remain for the Queen's honour and the advantage of the nation till the country is given up in form...they [the Council of State] have taken upon them to dispose of a regiment of that country without the intervention either of the Queen or the States, a power that was not only never allowed them, but never pretended to by them before. They have lately passed a resolution there too not only to pay me no longer the usual allowance which has been constantly been given to the Queen's Minister there for his house and equipage,²¹ but have refused to pay even what is due this time, which outrageous proceeding is a great affront I think to the Queen, and affects me very sensibly by leaving upon me unexpectedly a very considerable debt, which must increase every day till I dispose of my house and equipage there. By this you may see how necessary it is that some resolution about my going should be taken without delay, and upon the whole I think you cannot but be sensible that, if the state of the public revenue and affairs will not allow me to receive punctually the appointments of the place that I have...there is nothing left for me to do but to retire, that my affairs may not be irretrievably disordered, that my reputation may not suffer, and that you and the rest of my friends may not be so frequently disquieted with my solicitations.²²

Bolingbroke informed Ormonde that he was preparing to dispatch Orrery in September, yet a month later he was still 'hastening over' his envoy friend. Strafford reported that the subject of Orrery's return had been raised in a Cabinet Council meeting, and although the Queen's ministers were anxious to see him resume his duties, it was noted that Orrery 'Seems

²⁰HMC, *Portland*, v, 216.

²¹The almost defunct practice of the host government providing for part of the expenses of resident diplomats remained in effect in Brussels and Constantinople; see D.B. Horn, *The British Diplomatic Service, 1689-1789* (Oxford: Clarendon Press, 1961), p. 61.

²²HMC, *Portland*, v, 232-33. Orrery to Oxford, 7 Oct. 1712.

to have no mind to it till they have payd him his arrairs'.²³ Finally, Orrery's impassioned pleas and threats of retirement seem to have spurred the lethargic Lord Treasurer to action. Later in the month the Treasury issued instructions for the payment of £2,000 to Orrery.²⁴ Similar orders for the balance of £920 came several weeks later. On 20 November Orrery received an additional £600 to help facilitate his return to the Netherlands.²⁵

II

Reports from Brussels during the second half of 1712 demonstrated that Orrery's account of the Condominium's decaying influence was not exaggerated. During his absence the relationship between the Council of State and the Anglo-Dutch Condominium deteriorated further and throughout 1712 Laws sent regular reports which described the situation.²⁶ The Council was unrelenting in its 'daily encroachments' upon the Queen's authority, and despite the concessions shown him, Ursell continued to play the part of chief instigator of this offensive behaviour.²⁷ On one occasion the Council dared defy Prince Eugene's direct order, despite the fact that he was Marshal of the Empire of which Flanders, Brabant, and Hainault would soon become part.²⁸ This defiance sparked rumours that Eugene and Sinzendorff himself were planning to come to Brussels to confer with their sovereign's Council.²⁹

²³PRO, SP 104/12/105, 112; Bodl., MS Rawlinson A-286, ff. 323-33. Strafford to Bristol, 22 Oct. 1712, O.S.

²⁴CTB, xxvi, pt. 2, 491, Treasury Warrant signed 29 Oct. 1712.

²⁵*Ibid.*, pp. 508, 522. Jones, 'Scheme Lords', p. 165, sees this payment or the earlier £600 sum as proof that Orrery was pensioned by the Oxford ministry and claims he also received £150 in 1713, yet seems unaware of Orrery's diplomatic activities and requirements for such expenditures. At the same time, Orrery was perceived as either too loyal to Oxford or not sufficiently destitute to be included among a group of poor lords pensioned by the Hanoverian court in 1713: Edward Gregg and Clyve Jones, 'Hanover, Pensions, and the Poor Lords, 1712-1713', *Parliamentary History*, i (1982), 173-80; and the list upon which this essay is based in: KD, No. 109, f. 119.

²⁶The most detailed account of the Condominium's stormy final phase, presented from the Belgian perspective and drawing heavily on his collection of the printed documents, is in the third and most useful part of the studies by L.P. Gachard, 'Le Conseil d'Etat Belge et la Conférence Anglo-Batave (1706-1713)', *Bulletin de Académie Royale de Belgique*, xl (1887), 695-716.

²⁷PRO, SP 77/61. Laws to Bolingbroke, 6 Nov. 1712, and 20 Nov. 1712.

²⁸*Ibid.*, 20 Oct. 1712. In an ironic twist, the Council defended their action on the grounds that the orders were not authoritative without Orrery's consent!

²⁹Bodl., MS Rawlinson A-286, ff. 210-11. Strafford remarked a few months later that the Council had no more respect for Imperial authority than it had for that of Britain and the United Provinces: OPH, MS Eng. 218.1, i, n.f. (copy) Strafford and Bristol to Orrery, Utrecht, 9 Jan.

The nature of the friction between Laws, Van den Bergh, and the Councillors was multifarious. Difficulties in raising subsidies for Imperial troops prompted the Council to contemplate the inflation of duties on incoming British goods at Bruges, Ghent, and Ostend: a plan Orrery vigorously opposed. The subsidy problem lingered long after his arrival and other problems abounded as well. A Dutch proposal designed to remedy the Council's fiscal shortage through a loan of 100,000 crowns was delayed because Orrery was not available to grant his approval. There were also rumours of a 'Cabal' forming between some members of the States General and the Council.³⁰ These issues, plus anxiety over the outcome of the peace negotiations, the provisions of the revised Barrier Treaty then under formulation,³¹ and the worsening political situation in Britain, all combined to produce tension between Britain and the Dutch. This tension was reflected in Van den Bergh's behaviour shortly before Orrery's return. Anxiously awaiting his colleague's arrival, he was confident that Orrery would concur completely with his own desire for ending the 'encroachments' of the Council. Van den Bergh attempted vainly to secure permission to journey to The Hague and greet Orrery in person. Consequently, by November 1712, the Dutch Deputy had become so exasperated with the Council that he requested his own recall.³²

Orrery set out from London in the last week of November, presumably having settled the issue of his diplomatic arrears beforehand, but Treasury records offer no clear answer to this question.³³ Three separate documents survive which indicate the extent of Orrery's authority and the nature of his instructions. His official credentials and initial set of instructions were issued on 1 July. Little doubt remains as to their cardinal objective: the preservation and improvement of trade. Orrery was ordered to collect information at The Hague and at Brussels concerning the garrison at Ostend and the condition of the harbour there,³⁴ to ensure that towns in the conquered territories were not 'put entirely into the hands of the Dutch', and he was empowered to call upon military forces at Ormonde's disposal if the

1713, N.S.

³⁰PRO, SP 77/61. Laws to Bolingbroke, 6 Nov., 14 Nov., and 10 Dec. 1712.

³¹For an analysis and summary of the Treaty's articles see Geikie and Montgomery, pp. 284-99.

³²PRO, SP 77/61. Laws to Bolingbroke, 14 Nov., 26 Nov., and 10 Dec. 1712.

³³CTB, xxvii, pt. 2, 342.

³⁴In 1711 the Dutch Governor of Ostend had sunk 'a great ship' in the harbour, ostensibly to counter the actions of privateers, a measure which reportedly angered and 'perplexed' Orrery; HMC, *Portland*, v, 48. D[rummond] to [Oxford], 24 July 1711; BL, Add. MS 61393, f. 29.

need arose. Any taxation and subsidies which produced effects detrimental to British commercial interests were, if possible, to be avoided. Finally, Orrery was to attempt to solve grievances presented by exporters of malted barleys from Norfolk and Suffolk against traders in Rotterdam.³⁵

The second set of instructions Bolingbroke issued on 11 November, after a conference with the Queen at Windsor, was clearer and more explicit.³⁶ They dispelled all ambiguities whatsoever regarding the British government's view towards the Southern Netherlands and differ substantially from the enlightened, conciliatory policies advocated the previous year. Orrery was to acquaint Heinsius and other Dutch leaders of the 'usefulness' of a jointly exercised, firm arbitrary control over the region, which the British believed would prove advantageous not only in commerce; for the Southern Netherlands could (and were) held as a bargaining chip in the diplomatic game with Austria and were not to be relinquished until Vienna had consented to necessary arrangements and commitments for the revised Barrier in the country. The last set of instructions were distinguished by a certain *hauteur* and supercilious tone toward the Dutch. Heinsius and his ministers were now to understand that Orrery's mission would benefit them more than Britain, since all ministers there sought to obtain was 'the redress of innovations and grievances' under which British commerce laboured. Along with the establishment of the security of British subjects in the region, these were to remain Orrery's primary goals; thereafter, his actions would 'proceed from and be adapted to' those of the Dutch and from pursuit of the goals of the earlier instructions. Orrery was also provided with a copious supply of information about prior negotiations for the earlier Barrier Treaty, as well as the new 'Project' for its revision. Upon presentation of the revised treaty, commissioners from each of the seven Dutch provinces were to be appointed and were then to meet within a fortnight to present their opinions of the treaty to the States General.³⁷ Despite the uncertain resolution of his diplomatic arrears, Orrery, who had been instructed to travel with Strafford,³⁸ his Utrecht-bound Tory colleague, arrived at The Hague on 6 December.³⁹ In one respect, at least, Orrery's long anticipated return was timely, for

³⁵This paragraph is drawn directly from Orrery's instructions, in PRO, SP 104/214/339-41.

³⁶PRO, SP 104/12/108-09. Bolingbroke to Laws, 21 Oct. 1712.

³⁷PRO, SP 214/104/342-43; copy in BL, Add. MS 37209, ff. 92-93, Whitehall, 14 Nov. 1712.

³⁸Bodl., MS Rawlinson A-286, ff. 265, 281; KD, No. 107a, f. 356; BL, Add. MS 17677-FFF, ff. 428v-29.

³⁹PRO, SP 77/61. Laws to Bolingbroke, Brussels, 10 Dec. 1712; both the *London Gazette*, 29 Nov.-2 Dec, 1712; and *Dublin Gazette*, 6-9 Dec. 1712, give the date as the 6th; but the *Evening*

as an agreement at Utrecht edged closer to reality, one of the chief complaints which arose among members of the Council centred on the future status of the Southern Netherlands as a portion of the Habsburg Empire. In order to throw off the yoke of Anglo-Dutch domination and escape post-war obligations, officials of Brabant, Flanders, and to a lesser extent, Hainault, were all inclined to push for the immediate transfer of their provinces to the possession of Charles VI.⁴⁰ Now convinced the danger of imminent French attack had passed, their previously apathetic inclinations for maintenance of troops for their own defence, based on the resources which had witnessed the deprivations and foraging of two armies for a decade of annual campaigns, were lessened further.

Efforts to achieve Anglo-Dutch compliance for immediate transfer through traditional diplomatic channels (i.e. Laws and Van den Bergh) had largely fallen upon deaf ears. As a result, soon thereafter a deputation of abbots and noblemen from the three provinces was formed, chiefly instigated by representatives from Brabant. Disgusted with the administration of their affairs in Brussels, the officials resolved to journey first to The Hague and then, if necessary, to London, in order to air their complaints.⁴¹ Orrery was forewarned of the existence of the deputation in mid-November in a letter from Bolingbroke.⁴² This last minute postscript to his instructions⁴³ advised Orrery to withhold consent to the provinces' transferral to Austrian control on the grounds that the conveyance was forthcoming in due time. This policy of postponement comprised the British view over the next several months.⁴⁴

A few weeks before Orrery's departure from Britain the deputation set out for The Hague, convening there to entreat with Heinsius and wait for Orrery's arrival. On the day of his return, the deputies from Brabant and Hainault held a conference with Orrery on the state of

Post (London), 29 Nov.-2 Dec. 1712, gives the date as 7 Dec.

⁴⁰Geyl, ii, 332-33.

⁴¹Other than a few officials from Ghent, the residents of Flanders (perhaps because they were more susceptible to the effects of strained trade relations with Britain) refused to join the deputation; see Geikie and Montgomery, p. 306, n. 2; and Geyl, ii, 332, whose account completely ignores Orrery's role in the Condominium and in the settlement of the affairs of region in 1712-13.

⁴²Four separate copies of this letter, from Whitehall, 14 Nov. 1712, exist. The original is in BL, Add. MS 37209, ff. 92-93; and there are fair copies in PRO, SP 104/12/113; PRONI, T.3074/1/13-17. It is also printed in 'St. John-Orrery Letters, 1712-1713', pp. 355-56.

⁴³And the third of the sources mentioned above, p. 214.

⁴⁴Orrery's efforts at 'avoiding extremities' were applauded since the Austrians would receive the Low Countries soon enough: see Bolingbroke's letter of 3 Feb. 1713 O.S., in: PRONI, T.3074/1/29-33; and printed in 'St. John-Orrery Letters, 1712-1713', p. 359.

their provinces' affairs. Newspaper reports acknowledged that Orrery's patience, tact, and expeditious return had persuaded the officials to postpone their trip to London.⁴⁵ Orrery's first report congratulated himself on saving Bolingbroke a 'troublesome visit'. Following his instructions to the letter, Orrery had urged patience and had justified his opposition to the Emperor's immediate inauguration by citing the Maritime Powers' need to agree upon 'the Satisfaction we should demand' of both the Austrians and the provinces. Orrery assured the deputation that as soon as the affairs of the rest of Europe were settled, the Council of State 'could exchange the rough Treatment' of its present governors for what ultimately proved the apathy and relative neglect of the Austrians.⁴⁶

Orrery's initial reports from The Hague shed light on other issues with which he was concerned. Fully apprised of the new Barrier Treaty's provisions upon his departure from England,⁴⁷ on the evening of their arrival Strafford conferred with Heinsius about the Treaty, delivering a virtual ultimatum calling for the States General's resolution on the provisions,⁴⁸ all of which pertained to the Southern Netherlands in one manner or another. Thus, Orrery's interest and role in its initial negotiations were equally as significant as Strafford's, and his dispatches prove a valuable source for gauging the Dutch ministers' earliest reactions to the treaty. Several articles occasioned protests from members of the States General. Article IX provided for a continuation of revenues for the Barrier's maintenance from the States of the Southern Netherlands to the Dutch at the pre-war rate of one million florins, yet contained a pro-British stipulation that the Dutch could raise the quota no higher. Article XII ordered that no alterations in the provincial government nor in the evacuation of towns or fortresses in the conquered territories were to be undertaken until the new Barrier was established and British trade and other interests were settled to the Queen's satisfaction.⁴⁹ Although it is uncertain as to how much direct contact with Heinsius Orrery had during his short stay at The Hague, he later commented that although the Pensionary 'still talks the same language', he had set out for Brussels with reasonable

⁴⁵BL, Add. MS 37209, ff. 92-93; *Dublin Gazette*, 6-8 Dec. 1712; *Evening Post*, 29 Nov.-2 Dec. 1712, and 4-6 Dec. 1712.

