Tory Tergiversation In The House Of Lords, 1714-1760

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The tory party came into being during the Exclusion Crisis in order to protect the status quo in church and society. The continuity that the tories desired was epitomised in the prospect of the due accession of James duke of York, to the throne with respect to his being the next legitimate heir to it.

In 1689 the party was not possessed of a homogeneous character, it being made up of people who had been members of the pre-existing and mutually opposed court and country parties. These differing strands left a legacy in one of the party's major divisions: a divide between those tories who were concerned principally with the advancement of the party's interests at the centre, at court and in parliament, usually in conjunction with (and often in subordination to) the advancement of their own political careers and those ones who were concerned principally with the implementation of 'tory' policies in the localities. For the sake of argument these two arbitrary types can be deemed respectively 'central' and 'grass roots.'[1]

Charles II and James II had particularly sought to create a monarchical interest in the Lords because that House was more amenable to the crown and its wishes. In the seventeenth-century world-view, peers were seen as the crown's 'natural counsellors'. The Commons party had never had the same effort to manufacture such a court interest concentrated upon it. The Lower House was far larger than the Upper one was; it had been the principal home of the country party in the 1660s and 1670s; it was influenced by the way in which its M.P.s had to seek re-election. Ergo, in 1689 there was a basic difference in the character of the party in the two Houses - in the Upper Chamber it was inclined centrally whereas in the Lower one its nature was predominantly grass roots.

In 1689 the effect of the Stuart brothers' peerage policy was very extant within the Lords. A high proportion of the party there either had been recruited by Charles II or had received promotions from him. He left the tory party with two unfortunate characteristics - a rich crop of internal rivalries and the comparative youth of much of its leadership. Charles had fostered rivalries within the party in order to allow himself to possess a larger measure of control over it than he would otherwise have had - a process of divide and rule, if one tory politician was not pliant to a particular line of policy from the crown then another one might be. These rivalries were accentuated by the way in which some tories were prepared to cooperate with James II in trying to attain toleration while others were not.[2] Many of the tory leaders had been raised to prominence by Charles early in their political careers; the king, while alive, had been able to exploit his superior political experience in his dealings with them.

The fate of the central aspect of the tory party in the period's first twenty-five years was not a slow continuous decline. In large part this was because much of the leadership of Charles's reign was still alive throughout the first two reigns of the period. Rochester, Leeds, and Godolphin did not die until the early 1710s. Buckingham and Nottingham both survived the Succession and its ensuant decade comfortably; however, the former was a self-interested and idiosyncratic in his general political conduct while the latter was a haughty individualist.

In the ranks below the leadership a new generation of central tories appeared during the years 1689-1710. They were of a different hue from the Caroline central tories. They shared William and Anne's general desire to keep the crown out of the clutches of party, either party. The political careers of these new central tories tended to reach maturity in an age that tolerated party, whereas those of the Carolines ones had done so at a time of exclusion and persecution. Because of the Carolines' youth in 1689 this new generation were not able to break through into the party's leadership prior to 1710.

Admissions to power under these two sovereigns were always partial, senior places often being given to the clients of court managers. Therefore, those tories who were prominent were often competing against one another for such vacancies as happened. Therefore, they were unlikely to forward any additional rivals from lower down within their own party for such vacancies as did occur. Oxford and Bolingbroke achieved their prominence not from a court tory background but rather from a country whig one.

Harley did not seek to fulfil the wants of the grass roots tories but rather to try to manipulate those desires in the service of the crown. Among the grass roots tories' desires was the wish for an end to British participation in the War of the Spanish Succession. In 1710 Anne, for her own reasons, came to the hold the same view.

Oxford had already exploited the existence of the non-Caroline central tories to build up a group in the Lords. Many of these people had been alienated first by the Caroline's tactical manipulation of grass roots issues early in the reign and then by the duumvirs' increasing use of whigs in preference to tories such as themselves. They were peers who sought to have a court ministry with tory support rather than a tory ministry.

Because of the long association of the whigs with constructive government that party had built up an operative majority in the Lords. It was not in Oxford's interests to wrest power in the Lords from the whigs in order to hand it to the grass roots tories. To help his management of the Lords he caused a mass creation of peers during the winter of 1711-1712.[3] Therefore, most of the new recruits reflected his own political attitudes, they were new central tories, people who sought to serve the crown and who would not necessarily be averse to working with whigs.

Not all of these new central tory peers were necessarily pro- Harley - the criterion was that should be neither Carolines nor grass roots tories. Harley filled a gap which others felt that they could have done just as well and therefore these people felt no compulsion to become his subordinates. Such peers hung on the wings of the Harleyites waiting for the minister's possible eclipse to see what they could make of the circumstances that might then come about. Most of these peers were to become Hanoverian tories.

