

British commerce and Spanish government in New Granada in the early 18th century, from the asiento to the War of Jenkins' Ear

Luis Fajardo
St. Antony's College

Thesis submitted in accordance with the requirements for the degree of Doctor of Philosophy,
Faculty of History, University of Oxford

Acknowledgements

I would like to express my heartfelt gratitude to my supervisor, Malcolm Deas. His generous academic guidance and unlimited patience made learning under his supervision both a pleasure and a true privilege.

I would like to give thanks to the Universidad del Rosario, in particular to Hernán Jaramillo and Manuel Ramírez, for their support. I am also grateful for the financial support of the Colfuturo Foundation, Banco de la Republica de Colombia, the De Osma Studentship and the Labouchere Grant at the University of Oxford. I greatly appreciate the comments made to my work by Professor Anthony McFarlane in Warwick and Dr. Eduardo Posada-Carbó in Oxford. I am grateful for the comments made by Dr. Perri Gauci and Dr. Joanna Innes to my work at the 18th Century History Seminar at Lincoln College, Oxford. I also benefited from comments made by Professor Alan Knight and Dr. Paulo Drinot during the early stages of my work. Comments by Professors Manuel Lucena Giraldo at CSIC, James Raven at Mansfield College Oxford, Carlos Malamud at the Instituto Ortega y Gasset and Juan Marchena at the Universidad Pablo de Olavide are also gratefully acknowledged. The staff at the Fundacion Instituto Valencia de Don Juan provided me with a superb base for conducting research in Madrid. The staff of the Oxford Latin American Centre Library, University of Michigan Shelburne Library, Archivo General de la Nación de Colombia, Archivo de Indias, Archivo de Simancas, British Library, and Biblioteca Nacional de España were equally helpful. I am indebted to Juanita Villaveces and Claudia Pico at the Universidad del Rosario for their invaluable help and advice, as well as to Juan Carlos Guataquí, Juan Carlos Iragorri, Mónica Pachón, Oscar Ramírez, Alexandra Valencia, Alfonso and Allison Moreno, John Vernon, Alexis Heeb, Claudia Lozano and Néstor Fagua for their friendship at Oxford. My parents and brother were, as always, an unconditional source of support and inspiration. The arrival of Juan Francisco and Alicia to our family made these years infinitely more enjoyable.

Last but not least, my everlasting gratitude to Catalina, who tolerated the bizarre lifestyle of a D. Phil. student and offered me smiling encouragement all the way through.

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Introduction

Colombian schoolchildren are taught that the valiant 1741 defence of the port city of Cartagena by Spanish military commander Blas de Leso against a British invasion force led by Admiral Edward Vernon, “saved” Colombia (at that point, of course, the Spanish colony of New Granada) from the fate of becoming a British possession. “If it wasn’t for that man, all of South America would be speaking English today”, is a phrase often repeated by Colombian history teachers. Moreover, the picture of a medal celebrating the fall of Cartagena, manufactured beforehand by the overconfident invaders, is presented in local history textbooks as proof of Britain’s early imperial arrogance against the righteous Spanish defenders of New Granada. In spite of any misgivings towards their former Spanish colonial masters, it seems fair to say that Colombians view the colonial commander, Blas de Leso, as one of their “own” heroes, while the British are resolutely cast as invaders, often described as “pirates” or “corsairs”. The war that led to the British assault on Cartagena is considered an important milestone in Colombian national history.

This text seeks to present a picture of some of the elements, particularly on the economic side, that led to New Granada becoming a battleground for imperial competition between England and Spain, starting in the early 18th century and leading to the attempted assault on Cartagena in 1741. It examines the story of the South Sea Company’s commercial inroads into the colony of New Granada in the context of growing English economic

assertiveness, the response of Spanish colonial authorities, increasingly emboldened by the early results of the Bourbon reforms, and how the confrontation between the two gradually escalated, over the course of almost three decades, to war.

The colony of New Granada in the early 18th century, which covers an area roughly similar to present-day Colombia, played a relevant if not central role in the imperial system of its day. While its importance was never equal to the silver mining centres of Mexico and Peru, it was the leading source of gold for the Spanish empire. Again, its capital city of Santa Fe was far smaller and more austere than the great colonial capitals of Lima or Mexico City, but its main port city of Cartagena was an important commercial hub, where slaves from Africa and manufactures from Europe arrived to be introduced in New Granada, while gold was shipped to Spain.

As had been the case for most of its existence, the Spanish colony suffered then from intense contraband as other European traders outmanoeuvred local officials trying to enforce the Spanish trade monopoly and sold their wares or slaves in exchange for the gold.

British commercial interest in the Spanish colonies was growing in the early 18th century along with its economic and naval might, intensifying a commercial and military rivalry in the Western Hemisphere between Spain and Britain that would continue until the independence of most of the Spanish American colonies early in the 19th century. British traders had illegally engaged in commerce for centuries in New Granada.

Between 1713 and 1739, however, Spain tried to regularise and oversee Britain's growing trade with New Granada and the rest of its Spanish colonies through a formal treaty, the *asiento*, which allowed the British South Sea Company, certain trading privileges including the importation of slaves and the sending of occasional vessels with general trade to Cartagena and a few other Spanish American ports.

Nonetheless, the *asiento* did not succeed in formalising or restricting British trade in the region. During its years of operation the *asiento* was characterised by mutual mistrust and frequent violations of its terms from both sides. In particular, the Spanish continuously accused the British of using the South Sea Company as a cover to introduce merchandise not allowed by the terms of the *asiento*. Moreover, as the early implementation of the first Bourbon era reforms in the first decades of the 18th century sought to increase the efficiency and military effectiveness of Spanish imperial administration, Spain began to clamp down on British commercial violations.

New Granada, which housed the South Sea Company's factory in Cartagena, witnessed many of these confrontations between British traders and Spanish officials.

They grew in intensity and by the late 1730's had led to a political and military crisis between the two countries. As has often been recounted, a particular incident, in which a British trader claimed that overzealous Spanish coast guard officials near Venezuela had cut off his ear, created a political commotion in Britain that eventually led to the declaration of the War of Jenkins' Ear in 1739.

New Granada featured prominently in this war. Britain decided to send a major naval expedition with the hope of capturing a major Spanish port. Admiral Edward Vernon's

fleet destroyed Panama's Portobelo in 1740, but failed to capture Cartagena in 1741 after a long siege that ended in military humiliation for Britain. By the end of the war in 1748, Britain had failed to conquer Spanish land in America but Spain had likewise failed to stem the outflow of gold outside of its imperial trade system via the British traders.

The dissertation adds to the existing body of studies about the early 18th century on New Granada. Anthony McFarlane has offered a comprehensive view on the main economic and political developments of the century in that Spanish colony.¹ Synnøve Ones gives in her dissertation a more detailed examination of the political developments of the early 18th century, including the establishment of the first viceroyalty in the colony.² This adds to Spanish examinations of the same issue such as Garrido Conde.³

It also incorporates elements from previous studies, largely English, on the operation of the South Sea Company such as the ones produced by Carswell⁴ and Gardner Sorsby⁵ and on smuggling in the region, including Lance Grahn's study on contraband in New Granada⁶, and Vera Lee Brown's study on contraband and the South Sea Company.⁷

It complements previous studies, against mostly English, on the War of Jenkins Ear, including Temperley's⁸, and more recent accounts such as Woodfine's.⁹

¹ McFarlane, A., *Colombia Before Independence: Economy, Society and Politics under Bourbon rule*, Cambridge, 1993.

² Ones, S., 'The politics of government in the Audiencia of New Granada, 1681-1719', PhD thesis, University of Warwick, 2000.

³ Garrido Conde, M. T., *La primera creación del virreinato de Nueva Granada (1717-1723)*, Sevilla, 1965.

⁴ Carswell, J., *The South Sea Bubble*, London, 1993.

⁵ Gardner Sorsby, V., 'British Trade with Spanish America Under the Asiento (1713-1740)', PhD thesis, University of London, 1975.

⁶ Grahn, L., *The Political Economy of Smuggling. Regional Informal Economies in Early Bourbon New Granada*, Boulder, 1997.

⁷ Brown, V.L., 'The South Sea Company and Contraband Trade' in *The American Historical Review*, Vol. 31, No. 4, July 1926.

⁸ Temperley, H., 'The Causes of the War of Jenkins' Ear, 1739', in *Royal Historical Society, Transactions*, 3, 1909, 197-236.

⁹ Woodfine, P., *Britannia's glories, The Walpole ministry and the 1739 war with Spain*, London, 1997.

This study is original in that it is the first time the process leading to the War of Jenkins' Ear is presented from the viewpoint of New Granada. It relies on both Spanish and English archival sources, allowing for a more comprehensive view of the complex economic, political and social exchanges taking place in New Granada at the time between the two powers.

It adds to the knowledge about a not very thoroughly-studied period of the economic history of New Granada, by documenting in detail the operations of the South Sea Company factory, the first organised English commercial settlement in the country.

It also expands on previous studies about the working of the South Sea Company and adds to a growing body of literature on the practice and impact of contraband in this colonial society.

The study will also show the growing impact of the press in mobilising public opinion about the issues at play, both in the metropolitan centres of London and Madrid, and in the colonial society itself.

It will also provide elements for a wider view on the divergent imperial experiences of England and Spain.

The first chapter of this dissertation presents a succinct review of some aspects of politics in early 18th century Britain that had an impact on relations with Spain, the rise of merchant interests in politics and the anti-Spanish line taken by important sections of the London press, both of which forced the British government to adopt policies which aggressively sought to open Spanish colonial markets to British traders.

It also presents a short introduction to the Spanish political background relevant to Anglo-Spanish relations, with an emphasis on the dynastic change from Habsburgs to Bourbons in the Spanish Crown.

The second chapter looks at the economic background to Anglo-Spanish rivalry in New Granada. The chapter reviews some of the most prominent previous studies on the dimensions of trade in New Granada, including the slave commerce and contraband, showing the growing importance of British commerce in undermining the ideal of the Spanish imperial monopoly.

Chapter three shows how the South Sea Company began its operations in New Granada in 1713 and follows its development throughout the next decade, as British commercial encroachment increased in the area. It traces the origins of the South Sea Company in London, and describes the Company's initial commercial inroads into New Granada with the establishment of the first factory in Cartagena, and its first years of operation, from 1713 to 1723. It examines the first major disputes resulting from Spaniards and British accusing each other of bad faith in carrying out the provisions of the *asiento*, the treaty that governed the Company's activities in Spanish America.

It then follows the activities of the South Sea Company over the following years, when its operation in New Granada replicated the pattern often described elsewhere in the Spanish American empire, with English traders becoming more brazen in their smuggling activities, and Spain multiplying its efforts to contain them. Besides documents from the

South Sea Company archives, this section also relies on accounts by former Company employees, such as the doctor James Houstoun, who published memoirs of his time as the Company physician at the Cartagena factory. He presents a more informal picture which reveals many of the shortfalls of British plans for increasing their influence in South America.

The fourth chapter studies how the political transformation in Bourbon Spain during the early decades of the 18th century came to result in an increased assertiveness by Spanish colonial authorities in America, in the face of challenges such as that presented by British traders. The chapter goes over the expansion of several colonial political and legal institutions such as the *audiencia*, as part of the effort to reassert Spanish rule through bureaucratic modernisation. It details the Spanish administrative response in New Granada to what was seen as British aggression, during these first years of operation of the *asiento*, ending with the failed experiment of setting up the first viceroyalty of New Granada.

Chapter five presents an analysis of archival resources on the New Granada colonial government's reaction to British economic challenges from the early 1730's to start of the War of Jenkins' Ear. The fight against British contraband gradually evolves into an explicitly military confrontation between the two powers. Besides traditional judicial and administrative measures, the colonial government is shown resorting to more unorthodox measures, such as the creation of a privateer company to fight off British interlopers. It

describes in more detail the most important administrative reform in those final years before war, the creation of the second viceroyalty of New Granada.

Chapter five also describes the final months of operations of the South Sea Company's factory in Cartagena, until its departure when war was declared in 1739. It presents an analysis on how the final road to war was presented in the British pamphlet press and how that depiction had an impact in Spain and its colonies. It also discusses the aftermath of the Company's presence in New Granada during the war years and the eventual declaration of an inconclusive peace between Britain and Spain.

Chapter 1

The politics of Anglo-Spanish rivalry in the Americas

The following chapter will review aspects of British and Spanish political life that may serve to better understand the context under which their overseas competition was played out. From the British side it will focus on the tenure of Sir Robert Walpole as Whig prime minister under Kings George I and George II of Hanover. It will examine aspects of constitutional evolution, intra-parliamentary competition and lobbying by commercial interests, presenting them as relevant to understanding the domestic political atmosphere of the time. It will then briefly discuss the role of royal power and of diplomatic grand strategy in complementing parliamentary politics with respect to foreign policy. As is well known, during the period in question, particularly the 1730`s, the need to confront Spain over trade with Spanish America, became a major political issue.

The chapter will review the existing literature on the general political scene in early 18th century Britain, to then discuss how these impacted and amplified the dispute with Spain. The chapter will also discuss how the political scene evolved in Spain during the early 18th century, with the dynastic changes from Habsburgs to Bourbons. Commentary on the efforts of Spanish imperial resurgence under the new royal family have often centered in the late 18th century phase, particularly around the reign of Carlos III. The chapter will examine how more recent historiography highlights the early beginning of this process under Felipe V in the first three decades of the century, and how this resurgence also frames the imperial dispute in Spanish America.

British developments

A very brief analysis of Britain's formal constitutional structure shows it was experiencing important changes in the period we are concerned with. England was ruled since 1714 by the Hanover dynasty. George II had become the second king of this lineage in 1727. Britain experienced then a period of relative political stability as the turmoil of the 1688 revolution was left behind. "Between 1714 and 1760 the English people, wearied with struggles and sated with glory, was content to stabilize the results of the Revolution under a dynasty for which it had no love and accept an oligarchic system of government which for the time being seemed exactly suited to its needs".¹⁰

However, this was also a time of gradual constitutional innovation, as the settlement of the Civil War had left Britain moving in the general direction of a constitutional monarchy. "The king's personal power had been in certain respects seriously curtailed by the legislation of William III and Queen Anne".¹¹ The law determined the King's personal religion, his ability to raise a regiment, impose a tax or fire a judge. He could not suspend a law against the wish of Parliament. Even though it was still the King who picked the ministers of his government, he was now expected to at least consult parliamentary majorities in doing so. "Among the interesting constitutional developments of this period is the gradual and almost unconscious tendency towards greater solidarity in ministries as representing public opinion and a corresponding diminution in the king's personal authority".¹²

¹⁰ Williams, B., *The Whig Supremacy, 1714-1760*, Oxford, 1962, p. 1.

¹¹ *Ibid.*, p.15.

¹² *Ibid.*, p. 18.

The King was not a mere figurehead in English politics. He exercised his royal influence in many aspects of the administration of his realm, especially in the area of military and foreign policy. George II was the last English king to lead his troops into battle.

However, by the 1730's, it was clear that the paramount figure in the political scene was the appointed minister, Robert Walpole, commonly referred to as England's first prime minister. Walpole was the first to concentrate enough power to become effectively "primus inter pares" among his fellow ministers. "By April 1724...all the major offices of state were controlled by close allies of Walpole or by his dependants..."¹³

In the third decade of the 18th century, England was an exception in Europe for the degree of decentralisation in its political system. It had an elected Parliament that fell far short from being democratic but was no rubber-stamp body either. The king ruled with less than absolute power.

British constitutional evolution was built around the increasing ability of Parliament to check the King's powers. From the mid 1710's onwards, the Whig party controlled both houses of Parliament and became the real counterweight to royal power. This party is often said to represent the interests of England's largest landowners. As such, they clearly stood for a very small fraction of English society. The British polity was nonetheless substantially more open than European autocracies like France or Spain. This was still the day of "rotten boroughs" and a very restricted franchise. Cruickshanks has described it as a "system of inverse proportional representation", where 40 English counties with an electorate of about 160,000 voters returned only 80 MPs, while 205 boroughs with an

¹³ Plumb, J.H., *Sir Robert Walpole, The King's Minister*, London, 1960, p. 76.

electorate of 101,000 returned 409 MP's.¹⁴ Only 3,000 voted in the whole of Scotland. 18 voters elected the member for Banbury, and only 5 defined who got elected in Old Sarum.¹⁵

If Whig representation in Parliament was the assembly of the oligarchy, its leaders were those chosen by the King to occupy ministries in the government. In the early 1720's, Robert Walpole had emerged as the undisputed leader of the Whig regime. A Cambridge-educated son of lesser country gentry, he had been first elected to parliament at the age of 25. He rose through successive offices in the reign of George I, becoming a high treasury official. He resigned from government in 1717, returning four years later as Paymaster General, where he was instrumental in managing a recovery of the economy after the national financial crisis brought about by the collapse of speculation in South Sea Company stock. This, combined with the death in 1721 of the Earl of Stanhope, the previous Whig leader, led to Walpole's appointment by King George I in April 1721 as First Lord of the Treasury and Chancellor of the Exchequer, and his thus becoming the most powerful man in England. "It was Walpole who completed the process of identification of the Treasury with the premiership, uniting control of Parliament and control of money granted by Parliament in single hands".¹⁶ When George II succeeded to the Crown in 1727 he confirmed Walpole in his office. He would remain in power until 1742.

As mentioned in an earlier section, an English King or his minister could no longer rule openly against the wish of Parliament. He could not impose taxes or maintain forces without parliamentary approval. Public funds to pay royal expenses also needed

¹⁴ Cruickshanks, E., 'The Political Management of Sir Robert Walpole', in Black, J., ed., *Britain in the Age of Walpole*, London, 1984, p. 27.

¹⁵ Dickinson, H.T., 'Popular politics in the Age of Walpole', in Black, *Britain in the Age of Walpole*, p. 48.

¹⁶ Cruickshanks, 'The Political Management', p. 23.

parliamentary approval. And ministers could be called to render account to Parliament for misbehaviour in the exercise of public duties. Therefore, one of the key tasks of the minister was to ensure that the Houses voted with the government, or with the Court, as was said at the time. It was Walpole's particular success to maintain majorities for the government for nearly two decades. "Walpole's abilities were most clearly recognized as his political expertise; in the dexterity with which he managed the House of Commons".¹⁷

Walpole led a government kept together by patronage or outright corruption. In spite of his large majority in the Houses of Parliament, this body had to be oiled constantly by dispensing the largesse of the state to individual members. Walpole distributed ecclesiastical offices, state pensions, licenses and privileges in order to secure majorities. His exceptional political talents made the task easier.¹⁸

However, along with good relations with Parliament, a mastery of the ways of the Court was essential for the working of Walpole's political machine, since at that time the Civil List, public funds assigned by Parliament to the royal household, not only covered the King's personal expenses as they do today, but also paid the salaries of all civil servants. It was still the King who controlled the bureaucracy and could dispense favours high and low, from humble patronage jobs in the Customs service, to state pensions for impoverished aristocrats. One version claims that 90% of Walpole's meetings with the king concerned patronage.¹⁹ The Whig leader proved especially adroit in directing royal favours to the support of key parliamentary allies, and in cooptation of

¹⁷Plumb, J.H., *Sir Robert Walpole, the making of a statesman*, London, 1956, p. 2.

¹⁸*Ibid.*, p. 25.

¹⁹*Ibid.*, p. 26.

potential enemies. He had no illusions about patronage, “knowing the chief power of a minister...depends on the distribution of it”.²⁰

Walpole`s unfailing attention to the patronage machine suggests that his rule could be challenged if the right incentives were not provided to members of Parliament. For the period in question, parliamentary opposition fell into two groups outside the ruling Whig mainstream. One of them was the Whig`s traditional antagonist, the Tory party. However, for the entire period, they found themselves badly outnumbered in the Houses. In the Parliament elected in 1727, 130 Tories faced 415 ministerial Whigs, while in 1734, the proportion went to 149 to 326.²¹ The second group proved to be more dangerous to Walpole`s government. It consisted of the “Whig opposition”, members of the ruling party, like William Pulteney and Lord Carteret, who had occupied high positions in the previous ministry but found themselves excluded from the spoils of power under Walpole. Excluded from employment in the Court, they joined forces with the Tories to form an opposition alliance calling themselves “The Patriots”. They were associated with the anti-government newspaper *The Craftsman*. By 1734 there were 86 opposition Whigs, up from 15 in 1727.²²

What did this amalgamated opposition stand for? It has been said that if something characterised Walpole`s rule, it was its non-ideological nature. He was a pragmatist, more interested in balancing royal finances than in bringing about great pieces of legislation.

²⁰*Ibid.*, p. 26.

²¹ Cruickshanks, ‘The Political Management’, p.32.

²² *Ibid.*, p. 32.

“On most issues, Walpole had no policy”²³. Therefore, it is not hard to see how an opposition against a non-ideological regime would be itself devoid of strong ideological rallying cries.

Pulteney, for example, owed his long opposition to the Walpole ministry to a personal grudge over not having been appointed to office. According to Hervey’s diaries, “failing his endeavours to be made Secretary of State”, Pulteney “had set himself at the head of the opposition to the Court, and meditated nothing but the ruin of Sir Robert Walpole, to whose account he placed the irreversible sin of putting the Duke of Newcastle into that employment he pretended for himself”.²⁴ Moreover, Newcastle’s appointment itself was simply the result of another of Walpole’s electoral calculations, since he “thought his Grace’s quality and estate, his popularity in the country and the great influence he had in Parliament by the number of boroughs he commanded, were qualifications and appertanances that would always make him a useful friend to any minister”.²⁵

Again, the picture that emerges is one of politics dominated by tactical electoral considerations, rather than any profound discussion of national policy. The two most successful “substantial” issues raised by the parliamentary opposition were the Excise crisis of 1733 and the Jenkins’ Ear crisis of half a decade later. The first case was a tax revolt emerging after Walpole had reasonably concluded that it was cheaper and easier for the state to raise revenue through a sales tax on main commodities, than by attempting to tax land, and had brought in his Excise scheme. The second issue that galvanised

²³ *Ibid.*, p.34.

²⁴ *Ibid.*, p. 5.

²⁵ *Ibid.*

parliamentary opposition was the standoff with Spain over Caribbean trade that would eventually develop into the War of Jenkins' Ear. The opposition Whigs aroused nationalist feelings against Spanish rough handling of English merchants. This second issue proved much more effective for the opposition than the Excise crisis, as explained in the following section.

During the early 18th century, an expanding empire, with its drive on commercial expansion, was turning England into a global economic power. This age of overseas expansion was expected to spread wealth across large segments of society. A good example of this phenomenon was presented by the national mania over the South Seas Company stock, eventually leading in 1720 to the infamous South Sea Bubble speculative boom and collapse. As the century progressed, Parliament was increasingly influenced by City voices capable of harnessing wealth and the press when lobbying for their interests required. The evolution of English commercial capitalism would, in turn, reinforce the uniqueness of English politics by gradually adding to it a more popular, distinctly urban and "modern" voice, in some ways similar to what we would call today "public opinion".

"By the time Walpole entered politics, the commercial life of London was dominated by a small group of financiers of immense wealth. These men were not only directors of the Bank of England but also the controllers of the East India Company, the Africa Company and the Levant Company".²⁶

²⁶ Plumb, *The making of a statesman*, p. 23.

In the early 18th century England was expanding its commercial interests in North America, the Caribbean, Africa and Asia. The East Indies and South Sea Companies had been given royal charters to handle overseas trade and constituted beacons of wealth and political power. The profits of commerce cemented symbiotic relationships between men of government and business. The South Sea Company was a good example of this trend. Since its creation, its rights on trade with the Caribbean and in particular, with the Spanish American colonies, were expected to make its shareholders very rich. Among its initial shareholders in the early 1710's were King George I and his son, the future George II, as well as most of England's aristocracy and political establishment.²⁷

Besides outright "buying" of political power, they proceeded in more sophisticated manipulations of a malleable political establishment. "Pressure groups were organised by powerful mercantile interests, mainly in London... By sophisticated lobbying of MP's and the skilful exploitation of printed propaganda such pressure groups could occasionally persuade the ruling oligarchy to take action to promote or defend their sectional interest".²⁸ The mercantile interests, for example, successfully lobbied for the Molasses Act of 1733 that prohibited the American colonies from buying sugar from third parties, the French and Spanish Caribbean producers, limiting their supplies to those originated in British West Indian plantations.

Walpole's administration, so often described as being little more than a well-operated patronage machine, would not be immune to the lobbying by these new potentates who

²⁷Carswell, J., *The South Sea Bubble*, p.58.

²⁸Dickinson, 'Popular politics', p. 47.

had contributed to the personal wealth of so many office-holders, to say nothing of the Royal family, and were showing great skill in demanding and exerting political influence. Still, it was not only the top commercial bourgeoisie that was making inroads into a previously closed political system. “On several occasions Walpole’s administration responded to the political demands of the Bank of England and great chartered trading companies. The directors of the great trading companies were close allies of Walpole and hence part of the ruling oligarchy, but many shareholders in these companies, who also helped to bring pressure to bear upon the government, came from outside the ranks of the privileged elites”.²⁹

As mentioned in the previous passage, the minor partners of this new urban commercial economy also began to obtain prerogatives seldom before given to English commoners. For once, they began to have a voice in politics. While rural county elections were subject to effortless domination by the gentry, the more urban districts were the scene of distinctly competitive politics, where candidates strove to sway independent-minded voters.³⁰ The larger districts of London, Westminster and Bristol tended to go to the opposition.³¹ And even top government officials could not take election as a given. In the midst of the Excise crisis, John Scrope, then Secretary of the Treasury, was defeated at Bristol in 1734, and “no government candidate even ventured to stand in the city of London, such was the unpopularity of the ministry in the nation’s capital”.³² The issue of trade rivalry with Spain also showed the increase of the shopkeepers’ political weight: “Nationwide petitioning and instruction campaigns, with the lead being given by the

²⁹*Ibid.*, p. 53.

³⁰*Ibid.*, p. 47.

³¹Cruickshanks, ‘The Political Management’, p. 28.

³²Dickinson, ‘Popular politics’, p. 51.

commercial middle classes of London, were the high points of resistance to the Walpole government”.³³

Oligarchic rule and urban politics interacted with growing intensity in England during the early 18th century. Few issues galvanized both as intensely as the question of overseas trade competition with Spain. “The political nation in Britain, as represented in Parliament, concentrated their attention on domestic matters, with the sole exception of Spanish depredations... The opposition, which had for over a decade attacked the general direction of foreign policy, narrowed its sights to the specific issue of Anglo-Spanish commercial relations”.³⁴

As previously discussed, the Whig oligarchy had strong patronage ties with the overseas merchants. When Spanish hostility seemed to bother British trade expansion in the Caribbean, merchant interests lobbied Parliament directly.³⁵ Plumb described the situation in the following terms: “The expansion of English wealth could not proceed too rapidly for them. They were impatient of any foreign policy which curbed their aggressive spirit”.³⁶

But also, and independently from merchant pressure, Tory and opposition Whig politicians correctly sensed that in the trade conflict with Spain, and in the government’s

³³ *Ibid.*, p. 47.

³⁴ Black, J., *British Foreign Policy in the Age of Walpole*, Edinburgh, 1985, p. 16.

³⁵ Studies addressing the direct effect of the South Sea Company’s activities on Anglo-Spanish diplomatic relations include: Hillner, E., ‘The Role of the South Sea Company in the Diplomacy leading to the War of Jenkins’ Ear, 1729-1739’, in *Hispanic American Historical Review*, 18, August 1938, 322-341; McLachlan, J., *Trade and Peace with Old Spain, 1667-1750. A Study of the Influence of Commerce on Anglo-Spanish Diplomacy in the First Half of the Eighteenth Century*, Berkeley, 1940; Pares, R., *War and Trade in the West Indies, 1739-1763*, Oxford, 1963; and Temperley, H., ‘The Causes of the War of Jenkins’ Ear, 1739’, in *Royal Historical Society, Transactions*, 3, 1909, 197-236.

³⁶ Plumb, *The making of a statesman*, p. 28.

apparent lack of effective response to claims of Spanish abuse, they had found an issue that would enable them to hit the Walpole ministry in parliamentary debates and in the new forum of public opinion. Opposition Whigs like Lord Carteret, with no obvious ties to the merchant classes, nonetheless joined in the denunciation of Walpole's Spanish policy, obtaining handsome political dividends. Meanwhile, the press mobilised the urban public demanding war against Spain, by appealing to patriotic emotion. Popular culture was enlisted as well in the defence of overseas British interest. "Rule Britannia, Britannia rule the waves", first appeared as a patriotic anthem in 1740 during the Jenkins' Ear frenzy.³⁷

In this context, Walpole was left with few alternatives other than going to war with Spain in 1739. The clientelist parliamentary system that served as his power base had to satisfy the demands of one of its main clients, the powerful commercial interests. Moreover, he faced an upswell of popular indignation over the "wounded national pride" that would cost the government dearly in local urban elections. Admiral Vernon was sent to the Caribbean to the satisfaction of English commoners, told by the press that this punitive expedition would avenge English honour. Vernon's armada no doubt also enjoyed the enthusiastic approval of big City commercial interests, who dreamed of capturing once and for all the supposedly great currents of gold and silver flowing from Spanish America.

The British King as well as his ministers had significant autonomy in determining foreign policy. In spite of the influence public opinion could have exerted over British conduct in

³⁷Woodfine, *Britannia's glories*, p. 148.

its antagonism with Spain during the first decades of the 18th century, it is still true that for the most part, diplomacy was an aristocratic affair conducted far from the public spotlight. Diplomatic negotiations were held in continental salons and palaces, or through correspondence written in the courtly language of French, understood only by a few high-ranking government officials. Walpole himself “had no diplomatic experience and was bad at languages”.³⁸

It is worth underlining that foreign policy was one area where the King still demanded to have an actual, rather than symbolic presence in the process of decision-making.³⁹ In Walpole’s years, foreign policy was also influenced by the particular circumstances of the monarch of the time. Like his father, George II was German-born, and could only speak broken English. He is said to have had a rather precarious attachment to his kingdom, often preferring to retreat to his Hanover homeland for months at a time. On account of his German origin, he was sometimes criticised for involving England in continental disputes that stood outside the traditionally defined boundaries of English national interest.⁴⁰ In any event, for reasons of grand strategy or royal whim, there were diplomatic issues that transcended the impact of parliamentary politics.

In the late 1730’s, the *leit-motif* of British foreign policy could best be described as the competition with France for military supremacy in Europe. While this struggle no doubt involved tensions over strictly continental affairs, it also reflected a struggle for power being played out overseas: “Commercial and colonial competition between Britain and

³⁸ Black, *British Foreign Policy*, p. 62

³⁹*Ibid.*, p. 45.

⁴⁰*Ibid.*, p. 146.

France,...increased during the 1730's".⁴¹ Earlier in the century, England had adopted a "blue water policy". In effect, this strategy favoured a build-up of the Navy and a projection of English power overseas, instead of a policy concentrated in engagement on continental Europe, which would have required the alternative strategy of raising a large land army. In the 1730's, therefore, England's military and political security in Europe was largely based on the capacity of deploying a powerful blue-water fleet, with France being the strategic adversary, and Spain a close ally of the latter.⁴²

When hostilities broke out with Spain in the War of Jenkins' Ear, it was widely assumed that France would soon join its fellow Bourbon monarchy against Britain. In this particular case, the views of domestic political interests coincided with the views of those in charge of continental diplomatic strategy. The former wanted redress against Spanish interference with English trade. The latter viewed Spain as a Bourbon, pro-French, and thus potentially hostile nation. This may be another reason why the government eventually agreed to fight Spain.

This section has already considered the issues of constitutional evolution, parliamentary infighting, domestic economic interests, royal power and diplomatic grand strategy as factors explaining the main dynamics of English politics and their interplay with Spain at the time. It should also mention one final relevant factor, the religious question.

Lingering remains of the Protestant-Catholic disputes of the previous century appear in both domestic and foreign policy considerations during Walpole's years.

⁴¹ *Ibid.*, p.17.

⁴²The growing ties between France and Spain had been highlighted when Don Felipe, the younger son of Spain's Felipe V, married Louis XV's daughter.

The most significant repercussion of the religious issue in domestic politics was the way it became entangled with the question of succession to the throne. Throughout Walpole's ministry, the Crown faced an openly subversive opposition, that of the Jacobites. The Catholic Stuart dynasty still claimed its right to the English throne over the Protestant Hanover family. The last Jacobite rebellion would occur as late as 1745 when the Pretender marched down from Scotland towards London and managed to get as far south as Derby. It is worth remembering that Walpole's initial accession to power was influenced by his handling of the Atterbury plot of 1722, a Jacobite conspiracy led by the Bishop of Rochester which Walpole helped unravel, gaining royal gratitude and further consolidation of his power.⁴³ From then onwards, Walpole used the religious question to brand Tory opposition as treasonous, claiming it stood for Jacobitism. "He delighted in taunting the Tories with being Jacobites and with accusing Whigs in opposition of being the allies of Jacobites".⁴⁴ Was there some reason behind this claim? Historically, the Tories had stood for defence of a monopoly of the Anglican faith. However, following a precedent set by his father, King George II proscribed the whole Tory party from office at national or local level, excluding its members from the most valued state patronage. As a response, it has been said, Tories turned to the Jacobite cause "universally".⁴⁵

The repercussions of Jacobitism also found their way into England's foreign policy. The fact that by the late 1730's, England's main foreign adversary was France, sometimes made it look as if the struggle was between Hanoverian protestantism and Bourbon

⁴³ Plumb, *Sir Robert Walpole, The King's Minister*, pp. 40-43.

⁴⁴ Cruickshanks, 'The Political Management', p. 30.

⁴⁵ *Ibid.*, p. 29.

catholicism. It was widely believed that France, Spain and the Jacobite conspirators would collude in a religious alliance against George II. From the late 1730's onwards, the threat of a French invasion seemed to loom even larger as it would seem to count with a powerful fifth-column already on English soil. One of the elements in the discussion that erupted around hostilities with Spain was the possibility of it inflaming the internal dispute between Stuarts and Hanoverians for the throne of England:

“It is possible to suggest that sectarian awareness played a major role in shaping attitudes to British foreign policy. It was widely believed that Catholicism was on the increase in the British isles and on the advance in Europe. Suspicions of Catholic loyalty were increased by the Jacobite threat”.⁴⁶ In this sense, religion became an issue that cut across boundaries of national and foreign policy, and which also helped shape British political choices in the 1730's.