⁴⁶OPH, MS Eng. 218.1, i, 114-15. Orrery to Bolingbroke, The Hague, 9 Dec. 1712, N.S.

⁴⁷BL, Add. MS 37209, f. 93. The provisions are partially summarised in Geikie and Montgomery, pp. 290-93.

⁴⁸Strafford reported at least three weeks would be necessary for a reply; *ibid.*, p. 293; OPH, MS Eng. 218.1, i, 117. Orrery to Bolingbroke, The Hague, 13 Dec. 1712; and Herman, p. 144.

⁴⁹See Geikie and Montgomery, pp. 291-92, for a discussion of these articles.

prospects of general Dutch support.⁵⁰

The most contentious aspect of the treaty proved to be its complete omission of any policy concerning the territory of the Upper Guelderland.⁵¹ The Dutch responded swiftly on this point. Orrery reported that their leading ministers hoped the omission was simply an oversight, but when it became evident to the contrary, Dutch opposition to the new treaty was magnified.⁵² Orrery was apparently influential in alleviating some of this opposition by falsely assuring the Deputies of Amsterdam that the Guelderland would, in fact, revert to the Emperor.⁵³ Other Dutch ministers voiced vain hopes that the sovereignty of some of the border towns might be exchanged for the territory.⁵⁴ Before leaving The Hague Orrery broached another topic of concern. In a conference with Dutch leaders on 13 December he urged the recall of Van den Bergh, confessing that although he had been provoked by a Council who had repeatedly 'usurp'd an authority to which they have no pretence', the need for moderation and ministers who would exercise it remained. Otherwise, the potential for consequences which might prove catastrophic for Anglo-Dutch trade in the region would increase. If Van den Bergh's recall was impossible, Orrery appealed to the States General to recommend that he at least display a more placatory posture in his dealings with the Council, despite the fact that its members' unruly behaviour did not warrant it.⁵⁵

Orrery's motives for suggesting Van den Bergh's recall raise interesting questions. Did he truly believe his own arguments, or did he simply prefer the presence of a more pliable colleague in order to facilitate the achievement of the objectives outlined in his instructions? It must be remembered that Van den Bergh was deeply unhappy with Orrery's failure to demand the Council of State's signature on the new 'Règlement' submitted in the autumn of 1711.⁵⁶ Considering this, along with what has been reported of Orrery's ambitious

⁵⁰PRO, SP 77/61/n.f. Orrery to [Strafford?], Rotterdam, 16 Dec. 1712.

⁵¹Located on the Rhine, this territory had formerly belonged to the Spanish Empire and had been held by the King of Prussia since early in the war. At the insistence of Britain and especially a pro-Prussian Strafford (who had served as envoy to Berlin earlier in his career), it was ultimately ceded to Prussia: HMC, *Portland*, ix, 376.

⁵²OPH, MS Eng. 218.1, i, 114.

⁵³Geikie and Montgomery, p. 294, quoting materials from the Amsterdam Archives.

⁵⁴PRO, SP 77/61. Orrery to [Strafford?]. Rotterdam, 16 Dec. 1712, N.S. Coombs, p. 365, quotes this same letter and attributes Bolingbroke as the addressee, yet this seems unlikely since there is no draft copy in the Orrery Papers at Harvard.

⁵⁵OPH, MS Eng. 218.1, i, 116-17. Orrery to Bolingbroke, The Hague, 13 Dec. 1712, N.S.

⁵⁶See above, Ch. 5, pp. 203-04; their differences are also discussed in Geikie and Montgomery, pp. 309-10.

nature, one assumes this proposal was designed to diminish Dutch interference and impose the same type of British predominance over proceedings at Brussels as was exercised at Utrecht. Regardless, Van den Bergh remained at his post and in the coming months the Council's contumacious behaviour would drive Orrery to embrace drastic measures himself; leaving him no alternative but to cooperate fully and forcefully with Van den Bergh.⁵⁷

Orrery's return journey to Brussels began a few days after his motion for Van den Bergh's recall. Instructed to confer with civic officials en route to gather information on their grievances, Orrery's travels took him through Rotterdam, Antwerp, and Malines; in the latter two towns he was warmly received by local officials and saluted with discharging of the cannon. Curiously, he forbade a similar demonstration upon arrival in Brussels on 20 December.⁵⁸ As he had feared, Orrery discovered that relations with the Council were extremely tense. The Council had sent a long petition to the States General and timed its dispatch to coincide with his arrival at The Hague. Brimming with familiar complaints of financial oppression and subjugation which had characterised the Council's exchanges since Orrery's arrival in Brussels in 1711, the document was largely an argument of the Brabanter and Flemish case for immediate transfer to the Empire.⁵⁹ He and Van den Bergh soon responded with a strict requisition outlining the Maritime Powers' intention to preserve and maintain their authority.⁶⁰

One of the most distinctive characteristics of the last phase of Orrery's embassy pertains to his novel attitude towards the Council. Slightly less concerned with moderation and Dutch competition for dominance in the region's affairs, Orrery's views were not as susceptible to shifts and changes in Anglo-Dutch diplomatic relations. For example, by late December it was obvious that the Dutch would be forced to acquiesce to several articles in the new Barrier Treaty. Orrery's realisation of this fact prompted him to support Van den Bergh's more uncompromising measures toward the Council: in marked contrast to earlier

⁵⁷Van den Bergh had requested permission to come to The Hague and meet with Orrery upon his arrival, but it was denied: PRO, SP 77/61, Laws' letters to Bolingbroke, 20 Nov. and 10 Dec. 1712.

⁵⁸The magistrates of Malines 'in a body' greeted Orrery as he passed through the town: PRO, SP 77/61, n.f. Laws to M. Tillson, 21 Dec. 1712, N.S.; *Evening Post* (London), 16-20 Dec. 1712; *London Gazette*, 16-20 Dec. 1712; *Dublin Gazette*, 23-27 Dec. 1712.

⁵⁹A translation of the petition was printed in segments on the front pages of the *Evening Post* (London), 29 Nov.-2 Dec., 2-4 Dec., 4-6 Dec., and 6-9 Dec. 1712.

⁶⁰The requisition can be found in *Dublin Gazette*, 17-20 Jan. 1713; *Evening Post* (London), 3-6 Jan. 1713; and Gachard, *Documents*, iii, 300-01.

instances, such as his failure in the previous autumn to demand the councillors' signature on the 'Règlement'. As long as there existed a prospect of Dutch oppressions on British commerce in the Southern Netherlands, Orrery still strove to conciliate the Brabanters and Flemish so as to win their support for British trade privileges.⁶¹ Further complicating the final phase of his embassy was the ever-fluctuating state of Anglo-Austrian relations, for the region's government (and its policy on British commerce) would ultimately be subject to the whims of Imperial ministers at Utrecht and Vienna.

Orrery's earliest dispatches from Brussels reflected his newfound preoccupation with trade as well as his altered attitude towards the Council, which would require 'a very great chastisement' if the Anglo-Dutch ministers were to remain in Brussels until peace was concluded.⁶² Within a week Orrery had spent enough time in Brussels to form a more thorough opinion. Not only had the Council failed to make amends for its 'extravagant Behavior,' but its members now acted as if 'above giving us any account of their past or any Pledge for their future conduct.' Prone to frequent cabals with Austrian ministers, who themselves often contemptuously ignored Anglo-Dutch authority, Orrery believed the Council displayed 'Rancour' that only increased with prospects of improved Anglo-Dutch relations and that it had entirely forgotten its obligations.⁶³ Orrery's opinion proved all too accurate. Reaction to the Council's earlier petition and to the members' seditious actions was swift and firm. On 29 December, Orrery and Van den Bergh took what to the latter must have seemed a long overdue step toward the assertion of sovereignty when they sent a strongly-worded requisition to the Council of State formally denouncing its exercise of power above and beyond that granted by the Maritime Powers and advising it that henceforth the two representatives in Brussels intended 'to preserve and maintain all the Authority' in the administration of the region's affairs until transfer to the Austrian throne had been finalised. The document concluded by demanding that the Council would thereafter exercise only the power to which it had legitimate claim and then, only in a manner 'communicatively and in concert with the Two

⁶¹Geikie and Montgomery, p. 310.

⁶²PRO, SP 77/61. Orrery to B[olingbroke], 22 Dec. 1712, N.S.; *idem*, OPH, MS Eng. 218.1, i, 118-19.

⁶³*Ibid.*, ff. 119-21, 28 Dec. 1712, N.S.; and *idem*, PRO, SP 77/61/n.f.

Powers.'⁶⁴ Enclosing a copy in his next dispatch to Bolingbroke, Orrery hoped it would cure a 'disease' suffered by men 'who had so long been intoxicated with the fumes of Sovereign power' that their submission was unlikely. To Orrery's chagrin, the majority of the Council obstinately stuck firm to a hardline policy and insisted upon the Emperor's inauguration and the immediate transfer of their country to his suzerainty.⁶⁵

With characteristic arrogance the Council of State simply ignored the requisition and its meetings with Imperial ministers increased. Orrery believed the councillors resorted to deception and misrepresentation in order to subvert already-strained relations between London and Vienna.⁶⁶ He and Van den Bergh issued another requisition on 5 January. Brief, direct and even more forceful than its predecessors, it demanded to know whether the members intended to continue serving as empowered by the Allies when the Council was resurrected in 1706. Since, in Orrery and Van den Bergh's eyes, there was nothing in their requests which prejudiced the region's religion or other privileges, the ministers urged a prompt reply.⁶⁷ When it was not forthcoming, Orrery discovered that the delay was because the Council had sought instructions about a response from Imperial ministers at The Hague. Van den Bergh then issued an express to the Dutch capital, requesting, ironically, permission to exercise individual freedom of action so he could cooperate more fully with Orrery in achieving the Council's total subjugation.⁶⁸ Orrery also wrote urgent letters to Heinsius begging him to press the States General to grant Van den Bergh his long overdue freedom of authority, explaining that:

Vous pouvez asser juger, Monsieur, par ce que ce Ministre Vous a mandé a cet égard, que le Bien du Service, ni es Honneur des Deux Puissancs ne permettent nullement que les choses demeurent plus long temps dans ce Derangement. J'ajouterai seulement que l'Esprit d'Opposition ne peut pas manquer de s'augmenter, faut que Monsieur Vandenberg n'est point autorisé de concourir de la part de Leur Hautes Puissances a y apporter les Remedes convenables, comme je suis pret de la faire de la part de la Reine.⁶⁹

⁶⁴See the requisition (in French), signed by Orrery and Van den Bergh, in Gachard, *Documents*, iii, 300-01. The document was translated into English and published in several newspapers, including the *Evening Post* (London), 3-6 Jan. 1713; and *Dublin Gazette*, 17-20 Jan. 1713.

⁶⁵This was despite the humiliating news that Charles VI had refused to accept the terms of the proposed Barrier Treaty: PRO, SP 77/61. Orrery to Lord B[olingbroke], 31 Dec. 1712, N.S.; *idem*, OPH, MS Eng. 218.1, i, 122-24. The provisions which raised objections among the Austrians--the million florin settlement and the establishment of garrisons in Damme and Ghent--are discussed in Geikie and Montgomery, pp. 308-09.

⁶⁶PRO, SP 77/61, n.f. Orrery to B[olingbroke], 4 Jan. 1713, N.S.; and *idem*, in OPH, MS Eng. 218.1, i, 125-26.

⁶⁷See the Requisition in Gachard, *Documents*, iii, 302-03.

⁶⁸OPH, MS Eng. 218.1, i, 127-30, 7 Jan. 1713, N.S.; *idem*, PRO, SP 77/61.

⁶⁹AR, Heinsius Archives. AAH 1799. Orrery to Heinsius, Brussels, 23 Jan. 1713, N.S. There

While awaiting the Council's response, Orrery devoted his attention to the trade problem. He plunged into the complexities of Anglo-Flemish commerce with characteristic energy and enthusiasm.⁷⁰ Shortly after his arrival he had solicited the cooperation of several prominent British merchants residing in Bruges, Ghent, and Ostend, asking them to meet in Brussels so a 'scheme' could be concerted that would achieve the objectives specified in his instructions.⁷¹ By the first week in January the merchants had arrived. Together with Orrery, they set forth in a few days a comprehensive list of grievances. Duties for British imports such as butter, hides, salt, salmon, tobacco, and certain grains were considered too exorbitant, as were the rates charged to British merchants for the use of Flemish canals. Both the Ostend harbour and the canal linking the city to Bruges needed repair. Other suggestions pertained to the merchants' freedom of choice in hiring shippers and in trading in the conquered territories. Displaying an air of confidence Orrery asserted he would 'apply the remedies' to areas he judged in need of improvement.⁷²

The future of British commerce in the Low Countries hinged upon Britain's relations with the Dutch and the Austrians. While awaiting the outcome of the Barrier treaty negotiations, which itself imposed several commercial restrictions upon the Dutch, the British government decided to explore the possibility of securing commercial advantages by skilful manipulation of the mutual resentment between governments at The Hague and Vienna.⁷³ The Brabanter deputation to Holland in November 1712 had given powerful evidence of this ill-will and had sparked ideas on such a strategy which Orrery had been nurturing for months. Just as in its

is a copy of this letter in OPH, MS Eng. 218.1, ii.

⁷⁰For a general discussion of the Anglo-Dutch trade situation in 1713 and Orrery's role in its resolution see Geikie and Montgomery, pp. 305-17.

⁷¹PRO, SP 77/61. Orrery to B[olingbroke], 28 Dec. 1712, N.S.; copy in OPH, MS Eng. 218.1, i, 119-21. There are similar descriptions of the problems in Anglo-Flemish trade in PRO, SP 77/60/1-2, 209-10.

⁷²The articles are entitled 'A Project for Establishing Commerce Betwixt Great Britain, Ireland, and Flanders, presented to the Rt. Hon. Earl of Orrery, Plenipotentiaries, etc., by the merchants of Bruges and Ostend, 7 Jan. 1712/13', and were enclosed in Orrery's letter to Bolingbroke, 7 Jan. 1713, N.S., in PRO, SP 77/61; a draft of the letter, minus the articles, is in OPH, MS Eng. 218.1, i, 127-30.