The tory party had come into existence for the purpose of supporting the crown, as a means of protecting the status quo in church and society, so it was reasonable that its latter-day peerage members should still gravitate towards the crown, especially those who had served it and profited from it under Anne. The ministry was able to sell itself to potential tergiversants as the court party, the attitude that many of the older tories had been brought up in.

Because an individual changed to supporting the court did not mean that he had metamorphosed into a fervent 1689-style whig: many whigs of the 1750s were different political creatures from their predecessors at the period's beginning. There was not an insistence on full and utter apostasy to 1689-style whiggery, such would not have been the best means of persuading an individual to change sides when he could pursue the easier option of retiring from politics. Conversions were a shifting of emphases rather than the results of 'the road to Damascus' revelations.

The new centrals were not the majority of the tory party in the Lords at the time of the Succession. However, they were a sufficiently substantial proportion

of it that if they were to defect en masse the tory party remaining there would have been a rump, one unable to threaten the whig/court party's control of the Upper House. It was ominous for the party that most of the Hanoverian tories sided with the court early in George I's reign.

With a subject as allusive as toryism in these years there is a particular need for arbitrary means. The methodology which will be used here is to investigate the way in which individuals changed sides, principally using the receipt of 1710-1714 honours and offices as a tag with which to identify probable non-Caroline and non-grass roots tories.[4] A label for a certain type of tory will be used because it allows a degree of distinction within the central aspect of the tory party and therefore the possibility of a degree of insight. The label will be 'Harleyite'. Just as Charles II had left a legacy that was present in the House long after he was dead, so the influence of the earl's actions was felt long after his fall. Bathurst, one of the 1711-1712 recruits continued to be politically active into the 1770s. With the increasing shrinkage through death in the number of tories who gained such honours with the passage of time it can be argued that the method is flawed. Therefore, the discussion, while being centred on such, has been extended to include anyone who is pertinent to it, e.g. the first baron Chedworth. The hope is first to detect whether there was tergiversant activity among the peerage, and if so when it occurred, and then to see if that tergiversation was of a consistent or a varying nature.

The House of Hanover's claim to the English throne had been established in law by the Act of Settlement in 1701. Since then George I had had a personal motive to keep himself abreast of the intricacies of British high politics. At his accession his antagonism was not directed principally towards the tories per se but rather at the Oxford ministry which had concluded the treaty of Utrecht in 1713. The treaty had meant that the British state abandoned the Hanoverian electorate to make the best peace that it could with France. The mass of tory party had supported the ministry's conduct with respect to Utrecht and it was by this action that it had drawn upon itself incidentally some of the king's ire.

In 1714 George did not find the idea of a mixed ministry an inimical one. If he had there would not have been much contemporary incentive for the tories to cooperate with the Townshend-Walpole group. When it became evident that the Stanhope-Sunderland ministry was in need of additional support in parliament, Sunderland was given leave to approach some of the more likely candidates for inclusion. The earl himself was not exclusively whig in his associations. During the attempted impeachments he had commiserated with Strafford (1711) over the length of time that Strafford's impeachment was taking.[5]

There was little tergiversation in the reign. Of those who did go over viscount Harcourt and the first baron Trevor were the most prominent. That both peers held senior office under George I was remarkable in view of their having served under Oxford. "For as these two men were too knowing in their trade to swerve from the established principles of their profession, they acted like most lawyers, who generally look on princes like other clients, and, without regard to right or wrong, the equity or injustice of the cause, think themselves obliged to maintain whoever fees them last and pays them best."[6]

Both peers started the reign in opposition with their fellow Harleyites. In February 1718 Harcourt was with the opposition on the Mutiny bill.[7] In December 1718 both the Occasional Conformity Act and the Schism Act were repealed. Harcourt was noted to vote for repeal although he had helped enact the measures originally.[8] In April 1719 Harcourt and Trevor signed with their fellow tories a protest on the Common Council of London.[9] During 1720 the former was taken into the ministry and made lord privy seal with a pension. His conversion to whiggery is unlikely to have ever been heartfelt but then his toryness is unlikely to have run deep; he was constant - first to himself and then to the court. While the negotiations as to the re-admission of the Townshend-Walpole group was being conducted, he was used as a channel for approaching tories such as William Bromley, who had been one of Oxford's northern secretaries; there were no positive responses to these soundings.[10] Neither Townshend nor Walpole can have warmed to his presence in the ministry although they would have been aware how such an arrangement was beneficial to the government's overall management of high politics. In 1725 Harcourt was to vote for Macclesfield (1721) in some of the divisions during the earl's impeachment.[11]

The Layer plot which dominated the 1722-1723 session. In December 1721 the sixth baron North, Strafford (1711), baron Weston, and Francis Atterbury bishop of Rochester had all signed a letter to the Old Pretender.[12] They soon lost any faith that they had had in the project. However, Christopher Layer, a Norfolk attorney, had been concocting his own fanciful Jacobite correspondence. The two elements combined made a potent brew which Walpole, using a whig Commons, forced down the opposition's throat.[13] The 'plot' severely damaged the tory party.