Along with the previously described success of lobbying by powerful merchants, the opportunism of Whig parliamentary opposition, the press-fuelled public outburst of nationalism, and the direction of diplomatic grand strategy, the religious factor converged with the others in paving the way for the decision to go to war with Spain in 1739.

Spanish developments

The rest of this chapter will discuss some general trends in Anglo-Spanish political relations during the first three decades of the century. After a brief overview of the Spanish internal political scene, it will go on to present the main sources of rivalry and

⁴⁶ Black, *British Foreign Policy*, p. 132.

eventually of conflict between these countries. The section will present the main conclusions of existing historiography on the subject: that the interplay of dynastic aspirations and colonial rivalry between Spain and England brought about increasing levels of tension and eventually led to the declaration of the War of Jenkins' Ear in 1739.

A history of Spain's international relations in the early 18th century can be seen in the context of the change after the Bourbon dynasty succeeded the Habsburgs in 1701. At the time, Spain was suffering from a prolonged period of economic and political decadence. In 1700, the Duke of Escalona, Marquis of Villena, had written to Louis XIV complaining that "the present state of the realm is the saddest in the world, for the feeble government of the last few kings has produced a horrible disorder in affairs: justice is abandoned, income spent, resources sold, the people oppressed, and love and respect for the sovereign lost".⁴⁷

The question of Spanish dynastic succession arose in 1701, when after almost two centuries of Habsburg rule in Spain, Felipe of Anjou, a grandson of Louis XIV of France, was crowned as King Felipe V of Spain. After the extended stagnation of the 17th century, the dynastic change brought about great expectations in Spain's ruling circles. "Under the last Habsburg king, they had watched their empire virtually collapse and they were eager to greet a new dynasty and a more, promising future".⁴⁸ That Spain now shared a monarchic dynasty with France immediately became an important element in the international position of Spain, and would remain so for the rest of the century, certainly

⁴⁷ Kamen, H., *Philip V of Spain. The King Who Reigned Twice*, New Haven, 2001, p. 16.

⁴⁸ *Ibid.*, p. 3.

up to 1739 when the War of Jenkins' Ear began. Rival European states, including Britain, Austria and Holland saw this event as dangerous for the balance of power in Europe, fearing a possible union of the crowns of France and Spain. They were particularly worried that France would gain access to the American trade within the Spanish Empire, and went to war against the Bourbons to prevent the Franco-Spanish union. Lynch has described the War of Spanish Succession, fought between 1702-1713 as "a war for control of Spain and its world empire".⁴⁹

After more than a decade of hostilities, the Treaty of Utrecht, signed on the 11 April 1713, brought a formal end to this war. The Allied powers of Britain, Austria and Holland agreed to recognise the Bourbon Felipe V as king in Spain, but only after France and Spain formally renounced to the idea of a union and Felipe gave up his claim to the French throne. Additionally, Spain ceded Gibraltar and Menorca to England, granted the *asiento* trade privilege to a British company and gave up other possessions in Italy and the Netherlands.⁵⁰

In spite of its traumatic beginning amidst international conflict, the rule of the Bourbons in Spain is generally credited with bringing about at least some positive reform in many aspects of Spanish life. Historiography on the period tends to agree that the Bourbon accession to power led to a greater effort to centralise political and economic power in the national government. In particular, the Bourbons hoped to overcome the ancient rights and prerogatives of both regional governments and aristocratic classes, which had

⁴⁹ Lynch, J., *Bourbon Spain, 1700-1808*, Oxford, 1989, p. 22.

⁵⁰ *Ibid.*, p. 36.

until then escaped taxation and prevented the Spanish state from achieving its full potential. According to Lynch, “the Habsburgs had been incapable of overcoming two great obstacles to reform, the autonomy of the regions and the political power of the aristocracy”. He adds that in the early 18th century, “a combination of new factors, the new dynasty, the pressures of France, the needs of war, the emergence of a bureaucratic elite”, all “provided the impulse for the shift in power towards central government”.⁵¹ Hargreaves-Mawdsley describes the same trend with an emphasis on French influence: “Felipe V followed the advice of his grandfather Louis XIV and transplanted French ideas of statecraft to Spain”.⁵²

The Bourbon project for modernising Spain in the first half of the 18th century influenced its foreign policy in many ways. Of particular interest to Anglo-Spanish relations is the impact of Bourbon rule on the administration of Spanish America. “One of the first matters to which the young Bourbon King gave his attention was an attempt to revive commerce in general, both in Spain and the Indies”.⁵³ After 1713, England’s trade in the West Indies was on the rise. “As a by-product of the terms of the Peace of Utrecht of 1713, the considerable French influence on the Indies trade was destined shortly to give way to strong British pressures on the Spanish colonial markets”.⁵⁴ Spain responded to a perceived English threat to its American colonial trade with a naval build-up programme and efforts to police more strictly its monopoly over Spanish commerce, an aspect which will be discussed in more detail below.

⁵¹ *Ibid.*, p. 60.

⁵² Hargreaves-Mawdsley, W.N., *Eighteenth Century Spain 1700-1788. A Political, Diplomatic and Institutional History*, London, 1979, p. 2.

⁵³ Walker, G., *Spanish Politics and Imperial Trade*, London, 1979, p. 24.

⁵⁴ *Ibid.*, p. 67.

Recent academic discussions have sparked controversy over the effectiveness of early Bourbon rule in making an impact on Spain's economic and political state, including its foreign policy. Earlier works have claimed that the reformist period only began in earnest in the late 18th century. According to this point of view, the reigns of the early Bourbons, including that of Felipe V, were not substantially different from the late Habsburg period, in that they were characterised by corruption, venality and a very weak exercise of central power. Many of these criticisms are focused on the erratic personality of Felipe V. Their claim is that in an absolute monarchy such as Spain, the personality of the ruler himself would have an obviously strong bearing on the policies adopted by his government. Hargreaves-Mawdsley describes Felipe as a "weak character even though a sabre-rattler".⁵⁵ He added that the King "himself rarely governed" and that his foreign policy was dominated by the caprices of his Italian wife Elizabeth Farnese.⁵⁶ Lynch asks of Felipe V, "Did he have a mind of his own? Was he even sane?" and describes him as often stricken by serious mental illnesses that practically immobilised the Spanish government. In 1732, for example, Spain was left for months "virtually without a government, for the King refused to see ministers or sign documents, and it was rumoured that (First Minister) Patiño was beaten off when he attempted to obtain instructions. The British minister, Benjamin Keene, reported that "we are properly now without any government, or even the form of it, for he has not seen either of his ministers or his confessor near twenty days past, and consequently there has been no dispatch".⁵⁷

⁵⁵Hargreaves-Mawdsley, *Eighteenth Century Spain*, p. 1.

⁵⁶*Ibid.*, p. 3.

⁵⁷ Lynch, *Bourbon Spain*, p. 71.

Lynch concludes his damning assessment of early Bourbon Spain by saying that “as they observed the tragicomedy of the Bourbon court, Spaniards could hardly fail to ask what they had gained from a change of dynasty...Philip V was an impediment to good government and in no sense a patron of reform”.⁵⁸ Lynch has claimed that the first effective Bourbon was Carlos III, who acceded to the crown late in the century, and “excelled by contrast, a prodigy among Bourbon misfits, a marked improvement on the past and a neglected model for the future”.⁵⁹

However, more recent works tend to see the first Spanish Bourbons in a more favourable light and give more weight to the argument that dynastic change made a difference early on in Spanish domestic and foreign policies. Kamen’s bibliography of Felipe V has claimed that his reign already showed some of the positive characteristics later identified more closely with the *despotismo ilustrado* of Carlos III. In spite of the fact that Felipe V “was not one of the heroes of Spain’s history”, Kamen claims that “as the first Bourbon, he coincided with and gave his support to all the major developments that created modern Spain”.⁶⁰ These included economic recovery and the consolidation of the nation-state.

Even if there is discussion about the intensity of change brought about by the dynastic change in its early years, it seems safe to conclude that from early on it was indeed introducing new elements to the Spanish domestic arena. Felipe V’s first four decades in power saw, among other things, attacks on the so-called “Council Government”, one of the mainstays of former Habsburg rule, by which the running of several key aspects of

⁵⁸ *Ibid.*, p. 73.

⁵⁹ *Ibid.*, p. 245.

⁶⁰ Kamen, *Philip V of Spain*, p. 237.

government was delegated by the King to councils dominated by members of the aristocracy. Bourbon rule sought, albeit with limited success, to invest power in a new central bureaucracy staffed by career government officers.⁶¹ This trend is exemplified by the rise in the 1720's of figures such as Jose Patiño, a commoner who became the King's most powerful adviser, reformer of state finances, promoter of naval rearmament and imperial reform.⁶² At least some of the career bureaucrats who rose to replace aristocrats in the ruling circles of the Spanish Court left a strong imprint on their country's policies, notoriously in the military build-up that characterised those years. Under Patiño's stewardship, "Spain, for the first time in history, began to maintain a powerful standing army", and naval expenditure increased dramatically. In 1717, his first year in charge of the navy, expenditure on the fleet tripled the level of the previous three years, rising from 1.5 million escudos to almost 4.5 million. By comparison, in 1705 Spanish naval expenditure had been some 50 times lower, at 79,000 escudos.⁶³

As part of his modernisation programme, Philip's reign also tried to centralise power in the court of Madrid, at the expense of the medieval prerogatives, or "fueros", previously enjoyed by Catalonia, Aragon and the Basque provinces. He attempted to eliminate tax exemptions, bring down internal customs and strengthen allegiance to the national government, much in the same fashion as his Bourbon cousins attempted to consolidate the French nation-state.⁶⁴ Again, there is controversy regarding the degree of success enjoyed by these policies in the early 18th century, but it is hard to discount them completely in order to understand the internal context of Spain's foreign policy. Spain in

⁶¹ *Ibid.*, p. 221.

⁶² Hargreaves-Mawdsley, *Eighteenth Century Spain*, p. 2.

⁶³ Kamen, *Philip V of Spain*, p. 119.

⁶⁴ Hargreaves-Mawdsley, *Eighteenth Century Spain*, p. 6.

1739 was in the process of a substantial modernisation of its internal state structure, where Bourbon activism was gradually seeking to replace the stagnation characteristic of late Habsburg years. Efforts were made to erode the power of regional and aristocratic elites in order to strengthen the national government. This would lead to a substantial improvement in state finances. This in turn provided greater military capacity to defend the American empire, which was itself seen as a key source of government income. In reasserting dominance over its American empire, Spain would increasingly collide with Britain. The increasing rivalry between England and Spain, along with domestic evolutions in Spanish politics in the early 18th century, led to a substantial reform of the Spanish state, which was particularly pronounced in the colonies. This would set the stage for Spain's reaction to economic encroachment by English traders in New Granada.

One of the strongest early examples of reform associated with the Bourbon accession to power in Spain can be found in the transformation and strengthening of the navy in the first decades of the century. A stronger navy was an essential element in some of the most important strategic objectives of the Spanish state in those years, particularly the protection of its American Empire from English encroachment and the safeguard of its dynastic interests in the Mediterranean. Moreover, the Spanish navy became the breeding ground for a new sort of public official held to epitomize the new values of the Bourbon state. Leaders such as Patiño, Campillo and Zenón de Somodevilla were drawn into high office from the lesser ranks of society through a process that was more meritocratic than previously experienced under Habsburg rule. The modernization of the Spanish navy also reflected the growing link between technological progress, proto-industrial development and state power.

When Felipe V came to power after nearly three centuries of Habsburg rule, Spain's economic and political power in Europe seemed to be waning.⁶⁵ The undertaking of major imperial reform was seen as one of the key strategies to reverse this decline. Spain needed to maximize revenue from its American colonies. It also needed to deny its enemies, particularly England, access to the economic produce of America, which was increasingly siphoned off as contraband. There was an increasing need to develop capacity to prevent English blocking of intra-imperial trade routes, and at the same time, to suppress English, and to a lesser extent, French, illegal trade in the Caribbean.⁶⁶ This required a powerful navy.

The strategic objectives of the Spanish navy were not limited to America, even though it could be said that few of its tasks were as essential. Spain still had substantial imperial interests in the Western Mediterranean, including several possessions in Italy. Much has been said on how Queen Elizabeth Farnese influenced her husband King Felipe V into procuring additional Italian lands where her sons could one day reign.⁶⁷ Additionally, the War of Spanish Succession at the turn of the century had left England in possession of formerly Spanish territory in the Western Mediterranean, most notoriously Gibraltar, and its recovery was a stated aim of Spanish policy. North African piracy in the Mediterranean was another constant threat to Spanish navigation and required a naval response. Last, but not least, the Spanish navy had to honour an alliance with France, which meant being ready to attack British interests elsewhere, including possibly the

⁶⁵ Kamen, *Philip V of Spain*, p. 16.

⁶⁶ Walker, *Spanish Politics*, p. 24.

⁶⁷ Hargreaves-Mawdsley, *Eighteenth Century Spain*, p. 3.

British isles themselves.⁶⁸ In conclusion, the resurgence of Spain's will to defend its Empire, particularly in America and the Western Mediterranean, and increasing clashes with Britain, all indicated the need for a reformed and revived Spanish navy.

One of the *leit-motifs* of official discourse in Bourbon Spain was the shift from oligarchic rule to a more meritocratic system in which lesser members of the nobility and commoners could occupy the highest offices on their merits. This was supposed to be exemplified by the gradual eclipse of the Habsburg-era Councils of State, staffed mostly by members of the high nobility, and the parallel rise of the *intendencias* and *secretarias*, ministerial offices intended to be staffed by a more technocratic administration, if such concept can be applied to 18th century Spain.

Melchor de Macanaz, one of Felipe V's ministers in the 1740's, expressed this desire for meritocracy in a rhetorical "letter of advice" to the secretary of the *infante*:

Enviar generales a los ejércitos es preciso: pero tengan estos empleos las canas experimentadas, no las cunas ilustres. Un general de poca edad no puede hacer grandes progresos. Llevar generales niños a la guerra es más confusión que provecho. Un señor con ayos es mejor para emperador en una clase de estudios, que para general en una campaña...Privilégiese siempre en todo empleo y dignidad la virtud a la sangre. La justificación acreditada vale más que la nobleza que heredó el que no la desempeña en sus obras. Mejor obispo será un hombre humilde pero justo, que el pariente de un duque, que cuida poco del cumplimiento de su obligación.⁶⁹

Needless to say, the idea of a meritocratic state being more efficient than an oligarchic one was by no means a new one. Was there any substance to Bourbon claims to attract

⁶⁸ Kamen, *Philip V of Spain*, p. 110.

⁶⁹ Macanaz, M., 'Carta y diseño para que un ministro o secretario lo sea con perfección. Por don Melchor Rafael de Macanaz, la que remitió a don Juan Gregorio Muniain, secretario que fue del serenísimo señor don Felipe, duque de Parma, infante de España', in *Semanario Erudito*, VIII, Madrid, 1788. p. 135.

the “best and the brightest” to royal service? And if that was indeed the case, was the navy a particularly good example of the new meritocracy? Spain’s navy had certainly been often portrayed as run by incompetent aristocrats. Perhaps its single largest historical failure, the defeat of the *Armada* against Elizabethan England, has been blamed on the inept leadership of the Duke of Medina-Sidonia.

However, in Felipe V’s reign, some evidence appears of the desire to create a more professional corps of officers and sailors, as well as to pay for the infrastructure needed to sustain a more effective navy. Several of the key politicians of his reign made their names initially as efficient administrators in naval matters, particularly his chief minister, Jose Patiño. He was an outsider from the aristocratic circles where many previous *validos* (the name given to the king’s most influential ministers) hailed from. The son of minor nobility, he was first appointed as *intendente* of the Navy in 1717. It was here that he first displayed his administrative skills. At a time when Spanish influence in the continent seemed to be waning, Patiño’s navy experienced a substantial overhaul.

The bureaucratic structure in which his career flourished was created in 1714, when the *Secretarias* and *Intendencias* began to replace the Habsburg-era Councils of noblemen as the main administrative bodies of the state. A Royal Decree of 21 February 1714 ordered a general project of naval reform. As a result, the Secretariat of Navy and Indies was introduced in 1715. As mentioned before, Patiño became *intendente* of the navy in 1717, a largely administrative job which counted the supervision of shipbuilding and fleet logistics as one of its main tasks. Among the early successes of the first year of his

administration were the introduction of a guidebook of naval operations, the restoration of the naval college of San Telmo in Sevilla, and the creation of the *Guardamarina* cadet school in Cádiz. Shortly after, he managed to muster 12 battleships, 100 transport vessels, 8 thousand marines, 600 horses and 60 cannon for a successful seaborne campaign against England in Sardinia, surprising many European observers who had grown to accept Spanish military decline as an irreversible fact.⁷⁰ In 1726 Patiño supervised the construction of large arsenals in the peninsular ports of Cartagena and Ferrol. That same year he was appointed Secretary of the Navy and Indies.

Patiño's success in the navy led to his ascent to higher offices. In 1730 he was already Secretary of Treasury and War, and in 1733 was also appointed as Secretary of State. By the time of his death in 1736 he was the king's most influential minister. His position was the closest Spain had to Britain's prime ministership.

Patiño's dominance and merits were recognized by contemporary eulogizers, such as an anonymous writer who declared upon his death:

El espacio que corrió por la esfera del mundo fue corto. Diez años y medio no cabales. Otros ministros célebres contemporáneos suyos, el Cardenal de Fleury en Francia y el caballero Roberto Walpole en Inglaterra, tuvieron un periodo más largo.

His admirer claims that Walpole and Fleury had the luxury of peace by which they were able to aggrandize the States of their Sovereigns, while Patiño served a monarchy lost in war and disgrace:

⁷⁰Cervera. M., *La Marina de la Ilustración*, Madrid, 1985, p. 61.

España se hallaba en la situación más trabajosa. Sin marina, sin naves y sin dinero, y cercada de enemigos por todas partes. Pero la misma guerra, y en tan corto espacio de tiempo como el que sirvió Patiño, la presenta con semblante tan distinto, que parece imposible que un solo hombre la hubiese puesto en pie tan respetable.⁷¹

Patiño had his share of critics. Some saw him more as a resourceful bureaucrat than a real hero or statesman. One of these opinions states that: “Patiño was not a sailor, . . . much less a military sailor. He was a shipbuilder. The story of *don José*, so intelligent, so loyal to the dynasty, so ambitious, is no more than the story of a great shipbuilder who, following the French system, militarised the merchant ships he bought where these were sold, creating paper *armadas*”.⁷²

There is some concrete evidence of how Patiño’s administration did result in substantial gains in many aspects of the Spanish naval effort. At the very least, he began a process of recovery that would last through most of the century. His successors in the direction of naval matters hailed from similar social backgrounds. Campillo was another career bureaucrat who served as secretary of the Navy until 1743. Among the innovations of this time, one counts the creation of the *Almirantazgo* or Admiralty, in 1737, explicitly modeled after the British institution. Nonetheless, a critic of this new agency claimed that it was created “more to provide the *infante* don Felipe with a position suitable to his elevated cradle, than for an authentic mission of protection and stimulus of the merchant and military navy”.⁷³ It would be disbanded in 1748.

⁷¹Anon., ‘Fragmentos Historicos de la Vida del Excelentísimo Señor don José Patiño’ in *Semanario Erudito*, 28, Madrid, 17?? p. 114.

⁷² Cervera, *La Marina*, p. 63.

⁷³*Ibid.*, p. 71.

Campillo was succeeded in 1743 by Zenón de Somodevilla, another prominent naval administrator. He was also a commoner who was later made Marquis of Ensenada by King Carlos III. Somodevilla rose first as secretary of the Council of Admiralty, and then after 1743 as Secretary of War, Navy and Indies. As Patiño before him, he used his naval career as a platform that would eventually lead him to be Spain's most powerful minister in the 1740's.

However, naval reform did not limit itself to bureaucratic politics. A central aim of this effort was to produce a professional corps of naval officers. The 1717 foundation of the *Guardamarinas* cadet academy in Cádiz was the most important move in this direction in the early years of Felipe's reign. Its cadets "were recruited from the middle and lower ranks of the nobility".⁷⁴ In 1737, twenty years after their admittance into the *Guardamarina* academy, the first graduating class counted among its members seven *capitanes de fragata*, fifteen *tenientes de navío* and three *tenientes de fragata*. Of them, five would become *tenientes generales* and one would become *Jefe de Escuadra*.⁷⁵

What was the typical career of a naval officer like at the time? The case of Blas de Leso, hero of the defense of Cartagena during the War of Jenkins Ear, provides an instructive example.⁷⁶ He was born in Pasajes, province of Guipuzcoa, in 1687. His parents sent him to a school in France. He joined the navy as a cadet in 1701. In 1704 he lost his left foot in a combat against the English in Málaga, during the War of Spanish Succession. Later on in this same conflict, he participated in the Bourbon siege and bombardment of Barcelona in 1712. In 1714, in a more formal role, he was part of the expedition sent to

⁷⁴Merino, J., *La Armada Española en el siglo 18*, Madrid, 1981, p.34.

⁷⁵*Ibid.*, p. 175.

⁷⁶A biography is presented in: Quintero, G., *Don Blas de Leso, defensor de Cartagena de Indias*, Bogota, 2002.

Genoa to take Queen Elizabeth Farnese back to Spain. In 1715 he participated in the reconquest of Mallorca from the English and in 1716 was employed in the galleons transporting American bullion. In 1730 he accompanied the *infante* Carlos to take possession of his new dominions in Italy, and then went to Oran to persecute Algerian corsairs. In 1732 he was made *teniente general*. In 1737 he was given command over the squadron assigned to escort the galleons from America, and upon reaching Cartagena de Indias took command of the garrison there, from where he directed coast guard activities against marauding English smugglers. In 1741 he died as a result of wounds suffered during his successful defence against Vernon's assault on Cartagena.⁷⁷

Leso's career provides vivid evidence of the continuing and diverse role played by the Spanish navy. His shift of assignments exemplifies Spain's multiple areas of influence in the Mediterranean and in America. His alternation between ceremonial duties with the royal household, and "hard" missions against smugglers, pirates and the English navy, reflects on the twin objectives of Spanish foreign policy; dynastic interests in Europe and trade protection in the high seas. It shows that by the late 1730's at least some of Spain's naval officers were seasoned and experienced in battle. Such men were more professional warriors than aristocratic dilettantes.

A third dimension of naval reform is its role as a quasi-industrial and, on occasions, scientific enterprise. Needless to say, it is a recurrent characteristic of warfare in all ages to witness technological advance harnessed for military advantage. However, this was even more so at a time such as the early 18th century, with the first embryonic signs of the

⁷⁷Fernández Duro, C., *Almanaque de la ilustración española*, Madrid, 1881, p. 219.

Industrial Revolution in Europe. It was also, of course, the century of the Enlightenment, where scientific knowledge was being directed towards applied technological breakthroughs. The Spanish navy shows some of these trends at this time. Jorge Juan, a prominent explorer and naval engineer, noted the fundamental change transforming aspects of naval endeavour such as shipbuilding, in the following passage:

“La fabrica del navío y otras embarcaciones y sus maniobras, que es el modo de manejarlas, ha estado siempre en manos de unos meros carpinteros y de otros puramente trabajadores u operarios: ninguna dependencia se creyó que tuviese de la matemática, sin embargo de no ser el todo sino pura mecánica”.⁷⁸ Modern science was being applied to naval combat. Naval cadets training in Cádiz read subjects like mathematics, drawing, navigation, shipbuilding and artillery as well as fencing, dancing and languages.⁷⁹

Moreover, Spain needed to quickly assimilate the techniques being applied by England to build its dominant navy. Jorge Juan was sent in the 1740's to England in order to hire shipbuilders, and also to “find out the secret of the treatment of English fine cloth, research the operation of their lacquer factory, obtain a printing matrix, buy instruments for optics, physics and chemistry, and books of mathematics and astronomy”.⁸⁰

Part of this technological and proto-industrial expansion moved to America. In 1736 the Spanish navy refitted the boatyard at Havana. Untroubled by the shortage of appropriate wood which was already seriously hampering shipbuilding in the peninsula, this Cuban operation produced many of the best Spanish ships in the following decades.⁸¹

⁷⁸Merino, *La Armada*, p. 46.

⁷⁹ *Ibid.*, p. 34.

⁸⁰ *Ibid.*, p. 49.

⁸¹ *Ibid.*

The industrial aspect of naval resurgence required a substantial increase in shipbuilding. In this sense, the early Bourbon navy did rather well vis-à-vis the French and English navies. The following tables show the number of new ships of the line built in each of the countries for the interval between 1700 and 1745.

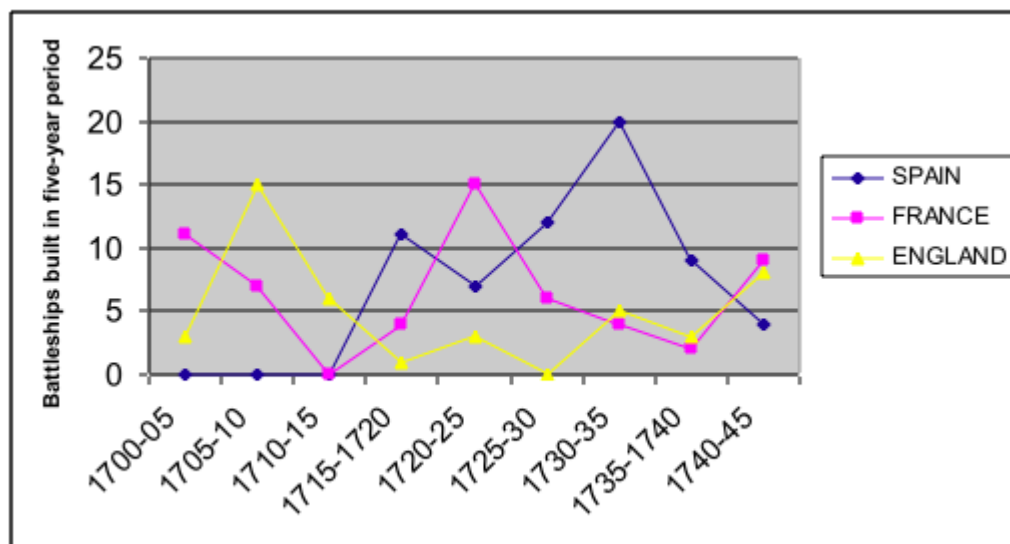
Table 1. Ships of the line built in Spain, France and England,

1700-1745

Battleships	(total built on fiveyear periods)									
	1700-05	1705-10	1710-15	1715-1720	1720-25	1725-30	1730-35	1735-1740	1740-45	
SPAIN	N.A.	N.A.	N.A.	11	7	12	20	9	4	
FRANCE	11	7	0	4	15	6	4	2	9	
ENGLAND	3	15	6	1	3	0	5	3	8	

Graph 1. Number of ships of the line built in Spain, France and England

1700-1745



Source: Merino, *La Armada*, p. 355.

This graph reveals how during the period between 1725 and 1740, Spanish military shipbuilding substantially exceeded that of her two main competitors, France and England. This does not mean that Spanish naval capacity even neared that of England at any time. Britain was starting with a much larger navy in the first place. It does reflect, however, an effort to catch up. By 1730, a British observer concluded that the combined Bourbon fleets of France and Spain now superseded the English fleet in number. Spain's 41 major battleships, combined with France's 50 ships, would actually enjoy numerical superiority over the British fleet, which at the time had 80 serviceable ships of the line.⁸² In 1737, after Patiño's death and just before the commencement of hostilities against England, the Spanish navy had 34 ships including her flagship, the 144-cannon *Real*, and the 80-cannon *Santa Isabel* and *San Felipe*. Also in the fleet were 9 frigates and 16 smaller ships.⁸³

The navy's interest in technology also propitiated other scientific developments in the Spanish imperial world that went beyond purely naval affairs. It helped foster a small community of scientists in other disciplines. Two examples illustrate this point. The botanical department of the naval academy at Cádiz was the site of the early professional endeavours of José Celestino Mutis, who would later head the Botanical Expedition in New Granada. Jorge Juan, who has already been mentioned as naval engineer and reformer, and a fellow naval officer, Antonio de Ulloa, led a scientific mission to America just preceding the War of Jenkins' Ear. They were sent to accompany a French geographic expedition to the Equator, and to report back home on the situation of the

⁸² Williams, *The Whig Supremacy*, p. 222.

⁸³ Rodríguez Villa, A., *Patiño y Campillo. Reseña Histórico-biográfica de dos ministros de Felipe V*, Madrid, 1882, pp. 187-189.

colonies. The observations of Juan and Ulloa eventually developed into the *Noticias Secretas*, a socio-economic treatise on the state of Spanish America.⁸⁴

In all, the navy showed at least some of the characteristics associated with 18th century Enlightenment. These included, in varying degrees, a partial rejection of traditional ideas of society embodied in aristocratic privilege, a more scientific approach to practical matters such as the building of a strong navy, and a certain inclination to promote exploration of other avenues of human knowledge, such as botany and geography.

Needless to say, the reform of the navy, along with the rest of reforms that tried to modernize the Spanish state, was incomplete and partial. The bureaucratic and technological reforms begun by Patiño were not enough to overcome the general economic and technical superiority of England in the long run. For a simple example of this, the impressive Spanish naval building of 1725-40 was followed by a pronounced fall in the number of ships launched later on.

Furthermore, even on its heyday, Patiño's navy suffered from its multiple commitments: its forces were sometimes stretched thin. Most of the Spanish navy stayed in European waters, ready to support a continental conflict, and thus far away from the American empire it was also entrusted with protecting. In 1737, while the Cadiz-based main fleet had 19 ships on duty, only two frigates, the *Retiro* and the *San Juan* were assigned to the *Armada de Barlovento* in charge of patrolling the Caribbean.⁸⁵ For most of the early 18th

⁸⁴ Juan, J., Ulloa, A., *Noticias Secretas de America*, Madrid, 1991.

⁸⁵ Rodriguez Villa, *Patiño Y Campillo*, pp. 187-189.

century, “the *Armada de Barlovento* practically did not exist, and save for isolated actions, its presence went unnoticed. The last known military mission it undertook was the attempt at dislodging the English from Belize in 1725”.⁸⁶ Two of its ships had been themselves involved in a case of smuggling.

Similar things could be said of the other main American-based fleet, the *Armada del Sur*, in charge of patrolling the South American Pacific coast. At the time of the War of Jenkins’ Ear, it was also described as undermanned and under-equipped with just a few coast guard units.⁸⁷

The resurgence of Spanish naval power in the first four decades of the century was not enough to banish the English threat to its American empire, but at least it seemed to provide the leverage needed for seeking some pragmatic accommodation between the two competing empires.

Sources of Anglo-Spanish Rivalry

Internal developments in England and Spain in the early 18th century served to reactivate and strengthen the confrontation between the two countries, which eventually projected itself in the fight over colonial trade in America. It was a rivalry that had been lingering for centuries, as portrayed in English publications.

⁸⁶ Cervera, *La Marina*, p. 239.

⁸⁷ *Ibid.*

The British press, of course, showed some interest in the Spanish American colonies far before the incidents of trade rivalry that characterised the early 18th century.

Perhaps the earliest mentions of New Granada in English publications go back to accounts of Elizabethan episodes, particularly Drake's sacking of Cartagena.

There was also the development of the 'Black Legend'. As discussed by Maltby, accounts of the Dutch revolt in the 16th century already showed Spain as cruel oppressors. The writings of Spaniards such as Bartolome de las Casas, describing in detail the abuses against indigenous people in the Americas's only strengthened the 'Black Legend' and helped determine negative perceptions of the Spaniards in England.⁸⁸

This view is reinforced by Pagden, who mentions the effect that the publication of the *Brevísima relación de la destrucción de las Indias* by Bartolomé de las Casas had on the image of Spain in the rest of Europe, saying that in the British and French political imagination, "Spain not only became an aspirant to universal monarchy, it also became a malignant tyrant responsible for the willful and entirely pointless destruction of thousands of innocent people, who until 1492, had lived in peaceful, if primitive and frequently uncouth, ignorance of their persecutor's very existence".⁸⁹

Eventually, imperial aspirations would also appear in England over Spanish domains in America. A text by Thomas Gage, a renegade catholic priest, documented the author's voyages through the Spanish American empire from 1625 to 1637. First published in 1648, its title boasted of presenting a survey by "the only Protestant that was ever known to have travelled those parts". Besides a short reference to his passing through the port of

⁸⁸ Maltby, W., *The Black Legend in England, the development of anti-Spanish sentiment*, Chapel Hill, 1971, p.4.

⁸⁹ Pagden, A., *Lords of all the World. Ideologies of Empire in Spain, Britain and France, c. 1500- c.1800*, New Haven, 1995, p. 87.

Cartagena, it is interesting for its early presentation of the imperial temptation that much later would influence English policy towards Spanish America in the 1730's.

Our plantations of Barbadoes (*sic.*), St Christopher's, Nevis and the rest of the Caribe-islands have not only advanced our journey the better part of the way [to catch up with Spain's imperial glories]; but so inured are our people to the clime of the Indies as they are the more enabled thereby to undertake any enterprise upon the firm land with greater facility. Neither is the difficulty so great as some may imagine; for I dare be bold to affirm it knowingly, that with the same pains and charge which they have been at in planting one of those petty islands, they might have conquered so many great cities and large territories on the main continent, as might very well merit the title of a Kingdom.⁹⁰

As discussed by Maltby, Gage led some to believe that the conquest of Spanish colonies would be "child's play" for the English.⁹¹

Gage was influential in Oliver Cromwell's "Western Design", his 17th century plan for expansion in Spanish American domains that led to England's conquest of Jamaica.

Gage's work and the influence it had on his country's leaders, proves that English territorial ambitions in this part of the world did not begin in the 18th century.⁹²

A few decades later, another documented early contact was the 1671 voyage of Colonel Sir William Beeston to Cartagena, in order to discuss with the local governor the terms of an Anglo-Spanish peace treaty.⁹³ Beeston described being conducted to the house of the governor, Pedro de Ribadeneira, while "the streets were extremely thronged with people

⁹⁰ Gage, T., *A new survey of the West Indies, being a journal of three thousand and three hundred miles within the mainland of America*, by Tho. Gage, the only Protestant that was ever known to have traveled those parts, London, 1699.

⁹¹ Maltby, *The Black Legend*, p. 122.

⁹² *Ibid.*, p. 95.