⁷³For a general assessment of the economic situation in the Low Countries following the War of the Spanish Succession see the detailed report compiled by Laws, probably at Orrery's request, and submitted to Bolingbroke in Jan. 1713, entitled 'The General State of the Revenues of Spanish and French Flanders', in Norfolk RO, Hare MS 6160, n.f. The legacy of Dutch war expenditures is the subject of J. Aalbers, 'Holland's Financial Problems (1713-1733) and the Wars Against Louis XIV', in *Britain and the Netherlands*, vi, *War and Society*, A.C. Duke and C.A. Tamse, eds. (The Hague: Martinus Nijhoff, 1977), pp. 79-93.

diplomacy with France, so Whitehall entertained notions of securing a separate agreement with the Habsburgs without the knowledge of the Dutch.⁷⁴ Perhaps it was inevitable that a complex imbroglio would result from such a strategy. Civic officials cautioned Imperial ministers that the Maritime Powers might insist upon the re-establishment of a general tariff based on rates effective in 1680, a proposal under discussion at Utrecht.⁷⁵ Eager to frustrate the designs of their present governors, as well as lend assistance to their future master, the Council of State encouraged Austrian ministers to sow dissension among the British and the Dutch by granting them separate concessions, and by charging a duty on incoming British goods called 'vatghelt',⁷⁶ which Orrery judged another needless and unwarranted tribute that served only to line Flemish officials' pockets.⁷⁷ Imperial neglect and inaction caused partly by occupation with other matters cleared the way for Orrery's orchestration of the groundwork for a separate Anglo-Austrian trade agreement. In February he drew up proposals for a treaty and sent them to Bolingbroke for official sanction.⁷⁸

The treaty contained a standard blanket proposal for settling commercial debts and disputes as well as articles addressing the smuggling of contraband. 'Vatghelt' was to be discontinued, and the 1680 tariff granted with only slight modifications. When forage debts were finally discharged, the malt duties would either be eliminated or reduced substantially, thus alleviating the burden of East Anglian farmers. While the Ostend harbour was undergoing repairs it was to be protected by a British garrison maintained by the city's populace. Finally, after their initial entry duty was paid at either Nieuport or Ostend, incoming British goods were to suffer no additional trade restrictions.⁷⁹ Not every provision,

⁷⁴PRO, SP 77/61. Orrery to Bolingbroke, 22 Dec. 1712; and Geikie and Montgomery, pp. 297, 306-07.

⁷⁵PRONI, T.3074.1/1/29-32. Bolingbroke to Orrery, 3 Feb. 1713, O.S. One of the chief complaints of the British merchants residing in Flanders hinged upon the charging of the 1680's rates on incoming English wool; see the 'Project' cited above, n. 72.

⁷⁶CUL, Add. MS 6574, ff. 20-21. (copy) representation (in French), the Deputies of Flanders to Lord Orrery, Brussels, 13 Jan. 1713. This document was endorsed 'Transmitted to the Lords Commissioners for Trade, with my Lord Bolingbroke's letter', dated 22 Jan. 1713, O.S.

⁷⁷PRO, SP 77/62/15-16. Orrery to B[olingbroke], 16 Jan. 1713, N.S.; and *idem*, in OPH, MS Eng. 218.1, i, 129-30; The former is also cited in Geikie and Montgomery, pp. 306-07, n. 6.

⁷⁸PRO, SP 77/62/39-43v: 'Heads of a Treaty to be made by the Queen with ye Emperor before Her Majesty consents to his Inaguration in the Spanish Low Countries,' with Orrery's marginal annotations, was enclosed in his letter to B[olingbroke], 6 Feb. 1713, N.S. in PRO, SP 77/62/37-38v. A copy of the letter (minus the draft treaty) is in OPH, MS Eng. 218.1, i, 138-39; while Geikie and Montgomery, pp. 307-08, summarise and discuss the treaty's articles.

⁷⁹PRO, SP 77/62/39-40; *idem*, quoted in Geikie and Montgomery, pp. 307-08.

however, had the protection of British interests as its only goal. No new levies upon goods exported from the Provinces were to be charged, and the harbour repairs at Ostend were to be funded by a new convoy duty. The final provision probably served to eradicate any perception of altruism from Orrery's treaty. It stipulated that all activities of the ministers of the Condominium from 1706 to 1713 were to be officially sanctioned, so as to preserve 'the honour of the two powers' as well as to exhibit 'a resentment...against those who have been most active in opposing their Authority.'⁸⁰

III

The Council of State made no formal response to the Anglo-Dutch requisitions until the middle of January.⁸¹ Delivered by Heems, the Council's Secretary, it left Orrery and Van den Bergh 'much dissatisfy'd.' The Council declared it was compelled to protect the interests of their 'most August Sovereign' and maintain the Provinces' welfare, and had done so in accordance with their authority and instructions. Furthermore, the Council resolved to persist in these actions as long as the interests, religion, their sovereign's laws, and the constitution and privileges of the Provinces required them to do so.⁸² This defiant response outraged Van den Bergh and Orrery. Neither civil 'nor very submissive', they condemned it and believed the Council's justification of its behaviour based on Imperial interests was 'ridiculous' and only demonstrated that the members sought discretion to obey Anglo-Dutch instructions when they felt so inclined. The Council's position suffered another blow with the arrival of reports that, despite its claims, Sinzendorff had failed to condone its conduct. Quite to the contrary, the Imperial minister (now at Utrecht) 'advised the members of the Council to proceed with more Caution and Regard' for Orrery and Van den Bergh.⁸³ When news of the Council's latest act of noncompliance reached The Hague, 'enraged' States General members instructed Van den Bergh to make one final attempt to obtain its voluntary submission. If this failed, he would then be granted the same power which Orrery already possessed: the

⁸⁰PRO, SP 77/62/43.

⁸¹The response was translated and published in the *Evening Post* (London), 17-20 Jan. 1713; and *Dublin Gazette*, 31 Jan.-3 Feb. 1713.

⁸²OPH, MS Eng. 218.1, i, 129-30. Orrery to Bolingbroke, 16 Jan. 1713, N.S. The response served to further encourage Orrery in the composition of his projected commercial treaty.

⁸³*Ibid.*; and *Evening Post*, 17-20 Jan. 1713.

authority to dismiss all the unruly Councillors. In a letter the following week Orrery reported how the two ministers had responded to the Council's declaration and 'reproach'd 'em deservedly.'⁸⁴ While awaiting the outcome of this final conciliatory effort, Orrery resigned himself to the necessity of drastic measures to maintain the Maritime Powers' 'honour' and 'leave us any appearance of authority.'⁸⁵

For nearly a month Orrery and his Dutch counterpart awaited the Council's latest response. The Council's stubbornness and delays convinced Bolingbroke that it had 'shaken off all obedience' to Britain and the Dutch, therefore, he was encouraged to consider recalling Orrery, possibly diverting him to pass through Ghent en route before returning to England.⁸⁶ While the merits of continuing his mission were being debated, Orrery found himself occupied with numerous other duties in the Condominium's administration. In addition to work on his commercial treaty, he investigated allegations of privateering in Ostend and Anglo-Dutch disputes about the condition of Ostend's harbour.⁸⁷ In late January, reports heralding the ratification of the new Barrier Treaty arrived.⁸⁸ Strafford kept Orrery abreast of developments and forwarded requests for commissions in the Imperial service, the disposition of regiments, and garrison assignments in the Low Countries.⁸⁹ Orrery watched on bitterly as the States General procrastinated in granting Van den Bergh independent authority.⁹⁰ Orrery

⁸⁴'Requisition of the Conference by which a new declaration was demanded' of the Council of State, 23 Jan. 1713, N.S., in PRO, SP 77/62/23-24; and printed in Gachard, *Documents*, iii, 313-16.

⁸⁵PRO, SP 77/62/23-24. Orrery to Bolingbroke, 26 Jan. 1713, N.S.; copy in OPH, MS Eng. 218.1, i, 133-35.

⁸⁶'St. John-Orrery Letters, 1712-1713', pp. 361-62; PRONI, T.3074.1/1/37-38.

⁸⁷PRO, SP 77/62/48-49v. Orrery to Bolingbroke, 9 Feb. 1713, N.S.; *idem*, OPH, MS Eng. 218.1, i, 140-42; OPH, MS Eng. 218.1, i, 142-44; and PRO, SP 77/62/55-56v, 13 Feb. 1713, N.S.

⁸⁸BL, Add. MS 37209, ff. 109-10. Strafford to Orrery, Utrecht, 2 Feb. 1713, N.S.; *Evening Post* (London), 29-31 Jan. 1713.

⁸⁹PRO, SP 77/62/81-82. Orrery to Bolingbroke, 27 Feb. 1713, N.S.; copy in OPH, MS Eng. 218.1, i, 148-51.; BL, Add. MS 37209, ff. 113-14. Strafford to Orrery, 27 Feb. 1713, N.S., and ff. 104-29, *passim*.

⁹⁰OPH, MS Eng. 218.1, i, 140-42; also *idem*, 144-46, 20 Feb. and 2 March, 1713, N.S. Orrery attributed part of the reason for these delays not only from the 'dilatatory forms of the Dutch Government' but also from political infighting and jealousy among Van den Bergh's enemies in the States General: 'from the little consideration wch Mr. Vandenberg has in Holland & the desire his Enemies have to mortifye him': see PRO, SP 77/62/21-22. Orrery to Bolingbroke, 23 Jan. 1713, N.S., Brussels; and a copy in OPH, MS Eng. 218.1, i, 131-32.

and Van den Bergh sent two separate requests calling for the Council's submission,⁹¹ but no answer came for weeks, and both men's resentment increased toward the contemptuous Council, particularly since it possessed only the authority granted by the Condominium.⁹²

On 21 February the Council's long-anticipated answer arrived.⁹³ Devoid of the slightest degree of respect or obedience, the Anglo-Dutch ministers were notified that the Council's obligations were only to direct orders from Vienna. In light of this response, Orrery professed the belief that further attendance at conferences was useless, just as were any future requests for commissions and regiment assignments on the Low Countries' Imperial military establishment, both of which were subject to the Council's approval. In Orrery's opinion, Britain and the Dutch now no longer possessed the authority to award an ensign's commission. He vowed the Council would regret denial of the 1706 oath it had sworn: for which the allies needed to find the 'proper method of punishing 'em'. The situation in Brussels and the surrounding areas soon deteriorated to near chaos as hungry regiments behind in subsistence pay plundered the countryside and caused 'great disorders'.⁹⁴

Despite the gravity of affairs in Brabant, and the States General's altered opinion, the Dutch still hesitated in extending free rein to Van den Bergh until the end result of strong Imperial opposition to several provisions in the new Barrier Treaty could be projected. By March, it had become fairly obvious that Austria would soon abandon the Utrecht negotiations, which occurred a month later when the Treaty of Utrecht was signed. This event had two immediate effects. The absence of a settlement produced a need for continuation of the Anglo-Dutch Condominium, which, in turn, required Orrery to remain in Brussels weeks after the peace was signed.⁹⁵ The other result was the elimination of any chance of Orrery's proposed separate commercial treaty becoming a reality,⁹⁶ which led him to view prospects for any real improvements in the region's situation as quite bleak, and prompting his renewed requests for permission to return to England.⁹⁷ The events at Utrecht also impacted upon the predicament

⁹¹One, dated 17 Feb., N.S., is printed in Gachard, *Documents*, iii, 320-21, and was translated into English and printed in the *Evening Post* (London), 26-28 Feb. 1713.

⁹²OPH, MS Eng. 218.1, i, 144-46, and ff. 146-48, 23 Feb. 1713, N.S.

⁹³See the translated response in *Evening Post* (London), 26-28 Feb. 1713, N.S.

⁹⁴OPH, MS Eng. 218.1, i, 148-51, 27 Feb. 1713, and ff. 151-53, 2 March 1713.

⁹⁵Geikie and Montgomery, pp. 309-11.

⁹⁶Coombs, p. 374.

⁹⁷OPH, MS Eng. 218.1, i, 163-76, *passim*.

of the ministers in Brussels in that the impending rift in diplomatic relations between Britain, Holland, and Austria was manifested by the adoption of a more rigid stance toward the latter's possessions in the Low Countries. At The Hague this changed policy was reflected even by the normally reserved Heinsius. During an audience he had with members of the deputation which had met earlier with Orrery, the Grand Pensionary can be said to have summed up Anglo-Dutch attitudes towards the Council when he retorted to a Brabanter demand: 'Do not forget, sirs, that you have been conquered.'⁹⁸

Just prior to Austria's diplomatic rupture at Utrecht, its diplomats again complained about the actions of their master's future subjects. Despite several pleas from the Council for support of their resistance,⁹⁹ Orrery was pleased to learn in early March that Sinzendorff had strongly upbraided the Councillors for their incessant disobedience, for which they had 'not the least authority from the Emperor to act in that fashion.'¹⁰⁰ The Austrians then made what to the Council must have appeared a humiliating denunciation. On 20 March N.S., Orrery reported that Vienna had issued a public declaration that 'disown'd the behaviour' of the Council and advised its members that 'they aught according to their Instructions submit themselves' to the Condominium until the region's affairs were settled.¹⁰¹ This declaration marked a critical watershed in the history of the Anglo-Dutch Condominium and a turning point in the embassies of its principal ministers. Its ramifications were immediate and far-reaching. Tantamount to a formal sanction of Orrery and Van den Bergh's previous actions by representatives of the same 'august Sovereign' in whose name the Council claimed it acted, it convinced the Dutch that there was no danger of the war erupting anew in the Low Countries nor of a troublesome deputation visiting The Hague from Vienna. In the words of the Condominium's principal historian, the Austrian declaration effectively persuaded the Dutch that they: 'n'avaient plus de ménagements a garder envers le

⁹⁸Van Houtte, *Occupations Étrangères en Belgique*, i, 340, note; and *idem*, quoted in Geyl, ii, 333. A Brabanter official from Louvain later commented with some amount of truth: 'The more I observe, the firmer becomes my opinion that we have been sold; handing us over is all that remains.'

⁹⁹Gachard, *Documents*, iii, 331-33. The Council of State to Charles VI, 28 Feb. 1713, N.S.

¹⁰⁰BL, Add. MS 37209, ff. 115-16. Strafford and Bristol to Orrery, Utrecht, 9 March 1713, N.S.; PRO, SP 84/246/226. Strafford and Bristol to Bolingbroke, Utrecht, 10 March 1713, N.S.

¹⁰¹PRO, SP 77/62/101-02. Orrery to [Bolingbroke], 20 March 1713; *idem*, in OPH, MS Eng. 218.1, i, 155-57; *London Gazette*, 17-21 March 1713; and *Evening Post* (London), 19-21 March 1713.

conseil'.¹⁰²

Ironically, Van den Bergh had pleaded for months for permission to exercise independent authority in Brussels; now, that authority in a *de facto* sense had been bestowed by the Council's 'protectors'. He and Orrery seem to have anticipated this development. Two days earlier they had delivered an ultimatum ordering that the Council members either sign a declaration acknowledging their subjugation to the Condominium or forfeit their seats.¹⁰³ Their tardy and 'very impertinent' response arrived in the ministers' hands a few days later.¹⁰⁴ Resolute, the Council claimed it could not submit to the Maritime Powers' authority and jeopardise its people's privileges and religion. The Council also echoed Imperial opposition to the Barrier Treaty and wrote a letter to Sinzendorff pleading for his endorsement of their actions.¹⁰⁵ Orrery's patience with the Council was now utterly exhausted and he observed that its members were treading on the threshold of treason. Two more letters demanding their submission, dated 21 and 22 March, were issued, to which the members made a characteristically insolent reply.¹⁰⁶ The same day they received it Orrery and Van den Bergh responded by recalling the commissions of the entire Council except for Clairmont, the only member who had refused to affix his signature to the Council's earlier, rebellious messages and who had alone consented to the submission of authority.¹⁰⁷

Orrery had toyed with the idea of replacing the insubordinate councillors for over a

¹⁰²For this and the last days of the rebellious Council of State see: Gachard, 'Conférence Anglo-Batave', pp. 701-05.