The tory party suffered another severe blow through the May 1724 death of Oxford. A mould had been broken that may well have been holding a considerable portion of the tory party in the Lords. The yoke of Harley was gone. Up until that point very few of his former associates had gone over to the court. Trevor's defection seems to have followed on from it. Despite having been active with the opposition during the time of the Layer plot, the baron succeeded the first duke of Kingston as lord privy seal in 1726. Oxford's death may also account in part for an incident that occurred during the treaty debates of 1726. The second earl of Aylesford took the first earl of Dartmouth to the House because of the diplomatic expertise the latter had acquired as one of Oxford's southern secretaries. However, to Aylesford's consternation, Dartmouth divided with the ministry.[14]

In February 1718 any hopes that the tories had banked on the prince of Wales during the late 1710s were destroyed when he followed Walpole's suggestion to abstain from voting against the Mutiny bill.[15] Upon the prince's 1727 accession a number of tories who had avoided George I's court attended George II's. Bathurst had hopes placed on the efforts of Mrs. Howard (later a countess of Suffolk) and the duke of Dorset acting as his intermediaries. Neither proved fruitful as a conduit. He turned one of his brothers out a Commons seat at the general election in the hope of pleasing the king and in 1729 there was a report of his being given over by the tories.[16]

In 1729 the first baron Hay was appointed as ambassador to Constantinople. Because of his unsuitable conduct in The Sublime Porte he was recalled in 1734. In order to be able to execute the office in due state he had had to lay out a considerable expenditure. At the time of his return he had not yet recouped his outlay and therefore he had lost money through the office rather than gained it. However, rather than return to opposition he tried to obtain a further governmental appointment in the hope of making good the deficit. As late as 1740 he was seeking to have himself appointed as governor of Barbados.[17]

During the treaty of Seville debates Bingley, a former ambassador to the court of Spain (1713-1714), was prepared to speak on the ministry's behalf, although he was distinctly less keen to vote so.[18] In 1731 the fifth earl of Denbigh aspired to be sent as ambassador to The Hague. The Feildings had undergone heavy financial losses both in the South Sea Bubble and subsequently through a fraud committed by their broker. The family's financial situation may have additionally driven the earl to seek the post. However, the general stance which led him to sign a protest with the opposition over Macclesfield (1721) in 1725 may have contributed to his not receiving the post.[19]

In the early years of the reign the Jacobite first baron Boyle lapsed into pensionerdom.[20] He was not a Jacobite of the ardent tory kind. He had spent some time in the Tower. Another post-1714 guest on the institution was baron Lansdowne. In 1732 he returned from the self-imposed exile that he had gone into after his 1717 release from the Tower. He chose not to sit in the House again but he did send regularly up his proxy to the court whigs Wilmington and Dorset.[21]

In January 1734 the second earl Poulett was summoned to the Lords in his father's barony. In March 1734 the first earl joined Scarbrough and Greenwich in voting against the ministry on the Augmentation of the Forces. The first earl's behaviour was a sign that he had become a court supporter rather than a

Walpolian whig. Subsequently, the first earl Poulett returned to his retirement in Somerset, each session giving his proxy to his courtier son. In 1689 the first earl had been one of the hard line tories who had not been at all receptive to William's accession. Poulett had not taken his seat in the period until the 1696-1697 session because of his continuing loyalty to the Stuart cause.[22] He was showing a form of consistency by being pro-court both in the 1680s and in the 1730s.

From Dartmouth down these tories had all been either recruited or promoted during Oxford's ministry; Denbigh was an exception in having been both a commoner and a minor in the early 1710s (his father had been a Williamite tory). Where Harcourt and Trevor had led others had begun to follow. The tory tergiversations of the reign's early years largely dried up in the early 1730s as the opposition became increasingly active. This was because two prospects were growing - that Walpole might be overthrown and that the king might be persuaded to accept a mixed ministry.