⁹³ Beeston, W., *The Relation of Colonel Beeston, his Voyage to Carthagena, for adjusting the Peace made in Spain, for the West-Indies, &c. in The voyages and adventures of Captain Barth. Sharp and others in the South Sea being a journal of the same. Also Capt. van Horn with his buccanieres surprizing of La Veracruz. To which is added the true relation of sir Henry Morgan, his expedition against the Spaniards in the West Indies and his taking of Panama. Together with the president of Panama's account of the same expedition; translated out of Spanish. And Col. Beeston's adjustment of the peace between the Spaniards and English in the West Indies*, London, 1684.

who wondered much about our garb, being used to see none but those of their own nation".⁹⁴

Although the presence of Englishmen in the streets of Cartagena still generated interest among the local population as an unusual event, their commercial exploits were beginning to be felt with regularity. Beeston described how this diplomatic visit was disturbed by news arriving to Spanish authorities of English smugglers in the vicinity of the port, just as they were preparing to dine in celebration of the peace accord. Beeston also presented an early description of the city of Cartagena, predictably focussing on their defences:

It is in length about three quarters of a mile and not full half a mile in breadth. It is walled all round with a thick stone wall about twenty four foot in height, with bastions built with orillons in some parts... in others they are plain, but it has neither grafts nor ramparts. 126 guns, mostly of brass and copper, look over the tops of the walls without either battlements or...baskets to blind them. ...This city is not strong, for there is neither castle nor any considerable place of strength in it, moreover the northwest winds have made three great breaches n the wall towards the sea, which may be entered with ease... For firearms their soldiers are armed only with matchlocks in the use of which they are likewise very unexpert. The city in general is well built with stone and covered with tile. The streets are narrow and the houses for the most part contiguous and generally four or five stories high; with balconies of wood, and great wooden lattices as they have in Spain. Here are many beautiful churches and other public structures... On the east side of it, about a mile distant, upon an eminence stands a castle provided with many brass, copper and iron guns, which they look upon as a place of great strength and able to do much in defence of the city.⁹⁵

Another early encounter was described in the late-17th century adventure of the self-styled Captain Bartholomew Sharp, who led a group of English adventurers in an early voyage along South America's Pacific coastline. The account told about their raids of the settlement of Santa María la Antigua del Darién, in New Granada's northwest corner,

⁹⁴ *Ibid.*

⁹⁵ *Ibid.*

along with their meeting of an "emperor of Darien", called by the Spaniards "Señor Don Andres", who "was clothed with a loose robe or mantle of pure gold". And it went on to document their southwards voyage stopping at the island of Gorgona, off New Granada's southwest coast.⁹⁶

The documentation in the English press of rivalry with Spain, and its relevance to British audiences, would grow substantially in the 18th century, until reaching the national outcry in the late 1730's that helped bring about the War of Jenkins Ear. The growing feeling of rivalry with Spain in the 18th century was accompanied in early Georgian Britain by a concomitant rise in popular sentiments regarding rivalry with France. Linda Colley has discussed in *Britons* how the newly formed British nation, resulting from the union of England and Scotland, found in its imperial rivalry with France an important mechanism for self definition. Britons came to define themselves, among other things, by their antagonism to the French in an overseas rivalry. Not only did they find national pride in the early imperial exploits of their country, it was one of the key issues that brought them together as a nation. Hence the popular demonstrations of rejoice documented by Linda Colley that accompanied these early imperial efforts.

In Colley's words, "The sense of a common identity here did not come into being, then, because of an integration and homogenization of disparate cultures. Instead, Britishness

⁹⁶Sharp, B., *The voyages and adventures of Captain Barth. Sharp and others in the South Sea being a journal of the same. Also Capt. van Horn with his buccanieres surprizing of La Veracruz To which is added the true relation of sir Henry Morgan, his expedition against the Spaniards in the West Indies and his taking of Panama. Together with the president of Panama's account of the same expedition; translated out of Spanish. And Col. Beeston's adjustment of the peace between the Spaniards and English in the West Indies*, London, 1684.

was superimposed over an array of internal differences in response to contact with the Other, and above all in response to conflict with the Other”.⁹⁷

Paquette has also examined the image of Spain in British thought from 1750 onwards. In his words, “The maligned, but recurrent and widely-invoked, image of Spain was a continuity in British political thinking, especially with regard to population, colonial commercial policy and imperial trade relations”.⁹⁸

Moreover, “Spain’s image as a tyrannical and commercially-backward empire played a prominent role as Britain re- evaluated its own empire”.⁹⁹

Spain’s conflict-ridden interaction with England was often the result of foreign perceptions about her potentially dangerous role in a Bourbon alliance with France.

In his book *War and Trade in the West Indies*, Richard Pares examined how this rivalry played out in the commercial sphere in the early 18th century, with British sugar interests in the Caribbean involved in promoting antipathy towards a perceived Franco-Spanish threat as a means to check the growth of potentially competing sugar growers from the French Caribbean islands. He describes the fear of French economic competition in these terms: “France was thought to have recovered faster than England from the wars of Louis XIV, and the pacific policy of Cardinal Fleury was known to be aimed at extending French commerce and manufactures. The competition of French merchandise in Spanish markets was thought particularly grievous. In a frenzy of apprehension and jealousy, the English pamphleteers excited their countrymen to strike a blow which would kill this bugbear stone dead and restore their own trade to an unshakeable preeminence”.¹⁰⁰

⁹⁷ Colley, L., *Britons, Forging the Nation 1707-1837*, New Haven, 1992, p. 6.

⁹⁸ Paquette, G., ‘The image of imperial Spain in British political thought, 1750-1800’ in *Bulletin of Spanish Studies*, Volume LXXXI, Number 2, 2004, p. 187.

⁹⁹ *Ibid.*, p. 188.

¹⁰⁰ Pares, *War and Trade*, p.64.

In particular, Pares discusses how English West Indian sugar interests had an interest in war rather than more trade with Franco-Spanish interests. They did not want north American exports to French sugar islands, as they “wished to confine the produce of north America to the markets of our own islands; thus it would assure itself of a cheap because over abundant supply of fish, lumber and provisions, and prevent its rivals in the French west indies from producing sugar to the same advantage, by raising the price of their necessaries of life”.¹⁰¹

Therefore, according to Pares, the English sugar planters “supported the various proposals of attacks upon places whose possession would make an opening for British trade in the forbidden regions of Spanish America”.¹⁰²

From the perspective of the sugar planters, war in the French West Indies “would diminish the trade and navigation of France, enable the English sugar colonies to recover their foreign markets and encourage them to improve their settlements and reestablish the cultivation of indigo”.¹⁰³

This does not imply that British commercial interests were uniformly in favour of confrontation with Spain. MacLachlan has argued that British trade interests with “Old Spain”, the metropolis, were more valuable than those with their Caribbean possessions. The author cites the export of British textiles and cod, as well as the import of Spanish

¹⁰¹ *Ibid.*, p. 81.

¹⁰² *Ibid.*, p. 84.

¹⁰³ *Ibid.*, p.180.

wool and sherry as examples of this bilateral trade. “War in 1739 came about by lobbying from illicit traders in the West Indies which secured the sympathy of the parliamentary opposition, wrecking the legitimate trade with Old Spain...”.¹⁰⁴

The exchange of wool and textiles between the two nations was the main item in British foreign trade in the early 18th century. It is no wonder that several voices were raised asking to protect this line of trade even at the risk of losing commercial opportunities in the Western hemisphere. In 1718, the city elders of Norwich, a prime site for the wool industry, sent a petition to King George I “representing the ruin of trade by reason of the war with Spain”. The petitioners argued the following:

We beg your Majesty likewise be informed that the chief support of this nation is from woolen manufacture and that this city wholly depends upon it, ... Spain upon which was our great dependence, is torn once more from us by a seemingly unavoidable new War, begun upon the infraction of the most solemn treaty of Utrecht. A war which obviates the Renunciations the King of Spain has made of France and paves a way for the union of those two potent kingdoms and all this for the sake of a German emperor, with whom we never had any concern of trade, who is a bigoted papist, a bloody persecutor of poor Protestants, and an implacable enemy to the isle of Great Britain... Spain gave us the liberty of the South Seas for the advantage of our trade, and we to recompense him have obliged ourselves to join in a war against him without the least provocation, unless 'tis a breach of the Treaty to promote our trade. We feel poverty creeping upon us every day and we that furnished all Europe with clothing can't now afford decently to clothe ourselves.¹⁰⁵

Besides the fear for commercial loss in the event of hostilities with Spain, there were doubts about the strength of the Franco-Spanish partnership, and its alleged threat to Britain, as this alliance often showed fractures. The 1713 Treaty of Utrecht had prevented

¹⁰⁴ McLachlan, J., *Trade and Peace with Old Spain*, p. 121.

¹⁰⁵ Anon., *The Humble Petition of the Mayor, ... Aldermen and Common Council of the City of Norwich to ... King George. [Representing the ruin of trade by reason of the war with Spain, and praying for a new Parliament.]*, Norwich, 1718.

the formal union of the Bourbon crowns. The outcome of the war also left many influential Spaniards with lingering doubts on France's commitment to this alliance. In spite of the successive family compacts signed between the two crowns pledging mutual allegiance, there were those who worried that, in times of crisis, France would not do enough to defend the interests of its weaker partner. In the years after 1713 a faction of Felipe's court became known as the "French Party" for its insistence on keeping strong Bourbon ties. Meanwhile, other groups of courtiers, annoyed by increasing Spanish dependence on France, sought to direct the king's attention towards different alliances. In the years immediately after Utrecht, the powerful minister Alberoni even designed and implemented a short-lived coalition with England against France.¹⁰⁶ But these attempts at seeking a more powerful protector than France were always temporary. "Philip was never happy with the British alliance, on which he was forced to rely time and time again throughout his regime....For him, the only natural alliance was with France...".¹⁰⁷ An analysis of the available historiography does not clearly reveal why this alliance was "natural" when in fact Spaniards quarreled frequently with France even within this period. In order to explain the inevitability of the Franco-Spanish alliance, much is said about Philip's personality, his love of all things French, or the admiration he professed for his grandfather Louis XIV. A more comprehensive and rigorous examination of the foreign policy alternatives available to Spain in the 1713-1739 period seems to be lacking in existing studies. In any event, by the late 1730's, European international politics had reverted roughly to the place they were during the War of Spanish Succession: a Bourbon alliance against England, Holland and Austria.

¹⁰⁶ Kamen, *Philip V of Spain*, p. 110.

¹⁰⁷ *Ibid.*

The position of Spain vis-à-vis England in 1739, was subsidiary to the larger conflict between the two dominant European rivals, England and France. However, Spain's importance in this larger struggle was not trivial. The European powers had already fought the War of Spanish succession mainly to prevent France from acquiring control over Spain's overseas empire. The Indies were certainly still a strategic asset in 1739. This was the more so in the light of growing English commercial expansion in the region, as will be discussed in section three. However, Spain's strategic importance in this framework of European rivalries was not entirely limited to its American possessions. In 1739 Spain still maintained substantial imperial dependencies in Europe, particularly in Italy. In the previous three decades this had set her into frequent conflict with Austria, which also aspired to sovereignty over many of these Italian territories. Spain's interests in Italy were increased by the fact that King Felipe V's second wife, Elizabeth Farnese, was Italian-born, and used her notorious power in the Court to maintain Spanish militancy in keeping these possessions. She judged them useful as possible lands for her sons to rule over in the future, since the crown of Spain was already reserved to Philip's older son by a previous marriage. "This situation made Philip look with favour on schemes to secure some territory for his new son, and he turned to Italy, the traditional hunting ground for Spanish military adventurers. He had the obvious support of Elizabeth, whose own schemes for her sons would continue to engage the government for the rest of the reign".¹⁰⁸

¹⁰⁸*Ibid.*, p. 105.

Hargreaves-Mawdsley takes the matter further and claims that: “the earnest desire of Isabel was to provide for her sons Carlos and Felipe and she did not miss an opportunity to bring this wish to fruition. One can affirm that the whole of Spanish politics during Philip V ´s second reign revolved round this vehement desire of the Queen”.¹⁰⁹ This claim, no doubt exaggerated, nonetheless supports the argument for Farnese´s great influence in court, and the impact of dynastic ambitions on Spain´s foreign policy.

The personal aspirations and interests of the Bourbon royal family help explain Spain´s strong defence of its properties in Italy, a factor that increased Spain´s visibility in European politics. But, of course, Elizabeth Farnese´s career plans for her children were not the only factor defining Spain´s European policies. The peace of 1713 had left Spain with the humiliating presence of England in Gibraltar and Menorca. British intrusion in the Western Mediterranean, previously regarded by Spain as a *mare nostrum*, was another unresolved point of contention in 1739.¹¹⁰

Spain´s military and naval strength, and the possibility of combining it with France´s in an all-out war against England, was a factor that necessarily brought it to the centre of European international politics in 1739, along with trade conflicts over America, royal interests in Italy and nationalistic aspirations over Gibraltar and Menorca. In spite of the long decline experienced in the 17th century, Spain remained a substantial military power in absolute and relative terms. Its land army in 1730, estimated at 130,000 men, dwarfed England´s mere 30,000. And, as discussed in the previous section, her navy of 41 ships of

¹⁰⁹Hargreaves-Mawdsley, *Eighteenth Century Spain*, p. 55.

¹¹⁰Kamen, *Philip V of Spain*, p. 207.

the line, greatly increased by Patiño's programme of the 1720's, was no small threat to England's naval domination. Moreover, combined with France's 50 ships, the Bourbon navies would actually enjoy numerical superiority over the British fleet, which at the time had 80 serviceable ships of the line.¹¹¹

The strategic threat of a Franco-Spanish alliance was increased by England's internal religious quarrels, as became evident in Spain's support of Jacobite rebellions. The Old Pretender himself had claimed in 1736: "I see no appearance of our being able to do anything for ourselves there without foreign force"¹¹². Jeremy Black writes: "In Spain, Jacobites were prominent at Court and their advice believed to be of some importance.... The Jacobites argued that an alliance between the major Catholic powers, and in particular between France and Spain, was of great importance to their schemes."¹¹³ In the event of widespread conflict in Europe, England could face the possibility of a substantial pro-Bourbon fifth-column made up of followers of the Pretender. In the words of Black, "the very belief that the Jacobite card could be used, weakened Britain's international position".¹¹⁴

Common dynastic and religious ties made Spain a useful ally to France in its long-standing rivalry with England for European domination. In that sense, Spain's threat to England in the first decades of the century was much more than the issue symbolized by Jenkins' severed ear. Rather, it was part of a wider latent conflict over who would be the supreme power in Europe: England or France.

¹¹¹Williams, *The Whig Supremacy*, p. 222.

¹¹²Black, *British Foreign Policy*, p. 138.

¹¹³*Ibid.*, p. 141.

¹¹⁴*Ibid.*, p.149.

This chapter has reviewed the existing literature on the developments in the politics of Britain and Spain that help to better understand the economic and military rivalry that took place in New Granada in the early 18th century between Spain and England. It discussed how economic expansion as well as a relatively liberal political structure in Britain contributed to the flourishing of discussion of public issues to a degree not seen in other contemporary European countries. This, in turn, amplified the political influence of the group of London traders interested in expanding commerce with Spanish America, who were able to voice their interests to help convince the government to steadily increase military pressure on Spain and eventually declare war over its efforts to constrain that trade.

At the same time, large segments of the population were adopting a new “Britishness” in which imperial power played a large part in the formation of the national identity, and were therefore increasingly sympathetic to efforts to seek British supremacy overseas.

Colley has discussed how British identity was strengthened during the 18th century when the public compared their recently formed nation to the “Other”, mostly meaning France. On occasions Spain was seen as a dependent power, a proxy for French interests. In that sense, the British public reaction against Spain is a reflection of their increasing animosity against their main imperial rival, France. But the image of Spain, in itself, as a tyrannical and backward-looking empire also served the purpose of helping to define British aspirations for their empire.

As will be discussed in more detail in chapter five, when the dissertation looks at how the British press looked at Spain in the months preceding the War of Jenkins' Ear, this unflattering portrait of Spanish lack of modernity was juxtaposed to the perceived modernity of the British imperial effort, and also helped define British identity in the early 18th century. Britain found in its imperial confrontation with Franco-Spanish forces a means for self-definition, and this helped prepare the scene for war by 1739.

Spain, in turn, was beginning to experience a gradual but eventually profound transformation resulting from dynastic change. The arrival of the Bourbons set in motion a period of efforts at stemming the country's political and economic decline. Councils dominated by aristocrats gave way to early forms of bureaucracy in Spain's public administration. One of their earliest challenges was to restore their waning control over trade with the colonies. The project of national regeneration started under the Bourbons led to Spain beginning efforts to reassert political and military control over colonies such as New Granada.

These simultaneous trends in England and Spain led the colony of New Granada to become one of the staging grounds in the 1730's of competition and eventually confrontation between two large European powers, with the War of Jenkins Ear emerging as a result in 1739.

Chapter 2

Commercial rivalry in New Granada.

While the previous chapter discussed the Anglo-Spanish rivalry of the early 18th century in more general terms, the following chapter will look at how this rivalry played out within the economic sphere in the competition for trade in New Granada. The chapter will present an overview of the main economic trends in New Granada during the first four decades of the century, including the state of its gold mining industry, the main activity which incorporated New Granada to international trade.

The chapter will discuss how some of the early Bourbon reforms had an impact on the economy of the colony, in particular Spain's effort to regulate the transatlantic trade that sent gold to Europe and brought African slaves and European manufactures into New Granada. It will review existing literature which has discussed the limited impact of these efforts on the economic health of New Granada and how contraband conducted by traders from other European powers often circumvented these imperial regulations. It will provide a general background to the discussion presented later in the dissertation on how the activities of the English *asiento* in New Granada affected the economic and political disputes between England and Spain in this colony.

This chapter will go on to discuss how in the early 18th century Spain and England tried to reach an accommodation on trade with the colonies through the signature of the *asiento*, which for the first time legally allowed direct English trade to New Granada and the other Spanish colonies.

New Granada and the Imperial Monopoly

As discussed in chapter one, by the early 18th century Spain saw England as a serious rival in political, military and economic terms. The economic challenge was seen as particularly dangerous in the Spanish colonies in the Americas, and led to a European great power confrontation being played out in this part of the world.

The economic cornerstones of the Spanish American empire were the silver mines of Mexico and Peru. While New Granada clearly did not occupy the paramount role of Mexico and Peru in the Spanish empire in America, its economic importance was still substantial, both as a producer of gold in its own right, and as a trade hub processing commodities such as Spain-bound Peruvian silver or slaves from Africa being sent elsewhere in the colonies.

The Spanish exploitation of gold resources in New Granada began during the Conquest in the 16th century, initially through the pillage of indigenous tombs. The colony eventually became the main production centre for gold in the Spanish empire. The first gold mining operations were established around 1552 in the northeastern regions of Vélez and Pamplona, and later in the central Magdalena Valley. During the latter part of the century larger gold mines were developed in the western part of the country along the Cauca river basin in Caceres and Santa Fe de Antioquia, in the north, Anserma and Cartago further

south, and near Popayan. Production is thought to have peaked near 1600, after which it would stagnate for the better part of the 17th century.¹¹⁵

Most accounts describe a strong fall in economic activity by the late 17th century, not only for New Granada, but across the entire Spanish colonial system. “Peninsular industrial, textile and agricultural production declined as did the size of the Spanish merchant marine and navy. Exacerbating the situation for American importers and consumers, Spanish monopolists restricted the flow of exports to America to boost prices”.¹¹⁶

McFarlane has undertaken the most extensive analysis available of New Granada’s economy in the early 18th century. He has stated that it is impossible to exactly quantify the colony’s formal trade at the beginning of the 18th century, as official documentation often did not distinguish between exports of Peru and those of New Granada.¹¹⁷ He adds that during the war of Spanish Succession, trade with Spain was almost completely annulled by contraband.¹¹⁸ As a result, he and others have pointed out that the colony’s economic health could not be adequately portrayed by its official trade.

Moreover, during the late 17th century and early 18th century there was the beginning of an expansion of gold production in New Granada as new mining regions expanded, particularly in the Antioquia and Choco region.¹¹⁹ Besides increasing New Granada’s exports, this expansion in gold mining strengthened demand for African slaves. During the War of Spanish Succession, when the *asiento* contract to import slaves into Spanish

¹¹⁵ McFarlane, *Colombia Before Independence*, p. 43.

¹¹⁶ Grahn, *The Political Economy of Smuggling*, p. 19.

¹¹⁷ McFarlane, *Colombia Before Independence*, p. 160.

¹¹⁸ *Ibid.*

¹¹⁹ See also West, R., *Colonial Placer Mining in Colombia*, Baton Rouge, 1953, pp. 16-18.

colonies was in French hands, the Guinea Company imported nearly 4,250 slaves through Cartagena between 1703 and 1714.¹²⁰

So, the economy of New Granada had begun to experience a gradual reactivation before the advent of Bourbon reforms due to an improvement in gold mining, independent of the policy changes that may have occurred in the first decades of the 18th century. And as its economic worth was increasing, so presumably the attraction for foreign contraband and the ensuing increase in confrontation between England and Spain over this colony.

Still, besides the fluctuation in the production of gold, there were other important changes, mainly institutional, affecting New Granada's economy in the early 18th century. At least in formal terms, New Granada's interaction with the global economy was supposed to be determined by the part it played in the Spanish imperial monopoly system. According to McFarlane, the system had three essential aspects. All trade with Spain was channelled through a single port of entry (Seville until 1717 and later Cádiz). All the exchange was organised by the merchant guild of the *Cargadores a Indias*, which together with the *Casa de la Contratacion*, supervised transatlantic commerce, enforced trade rules and collected the respective taxes. Finally, colonial trade was undertaken through armed convoys, the "flota" which sailed to Veracruz in Mexico, and the "galeones de Tierra Firme", covering Spanish South America through Cartagena and Portobelo.¹²¹

¹²⁰ McFarlane, *Colombia Before Independence*, p. 124.

¹²¹ *Ibid.*, p. 157.

New Granada therefore played an important part in the conduct of imperial commerce beyond its own gold production. Shipments with the silver production from the mines in the viceroyalty of Peru made their way up the Pacific coast towards Panama, where they were transferred for the short overland journey to the Caribbean port of Portobelo. The galeones would pick Peruvian silver in Portobelo and gold from New Granada in Cartagena, before returning to Spain.

Although the political and administrative capital of New Granada was the inland town of Santa Fe, the port city of Cartagena, established in 1533, seven years after Spanish conquistador Rodrigo de Bastidas had founded Santa Marta, played the key role in New Granada's economic interaction with the world.

Besides its previously described role in the export of treasure to Spain, it was the main official conduct for the importation of European products into New Granada, including iron and steel, textiles, wine, olive oil and spices.¹²² It also became an important port for the importation of African slaves, the original justification for the Spaniards allowing the South Sea Company into the colony in the early 18th century.

The growing prosperity of Cartagena made some British writers of the time to describe her with admiration. A 1741 British pamphlet presented a detailed description of Cartagena, which revealed substantial change and apparently more prosperity (and greater military defenses) compared to Beeston's account sixty years before:

Cartagena is a beautiful city and next to Mexico, the finest on all the east side of America. It forms large streets each near half a mile in length, with stately houses of

¹²² Ibid.

stone, and one larger and longer than the rest, which crosses the city, making a spacious square in the middle. There are 5 churches besides the cathedral, which appears above all the other buildings and is very magnificent without as well as rich within. And 11 religious-houses, monasteries, and nunneries, (those of the Dominicans and Franciscans being noble structures) besides a handsome town house and custom house. In short, the buildings in general are very handsome. It is exceedingly populous for a city in America, containing above 4,000 Spanish inhabitants and near 20,000 mulattos and negroes, who are all at their ease and would be thought very rich in any other place. It is strong by nature as well as art.¹²³

He also presented a picture of the region's economy:

Hither the galleons repair from Spain, to receive the King's revenue, which comes from the same country by the Rio Grande, or Magdalena; and here a great trade is driven as well by the galleons, as the merchant ships under their convoy, after they return from Porto Bello. Cartagena is very rich, by reason of its trade in pearls, emeralds, and other precious stones. From Margarita come all the pearls, which are sent hither to be refined and bored where there is a whole street taken up with shops of pearl dressers. In July there is commonly a ship or two inland to carry the kings revenue and the merchants pearls hither, being well manned for fear of the English and the Dutch. Likewise twelve small vessels, called the pearl fleet, with a man of war to defend them, are sent every year from Cartagena to Rancherios (a few leagues to the northeast of Rio de la Hacha) where there is a rich pearl bank and fishery.¹²⁴

There was the familiar English fascination with the region's production of precious stones:

Emeralds come from the province of Santa Marta and the Nuevo Reino... The Indians wear them at their noses, as believing them good against the falling sickness. They grow in veins along the hard rocks, not unlike chrystal, and in time obtain a glimmering greenness.¹²⁵

There were important changes during these early years of the century in the way Spain conducted the economic and trade affairs of New Granada, reflecting the advent of a new

¹²³ Anon., *A geographical description of the principal objects of the present war in the West Indies, viz. Cartagena, Puerto Bello, La Vera Cruz, the Havana and San Agustin. Shewing (sic.) their situation, strength, trade, etc. With an account of the many sieges they have undergone to the present time. The whole compiled from the most authentic memoirs and enlarged with many curious particulars, not to be met with in the former authors. To which is prefixed an accurate map of the West Indies adapted to the work*, London, 1741, p. 15.

¹²⁴ *Ibid.*

¹²⁵ *Ibid.*

dynasty with increased ambitions for the economic exploitation of its empire, as described in chapter one.

Some of the measures introduced in the early 18th century were changes in law enforcement and the political structure of the colony. There were new anticontraband measures and the political reforms exemplified in the establishment of a viceroyalty in New Granada in 1719 and later in 1739, all of which will be discussed in more detail later on. But more specifically in the economic sphere, there was also an important innovation in the general framework to conduct trade between Spain and New Granada, contained in the *Proyecto para Galeones y Flotas* of 1720, a move to revitalise the moribund system of convoys which was supposed to bring Spain's treasure back from America. In the context of Nueva Granada, trade through the galeones was clearly on the decline in the first two decades of the century. Between 1713 and 1721, only a small convoy of four ships left for Cartagena and Portobelo, and was lost at sea as it returned in 1715.¹²⁶

According to Walker, "essential to any improvement of the Carrera de Indias was of course the basic reconstruction and revival of the Spanish Navy".¹²⁷ This thesis discussed in the previous chapter how that process took place under the leadership of Patiño.

As Spain grew more confident in its naval might, this set the stage for the ambitious commercial reforms that were introduced in 1720 under the *Proyecto*.

¹²⁶ McFarlane, *Colombia Before Independence*, p. 163.

¹²⁷ Walker, *Spanish Politics*, p. 94.

The new scheme proposed a more regular sailing of the Flotas and Galeones, to depart every June and September, respectively, rather than in the haphazard fashion they had operated in previous years.¹²⁸ There were also fixed periods of 50 days by which the galeones had to complete their trading in Portobelo and Cartagena.

Other aspects of the proposal included substantial changes in taxes levied on trade, with duties on items such as Flanders cloth, cinnamon and pepper increased while those applicable to Spanish produce were reduced substantially.¹²⁹

“Their aim...was to facilitate the sale of Spanish goods in America and at the same time guarantee Crown revenue by increased taxes on imported gold and silver”.¹³⁰ Thus, Walker argues, Spain would keep more of the bullion of America which was currently ending up in the treasuries of competing European nations.

McFarlane has shown that there was some increase in the amount of bullion exported to Spain from New Granada. He estimates that between 1700 and 1719 total exports from Cartagena to Spain were around 7 million pesos, for an average of less than 500,000 pesos a year. Instead, the New Granada produce carried in three separate convoys which sailed between 1723 and 1740 (the *galeones* of Guevara, Grillo and López Pintado) may have reached nearly 21 million pesos, for an annual average of 1 million pesos, more than twice the quantity prevailing before the reform.¹³¹

Still, it is hard to ascribe this expansion solely to the success of the Proyecto, when it was also occurring at the time when, due to the previously mentioned mining discoveries in Choco and Antioquia, New Granada's gold production was increasing independently.

¹²⁸ Ibid. p. 108.

¹²⁹ Ibid. p. 110.

¹³⁰ Ibid.

¹³¹ McFarlane, *Colombia Before Independence*, p. 173.

There is still some scope for arguing about the impact of the 1720 Proyecto. But since the scheme did not fundamentally change the nature of the convoys, and instead, hoped to revitalise it, its success depended on adequate anticontraband measures.¹³² And in this sense it never lived up to its full expectations, as will be discussed in the following sections.

Contraband: the failure of Spanish monopoly

The main legal concept regulating trade to the Indies was, of course, Spain's insistence in keeping its imperial monopoly. In line with the prevalent mercantilist ideas, Spain traditionally claimed to have the exclusive right to commerce with the Indies. In theory, trade with the colonies should be limited to the exchange of Spanish goods for American bullion. The Spanish metropolitan economy and the Spanish Crown would become the sole beneficiaries of Spanish America's production.¹³³ Moreover, Spanish imperial regulations established an extremely narrow conduct for her American trade. It was legally given in monopoly to a guild of Andalusian merchants, whose agents would board annual state-sponsored naval convoys and take their wares to designated merchant fairs in

¹³² Ibid., p. 164,

¹³³For general views on Spanish economic relations with its American colonies in the early 18th century, see: Borrego Pla, M., 'Tráfico comercial de España con Indias (1700-1714)', in *La Burguesía Mercantil Gaditana (1650-1865)*, Cádiz, 1976; Fisher, J., *The Economic Aspects of Spanish Imperialism in America, 1492-1810*, Liverpool, 1997; Parry, J. H., *Trade and Dominion: The European Overseas Empires in the Eighteenth Century*, London, 1971; Phillips, C. R., 'The Growth and Composition of Trade in the Iberian Empires, 1450-1750', in Tracy, J., ed., *The Rise of Merchant Empires. Long Distance Trade in the Early Modern World, 1350-1750*, Cambridge, 1990; García-Baquero González, A., *Cádiz y el Atlántico (1717-1778): el comercio colonial español bajo el monopolio gaditano*, Sevilla, 1976; and Stein, S., *Silver, trade and war; Spain and America in the making of the early modern Europe*, Baltimore, 2000. For a more specific analysis on the Spanish bullion trade from America, see: Morineau, M., *Incroyables gazettes et fabuleux métaux. Les retours des trésors américains d'après les gazettes hollandaises (XVIe-XVIIIe siècles)*, Cambridge, 1985.

Veracruz, Portobelo and Cartagena, returning to Cádiz with gold and silver for the Crown and their own profit.¹³⁴

These laws were never fully respected during any period of Spanish domination in America. “In practice, this monopoly was never more than an illusion”.¹³⁵ Since Elizabethan times, contraband and piracy determined that large quantities of American bullion went to France, the Netherlands or England. As northern Europe slowly developed industrial skills, it increased its share of illegal manufactured exports to the Spanish Indies. Even the legal trade of the Andalusian merchants was increasingly characterised by their re-exporting to America Northern European manufactures.

“So advanced did the process become that by the end of the seventeenth century the merchants of Seville had been turned into nothing more than the agents of foreign manufacturers and businessmen”.¹³⁶ Moreover, a crucial part of the American trade, the import of African slaves, had always been conducted outside the Spanish legal monopoly, since Spain did not control the African sources of slaves.¹³⁷ By the early 18th century, the Spanish Crown had been forced to accept the reality of continuous foreign encroachment on its American monopoly, and grudgingly signed international treaties with foreign powers regulating, and thus, formally accepting, trade with other European nationals in America.¹³⁸

The 1741 British pamphlet quoted previously describing Cartagena’s riches in the early

¹³⁴Walker, *Spanish Politics*, p. 4.

¹³⁵ *Ibid.*, p. 11.

¹³⁶ *Ibid.*

¹³⁷ *Ibid.*, p. 12.

¹³⁸General studies on the expansion of British formal and informal trade in the region during the 18th century include: Cole, W.A. ‘Eighteenth-Century Smuggling Reconsidered’, in *Economic History Review*, 21, 1975, 23-49; Davis, R., ‘English Foreign Trade, 1700-1774’, in *Economic History Review*, 15, 1962, 285-303. Other studies on British trade with more emphasis on the Caribbean region include Farnie, D.A., ‘The Commercial Empire of the Atlantic, 1607-1783’, in *Economic History Review*, 15, December 1962, 205-218; Nettels, C., ‘England and the Spanish-American Trade, 1680-1715’, in *The Journal of Modern History*, Vol. 3, No. 1, March 1931, 1-32; Morgan, K., *Slavery, Atlantic Trade and the British Economy 1660-1800*, Cambridge, 2000. Studies on French trade in South America during the 18th century include: Malamud, C., *Cádiz y Saint Malo en el comercio colonial peruano (1698-1725)*, Cádiz, 1986.

18th century, also included a discussion of British contraband in the area:

Cartagena suffered much in its trade for a long course of years, not only by the Bucaniers, (made up of the people of several countries who infested the ports of the North Sea, and took the ships trading thither) but also by the English of Jamaica, and Dutch of Curacao and Surinam, who came upon this coast and carried a clandestine trade with the inhabitants. This was called the sloop trade as having been managed by sloops lying off and on upon the coast to receive canows which came off from the land with goods to them in the night. As the Dutch and English found their gain very great in this illicit trade, so the smugglers or Spanish merchants had a double gain. For they not only avoided paying the custom to the king of Spain, which in that country is very considerable, but they bought them much cheaper of the sloops than they could from the galleons at Puerto Bello or the merchants of Cartagena, and yet the sloop merchants sold them at a very good price too. ¹³⁹

The official Spanish reaction against these intrusions was described as initially ineffective:

This form of commerce was very pernicious, both to the King's revenue and the fair trader. But no remedy being applied from Spain (where it was well known), the governor of Cartagena found himself unable to support it: for the Dutch carried it on with ships from 20 to 30, and 36 guns. And the English in large sloops and brigantines from 8 to 10 and 16 guns and sometimes with ships of force too: so that they protected the canows against the Spanish sloops when they put off to intercept them. Indeed if they could catch the canows coming back with goods they made a prize of them; but this seldom happened and was hazardous too: for the smugglers apprized of all by their scouts on shore, opposed the officers, who often came by the worst. By this means smuggling was carried on barefaced in sight of the town and came to such a height at last it impaired the trade of the galleons and lessened the consumption of goods brought by them, especially for the provinces of Carthage, Santa Marta, Popayan, Granada and Venezuela which were all supplied this way with the European goods they wanted.