¹⁰³PRO, SP 77/62/101-02; and the letter, dated 18 March, N.S., in Gachard, *Documents*, iii, 334-35.

¹⁰⁴OPH, MS Eng. 218.1, i, 158-60, 23 March 1713, N.S.

¹⁰⁵See the response and letter in Gachard, *Documents*, iii, 347-48, 20 March 1713, N.S., and pp. 343-45, 21 March 1713, N.S.

¹⁰⁶See the responses in Gachard, *Documents*, iii, 346, and 349, respectively. Boyer, *Annals*, xi, 359, reports that Orrery and Van den Bergh returned the response of the 21st to the Council 'without looking upon it.' It is also worth noting that neither of the Council's replies were signed by the Count de Clairmont, the Duc de Aremborg, or the more troublesome Erps, all of whom were absent. The latter was reportedly ill, while Clairmont's wife had recently died. The Council's reply of 22 March 1713 is printed in Gachard, *Documents*, iii, 347-48.

¹⁰⁷The letter expelling the Council is printed in Gachard, *Documents*, iii, 349. All the other nine members of the Council were effectively expelled, including prominent Brabanters like Ursell and Aremborg. For reports describing the expulsion see *Evening Post* (London), 26-28 Feb. 1713; *London Gazette*, 17-21 March 1713; Boyer, *Annals*, xi, 359; and Gachard, 'Conférence Anglo-Batave', pp. 703-07.

year.¹⁰⁸ He now regarded them as 'generally...men of very ordinary capacities & of little interest or consideration',¹⁰⁹ and he and Van den Bergh implemented their long-considered choices. As reward for his former compliance,¹¹⁰ Clairmont, who had abstained from the majority of the Council's deliberations since October 1711, was appointed President of the reconstituted (and smaller) Council, despite Orrery's admission a few weeks earlier that Clairmont's collaboration had made the latter unpopular and that he was 'look'd upon generally to be a man of great haughtiness & passion'.¹¹¹ Other new appointees included Amé-Ignace de Coriache, vicar-general of the archdiocese of Malines; Jacques-Ferdinand de Villegas, Baron d'Hooghvorst, who had served as president of the *Chambre des Comptes* of Brabant; and Juste-Antoine de Jonghe, Baron de Bouchaute, a veteran member of the Council of Flanders.¹¹² After making these new appointments Orrery recorded that several of the old councillors appeared willing to acquiesce in the Maritime Power's demands.¹¹³

It was important for the Maritime Powers to install experienced figures who would command the people's respect and, in this, Orrery and Van den Bergh seem to have succeeded. Less than a week after its appointment the new Council assembled. Magistrates were notified of the alteration in authority and assured that conditions were to revert to 'the Footing they were in' during the reign of Charles II of Spain.¹¹⁴ Public respect for the new Council

¹⁰⁸See above, Ch. 5, p. 202; OPH, MS Eng. 218.1, i, 105-06, 26 Oct. 1711, N.S.; BL, Add. MS 37209, f. 72. Laws to Orrery, 4 Jan. 1712, N.S.

¹⁰⁹PRO, SP 77/62/81. Orrery to Bolingbroke, Brussels, 27 Feb 1713, N.S..

¹¹⁰Gachard, 'Conférence Anglo-Batave', p. 705, described Clairmont's cooperation as: 'une versatilité si peu honorable pour son caractere' which he tried to explain based on the man's dissatisfaction at not receiving favours awarded others.

¹¹¹PRO, SP 77/62/81-82. Orrery to Bolingbroke, Brussels, 27 Feb 1713. Another councillor Orrery was inclined to allow to stay was M. Vanderhagen, a newcomer to the Council whom Orrery had appointed in 1711. Described as a man 'of the Robe' with 'an irreproachable character' who had 'behav'd himself respectfully in relation to any concerns of the Queen's here, & prudently upon all other occasions', Orrery guessed he had been pressured into collaborating with the troublemakers. His expulsion may have been at Van den Bergh's insistence.

¹¹²He had been so designated by the States of Flanders on Marlborough's nomination in 1706. Another new councilor was Norbert Van Voorspoel, 'the oldest counselor of the Great Counsel,' who had served since since 1688. For the new councilors see: *Evening Post* (London), 19-21 March 1713; *London Gazette*, 17-21 March 1713; Boyer, *Annals*, xi, 359; Geyl, ii, 334; and Gachard, 'Conférence Anglo-Batave', pp. 705-06.

¹¹³PRO, SP 77/62/118-19; OPH, MS Eng. 218.1, i, 160-61, 27 March 1713, N.S. Orrery justifies his and Van den Bergh's actions in: OPH, MS Eng. 218.1, ii, n.f. (Copy), Orrery to Heinsius, 26 March 1713.

¹¹⁴The Council of Finance, whose members had remained intact, received notification of the changes as well: *Evening Post* (London), 24-26 March 1713; Boyer, *Annals*, xi, 360.

was hardly immediate or comprehensive, however, nor did its formation produce a panacea. Led by Aremberg and Ursell, the old Council continued to display defiance. For example, on the morning of the new Council's initial meeting it was forced to convene secretly an hour earlier than the usual time. Clairmont thought it necessary to call in the 'Halberdiers' to prevent a confrontation with the former Council.¹¹⁵ The displaced councillors claimed to have received the complete backing of the States of Brabant, then assembled in Brussels,¹¹⁶ and held frequent cabals with magistrates and civic officials to plot subversion against British and Dutch authorities. Orrery disputed the claims of Brabanter support, however, because he was convinced the province was not 'so entirely at their devotion as they [the displaced Council] imagin'd.'¹¹⁷ Nevertheless, the States of Brabant issued a formal proclamation refusing recognition of the new Council. Other means of resistance utilised by the displaced Council included letters to Austrian and British ministers at Utrecht and London,¹¹⁸ protests that Orrery and Van den Bergh did not possess the right to dismiss them, and refusal to honour repeated requests to relinquish the Council's official seal, claiming it had been turned over to their 'lawful Sovereign'.¹¹⁹

Support from their Imperial sovereign was the one ingredient essential for the success of the anti-Anglo-Dutch factions largely centred in Brabant. Without it, the occupied provinces could entertain no hope of presenting a viable resistance to the Maritime Powers' authority. Absence of this support, coupled with the defection of many of the members of the States of Flanders and the States of Hainault in their entirety, effectively doomed the displaced Council's efforts.¹²⁰ Unauthorised meetings continued for several weeks; yet, by mid-April, public opinion had begun to turn against them. Orrery noted with derision how some former councillors now hinted their willingness to cooperate and be reinstated. At the same time, he curried favour with the new members by promising that the inauguration of the

¹¹⁵*Ibid.*, pp. 359-60; *Dublin Gazette*, 31 March-4 April 1713.

¹¹⁶The Council had made desperate (and fairly successful) pleas to the States of Flanders and Brabant in February in attempts to gain local civic support for its opposition to Anglo-Dutch requisitions: see the two addresses from 18 and 20 Feb. 1713 printed in Gachard, *Documents*, iii, 321-24.

¹¹⁷OPH, MS Eng. 218.1, i, 162; PRO, SP 77/62/124-25; *London Gazette*, 28-31 March 1713.

¹¹⁸'St. John-Orrery Letters, 1712-1713', p. 362; *Evening Post* (London), 24-26 March 1713; the States' letter dated 28 March, N.S. in Gachard, *Documents*, iii, 369-72; and Geyl, ii, 334.

¹¹⁹PRO, SP 77/62/118-19; OPH, MS Eng. 218.1, i, 160-61. Orrery to Bolingbroke, 27 March 1713, N.S.; *Evening Post* (London), 24-26 March 1713; *Dublin Gazette*, 31 March-4 April 1713.

¹²⁰*London Gazette*, 28-31 March 1713.

Emperor was imminent.¹²¹ Orrery's policy of appeasement by supplying information the councillors wished to hear achieved its desired effect. Only a few weeks after the new Council's formation, reports indicated it had largely consolidated its ascendancy over the region's numerous assemblies and local officials and conducted the business of state 'with great exactness and diligence'; 'Disorders' for which its precursor had been responsible were now 'redressed'.¹²²

The Council's reconstitution closely coincided with the signing of the Treaty of Utrecht on 11 April 1713 N.S. Although the Emperor and members of his German alliance fought on in futility in attempts to secure more advantageous terms, it marked the formal cession of the Low Countries to Austrian control.¹²³ Even if largely symbolic, this transference was significant. Bolingbroke fully endorsed Orrery's decision to reform the Council of State and corroborated his view that its excuse for resistance based on regard for Charles VI was now nullified.¹²⁴ Nevertheless, Austria continued to dispute some of the Barrier Treaty's provisions, and thus Orrery's role in Flanders was still considered important. Remaining disagreements aside, Bolingbroke commented that in order to protect British interests, the government in Brussels 'must hobble on as hitherto.'¹²⁵

After the Treaty of Utrecht was signed and the unruly councillors expelled, Orrery would have preferred to see his diplomatic obligations in Brussels concluded. Frequent references to his private affairs throughout the spring of 1713 imply that he sought a new place at court through his friend Bolingbroke's increasing influence. Despite the strained relations between Orrery and Oxford resulting from the complications over his diplomatic salary, Orrery and Bolingbroke seem to have remained reasonably close. Bolingbroke possessed Orrery's proxy vote to use in the Lords at his discretion, and although he does not mention the nature of the office that Orrery was seeking, Bolingbroke assured his absent friend he was not 'unmindful' of Orrery's private affairs.¹²⁶ He had hinted that Orrery's return to England was

¹²¹OPH, MS Eng. 218.1, i, 161-62, 30 March 1713, N.S.; PRO, SP 77/62/124-25.

¹²²*London Gazette*, 21-25 April 1713.

¹²³Article IX of the section of the Treaty of Utrecht between the French and the Dutch specified that the Low Countries were formally ceded to the Austrians, rather than to the Elector of Bavaria, as had been France's intention: see Bolingbroke's letter to Orrery, 5 May 1713, O.S., in PRONI, T.3074/1/77-78; and printed in 'St. John-Orrery Letters, 1712-1713', p. 368.

¹²⁴PRONI, T.3074/1/51-54; 'St. John-Orrery Letters, 1712-1713', pp. 326-63.

¹²⁵PRO, SP 104/13/126-27. Bolingbroke to Orrery, 1 May 1713, O.S.; copies in PRONI, T.3074/1/71-75; BL, Add. MS 37209, f. 119; and cited in Geikie and Montgomery, p. 311.

¹²⁶OPH, MS Eng. 218.1, i, 155-57, 20 March 1713, N.S.; PRO, SP 77/62/101-02; and *Bol.*

in the foreseeable future, and informed negotiators at Utrecht that his presence at Brussels would be 'unnecessary' after the Emperor assumed control of the region.¹²⁷ Bolingbroke promised Orrery as much in March 1713, interestingly enough because Queen Anne was prepared to wash her hands of the Condominium due to the troublesome Council of State.¹²⁸ Later in the month Orrery was actually instructed to make preparations for his return.¹²⁹

Bolingbroke's promises were confirmed with the issuance of Orrery's official notice of revocation on 1 April,¹³⁰ which was accompanied by a letter explaining the new British policy relating to the Low Countries. Perhaps impressed by Drummond's advice and Orrery's commercial treaty project, Whitehall decided to form a commission to regulate commerce in the Southern Netherlands. The Council of State was to send three delegates, Van den Bergh was selected as the Dutch representative, and Drummond was appointed for the British.¹³¹ Drummond's knowledge and experience made him the logical choice,¹³² and his selection should not be construed to imply that British officials were displeased with Orrery's conduct in Brussels. British and Dutch officials evidently believed Orrery's continued presence was essential until the Emperor was inaugurated, and Orrery was gratified to learn of Her Majesty's 'just notion of affairs in the region' under his supervision.¹³³ Bolingbroke empathised with his friend's wish to extricate himself from the incessant insubordination connected with the Brussels embassy. Furthermore, reports from The Hague described how the Dutch were 'a little before extremely alarm'd' upon learning of Orrery's revocation and anxious to have him return there

Corr., iii, 491-92, Whitehall, 6 March 1713; *idem*, copy in PRONI, T.3074/1/41-45.

¹²⁷PRONI, T.3074/1/56-59; and printed in 'St. John-Orrery Letters, 1712-1713', p. 364.

¹²⁸PRONI, T.3074/1/37, 45-46, 51-53; *Bol. Corr.*, iii, 518-19.

¹²⁹PRONI, T.3074/1/51-53; 'St. John-Orrery Letters, 1712-1713', pp. 362-63.

¹³⁰Orrery's revocation notice was contained in BL, Add. MS 37209, ff. 121-22. (autograph) Bolingbroke to Orrery, 1 April 1713, O.S., copies of which are not contained in PRONI, T.3074/1; or printed in 'St. John-Orrery Letters, 1712-1713'. The Pierpoint Morgan Library, Autograph Manuscript Collection, contains a pair of copies of this notice, one in Latin, addressed to Charles VI of Austria; the other in English, and both signed by Queen Anne and Bolingbroke.

¹³¹The Commissioners' negotiations continued throughout the summer; Geikie and Montgomery, pp. 311-15. PRO, SP 104/216/22-24, has Drummond's commission and instructions as trade commissioner (in Latin), 18/30 Jan. 1713; *ibid.*, ff. 52-53, are additional instructions, dated 30 March 1713, O.S. at St. James. Drummond was to secure British trade when the Low Countries underwent the 'Great Change'.

¹³²*Bol. Corr.*, iii, 516-18. Bolingbroke to Drummond, 24 March 1713; *Evening Post* (London), 4-7 April 1713.