However, in the wake of the 1733 Crisis Walpole's exercise of power was re-affirmed. Therefore, many tories must have asked themselves whether they would be able to advance themselves in their party colours. This was probably especially so in the Harleyite section of the party from which the past defections, full and temporary, had mostly come. The reason that peers did not cross over now was for fear of accusations of opportunism by their former colleagues; it was easier to be inactive. In the early and middle 1730s tergiversants preferred to wait on events rather than change their active political stances.

The first baron Chedworth was an M.P. when he tergiversated in 1735 from the tories to the ministry, although subsequently he had been to act independently from the ministry upon occasions. He was the son of Jack Howe, the author of a number of bills the purpose of which was to make parliament more independent of the crown. In 1702 Anne was content to allow Jack Howe to be made paymaster-general, an office which he occupied throughout her reign. Howe and Harley had been natural associates during much of William's reign and continued their connection through Anne's (although Howe did not resign in 1708). Chedworth's rarity value in 1735 may have given him much of the prominence that was to lead Walpole to forward him for recruitment in 1741.[23]

By the mid to late 1730s no new opportunities were presenting themselves as engines for the premier's overthrow. The opposition became increasingly dispirited. In the 1737 the Civil List vote showed both the fifth earl of Northampton and the second earl of Oxford were on the ministerial side, while Mountjoy abstained. On the Porteous Riots, Oxford and Northampton were joined by Strafford (1711) in their support of the government, while both Mountjoy and the second baron Foley abstained purposefully.[24] In January 1738 Foley was noted to be attending not only prince Frederick's court but also George II's.[25] In the short-term, the riots appeared to improve the court's overall position by helping to promote what looked like becoming a Harleyite split from the rest of the tories.

The danger to the tory party of a large-scale Harleyite defection in the Lords at this juncture was in large part averted by the worsening of the international situation, which meant a greater likelihood trouble for the ministry. Ministries were more exposed politically in times of war than in times of peace; the parliament's life was over half-way through and there was the coming general election to be worked for. It was evident that Walpole had not wanted Britain to go to war, making his isolation within the ministry more evident than before. A long-term effect of the riots was the entry of Greenwich into opposition. Falmouth and prince Frederick also went over thereby improving the possibility of Walpole being turned out. These developments, in conjunction with the international situation, not only headed off any major series of defections but also led to the opposition's collective fortune picking up in the 1738 session

Gower's becoming lord privy seal in 1742 and his later change are both well known. What has been overlooked is that the earl was made a lord justice in May 1740.[26] The war must have been the principal factor in creating conditions in which such an appointment could be made. There is a need for further investigation. Gower had been a minor at the time of the Oxford ministry.

The June 1740 death of Sir William Wyndham 3rd. Bt. has been bemoaned as a great loss to the tory party at a critical juncture. However, the baronet had achieved his prominent position because of his association with prince Frederick. The tories self-image was of themselves as supporters of the crown. This meant that they were not used to producing their own leaders, they had to have them identified for them by the crown. As the crown was not going to nominate anyone the reversionary interest acted as a substitute. The party could only have leaders emerge if they were prepared to moderate their views into a form of Hanoverian centralism. As an individual ascended through political association with the crown (or its reversionary interest), he became both less representative of his party support-base and more likely to tergiversate. This paradox accounts for the lack of leaders for Feiling to study in the early Hanoverian period.[27] (In October 1749 the seventh duke of Somerset was given the additional earldon of Egremont which was remaindered on the duke's kinsman's Sir William's eldest son. Consequently, with the duke's death the following year the 4th. Bt. became the second earl of Egremont.)

The 1741 death of the second earl of Oxford, the son of Harley himself, was seen as a loss to the ministry, especially as he was succeeded by his stridently grass roots M.P. cousin. The bibulous, bibliophile second earl had been courted by the ministry in a number of ways.[28] In December 1737 he made a tour of East Anglia. Houghton was the Norfolk seat of the Walpoles. When the second earl of Orford, Walpole's eldest son, heard of Oxford's presence in the neighbourhood, he not only bid Oxford stay at the house that night but personally conducted the tourist around it and the estate the following day. Such behaviour was in part aristocratic courtesy but it may also have reflected a level of growing political closeness. By this time Oxford had financial difficulties; since estates could take several years to sell he was helped considerably by Hardwicke's 1739 purchase from him of the estate of Wimpole in Cambridgeshire. In a reign in which the order of the Garter was given increasingly to undistinguished courtiers its most undistinguished recipient was Oxford's whig son-in-law the second duke of Portland, who received the honour in 1741.[29] And lastly, the earl's sister lady Kinnoull, the wife of Hay, was provided with a pension.[30] The second earl of Oxford was an instance of a trend that extended beyond himself.