New Granada was strongly and permanently affected by contraband. In Lance Grahn's words, "in New Granada as elsewhere, foreign smugglers and their Spanish accomplices were largely undeterred by Spanish legal arguments, moral suasion and structures of disposition."¹⁴⁰ Grahn added that "the northern provinces of new Granada also attracted

¹³⁹ Anon., *A geographical description of the principal objects of the present war in the West Indies*, p. 15.

¹⁴⁰ Grahn, *The Political Economy of Smuggling*, p. 25.

smugglers because they offered unique advantages which contributed to their business facility in Tierra Firme. Their combined 900 mile coastline of New Granada provided traffickers with a virtually unlimited number of inlets where they could safely conduct transactions...”.¹⁴¹

Cartagena de Indias itself was one of the focal points for contraband trade in the Americas.¹⁴² Largely due to geographic considerations such as its suitable natural harbour, it had been designated as the terminal destination for the official galleon fleet, and since the beginning of the colonial period had served as an entrepot for a substantial part of Spanish America’s legal commerce.¹⁴³ Gold from New Granada was shipped to Spain, while slaves, textiles, manufactures and other overseas goods were imported to supply large sectors of the South American internal market. Moreover, it also harboured galleons returning from the short journey to Portobelo, where these ships collected Peruvian silver to be taken back to Spain. By the early 18th century it was a substantial commercial city with a prosperous community of largely peninsular Spanish merchants who controlled this legal trade. In order to protect its position, the Spanish crown had invested in sizable military infrastructure, particularly the fortifications guarding the city’s harbours.¹⁴⁴ Nonetheless, it had fallen victim on several occasions to foreign raids, including those by Drake, Morgan and de Pointis.

¹⁴¹ Ibid., p. 28.

¹⁴² Contraband was, of course, a widespread problem throughout the empire. For instance, on contraband in early 18th century in Peru and Buenos Aires, see: Moutoukias, Z., *Contrabando y control colonial en el siglo XVII: Buenos Aires, el Atlántico y el espacio peruano*, Buenos Aires, 1988.

¹⁴³ See: De la Pedraja, R., ‘Aspectos del comercio de Cartagena en el siglo XVIII’, in *Anuario Colombiano de Historia Social y de la Cultura*, 8, 1976, 107-125.

¹⁴⁴ For a study on the military garrisons kept by Spain in Cartagena during the 18th century, see: Marchena, J., *La institución militar en Cartagena de Indias en el siglo XVIII*, Sevilla, 1982. For a description of the fortifications built in the city by the colonial authorities, see: Segovia, R., *Las fortificaciones de Cartagena de Indias: estrategia e historia*, Bogota, 1982.

Moreover, the sizable military presence had not prevented the widespread practice of contraband. In wide segments of the Spanish American empire by the early 18th century, northern European, and particularly British traders, were selling an ever-increasing variety of wares, reflecting the growing incapacity of the Spanish metropolitan economy to supply its periphery. Among the wares carried illegally into Spanish ports were flour, pitch, tar, pork, mercury, brass, iron ware, woolens, cotton, canvas, mule shoes and nails. Profits from sales of these goods were used by smugglers to purchase coin, gold, bar silver, quina, cacao, balsam, sarsaparilla, snuff, leaf tobacco, sugar, cochineal, indigo, dyewoods, hides, tallow, and vicuña wool.¹⁴⁵

The impact was also felt in New Granada. “By the eighteenth century, foreign smugglers had established for themselves a significant niche in the economy of the Cartagena province...”¹⁴⁶.

According to one version, in the 1730’s “the normal clothing of white men and women in Cartagena...consisted primarily of Brittany linen, which seldom came through legal channels....Moreover, these contraband textiles cost 25 to 30% less than similar legal dry goods”.¹⁴⁷ The geographical particularities of the New Granada Atlantic coast further promoted contraband in the region. To the east of Cartagena, the remote Guajira peninsula’s coast was a natural magnet for illegal traders. Observers commented on the level of official corruption facilitating illegal trade in the area.¹⁴⁸ One of the most notorious examples of this occurred when in 1717 the Crown decided to make New Granada a viceroyalty, appointing Jorge Villalonga to that office in 1718 in the hope that a stronger executive presence would improve administration of the colony. By 1720, it is

¹⁴⁵ Nelson, ‘Contraband Trade under the *Asiento*, 1730-1739’, p. 65.

¹⁴⁶ Grahn, L., *The Political Economy of Smuggling*, p. 102.

¹⁴⁷ *Ibid.*, p. 103.

¹⁴⁸ On the issue of contraband in the nearby Santa Marta province, see: Mena García, M., *El contrabando de Santa Marta en los inicios del siglo XVIII*, Sevilla, 1979.

claimed, the viceroy himself had joined the ranks of the smugglers. As a result Patiño, then *intendente general* of the navy and president of the *Tribunal de Contratacion* overseeing transatlantic trade, claimed that “illicit exports and illegal trade occurred with more frequency and to a greater excess and caused greater disorder in the New Kingdom of Granada and in Cartagena than in any other part of His Majesty’s American dominions”.¹⁴⁹ As will be discussed in more detail in the next chapter, Spain abandoned soon afterwards this first attempt at viceregal government in New Granada.

Grahn points out that, in spite all the corruption, efforts against contraband by the authorities in Cartagena were not pointless.

“Forces in Cartagena captured nearly 200 illegal shipments between 1713 and 1737, with a total value of nearly 400,000 pesos and produced nearly 106,000 pesos in revenue”.¹⁵⁰

Cartagena and the slave trade

The discussion of commercial rivalry in New Granada also requires a brief presentation of the role played by the the slave trade in the colony’s economy. It was this aspect of New Granada’s trade, of course, which presented the opportunity for England to gain a legal toehold in the territory’s markets through the *asiento*.

The port city of Cartagena was a major hub for the slave trade for three centuries starting soon after the Spanish conquest, and this played a major role in contraband.¹⁵¹

¹⁴⁹Grahn, *The Political Economy of Smuggling*, p. 111.

¹⁵⁰ *Ibid.*, p. 143.

¹⁵¹ More general studies attempting the quantification of the overall African slave trade to the Americas include the following : Eltis, D., ‘The Volume and Structure of the Transatlantic Slave Trade: A Reassessment’, in *The William*

The importation of African slaves to New Granada had begun in the 16th century. Spain had grudgingly accepted the impossibility of enforcing a total monopoly in America, and began signing treaties with European rivals in which she tried to regulate the conduct of trade between them and America. The main treaty in this category was the *asiento*, which provided for the importation of African slaves into Spanish colonies.

In the 16th century, the King of Spain would give specific licenses to individuals, mostly Portuguese, for them to supply the increasing demand for slaves to work in the gold mines and plantations in New Granada. In the 17th century Cartagena was the main destination for slaves arriving in Spanish America in Portuguese ships, who were redistributed to other provinces in the empire. In the early 18th century, dynastic changes in Spain led to changes in the legal governance of the slave trade. The accession of a Bourbon prince to the Spanish crown led to the granting of the *asiento* to a French company, the Company of Guinea.¹⁵²

Finally, in 1713, the settlement of the War of Spanish succession under the Treaty of Utrecht led to it being bestowed on the English merchants of the South Sea Company.

and Mary Quarterly, Vol. 58, No. 1, New Perspectives on the Transatlantic Slave Trade, January 2001, 17-46; Galenson, D., 'The Slave Trade to the English West Indies, 1673-1724', in *Economic History Review*, 32, May 1979, 241-249; Inikori, J., 'Slavery and Atlantic Commerce, 1650-1800', in *American Economic Review*, 82, 1992, 151-157; and Lovejoy, P., 'The Volume of the Atlantic Slave Trade: A Synthesis' in *The Journal of African History*, Vol. 23, No. 4, 1982, 473-501.

¹⁵² Cole, C., *French Mercantilism, 1683-1800*, New York, 1943, pp. 255-260.

They were given legal rights to bring slave cargoes into designated Spanish ports as well as a “permission” ship with other commodities.¹⁵³ The Treaty specifically gave the South Sea Company permission to import up to 4,800 slaves annually, and bring back the “fruits” of their sales: bullion, coin and goods. The treaty authorised the company to send a “permission ship” of 500 tons burden. The legal limit was subsequently increased to 650 tons, in which English goods could be carried for sale into the designated ports. To conduct this, four company factors were allowed to reside in each of those ports.¹⁵⁴ For the next quarter of a century, the English South Sea Company legally traded in the fairs of Portobelo, Cartagena and Veracruz. The Company set up three staging centres for its American trade in Jamaica, Barbados and Buenos Aires, while factors were stationed in Buenos Aires, Arequipa, Panama, Portobelo, Cartagena, Santiago de Cuba, Veracruz, Campeche, Mexico City, Lima, Potosi and Santiago de Chile.

Palacios Preciado has estimated that the operations of the South Sea Company in New Granada resulted in the importation of 10,316 slaves into Cartagena during 1713-1739, almost all of them destined for the internal New Granada market.¹⁵⁵

¹⁵³A detailed legal analysis of the treaty is presented in: Scelle, G., ‘The Slave Trade in the Spanish Colonies of America: The Assiento’ in *The American Journal of International Law*, Vol. 4, No. 3, July 1910, 612-661.

¹⁵⁴ Aiton, A., ‘The Asiento Treaty as Reflected in the Papers of Lord Shelburne’, in *The Hispanic American Historical Review*, Vol. 8, No. 2., May 1928, p. 167.

¹⁵⁵ Palacios Preciado, A., *La Trata de negros por Cartagena de Indias*, Tunja, 1973.

Cartagena handled approximately one out of every seven slaves legally imported into Spanish America during the period of the English *asiento*. This is a relatively small number compared with previous periods of slave importation into New Granada, albeit it is difficult to make adequate comparisons, since previous *asientos* used Cartagena as a trans-shipment point. For example, Vilar has stated that between 1595 and 1640, roughly 268,000 slaves were imported into Spanish America, of whom 135,000 were landed at Cartagena, 69,500 in Veracruz and 44,500 in Buenos Aires.¹⁵⁶

The Cartagena trade moved an annual average of almost 3,000 slaves during the first half of the 17th century. The Portuguese *asiento* imported 9,869 slaves into Cartagena in the five years between 1698-1702, or slightly less than 2,000 a year. The French *asiento* company brought in 3,879 slaves in the period between 1703 and 1713, for an average of about 350 a year. The English *asiento* brought an annual average of about 450 slaves for the period 1714-1737. Therefore, compared to figures available for the previous century, the Cartagena slave trade under the British had fallen both in absolute terms and in relative importance within the Spanish Empire. However, the intensity of slave traffic to Cartagena fluctuated substantially during the English *asiento* period. Between 1730 and 1736 the company brought 4,986 slaves to Cartagena, against 1,430 slaves for 1714-1718.¹⁵⁷

In spite of these fluctuations, England's slave trade to New Granada in the early 18th century was substantial and offered an opportunity for the increasing British commercial presence in the colony. As will be discussed in the following chapter, the South Sea

¹⁵⁶Vilar, E., *Hispanoamerica y el comercio de esclavos: los asientos portugueses*, Sevilla, 1977, pp. 206-209.

¹⁵⁷Palacios Preciado, *La Trata de negros*.

Company used this both as a commercial opportunity of its own, and as an excuse to further develop other sectors of trade, licit and illicit, with New Granada.

This chapter presented a brief overview of the economic rivalry between Spain and England in New Granada during the early 18th century. It presented a brief description of the colony's economy, emphasising the importance of gold mining as the vehicle that joined New Granada to the international economy. However, mainly through its port city of Cartagena, it also played a role as a transshipment point for other commodities in the Spanish imperial trade system, including particularly the importation of African slaves for other parts of South America.

The crucial economic challenge for Spanish colonial authorities was to beat contraband conducted by traders from other European powers, including England.

The chapter reviewed previous studies about the impact in the colony's economy of early Bourbon economic reforms intended to discourage this contraband. It discussed how the *Proyecto para Galeones y Flotas* planned a liberalisation of the convoy system, hoping to make legal trade more dynamic. And while the New Granada mining industry did grow in the early 18th century as a result of increased production, the consensus is that anti-contraband enforcement was not enough to prevent a substantial part of this production being diverted off the Spanish imperial system through contraband. Therefore, in itself, the *Proyecto* was not enough to reactivate the colonial economy of New Granada.

The chapter also discussed reasons behind the flourishing of contraband in this part of the Spanish empire. Some were particular to New Granada, including the geographic

particularities of its Caribbean coastline, which were well suited for illegal trade. Corruption of the local government also played a part, which will be examined in greater detail in following chapters. Some of the reasons for the abundance of contraband were applicable to the entire Spanish empire, not just New Granada. The increasing price and quality advantage for manufactures from other European nations increased the attractiveness of wares sold by English or Dutch smugglers. And the source of a crucial commodity in the colonial economy, African slaves, was entirely out of control of Spain, which relied on contracts with foreign powers: Portugal, France and eventually England, to deliver them to American ports.

The chapter ends briefly describing the asiento of 1713, the contract which legally enabled England to export slaves to Spanish American colonies. This created the opportunity for the English South Sea Company to conduct trade in slaves and other commodities. The following chapter examines how the Company arrived in New Granada in 1713 and the way it interacted with the local society and economy.

Chapter 3

The South Sea Company in Cartagena

The story of English commercial inroads in New Granada in the early 18th century was strongly influenced by the workings of a single entity: the South Sea Company and its agency, or “factory” in the port of Cartagena. Created under the terms of the *asiento* described at the end of the previous section, it was supposed to channel all English trade into the Spanish colony. It never managed to achieve such monopoly since it also suffered from the competition of interlopers from England and other European nations. In fact, even its own employees became a strong source of competition, as many of them undertook an illicit “private” trade in addition to their activities for the Company. Still, it was a very valuable indicator of the nature of English trade in the region. Among other things, the Company provides us with the only elaborate private bookkeeping record of English trade with New Granada during those years. These records allow for the presentation of a substantial portrait of the Cartagena factory’s early operations, including the staffing and salaries of the factories, details on the cargo carried on its ships, the commercial transactions undertaken for this cargo, and the Company agents’ contacts with local Spanish authorities. The initial expectations of large profits from trade with New Granada would be quickly tempered by the bureaucratic difficulties placed by the local administration. At the same time, almost from the beginning of the Company’s trade in New Granada, the local government would identify its brazen attempts at violating the terms under which Spain and England had agreed to trade in the West

Indies. The English *asiento* in New Granada was, from the very beginning, more of a rivalry than a commercial partnership. This study presents additional evidence of how the operation of the South Sea Company fuelled an economic antagonism between England and Spain that eventually led to war.

On 7 September 1711, in its first meeting in London, the Court of Directors of the South Sea Company received a first copy of their ambitious charter.¹⁵⁸ It began with the monopoly-granting provisions that formed the foundation of the commercial companies of the day:

The company (is) to have from the 11 August 1711 for ever, the sole trade and traffick to America, within the limits prescribed by the act and charter. The company or any licenses or appointed by them, may for ever, from and after the 11 August 1711 freely traffick...To the South Seas and other parts within the limits of the act and the charter.¹⁵⁹

Many of the provisions in this written charter sounded like a manifesto for empire-building. Whether they meant it, or just saw it as an exercise in grandiloquence, the drafters of this first charter made their company's mission sound a lot like an advanced party to British political expansion in the region.

They discussed how the spoils of conquest would be divided between the Company and the Crown:

¹⁵⁸A complete description of the structure of the South Sea Company's governing can be found in Carswell, *The South Sea Bubble*, p. 48. The initial charter provided for a governor, sub-governor and deputy governor of the Company, who responded to a Court of Directors made up of 30 members. Other studies of the formation and early operation of the South Sea Company include: Donnas, E., 'The Early Days of the South Sea Company, 1711-1718', in *The Journal of Economic and Business History*, 11, May 1930, 419-450; Flinn, M.W., 'Sir Ambrose Crowley and the South Sea Scheme of 1711', in *Journal of Economic History*, 20, March 1960, 51-66; Morgan, W., 'The Origins of the South Sea Company', in *Political Science Quarterly*, Vol. 44, No. 1. March 1929, 16-38.

¹⁵⁹ British Library (from here onwards referred to as B.L.), Add. 25494, p. 11.

Her Majesty, pursuant to the act, grants the Company the sole propriety in the islands, forts, places, mines, etc which they shall discover or possess within the aforesaid limits; to be holden of the Crown, in common *soccage*, by fealty at the yearly rent of one ounce of gold (if demanded)...¹⁶⁰

Moreover, the charter seemed to envision the company creating in America commercial enclaves with the accompanying political framework that eventually came to be associated with the East India Company in the Indian subcontinent:

The Company...(is)... to have the ordering, rule and government of all the forts, factories and settlements which they shall have, settle or possess within the limits to them granted and prescribed, and power to appoint governors and officers there, which officers may raise train and muster military forces not only for the defence of the company's forts and factories, etc, but for taking and recovering others within their limits...¹⁶¹

The factories also were to have their own English legal systems:

Her Majesty appoints courts of judicature in such forts, plantations and factories, as shall belong to the corporation; the said courts to consist of one person learned in the civil law, and two merchants, with such other officers as may be thought fit to be appointed by the company in a general court. Such courts of judicature to hear and determine all cases merchantile (sic) or maritime, with an allowance of appeal to her Majesty in Council.¹⁶²

It also committed the company to appointing chaplains for the factories:

The company are constantly to maintain a Minister of the Church of England as by law established, in every superior factory of the said company in America, and a chaplain to every ship of 500 tons or upwards; such Ministers and chaplains to be approved of by the Archbishop of Canterbury or Bishop of London.¹⁶³

Some commentators have dismissed these lofty declarations of objectives as mere window-dressing. According to this line of argument, the Company's directives never

¹⁶⁰ *Ibid.*

¹⁶¹ *Ibid.*

¹⁶² *Ibid.*

¹⁶³ *Ibid.*

had much faith in their commercial prospects in America, and were mainly interested in converting the company into an instrument of financial manipulations for which it became best known to posterity.¹⁶⁴ It was only a decade or so after the Scots had actually attempted a similarly grandiose plan of commercial-led colonisation in the Darien with the well-known disastrous results.

Still, this company, as opposed to its Scottish counterpart, was to enjoy the backing of military force. As the charter went on to say, “Her Majesty commands all admirals, generals, commanders, commissioners and officers of the Customs, mayors, sheriffs and other proper officers, to be aiding and assisting to the company and their successors...”¹⁶⁵

By March 1712 the newly formed company was expecting and demanding the protection of the British navy in order to forcefully gain entry into the Spanish American commercial empire at a time when the War of Spanish Succession was still going on. The Court received this letter from Whitehall concerning their request for military escorts:

Your memorial to my Lord Treasurer concerning a squadron for making settlements in America for the benefit of the South Sea Trade has been laid before the Queen and I am commanded to let you know that her Majesty will give orders for such a force to be provided as will be sufficient for carrying on and securing the said trade.¹⁶⁶

In its early days, the Court also worried about more prosaic matters, such as preventing their employees from free - riding on the Company’s infrastructure to conduct their

¹⁶⁴ See for example, Carswell, *The South Sea Bubble*, p. 49, who said of the first Court of Directors: "Apart from their stock, they had only one thing in common. Not a single one of them had any experience of the South American, or even the West Indian trade..." .

¹⁶⁵ B.L. Add. 25494, p. 11.

¹⁶⁶ *Ibid.*, p 68.

personal trade to America. The Company realised that supervision of its own men would be one of the most difficult aspects of its administration, as evidenced in this part of the charter:

No member to trade within the company's limits, unless licensed, but upon the joint stock and account of the company. All persons employed by the company are required to take an oath to be faithful to the company, and not to ship any goods for the South Seas or other parts within the company's limits, but such as they lawfully may.

All persons (except the company and such as they licence) are prohibited to haunt or trade or hire or freight any ships to haunt or trade within the company's limits and such as haunt or trade thither without the company's license, to incur Her Majesty's displeasure and the penalties in the act.

By June 1712, the Queen had agreed to lend three men of war and escorts to carry cargo to America.¹⁶⁷

Real business followed shortly after the promulgation of the Charter. The Directors gave orders to procure £200,000 in merchandise to be sold in America, for which they estimated they would need ships with a cargo capacity of about 1,100 tons.¹⁶⁸ Shortly after the company was instructed by the board to raise the £200,000 needed for the venture.¹⁶⁹

The resolution of the War of Spanish Succession made displays of force by the British navy unnecessary for opening the American trade. Instead, peace negotiations granted them the *asiento*. By June 1713, as the company prepared the sending of their first two

¹⁶⁷ *Ibid.*, p. 99.

¹⁶⁸ *Ibid.*, p. 71.

¹⁶⁹ *Ibid.*, p. 101.

ships with merchandise, they were being formally notified of their new rights in Spanish America:

The Right Honourable the Lord High Treasurer acquainted the court that the King of Spain had presented to her majesty two licenses for two ships of 600 tons each, to carry goods and merchandise to the northern parts of the Spanish West Indies, and that Her Majesty had been graciously pleased to give the same to this company: which licenses are in Spanish signed by the King of Spain and dated the 17th January 1713... and blanks are left therein for the names of the ships commander names and also the ports from whence and to which the said ships shall go to dispose of their cargo's....And the original asiento or contract in Spanish, dated the 26 March 1713 for delivering 4,800 negroes *piezas de indias* ...was by his Lordship laid before the court...¹⁷⁰

The Court received the granting of the privilege with some degree of suspicion. They returned observations on articles 9, 11, 13, 22, 25, 28, 36 y 39 of the *asiento* Treaty. They also observed "that no mention is made that the ship of 500 tons which may go with goods to the Spanish West Indies yearly may bring back the returns of the proceeds of the cargo, or that the company bring back such returns".¹⁷¹

As seen in its charter, the Company had initially expected to focus its activities on selling merchandise to the Spanish colonies, not sending them slaves. Their new task obviously brought them in contact with the Royal African Company, which would be the natural supplier of slaves to resell in the Americas. However, at that time that policy was changing towards dismantling the monopoly slave trade enjoyed by the company since Stuart times, replacing it with free trade. The Court would then spend a great deal of time deciding if it wanted to conduct business with the Royal African Company or with one or more of the new independent traders, or to simply undertake the trade itself. Not

¹⁷⁰B.L. Add. 25495, p. 56.

¹⁷¹*Ibid.*, p. 57.

surprisingly, it took great interest in legislation being discussed in parliament to guide the transition to a “free” market for slaves.

On 10 June 1713, the Court ordered:

that a committee be appointed to consider of the bill now depending in Parliament for the establishing the trade to Africa free and open to all Her Majesty’s subjects of Great Britain and the plantations, and to draw up such clauses as they shall think convenient to be added thereto, as may be most for the advantage of this company with respect to the carrying on the Asiento trade and report the same to the Court.¹⁷²

On 12 June it ordered Company officials to meet with their Royal African Company counterparts to discuss settlement of the Africa trade, while at the same time resolving that the Company “should receive proposals from separate traders for supplying the company with negroes”.¹⁷³

There were also worries about the possibilities of conflict of interest within the two companies, so the Court asked for inclusion in the African bill in Parliament of a clause stating:

that no governor, sub-governor deputy governor or director of the South Sea Company shall be governor, sub- governor, deputy governor, director, manager or assistant of the Royal African Company or of the company to be erected by the bill now depending in parliament.... And that after the 25th of December, no person trading to Africa for his own private account shall be capable of being a governor, sub governor, deputy governor or director of the South Sea Company.¹⁷⁴

In July 1713 the Company began in earnest its procurement of slaves for the *asiento*, trying to hedge its bets between the old monopoly and the new independent traders, as the

¹⁷² *Ibid.*, p. 59.

¹⁷³ *Ibid.*, p. 60.

¹⁷⁴ *Ibid.*, p. 129.

Directors ordered:

that the Secretary write to the African Company and also to the separate traders to make and give in their proposals in writing by Tuesday next, on what terms and rates they will furnish this company with the 4,800 negroes *piezas de Indias* for one year to be delivered on or before the 25 March next...¹⁷⁵

Of these, 1,200 would be delivered at Buenos Aires, with the other 3,600 bound for Portobelo (via Cartagena), Vera Cruz or Jamaica.¹⁷⁶ On 22 July 1713, after reading the bids submitted by the Royal African Company and independent slave traders, the Court, apparently not too impressed by them, ordered “that it be an instruction to the committee of the *asiento* that they draw up a scheme how much money may be requisite for purchasing upon the coast of Africa the negroes the company may want yearly and for the Company’s carrying on the trade to Africa for their own account with the greatest advantage and that they lay the same before the court”. They also required that “they make no contract either with the Royal African Company or separate traders for furnishing the company with negroes for any longer than one year”.¹⁷⁷

Even though it has often been said that the slave trade was always just a cover for the Company’s main commercial interests and that it may have actually been loss-making, it would seem that the Directors paid substantial attention to keeping their options open for conducting the trade themselves.

In any event, in August 1713 the Court decided in favour of dealing with the Royal African Company for the first slave cargoes, instead of with free traders. It resolved “that

¹⁷⁵This term is used by Spanish colonial authorities as equivalent to a "unit" of able-bodied, adult slave. It does not exactly correspond with the actual number of slaves, since an infant or a sick slave was not considered to represent a "Pieza de Indias"

¹⁷⁶B.L. Add. 25495, p. 67.

¹⁷⁷*Ibid.*, p. 140.

it be referred to the committee ...to treat and conclude with the Committee of the Royal African Company for furnishing this company with 4,800 negroes for one year upon the best and most advantageous form they can, and report the same to the next court".¹⁷⁸

Utility provided by the company to its shareholders was not limited to the strictly commercial profits. The century has often been described as a golden age for government patronage, and the Company, with its close connections to the ministry and to the Crown itself, was no exception. It offered patronage opportunities not only for Englishmen, but also for Spaniards. In the same meeting in which the Court decided to deal with the Royal African Company, they were also informed that "Don Antonio Oriarte and another gentleman recommended from Madrid by the Count de Montijo to the Lord Bolingbroke are arrived in London and that they are bound for Lima and may be serviceable to the company". They aspired to be "judges conservators", one of the apparently more rewarding openings the South Sea Company was to provide in the Spanish colonies.¹⁷⁹

Underscoring the point made earlier on the importance the Directors attached to the actual management of the slave trade, the following meetings were spent to a great extent deciding on controversies with the Royal African Company on how to implement their contract. The African Company wanted a monopoly on provision, while the South Sea Company insisted on retaining the right to buy slaves from independent traders in the Caribbean.¹⁸⁰

¹⁷⁸*Ibid.*, p. 147.

¹⁷⁹*Ibid.*

¹⁸⁰*Ibid.*, p. 83.

The creation of the Cartagena factory

In October 1713, the Court ordered the Company's first voyage to Cartagena, sending the ship *Bedford*, under Captain William Cock, to sail as one of the two annual "permission ships" granted to the English by the *asiento*.¹⁸¹ It also ordered the creation of the Cartagena factory, adding that it should have a staff of six: The president or chief, an accountant or bookkeeper, a warehouse keeper, a secretary, and two assistants or under-factors "whereof one to be a surgeon and both for any business of the company".¹⁸² Veracruz, Panama and Buenos Aires and Portobelo should also be staffed each with a similar six- man team, while Havana and Caracas would have three each- Figure 1 shows the salaries paid to each.

Salaries of Company factors, 1713 in Spanish Currency ("Piezas de Ocho")

Officers	Cartagena	Veracruz	Panama	Portobelo	Bs. Aires	Havana	Caracas
1st	4,000	4,000	5,000	2,000	4,000	2,500	2,500
2nd	2,000	2,000	2,500	1,000	2,000	1,250	1,250
3rd	1,333.33	1,333.33	1,666.3	666.66	1,333.33	833.33	833.33
4th	1,000	1,000	1,250	500	1,000		
5th	1,000	1,000	1,250	500	1,000		
6th	800	800	1,000	400	800		
TOTAL	10,133.33	10,133.33	12,666.3	5,066.66	10,133.33	4,583.33	4,583.33

Source: B.L. Add. 25495, p. 95.

¹⁸¹*Ibid.*, p. 181.

¹⁸² *Ibid.*, p. 95.

The annual payroll of the Company in Spanish America reached 57,300 pesos, which at a reported exchange rate of approximately 4.44 *piezas de ocho* per pound, gave an annual sterling expense of approximately £12,892.¹⁸³

The previous information shows that company expenditure in America was concentrated in the Panama isthmus, where its two factories represented nearly a third of total manpower costs. Moreover, there is a strong difference in the wages being paid in Portobelo and Panama, possibly reflecting the fact that except for the brief and hectic period of the fairs every few years, Portobelo was practically dead commercially. Panama, on the other hand, was the best-paid position in America, possibly reflecting the inflationary effect of commerce with silver-rich Peru. Cartagena ranked along with Veracruz and Buenos Aires, and ahead of Havana and Caracas as a desirable posting with regards to salaries paid by the Company.

The first team assigned to the Cartagena factory in September 1714 was headed by James Pym as chief, Arthur North as second officer, William Bumpsted and a Mr. Cumberledge as third and fourth, James Blake as fifth officer and Thomas Bacon as doctor.¹⁸⁴ Before taking up their posts in America, they were required to give the Company "securities" for their commercial behaviour. The Cartagena surgeon, Doctor Bacon, named as his "securities", one Samuel Roberts, hosier of Broad Street, and Thomas Parish, merchant at the same address.¹⁸⁵ By November of that year, a first payroll to the Cartagena factory makes no mention of Blake and Cumberledge, while it includes two names, Parsons and

¹⁸³*Ibid.*, p. 191.

¹⁸⁴*Ibid.*, p. 202.

¹⁸⁵*Ibid.*, p. 236.

Newton, who claim a 4th and 5th officer salary.¹⁸⁶

Additional expenses in the Cartagena factory's early days included presents for Spanish officials. Again, data for several cities helps establish some comparisons on their relative importance. The royal governors of Panama and Cartagena were to get a present worth no more than £120, while the Governor of Veracruz should receive a £150 present and the viceroy of Mexico was to be awarded a £200 gift. Buenos Aires seemed to be the least strategic place in this respect, as the governor there would be thanked only with a token worth £100.¹⁸⁷

After thirteen years of war with Spain, some Directors still harboured suspicions of their Spanish business partners, while others called for more faith in the future. In November, the Court declined to discuss "flags that the ships which are to be employed in the trade of the *asiento* are to carry in case of a war between England and Spain, there being no occasion for such flags at present".¹⁸⁸

The Directors soon began to complain about the difficulties imposed by the cumbersome Spanish convoy system on their own trading with America. They resented being forbidden to send their annual ships at the most commercially convenient times. One of their minutes states that:

Since the ship appointed to go yearly is to sell at the fair only, which cannot be done but

¹⁸⁶*Ibid.*, p. 230.

¹⁸⁷*Ibid.*, p. 235.

¹⁸⁸*Ibid.*, p. 100.

when the *Flotas* and galleons arrive there, which sometimes do not go from Spain in 3 or 4 years, and that her cargo must be locked up in the King's warehouse until such fair be held, whereby they will be liable to the moth and other inconveniences, it may be for the advantage of the company that the articles be so explained as that the Company may be at liberty to send out their ships at such times as they shall think proper and as many ships or as much tonnage as may be an equivalent to one ship of 500 tons per annum.¹⁸⁹

As the first ships sailed to Cartagena and Veracruz, the Court received the first reports of corruption and smuggling among their staff. In June 1714 they heard the first of these accusations, directed against a Portuguese Jewish merchant from London, Mr. Da Costa, who had offered one of the Company's employees, Captain Johnson of the ship *Anglesey*, a 5 per cent commission on a 60 tonne cargo worth £20,000 to be sent illegally to Cartagena along with the approved Company cargo. The plan, hatched in Garraway Coffee House, involved the sending of Flanders lace first to Cartagena and then to Portobelo. The Captain had asked Da Costa if there was a road from Cartagena to Portobelo, to which he replied that there was none, and that the cargo would have to travel the entire length by sea.¹⁹⁰ The Court spent several sessions carrying out a disciplinary hearing against the officials involved in this first scam.

There was also the issue of other English interlopers. The Company not only had to deal with the risk of its own employees attempting to carry their private trade on the side. It also faced opportunistic competition by independent operators who attempted to circumvent its monopoly on the provision of slaves to Spanish America. A first incident came to the attention of the Court in June 1715, when they received "A petition of Mr. Isaac Fernandez Nunez on behalf of the owners and freighters of the *Mayflower* sloop

¹⁸⁹ *Ibid.*, p. 140.

¹⁹⁰ *Ibid.*, pp. 166, 168, 175.

relating to the said sloop being seized with 200 negroes in the Spanish West Indies and carried to Portobello”. The Court ordered the company factors at Cartagena or Panama to claim the produce of the said sloop and cargo by virtue of the *asiento*”.¹⁹¹

Besides opportunistic behaviour by its competitors, the early business of the Company was also affected by the difficult delivery of the slave cargo to American ports. In September 1714, the Directors read a letter announcing that the *Windsor*, one of the ships hired by the company to bring the slaves sold by the Royal African Company, arrived in Jamaica with 193 out of 201 of their original cargo, which reflects a 3-4% mortality rate in the Atlantic voyage.¹⁹²

The first company trade ship to arrive to Cartagena was the *Bedford*. In June 1715, the Directors had ordered her crew to stay there for six months to complete the sale of its cargo, but the *Bedford* was about to be caught in the first of many legal entanglements with the Spaniards.¹⁹³ Upon arriving in Cartagena the Spanish authorities claimed she contained 2,117 tons in merchandise, or more than three times the limit stated by the *asiento* provisions, and seized the merchandise.¹⁹⁴

In August 1716, the Court ordered the writing of a letter to Madrid “relating to the complaint of the Spanish officers at Cartagena of the overplus tonnage of the *Bedford* and the several papers that have been transmitted from the Spanish West Indies upon

¹⁹¹ B.L. Add. 25496, p. 80.

¹⁹² B.L. Add. 25495, p. 207.

¹⁹³ B.L. Add 25496, p. 73.