¹³³PRO, SP 77/62/140-42. Orrery to Bolingbroke, 13 April 1713, N.S.; *idem*, OPH, MS Eng. 218.1, i, 165-68.

before departing for England, possibly hoping he might take over as a more pliant replacement for Strafford.¹³⁴ In addition, Brussels was originally proposed as the site of the trade commissioners' headquarters, with Orrery designated to serve as their overall director. Orrery's letters do not reveal his sentiments for this proposal, but later the decision was taken in London to substitute Utrecht for the site so the commissioners could treat directly with Dutch and Imperial officials. Orrery was pleased to learn of the alteration in plans, still convinced of the necessity for Britain to retain virtual possession of Ostend for commercial purposes, and in order to preserve the respect of the Dutch, the Flemish, and the Austrians. He also believed the commissioners could prove more effective if they operated out of Utrecht. Important commercial matters relating to Brussels and Flanders had been enumerated and treated in his projected commercial treaty and he feared that the existence of a highly-visible, arbitrary instrument such as the trade commission might cause further 'Odium' to be cast upon Her Majesty's authority. Finally, the appearance of increasing British restrictions and impositions would only damage future Anglo-Flemish relations to The Hague's advantage.¹³⁵

One final word needs to be said concerning Drummond's appointment. As noted above, by April 1713 Orrery's wish to be recalled was perfectly clear. Thus, Drummond was the natural choice for trade Commissioner and one Orrery supported wholeheartedly. Both held similar views on Austria's position in the region and on the need for the Council's replacement, and the pair had begun to correspond and exchange ideas soon after Orrery's return.¹³⁶ Drummond concurred with Orrery completely on the importance of controlling Ostend,¹³⁷ and that certain regulatory guidelines were essential for Anglo-Flemish commerce before the region was given over.¹³⁸ Bolingbroke also seems to have contemplated selecting Drummond as Orrery's replacement in Brussels. After receiving news of his appointment as commissioner, however, Drummond, well-versed in dealings with the Dutch, strongly urged that 'Orrery or some person

¹³⁴BL, Add. MS 37209, ff. 133-34. Bolingbroke to Orrery, Whitehall, 1 May 1713; and copies of this letter in: PRO, SP 104/13/126-27; PRONI, T.3074/1/72-73; and 'St. John-Orrery Letters, 1712-1713', pp. 367-68.

¹³⁵*Bol. Corr.*, iii, 518-21. Bolingbroke to Orrery, 24 March 1713; OPH, MS Eng. 218.1, i, 165-66. Orrery to Bolingbroke, 13 April 1713, N.S; *idem*, PRO, SP 77/62/140-42; and BL, Add. MS 37209, ff. 133-34. *idem*, 1 May 1713.

¹³⁶SRO, GD24/1/464a. Orrery to Drummond, Brussels, 12 Jan. 1713, N.S.

¹³⁷*Bol. Corr.*, iii, 516-18. Bolingbroke to Drummond, 24 March 1713; and HMC, *Portland*, v, 279-81. Drummond to Oxford, Utrecht, 25 April 1713.

¹³⁸HMC, *Tenth Report*, i, 146. Orrery to Drummond, Brussels, 23 April 1713, N.S.

of note and power' remain in Brussels after Charles VI's inauguration. Otherwise, he feared Laws would be manipulated by Van den Bergh and the Dutch would 'become entirely masters' of the Low Countries.¹³⁹ Drummond's comment proves that Dutch approbation of Orrery's conduct in Brussels, as well as the influence he wielded, were substantial and highly regarded even by a potential candidate for the post Orrery planned to vacate.

At Bolingbroke's request Orrery had agreed to remain in Brussels until 1 June, N.S.¹⁴⁰ Both men agreed that the sooner Britain terminated its involvement in the region's administration, the better.¹⁴¹ Yet, they also agreed (and perhaps here Bolingbroke was more insistent than Orrery) that this was impossible until safeguards protecting British trade against complete Dutch domination of the region had been implemented.¹⁴² The reconstituted Council helped achieve a temporary amelioration in Anglo-Flemish relations and progress toward the former objective and, when compared to earlier in the year, Orrery's final months in Brussels were fairly uneventful. The Council proved relatively cooperative and responsive, granting two months pay to Imperial regiments wanting arrears.¹⁴³ In early May the States General issued an urgent request for Van den Bergh and Orrery to repair immediately to The Hague to assist in 'concerting measures' pertaining to Flemish trade.¹⁴⁴ The fact that Orrery begged to be excused on the grounds that one minister needed to remain in Brussels, implies that an uncompromising application of Anglo-Dutch authority there remained imperative if British interests were to be protected.¹⁴⁵ While he remained behind, Orrery realised a compromise with the Council of Finance which provided a 'remedy' to the trade grievances so

¹³⁹HMC, *Portland*, v, 281.

¹⁴⁰PRO, SP 77/62/150-51; OPH, MS Eng. 218.1, i, 170-71. Orrery to Bolingbroke, 20 April 1713, N.S. Reports of Orrery's return journey began to filter in even at this early stage. The *Dublin Gazette*, 25-28 April 1713, prematurely reported that Orrery set out from Brussels for England on 20 April, N.S.

¹⁴¹Orrery confided to Strafford that prolonging his embassy in Brussels was more likely to cause 'mischief than service': Bodl., MS Rawlinson A-286, f. 382.

¹⁴²*Bol. Corr.*, iii, 518-21; OPH, MS Eng. 218.1, i, 171-73, 24 April 1713, N.S. Orrery's response to Bolingbroke's comment about the government 'hobbling on hitherto,' was that it 'would always be lame'; *ibid.*, ff. 177-79, 18 May 1713, N.S.

¹⁴³*Evening Post* (London), 7-9 April 1713.

¹⁴⁴*London Gazette*, 2-5 May 1713; *Evening Post* (London), 2-5 May 1713; OPH, MS Eng. 218.1, i, 174-76, 8 May 1713, N.S.

¹⁴⁵*Bol. Corr.*, iii, 516. Bolingbroke to Drummond, 24 March 1713.

loudly protested by agricultural interests in Norfolk and Suffolk.¹⁴⁶

Replacement of the Council of State was a prerequisite to Orrery and Van den Bergh's implementation of solutions in other problem areas of the Condominium's administration. One of these was in local politics, especially in Bruges and Ghent. Civic compliance to measures in Brussels in the wake of the Council's expulsion both required, and was facilitated by, the replacement of several magistrates in these towns formerly controlled by men whom Orrery described as 'troublemakers' and 'creatures' of the displaced councillors.¹⁴⁷ Here was further evidence of Orrery's adoption of an uncompromising view towards the displaced councillors which is in marked contrast to his diplomatic reasoning of the previous year; indeed, some of these 'troublemakers' were doubtless nominations he had made in 1711 as *quid pro quo* for Ursell's support in Brussels.¹⁴⁸ Whether naïveté or lessons learned in diplomacy and human nature, the magistrates' replacement also seems to have borne some relation to another nagging problem which had been under consideration since Orrery's dispatch to Brussels in early 1711: the reformation of some regiments in the Imperial service and the related award of offices and colonelcies to some officers who had demonstrated their loyalty. Orrery's old friend Renswoude had encountered Imperial pressure in Utrecht for a settlement of the affair in the spring of 1713,¹⁴⁹ and the old Council's refusal to comply with Orrery and Van den Bergh's wishes in it had been one of the chief reasons it was expelled.¹⁵⁰ With Ursell no longer present to hinder distribution of the employments, to which he himself had a claim,¹⁵¹ Orrery and Van den Bergh proceeded to resolve the appointments and allot the troops. Two of the officers, Colonels Daudegnies and Devenish, had been longtime adversaries of the old Council of State.¹⁵² Their appointment to the respective governorships of Ghent and Bruges, in the midst of the showdown between the Anglo-Dutch ministers and the old Council, proved

¹⁴⁶PRO, SP 77/62/157-58; OPH, MS Eng. 218.1, i, 174-76; PRO, SP 77/62/171v; and OPH, MS Eng. 218.1, i, 176, 13 May 1713, N.S.

¹⁴⁷PRO, SP 77/62/152-53; *idem*, copy in OPH, MS Eng. 218.1, i, 171-73.

¹⁴⁸For which he had been criticised in 1711: see above, Ch. 5, pp. 188-89.

¹⁴⁹BL, Add. MS 37209, f. 140.

¹⁵⁰PRO, SP 77/62/81-82; Gachard, 'Conférence Anglo-Batave', p. 700.

¹⁵¹PRO, SP 77/62/81-82.

¹⁵²Daudegnies's salary had been suspended by the States of Brabant in 1712 and he and Devenish were given permission by Van den Bergh to go to The Hague for six weeks in Feb. 1712 to protest: BL, Add. MS 37209, f. 83. For Drummond's poor opinion of them and reports of their unpopularity see HMC, *Portland*, v, 366; *idem*, cited in 'St. John-Orrery Letters, 1712-1713', p. 356, n. 13.

extremely controversial. The latter bitterly opposed the appointments, aware that its efforts to win popular support for resisting the Maritime Powers' authority would be hampered if Anglo-Dutch appointees were installed as commanders of important garrison towns.¹⁵³

Orrery's consent for the commissions of both men added to his unpopularity, and was largely responsible for causing the final weeks of his embassy to be fraught with dispute.¹⁵⁴ The appointments and his firm advocacy of them had, according to Van den Bergh, caused Orrery's character to become 'despised' by his former friends on the old Council.¹⁵⁵ Like Orrery's choice of Falconbridge in 1711, another controversial selection for a position in Ghent, the appointments possessed a disproportionate importance because of their proximity to an increasingly irksome predicament connected with the upkeep of garrisons in Bruges, Ghent, and Nieuport. The unwillingness that the Flemish and Brabanters had long shown for the provision of subsistence for troops on the Imperial establishment during wartime has been demonstrated. Their similar reluctance to maintaining occupying British garrisons was heightened after the likelihood of renewed hostilities had diminished. In 1713 the garrisons of the three aforementioned Flemish towns were composed almost entirely of British troops whose presence was designed to ensure they would be held for the Austrian Emperor. Accordingly, the British firmly believed that either Charles VI or his subjects should pay for their upkeep. British diplomats were instructed to press this point in Utrecht and Orrery was advised to do the same 'to the utmost' with the Council of State in Brussels; otherwise, debts and the slim chances of Parliament passing a vote of supply would necessitate a massive reduction in the Bruges and Ghent garrisons.¹⁵⁶ British officials also feared that the garrisons' troops would scour the countryside when their subsistence was exhausted.¹⁵⁷

Orrery recognised both the gravity of this scenario as well as the difficulty of his own position. The commander of the British garrison at Ghent had warned Orrery as early as

¹⁵³A secondary, and less divisive portion of the decision, revolved around Shrewsbury's Italian brother-in-law, the Marquis de Paleotti, who received the colonelcy of a regiment of dragoons in Imperial pay formed out of troops formerly under the command of Daudegnies: see the 'Memorial' in BL, Add. MS 37209, f. 314; *idem*, printed in Veenendaal, *Het Engels-Nederland Condominium*, i, 279; and above, Ch. 5, p. 195, n. 266.

¹⁵⁴For the commissions see Gachard, *Documents*, iii, 328-29; BL, Add. MS 37209, ff. 113-14.

¹⁵⁵Gachard, 'Conférence Anglo-Batave', p. 700, n. 1, quoting his letter (in Dutch) to Fagel, 27 Feb. 1713.

¹⁵⁶'St. John-Orrery Letters, 1712-1713', pp. 368-69, 5 May 1713; *idem*, fair copies in PRO, SP 104/13/126-27; and PRONI, T.3074/1/78-85.

¹⁵⁷PRO, SP 41/4/35. Secretary at War, Sir William Wyndham to Bolingbroke, 9 May 1713.

April that demands for forage and subsistence were being ignored and of the possibility of the mutiny of hungry regiments bored with the monotony of garrison duty.¹⁵⁸ Public opposition to the Condominium had mounted steadily as a result of unfavourable reports of trade negotiations in Utrecht, the expulsion of the Council of State, and the widespread notion the region had been abandoned by Vienna. To counter these sentiments, Orrery tried to bypass a Council of State which was gradually starting to become more uncooperative, refractory, and similar to its predecessor, with each passing day, by appealing directly to the provincial assemblies and using the 'best arguments' he could formulate. None the less, the Councils of State and of Finance and the Deputies of Flanders saw little justification in claims that they should bear the financial burdens of peacetime garrisons.¹⁵⁹ Despite Orrery's efforts, he could not ignore the stark realisation that no effective methods existed for coercing revenues out of people 'who could not legally be forc'd to make such a Grant even by their own Sovereign, if they had one.'¹⁶⁰ This pithy statement sums up the fundamental, pervasive obstacle that impeded Orrery's entire embassy.

Furthermore, Orrery was now forced to confront not only Flemish and Brabanter opposition to his efforts but Dutch hindrance as well, an aspect of the problem which he found both infuriating and puzzling. For the Dutch themselves had ironically made the initial proposal for the maintenance of foreign garrisons in the towns, but tempered their support when it became apparent the British were unwilling to foot the bill and intended to extract the subsistence from Flemish revenues which the Dutch wanted to apply to the maintenance of the Barrier. There was also evidence of Dutch intervention aimed at stalling Orrery's efforts in order to undermine British influence in the region. At Utrecht and The Hague, members of the States General accused Orrery of attempting to procure the subsistence for British garrisons at Bruges, Ghent, and Nieuport through local funding 'without concerting with' Van den Bergh.¹⁶¹ In turn, Orrery accused Van den Bergh and other officials of doing everything

¹⁵⁸PRO, SP 77/62/175-76. Orrery to Bolingbroke, 18 May 1713; copy in OPH, MS Eng. 218.1, i, 177-79.

¹⁵⁹See the Council of Finance's report of 29 April 1713 in PRO, SP 77/62/161; and a similar document from the Provincial Council of Flanders to Orrery and Van den Bergh, in PRO, SP 77/62/169.

¹⁶⁰PRO, SP 77/62/182-83. Orrery to Bolingbroke, 29 May 1713; copy in OPH, MS Eng. 218.1, i, 181-83.

¹⁶¹Since the subsistence was for garrisons which were primarily composed of British troops, Orrery viewed the matter as none of Van den Bergh's business; Strafford and Bristol, meanwhile, clouded the truth with claims that the Dutch had been misinformed: Bodl., MS Rawlinson A-285, ff. 92-93. Strafford and Bristol to Orrery, (Copy), 6 June 1713; *idem*, BL, Add. MS 61191, ff.

possible to obstruct his progress in procuring subsistence for the garrisons.¹⁶² This breakdown of cooperation between the erstwhile allies was echoed at the trade negotiations underway at Utrecht where, despite his experience, Drummond confronted obstacles and 'groundless and unreasonable chicaneries.' Brabanter and Flemish commissioners outlined 'exactions' for British garrisons which Orrery was then attempting to procure as their chief grievance and, for once, found their complaints seconded by the Dutch, who now repudiated British subsistence requirements as contraventions of the Barrier Treaty.¹⁶³

Throughout June Orrery was frustrated on all fronts and his repeated efforts and threats of 'rougher' methods achieved little effect. On 12 June, N.S., the Council of State refused a request for 600,000 livres,¹⁶⁴ a sum he had calculated was required to support a force of seven battalions of dragoons for six months. A parliamentary grant for the soldiers' subsistence expired on 1 July and Orrery dispatched Laws to Ghent to attend a session of the States of Flanders and present a formal letter demanding the sum, but it too was rejected.¹⁶⁵ Orrery also undertook unsuccessful solicitations for subsistence for the Bruges garrison from the Council of Finance, but the latter claimed it was not authorised to make decisions for the Council of State, whom he now described as 'Creatures of the Dutch & their Ministers'.¹⁶⁶ There is an almost humorous irony in the fact that for years he and Van den Bergh had been working toward securing the Council's cooperation and obedience, and now that obedience to the Dutch half of the Condominium was redirected at stalling Orrery's efforts and undermining British influence.