Walpole's policy of seeking to persuade Harleyites to come over to the court had been one of the reasons for the Upper House's relative quietude when compared with the state of the Commons. In 1742 not only did Walpole have Chedworth recruited to the peerage but Sir Robert also offered dukedoms to Northampton and the third earl of Ailesbury. Both earls turned down the honours on the grounds that they did not have sons to inherit the titles. The first earl of Oxford, as part of his winter 1711-1712 effort to gain additional influence in the House of Lords, had had both men summoned to the Lords in their fathers' baronies.[31]

The fall of Walpole in 1742 did not bring the tory party any lasting tangible gains. The whigs remained unsettled because Wilmington, the new first lord of the Treasury, did not have the same influence over the party as Walpole had had. That the War of the Austrian Succession was still in progress the state of affairs was added to the political uncertainty. Further, Gower was made lord privy seal in February 1742 so that tories were now able to envisage entering government as tories rather than as former tories. In these conditions there was little reason for any tory peer to tergiversate since he did not know what sort of a court/whig party he would be going over to.

The 1745 Rebellion had the effect of accelerating the decline of the tory party's numerical strength in the Lords. Gower may not have taken forty M.P.s[32] into the ministry but there other peers who went across at much the same time as he did for much the same reasons, some of whom may have been holding themselves back previously. The last fourteen years of the period saw no large-scale opposition in the Upper House. On occasion the opposition there might be noisy and vehement but it was always small. The tories were finished as a major force in contemporary high politics, if neither as a group nor as a stance.

A number of tories, such as the second baron Masham, were to be admitted to office as tories in the late 1750s as part of a drive to minimalise the friction in domestic politics.

In the period's final years there were still Harleyite peers tergiversating although those who went over increasingly came from other strands of the party. Those lords who went over into the government ranks did not necessarily do so unconditionally and could stray, or threaten to do so, back into opposition. Those peers who remained in the party were increasingly people who had come to their political maturity in the wake of the establishment of the Supremacy.

As the Pelhams became established in the late 1740s there was a policy of crown favour to certain tories notably through titles. The ministry would have been grateful for the effect that this had in helping quieten the Lords. It is obscure to what extent this policy originated from the king and to what extent from his ministers.[33]

In 1746 Ailesbury was wooed with a barony which his nephew and intended Brudenell heir, who was a non-patrilineal relative, could inherit. Otherwise, the second baron Bruce would have acquired the Bruce's Wiltshire and Yorkshire estates as a commoner. The earl both had been summoned to the Lords in his father's barony by the first earl of Oxford and he had been offered a dukedom by Walpole.

Among the 1747 recruits was the former tory M.P. Anthony Bouverie (Folkestone).[34] In January 1748 Henry Rolle, another former tory, was recruited. During the 1730s, as a M.P., Rolle had frequently brought Qualifications bills into the Commons. Neither recruit appears to have been a Harleyite. Folkestone, like Northampton, was one of the ten who sometimes cooperated with the ministry, as Rolle might well have proved had he not died in 1750.[35]

In 1743 the fifth earl of Northampton inherited the estate of Eastbourne in Sussex from his uncle Wilmington. Subsequently, Northampton was paid courtesies by the Pelham brothers over local county matters, such as road legislation. Like Ailesbury, he had been summoned in 1711 and offered a dukedom in 1742.[36] When the fourth baron Mansell was an M.P., he had been pliable to the ministry upon occasions. As a peer, his fuller change was aided by the acquaintance that he struck up with duke of Newcastle (1715) after the duke's offer to help stock the park of his Sussex seat, Newick Place, with deer.[37]

While patronage was used to help influence tories to tergiversate and Newcastle's courtesies to his fellow Sussex landowners played a part in the process, there was no scope for using appointments to lord lieutenancies. Such would have offended whig sensibilities at the grass roots level, where party divisions remained keen longer than they did on the level of high politics.

In July 1749 the whig lieutenant of Northamptonshire the second duke of Montagu died. Within the month the late duke's son-in-law, the fourth earl of Cardigan (Bruce's brother), forwarded himself as a candidate to fill the vacant office. The earl was in his own right a considerable landowner in the county but his candidature proved unsuccessful. Cardigan's tory associations may have been the reason why the office went to the factious whig the second earl of Halifax, whose territorial presence in the shire was relatively unimportant in comparison with those of the earl and countess of Cardigan.[38]

In February 1747 the third earl of Ailesbury died. The new barony and his estates passed to the now second baron Bruce. Included among the latter was the valuable Wiltshire property of Savernake which Ailesbury's mother had brought as dower on her 1676 marriage. Previously, the estate had been the property of her family - the Seymour dukes of Somerset. The eighth duke of Somerset inherited his family's ducal title in February 1750. The duke was of a milder tory disposition than his Caroline grandfather Sir Edward Seymour 4th. Bt.. In April 1751 Somerset asked that he might receive the vacant lieutenancy of Devon, he having inherited from his father in 1740 the estate of Berry Pomeroy in that county. However, the whig fourth duke of Bedford, who owned a considerable estate in the county, received the office. (Prince Frederick had died only the previous month and the Pelhams had not yet agreed between themselves on the removal of Bedford.)