¹⁹⁴As related in: Anon., ‘A state of the difficulties under which the South Sea Company labour under, and in which they pray to be redressed, presented to his late Majesty, Anno 1718’, in *Further considerations on the present state of affairs at home and abroad as affected by the late convention, in a letter to the minister: with an appendix; Containing a true state of the South Sea Company affairs in 1718*, London, 1739.

processes there”.¹⁹⁵ In a later confession to the Spanish authorities, the Company accountant Matthew Plowes accepted that the *Bedford* had carried large quantities of contraband on its 1715 voyage, and named Pym, the main factor in Cartagena, as responsible for bribing governor Gerónimo de Badillo and treasury officials Bartolome Tienda de Cuervo and Faustino Fajardo to the sum of 75,000 pesos.¹⁹⁶

Still, for the next two years, the Court corresponded frequently with its factors in Cartagena and with officials in Madrid, trying to resolve the impasse of the *Bedford*. The King of Spain issued a *cédula* saying the measurement in Cartagena by his officers had been mistaken and that the ship’s cargo was indeed within the 600 ton limit, but refused to compensate the Company for the cargo previously seized.

When in April 1718 the Company prepared the launching of its new custom-built ship, the *Royal George* to carry the next stock of merchandise to the Caribbean, they made a point of guaranteeing that the correct measures would be taken of its cargo capacity. Company records show how: “an authentick certificate of the measurement of the company ship Royal George made by Mr Dominick Donnelly, and Mr John Scatliffe, mathematicians sworn for that purpose exemplified under the City Seal and attested and legalised by publick notaries, was laid before the Court and read. And that the said certificate be delivered to Sr. William Eon to be by him transmitted to the Court of Spain...”. Just in case the point was lost, they also ordered that “an advertisement be inserted in tomorrow’s Courant and in the Gazette of next Saturday concerning the

¹⁹⁵ B.L. Add. 25496, p. 292.

¹⁹⁶ Archivo General de Simancas (From now on referred to as Simancas), Estado 7017, Plowes, Memoria de los cargos contra la Compañía y de las pruebas que hay de ellos, n.d.

launching and measuring the company's annual ship *Royal George*".¹⁹⁷.

Although its heyday was now over, there was still the issue of piracy as a possible threat to trade to the Caribbean. Early in February 1717, the Court ordered "that it be referred to the committee of shipping to obtain leave of the owners of the *Herbert Galley*... to carry in the said ship for Cartagena several Spanish sailors that were put on board the *King Solomon* by a pirate".¹⁹⁸

Describing the legal and illegal activities of the Company in America is far from novel, but there are some unusual sources of information on how it operated in Cartagena for this period, which will be presented in this chapter.

One of these sources is provided by the diary of James Houstoun, a Scot employed as a factor in the Company at Cartagena. He had it published in London in the 1740's after retiring from service. Doctor Houstoun was born in 1690 in Scotland. As was the case with his colleague and predecessor as factory surgeon, Burnett, he studied at the University of Glasgow, and subsequently did courses of surgery and pharmacy in Edinburgh and Leyden. After working with the Royal African Company in several stations in West Africa, he was sent by the South Sea Company to Cartagena in 1724. With some interruptions, he stayed there until 1734 as an employee, and later returned as an independent smuggler. His formal tenure as a factor, thus, roughly coincides with the second decade of activities of the English *asiento* in Cartagena.

¹⁹⁷B.L. Add. 25498, p. 48.

¹⁹⁸ B.L. Add. 25497, p. 25.

For those who are used to the traditional image of the Spanish colonial empire as a decadent structure in comparison to British power, Houstoun presents a different picture, revealing the feeling of inferiority that often invaded him when comparing the emerging British imperial presence with its Spanish counterpart. This inferiority sees itself reflected in fields that go from social etiquette to political sagacity and military dexterity. Houstoun recounted that, upon his arrival to Cartagena:

I set out on my voyage with great cheerfulness, expecting to meet with abroad a set of gentlemen of good education, thinking they could be nothing less who were distinguished with such honourable and profitable employments: but I was greatly disappointed; for when I arrived, in the year 1724, at the factory at Cartagena, I did not find any of our factors with the least tincture of a gentleman in him, except one, and he was over-born (or, as I may rather say, over-laid) by a... *Billingsgate* woman.¹⁹⁹

He went on to lament their lack of sophistication:

I was greatly surprised at their conversation, especially at Table to hear them take and give one another the lye with other very low expressions; which they termed freedom and liberty of conversation: but I own I never heard the like, not even in Africa; for their conversation there at table, though low, was decent, owing, if not out of respect, to the awe they had of their governor.

In contrast, he felt enormous pleasure in conversation with the Spaniards, especially with the ladies, of who he says, “have the best and strongest genius of all nations for intrigues”. He even wrote a play to describe the coarseness of his fellow Englishmen in the Cartagena factory:

“Whenever our factors began their shocking conversation, I endeavoured to turn it into ridicule by way of farce, which I represented next day to them in some manner as this:

The persons of the play

¹⁹⁹Houstoun, J., *Works of James Houstoun, M.D.: containing memoirs of his life and travels in Asia, Africa, America, and most parts of Europe, from the year 1690, to the present time*, London, 1753, p. 156.

Squire Tittle-Tattle, first factor
 Capt. Brute, Second factor
 Sir John Mundungus, third factor
 Don Ferdinando Punto, fourth factor
 Monsieur le Medicin, Harlequin

Donha Leonora de Villahermosa
 My lady Mundungus
 Miss Mundungus
 Mulattoes and negroes, waiting women”.²⁰⁰

Houstoun also complained that the British communities abroad replicated the divisions of their native land:

The old foible, division among ourselves, peculiar to the British nation, as I have frequently mentioned, and always observed, appears in lively colours in our factories abroad; where if you find five, six or more people (British) in a factory, you’ll certainly see them pulling so many different ways; whereas, if they all pulled one way together, they would infallibly pull so much the more money to each individual, and proportionally to their masters.

He saw this aspect of the national character as a commercial handicap:

This animosity is greatly detrimental to commerce in general, and to monopolies and private traders in particular. For these are true maxims, he that cannot, or will not, make money for himself, neither can, nor will make money for his masters, and, if masters don’t give suitable encouragement to their servants, they never will be well and faithfully served.²⁰¹

Houstoun also commented on the nepotism, influence-peddling and lack of professionalism among the Company’s employees:

...I then took notice of the great disadvantage arising in the company's service, from such an odd medley of servants: who are indeed their representatives abroad: you'll find a *bacalao* merchant amongst the principal factors, because he can talk a little Spanish, a mere Tar, bred before the mast, because he has a friend in the Court of Directors, that makes a bawling noise in it, and will be heard; - a broken tradesman because he is represented as an Object of charity, and must be provided for out of compassion.; - a young gentleman , who has been at the Academy, and learnt to ride the Great -horse, dance, etc because he is recommended from Court; with et ceteras in abundance!²⁰²

²⁰⁰*Ibid.*, p. 159.

²⁰¹*Ibid.*

²⁰²*Ibid.*, p. 173.

In contrast, his main commercial rivals were described in this fashion:

By this composition is represented the trading part of the British nation, amongst a cunning, subtle and sagacious people, the Spaniards: Though I own, I have seen many refuse amongst them too; but their Governors are generally men of good sense and penetration.²⁰³

Houstoun thought that this difference was if anything, just as sharp when comparing military personnel. He was a witness to the clashes of 1726, in which British admiral Hosier showed up with his squadron with orders to blockade Portobelo and Cartagena:

I cannot call it war, for it seemed to be more like a sham than anything else. The galleons were all arrived in the harbour of Portobello, with only three line of battle ships for their guard. The fair was proclaimed, the last bale of their goods was landed, and all the money of the commerce of Peru was brought down from Panama to Portobello, which at a modest calculation, reckoning the money registered and unregistered, amounted to 30,000,000 Pieces of Eight, when Admiral Hosier arrived...²⁰⁴

Houstoun was called to serve as the translator of letters that Hosier sent to Francisco Cornejo, General and commander-in-chief of the Spanish galleons. Houstoun said that the letters of the British admiral were so badly written, that “had a schoolboy under my care wrote such letters I would have ordered him whipped”. Cornejo was described as “a polite gentleman, a good officer, one of strong natural understanding and a man of honour and integrity...but our admiral was a mere rough, vulgar tar”.²⁰⁵

The incidents of 1726 seemed to show Britain as the weak part in this match with Spain, subject to manipulation by the experienced colonial power. After negotiations, the

²⁰³ *Ibid.*, p. 173.

²⁰⁴ *Ibid.*, p. 164.

²⁰⁵ *Ibid.*, p. 167.

blockade ended, but Spain refused to allow the factors restart their trade. In a letter to the Duke of Newcastle, the directors of the South Sea Company wrote that they had received:

...acquaintance from the Carthagena factors now at Jamaica, that the Governor of Carthagena has refused their admittance into that port or in any respect to permit...commerce, alleging that he must first have the orders of his sovereign for his so doing... This is a matter of surprise to us since the Spanish order to the several viceroys and governors in the Indies for a restitution and reestablishment conformable to the preliminaries were delivered to the governor of Carthagena by the lieutenant of the Greyhound man of war...²⁰⁶

But on the ground there was not much the Company could do, according to Houstoun, who continued his unfavourable comparisons of British diplomacy when facing the skills of the Spanish civil administration. Of Don Luis Aponte, then governor of Cartagena, Houstoun said he “had more understanding in his little finger, than all our factory put together had in their whole body”.²⁰⁷

Company records give details of the men of the factory accompanying Houstoun. In 1728, John Burnett, who had been surgeon of the company at Cartagena since the early years of the decade, switched allegiance, left town and joined the Spaniards as their informant in the Soissons congress in Europe, as will be discussed later on in the chapter. The rest of the factory found itself dissolved during the 1728 conflict.

In 1729, when the factory re-established after the hostilities, the company again called for bids from those interested in being factors. Houstoun describes this new period:

About this time our prime minister, Sir Robert Walpole, patched up a peace with the Spaniards and we felt the effects of it immediately abroad, the consequences of that grand blunder, the omission of Hosier’s squadron at Portobello, for upon the re-establishment

²⁰⁶Simancas, Estado 7017, Carta de los directores de la Compania al Duque de Newcastle, 10 October 1728.

²⁰⁷ Houstoun, *Works of James Houstoun*, p. 169.

of the *asiento* in the year 1729 I returned to my station at Cartagena, and of all the old set of factors, there was only one returned thither, Don Ferdinando Punto, who was now first factor; he was bred from a boy amongst the Spaniards at Cartagena and had little or no education for he had lived eighteen years amongst them, without being out of the country, but to be sure he was the most capable for that employ.²⁰⁸

The man Houstoun called Ferdinando Punto was in fact Edward Garthwaite. Company records show that he asked to be sent again to Cartagena in May 1729.²⁰⁹ He was reappointed to the post on June of that year along with Thomas Nasmith.²¹⁰ Houstoun was the only other member of the previous factory who chose to return, being reappointed in 1729 at his usual salary of 666 pesos.²¹¹ Garthwaite stayed in Cartagena until 1732, when he fell ill and asked for retirement.²¹² He was replaced as chief factor by a Mr. Dennis, of whom little else is known.²¹³

Trade inroads and networks

From the beginning of its presence in Cartagena, it was clear to the Company that commercial success would depend on being on good terms with the Spanish colonial authorities and its officers began to establish closer links with different levels of the Spanish administration in New Granada beyond Cartagena. In February 1717, the Court ordered the Cartagena factory to “send one of the factors...to Santa Fe for better managing the company affairs at those places”.²¹⁴ In spite of its distant location from the sea, Santa Fe would indeed be an important place for the company’s affairs, as it was the

²⁰⁸ *Ibid.*, p. 182.

²⁰⁹ B.L. Add. 25503, 16 May 1729, p. 233.

²¹⁰ B.L. Add. 25503, 23 May 1729, p. 235.

²¹¹ BL Add. 25505, 25 February 1732.

²¹² BL Add. 25505, 20 October 1732, p. 158.

²¹³ BL Add 25505, 24 November 1732, p. 183.

²¹⁴ *Ibid.*

site of the *Audiencia*, the highest colonial administrative entity and judicial court in New Granada, which at that time would be carrying out the *autos* or judiciary procedures against the *Bedford*. Apparently this early example of English merchants pleading with local Spanish American courts did not enjoy much success.

Nonetheless, other colonial officials were more malleable. A couple of months later, the Company was engaged in business with another layer of the New Granada bureaucracy, as the directors in London learnt when they received “A proposal of d. Joseph Lopez de Carvajal, governor of the province of Antiochia... relating to the setting on foot an *indulto* in those parts and desiring that he may have a cédula and letter of attorney for that purpose...”²¹⁵.

The *indulto* was the procedure by which illegally - introduced slaves were legalised after paying a fee to the authorities. The said governor ruled over a gold-rich province, and one of the main sources of demand for slaves. The Directors found the proposal of the Governor of Antioquia reasonable and ordered “that the Committee of Correspondence in their next letter to the Carthagena factory transmit to them a copy of the said proposal with directions that they give to the said governor the proper powers and dispatches for putting the same in execution if they find it for the company's interest to employ the said governor”.

By November 1717, as presumably more Spanish officials found it profitable to perform services for the Company, the Court ordered its representative in Madrid to “endeavour to

²¹⁵BL Add 25505, 24 November 1732, p. 53.

obtain his Catholic Majesty's *Cédula* forbidding any Royal *Audiencia*, President, or Governor appointing themselves or others to be the Company's judges conservators, and that they transmit to him the *autos* relating to the President and Royal *Audiencia* of Santo Domingo having appointed themselves judges conservators and settled their own salaries".²¹⁶

Still, while some Spanish officials decided to sell their services to the Company, the latent hostility between England and Spain was never far away. On 11 December 1717, this animosity led to a bizarre incident in Cartagena, of which the Court learned when "Captain Greenhill of the *Herbert* galley, lately arrived from Carthage, attended and gave the Court an account of the disturbance in that city occasioned by his delivering out of his ship a few old rusty bayonets to be cleaned".²¹⁷

A week later, the Directors ordered "that the Committee of Correspondence write in next post to his Majesty's envoy in Madrid and also to the Company's agents complaining of the insults the Company's factors at Carthage met with and the danger the company's effects in their hands were thereby exposed to by means of the disturbances raised on pretence of the captain of the *Herbert* delivering out of his ship bayonets to be cleaned, and desiring His Excellency to represent the same to the Court of Spain and pray his Catholic Majesty will give the necessary directions for preventing the like insults for the future".²¹⁸

²¹⁶*Ibid.*, p. 161.

²¹⁷*Ibid.*, p. 174.

²¹⁸*Ibid.*, p. 183.

Houstoun's account also gives some indications of the ways in which the Company factors interacted with locals in the conduct of their illegal trade. Houstoun recounts that in 1734 "I had concerted a trade to the inland country, Popayan and Choco, so I went boldly on with it, expecting to reap the fruits thereof in a year or two". Houstoun claims to have invested 16,000 pesos in commerce with New Granada's interior. It is worth recalling that his official salary as factor in Cartagena was less than 1,000 pesos a year, reinforcing the argument that the private practice of commerce should be an almost irresistible temptation for the employees of the Company in America. Houstoun, being a minor employee, had managed to accumulate a working capital equivalent to more than 16 years of his formal salary in the company.²¹⁹

A local group that held special importance for Houstoun and the Company's business was that of the Jesuits, which he defined as "a set of the most political people, and the greatest traders in the whole Spanish West Indies: they have the reputation of honest dealers, so far as is consistent with their own policy, and the interest of their community, as I have sufficiently experienced in the course of my dealings with them".²²⁰

Trade with this religious community had gone on for a substantial time. In 1728, as the *asiento* was being in the process of being restored after one of its frequent interruptions, Edward Garthwaite specially mentioned Jesuits in his requests to the Court of Directors for money in order to restart trade:

²¹⁹*Ibid.*, p. 194.

²²⁰*Ibid.*, p. 198.

Mister Garthwaite having in his aforesaid memorial desired some things might be provided for the rector of the Jesuit college at Cartagena, who had been particularly serviceable to the Company's concerns...²²¹

Garthwaite asked for £600 in advance to set up the Cartagena factory, of which £300 were for the Jesuits. Houstoun himself used the Jesuit school in Cartagena to keep the contraband that he introduced into New Granada. He said he had no problems with them "till they played me a keen trick". Houstoun had left with father Jaime López, rector of the Jesuits in Cartagena, fifty-four loads of cocoa, leaving them in deposit at the school while they waited to be shipped to England. During the 2 month wait for the company ship to arrive, the price of cocoa doubled, and the Jesuit sold the cocoa without asking for Houstoun's permission. When he found out, he reacted in this manner:

I cannot express the passion it threw me into, and in this violent passion I went to the Padre Rector and asked him, 'Father, have you sold my cacao?'. He answered me as cool as a cucumber, I have sold all the cacao: - What! Said I, My cacao? He replied, All the cacao. - Well! Said I again, Reverend Father, if I had you in my country and you were the best clergyman in Great Britain, even the Archbishop of Canterbury himself, and played me such a villanous trick, I would have you pilloried and your ears cropped. He answers with the same gravity and coolness, *si yo no estoy alla*; but I am not there.²²²

Finally, after a long controversy, the Jesuits accepted to return to Houstoun the price he had paid originally for the cocoa, keeping the profits of the price increase, a quantity that Houstoun reckoned in 5,000 pesos.

An unsigned document called "Memorandum of the Spanish India Trade", found among the Shelburne papers in the University of Michigan and part of the private

²²¹B.L. Add. 25503, 20 September 1728, p. 167.

²²²Houstoun, *Works of James Houstoun*, p. 202.

correspondence of the Company, gave some indications of the contact network enjoyed by the company in Cartagena and its surroundings in the mid-1730's, comprising many influential and wealthy members of local society.²²³ The document mentioned among the contacts for trade in Cartagena one "Don Fernando de Hoyos, yerno de don Domingo de Miranda". Ironically, a few years later, in 1737, Miranda was appointed as head of an anti-smuggling brigade set up in Cartagena by the authorities, which involved arming sloops to go after the British and Dutch traders and their local associates.²²⁴ Miranda's own son-in-law was one of the persons he would be chasing.

The Company also mentions as its correspondent in Cartagena one Andrés de Madarriaga, in these glowing terms: "hombre rico, hábil y seguro, para emprender cualesquiera causa de consecuencia, con permiso o sin el, siendo persona de confianza". Madarriaga certainly enjoyed playing in both sides of the law, as the document suggested. He would also appear in 1737 as a founding member of the Cartagena anti-smuggling company, even going so far as becoming one of its largest benefactors, with a 2,000 peso investment in the venture designed by Spanish authorities to attack his former smuggling partners.²²⁵

The document goes on to describe other contacts of the Company in inland territories such as the river port of Mompox, upstream on the Magdalena River. There, the Company's men were Juan Trespalacios, Pedro Berrueco Samaniego and Juan Bautista de Mier. The latter was the town's most powerful resident, to the point that a few years

²²³University of Michigan, William Clements Library, Shelburne Papers (from here onwards referred to as Shelburne), Vol. 43. *Memorandum of the Spanish India Trade*, n.d., p. 7.

²²⁴AGNC, *Milicias y Marina*, 33, p. 88.

²²⁵*Ibid.*

after, in 1744, the King would create him Marquis of Santa Coa. He was the owner of the Santa Bárbara de Cabezas hacienda, 42,000 hectares strategically located on the trail used by smugglers to take merchandise into the interior, also known ironically as the “road to Jerusalem”. One of his nephews, José Fernando de Mier y Guerra would be commissioned by viceroy Eslava for the war effort against the British. Between 1740 and 1742 he was entrusted with building a road through the territories of the bellicose Chimila Indians (who were suspected of being pro-British) and establish a series of outposts whose main purpose was to create a safe route to send food provisions from this cattle rearing region to the coastal cities of Cartagena and Santa Marta when the much expected British attack finally arrived.²²⁶ Still, in the 1730’s the future Marquis is mentioned as an important associate in the British smuggling networks.

Trespacios belonged to the other major landowning family in the region. As a Colombian historian has pointed out, “las familias Mier, Trespacios y Hoyos de Mompox (en realidad, una sola), fueron dueñas de extensos fundos que abarcaban desde la región de San Benito Abad, en el San Jorge, hasta la gigantesca hacienda de Las Cabezas, en plena ruta del contrabando”.²²⁷ Their landholdings, near the main smuggling route into the interior, made them attractive partners to the Company.

Finally, the South Sea Company document names a third group of contacts in the equally strategic Choco region. If Mompox yielded the road to introduce British merchandise to the interior, Choco was where the gold to pay for it came out. There, the manual mentioned contacts such as Juan de Armendariz, described as “lieutenant general of the

²²⁶Peñas Galindo, D., ‘Por las Llanuras del Caribe, Las Rutas coloniales en la Costa Atlantica’ in Angel, P. and Melo, J., eds. *Caminos Reales de Colombia*, Bogota, 1995. Another of his descendants, Joaquin de Mier, offered hospitality in to independence hero Simon Bolivar in his dying days at his San Pedro Alejandrino estate in the nearby coastal city of Santa Marta.

²²⁷*Ibid.*

provinces”, and others such as Alonso de Moya, Ignacio de Piedrahita, Juan de Aramena, Francisco Maturana and Nicolas Pérez Vicario, while in the town of Novita, the main gold producing district, they had Salvador de la Asprilla, Domingo and Ignacio Carvajal, and Nicolás de Caicedo.

The documents presented in this chapter speak to some of the limits of England’s presence in Cartagena, but also to many of its strengths. The British had clearly enticed many important people to do business with them. And, in spite of the fact that men like Houstoun often saw his countrymen as amateurs compared to the Spanish colonial bureaucracy, he did not entirely embrace the latter during his tenure in Cartagena.

Houstoun made enough friends among the powerful people of Cartagena to have the local governor invite him in 1734 to change sides, as Burnet had previously done. Houston was promised a salary equal to the one the Company paid him up till then, if he remained in Cartagena at the service of the Catholic King. In the end, and despite the doubts and qualms about his countrymen, Houstoun reflected that to remain in Cartagena after 1734 would imply that he renounce to “my country's protection and put on the Spanish yoke”.²²⁸ He rejected the offer, returning to London instead.

Houstoun despised the bad manners and the lack of refinement of the English, but trusted the protection and justice offered by their authorities more than he did those of the Spaniards.

²²⁸ Houstoun, *Works of James Houston*, p. 194.

Problems with Spanish and local authorities

The first phase of the Company involvement in Spanish America ended in 1718, only five years after Utrecht, as Anglo-Spanish rivalries in continental Europe were projected into their colonial spheres. In mid 1718, the Spanish government abruptly cancelled the Company's projected second major trading voyage to America, which should have seen the *Royal George* sailing to Cartagena.²²⁹

In September, the Court received a letter from King George promising his support:

In the differences lately arisen with the court of Madrid you may be assured I have had at heart the security of the trade of my subjects and I hope whenever the Catholick king shall think fit to put an end to them you will see our treaties so confirmed and duly executed that the trade to the Spanish dominions and particularly the share of it you ought by those treaties to enjoy, will no longer be subject to the many violent treatments of which you so justly complain.²³⁰

A month later they responded to the King:

To the King's Most Excellent Majesty:

The Court of Directors of the South Sea Company, having lately laid before your Majesty their humble representations of the state of the difficulties which they have and do labour under with respect to their trade, they now crave in the most humble and dutiful manner further to represent to your Majesty that by letters they have received from Spain, they are advised that on the 24 September last two tartans were dispatched from the port of Cadiz for the Canaries, Havanna, Cartagena, Portobello and Veracruz, by which the company have just reason to believe that instructions were sent for seizing their effects in those and other ports of the Spanish West Indies and are likewise informed that an advice boat lies ready to sail with the like orders from Buenos Aires .

Wherefore the said Court of Directors do most humbly beseech of your Majesty that when a treaty shall be set on foot for ending the differences lately arisen between your

²²⁹ B.L. Add. 25498, p. 75.

²³⁰ *Ibid.*, p. 119.

Majesty and the court of Madrid, you will be pleased to procure satisfaction for the damages the company have already received and for what they may further suffer by any seizure of their effects and interruption of their trade.²³¹

On July of the following year, as the Court, along with the rest of England was directing most of its attention to the beginnings of the speculative frenzy known as the South Sea Bubble, they received a letter from the Cartagena factory dated 2 April 1719 announcing that the Spanish authorities had seized the factory there, putting an end to the first phase of the English *asiento* in Spanish America.²³²

The next few years marked the beginning of a more organised Spanish attempt at responding to British commercial expansion, including the arrival of the first Spanish viceroy of New Granada, Jorge Villalonga, to Cartagena in 1719 -Antonio de la Pedrosa had been acting viceroy from 1717, when the viceroyalty had been formally created. He would stay until 1723 when the viceroyalty was dissolved due to its perceived failure in stemming contraband. This section will look at how the Company reacted to these changes in the years 1719-1723, showing the relatively little impact the first viceroyalty had on its operations.

In June 1719 the Spanish officers arriving with the new viceroy took as one of their first tasks to demand the account books from Pym, the Company's chief factor in Cartagena. He retorted by saying they had been sent earlier in a sloop to London, therefore setting off a dispute over the exact amount of Company goods seized by Spaniards in the so-

²³¹ *Ibid.*, p. 129.

²³² *Ibid.*, p. 248.

called *represalias*.²³³ This dispute would continue for several years. As will be discussed in more detail in the next chapter, viceroy Villalonga's early tenure was also characterised by at least formal efforts to install a more demanding system of controls to the contraband trade that was undermining the economy of the viceroyalty. For example, on 30 April 1720, Villalonga tried to obtain more respect for a previous law which prohibited goldsmiths from fabricating jewels using gold that had not paid the royal "quinto".²³⁴ He established as punishment the confiscation of all their goods, "recognizing the little heed given to this provision..." and imposed an additional punishment of 2 years of banishment, while at the same time providing that all penalties would be pardoned if the goldsmith told the authorities who the gold or silver belonged to.

In the meantime, formal trade between Spain and England was being reinstated. On 22 June, 1721, the Court in London received word of the end of hostilities with Spain. The very same day they ordered a new trading ship, the *Royal George*, to Cartagena.²³⁵

On 27 July, the Court appointed a new set of factors for Cartagena, which included John Thompson, Thomas Butcher, James Blake, and John Burnett, the latter as surgeon.²³⁶ Burnett would later gain notoriety as a double agent for the Spaniards who provided Madrid with extensive information on the Company's illegal activities.

The *Royal George* took to Cartagena in 1721 a load that included 1,246 loads of

²³³ Archivo General de Indias (from here onwards referred to as AGI) Santafe 374, Joseph del Aguila al Rey, 14 July 1721.

²³⁴ AGI Santafe 374, 30 April 1720.

²³⁵ B.L. Add. 25450, p. 136.

²³⁶ *Ibid.*, p. 162.

Colchester bays worth £33,443, along with 796 baskets of beeswax for £9,313, 10 boxes of seal wax or lacquer at £233, 65 boxes of silk stockings at £16,781, 18 dozens of flanders lace at £12,682 and 4,738 boxes of Spanish iron worth £2,281, among other goods. The total cargo was worth £252,346.²³⁷

Spain soon found out that the new viceroyalty was no effective check to contraband, which flourished as the Company resumed its voyages to Cartagena.

The Company did not seem excessively bothered by the creation of the viceroyalty. Its operation in Cartagena in the early 1720's was described in unusual detail by John Burnett, the former employee who defected to Spanish authorities and became a key informant.²³⁸ He was sent out in 1721 with the Royal George, and spent the following 7 years in New Granada. His confession is extensive, writing both about the strategic issues at play in the Caribbean and the details of smuggling in Cartagena.

For Burnett, there was an obvious strategic dimension to the British trade in the region:

The English, Dutch and French are the most formidable competitors in the commerce of this America. It is thus an affair which merits the consideration and attention of the Spanish nation, since it is notorious that the merchant nations have taken away from Spain some of its possessions of consequence in the Indies, such as Jamaica, the island of Providence, etc. ...which should lead to the vigilance of his Catholic Majesty and his ministers in America, having neighbours so skilled and industrious closing in on his possessions.²³⁹

²³⁷ Simancas, Estado 7017, Burnett, Confesión, 3 February 1729.

²³⁸ Simancas, Estado 7017, De la Paz a Patiño, 19 March 1731.

²³⁹ Simancas, Estado 7017, Burnett, Del Comercio General en Indias, n.d.

Burnett's explanation for this trend was equally simple: "The English sell cheap and on credit".²⁴⁰

Burnett also described arriving in Cartagena in 1721 in the contraband-laden Royal George, with English factors bribing the Spanish officials with "a very fine ring of diamonds, mirrors and valuable golden watches". He recognised that the English employees of the Company were "no more than so many spies in the Indies".²⁴¹

Burnett left it equally clear that almost all elements of the *asiento* were being violated by the English. Article 7, which was intended to protect catholicism in the Spanish colonies, was infringed when Englishmen introduced black slaves from Jamaica, where many of them had been converted to Protestantism, instead of importing them directly from Africa, as the treaty demanded. The company had failed to fulfil the main obligation in providing a stable supply of slaves for the Spanish colonies, leading to "the provinces not having enough blacks and experimenting great miseries due to the lack of cultivation of their lands, forcing owners to acquire them by any imaginable means, even through fraud".²⁴²

In particular, Burnett gave the Spaniards detailed information on how, along with the legal slave trade, the Company undertook a large contraband of manufactured goods which was undermining the economic infrastructure of the empire. One of the key

²⁴⁰Simancas, Estado 7017, Burnett, Sobre Comercio Ilícito, n.d.

²⁴¹Simancas, Estado 7017, Burnett, Confesión, 3 February 1729.

²⁴²Simancas, Estado 7017, Burnett, De Contravenciones, n.d.

methods for this commerce was the abuse of the annual permission ship, which according to the *asiento* could only take a certain established volume of merchandise. The overweight in the ships, caused by the abundance of clandestine goods introduced into American ports, was the norm in Cartagena.²⁴³

He warned: “As long as there are factories this fraud will remain, since it is the Spaniards themselves who seek out the Englishmen for this”.²⁴⁴

Contraband trade carried on directly or indirectly by the company also served to extend smuggling to other ports apart from Cartagena.

The same company indirectly opens an admirable road for illicit trade by granting licence or renting the coast where it does not have factories, to individuals, at the rate of 80 pesos for the *indulto* of each *Pieza de Indias* introduced in the Barlovento coast, Santa Marta, Cumana, Maracaibo, etc... They do not carry more than 50 blacks in a trip and many times less, all the rest is merchandise.²⁴⁵

The situation with illicit traffic was so bad that Burnett told of how British merchants would send to the New Granada coast two boats at the same time, one with *patente de corso* and the other full of contraband. Once the Spanish merchants bought the goods from the trading boat, the corsair boat, waiting nearby, would intercept the merchants, demanding money for their freedom or simply retaking the merchandise to sell it to other Spaniards.²⁴⁶

Burnett also left evidence of the frequency with which the employees of the Company

²⁴³Simancas, Estado 7017, Burnett, Sobre Navíos de Permiso, n.d.

²⁴⁴Simancas, Estado 7017, Burnett, Sobre Extracciones, n.d.

²⁴⁵Simancas, Estado 7017, Burnett, Sobre Comercio Ilícito, n.d.

²⁴⁶ *Ibid.*

became personally involved in illicit trade:

The motivation of the efforts undertaken each day by the *asiento* company...both by the annual ship and by the smaller boats sent to the Indies, stems from the great benefit and profit obtained in its trips, with no sailor failing to obtain a commission...of up to 2 or 3,000 pesos in each trip, with the supply boats making 4 or 5 of these trips per year.

The situation had reached the point where "...if the captains were to prohibit (contraband) to the sailors, (they) will not undertake the voyage, and if they do, they would denounce the captain as each one believes he has acquired a right to such privilege".²⁴⁷

Even more seriously, the Company doctor testified about the complicity of the British navy in the contraband:

The Dutch vessels always followed the squadron of Admiral Hosier both to the coast of Havanna and to that of Cartagena and the island of Baru, since the presence of warships always serves as protection to clandestine commerce.²⁴⁸

In another damaging confession, Matthew Plowes, accountant of the company who also defected to the Spanish authorities at the end of the 1720's, summed up the numerous activities of the Company outside its legal agreements with the Spanish crown during these years, saying that the Company, its directors, supercargoes, factors and other officers, had traded illicitly in the Indies. They ignored payment of the royal *quinto* duty and bribed Spanish governors and officers. Moreover, Company ships would provide transportation for Spaniards carrying illegal quantities of silver with them. He candidly

²⁴⁷ *Ibid.*

²⁴⁸ *Ibid.*

accepted that the main function of the annual permission ship was contraband.²⁴⁹

Brown, who first made reference to Plowes' confession in a 1926 article, concluded that it was such a comprehensive account of the Company's misdeeds in America during the first years of the *asiento*, as so make war with Spain almost inevitable a few years later.²⁵⁰

The first ten years of the *asiento* in Cartagena, as evidenced mainly through the English lens of the South Sea Company accounts and testimonies, show how political tensions were increasing from the constant commercial competition between Spaniards and English.

The Spanish authorities were not entirely hapless or corrupt, even if their attempt at reorganizing through the viceroyalty between 1719 and 1723 clearly failed to stamp out illegal Company trade. Still, at least from the viewpoint of the South Sea Company, on which this chapter is based, Spanish officials were not seen as an impossible obstacle to the growing English economic presence.

The next decade showed the situation in New Granada to replicate the pattern often described elsewhere in the Spanish American empire, with English traders becoming more brazen in their smuggling activities, and Spain multiplying its efforts to contain them. Matthew Plowes, accountant of the Company in London turned Spanish informant,

²⁴⁹Simancas, Estado 7017, Plowes, Memoria de los cargos contra la Compañía y de las pruebas que hay de ellos, n.d.

²⁵⁰ Brown, 'The South Sea Company and Contraband Trade', pp. 662-668.

described the voyage of the first *asiento* ship to Cartagena in this period in the following terms:

El navío anual de la Compañía, llamado el Royal George, que partió de Inglaterra en febrero 1724, me consta que cargó en la isla de San Cristobal en su camino a Cartagena más de cien toneladas en unos ricos efectos en balas que en dicha isla estaban prontas para cargar sobre dicho navío, que despues lo trajo a Cartagena y a Portobelo...y es así que el intendente del navío Royal George presenta en un artículo de sus cuentas 118,000 pesos como pagados en las Indias Occidentales por servicios privados en facilitar el despacho de dicho cargo y en procurar los retornos.²⁵¹

Moreover, besides reporting the large smuggled cargo and the 118,000 peso bribe, he said the Company sold clothing to the Indians, “corrupting them”, and “ruined the traffic of the galleons”.²⁵²

However, other versions show the Spanish authorities behaving in an equally brazen way in their negotiations with British traders. According to Houstoun, the Spanish officials seemed to enjoy the ease with which they mocked the English. Houstoun tells how during the 1726 hostilities, the British factors had been naïve enough to entrust 100,000 pesos of company property to the care of the Spanish governor, who later on refused to return them.²⁵³ For the men in Cartagena, the first order of business after the cessation of the conflict was the recovery of the Company’s money which had been so carelessly entrusted to the Spaniards.