This exasperating predicament was somewhat alleviated with news of an agreement in matters of trade. Following a month of intense negotiations, a compromise was reached which

92-93. It is also interesting to note that the Dutch had proposed maintaining three battalions in Bruges to Bolingbroke, but assured Orrery they would consent to four: PRO, SP 77/62/175-76v. Orrery to Bolingbroke, Brussels, 18 May 1713, N.S.

¹⁶²PRO, SP 77/62/189-90. Orrery to Bolingbroke, 3 June 1713; and PRO, SP 77/62/195-96. *idem*, 8 June 1713, N.S.; copies in OPH, MS Eng. 218.1, i, 183-87; also Bodl., MS Rawlinson A-286, ff. 420-21. (autograph) Orrery to Strafford and Bristol, 8 June 1713.

¹⁶³Drummond and Strafford also clashed over the issue of authority: Geikie and Montgomery, p. 313; and Bodl., MS Rawlinson A-286, f. 417. Orrery to Strafford and Bristol, 8 June 1713, N.S.; *idem*, copy in OPH, MS Eng. 218.1, i. Geikie and Montgomery, p. 313, also point out that the commissioners feared that monetary depletion in the region might prevent their collection of the million florins promised to the Dutch by the same treaty.

¹⁶⁴*Dublin Gazette*, 9-13 June 1713.

¹⁶⁵PRO, SP 77/62/182-83; *idem*, OPH, MS Eng. 218.1, i, 181-83, 29 May 1713, N.S.; *ibid.*, ff. 190-94; *Dublin Gazette*, 6-9 and 16-20 June 1713.

¹⁶⁶PRO, SP 77/62/189-90.

resulted in the signing of a Provisional Regulation that governed commerce until the Austrians assumed full control of the Low Countries.¹⁶⁷ The agreement amounted to a decisive victory for British commercial interests, since the Dutch made concessions in revenue collection in the conquered territories and promised to remove the 'Comptoirs' on their borders. Another significant provision advantageous to British trade was the establishment of tariffs between the United Provinces, France, and Great Britain according to the rates of 1680. Other articles served to protect British commerce against unfair practices and Dutch competition. Transit duties were fixed at 2.5%, and additional entry duties imposed at the conquered territories' frontiers were to be abolished. The treaty's articles and a duty on convoys were to be executed by the Anglo-Dutch Condominium in Brussels.¹⁶⁸ Several of these crucially-important articles--the 1680 tariff, the restrictions on additional entry duties, and the convoy duty--had all been strongly advocated by Orrery in his projected commercial treaty with the Austrians.¹⁶⁹ Ironically, however, much like his ideas and inspiration for the War Office Committee in 1711, Orrery played no direct role in the new Regulation's execution. This outcome was attributable to a number of factors, but primarily to his growing frustration in Brussels. Through an examination of his frequent, importunate requests to return to England during his final month in Brussels, origins of the rift which developed between him and Bolingbroke are also detectable. Ultimately, this discord assumed political overtones and saw Orrery withdraw his support from the ministry which he had served for several years.

IV

In addition to displeasure stemming from the garrison-subsistence dilemma, Orrery's letters imply he had become displeased with what he perceived to be Bolingbroke's neglect of his 'private affairs' and his reluctance to solicit the recently vacated court sinecure of Treasurer of the Household.¹⁷⁰ Bolingbroke mentioned the vacant post in a letter which Orrery

¹⁶⁷For a copy of the regulation see PRO, SP 108/347/n.f., 'Provisional Regulation between Great Britain and the States General as to trade with the Spanish Netherlands', 15/26 May 1713.

¹⁶⁸See the translation of the States General's Resolution of 9 May 1713 in BL, Add. MS 70186, n.f.; also Geikie and Montgomery, pp. 314-15.

¹⁶⁹See above, p. 223, n. 78.

¹⁷⁰See below, Ch. 7, pp. 259-60.

received in the middle of May, and assured his impatient envoy that he was not forgotten when the vacancy arose, but that a new appointment was impossible until after the conclusion of the current session of Parliament. Bolingbroke's soothing, apologetic reply intimates that Orrery suspected his appeals were failing to receive adequate attention.¹⁷¹ A quite different letter written a few weeks later suggests Bolingbroke's diminishing patience with Orrery's own peremptory letters. Speaking with 'frankness,' he launched into a lengthy, almost paternal discourse on the need for Orrery to remain at his post. Citing reasons drawn from Orrery's previous dispatches, Bolingbroke questioned whether his friend thought 'it right in so critical a circumstance, to leave the post you are in. You are uneasy, and your affairs require your presence here. My Lord, uneasy hours are the fate of almost every man who serves the public, and he who acts with zeal, must, to some degree, neglect his own business.' Bolingbroke completed his reflections by criticising Orrery's indecision and refusing his request for permission to return, observing that 'every post from Holland brings us fresh proofs, that the Dutch are not to be trusted alone in the Low Countries.'¹⁷²

Exactly how Bolingbroke's vain, temperamental envoy reacted to this censure is not completely certain. Giving no immediate signs of anger or disappointment, Orrery's few remaining dispatches were dominated by the ongoing problems surrounding sums for the British garrisons' subsistence. He conceded it was still an urgent matter which required his presence, yet still begged leave to return.¹⁷³ After a month of vain attempts to cajole the States of Flanders into supplying the subsistence, he concluded force might be the answer. Hopes of obtaining cooperation from the Dutch were nonexistent, yet Orrery bitterly remarked he was confident the sums could be raised, even during wartime, in the event the Emperor had requested them.¹⁷⁴ Seizing a percentage of customs duties was a potential solution; another might be to authorise military commanders to give the populace the impression they might use force of arms to collect the necessary sums: 'the Genius' of the people of Flanders and Brabant being that 'they are brought to reason often by rough methods.'¹⁷⁵

Although he did not achieve success in this final dispute with the Southern

¹⁷¹Bolingbroke's letter is found in *Bol. Corr.*, iv, 84-85, 1 May 1713.

¹⁷²*Bol. Corr.*, iv, 94-97, 13 May 1713, N.S.

¹⁷³PRO, SP 77/62/182-83. Orrery to Bolingbroke, 29 May 1713; copy in OPH, MS Eng. 218.1, i, 181-83.

¹⁷⁴PRO, SP 77/62/195-98v, Orrery's letters to Bolingbroke of 8 and 10 June 1713, N.S.; and the copies in OPH, MS Eng. 218.1, i, 185-89.

¹⁷⁵PRO, SP 77/62/204-09v, Orrery to Bolingbroke, 14 and 19 June 1713, N.S.

Netherlanders, Orrery's final letters from Brussels prove that he remained actively involved in efforts to procure the subsistence monies up until his departure. Nevertheless, he did not hesitate to turn affairs over to Laws once the long-awaited letter granting permission to return arrived in late June. By this time Bolingbroke had grown increasingly reluctant to permit the speedy return 'to the arms of your friends and mistresses' which he had promised Orrery several months earlier,¹⁷⁶ and begrudgingly reported the Queen was ready to permit what Orrery seemed 'so earnestly to press'. Bolingbroke's anxiety was heightened by fears that the execution of the Provisional Regulation would suffer from Orrery's departure and since the government had not determined upon Orrery's permanent replacement.¹⁷⁷ It also seems worth speculating as to whether Bolingbroke considered postponing Orrery's return because of suspicions that his growing disenchantment might affect his voting in the Lords.

Whatever the case, now that he was unfettered from the confines of a post from which he had hoped to extricate himself months earlier, Orrery made preparations to journey back to London.¹⁷⁸ In one of his last letters he confessed that he was rapidly exhausting all options in methods to obtain the garrisons' relief, and it illustrated the urgency and potentially disastrous circumstances of the situation which Orrery was about to witness firsthand:

the obstacles wch this affair has already met withal may serve to convince your Lp that...the difficulties wch was natural to believe wou'd arise from the Stubbornness & ill disposition of so perverse a people have been very much encreas'd by the secret practises of the Dutch Creatures & upon the whole I am persuaded there is very little prospect of carrying this point by any other means than by ordering the demand to be made by the commanding officer of the Troops who may begin to make it in the Province of Flanders where the troops are in the same manner he makes his demand of Forage.¹⁷⁹

Additional problems affecting many of the disgruntled regiments concerned arrears payments they had been forced to pay for recruits who were delivered up to serve in 1711-1712. Sums needed for expensive forage only compounded the arrears problem.¹⁸⁰ Orrery's concern over leaving this situation unresolved may have been increased by the fact that his own regiment comprised part of the Flanders garrisons and was affected by these hardships.¹⁸¹ Along with

¹⁷⁶*Bol. Corr.*, iii, 519; copy in PRONI, T.3074/1/45-46, 24 March, 1713, O.S. For more on Orrery's private life and libertinism see below, Ch. 11, pp. 503-05.

¹⁷⁷*Bol. Corr.*, iv, 156-57. Bolingbroke to Orrery, 9 June 1713. There is a copy in PRONI, T.3074/1/85-89.

¹⁷⁸See Orrery's remark of August 1712, when he reasons his stay will only last a few months, in HMC, *Portland*, v, 216.

¹⁷⁹PRO, SP 77/62/208-09v; OPH, MS Eng. 218.1, i, 193-94, Brussels, 19 June 1713, N.S.

¹⁸⁰BL, Add. MS 38852, ff. 248-49. Major General Joseph Sabine to Ormonde, Ghent, 25 April 1713, N.S.

¹⁸¹Confusion abounds as to the location; regimental histories imply it was quartered in

several other regiments, it had been reduced from 12 to 11 companies in May 1713,¹⁸² and this reduction, along with a high incidence of illness some officers blamed on the stingy indifference civic officials displayed in granting subsistence, saw its numbers decrease considerably.¹⁸³

Orrery, his companion Lt. Colonel William Cecil, and their attendants set out for Dunkirk on 30 June 1713, N.S. Their journey was leisurely, since Orrery travelled with his own horses.¹⁸⁴ He received the compliments of magistrates and traditional cannon salutes in every town he passed through.¹⁸⁵ He soon discovered, however, that his forebodings regarding the British garrisons were legitimate. Whether by design, coincidence or simply as part of his route, Orrery passed through Bruges, where military unrest and friction with local officials had a longstanding history.¹⁸⁶ The Council of State's replacement and the appointment of new magistrates and Daudegnies and Devenish as governors of Ghent and Bruges had not improved the situation, and rumours of mutiny ran rampant as troops subsisted on their officers' often uncertain personal credit. In neighbouring Ghent, the rumours had become reality a few days before Orrery's departure. There over 400 men assembled and rescued a prisoner from the gaol, attacked the provost and freed a prisoner.¹⁸⁷ The British commandant, veteran General Joseph Sabine, attempted to put the mutineers under arms but upon discovering they outnumbered his obedient troops he realised the 'absolute Necessity of yeilding to the Saucy Demands of the Mutineers in granting a full pardon'.¹⁸⁸

Ghent, while newspaper accounts place it in Nieuport: Buchan, *Royal Scots*, p. 72; Cannon, *Record of the Twenty-First Regiment*, p. 17. More reliable evidence, including: PRO, WO 4/15/24; and *Dublin Gazette*, 26-30 May 1713, confirms that the regiment was divided up, with at least one-half of its men assigned to the garrison in Bruges (also see below, p. 243, n. 190).

¹⁸²PRO, WO 26/12/324-25; PRO, WO 72/1/Bundle 1.

¹⁸³Orrery's regiment had decreased from 609 effectives in the autumn of 1712 to a little over 400 as of 1 June 1713: BL, Add. MS 38852, f. 67.

¹⁸⁴PRO, SP 77/62/216. Orrery to Bolingbroke, 29 June 1713, N.S; copy in OPH, MS Eng. 218.1, i, 197. An avid equestrian, during Orrery's confinement in the Tower of London in 1722-23 he begged to be kept under house arrest so he could rise early and take one of his two daily rides; see PRO, SP 35/41/88, the report of Dr. Hans Sloane, 31 Jan. 1723; *idem*, in BL, Add. MS 3984, f. 99; Budgell, p. 219.

¹⁸⁵*London Gazette*, 7-11 July 1713; *Dublin Gazette*, 23-27 June 1713.

¹⁸⁶The commander of the British garrison there, Brigadier General Richard Sutton, planned to journey to Brussels in Dec. 1712 to confer with Orrery and learn his plans about the 'damn'd magistracy': BL, Add. MS 38852, f. 179. Sutton to Henry Watkins, Bruges, 10 Dec. 1712, N.S.

¹⁸⁷BL, Add. MS 33273, f. 193.

¹⁸⁸BL, Add. MS 33273, ff. 181-84. Sabine to Henry Watkins, Ghent, 24 June 1713, N.S.

In the wake of Sabine's capitulation and his consequent existence 'in continuous fear and subjection', the rebellion continued for several days.¹⁸⁹ Perhaps with these developments in mind, Orrery and his company seem not to have travelled through Ghent, arriving instead in Bruges on 1 July, the same day the garrison was paid two months 'stoppages'. The consensus among officers was that the discontented troops in that city were temporarily appeased and complete discipline was largely restored. Any impact Orrery's presence may have had upon the officers' confidence is unclear, but if it was meant to intimidate the disloyal tendencies of men in his own regiment of the Scots Fusiliers, then the intent of his appearance backfired. For in what may have been an orchestrated conspiracy inspired by the unrest in Ghent, men from his regiment had the audacity to revolt during the night he apparently spent in Bruges before journeying onwards. The garrison commander, General Sutton, reported how after the troops were paid the men all appeared satisfied except for five companies from Orrery's regiment, who reluctantly returned to their barracks 'after some difficulty'. Suspicious of their behaviour, Sutton increased the town's guards. They were later surprised in a daring, well-conceived outbreak launched in the middle of the same night by a group of some 300 unruly men comprised almost entirely of men from Orrery's regiment, who attacked the picquets and took its commander, a lieutenant from the Royal Scots, and another man prisoner.¹⁹⁰

The similarity with the Ghent mutiny, and the fact that ringleaders of the rebellions in both cities had adopted pseudonyms such as 'Eugene' and 'Cadogan', with the chief commander of both mutinies known as 'Marlborough', suggests that Orrery's men were at least inspired by their fellows' examples,¹⁹¹ which in Bruges were rendered even bolder because it was undertaken in their Colonel's midst. Unfortunately, details of Orrery's whereabouts and activities in suppressing the mutiny are sketchy. Sutton attests to his presence on the day of 1 July,¹⁹² but also explained that the court martials which were called after order was restored were attended by Cecil after he and Sutton had spent 'all night on horseback', thus

¹⁸⁹BL, Add. MS 33273, ff. 186-87. Sutton to Watkins, Bruges, 26 June 1713. Sabine's capitulation lost him the respect of many of his troops and he was replaced in Oct. 1713: BL, Add. MS 33273, f. 247.