In July 1752 Somerset let it be known that he was intending to go to law against Bruce over the Savernake estate. How serious Somerset was in this can not be ascertained. What is certain is that the move demonstrated his nuisance value; two court tories, whom the ministry otherwise could have had reasonable expectations of accommodating, would be implacably opposed to one another so that that branch of political rapprochement might well be destabilised in large part.[39] Somerset was almost certainly bought off with an interim pension. In 1752 he was made chief justice in eyre north of the Trent. Previously, the office had been given to peers who had estates north of the river, Somerset did not.[40]

The fourth earl of Clarendon was the grandson of the arch- Caroline courtier - Rochester. In January 1751 Clarendon was summoned by the ministry in his father's barony. He had long been seen as a member of the party who might turn into a ministerialist.[41]

The third earl of Oxford died in April 1755 and the fourth duke of Beaufort in October 1756. Since inheriting their respective titles in the 1740s the two peers had had a major influence on the party in the Lords. It is possible that their political influence on the Lords party can be illustrated by the way in which Bathurst was prepared to accept employment in the same month that Beaufort died.[42] However, even at this late juncture the depth of a peer's tergiversation should not be overestimated.

The second baron Boyle showed himself as being someone who could be bought off with a place. In December 1757, on Somerset's death, he tried unsuccessfully sought to succeed the duke as a chief justice in eyre. In May 1758 Boyle was giving his proxy to the ministerialist Devonshire.[43] He may already have been in receipt of a pension.

In 1759 the second earl of Egremont resigned the lieutenancy of Cumberland to Sir John Lowther 5th. Bt. (N.S.). Sir John was the heir-general of the third viscount Lonsdale and it had been the wish of the Lowther family that a caretaker be given the viscount's lieutenancies of Cumberland and Westmorland. However, in 1756 only Westmorland had been given to Sir John Lowther 3rd. Bt. of Holker. On his death the lieutenancy was given to Sir John Pennington to act in the interests of his nephew, the fifth baronet. Egremont did not regard himself as a caretaker. Therefore, his resignation probably derived from wishing not to continue in an office made contentious by the Militia Acts. The speed of the 1756 transferral to Pennington was assisted by the tory eighth earl of Tufton forwarding himself as a candidate for the lieutenancy.[44]

In the late 1750s the sixth earl of Denbigh was involved in protracted negotiations over pensions for himself and his sisters. During these negotiations his financial affairs improved. As a result he now felt he had the right to extract a mark of honour. In February 1760 he was able to extract a place on the Privy Council after muttering audibly the words "cocoa tree." 'The Cocoa Tree'[45] had long been a coffee house where tories gathered in order to consult with one another on parliamentary tactics.[46] Despite both the marked decline in the tory party's strength in parliament and the way in which a number of the remaining tories had been brought into office, there was still a tory opposition extant at Westminster. This opposition does not appear to have been particularly active in the Lords but it did exist and the earl's remark, even if it was made in a calculated manner, was considered to be worth taking seriously in order to preserve as high a level of political harmony as possible at a time of marked political stress caused by the heavy burden of war taxation.[47]

The Harleyites predilection for serving the court was still being evidenced twenty years after Oxford's death and thirty years after his fall. It was only after the 1745 Rebellion that the Harleyites were in a minority of the tory lords who engaged in pro-court behaviour. The predominance of the section among

those that tergiversated demonstrates two things. Firstly, that the section's members had originally been predisposed towards serving the court and that this trait was continuous. And secondly, that the continuing strength of the grass root tory party is underlined. Before 1745 non-Harleyite tory families changed to court support through different members of the family having different politics rather than a single individual converting. However, that other tories did not change did not necessarily mean that they continued as active tories, there was always the choice of making their support latent. The government could pass business without worry but it was concerned to keep things as quiet as possible, a situation which the eighth duke of Somerset and the sixth earl of Denbigh exploited since the duke of Newcastle (1715) had known the heady days of the Oxford ministry and, therefore, he was susceptible to a degree of manipulation.