²⁵¹ Simancas, Estado 7017, Confesión de Matthew Plowes, 1729.

²⁵² *Ibid.*

²⁵³ Houstoun, *Works of James Houstoun*, p. 169.

As Houstoun recounts, “we had a *Cédula* from the court of Madrid, by the King’s order, for the restitution of all the Company’s effects that were *reprisalled*, particularly the 100,000 Pieces of Eight that Don Lewis a Ponti, late governor of Cartagena, had tricked the factors of, and deposited in the King’s chest.”

He described the way in which the long-running dispute began to affect their standing among the people of Cartagena:

At our arrival we found a new governor, Don Antonio Salas, a stubborn, resolute, old soldier, with little or no education and what little understanding he had was purely natural, from whom we met with a very unmannerly and rude reception, insomuch that the very inhabitants of the place, our old friends and acquaintances, durst not even speak to us in the streets or invite us to their houses; but were obliged to come skulking to us in the night time, with protestations of their friendship, though they were positively forbid by the governor to show us any matter of countenance.²⁵⁴

The familiar theme of Spaniards claiming devotion to the law while in fact tricking their opponents, often presented to defend the English position in these disputes, is clearly stated again here:

Notwithstanding these difficulties to work, our first factor went with the governor showing him his Catholick Majesty’s *cédula* for the restitution of all the Company’s effects seized in the *reprisalia*, with a particular order for those Pieces of Eight. But the governor put him off from time to time with evasive and chicaning answers: then they went to *autos* (lawsuits), declarations, manifestos, memorials, remonstrances, etc., setting forth the injuries and injustice done to the Company, contrary to the treaty and orders of the King of Spain, but all to no purpose. I have heard his predecessor say: *Aquí está la cédula pero es menester sangrarlo*. It is certain 10,000 Pieces rightly applied abroad, will do more service for the Company’s interest than 100,000 Pieces laid out at the Court of Madrid.²⁵⁵

The Company’s Court of Directors followed the issue closely from London, writing “in the strongest terms” to the Duke of Newcastle, demanding that the government protest to

²⁵⁴ *Ibid.*, p. 184.

²⁵⁵ *Ibid.*

Madrid about the Cartagena dispute²⁵⁶. Again, not much happened back in Cartagena, and the mocking disregard for British demands continued, as Houstoun recounts:

One day, conversing intimately with Don Sebastian Iglesias, one of our royal officers on this subject, 'there's Edwardito', said he, (meaning our first factor) making a noise and a bustle and throwing the governor into such passions that is impossible to do anything with him, about his *papeles* (law papers) with which he may wipe his breech, being more proper for an attorney than a first factor...and then went and fetched a letter from Don Joseph Patiño, then Prime Minister of Spain (a great and able minister) thanking the governor and royal officers, for having remitted and applied to his Catholick Majesty's service, those 100,000 Pieces of Eight; and greatly approving their conduct, for having so opportunely supplied the exigencies of the government at such a critical juncture of time, which bore the very same date with his Catholick Majesty's aforesaid *cédula*.²⁵⁷

As the dispute about the 100,000 pesos dragged on, the Cartagena factory prepared itself for the resumption of trade, in spite of Spanish reticence to allow it. Houstoun claimed to understand the Spaniards in many of their complaints against the Company. "It is very natural and reasonable for a Spaniard in the commerce of Spain, to complain of the trade of the annual ship, as it affects and prejudices their trade; for there is never anything bought of the Spaniards until the annual ship's cargo is sold off".²⁵⁸

The commerce to America was for Houstoun, "the most advantageous branch of trade that ever Britain was possessed of, if rightly managed, according to the original plan laid down, to open all the Spanish West Indian ports to the British trade".²⁵⁹

As the disputes with Spain stabilised, the Company ordered the sending of a new cargo ship to Cartagena and Portobelo in late 1729.²⁶⁰ It chose William Cleland as its captain.²⁶¹

²⁵⁶ B.L. Add. 25503, 31 July 1730, p. 74.

²⁵⁷ Houstoun, *Works of James Houstoun*, p. 184.

²⁵⁸ *Ibid.*, p. 189.

²⁵⁹ *Ibid.*, p. 111.

²⁶⁰ B.L. Add. 25503, 3 October 1729, p. 267.

In December 1729, the British ambassador in Madrid, Keene, sent copies of the royal *cedula* allowing the general re-establishment of factories in America.²⁶² In early 1730, the new vessel, the *Prince William*, set sail for Cartagena and Portobelo.

One new element emerges when examining the documents of the Company in this period.

In its minutes, the Court of Directors records in May 1730 that “the setting a method for preventing clandestine trade by the companys ships and vessels was read and agreed to”.²⁶³ These measures included requiring the senior crew members of company ships to purchase a bond that would be forfeited if they were caught in contraband activities.²⁶⁴

However, the measures were less than effective, as described in the minutes of a later meeting of the Court of Directors:

The Court being informed that notwithstanding the measures they had entered into for the prevention of all clandestine trade in their ships and the encouragement given their officers by advance of money for the privilege allowed them, there was reason to apprehend some attempts of unlawful trade were carrying on aboard the *Prince William*.²⁶⁵

The Court resolved that:

...if it shall be made appear that any of the officers aboard the said ship *Prince William* have made assurances for any interest aboard the said ship or taken up any money upon Bottomree bonds, either for their own account or the account of any other persons whatsoever, other than what the court has agreed to lend them, or have been or shall be privy to any such transactions without communicating the same to the court of directors for their permission, the court will immediately discharge such officer from their service.

Doliffe, a crew member, and captain Cleland denied having done so upon

²⁶¹ B.L. Add. 25503, 7 November 1729, p. 274.

²⁶² B.L. Add. 25503, 26 December 1729, p. 297.

²⁶³ B.L. Add. 25503, 15 May 1730, p. 46.

²⁶⁴ B.L. Add. 25503, 26 June 1730, p. 60.

²⁶⁵ *Ibid.*, p. 62.

interrogation.²⁶⁶

By the 1730's the Company was finding itself compelled at least to make a show of its intentions of fighting contraband. There was also by this point more evidence on how increased anti-contraband measures by the Spaniards were beginning to hamper British commerce. For example, on 1 October 1731, the Court of Directors read a dispatch warning that the Ship Hannibal, hired into the company's service, was stuck in Havana "by reason that one Fandiño who commanded a *guarda costa* manned with many *renegados* lay there and threatened to take said ship".²⁶⁷

Also, by the early 1730's, the rejuvenation of Spanish naval power in the Caribbean, as envisioned by Patiño, was showing more results, as described by the Subgovernor of the Company:

The sub governor acquainted the court that the said agents had transmitted copy of a letter from the factors at Santiago de Cuba to the governors of Jamaica, advising H.E. of the number of *guarda costas* fitted out at Porto Rico and other Spanish ports and of the evil practices committed by them and that apprehending the same was proper to be laid before the secretary of state, he had accordingly directed the secretary to transmit the same to Mister de la Faye to lay it before His Grace, the Duke of Newcastle.²⁶⁸

Part of the Company's reaction to the increased activities of the *guarda costas* was more lawsuits. The same day it heard the news of the Hannibal, the Court of Directors agreed that "Mister Jonathan Perrie be employed in carrying on the state of the Spaniards' infractions of the treaties and of the proofs to support the same, and that mister Jonathan Gibson assist him therein, it being highly necessary the same should be forthwith dispatched to Spain".²⁶⁹

²⁶⁶*Ibid.*

²⁶⁷B.L. Add. 25503, 1 October 1731, p. 189.

²⁶⁸B.L. Add. 25503, 12 November 1731, p. 201.

²⁶⁹B.L. Add. 25503, 1 October 1731, p. 190.

Although the evidence overwhelmingly shows the failure of these schemes, the Court of Directors did instruct its servants to begin more elaborate procedure supposed to keep smuggled goods out of its ships. This included elaborate investigations of the incidents affecting the Prince William:

The report of the committee of shipping of this morning setting forth their several examinations of the officers and seamen belonging to the Prince William concerning the reports of goods having been taken on board her at St. Christopher and the information they had received upon such examinations were read and approved.²⁷⁰

Days later, the Court heard that “the report of the special committee for lawsuits of the 9th instant containing their opinion, that the most effectual and certain method to be used for obtaining a true knowledge of what goods may have been put on board the Prince William at St. Christopher is by a bill in chancery, was read and agreed to”.²⁷¹ In December 1731, punishment was distributed to those held responsible for contraband in the Prince William:

The Court, considering of the information which hath been given them by mister Dandy Kidd of goods having been put on board the Prince William at St. Christopher’s resolved that Captain William Cleland comander of the said ship be suspended the companys service.²⁷²

In 1732, the Court of Directors suggested adopting anti-smuggling rules used by the East India Company:

Ordered that it be referred to the committee for lawsuits to inform themselves what regulations and restrictions are made for preventing any contraband trade by the East India company ships and to prepare such regulations as they judge may be proper to be made with regard to this Company’s ships and lay the same before the court in order that proper applications may be made to parliament for such clauses as may be necessary for securing against any such abuses.²⁷³

²⁷⁰B.L. Add. 25503, 22 October 1731, p. 197.

²⁷¹B.L. Add. 25503, 10 December 1731, p. 216

²⁷²B.L. Add. 25503, 24 December 1731, p. 226.

²⁷³B.L. Add.25505, 20 April 1732, p. 36.

Later on it drafted a detailed code of conduct for the crews, requiring:

...that a book be kept on board by the chief mate in which shall be daily entered by each respective officer, a perfect and true account of all stores, provisions, liquors and necessaries which shall come on board for the use of the ships after her departure from Gravesend and likewise all stores, etc. which shall be delivered from on board her: and the chief mate and each respective officer who shall receive and deliver any stores shall once every week sign their names at length to their respective accounts in the said books.²⁷⁴

Another rule stated “that no officer delivers any stores, provisions, liquors or necessaries out of the ships before he has a written order for the same from the captain, or in his absence from the chief officer on board”. Additionally, the new requirements stated:

...that the captain and all the chief officers when they are chosen, shall execute a deed or instrument to the company whereby they shall agree and consent to forfeit to the company their respective wages and privilege allowed them, in case they shall carry any goods in private trade (otherwise than what are allowed them by the company to be carried) or in case they shall consent to, or know of any goods taken on board the ship in private trade during this voyage, for any person or persons whatsoever (otherwise than what shall be allowed by the company) and do not inform the court of directors thereof.²⁷⁵

Part of the explanation for this apparent crackdown on contraband was probably the presence in London of Tomas Geraldino, whose real name was apparently Thomas Fitzgerald, an Irish man who now served as the Spanish King’s envoy at the Court of Directors of the Company.

At meetings of the Court, Geraldino began demanding more precise information of the Company’s activities, for example “an account of the negroes introduced into the colonies of America from May 1714 to the end of April 1722...” or “Accounts of the particular sums paid by his Catholic Majesty’s order for his account within the said 2

²⁷⁴B.L. Add. 25505, 12 May 1732, p. 60.

²⁷⁵*Ibid.*

periods of time”.²⁷⁶

Geraldino even proposed to buy the *asiento* back from the Company, as the Court minutes record:

Upon reading a letter from sir Thomas Geraldino acquainting the court that the King of Spain has been pleased to empower him to treat and conclude for an equivalent to be given to the Company to suspend for the future the sending any annual ship, and proposing as such equivalent 2 per cent upon all returns of the commerce in the flotas and galleons, and Sir Thomas having laid before the court the letter he had received on this subject from mister Patino, ordered that it be referred to the committee of correspondence to consider and report their opinion concerning the said proposal.²⁷⁷

Geraldino also made his presence felt in other, more symbolic instances. When the Court of Directors proposed, in December 1732, to grant a present of 500 guineas to Admiral Stewart, who had just arrived from duty in the West Indies, “Sir Thomas Geraldino acquainted the court, that not having any power from his Catholic Majesty to consent to His Majesty’s being charged with part of any such gratuities, he protested against debiting the King of Spain with any part of the said present to Admiral Stewart”.²⁷⁸

Grahn claims that by 1733 the company had drastically reduced contraband as a result of Spanish officials implementing “more stringent controls”.²⁷⁹

Although this period saw the strengthening of Spain’s reaction to contraband, it also exposed to some of the witnesses the limits of its imperial economic system. Houstoun, who was quick to point out the shortcomings of the British, also underlined the

²⁷⁶B.L. Add.25505, 18 July 1732, p. 100.

²⁷⁷B.L. Add. 25505, 8 September 1732, p. 147.

²⁷⁸ B.L. Add. 25505, 10 December 1732, p. 197.

²⁷⁹ Grahn, *The Political Economy of Smuggling*, p. 127.

differences of productivity that were already being noted between the English colonies in the Caribbean and the older colonies of the Spanish Main.

The island of Jamaica, joined with the rest of his Britannick Majesty's colonies in the West Indies brings more money to the crown of Great Britain than the whole Spanish West Indies bring to the crown of Spain. And thus far I can say, that I am really of opinion, that Jamaica alone, brings more advantage to the crown and subjects of Great Britain, than the whole Kingdom of New Granada brings to the Crown and subjects of Spain.²⁸⁰

Houstoun also discusses Spanish corruption. The same ability that Houstoun perceived in New Granada's colonial officials to defraud the English Company, was used to divert resources supposedly destined for the peninsula. Above all, he was struck by the notorious contrast between the wealth of the country and the poverty of the royal treasury:

When I lived in Cartagena I had the opportunity of knowing these affairs rightly. It is true the king of Spain has, or ought to have, his Quinta (fifth part) of all the gold and silver dug from the mines in the new Kingdom of Granada, and all his other rich kingdoms, Mexico, Peru, etc in his dominions in the West Indies. And there are some very rich mines in Popayan and Choco in this kingdom of Nueva Granada; for which reason his Catholick Majesty has a royal mint, with an essayer general and all other proper officers under him to receive all the gold, silver, etc dug from the mines to essay, to give proper certificates of its value, and retain his Majesty's Quinta.²⁸¹

Nevertheless, according to his calculations, most of what was obtained from the mines did not pay the royal tax, with calamitous consequences for the colonial treasury:

At a modest computation, there is not one half of what is dug from the mines comes to account for the payment of the Quinta, and what his majesty does get is all expended in that country, towards the maintenance and support of his royal officers and other officers, guards, and garrisons, etc. So that all the time I have lived amongst them at Cartagena,

²⁸⁰ Houstoun, *Works of James Houstoun*, p. 273.

²⁸¹ *Ibid.*

near ten years, there never was one piece of eight, in the royal chests of the King's revenues, of the Kingdom of New Granada, to my certain knowledge; not only all being expended beforehand, but were greatly in debt.²⁸²

The following paragraphs examine the Company's business in Cartagena during the final five years before the beginning of hostilities that would signal the end of their stay in New Granada. The Company's recorded proceedings reflect a mixture of anxiety to continue with business as well as their realisation of the growing hurdles presented by political conflict with Spain. A sign of the growing disenchantment with the Company's prospects was that in 1734, the Directors were trying to revive proposals first tabled in 1732 to sell the trading rights given to them by the *asiento*. A crucial issue seemed to be obtaining royal approval. At their meeting on 10 April 1734, they discussed it in these terms:

The general court, having referred it to this court to apply to His Majesty for his royal license to the company, to let out or dispose of their *assiento* trade, or the tonnage of the shipping in that service to any person or persons, ordered that it be referred to the committee of correspondence with the assistance of such gentlemen as they shall think proper to prepare a humble petition to His Majesty praying his royal license for the purpose aforesaid.²⁸³

As war between England and Spain approached, the Company also received proposals from Spanish traders to take over the trade to America. One of those was made by “two wealthy merchants in the Spanish Indies in the year 1738 for the purchase of a South Sea annual ship”.²⁸⁴ Another proposal that reached Company officials involved a plan to “remit a considerable cargo of goods to the coast of Peru”. It included “an account of the particular ports, bays and rivers of the district of Peru little frequented for the more

²⁸²*Ibid.*

²⁸³B.L. Add. 25507, p. 9.

²⁸⁴Shelburne, vol. 44, *Memorandum of the Spanish Indies Trade, Spanish proposals for the encouragement of trade*, n.d., p. 22.

immediate and favourable introduction of an illicit trade". These proposals "plainly demonstrate the natural inclination the Spaniards in America have, both in the north and the South Seas, to trade with the English nation, and what may very probably be executed by well-chosen persons of experienced abilities in trade, properly assisted and protected".²⁸⁵

The report added that: "It is well known the South Sea Company has suffered many losses in their trade to the Spanish Indies, and it is well known to have been owing to the little faith of the Spaniards in seizing and keeping the company *represalia* effects".²⁸⁶

A 1734 document found in the personal correspondence of Company sub governor Peter Burrell, explained the "Reasons why the Company has not gained by the *asiento* trade", in which the determinant factors for their lack of success were seen as mainly personnel-related. He enumerated the problems as follows:

- “1. The unhappy seizure in the year 1716-1727.
2. The company appointing very unfit persons to carry on the trade.
3. Their factors not having taken any pains or care to inform themselves of the several branches of trade and to advise the Company.
4. The Company not having given themselves any pains or trouble to detect such frauds that they have had reason to suspect have been committed to their prejudice.
5. The Company not having had any regard to fit and proper persons who have and were capable to serve them.
6. The Company not having kept up a regular correspondence to their factories, whereby

²⁸⁵*Ibid.*

²⁸⁶*Ibid.*, p. 26.

they remain in the dark as to their affairs abroad”.²⁸⁷

Besides supervisory issues, the Company's business in its final years in Cartagena faced other troubles that included competition from non-Company sources for the supply of slaves to Spanish territories. In July 1734 the Directors in London had received news on how “negroes which had been indulted at Puerto Principe had been introduced at Cartagena...”. The Company reacted requesting “that Sir Thomas Geraldino might be desired to write letters to the governor of Santiago not to suffer any more of the Negroes which have been indulted within his province to be carried out of the limits thereof”.²⁸⁸

Non-compliance of the main office's directions occupied a great deal of the Director's business. In early 1735 the Court ordered an investigation on whether: “the agents at Jamaica have complied with the Court's direction for sending with the vessels they dispatch to the Cartagena, Portobello and Veracruz factories 4 Negroes to every 5 tonnes such vessels are burthen”.²⁸⁹

Imperfections in the flow of information from America to Europe were, of course, a constant in colonial life, and were not a problem unique to the Company, as vividly shown in a letter from the Marquis of Torrenueva to Thomas Geraldino in July 1737, where the Spanish government asked the Company's representative in Madrid for news on the alleged destruction of the important city of Popayan in inland New Granada some

²⁸⁷Shelburne, Vol. 43, *Reasons why the Company has not gained by the Asiento trade*, London, 24 May 1734, p. 155.

²⁸⁸B.L. Add. 25507, 26 July 1734, p. 51.

²⁸⁹B.L.Add. 25507, 21 February 1735, p. 143.

months before. In his letter, Torrenueva described how he received a letter from Bernardino Calvo de Segura, Spanish factor for the *asiento* in Portobelo:

...en donde asegura que el 2 de febrero de este año se quemó Panamá y Santa María del Darién. Además que la ciudad de Popayán se había abrasado con un volcán que reventó en ella...siendo la citada carta la única que se ha tenido que merezca entero crédito.²⁹⁰

Torrenueva ended by saying that King Felipe V was asking the Company for any information it might have on this incident, which suggests that the Company's communication channels with Spanish America could be more trustworthy than the Crown's own.

As could be expected, the issue of legal disputes with Spain was also occupying more space in Company business in the final years of the *asiento* operation. In October 1734, the Court in London set up a special “committee to consider the several grievances that have been done the company by His Catholick Majesty’s officers in the Spanish West Indies and elsewhere”.²⁹¹

The combination of internal inefficiencies and Spanish harassment seemed to be causing serious dents in the Company's enterprise in New Granada and elsewhere in America. Revenue flows, at least from the formal Company trade, were not entirely what the English directors expected. Did the disappointing profits by the company also diminish lucrative opportunities for Spanish officials involved one way or another with the *asiento* trade?

²⁹⁰Simancas, Estado 7013, Torrenueva to Geraldino, 29 July 1737.

²⁹¹B.L. Add. 25507, 9 October 1734, p. 76.

In August 1734, Garthwaite and Nasmyth, former factors at Cartagena, visited the Court's premises in London. Garthwaite laid before the Court two papers in Spanish. One of them was:

...a bill drawn by the royal officers of Cartagena on the chests of Lima for the balance of the general account of the two *represalias* at that place, whereby the same appear to be \$267,712:6, and the other a bill drawn by Don Juan Antonio Diaz de la Ravia on Don Bartolomé Tienda y Cuervo at Cartagena for £572:12:6.

Garthwaite also presented to the Court “another bill in English drawn by the said don Juan on the said don Bartolome for £40:10 in Jamaican money”.²⁹²

A few months later, the Court asked that the British representative in Madrid, Sir Benjamin Keene, “be directed to apply for the payment of the two bills from don Bartolome Tienda y Cuervo”.²⁹³

The previous documents suggest that Tienda y Cuervo, a very prominent colonial official in Cartagena who would later on be seen as the standard-bearer for reform efforts, was personally engaged in some sort of trade with the Company, and was taking time to pay his bills.

In November 1734, Garthwaite, who was still trying to settle his accounts with the Company for his term in Cartagena, requested from the Court of Directors:

...a charge of \$592 for an entertainment given on His Majesty's birthday in the year 1732 to the governor, the royal officers, military officers and ministers of the several courts of

²⁹² B.L. Add. 25507, 8 August 1734, p. 56.

²⁹³ B.L. Add. 25507, 21 February 1735, p. 143.

that city.²⁹⁴

Apparently the Court of Directors had previously expressed their reservations about that kind of lavish entertainment. However, it resolved:

...as the said factors have rendered accounts to the satisfaction of the court ...resolved that the said sum be allowed, but that it not be made a precedent for the future.²⁹⁵

It was not always to the advantage of Spanish royal officials to get involved in Company business. In 1734, Juan Feyjoo Zentellas, *auditor de guerra* in Cartagena, wrote to Madrid. He recalled in his letter how he had been recently appointed to serve as attorney at the *audiencia* of Panama, and pointed out that this was obviously incompatible with a previous nomination to serve as auditor for the *asiento* in Cartagena. He requested the confirmation of his Panama appointment, while he suggested the nomination of Juan Bautista Bahamonde for his other post in Cartagena. In October 1735, the Governor of Cartagena announced Juan Bautista Bahamonde had been appointed *factor interventor del asiento de negros*. Feyjoo had effectively lobbied for the Panama position instead of the *asiento* post in Cartagena, which suggests that working for the English company in a potentially lucrative position was less attractive to Spanish officers than one might have thought.²⁹⁶

Although the Company directors permanently discussed the reasons why their American trade was not as good as expected, they also insisted in considering new schemes to expand it. A memorial submitted to the Company's management contained "Proposals

²⁹⁴B.L. Add. 25507, 22 November 1734, p. 98.

²⁹⁵*Ibid.*

²⁹⁶AGI, Santa Fe, 1167, Gobernador de Cartagena, 12 October 1735.

for the Royal *Asiento* Company carrying on a trade to the windward coast of the north seas of America", and advocated expanding trade to the New Granada coast between Santa Marta and La Guaira.²⁹⁷ It proposed that a new factory be established in the area to complement the one in Cartagena. The anonymous writer claimed that it was previously said there was no demand for slaves in the area. He disagreed, pointing to the obvious demand for goods being met by independent smugglers. As an example, he mentioned:

...Rio de la Hacha, which is a small town about 30 leagues to windward of Santa Marta and is governed by a *teniente* or deputy to the governor of that place, to which place are sent yearly fifteen or twenty sloops from Jamaica with Negros and dry goods...each of which sloops seldom carries less than ten or fifteen Negros, which of itself makes a pretty handsome number for that one port.

He added:

...The general price for Negros *piezas de Indias* with the *asiento* mark are from 220 to 300 pieces of eight. This is generally paid in the fruits of the country.²⁹⁸

Moreover, in the field, the Cartagena factors saw their jobs as worth lobbying for. In 1736, John Gray, book keeper in Cartagena, wrote to the Company in London seeking favour with its new managers. In his letter to Peter Burrell, he wrote that:

...although I have not the honour of being known to you I think it my duty to congratulate you on you being elected sub governor of the South Sea Company and am exceedingly glad that the proprietors have done themselves so much justice".

He added:

Ever since I have been appointed book-keeper of this factory I have endeavoured to the outmost of my ability to serve the Company faithfully and to promote its interests for whom I hope your countenance and protection whenever anything concerning me shall come before you.

He ended by saying:

²⁹⁷Shelburne, Vol. 44, *Proposals for the Royal Asiento Company carrying on a trade to the windward coast of the north seas of America*, n.d., p.1.

²⁹⁸*Ibid.*

I should be extremely proud of the honour of your commands in this remote part of the world assuring you that I would endeavour to obey them with great readiness and cheerfulness.²⁹⁹

Gray would write again to Burrell two years later, regretting the fact that Burrell "had entirely forgotten the receipt of such letter", and insisting that:

...I am sorry you have not hitherto thought fit to honour me with any command in this distant corner of the world, my willingness to obey them would convince you with what respect and truth I am your most obedient and faithful servant.³⁰⁰

Not to be outdone, fellow Cartagena factor James Ord also wrote to Burrell in 1736 announcing that:

...we have received advice of the choice the Hon. South Sea Company have made of a sub-governor, on which account I beg leave to send you my congratulations.

In similar fashion to Gray, he said that he did not know him personally, but still felt the need "for troubling you with these few lines to beg your protection, which I shall... do merit to the utmost of my powers and always endeavour to prove myself in whatever you shall please to command me".³⁰¹

In September 1737, the Court of Directors found itself once more demanding of the court of Spain a new *cedula* for an annual trade ship to Cartagena and Portobelo.³⁰² A note kept among the Company's London correspondence, entitled "Calculations to carry on the *asiento* trade", suggested that ambitions for operations in Cartagena were still substantial.

The document recorded plans for: "50,000 capital and 800 slaves to Cartagena in five voyages in 12 months". It expected the 800 slaves to be sold at Cartagena at 220 *piezas*

²⁹⁹Shelburne, Vol. 44, Gray to Burrell, 20 July 1736, p. 675.

³⁰⁰Shelburne, Vol.44, Gray to Burrell, 8 March 1738, p. 621.

³⁰¹Shelburne, Vol 44, Ord to Burrell, 23 July 1736, p. 673.

³⁰²B.L. Add. 25509, 30 September 1737, p. 32.

de ocho, each, totalling 176,000 pesos in revenue. It estimated the “*comisiones* for all charges in the Indies on the negroes at 44,000 pesos”, with cash remittances adding up to the remaining 132,000 pesos.³⁰³

Another document calculated "the value of the negroes' debts and effects of the Company at their several factories in the Spanish West Indies at Christmas 1737, on account of the current trade since 1730 exclusive of bad debts". A list followed showing Cartagena as the second most important post for the Company after Portobelo, in terms of money owed in relation to the slave trade, far exceeding the value for Veracruz:

“At Portobello... 170,000
Cartagena... 100,000
Veracruz... 35000
Havana... 10,000
Santiago 8.000”³⁰⁴

Additionally, the Spanish military buildup in New Granada preceding the beginning of hostilities presented opportunities of their own for trade. Blas de Leso, the newly appointed commander of the military force in Cartagena, wrote to Geraldino in March 1738 acknowledging a letter from the past November in which Geraldino recommended:

...a don Diego Egan y el capitán don Domingo Verdon, a fin de que con ellos se haga la contrata de los víveres y pertrechos que hubiesen menester estos navíos de mi cargo.³⁰⁵

The dynamics of war overtook the Company's business soon afterwards. By June 1738, Crowe, first factor in Cartagena, wrote to London requesting permission to return

³⁰³Shelburne, Vol. 43, *Calculations to carry on the asiento trade*, p. 275.

³⁰⁴Shelburne, Vol. 43, *A calculate of the value of the Negroes, debt and effects at their several factories in the Spanish West Indies*, 1737, p. 419.

³⁰⁵Simancas, Estado 7013, Blas de Leso to Geraldino, 8 March 1738.

home.³⁰⁶ In September, the Court ordered to:

...enquire whether an allowance for the charge the company have been put to for maintenance of English sailors taken by the Spaniards and carried into the Spanish West Indies and also for sending them home can be obtained from the government.³⁰⁷

A few days later, Company records stated that:

...the sub governor acquainted the Court that agreeable to their device on the 28 past, he had enquired about obtaining from the Government the charges the Company had been at for maintenance of English sailors in the Spanish West Indies, and sending them home, and was informed that on bills and proper voucher of the companies disburse on that head, with a certificate according to the method directed by an act of the 1st of this present Majesty, being laid before the commission of the Navy, a warrant would be granted on the Treasurer of the Navy in pursuance of the said act for payment of 6 d *per diem* for the provisions, and the like for the passage in a merchant ship of each man and boy.

The document added that the Court of Directors:

...ordered that the Committee of Accounts cause an account to be drawn out of what money has been disbursed by the Company's several factories for relief of shipwrecked and other distressed English sailors together with the number of sailors, and lay the same before the Court.³⁰⁸

In December 1738, the Company accepted Crowe's resignation, and decided it was not necessary to appoint a replacement, leaving Ord and Gray as the remaining factors in Cartagena. Still, in provision of further commercial activity, it was to be "referred to the committee of correspondence to revise and settle the tariff for the Cartagena factory and also to consider how the commission for the said factors shall be divided, and report".³⁰⁹

In early 1739, the Court received a letter from Ord and Gray in Cartagena telling about how:

³⁰⁶B.L. Add. 25509, 21 September 1738, p. 130.

³⁰⁷B.L. Add. 25509, 28 September 1738, p. 131.

³⁰⁸B.L. Add. 25509, 12 October 1738, p. 135.

³⁰⁹B.L. Add. 25509, 8 December 1738, p. 151.

...16 prize negroes which the Governor in contravention of the 27th article of the *asiento*, and His Catholic Majesty's *cedulas* enforcing the same, has decreed should not be delivered to the Company, but has permitted to be sold without the Company's mark on them.³¹⁰

Shortly after, the Company sent Gray and Ord several elaborate legal documents including "a deputation for Messrs. Ord and Gray to be factors and Mr. Hope to be surgeon", "two parts of an indenture of covenants", "a joint bond to be executed by the said factors for performance of said covenants", "four bonds to be executed by them and their respective securities", and various instructions and letters to royal officers at Cartagena.³¹¹

In June 1739, weeks before the beginning of the war, the sub governor told the Company's administrators:

...that the representation of this court approved at last meeting had been delivered to the Duke of Newcastle and that His Grace sent for him this morning and acquainted him that the said had been laid before His Majesty, and that His Majesty being always attentive to the interest of the Company, was pleased to recommend it to take proper measures forthwith for securing their effects.

Furthermore, the Court of Directors "ordered that it be left to the two chairs with the assistance of such gentlemen of this Court as they think proper to give such directions on this occasion to the Company's agents and factories as they shall judge necessary".³¹²

On 21 September, the Court heard a report from the Company's Committee on Correspondence, "containing their opinion that...there being now no prospect of the

³¹⁰B.L. Add. 25509, 19 January 1739, p. 167.

³¹¹B.L. Add. 25510, 23 March 1739, p. 22.

³¹²B.L. Add. 25510, 8 June 1739, p. 64.

Company's continuing their trade, for some time, that the agents in Jamaica and Barbados be directed forthwith to dispose of the Company Negroes and effects which they have on hand, and remit what they shall be in cash by all good opportunity".³¹³

These agents were also to be directed to "acquaint all the factors and others of the Company's servants so soon as they shall arrive at these islands, that they are forthwith to send to this Court their accounts and all proper vouchers and documents relating to the Company's affairs, which being now at a stand, the company can have no further service for them, and that therefore they are at liberty to dispose of themselves as they shall judge best for their own interest".³¹⁴

Two weeks later, the Court ordered the sale of the *Royal Caroline*, one of the vessels employed to carry the Company's annual trade to America. Agents were instructed to sell the ship for £1.700. There were no bidders.³¹⁵

The magnitude and profitability of the Company's legal trade

Efforts to draw a comprehensive picture of the Company's presence in New Granada over three decades in the 18th century have found it difficult to address one central question: its profitability. Obviously, the Company's legal activities are better documented and easier to quantify than their illegal activities. It seems therefore

³¹³B.L. Add. 25510, 21 September 1739, p. 90.

³¹⁴B.L. Add. 25510, p. 92, 28 September 1739

³¹⁵B.L. Add. 25510, p. 96, 10 October 1739

reasonable to begin this analysis by examining the size of the company's slave trade, which was the original, legal and explicit reason for the *asiento*.

The first question is whether the Company was operating near or at the quota granted to the English by the *asiento*.

According to Gardner Sorsby, the Company introduced a total of 63,206 slaves during the 19 years in which trade was conducted, with another 1,193 slaves indulted.³¹⁶ This would reflect a yearly average of 3,326 slaves, or close to 70% of the original quota of 4,800 slaves per year granted under the *asiento*.

However, year to year numbers for the slave trade fluctuated substantially, and in some occasions surpassed the quota of 4,800. Aiton has looked at the traffic reaching one "typical" Spanish port: Havana.³¹⁷ He provides data for to the period between 25 July 1730 and 24 August 1731, during which the port of Havana received 26 Company vessels carrying 1,549 slaves. These ships left Havana with money and cargo worth £87,131, the cargo to be sold in Curacao, Carolina, Jamaica and Philadelphia. Palmer quotes statistics showing the overall slave traffic to Spanish America in a particular year, 1736.

According to this data, 5,300 slaves were imported into Spanish America during the year, of which 1,500 were sent to Portobelo and Panama, 800 to Cartagena, 600 to Havana, 200 to Santiago, 300 to Trinidad, 500 to Caracas, 200 to Veracruz, 300 to Comagua, 100 to Santo Domingo and 800 to Buenos Aires.³¹⁸ At least in 1736, the Company was exceeding the legal quota set by the treaty.