¹⁹⁰Sutton describes the mutiny in: BL, Add. MS 33273, ff. 200-02. Sutton to Henry Watkins, Bruges, 3 July 1713, N.S.

¹⁹¹BL, Add. MS 33273, ff. 186-87, 193, 202v. It is also interesting to note that, according to Sutton, the Ghent mutineers were primarily members of Sabine's regiment: BL, Add. MS 33273, ff. 186-87.

¹⁹²BL, Add. MS 33273, f. 201; and corroborated in *ibid.*, f. 204v. Sabine to Watkins, Ghent, 5 July 1713, N.S.

implying that Cecil and Orrery were contacted about the mutiny after leaving Bruges. The distance of approximately 60 miles involved in a supposedly unhurried two-day journey from Brussels to Bruges also raises more questions than it solves. Orrery's detachment and embarrassment over the incident may be revealed in Sutton's comment that Orrery: 'writ to me the honour to acquaint my Lord Duke [Ormonde] of what happened'. The mutiny itself was speedily quashed with five regiments of dragoons and 27 ringleaders were singled out for court martial. Seven of these were summarily tried and shot as an example to dissuade against future outbursts.¹⁹³ The Ghent mutiny and a less serious demonstration in Nieuport were also suppressed by the first week of July and the cities became the scene of daily court martials.¹⁹⁴ Despite the unrest, the regiments were ordered to remain in the three cities until the trade question was settled.¹⁹⁵

Meanwhile, on 22 June O.S. (3 July N.S.), Orrery arrived at Dunkirk, where he was greeted with a salute by all 27 of the citadel's guns. The next day he was reported as having boarded a yacht for England, arriving in London on 30 June O.S., his journey therefore consuming exactly eleven days. His regiment's role in the mutiny and, indeed, any reference even to his presence in Bruges,¹⁹⁶ are lacking in any of his correspondence thereafter. Present or not, the events were surely an embarrassing conclusion to his embassy and the results, precipitated by acts of revenge and Flemish protest against Anglo-Dutch authority, and directed at the unpopular appointments of Daudegnies and Devenish, appropriately involved Orrery's own regiment.

V

In London Orrery immediately resumed his regular attendance in Parliament,¹⁹⁷ but his undocumented, behind-the-scenes activities were perhaps more significant, for it appears that a number of factors combined to produce the final wedge which permanently drove him outside

¹⁹³BL, Add. MS 33273, f. 193.

¹⁹⁴BL, Add. MS 33273, ff. 204-05. Sabine to Watkins, Ghent, 5 July 1713.

¹⁹⁵PRO, WO 4/15/24, order dated 16 July 1713, O.S.

¹⁹⁶*Dublin Gazette*, 30 June-4 July 1713, reports Orrery arrived in Dunkirk the day after his departure from Brussels; but the more reliable *London Gazette* records him as setting sail from Dunkirk on 4 July, N.S., indicating a gap of five days, which seems a more realistic requirement for the completion of the journey.

¹⁹⁷LJ, xix, 593-616.

the ranks of the Oxford ministry's supporters. One centred upon his relationship with Bolingbroke. Though perhaps indebted for permission to return to England, Orrery's friendship with the Secretary of State underwent a gradual transformation in mid-1713. In addition to the critical letters which Bolingbroke sent his envoy prior to his return,¹⁹⁸ Orrery seems to have taken offence at the ministry's handling of affairs in Brussels. Long before his departure Orrery had been apprised that his return would mark the termination of his employment as Her Majesty's envoy in Brussels.¹⁹⁹ Indeed, his insistent letters during his final months in this capacity would appear to establish that this was his heartfelt desire.

It is surprising, then, to find that by September 1713 Orrery once again exhibited interest in the affairs of a country he had so eagerly desired to leave a few months earlier. Evidence for this reversal of attitudes is in Orrery's response to a letter from Drummond. The British trade commissioner had written in hopes of persuading Orrery to return and assist him and Strafford in mediation of British and Dutch commercial affairs, and to put those of the Low Countries 'on a foot in one mind with the States General and Her Majesty'. Drummond hoped Orrery would assume the Bishop of Bristol's place now that the Utrecht negotiations were concluded.²⁰⁰ At the time of Drummond's letter the dissolution of Parliament had eliminated the need for Orrery's presence in London. Attention to his 'private affairs', and perhaps the diversions of his library and time spent with his young son apparently combined to delay his response for nearly a month. His reply gave unmistakable signals that he remained deeply concerned about affairs across the Channel, observing that they were the subject of increasing neglect in Britain. Orrery was displeased at the ministry's failure to consult him in an unspecified 'step that has lately been taken'.²⁰¹

Regardless of his distance, Orrery's assessment of affairs in the Low Countries and, particularly, the Oxford ministry's attitude towards them, was accurate. Despite Drummond's strong reservations, Orrery's departure saw Laws appointed temporary head of affairs in Brussels.²⁰² Furthermore, in what essentially confirmed Orrery's predictions, within only a

¹⁹⁸See above, p. 240.

¹⁹⁹*Bol. Corr.*, iii, 519. Bolingbroke to Orrery, 24 March 1713: 'upon your departure from Brussels Her Majesty would have it known that you return hither no more, and that she has withdrawn herself from any future share in the administration of those affairs.'

²⁰⁰BL, Add. MS 37209, ff. 152-55. Drummond to Orrery, Utrecht, 18 Sept. 1713.

²⁰¹HMC, *Portland*, v, 348-49. Orrery to Oxford, London, 16 Oct. 1713.

²⁰²See above, pp. 233-34. Laws's commission to replace Orrery (in Latin) is in: PRO, SP 104/216/50-51.

few months after his departure Van den Bergh had succeeded in usurpation of almost total control of the Condominium. He and Strafford clashed on numerous occasions and the implementation of the Provisional Regulation stalled in the face of stubbornness, self-interest, and perpetual bickering between the Dutch and the Flemish and Brabanter representatives.²⁰³ Furthermore, Van den Bergh now insisted that he could sign requisitions of the Condominium without the consent of either Laws or Strafford since Orrery was absent, despite the fact that he knew Orrery was not to return. Bolingbroke's response to these problems was almost certainly the ill-advised 'step' to which Orrery referred. In August, at Strafford's urging and in an effort to check Van den Bergh, he had empowered Laws, though only a Secretary, to exercise the kind of joint authority in Brussels that Orrery had possessed during his embassy.²⁰⁴

Orrery had intimated that he wanted to advise Bolingbroke on the affairs of the Low Countries after he returned to England and had asked the Secretary not to appoint or empower any ministers there.²⁰⁵ Despite this request, Drummond was fully authorised in a largely commercial capacity to treat with both the French and the Dutch in August 1713, and himself indicated that he wanted to journey to England to confer with Orrery about Anglo-Flemish commercial regulations when the Austrians arrived at a peace settlement with the French.²⁰⁶ Disregarding these requests, the appointment of Laws signified that Bolingbroke's policy remained a temporary one, with the British striving only to 'patch and prop up' the ailing Condominium until Austria reached a settlement with France,²⁰⁷ and appears to have convinced Orrery that his opinion held little esteem.

Although virtually nothing can be asserted as to their mutual affinity, Orrery almost certainly viewed the elevation in authority of his former secretary and the corresponding disregard for social rank as a personal affront.²⁰⁸ Orrery was particularly insulted that he

²⁰³These disputes are traced down through the negotiations leading to the Third Barrier Treaty in Geikie and Montgomery, pp. 316ff.

²⁰⁴See Bolingbroke's letter to Laws, 26 Aug. 1713, and throughout the latter half of: PRO, SP 77/62.

²⁰⁵PRO, SP 77/62/175-76v. Orrery to Bolingbroke, Brussels, 18 May 1713 N.S.; copy in OPH, MS Eng. 218.1, i, 177-78.

²⁰⁶PRO, SP 104/74/158-59; BL, Add. MS 37209, f. 153. Drummond's activities following Orrery's departure are discussed in Geikie and Montgomery, pp. 310-15.

²⁰⁷He had also become less interested in the Low Countries after August 1713 when William Bromley took over as Secretary of State for the North.

²⁰⁸Bitter over the ministry's apathy toward affairs in Brussels, Drummond was moved to complain at how Laws, 'who some years ago was usher to a writing master is now worth fifty

had not been consulted beforehand and characterised the action as 'one of the worst expedients that could have been pitched upon.' The real reasons for his objections to recent ministerial decisions, however, extended far beyond jealousy, wounded pride or self-interest, for he expressed concern not only about the government's flawed diplomacy but over its tenuous grasp of the domestic political situation. Orrery was certain that Britain's Francophile sympathies had produced dangerous effects; alienation of the Austrians--despite their questionable worthiness as contributors to the war effort--and the concomitant accelerated depletion of Imperial strength and resources in a protracted state of war with France, had the potential of inordinately increasing the latter's power and 'endangering the liberties of Europe.'²⁰⁹ Along these lines Orrery may have shared some of Drummond's sentiments about the war's prolongation; he proclaimed the Dutch had been 'cheated' before by Whigs who caused them to 'Stick out in hopes that they would be able to overturn the Ministry'.²¹⁰

Closer to home, anxieties in Britain over diplomatic and domestic issues had provoked widespread 'apprehensions' which Orrery suspected might prove 'very prejudicial to the ministry, who do not yet seem to take the necessary measures to give all proper satisfaction to the nation in general, or to their particular friends.' Orrery's remarks are replete with indications of his growing disenchantment with the ministry's inattention to these weighty issues as well as his own frustrated personal ambitions. The fountainhead of his dissatisfaction was the unfavourable 'prospect of disputes and squabbles' on the domestic political front, probably a veiled reference to the growing quarrel between Bolingbroke and Oxford. His disenchantment, coupled with a pervasive desire to 'serve my country to the utmost of my ability', had brought about a rapid change in his attitudes toward diplomatic service, and Orrery admitted that even he had found this transformation in his opinion somewhat surprising. One explanation may lie in the theory that, anxious to return to England to press his claims for a post at court, a disappointed and disaffected Orrery fell out with Bolingbroke, and seeing little prospect of further preferments, wished to reside abroad, remote from the factionalism of a crumbling Tory Party until his prospects improved under the

thousand pistoles': HMC, *Portland*, v, 366. Drummond to Oxford, Amsterdam, 10 Dec. 1713; and *idem*, cited in *Private Letters of Horatio Walpole*, p. 48.

²⁰⁹HMC, *Portland*, v, 348-49; see similar sentiments in the letter from Colonel John Hay (later Baron Hay and Earl of Inverness in the Jacobite peerage), brother of Viscount Dupplin, to Orrery, in BL, Add. MS 37209, ff. 179-80, [August?] 1713.

²¹⁰BL, Add. MS 37209, f. 155.

Hanoverian Succession. None the less, Orrery offered to serve as an interim minister in Holland, so as to relieve Strafford and 'to do at the same time the business of the Southern Netherlands'. Another facet of Orrery's discontent and manifested in his response to Drummond was the subject of diplomatic rank. Orrery had proffered his services on 'terms' for him to go abroad as ambassador extraordinary, rather than as envoy, terms which he 'thought rather [more] advantageous to the Crown' than to himself. If the Queen was 'inclined to save the charge' of an ambassador and refuse his offer, as he suspected she would, Orrery 'resolved never to go abroad again with the same character' he had retained from 1711 to 1713. The same letter repeats Orrery's unfeigned respect for the Dutch and the importance of close Anglo-Dutch relations,²¹¹ a view perhaps influenced by negative perceptions of Bolingbroke's role in the separate peace with France.

Considering the difficulties and delays Orrery experienced in collecting his pay as envoy, his desire for the increased prestige and commensurate salary differential connected with a full-fledged embassy is understandable.²¹² Since he was not dispatched on a new mission, however, Oxford and Bolingbroke evidently found his terms unacceptable. Two letters from the latter greatly illuminate the circumstances behind the government's negative reaction. An undated letter from the summer of 1713 contains a sympathetic refusal of Orrery's proposition which Bolingbroke justified on the grounds that, after Orrery's recall, Queen Anne herself had supposedly resolved not to employ anyone in Brussels above the rank of Secretary or 'resident.'²¹³ Another letter from mid-September 1713,²¹⁴ revealed the true extent of Orrery's disaffection. Interspersed between professions of friendship, Bolingbroke indicated his compliance with another request which Orrery had made of him: to relay Oxford's genuine opinion of him. With questionable sincerity,²¹⁵ he reported that the Lord Treasurer

²¹¹HMC, *Portland*, v, 348-49.

²¹²His financial problems seem finally to have been resolved in part continued following his return from Brussels in 1713. A Money Warrant for £3,296 was issued to him on 8 Sept. 1713 for his salary as envoy for 412 days. Two months later, on 30 Nov., a 'letter of direction' for £3,304 to be paid to him was issued. On 2 Feb. 1714, Orrery appears to have collected £825 for his extraordinaries, yet received only £484 in currency. The remainder was issued in tallies, which were often used in the provision of military pay and were greatly devaluated in comparison to specie: *CTB*, xxvii, pt. 2, 342, 519-20, 551; xxviii, pt. 2, 125; and Scouller, *Armies of Queen Anne*, pp. 130-32.

²¹³BL, Add. MS 37209, ff. 181-82. Bolingbroke to Orrery, 'Thursday' [c. late June, 1713], Whitehall; and a copy in PRONI, T.3074/1/89-91. This letter is also printed in 'St. John-Orrery Letters, 1712-1713', p. 369.

²¹⁴Written about the same time as Drummond's letter to Orrery, cited above, p. 245, n. 200.