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References

1. 'Court' and 'country' are now too precisely established in the technical jargon of the period to allow for the appropriate speculative air that this part of the discussion seeks to have. The two terms have come to convey a set of responses to specific political issues rather than a general political mentality.

Understanding of the nature of toryism has been allowed up by the Jacobitism debate. The two aspects of Jacobitism which need to be stressed most in the context of this study are how in the early part of the period it was as much a court phenomenon as it was a party one and how in the later part of the period it was often principally a covert form of anti-central social protest rather than a genuine desire to place a foreign catholic on the throne.

The debate has been conducted in far too party-orientated a manner. This can be illustrated by the career of the first earl of Jersey. He has been seen as an ardent tory because of his Jacobite connections. However, he was not the same as a catholic Highland chieftain who supported the cause during the 1715 Rising. Jacobites came in more than one form. The earl's Jacobite tag stemmed not from his being a keen member of the tory party but rather from his family background being endemically court, he being the son of the knight marshal of the Household and a great-nephew of the great Early Stuart favourite the first duke of Buckingham (1623).

Jersey's example should not lead to the view that all former Stuart courtiers had a Jacobite element to them, it was just that some had a proclivity to have one and that if they were so it did not mean necessarily that they were ardent tories too. If the earl was the last it would almost certainly have been through opportunism rather than through conviction. In 1710 Oxford wished to use Jersey as one of his ministerial colleagues. It is improbable that he did so primarily in order to placate grass roots tories but rather because he wished to make good use of an experienced and amenable courtier.

It is a reasonable surmise that people who had the ambition to try the course for advancement and who found subsequently that it did not work were as likely to try another avenue - such as Jacobite activity - as to continue with the first.

2. John Miller*James II, A Study in Kingship* 1978) pp.173-74

3. The twelve: summoned in their father's baronies - Compton (Northampton) and Bruce (Ailesbury): recruits - Hay (Kinnoull), Mountjoy, Burton (Paget), Mansell, Middleton, Trevor, Lansdowne, Masham, Foley, and Bathurst.

4. Recruits - Oxford, Harcourt, Boyle, Brandon (Hamilton), and Bingley. Promotions - Strafford, Ferrers, and Dartmouth.

5. John Oldmixon*The History of England during the Reigns of King William...George* (1735) p.617

6. R.Romney Sedgwick (ed.)*Some Materials Towards Memoirs of the Reign of George II* (1931) i p.85

7. *D.N.B. Simon Harcourt viscount Harcourt* (1661?-1727)

8. Horace Walpole (ed.) John Brooke*Memoirs of King George II* (1985) i p.241

9. *Lords Journals* xxi p.149

10. Brian W. Hill*British Parliamentary Parties, 1742-1832* p.177

11. H.M.C.*Portland* vi p.8

12. Linda Colley*In Defiance of Oligarchy* (1982) p.198

13. Colley pp.198-99. J.H.Plumb*Sir Robert Walpole* (1960) ii pp.43-49

14. H.M.C.*Portland* vii p.424; William Coxe *Memoirs of the Life and Administration of Sir Robert Walpole* (1798) iii p.518

15. Colley p.194

16. John Wilson Croker (ed.)*Letters to and from Henrietta, Countess of Suffolk...* (1824) i pp.281-82; H.M.C.*Portland* vii pp.401 and 426; *History of Parliament 1715-1754* i p.246

17. B.L.Add.32691 f.284;B.L.Add.32695 f.529; David Horn*British Diplomatic Service, 1689-1789* (1961) p.63; William Bingley (ed.) *Correspondence of the countess of Hartford and the countess of Pomfret* (1805) iii p.313;(B.L.Add.35411 f.173).

18. Over two decades later, in the early 1750s, Bingley's widow felt able to ask George II for a barony for her grandson upon his coming of age. Therefore, it is near certain that some form of promise had been made. B.L.Add.32732 f.588; H.M.C.*Egmont Diary* i p.11; H.M.C.*Carlisle* p.67; James J.Cartwright*The Wentworth Papers* (1833) p.133.

19. H.M.C.*Eglinton* p.248; Robert Halsband (ed.)*The Complete Letters of Lady Mary Wortley Montagu* (1965-7) ii p.78; G.H.Healey (ed.) Daniel Defoe*Tour Through the Whole Island of Great Britain* (1955) i p.383)

20. Colley p.209

21. H.L.R.O.*Proxy Books* 1730-1734

22. *Lords Journals* xvi p.17; H.L.R.O.*Proxy Books* 1735-1743 *Some Materials Towards...* i p.242

23. Chedworth was a landowner in both Wiltshire and Gloucestershire. He inherited these estates from a kinsman after his father's death. This further underscores how much Jack Howe's country stance was a pose.