³¹⁶ Gardner Sorsby, 'British Trade with Spanish America Under the Asiento', p. 277.

³¹⁷ Aiton, 'The Asiento Treaty', p. 167.

³¹⁸ Palmer, C., *Human Cargoes, The British Slave Trade to Spanish America, 1700-1739*, Urbana, 1981, Appendix II, p. 169.

How profitable was the Company's legal trade across the continent?³¹⁹ Palmer has claimed that the South Sea Company's legal slave trade was never particularly profitable.³²⁰ It has often been argued that its illegal activities were a stronger motivation for the Company's endeavours, rather than the stated objective of importing slaves. "Ostensibly, these men were engaged only in the sale of Negroes. In reality, their main purpose was to dispose of British goods. The slave trade was only a blind which served to give the appearance of legality to the system".³²¹

The chief British negotiator of the *asiento* with Spain was Manassas Gilligan, "...a veteran Caribbean smuggler. Knowing the slave trade was only marginally profitable, he inserted clauses into the treaty that eased the introduction of illegal goods into Spanish American ports".³²²

Aiton nonetheless calls the profits from this trade "enormous". He describes how 4,500 slaves could be purchased in Jamaica for 100 pesos each, "and all other costs, including the King of Spain's share, would leave the company a neat balance of 239,145 pesos profit".³²³

³¹⁹ Studies examining the overall profitability of the slave trade to the Americas include: Hogendorn, J., 'The Economics of the African Slave Trade', in *The Journal of American History*, Vol. 70, No. 4, March 1984, 854-861. The specific case of the profitability of slavery in Colombia's Choco province throughout the 18th century is examined in: Sharp, W., 'The Profitability of Slavery in the Colombian Choco, 1680-1810', in *The Hispanic American Historical Review*, Vol. 55, No. 3, August 1975, 468-495.

³²⁰ Palmer, *Human Cargoes*, p. 158.

³²¹ Nelson, G., 'Contraband Trade under the Asiento, 1730-1739' in *The American Historical Review*, Vol. 51, No. 1, October 1945, p. 57.

³²² Grahn, *The Political Economy of Smuggling*, p. 122.

³²³ Aiton, 'The *Asiento* Treaty', p. 173.

Profitability of the Company's slave trade in Cartagena

We have previously looked at estimates of profitability for the Company's general slave trade in America. The following section will discuss some estimates on the profitability of the slave trade in Cartagena. Discussion on English participation in the global slave trade has often centered on its profitability. Eric Williams controversially suggested that the abnormally large profits from this trade were one of the determinants of capital accumulation which would eventually lead to the English industrial revolution.³²⁴

Studies on the Cartagena slave trade casts doubt on the validity for the New Granada slave trade at least of this general claim. In particular, Palacios Preciado has suggested that the South Sea Company slave trade in New Granada actually operated at a loss for large periods of time. Thus, the only plausible explanation for its continued operation would be its role as a cover for contraband. The financial balances of the South Sea Company factors in Cartagena, as reported by Palacios Preciado, tend to show the slave trade as a loss-making operation, and a brief review on the profitability of slave-using operations in New Granada shows how even increasing demand for slave labour in the internal economy did not substantially increase the profitability of the transatlantic slave traders doing business in Cartagena in the early 18th century.

Palacios Preciado presents information on the reported financial balances of the South Sea Company, which has been used to further the claim on the relatively low profitability of the slave trade *vis-a-vis* other clandestine operations. There is a substantial differential

³²⁴Williams, E., *Capitalism and Slavery*, London, 1994.

in the amount paid for slaves at different steps of the transatlantic trade. Palacios claims that slaves could be obtained for from 4 to 10 pesos a head at factories in West Africa. The South Sea Company would pay 60 pesos for a slave in Jamaica who would then be sold for between 200 and 300 pesos in Cartagena.³²⁵ The slave's final sale into New Granada might result in a last and substantial markup. Particularly healthy slaves could be sold for as much as 500 pesos in the Chocó slaving areas. These wide price differentials would initially suggest substantial profits for middlemen in the different stages of the trade. In particular, the figures suggest that the South Sea Company could sell a slave in Cartagena for between 4 and 6 times the amount it paid for him in Jamaica. However, Palacios Preciado has claimed that transportation and administration costs were large enough to offset the potential gain for the Company.³²⁶ He has shown that in the first five years of the English *asiento*, 1713-18, sales of slaves in Cartagena generated 250,694 pesos for the Company, but he also estimates that in order to achieve this volume of sales, the company invested in purchasing the slaves in Jamaica, renting ships and buildings for factories, paying salaries to company employees and feeding the slaves, approximately 202,177 pesos and also had to pay 48,500 pesos in royal taxes. Therefore, the total profit of the company for these years would then be a mere 28,036 pesos. Palacios Preciado also deduces that since the slave trade was interrupted for the years 1719 - 1721, and salaries, rents and other fixed costs still needed to be paid, the operation of the *asiento* in Cartagena, excluding the legitimate non-slave activity of the permission ship, must have resulted in large overall losses for the period 1713-1722.

³²⁵ Palacios Preciado, *La Trata de negros*, p.63.

³²⁶ *Ibid.*, p. 203.

The volume of the slave trade also seems not to match the amount of bullion sent by the Cartagena factory, again suggesting that profits had another source. Gardner Sorsby estimates that a total of 10,941 slaves were introduced by the Company in Cartagena.³²⁷ In the first five years of the English *asiento* 12 slave ships arrived in Cartagena. Four of them arrived with less than 30 slaves each. In a later stage, the Cartagena factor sent between 1731 and 1734 a registered amount of 1,062,063 pesos in revenue. In this same period, the Company introduced about 3,000 slaves. Palacios Preciado claims that since these slave cargoes took a substantial time to sell, he doubts that they would provide the Company with liquidity in the amounts described above. He concludes that a “substantial part of this sum was the result of activities different from the sale of black slaves”.³²⁸

The evidence found by this dissertation and discussed earlier in the chapter broadly fits with the conclusions reached by Palacios Preciado. There may have been an initial expectation of real, substantial profits from the slave trade. This is suggested by the substantial time that the Company’s Court of Directors dedicated to studying whether to assume procurement of slaves in Africa directly, or subcontracting them to the Royal African Company. However, the operation of the South Sea Company factory in Cartagena, as evidenced in the documents discussed in this chapter, shows that everyday concerns seemed to be focused on different matters from those of the slave trade. James Houstoun’s disputes with Jesuits over the cargo he deposited with them, or the numerous quarrels between Company men and Spanish officials over the cargo of the annual ships, were issues more pressing at the Court of Directors in London and in the writings of the

³²⁷ Gardner Sorsby, ‘British Trade with Spanish America Under the Asiento’, p. 422.

³²⁸ Palacios Preciado, *La trata de negros*, p. 203.

factors in Cartagena. Which seems to suggest that the main effort, and presumably profit, being pursued here was from other sources apart from the slave trade.

Magnitude of the illegal trade

The previous sections presented some estimates of the Company's legal trade in slaves. The following section will introduce the discussion to the illegal aspects of British commerce in New Granada. Whatever the profit margin of the legal trade, it provided cover for the large-scale introduction for trade of English wares in Spanish American ports. The amount of contraband carried out under the protective veil of the Company's *asiento* right has been estimated as very high compared to overall legal commerce between Spain and America. Nelson states that Spanish commerce to the New World was cut from 15,000 tons a year to 4,000 tons or less by 1737, inferring that this was in part due to Company contraband.³²⁹ Another such estimate is found in James Houstoun's memoirs. He estimated the value of goods traded in the Portobelo fair in 1728 at 30,000,000 pesos. By 1731 this had declined to 12,500,000. Company officers estimated that, although an earthquake in Chile was partly to blame for this collapse of Spanish trade, a great deal of the responsibility belonged to the company's illicit trade satiating demand in Portobelo before the Spanish galleons arrived there.³³⁰

It is obviously difficult to estimate the exact amount of contraband brought in by the company. Between 1713 and 1729 five annual Company ships and two extra "license"

³²⁹Nelson, 'Contraband Trade under the *Asiento*, 1730-1739', p. 65.

³³⁰*Ibid.*

ships sailed into Spanish ports, authorised by *asiento* terms to bring merchandise legally into Spanish America. These were followed by the *Prince William* in 1730 and the *Royal Caroline* in 1733.³³¹ “One stockholder of the company declared that about £200,000 of the return cargo of the *Prince William* was derived from contraband trading”. Houstoun stated that he thought £100,000 was sent to a group of Jamaica Jews involved in the trade between 1734 and 1737. Nelson, using the Shelburne manuscripts, estimates that through the duration of the *asiento*, at least £5,500,000 in contraband entered Spanish America.³³²

Gardner Sorsby estimates that legal trade conducted by the Company between 1715 and 1732 reached an annual average of roughly £128,000. In contrast, she estimates that once the illegal trade is taken into account, the figure increases to £300,000, which suggests that the total value of Company contraband was more than double than that of its officially traded merchandise.³³³

Again, these impressionistic pieces of evidence suggest the *asiento* contraband was a large enterprise, at least compared to its official trade.

The Company also smuggled slaves besides those legally imported under the *asiento* rules.³³⁴ Aiton documented an instance in which the Company factor in Santiago was

³³¹ *Ibid.*, p. 62.

³³² *Ibid.*, p. 61.

³³³ Gardner Sorsby, ‘British Trade with Spanish America Under the *Asiento*’, p. 244.

³³⁴ A study on the illegal importation of slaves to New Granada during this period is found in: De Granda, G., ‘Una ruta marítima de contrabando de esclavos negros entre Panamá y Barbacoas durante el *asiento* inglés’, in *Revista de Indias*, 143-144, 1976, 123-142.

“forced to draw \$1,500,000 on the Havana factor to pay duty on Negroes whom he was caught introducing by extra-legal methods, in order to save his factory from seizure”.³³⁵

Company contraband was not limited to importing prohibited English wares. It also involved the illegal export of Spanish commodities. In 1733, out of a total of 380,818 hides exported from Buenos Aires, 184,505 were illegal.³³⁶ One version claimed, additionally, that “the company officials were continuously defrauding his catholic Majesty of the royal fifth due on all silver, by clandestinely exporting quantities of this metal in the company’s vessels to Europe”.³³⁷

The Company used for smuggling purposes both its slave-carrying vessels and its annual “permission ships”, although there are estimates claiming that 90% of contraband was transported in the slave ships.³³⁸

Company vs. private contraband

Even though English contraband to America was a complex affair with several protagonists, Spanish officials tended to assign a great part of the blame to the South Sea Company. Blas de Leso, when commander of the Cartagena garrison claimed, “no matter where one turns to look in (New Granada) all one finds are pitiful sights and calamities that reflect the state of these kingdoms and provinces (because) the king has usufruct in

³³⁵ Aiton, ‘The Asiento Treaty’, p. 174.

³³⁶ *Ibid.*, p. 175.

³³⁷ Brown, ‘*The South Sea Company and Contraband Trade*’, p. 669.

³³⁸ Nelson, ‘Contraband Trade under the *Asiento*, 1730-1739’, p. 64.

name only. Foreigners are its real owners, especially those of the *asiento*, who cause the greatest damage”.³³⁹

There are conflicting versions on the impact of the South Sea Company’s activities on contraband in Nueva Granada as a whole. An early study on contraband in the region by Brown claimed that “in the early eighteenth century, from the granting of the Asiento to England in 1713 to the outbreak of war in 1739, English contraband trade entered Spanish America in two great streams; one followed the course of the South Sea Company’s legitimate trade; the other representing the activities of private traders, was a river of numerous tributaries”.³⁴⁰ In a 1728 document directed to the French ambassador in Madrid, a Spanish official claimed that “one English company controlled one-third of all the illicit trade then finding its way to America”.³⁴¹

However, more recent studies present a different view. Grahn’s book on contraband in New Granada presents statistics of contraband seized between 1715 and 1739, which he interprets as showing that less than 10% of all inland captures in or near the port of Cartagena were related to the Company activities.³⁴²

Profitability of the illegal trade

Not surprisingly, several of the authors reviewed claim that large profit margins were commonly enjoyed by the Company’s illicit commerce, as is generally the case in contraband activities.

³³⁹ Grahn, *The Political Economy of Smuggling*, p. 123.

³⁴⁰ Brown, V.L., ‘Contraband Trade: a factor in the decline of Spain’s Empire in America’, in *Hispanic American Historical Review*, Vol. 8, 1928, p. 178.

³⁴¹ *Ibid.*, p. 181.

³⁴² Grahn, *The Political Economy of Smuggling*, p. 127.

Nelson presents an account by Sir John Eyles, a Company employee, complaining that the profit from one of the permission ships, the *Prince William*, was only about 25 per cent, in spite of the fact that he expected that “a well assorted and proper ship’s cargo ought to produce a profit of one hundred percent”.³⁴³

Nonetheless, the available literature provides few concrete examples to test whether this affirmation was generally true. It does provide some examples that show how Company ships often carried illegal loads of similar or larger value to their declared cargo. The South Sea Company records show one British ship, the *Benjamin*, leaving Jamaica for the Spanish Main with thirty slaves.³⁴⁴ If we take Aiton’s previous estimate of slaves being valued at 100 pesos a piece in Jamaica, the total legal cargo of the *Benjamin* would be worth around 3,000 pesos. In contrast, the illegal cargo in this ship is estimated as worth the substantially larger sum of £12,000. This would seem to support the often-stated argument that slave cargo was mainly carried as cover for smuggled goods and would suggest that contraband enjoyed greater profit margins than the Company’s slave trade.

Gardner Sorsby studied the accounts of the *Bedford*, one of the ships sent with miscellaneous cargo to Cartagena by the Company in 1716. The ship was alleged to be carrying to 2,117 tonnes, far from the legally allowed 600.³⁴⁵ She estimates that as much as 1,517 1/3 tonnes of merchandise in this ship were sold illegally in Cartagena. According to her analysis, if the ratio of sale prices is the same between the legal and

³⁴³ Nelson, ‘Contraband Trade under the *Asiento*, 1730-1739’, p. 61.

³⁴⁴ *Ibid.*, p. 59.

³⁴⁵ Gardner Sorsby, ‘British Trade with Spanish America Under the *Asiento*’, p. 80.

illegal sales, the 1,517 1/3 tonnes should have brought 2,418,558 pesos, or close to £544,176. She estimates the legal sales of the same voyage in £240,063 and the legal profit of the ship at £42,691.³⁴⁶ This also suggests that the profitability of the illegal trade for the Company far exceeded its legal business.

Lance Grahn, in turn, suggests that “South Sea Company trade at Cartagena was most profitable and most significant in its illegal exchange of manufactures and other commodities for gold”.³⁴⁷

He adds that “much more than slave smuggling, contraband trade in merchandises and comestibles made up most South Sea Company business in New Granada.”³⁴⁸

This chapter looked at the almost three decades of operation of the South Sea Company in Cartagena, creating a portrait of its operations from the official Company records and from more candid testimonies left by a few of its employees. It contrasted the information found about the Cartagena factory with previous studies on the importance of its trade, its profitability, and on the amount of illegal trade carried out alongside its officially sanctioned activities in New Granada.

This research showed how the early stated goals of the Company in Spanish America, as described in the minutes of the Court of Directors in London seemed almost wildly optimistic in its description of plans for a complex commercial infrastructure to be set up

³⁴⁶ Ibid., p.84.

³⁴⁷ Grahn, *The Political Economy of Smuggling*, p. 122.

³⁴⁸ Ibid., p. 123.

in cities such as Cartagena. The actual company operations ended up being far more limited in scope, but, nonetheless, by the end of the three decades of the English asiento in New Granada there was evidence of commercial contacts not only limited to Cartagena, but extending deep into the interior of the colony, to places such as Popayan and Antioquia province.

Also, in spite of the Spaniard's efforts to hinder this trade, it became clear that many sectors of the colonial society of New Granada were trying their utmost to participate in it. Local grandees, including, ironically, some of whom would be later commissioned by authorities to stamp out English contraband, were in fact profiting from their dealings with the Company. The accounts of James Houstoun give some good example of this, including the role of Jesuit priests in the trade.

On the other hand, the study shows that it is wrong to describe the Spanish colonial administration as hopelessly inept against the commercial savvy of the English. In fact, it was not infrequent that English accounts of the time expressed admiration for the sophistication of Spanish officials in Cartagena, recognising them as more than adequate counterparts in the commercial rivalry that was emerging between the two nations. It presents further evidence on how the South Sea Company was indeed used on numerous occasions as a vehicle for contraband. It also shows the genuine frustration experienced by its officials, both in London and in Cartagena, when faced with Spanish bureaucratic procedures clearly intended to restrict their success in conducting legal trade.

It presents more data to sustain the argument made previously on the profitability of its operations in New Granada. It also reinforces with more evidence the data presented by Gardner Sorbsy and others to show that the Company derived to a substantial amount of its profits from illegal trade.

Data presented here generally favours the arguments of Palmer and Palacios Preciado regarding the profitability of the Company's slave trade in general, and in particular in Cartagena. In both cases, the Company's day to day effort seemed to be more geared towards commerce with other goods besides slaves. It is likely that the slave trade did not present the main source of profits for the Company.

Nonetheless, the slave trade must have been profitable at least to an extent. There was a growing demand for manpower as the mining economy in New Granada was recovering in the early 18th century. However, profits here were likely undercut for the Company due to the continuous arrival of slaves by other means besides that of the legally sanctioned *asiento*. The factors in their writing made reference to several such incidents.

But the centre of the factory's activities seemed to be in the trading of other goods, both those brought legally through the annual ships and those imported illegally. The Company was surely not alone in trying to bring in goods into New Granada. Documents discussed in this chapter show how the Company had a major source of competition from its own employees. Houstoun, for example, described in his writings engaging in contraband in the interior, for a value several times larger than his formal salary.

However, the Company in Cartagena showed the need on occasions to react to Spanish pressure against contraband. While Grahn focused on showing the helplessness of

Spanish authorities against the situation, testimony shown here by Houstoun and others indicated how the British traders were often respectful and sometimes in awe of the capacity of Spanish officials to outmaneuver them in the delicate negotiations and confrontations over trade in New Granada. And, particularly in the later part of the period under study, the Company did implement stronger safeguards against private contraband by employees, likely both as a reaction to Spanish demands and as a means to protect its own income.

In the end, however, the prevailing conclusion is that the Company's operations in Cartagena ended up to a great extent focusing on defrauding Spanish officials through contraband. This dissertation adds to the existing studies on how English trade interacted with diverse sectors of New Granada's colonial society, and how it helped fuel political and eventually military conflict in the region.

Chapter 4

Spanish responses to smuggling

The past chapter presented a view of British commercial activities in New Granada. This following chapter will show in more detail the Spanish political and economic response. It presents evidence that again suggests that the colonial administration in New Granada was not as hapless as sometimes has been suggested. While there is certainly evidence of incompetence and corruption, there are also well-organised efforts to contain British efforts to abuse the asiento agreement. And numerous efforts at prosecuting their own officials for wrongdoing reveal that corruption was certainly not tolerated at all times. The picture shown in this chapter also fits in with an interpretation of Spanish imperial history, as suggested in chapter one, that saw the Bourbon reforms to state structures beginning to show positive effects in the streamlining of administration by the early 18th century. This view, which opposes those who claim that Bourbon reforms only became substantial in the latter part of the century, seems closer to what the facts reveal in New Granada's battle against British economic expansion through legitimate trade and contraband.

The chapter will present a discussion of the reforms undertaken by Spain as a result of the change of dynasty from Habsburgs to Bourbons at the turn of the century. It briefly examines the move from the old institutions of imperial rule largely built around aristocratic councils, to a more modern administration, centred around the "Secretarías".

Once the institutions at a pan-imperial level are introduced, the chapter goes on to describe the institutional framework at the local level, with an emphasis on understanding the *audiencia* and how its role changed during the Bourbon reform era.

The section goes on to present evidence on several incidents of Spanish administrative and judicial reaction to contraband in the colony during the years of the South Sea Company's presence in New Granada until its final departure in 1739. It shows both the scope and the limitations of Spain's efforts to counter British commercial expansion.

Bourbon reforms in Spain and New Granada

The early Bourbon years in Spain were characterised by an attempt at imperial resurgence exemplified in Patiño's naval reforms, as discussed in chapter one. However, Spain also tried to contain the English threat to its hegemony in America by implementing reforms in the internal administration of the colonies.³⁴⁹

Polanco claims that the domestic and international difficulties experienced by Spain at the end of the 17th century, "did not directly affect the American situation. Of course they hindered more intense progress and, above all, contributed to the primordial conception of America as a source of income for the Crown and not precisely as a political space for governmental direct action".³⁵⁰

³⁴⁹ For a study on Bourbon reforms and their impact in the American colonies, see: Brading, D.A., 'Bourbon Spain and its American Empire', in Bethell, L., ed., *The Cambridge History of Latin America. Volume I: Colonial Latin America*. Cambridge, 1984; and Lynch, *Bourbon Spain*. More general studies on the Spanish imperial structures include: Elliott, J., *Imperial Spain, 1469-1716*, New York, 1966; and Haring, C., *The Spanish Empire in America*, New York, 1947. A more recent book by Eliot compares Spanish colonial structures to those of England in North America: Elliott, J., *Empires of the Atlantic World: Britain and Spain in America 1492-1830*, New Haven, 2007.

³⁵⁰ Polanco, T., *Las Reales Audiencias en las provincias Americanas de España*, Madrid, 1992, p. 25.

According to Spanish scholar Muro Romero, this would change with the arrival of Bourbon reformism in the early 18th century, during which an increase in royal power led to “the progressive centralisation of the empire and the dependence of the Indies vis-à-vis the metropolitan centre”.³⁵¹

Muro Romero argues that not enough is known of the early period of reformism in the first years of the century, with the focus always placed on the later part, particularly the reign of Carlos III. According to him, “this vision leaves the 18th century truncated, since it fails to provide more details on the years 1700-1760, which have stayed underestimated by the historiography.”³⁵²

He argues all the same that the establishment of the new Bourbon dynasty did not produce a deep change in the system; on the contrary, events reflected a continuity of the problems inherited from the middle of the 17th century, on account of the serious economic situation, enlarged by the crisis of maritime communications. In this sense, he claims that: “the development of an Indies policy obsessed by defense, in order to obtain the re-establishment of commercial ties between metropolis and colonies, is going to have as its main objective to try to increase the remittances of bullion. These objectives are going to condition the development of the traditional principles of the administrative and political state of the peninsula as of the Indies”.³⁵³

³⁵¹Muro Romero, F., ‘Instituciones de Gobierno y Sociedad en Indias (1700-1760)’, in *Estructuras de gobierno y agentes de administración en la América Española, siglos XVI-XVIII. Actas del VI Congreso del Instituto Internacional de Historia del Derecho Indiano*, Madrid, 1984, p. 488.

³⁵²*Ibid.*, p. 164.

³⁵³ *Ibid.*, p. 492.

Burkholder and Johnson emphasize instead that the era of reforms began with the ascent to the throne of Felipe V, whose administration was certainly concerned about restructuring and improving the administration of the Indies. From 1710 onwards, Felipe V sent special envoys to examine the administrative institution of the viceroyalties, looking to guarantee additional income for the expenses of war, often finding evidences of fraud and abuse among colonial administrators.³⁵⁴

Anzoátegui also claims that the Bourbon reformist period is in evidence from 1714 “with the creation of five *secretarias de despacho*; one of them cares for affairs of the Indies along with those of the Navy. The Council of Indies suffers a substantial cut in its attributions in 1717, of which it would never fully recover”.³⁵⁵

The main institution from Hapsburg times dealing with the general conduct of colonial policy was the *Consejo de Indias*. It broadly followed the traditional model associated with the Habsburg period, of a collegiate institution often dominated by aristocrats.

It was staffed by a president, grand chancellor, eight councillors, a *fiscal*, or prosecutor, two secretaries and other specialised staff. They issued *ordenanzas* which expressed colonial policy.

³⁵⁴ Burkholder, M. and Johnson, L., *Colonial Latin America*, Oxford, 2004.

³⁵⁵ Anzoátegui, V., ‘Las Reformas Borbónicas y la Creación de los Nuevos Virreinos’, in Barrios, F., *El Gobierno de un Mundo. Virreinos y audiencias en la América Hispánica*, Madrid, 2004, p. 432. See also: Burkholder, M., and Chandler, D.S., *De la impotencia a la autoridad. La Corona española y las Audiencias en América 1687-1808*, México, 1984.

In 1714, the *Nueva Planta de las Secretarías del Despacho* created, along the existing *Secretarías* of *Estado*, *Hacienda* and *Guerra*, the *secretarías de Gracia y Justicia* and *Marina e Indias*. In general terms, the *Secretarías* are understood to represent a more modern bureaucracy, theoretically more committed to efficiency and meritocracy than the Habsburg council.

However, after the fall of Orry in 1715, the *Secretaría de Marina e Indias* was suppressed, with maritime and American affairs now coming under the jurisdiction of the *Secretaría de Guerra*.

In 1717 a new reform limited the jurisdiction of the *Consejo* in administrative affairs while conserving its status as the highest colonial court. Still, its competency was not entirely ended by the new secretariats. In Muro's opinion: "The Council kept voicing its opinion on the majority of issues that traditionally fell within its scope... This was particularly so from 1726 to 1742. While the Council saw the number of councilors increased to ten, the *Secretarías*, which lacked funding and staff, did not spend much time on American issues".³⁵⁶

While the *Consejo de Indias* and the *Secretarías* exercised power in Madrid, local authority was centered around the *audiencias*. Besides the viceroyalties of Lima and Mexico (and later, of Santa Fe), the Spaniards established around a dozen *audiencias* in their empire: Santo Domingo, México, Panamá, Lima, Guatemala, Guadalajara, Santa Fe, La Plata, Quito, Manila and Buenos Aires. The *Consejo de Indias* intervened in the

³⁵⁶ Muro Romero, 'Instituciones de Gobierno', p. 171.

audiencias through the approval of *ordenanzas*, appointments and other general measures.

According to Polanco, “the process of creating *audiencias* clearly responded to ‘good government’ motivations that, evaluated by the Consejo de Indias and approved by the King, determined that each of them had its own reason to exist, reflected in its organisation and jurisdiction. It is worth remembering that there was never a legal norm that regulated the process of creation of the *audiencias*. In fact, the *Consejo* studied the convenience of setting up new *audiencias* following its own initiative or the proposal of some other authority, and then ‘consulted’ the King, who made the final decision”.³⁵⁷

As mentioned previously, the early years of Bourbon reformism showed an effort at administrative modernisation whose results were hampered by the Crown’s continuous need for revenue, and its decision to continue the sale of public offices in detriment of appointments by merit. Such sales began in 1687 and continued until 1750. Burkholder and Chandler are often cited for their study of how this pattern of sale of public office evolved in the 18th century.³⁵⁸ According to Burkholder and Johnson, approximately 80% of the *criollos* and 10% of the peninsular Spaniards appointed in the period of their study paid for their positions in the *audiencias*.³⁵⁹

The *audiencias* had powers to resolve judicial legislative and executive matters. In the two last aspects, they functioned as the advisors of viceroys or rulers and a joint decision taken by the viceroy and *audiencia*, a *real acuerdo*, had force of law unless the Council of Indies ruled against it. As discussed by Polanco: “the main objective of the *audiencia*

³⁵⁷ Polanco, T. *Las Reales Audiencias en las provincias Americanas de España*, Madrid, 1992, p. 32.

³⁵⁸ Burkholder, Chandler, *De la impotencia a la autoridad*.

³⁵⁹ Burkholder, Johnson, *Colonial Latin America*, p. 282.

was to redress the grievances produced by government decisions, and to make justice among contending parties”.³⁶⁰

To this end, the *audiencias* had to adhere first to the *Leyes de Indias*, then to the *Reales Cédulas*, decrees produced after the *Leyes de Indias*; in third place to their own *ordenanzas*, as long as they did not go against the *Leyes de Indias* or *cédulas*; and fourth, to the *Leyes de Castilla*.

The *audiencias* sought to: “apply always the same Indies statutes dictated by the King, while respecting the particularities of a city, a community, university or those of the Indians”.³⁶¹

The *audiencia for New Granada* was based in the colonial capital of Santafe and was made up of five *oidores*, whose election was governed by norms including the search with the “utmost diligence and care” for persons of virtue, science and experience, There was an established system of promotion “to provide for the ascent of lower-rank officials to higher offices, to reward those who deserved praise and to keep everyone separate from their close acquaintances”. The policy was one of not choosing persons who were relatives of members of the *Consejo de Indias* nor of officials in the *audiencia* where they were to be posted. Three candidates were presented for each post.³⁶²

³⁶⁰ Polanco, *Las Reales Audiencias*, p. 91.

³⁶¹ *Ibid.*, p.92.

³⁶² *Ibid.*, p. 54.

The *audiencia* was headed by the president, with the position of governor and *capitán general del Nuevo Reino*. Assistant officers to the *oidores* included *the fiscal, alguacil mayor, teniente de gran canceller*, and other officials.

Its jurisdiction covered the provinces of Santa Fe, Santa Marta, Río de San Juan, Popayán, Cartagena de Indias and La Guayana or Dorado - part of the latter was under the jurisdiction of Santo Domingo.

At a more local level, the *alcaldes ordinarios* were in charge of ordinary justice (in some cases together with the *cabildo municipal*). Besides the ordinary jurisdiction, there were fiscal, commercial, and military jurisdictions.

This bureaucratic complexity of the judicial branch originated frequent conflicts of competence and other difficulties.³⁶³ Ots Capdequi highlights the difficulty generated by how frequently the *oidores* of the *audiencia* maintained several, sometimes conflicting “commissions” or functions. To prevent delays, a 1724 decree established that officials should not be in charge of more than one commission, so that they would attend their business ‘con la puntualidad que se requiera, al despacho de los negocios que ocurran en las mismas Audiencias, que es su primera y principal obligación’. However, there will still cases of officials being given other government responsibilities that required them to leave *audiencia* business unattended.³⁶⁴

³⁶³ Ots Capdequí, J. M., *Nuevos Aspectos del Siglo XVIII Español en América*, Bogotá, 1946, p. 47.

³⁶⁴ Such was the case on 4 January 1742 when viceroy Eslava ordered that *oidor* Silvestre García, should take charge of the *Dirección de las Arinas* – with responsibility for ensuring the adequate supply to the city of Cartagena. For this reason, he was excused of his obligation to assist to the *audiencia*. *Ibid.*, p. 57.

To add further complexity, a *consulado*, or merchants' court, was created on 14 June 1725, to deal with commercial disputes in the city of Cartagena. On 19 February 1735, it was ordered that from then onwards, the merchants within the jurisdiction of this *audiencia* should name a deputy:

el más idóneo de los mismos mercaderes, que a estilo de Comercio, determine las diferencias en sus contratos otorgándoles las apelaciones que interpusieren para esa Audiencia, y dirigiéndoles en todo lo demás que pueda ofrecérseles.³⁶⁵

This officer could make representations to the Crown on behalf of merchants.

The *audiencia* has often been described as an institution captured by local elites, not least because of the ability of powerful families to purchase posts in this entity. It is worth mentioning that the main buyers of government posts in America were *criollos* from Lima and Mexico, as well as Spaniards. Only three natives of *Santa Fe de Bogotá* bought government posts during the period of 1687-1750. As argued by Burkholder and Chandler, one of the reasons why the Crown abstained from selling government posts in this region of the empire was its military importance. The area of jurisdiction of the *audiencia* of Santa Fe was exposed to attack from the English, and this resulted in few auctions of government posts.³⁶⁶

Still, there are reports of anomalies in Santa Fe, such as when a New Granada native who bought a post in 1711 was dismissed in 1717 for not being a lawyer and for his

³⁶⁵ *Ibid.*, p. 156.

³⁶⁶ Burkholder, Chandler, *De la impotencia a la autoridad*, pp. 47, 82.

“incapacity and lack of knowledge”.³⁶⁷ Later, three judges of Santa Fe were removed for scandalous behaviour. Two of them had purchased their appointment.

Some authors have argued that a simply formal analysis of the structure of government did not capture enough of the political life of the colony to understand it adequately. Ones points out that, when analyzing the governments of colonial Spanish America, in this case, using the example of New Granada, it is more useful to look at the political dynamics of its main protagonists rather than at a simple taxonomy of government entities and laws. She argues it is wrong to limit analyses of colonial political life to those that seek to present it purely in terms of visions of centralized Bourbon rule. Rather, she describes the government of New Granada during the early part of the 18th century, as a fluid entity in which political events often took place in public, elaborate ceremonies were important to understand structures of power and where there was a real interaction between government officials and members of the community helping to define, through protest, participation and other means, the political outcomes of the colony.³⁶⁸ In this context, “the absolutist model of centralised power seems to have had little meaning in late seventeenth and early eighteenth century New Granada”.³⁶⁹

She acknowledges the limitations of colonial government under the Bourbons, describing it as “a system divided within itself and lacking a clear and unchallenged leadership

³⁶⁷ *Ibid.*, p. 30.

³⁶⁸ Ones, ‘The politics of government’, p. 324.

³⁶⁹ *Ibid.*, p. 325.

either from Spain or from within New Granada. Its leading institutions and officials were split by rivalries that undermined the solidarity and unity of command”.³⁷⁰

Following Ones’s argument, rather than simply enumerating the Spanish state’s institutions created to confront contraband in its colonies, it is more useful to examine how the formal government system interacted with society, and this can be achieved by studying how the judiciary confronted several notorious contraband-related cases.

How did Bourbon political and administrative reforms impact on Spain’s efforts to address the specific problem of English trade expansion into its colonies? The following section examines a series of judicial and administrative responses occurring in the period 1713-1739 during which colonial authorities sought, with varying degrees of success, to counteract foreign commercial expansion in New Granada.

While they are only a sample, they may be useful to portray with some more detail the nature and extent of Spain’s capacity in New Granada to face off the commercial threat from other European powers during the early years of the century.