²¹⁵Bolingbroke was an unlikely mediator, and the veracity of his report is dubious, since

still retained 'a very just regard' for his 'old acquaintance', looking upon Orrery as one 'who acts upon a principle, whose conduct will be steady, and who therefore is to be depended on.' Whetting Orrery's appetite with speculations that Oxford was 'contriving to advance your Lordship to another post', Bolingbroke pleaded that Orrery not commit a grievous error and, as he had indicated were his plans, 'he either asked to retire, out of disgust, or engaged in any separate scheme', protesting that 'the coldness and neglect' of which Orrery had accused him were unfounded and contrary to his actual feelings.²¹⁶ A few weeks later, in what is apparently the final extant letter between the pair,²¹⁷ the Secretary of State made additional promises which confirmed that the ministry was seriously considering Strafford's recall and Orrery's interest in replacing him. Yet peacetime financial stringency achieved by limits on the civil list dictated that thereafter only envoys would be employed. Specifically in Orrery's case, Bolingbroke's new policy relegated the post in Brussels to one of secondary importance, the queen being confident that 'the less she is concern'd, the better: the lower the character of her Minister there is the more on a level she is with Vandenberg (sic)'.²¹⁸

Scarcity of evidence frustrates efforts to ascertain the developments which then transpired. Encouraged by Bolingbroke's final letter, Orrery wrote to Oxford in expectation of a new place, protesting that he was 'extremely mortified' to find he was 'so unkindly neglected' by the ministry for which he had engineered the support of a powerful figure such as Argyll several years earlier and served so zealously since then.²¹⁹ The Lord Treasurer responded to Orrery's letter on the following day, in an uncharacteristically swift and apologetic answer. Upon its reception a self-assured Orrery reiterated many of Oxford's assessments of the 'violent storms' which were then distinctive features of the domestic political arena. Orrery repeated his proposition to return abroad, a prospect he entertained

he and Oxford had been engaged in a bitter, intra-ministerial contest for control of the Tory Party and the ministry for over a year.

²¹⁶BL, Add. MS 37209, f. 156; *Bol. Corr.*, iv, 287-89, 18 Sept. 1713; and a copy in PRONI, T.3074/1/91-95. Feiling, *History of the Tory Party*, p. 454, quotes these remarks as an example of Bolingbroke's 'odd blend of party loyalty and personal self-interest'.

²¹⁷If Bolingbroke exchanged letters with Orrery thereafter, they may have been destroyed because of the latter's Jacobite connections. For his condolences to the 5th Earl on Orrery's death see OPH, MS Eng. 218.2, i, 3; *Orrery Papers*, i, 97; *cf.* the brief complimentary letter dated 8 March 1745, in NLS, MS 3420, ff. 3-4.

²¹⁸BL, Add. MS 37209, ff. 158-59. (autograph) Bolingbroke to Orrery, Windsor, 5 Oct. 1713, O.S.; *idem*, copies in PRONI, T.3074/1/95-99; and printed in 'St. John-Orrery Letters, 1712-1713', pp. 370-71.

²¹⁹HMC, *Portland*, v, 368. Orrery to [Oxford], 2 Dec. 1713.

'purely for the service of my friends and country.' Furthermore, in a most revealing passage, Orrery confessed he wanted to distance himself from:

those squabbles where I well know a man's behaviour, though never so pure and disinterested has always the most malicious and ill-natured construction put upon it...my natural bent of temper to be as quiet as I can have made me very indifferent as to any posts of great honour or profit. I hope always to keep my integrity and be able to get through the remaining part of my life as I have done the former, without having any ill action to reproach myself withal.²²⁰

Oxford's attention was consumed during this period with depression, drink and his rivalry with Bolingbroke, and ultimately Orrery's request was ignored. Soon he was swept up into the very partisan 'squabbles' which he had wished to avoid, and that preceded the collapse of the Tory ministry and the accession of the Elector George of Hanover.

VI

It is somewhat ironic to observe that Orrery's diplomatic career is probably the least successful, or perhaps more aptly, as the portion Orrery himself found least gratifying. Measuring his personal qualifications for diplomatic service alongside those considered essential by contemporaries (Callières for example), one finds Orrery, in theory, ably equipped. Fluent French and years of military experience left him thoroughly acquainted with the language, customs, and geography of the region, and he possessed the requisite sophistication of an aristocrat; indeed this trait may ultimately have proven detrimental in his dealings with burghers and merchants in Brussels. For all his complaints and insistence to return to England in 1713, while he was on the Continent he approached his obligations seriously and conscientiously. A diligent and industrious intellectual, he remained at his post under extremely complex and unpleasant circumstances long after he had been promised he could return to England.

Orrery was also extremely obedient. He paid meticulous attention to detail and to his instructions, and carefully and methodically endeavoured to compensate for his own weaknesses in areas unfamiliar to him, such as commerce and Flemish law, so as to fulfil these instructions and achieve his country's government's objectives. Adversely, he was probably limited in the successful achievement of these objectives by his flawed judgement of human nature, a politeness perhaps so excessive as to be detrimental, a propensity for trusting

²²⁰HMC, *Portland*, v, 369. Orrery to [Oxford], 3 Dec. 1713. Apparently Oxford's earlier response has not survived.

others too readily,²²¹ and by revealing these weaknesses to diplomatic adversaries, as well as to colleagues like Van den Bergh. His frequent comments about avoiding squabbles and disputes at home and abroad suggest the personality of an introspective man who revelled in small groups of acquaintances but bore an aversion to confrontation and tense negotiations, a personality reflected in the political activities of one who relished strategy meetings and attending parliamentary debates but not the personal delivery of speeches in those debates.

It may be possible to detect some of these weaknesses by assessing the relationships Orrery enjoyed with diplomatic personalities with whom he had frequent contact from 1711 to 1713. For all of their cooperation in finally calling the Council of State to heel, and despite Orrery's principal role in repeated intercession with Heinsius and the States General to persuade the granting of Van den Bergh sufficient authority to achieve this goal, Orrery's Dutch colleague showed little esteem or appreciation after his British partner's departure. In a letter to Clairmont, another of Orrery's supposed friends whose personal interests led to betrayal,²²² dated 28 July 1713, a few weeks after Orrery's departure, Van den Bergh remarked: 'Plusieurs des états généraux m'ont dit que le comte de Straffort a déclaré que le lord Orrery été rappelé par le reine de la Grande Bretagne; ainsi qu'il ne reviendra plus; ce qui n'est pas une grande perte au public, ni à nous autres'.²²³ On the other hand, Orrery's popularity and status remained generally high in the Low Countries. Many friendships he cultivated there were maintained into the 1720s,²²⁴ and he seems to have engaged in some literary patronage while in Brussels.²²⁵

Orrery's diplomatic activities must be taken in context and seen from the larger,

²²¹Even Orrery's apologist biographer, Eustace Budgell, admits this weakness.

²²²After he was placed at the head of the Council of State in the spring of 1713, Clairmont rapidly fell in with Van den Bergh and led opposition to the garrison subsistence payments Orrery sought during his remaining months in Brussels. Clairmont continued this opposition after Orrery's departure, and from a starving, freezing Bruges garrison an embittered and financially oppressed Sutton complained in Dec. 1713 that he could scarcely imagine 'Comte Clairmont who is most entirely devoted to the Dutch Interest, without some Other Views of a more pernicious Nature than those of finding fault with the poor Soldiers having Fire': see PRO, SP 41/4/163[?]. Sutton to Watkins, 23 Dec. 1713.

²²³Gachard, 'Conférence Anglo-Batave', p. 714, n. 4, citing a letter in the Council of State's archives in Brussels.

²²⁴Shortly after arriving in Brussels following his vote of exile from England in 1723, Orrery's old tutor, Francis Atterbury, reportedly remarked that he was 'exceedingly tired...of My Lord Orrery's friends the nobility of this country, for he cannot understand their french nor they his latin'; see the report of spy John Macky to [Sir Robert Walpole?], 21 Sept. 1723, N.S., in BL, Add. MS 32686, f. 330.

²²⁵See below, Ch. 11, p. 478.

international perspective. It would surely prove extremely difficult to discover many examples of a successful governmental instrument with the characteristics, concomitant circumstances and inherent weaknesses like those which surrounded the Condominium: a government founded upon an unpopular joint-military occupation of a country by foreign powers that saw the inter-relationship between those powers transformed rapidly in a period of two years. This is particularly true in a region such as Brabant and Flanders from 1711 to 1713, which had experienced the deprivations and disruptions which accompany sporadic, prolonged warfare from foreign aggressors for several decades. The Condominium's effectiveness was further handicapped by often conflicting Anglo-Dutch commercial and diplomatic objectives, and the near impossibility of maintaining the fine balance between achieving desired effects from the Council of State through conciliation and coercion. The extremely problematic nature of Orrery's assignment and the justification for his lenience towards the Council of State during much of his embassy seem to be illustrated by comments made after his departure by officers and other British diplomats in the region. Confronted with incessant reports of stubbornness and refusals for compliance with garrison subsistence requirements which continued even for Imperial regiments in Flanders and Brabant throughout 1714, Strafford informed the Lord Treasurer early that year that Queen Anne and her ministers 'had been adored in the Spanish Netherlands had more care been taken to manage those people who reproach us the rigour with which we exacted the forage from the for the Queen's troops and those foreigners in her pay'.²²⁶ Even more telling are Brigadier General Sutton's remarks. Describing the desperation of his men in Bruges amidst dwindling coal, candle and forage supplies, he reported how many had died from cold and exposure, unlike the previous year when Orrery had:

calm'd to my advantage the Clamour and Complaints they [the residents of Bruges] form'd against my just demands [he] will be able to inform My Lord Duke of the unquiet litigious temper of these people if their purposes are no worse but they are at present So elated with the hope of the Elector of Bavaria's return that they seem to be as much divested of common Humanity towards every body that have been at War with him as they are of common Sence and prudence in the course of their affairs.²²⁷

Anglo-Dutch benevolence never seemed to produce the desired effect, however, and economic realities and the Council of State's intractability thrust both the British and

²²⁶HMC, *Portland*, ix, 387.

²²⁷PRO, SP 41/4/157-58. (excerpt) Sutton to Henry Watkins, Bruges, 20 Dec. 1713, N.S. For related accounts of military unrest in Bruges in 1714 due to the 'chastisements' and 'insolence' of the townspeople see BL, Add. MS 38852, ff. 308-12. Sutton to Watkins, 3 Jan. 1714; and BL, Add. MS 33273, ff. 255-56.

Dutch into the guise of imperious, rapacious foreign occupation forces motivated solely out of self-interest. Yet Orrery's grasp of the diplomatic issues and problems which characterised his embassy were hardly without validity. The fears he shared with Drummond about an absence of authority in Brussels proved true. Overawed and perhaps never accepted as an equal by Van den Bergh, Laws, according to Strafford, was unable to administer the Condominium on a joint basis with the Dutchman.²²⁸ The reconstituted Council as appointed by Orrery and Van den Bergh remained in office until the Barrier Treaty of 1715 was finalised.²²⁹ The region's importance, the different positions towards the Dutch held by Queen Anne and the Hanoverians, and the necessity for a stronger exercise of authority and a more permanent policy than Bolingbroke's 'patch and prop' stance, all seem to be confirmed when one considers that, despite the latter's justification of the designation of Laws, Marlborough's loyal lieutenant, Cadogan, was dispatched back to his former post in Brussels in October 1714 with accreditation identical to that which Orrery had possessed.²³⁰ For all the fondness between Orrery and Strafford, the latter had been moved during Orrery's embassy in early 1713 to remark of Cadogan: 'no man knows the Spanish Low Countries as he does.'²³¹

Under these complex and trying conditions Orrery's performance deserves credit. Despite gentleness towards the Council and his erratic, sometimes ambivalent, attitude toward serving in Brussels, he evinced a sincere interest in the Low Countries role as a critical thread in the fabric of European security and the balance of power upon which that security depended. He assiduously attacked the problems associated with commerce in the region and, after familiarising himself with the issues, submitted a plan containing solutions which were in some cases integrated into the Provisional Regulation, and finally, into the Third Barrier Treaty. As one of the initial diplomatic representatives to arrive in the Netherlands following the Tory ministry's formation, Orrery projected and maintained an image of British authority in the region. Contemporaries commented that in doing so, he had dispelled Dutch

²²⁸As a result, Strafford was forced to journey to Brussels in the spring of 1714 to lock horns with the Council himself: Bodl., MS Eng. Letters c.144, f. 300. Strafford to Orrery, 29 May 1714; Geikie and Montgomery, p. 321.

²²⁹Geikie and Montgomery, p. 311. Clairmont and de Jonghe both died in March 1715. Drawing almost exclusively from Flemish sources, Gachard, 'Conférence Anglo-Batave', p. 714, misleadingly and somewhat sympathetically described the Council of State in the period following Orrery's departure as 'un exécuter assez docile des volontés de la Conférence'. This characterisation is hardly supported by the constant problems revolving around garrison subsistence.

²³⁰*Wentworth Papers*, pp. 413, 429.

²³¹HMC, *Portland*, ix, 323.

notions that the Tories were unwilling in 1711 to support the alliance and continue the war.²³² Moreover, blame for the Oxford ministry's eventual desertion of the alliance certainly can not be laid at Orrery's doorstep; his opposition to this defection is suggested by his criticisms, his distancing himself from Bolingbroke, and by comments he made to men such as Drummond and Heinsius. The latter exchanged letters with Orrery following his recall and return to London and, if the sentiments Orrery expressed in his letters to Heinsius are genuine, they explain some of his thoughts on the Anglo-Dutch alliance. Orrery apologised for not coming to The Hague to bid him farewell in person and paid the customary compliments and respects, and asked Heinsius to assure the members of the States General of the 'parfaite Estime et veneration' he had for them and proclaimed his own concern 'principalement par mes Soins continuels pour maintenir une bonne intelligence et harmonie entre les deux nations, si necessaire pour la prosperité et la conservation même de toutes les deux.'²³³ Heinsius soon responded with assurances of how sorry he was about Orrery's recall and how much their friendship was valued.²³⁴

Seen in the international and the political context, then, one comes to respect the limited, albeit admirable, accomplishments achieved by the Condominium under Orrery's difficult embassy. If he found himself neglected and at odds with his government in matters of policy, Orrery does not appear to have derived substantial profits from the embezzlement of funds with which he was entrusted like Marlborough and Cadogan, Orrery's predecessor in Brussels. Accusations of 'exactions' levelled against him by the Flemish were more a product of their patriotic opposition to the Condominium and an unwillingness to provide for their own defence.²³⁵ However small Orrery's role may have been in serving his country in its efforts to defeat France and restore peace to Western Europe, his temperament and intellect were ill-suited to the challenges of his post; without resorting to corruption and the iron-fisted arbitrary exercise of military rule, it seems unlikely that many men could have performed his duties and tasks with a significantly greater degree of success.

²³²BL, Add. MS 22221, f. 14. Lord Ailesbury to Strafford, Brussels, 12 Oct. 1712, N.S.; *idem*, printed in *Wentworth Papers*, p. 303.

²³³AR, Heinsius Archives. AAH 1799. Orrery to Heinsius, London, 21 July 1713, N.S.

²³⁴AR, AAH 1828. Heinsius to Orrery, The Hague, 15 Aug. 1713, N.S.

²³⁵One of the memorials Orrery received describing the trade situation and the opposition of Bruges magistrates to Anglo-Dutch commercial jurisdiction remarked that the States of Flanders 'look upon this matter as if it were a National Business': PRO, SP 77/60/1. Patrick MacNeny to Orrery, 1 Jan. 1712.