Jack Howe, a.k.a. the Hon. John Grubham Howe, had only embarked on this career of opposition after the court had denied him a grant he sought, he feeling able to ask for one since he had been queen Mary's vice-chamberlain. Being an angry courtier was the cause of his becoming Plumb's "blistering-tongued orator of the squirearchy,...". *History of Parliament 1715-1754* ii p.155; John Macky*A Journey Through England* (1724) p.117; J.H.Plumb*The Growth of Political Stability in England, 1675- 1725* (1967) p.145; *D.N.B. John Grubham Howe* (1657-1722)

24. H.M.C.*Carlisle* pp.161 and 179; H.M.C.*Egmont Diary* ii p.360

25. H.M.C.*Carlisle* p.192.

26. G.E.Cockayne*Complete Peerage* vi p.37.

27. Brian W.Hill*The Growth of Parliamentary Parties, 1689-1742* (1976) p.219; Colley p.227.

28. Hill*Parties, 1742-1832* p.215.

29. Portland held no official office whatsoever. The contrast can be seen by looking up the G.E.C. references for any other peer knight.

30. H.M.C.*Portland* vi p.66; Philip C. Yorke*The Life and Correspondence of...Hardwicke* (1913) i p.252; B.L.Egerton 1715 f.255

31. W.S.Lewis (ed.)*The Yale Edition of Horace Walpole's Correspondence* (1937-83) 21 p.26; Coxe*Sir Robert Walpole* iii p.575;(B.L.Add.32696 ff.434 and 438);(B.L.Add.32697 f.188);(B.L.Add.32705 f.22).

32. Colley p.252

33. It is possible that in part George II was toying with the Pelhams showing them that he was prepared to work with moderate tories, thus showing that he knew he was not dependent upon the Old Corps.

34. To add to the Bruce link, he was a Wiltshire landowner, although this is perhaps taking it too far. Henry Fox may have played a part in this because his family was seated at Redlynch in the south of the county. Ilchester had started his political career as a tory, during the early 1730s. Brother Henry may well have undergone a similar change before entering parliament in 1735.

35. *History of Parliament 1715-1754* ii p.391.

36. B.L.Add.32734 ff.251, 253 and 255; B.L.Add.32861 f.277.

37. B.L.Add.32702 f.403; B.L.Add.32703 ff.42 and 376; B.L.Add.32704 f.525; H.M.C.*Dartmouth* iii pp.163-64; C.U.L.Chol.H.. 11 March 1739. 'Viscount' Wallingford to Sir Robert Walpole.

38. B.L.Add.32718 f.335; B.L.Add.32854 f.167 (and f.206).

39. B.L.Add.32728 f.232.

40. B.L.Add.32724 f.227; B.L.Add.32728 f.232; B.L.Add.35412 f.4; B.L.Add.51419 ff.143 and 146;(B.L.Add.32734 ff.239 and 316).

41. The countess of Orrery (ed.)*The Orrery Papers* (1903) ii p.174;*History of Parliament 1715-1754* ii p.165.

42. B.L.Add.32868 f.54.

43. B.L.Add.32876 f.303; B.L.Add.32880 f.60.

44. B.L.Add.32864 ff.292, 349 and 358; B.L.Add.32882 ff.37 and 257.

45. B.L.Egerton 1719 f.92; B.L.Add.32864 f.105; B.L.Add.32880 f.60; B.L.Add.32889 f.416; *Walpole's Correspondence* 20 pp.408-09.

46. Colley "The Loyal Brotherhood and the Cocoa Tree" *Historical Journal* xx (1977), p.77.

47. The Feildings had been badly first by the Bubble and then their broker absconding with their remaining funds. The income from their estates was probably earmarked for servicing the debt they may well have incurred in order to exploit the financial market. Hence the fifth earl's pliabiliy. (It is to be remembered that they had achieved their title through their being Leicestershire kinsmen of the first Villierses duke of Buckingham rather than through their being landed magnates who bribed the duke.) In 1757 Denbigh married the coheiress of a wealthy Huntingdonshire baronet. This may well have largely restored the family's finances. His 1760 independence may have stemmed from his 1759 inheritance of Stoke Golding in Leicestershire from his first cousin once removed Sir Cordell Firebrace 3rd. Bt.. The Boyle Boyles' finances were probably healthier than the Feildings. The second baron married a great Irish heiress as his second wife in 1738. She died in 1758 and, although he had an heir by his first wife, her wealth would have remained in the family since she had borne her husband a son - the fourth baron. However, a pension might have been useful to the second baron himself.

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