Dimensions of contraband by 1719

Spanish efforts against foreign contraband were, of course, a fact of New Granada's colonial life that did not begin with the Bourbon reforms. In 1711, for example, Domingo Díaz Bustamante, a local government officer from the northeastern town of Girón, wrote

³⁷⁰ Ibid., p. 256.

asking the authorities not to hinder his trading voyages, which he complained were being harassed after he was denounced by his enemies as a smuggler:

Digo que siendo vezino de dicha ciudad de San Juan de Xirón, y alférez real en ella, por algunos motibos ocasionados de la malicia y pasión de diferentes sujetos, he estado abandonado a la quietud de que mi ánimo desea en cumplimiento de mis obligaciones, y como lo procuro mantenerlas con mi trabajo personal en la mercancía, asignando de unas ciudades a otras para aumentar a mi poco caudal lo lícito [...] se sirva mandar despacho y mi pronunciamiento de recaudo necesario para que el gobernador y demas justicias de dicha ciudad, San Juan de Xirón, ni otro de este reyno, me impidan el paso comun de todas ellas.³⁷¹

Interception of contraband at sea was also a major preoccupation for authorities long before the *asiento* with Britain was signed in 1713. Before the British, Spanish authorities in New Granada dealt with illicit trade from, among others, France. In spite of being carried out by a theoretical Bourbon ally, French trade was prosecuted, as evidenced in the case of the ship *Duque de Borgona* in 1713.³⁷²

A local official in the port of Cartagena, *Comisario* Joseph del Aguila, had been commissioned by the *consulado*, an office then recently created in the colonial capital of Santafe, which was in charge of protecting the interests of the guild of Spanish merchants in the colony, while at the same time performing some public functions, including serving as a court for comercial disputes and helping the authorities fight contraband.

Aguila testified to judicial authorities about the seizure of merchandise in that vessel:

Hallándose en esta ciudad don Sebastián García por orden del gobernador de Maracaibo y despacho de su orden a recorrer la costa y reconocer si había enemigos, en cuya

³⁷¹ Archivo General de la Nacion de Colombia (from here onwards referred to as AGNC), Contrabandos, XV, 7, 1711, p. 534.

³⁷² AGNC, Aduanas 3, 1713, pp. 1-14.

diligencia encontro en la isla de Barú la fragata francesa nombrada el Duque de Borgoña comerciando, por cuya causa le aprehendió y metió en este puerto con su carga.³⁷³

Aguila discussed in his report how the confiscated booty should be shared. One part was due to the king, another to the judge, and yet another to the whistleblower:

...las causas de los comisos echas por los señores gobernadores ministros reales y demás justicias después de echa la aprehensión, ymbentario y abalúos, se remitan al consulado para que...acabe y determine con el cargo de entregar a Su Majestad la parte que le toca y al juez que previno y aprehendió lo mismo, y al denunciador la que le está señalado...³⁷⁴

However, Aguila claimed there were irregularities in the handling of the seized merchandise by captain García, and he wrote demanding an explanation:

no excusa mi obligación de representar a Vuesa Excelencia por el perjuicio que se pueda ocasionar a los privilegios concedidos por Vuestra Majestad en dicho real contrato hecho con dicho consulado y a mí como su comisario y subdelegado de que dichos señores oficiales reales, y habiendo declarado para del comiso las mercaderías y frutos y la fragata nombrada el Duque de Borgoña aprehendida en la ysla de Barú por el capitán Sebastián García...no me han remitido la causa ni dichas mercaderías ni frutos aprehendidos en cumplimiento de lo mandado por su majestad en dichos capítulos y de lo prevenido por Su Alteza en dicha real provisión...³⁷⁵

The authorities responded that the cargo had been sent to the commander of the Spanish galleons then in Panama, and rejected Aguila's claims:

...sobre el escrito presentado por el alferez Joseph del Aguila, comisario asistente en esta ciudad por el nuevo consulado creado en la ciudad de Santa Fe para la recaudación de averías, en la que pretende se le entregue el comiso que se trajo a esta real contaduría de orden y remisión del señor general Conde de Casa Alegre, que lo es de los presentes galeones, fundándolo en los bajos motivos que en dicho escrito se refieren que por su latitud y la que se puede ocasionar a nuestro ynforme, nos remitimos a su expresión, lo que sea de servir `[...]declarando no haber lugar su pretensión...³⁷⁶

³⁷³ Ibid., p.4.

³⁷⁴ Ibid.

³⁷⁵ Ibid., p. 7.

³⁷⁶ Ibid., p. 11.

The situation had apparently derived in a turf war between the *consulado*, which demanded a share of the seized goods, and the royal officers, who had instead sent them to the visiting commander of the galleons. In this case, the authorities favoured the latter.

The official added that:

Mediante la noticia que obtuvo de que la armada del Perú se hallaba en la ciudad de Panamá, los géneros decomisados fueron llevados a los reales oficios para su *fenecimiento*...Ni por especie o género puede fundar el dicho comisario ni consulado las acciones que deduce ni aprovecharle los ejemplares que expresa.³⁷⁷

The *consulado* of Santafe was a short-lived attempt at a guild organisation exercising semi official functions, which never gained the power or influence enjoyed by its counterparts in Seville and other Spanish ports, as exemplified in this past small incident in 1713.

The next case to be studied in this section, the trial of Francisco de Meneses, shows again how a large part of the judiciary and administrative effort against contraband was focussed on fighting internal corruption. It is hard to find judicial proceedings against captured foreigners, but instead there are abundant cases against their Spanish collaborators. One of the most prominent cases involved the investigation and eventual arrest in 1715 of Francisco de Meneses, president of the *audiencia* of Santa Fe, a position he occupied from 1712, and who was therefore the highest ranking officer in the colony at the moment of his prosecution. His arrival to New Granada in 1712 had roughly coincided with the end of the French *asiento*. He was accused, among others, by the governor of Cartagena, Gerónimo Badillo (1713-1719), of taking advantage of the visit to

³⁷⁷ Ibid., p. 14.

Cartagena of a French ship which had been sent to bring home the officials of the former French *asiento* company, to introduce illegal merchandise into New Granada.

Ones has interpreted this incident as a result of struggles between Meneses and other oidores of the Santa Fe audiencia who saw the newcomer, an impetuous military officer, as a threat to their traditional consensual status quo.³⁷⁸ Ones also interprets the case against Meneses as a result of disputes with economically and politically powerful Santa Fe groups such as the Florez family.³⁷⁹ And to a certain extent, also as a power dispute between Meneses, a creole born in Chile, and peninsular Spaniards, such as governor Badillo, who were annoyed at the president's attempt to increase his power by preferential treatment of creole elites in Santa Fe. "Badillo was suggesting that Meneses had sought to create a creole faction in Santa Fe which would act as his ally and shore up his authority against that of the audiencia".³⁸⁰

Nevertheless, Ones accepts that there seemed to be evidence of Meneses's improper deal with French *asiento* representatives. "Proof of Meneses' close links with France abound and suggest that the accusations made by the oidores and Governor Badillo were not totally unfounded".³⁸¹

After two years in office Meneses was removed from his position in Santa Fe in 1715:

Por la notoriedad de sus excesos en deservicio se S(u) M(ajestad) en defensa de su ministerio, que resultaba tiránica la causa pública.³⁸²

³⁷⁸ Ones, 'The politics of government', p. 295.

³⁷⁹ Ibid., p. 283.

³⁸⁰ Ibid., p.269.

³⁸¹ Ibid., p. 271.

³⁸² AGNC, Contrabandos, 18, 1720, p. 62.

According to the charges, he had introduced illegal cargo brought to Cartagena on a French ship, the *Millfort*. When its commanding officer, captain Carlos Bobdieu was interrogated by Spanish authorities, he claimed the vessel had departed from Brest to La Rochelle, and from there onwards to Santo Domingo. From that port, the vessel picked up a cargo that included, according to its captain:

Barras de oro, algo de plata y veinte y seis cajones y baules de numero pertenecientes al señor presidente de Santa Fe, don Francisco de Meneses, para quien le viene, rotulados, los cuales vienen a cargo de un criado suyo en las cuales vienen diferentes espejos, vestidos hechos y otras cosas de menaje de casa.³⁸³

Governor Badillo ordered additional interrogations of the crew of the ship in which the suspected cargo was found. Statements were taken from Captain Bobdeu, Juan Bautista Luis of Bromont (second captain), Reimundo de Teran (first lieutenant) and Caballero de Camplan (second lieutenant). After being interrogated, they all coincided in stating that they embarked 24 trunks in Santo Domingo, that each of the trunks was marked with the name of Francisco of Meneses and that the cargo was under the responsibility of his servants, Carlos de Frias and Santiestevan Salomón. The crew also claimed they had not had any type of dealings in the Kingdom and that the only thing that their ship carried back in local produce were a few sacks of cacao for France.

After the interrogation the ship was again examined, with the only finding being the sacks of cacao and the 24 trunks belonging to Francisco de Meneses. These contained mostly luxury items, from compasses to guns and even a flute. The first trunk contained:

³⁸³Ibid., p. 69.

Casaca de paño, calzones de gamuza, vanda de seda negra, veinte papeles de guantes de mujer, doce de hombre, medias de lana, de seda, libros, flautas, compás, pistolas, espadines, bastoncito, ropa de cama.³⁸⁴

The second one was said to carry the following items:

Chuspas de algodón, calzones, camisas de bretaña, chopa de brotato de oro y plata, casaca de paño, capa con botones de oro.³⁸⁵

The prosecutors doubted that all of this was for the personal use of the governor, since it was remembered that when he first had arrived to New Granada, he had brought with him more than enough for his needs:

Dichas piezas no constaba fuesen pertenecientes al señor Presidente,... a vista de que cuando dicho señor Presidente vino a servir su empleo condujo a este puerto tan considerable equipaje, quanto fue bastante para dejar asegurados al factor del asiento a don Andrés Dubar, en cuyo poder entraron más de cincuenta mil pesos con la parte que de ello se dejó en su poder. Sin que le hiciere total falta para su transporte y servicio; pues con la otra parte que le quedó y condujo se mantuvo mucho tiempo hasta que desempeñó lo que había dejado en poder de dicho factor.³⁸⁶

The prosecutor, the *licenciado* Alejo Velez, realised that high government officials were allowed to import some merchandise for their personal use, but found legal fault in the governor's suspiciously large cargo, compounded by the fact that it was being carried on a foreign vessel:

Y aunque solo por razón de no venir registrado lo que incluyen pudiera en rigor observarse lo prevenido por la ley 1, título 33 libro que de la Recopilación de Indias, que han por más viniendo del reino extranjero en navío tal y no haberse manifestado privilegio, se incluyó su contravención a que se llega a estar también ordenado por la ley 63, título 16 libro 2 de dicha Recopilación, que los señores ministros de las audiencias, puedan enviar a los reinos de España por lo necesario para sus personas y casas con calidad que se compre y venga registrado en su nombre.³⁸⁷

³⁸⁴Ibid., p. 83.

³⁸⁵Ibid., p. 84.

³⁸⁶Ibid., p. 108.

³⁸⁷Ibid., p. 112.

Meneses was also accused of multiple other faults by his fellow oidores of the audiencia, including cheating the royal treasury and even conducting several affairs with married women in Santa Fe.³⁸⁸ In an extraordinary event, Meneses was arrested in September 1715 and fired from his post.³⁸⁹ According to Ones, the case would generate over 13.000 pages of paperwork in five years.³⁹⁰

The gravity of the case can be inferred by the fact that it was sent to the highest court in the Spanish colonial system, the Council of Indies. Meneses was released from prison in 1717, restored to office and eventually cleared. In 1718 several of the oidores who had orchestrated his arrest were themselves arrested and sent to Spain for trial.³⁹¹

As the previous incidents show, contraband associated with the French *asiento* before 1713 was also seen as an opportunity for gain by corrupt officials, and it was severely punished on occasions. But the increased presence of other powers, the English and Dutch after the beginning of the new *asiento* Treaty in 1713, added urgency to the fight against illicit commerce. In the following years, the authorities embarked on a series of judicial proceedings that reveal some aspects of how this fight was implemented.

The next case to be examined concerns the trial against Joseph Mozo de la Torre, comprising judicial proceedings initiated in 1714 and concluded in 1720. The case is followed by Juan Alonso Espinoza de los Monteros, judge of confiscations in the city and

³⁸⁸ Ones, 'The politics of government', pp. 272-273.

³⁸⁹ Ibid., pp. 277-278.

³⁹⁰ Ibid., p. 278.

³⁹¹ Ibid., pp. 289-290.

province of Santa Marta. The case began when captain Roque de Avendaño pressed charges Mozo de la Torre, the local governor.

The accusations were multiple, and included the following:

haber desembarcadose de un navío holandés, que de orden de dicho gobernador, dio fondo en el puerto Gaira, se desembarcaron treinta cajones y tres pares de petacas pertenecientes a don Juan Francisco de Laxa, mercader que venía en dicha embarcación, el cual habiendo estado en el Río de el Hacha y consultado con Juan de Ibarra, teniente que era en dicha ciudad, el desembarco de dichos cajones, lo dirigió dicho teniente a dicho puerto de Gaira, en donde con el permiso de dicho gobernador hizo dicho desembarque, por el cual el dicho don Francisco de Laxa, regaló a dicho gobernador con una cama que valía dos mil y quinientos pesos.³⁹²

The governor was accused of allowing Laxa, a merchant who had arrived from London, to illegally introduce more than 30 boxes of merchandise, for which he would have been compensated with an expensive bed worth 2,500 pesos. For reference, the average cost of an adult slave was around 300 pesos.

As was often the case in many of the proceedings examined in this chapter, the trade was not limited to British ships, but in this case involved a Dutch ship. However, it was claimed that Laxa, the Spanish merchant, was travelling from London. This points to the increasing interconnection of the different elements of the Atlantic economy.

Moreover, the governor was accused of having been himself a trader in the past, which made his loyalty to the cause of preventing smuggling doubtful:

Fue sindicado dicho gobernador con el cargo de que diez años antes de su empleo fue tratante y contratante con los enemigos de la Real Corona.³⁹³

³⁹²AGNC, *Contrabandos*, 12, p. 44.

³⁹³ *Ibid.*, p. 5.

Charges also included alleged venality in public funds:

Hízosele cargo de que habiéndose valido dicho gobernador de ocho mil pesos de un situado que vino para la manutención y socorro de los soldados de esta plaza, dejó perecer de hambre y morir a cinco o seis soldados sin asistirles no aún con el pan de munición”.³⁹⁴

This, according to the accuser, had military implications:

Causa por que desamparaban este presidio y con licencias y permiso de dicho gobernador, por utilizarse de las plazas hacían continuadas maldades, hurtos y robos en tanto modo que llegó tiempo, en el de su gobernación que se halló dicha plaza con ocho hombres solamente, expuesta a ser invadida.³⁹⁵

Mozo de la Torre was also accused of cronyism, including pardoning royal debts of 50,000 pesos to a friend of his, Joseph Martínez de la Torre, and allowing him to engage in contraband with French ships in the mouth of the Magdalena River.

...lo que acaeció en la boca del Rio Grande, pues siendo uno de los mercaderes el dicho Joseph de Martínez que habían hecho un empleo de considerable cantidad en dos navíos franceses que allí aportaron, despachó dicho gobernador al tesorero Don Martín Alonso de Munibe no para que le descaminase, sino para que le sirviera de alto, lo que se corrobora con que habiéndolo topado ni le prendió, ni descaminó dicho tesorero.³⁹⁶

The network of foreign trade allowed by de la Torre included British merchants from Jamaica and Dutchmen from Curazao:

...denunció el dicho Roque de Avendaño que siendo teniente de la ciudad del Rio de el Hacha el capitán Juan Álvarez de Ibarra, publicamente daba licencia y permitía a dos mercaderes, uno de Jamaica, el otro de Curasao para que tuviesen en esa ciudad almacenes y tiendas públicas, embarcandose con su permiso el palo de Brasil por los enemigos de la Real Corona de cuyo género se habían embarcado treinta mil quintales.³⁹⁷

De la Torre was also accused of purchasing Jamaican flour to make and sell bread locally:

³⁹⁴Ibid., p.5.

³⁹⁵Ibid.

³⁹⁶Ibid., p. 6.

³⁹⁷Ibid., p. 7.

...como que publicamente en la casa del dicho don Juan de Ibarra, y del ministro de campo Don Joseph Mazo de la Torre, gobernador que entonces era, se estaba amasando las harinas de Jamaica y Curasao y vendiéndose el pan que de ella se hacía.³⁹⁸

The scheme also involved religious communities, as apparently one of the implicated had sought to take orders to evade the authorities, and the ex-governor himself was implicated in an alleged defraudation of the property of a dead bishop.

Avendaño claimed:

...que por considerarse dicho don Juan de Ibarra tan convicto, complicado en excesos de tal graduación para librarse de ellos quiso pasar a Caracas a ordenarse: como así mismo haber cooperado el referido maestro de Campo Joseph Mozo y consentido en la ocultación que hizo Fray Alonso de la Puente de ochenta mil pesos del *espolio* del excelentísimo señor Fray Luis Muñoz de Gayozo obispo electo que fue de esta ciudad, con cuya cantidad trataba ilícitamente el referido religioso según todo lo referido consta y parece de los autos citados que quedan en mi poder las consultas hechas por el dicho Roque de Avendaño recibidas en los años de 1715 y 1716...³⁹⁹

As the trial proceeded, several witnesses gave testimony with their version of the scandalous events, which according to the accuser, had resulted in losses of at least four hundred thousand pesos for the royal coffers. The surgeon-major of the town, Pedro Gaures, claimed that in his opinion, it was likely that the disembarked chests of merchandise were a substantial cargo, given the merchant's origin:

Es verdad que conforme pudieran traer muchas cosas de valor, pudieran también no traerlas; pero en el caso de la sujeta materia, como el dueño de dichos cajones era poderoso, y iba para el reyno de Lima, para donde avía salido de la ciudad de Londres, es evidente que traería en ellos alhajas de grande estimación.⁴⁰⁰

³⁹⁸Ibid.

³⁹⁹ Ibid.

⁴⁰⁰Ibid.,p. 60.

He corroborated accounts of trading with English and Dutch interlopers, involving another Spanish official in those actions:

Y en quanto al trato ilícito que ha habido en esta provincia, lo que puede dezir es, que de quien tiene noticia cierta de que a augmentado su caudal por este medio es el capitán Juan Claros quien publicamente ha tratado con los yngleses y olandeses...”⁴⁰¹

Other soldiers consulted instead declined to incriminate the governor. Nonetheless, the evidence was seen as serious enough to impose drastic preliminary measures against Mozo de la Torre and his codefendants:

Dado que Joseph Mozo de la Torre se encuentra en Santa Fé, y por esta razón no se le pueden dar los cargos, pasar a prisión y demás que convenga... se pase al embargo de todos sus bienes raizes, muebles, y semovientes, y se den a su tiempo los cargos a su legítima mujer... Y por lo que resulta de los autos contra el referido alcalde don Juan Claros, se pase a la prisión de su persona y embargo de sus bienes, y por la misma causa se le den los cargos, y siendo complicado en esta sumaria el Cpn don Juan Alvarez de Ybarra.⁴⁰²

The judge also ordered prison for the merchant Laxa. The governor had incurred in a clear violation by allowing the Dutch ship to stop and disembark its cargo.

“...aun a los navíos que vienen con registro de España, no trayendo registradas las mercancías se declaran por de comiso, y en que Su Majestad manda que a los navíos de enemigos de su Real Corona no se les de puerto ni se les permita desembarque alguno”.⁴⁰³

As the trial moved on, it is interesting to note that it was the wife of Mozo de la Torre, Agustina Ramírez, who took over his defence. Mozo did not show up in court, neither did he appoint a professional lawyer to defend him. Agustina was granted nine days to testify in her husband’s trial. She responded to each of the charges directed at Mozo de la Torre with surprising eloquence. To the original charge, regarding her husband's decision to

⁴⁰¹Ibid., p. 18.

⁴⁰²Ibid., p. 26.

⁴⁰³Ibid., p.70.

allow the disembarkation of the Spanish merchant Laxa, she produced a remarkable story to explain his arrival in a foreign ship.

Don Juan Fran(cis)co de Laxa, mercader que venia de Londres en un navío holandés que pasó por el Rio de el Hacha, y dio fondo en el puerto de Gaira y vivió en esta ciudad con la casa alquilada; pongo en la comprensión de Vs que este tal era flamenco vasallo de nuestro cathólico Rey de España, y casado en la ciudad de Sevilla, para donde habia pasado desde Lima, y en la altura de treinta y seis grados lo apresa un corsario ingles y lo lleva a Lemud, y de alli a Londres donde...por medio de amigos consiguió al cabo de años la libertad, y sabiendo que doña Theresa de Valdés y Meléndes, su mujer en este intervalo de tiempo, se había transportado a buscarle a Lima en los navíos de Dn Antonio de Cheves y acompañada de Dn Juan Ignacio de la Rea, dispuso venirse a estas costas en el dicho navío, pues del puerto de Londres, no podía salir en otra por entonces para lograr ver a su mujer, y vivir en donde ya tenía vecindad por haber comprado casa y los demás requisitos de ella: y considerando el dicho mi marido gove(rnad)or esto que por carta le notició desde abordar y que a los prisioneros vasallos de la Corona se les debe dar buen pasaje mayormente quando aportan, aún en manos de sus enemigos, no me parece que cometió delito..⁴⁰⁴

Moreover, the governor's wife argued that the drawers belonging to Laxa, supposedly full of contraband, were disembarked and taken to the royal accountancy, by order of the governor, her husband. The registration carried out by the treasurer, Martin de Munibe, declared that there were no goods susceptible to pay duty, and therefore there were no goods to seize. She also denied that two guards who died in Santa Marta did so because of her husband's neglect of the garrison: “De mi casa, y aún yo personalmente les asistí, así en medicinas como manutención...”⁴⁰⁵

Agustina Ramírez presented witnesses who said that the bread baked in their house, allegedly with smuggled flour, in fact used produce grown domestically in Mompox and Ocaña. Eventually, the governor submitted in his defence a written testimony in which he

⁴⁰⁴ Ibid., 69.

⁴⁰⁵ Ibid., p. 70.

denied one of the most serious claims, that he aided two French smuggling ships. Instead, he insisted, he sent a party of 53 soldiers to verify their presence and in the operation, intercepted a local, Cristobal de Araujo, involved in dealings with the foreign merchants:

...que preguntándole que de donde venía, les respondió que venía de Cartagena, con unas seis ocho botijas de vino y con una pieza de lienzo crudo.⁴⁰⁶

Given the multiple evidence presented by Mozo de la Torre's wife, he was cleared of all charges and, instead, Roque de Avendaño, the accuser, was himself charged with slander.

The *represalia*: 1718-1719

The Spanish colonial system reacted in 1718 to what it saw as increased English abuse of the *asiento* by decreeing a *represalia*, or general confiscation of English assets in the American colonies. In New Granada, the authorities set about establishing a census of English commercial activities, in order to proceed with the punishment, both of English traders and their accomplices in the local economy. This provides us with a snapshot of some of the Company's activities in New Granada during the early years of the *asiento*. On 14 September 1718, the King of Spain sent a letter to the authorities of the colony, announcing that due to English abuses he had ordered:

...a los gobernadores de Panamá, Cartagena, Santa Marta y de los demás presidios y puertos de Barlovento ...hacer represalia y confiscación de todo género de bienes, haciendas y efectos que se hallasen allí y perteneciesen en cualquier manera a los ingleses ...y hagan embarcar a todos los de esta nación que se hallasen en estos parajes en

⁴⁰⁶ Ibid., p.113.

cualquier navío español mío o de particulares.⁴⁰⁷

Antonio de la Pedrosa, president of the *audiencia* of Santa Fe received another letter from San Lorenzo el Real, dated a few days later, on 23 September 1718, with more orders for actions against the English. The tone was somewhat different, as instead of focusing on the need to confiscate their goods and deport them, it emphasized on legal procedures to make sure the measures were “fair”:

Se ordena que...en toda esa jurisdicción se haga represalia de los bienes, navíos y efectos pertenecientes a los ingleses aunque sean de los del asiento de negros. Y para que esta represalia se ejecute con la legalidad y puntualidad que se requiere, de suerte que en lo adelante no haya de parte de ingleses quejas de si hubo ocultación o desperdicio de sus bienes y efectos, manda el Rey de vs. las órdenes necesarias para que asistan precisamente a los embargos e inventarios y depósitos de ellos demás de los gobernadores o justicias los oficiales de la Real Hacienda en el paraje donde los hubiere, y asimismo un factor inglés que los firme y les conste lo que se embargare y que no se extravíe nada. También manda Su Majestad que a los ingleses a quienes se embargaren sus bienes, se les señale según el grado de cada uno la porción competente para su sustento y alimento y que se les asista con ella sacándola de sus propios caudales...que no se moleste a las personas de ingleses ni se haga vejación, sin embargo de esta represalia y que vs. den cuenta con puntualidad de lo que se obrare en virtud de esta orden.⁴⁰⁸

Pedrosa ordered the publication of this edict and made a call for everyone involved in *asiento* business to come forward to the authorities:

Decreta dentro de tercero día a la publicación de este auto, comparezcan ante Su Excelencia a manifestar y dar noticia de todos los caudales ...so pena que pasado dicho plazo, dichas personas que ocultasen y no diesen noticia en el referido término...se les averiguase o descubriese ocultación, se proceda a la recaudacion de lo ocultado, y asimismo se retuviesen y se darán por perdidos todos los bienes, efectos y caudales que pareciesen propios de dichas personas ocultadorasDichas personas serán llevadas desde luego al Castillo de Bocachica por tiempo de 10 años, y cumplidos no saldrán de él hasta especial orden de Su Majestad.

⁴⁰⁷ AGNC, Negocios Exteriores, 3, 1719, p. 436.

⁴⁰⁸ AGNC, Negocios Exteriores, 4, 1718, p. 537.

The threat of confiscation of goods and a ten year sentence in the fort of Bocachica was effective in obtaining a response from merchants in several locations in New Granada, showing how in a relatively short period of time, the Company factors had established commercial relationships far beyond the port of Cartagena.

Some of those who presented themselves to the authorities were indeed Cartagena merchants, such as Dionisio Hurtado, who acknowledged his business with the Company factor Pym:

En la ciudad de Santa Fe a 28 de diciembre de 1718, en conformidad con el bando antes publicado, compareció Fernando Dionisio Hurtado, vecino de esta ciudad y dijo que a Don Diego Pym, factor del Asiento de Negros que reside en la ciudad de Cartagena, le compró porción de ropa, parte de ella en dinero de contado, que con efecto le entregó y parte de ella al fiado que montó seis mil y novecientos patacones.⁴⁰⁹

Moreover, besides buying a substantial amount of clothing from Pym, Hurtado became involved in the slave part of the business as well, receiving a sort of franchise to trade in the “indultado” slaves, that is, slaves who were “legalized” after having been introduced through contraband:

Hallándose el declarante en la ciudad de Cartagena le encomendó el dicho factor Diego Pym al declarante le hiciese el gusto de tomar a su cuidado los poderes de dicho Asiento para que corriese en este Reino con el indulto de los negros introducidos en el fraude de que Su Majestad le tenía hecha gracia a dicho asiento, y habiendo el declarante convenido en su insinuación le entregó dicho factor el poder para dicho efecto que tiene presentado ante S.E. y asimismo, dos marcas, una para poner en la espaldilla izquierda de los negros que se indultasen y marcasen, y la otra para estampar en los despachos que se diesen en dicho indulto que de una u otra son carga de dicho asiento y que aunque sean indultado y marcados algunos negros.

Hurtado provided this information on the amount of business incurred up to that point in the *indulto* part of the deal:

No ha cobrado ni percibido cosa alguna por el corto tiempo que a que se dio principio a dicho indulto, y los que a la fecha sean indultados son 11 negros y negras a razon de 60

⁴⁰⁹ AGNC, Negocios Exteriores, 6, 1718, p. 187.

patacones por cada negro, de cuyo importe se pagan a la Real Hacienda los derechos regulares de 33 pesos y un tercio de otro por cada negro, sin que en manera alguna tenga otra intervención con dicho asiento como ni con su factor don Diego Pym.⁴¹⁰

The *audiencia* now demanded that Hurtado give up to the Spanish authorities the payment originally intended for the Company:

Notifíquesele a Fernando Dionisio Hurtado que, llegado el caso de cumplírsele el plazo de la escritura que en su declaración refiere, entre en las Reales Cajas los 6.900 patacones ...y...las cantidades que importase los negros que refiere haber indultado y según se fueran indultando enterara de su producto en dichas cajas ...pero se queda con las marcas y sigue con el indulto, pagando los impuestos.

That December, other merchants came forward to the Spanish authorities. Several were from the colonial capital of Santa Fe. On 29 December, Juan de Encinillas reported to the authorities. “Dijo que habiendo ido a Cartagena en 1716 y 1717 contrajo obligación de 3.289 pesos a favor de Pym...por cierta ropa que le fio, a pagar dentro de 9 meses, consta en escritura”.⁴¹¹

On 30 December, Agustín de Morales y Chica, also from Santa Fe, acknowledged his part of the business:

...le compró en Cartagena a Pym en diferentes géneros de ropa al fiado 8.259 patacones por escritura ante Ignacio Sanchez de Mora...

Juan Luis de Vicenti acted as “fiador” for the credit, which was to be paid half in six months, the rest in a year. Morales accepted having made a payment on 2 June 1717.

Also on 30 December, Ignacio Biquendi declared that in Cartagena, “en Noviembre 1716 compró ropa fiada a Pym por 7.068 patacones, mitad pagos a 6 meses, fiador Juan Luis Biquendi”. He claimed that he had already paid, but had not kept a receipt. The *audiencia* ordered that if Morales had given money to Vicenti, the *fiador*, on account of debts with

⁴¹⁰ Ibid.

⁴¹¹ Ibid., p. 200.

the English, this should be confiscated. Domingo Vasquez claimed to owe 4,700 pesos.⁴¹²

On 14 February 1719, Gervasio de Herrera turned in 4,566 patacones owed to Pym. Juan Sanchez, of Buga, came forward announcing he owed Pym 6,000 patacones. The *audiencia* ordered that he pay them instead to the Royal Treasury in Popayán.⁴¹³

Interestingly, the province of Antioquia failed to declare anything. In spite of its economic importance as a mining centre, which presumably would make it an important customer for the Company's factors, no *antioqueño* merchants declared their dealings during the *represalia*.

In April 1719, a report from Medellín showed no declarations of this kind:

En la villa de nuestra señora de la Candelaria de Medellín, ...Pese a que se hizo proclama pública, pasado el tiempo asignado no ha comparecido ninguna persona a hacer manifiesto ni denuncia de caudales o bienes ni pudiéndolos descubrir en las diligencias secretas que extrajudiciales tengo hechas, dándome general razón de no tener los vecinos de estas villas ni sus comerciantes, correspondencias ni tratos con la dicha nación ni haber en ella ningún inglés.⁴¹⁴

The inquiry had also been carried out in Santafé de Antioquia, and in the mining towns of Cáceres, Ayapel and Zaragoza, with an examination of all public deeds of the last five years to see "Si hay en ellos alguna obligación de deudas otorgadas a favor del inglés..." directly or indirectly related to the sale of slaves. On 28 April authorities reported back there had been nothing found.

The judicial war against contraband involved restrictions on the internal transportation of gold, particularly in the mining region of Choco. In 1719, a royal *cédula* stated that:

⁴¹² Ibid.

⁴¹³ Ibid., p. 210.

⁴¹⁴ AGNC, Negocios Exteriores, 3,1719, pp. 436.

...habiéndose continuado los clamores, sobre las introducciones de ropas holandesas, hechas por el río de Atrato, en las provincias de Chocó, determinasteis pásese a d(ic)has provincias el oidor decano de esa audiencia, Dn Joseph Joachim Martínez Malo.⁴¹⁵

The King requested the *audiencia* to report:

...fenecida la pesquisa, remitais a dicho mi consejo, los autos executados para que en su vista se tome la providencia que estuviere por más conveniente.

There is evidence of at least one incident in which the crackdown produced some results. In 1719, Joseph González de la Torre, an official at the province of Citara in the gold producing region of Chocó, was notified that one Miguel de Bielma, a resident of the town of Buga in the country's southwest, was carrying a cargo of gold. González sent two assistants, Joseph Ortiz and Pedro Maldonado, to apprehend Bielma. After an investigation he was found to be in possession of gold worth 485 pesos, for which he was sent to prison.⁴¹⁶

Viceroy Villalonga

The next few years marked the beginning of a more organised Spanish attempt at responding to British commercial expansion, including the arrival of the first Spanish viceroy, Jorge Villalonga, to Cartagena at 1719. One of the fundamental changes introduced by the Bourbon reforms in New Granada was the creation of a viceroyalty. Garrido Conde has carried out a complete analysis of the administrative organisation of

⁴¹⁵ AGNC, Contrabandos, 5, 1719, pp. 120.

⁴¹⁶ AGNC, Contrabandos, 5, 1719, pp.156.

the *audiencia* of Santafe and its modifications once the viceroyalty of New Granada was founded in 1717.⁴¹⁷ According to her, the reasons that led to the creation of this viceroyalty were the need to correct the situation of injustice, disorder and poverty; and to exploit the enormous wealth that was to be found in the territory and which the *intendente general* of Cartagena, Bartolomé Tienda de Cuervo had indicated in various reports.

Muro Romero claims that fiscal reasons and the need to contain contraband led in 1717 to the first creation of the viceroyalty of Nueva Granada. It would defend the commercial monopoly and end complicity with contraband.⁴¹⁸ It would also reorganise a judicial system that only seemed to work against the very weak.⁴¹⁹

McFarlane however, has pointed out to the importance of the earlier described incident with president Meneses as a catalyst for the decision of creating a viceroyalty, as a means to strengthen Spain's rule over the colony.⁴²⁰

Ones also argues in that direction, saying that the *cédula* that ordered the establishment of the viceroyalty "made it clear that the decision was closely linked with the turmoil which had taken place in the *audiencia* of Santa Fe".⁴²¹

As discussed by Garrido, the limits and jurisdictions of the viceroyalty were vague and confusing. The province of Panama was that of the greatest confusion, in some sources it figures as part of the viceroyalty as a consequence of the powers given to Antonio de la Pedrosa covering Panamá, while in others it was shown depending from the viceroyalty of Perú.⁴²²

⁴¹⁷Garrido Conde, *La primera creación del virreinato de Nueva Granada*, p. 8.

⁴¹⁸Muro Romero, 'Instituciones de Gobierno', p. 173.

⁴¹⁹ Garrido Conde, *La primera creación del virreinato de Nueva Granada*, p. 9.

⁴²⁰ McFarlane, *Colombia Before Independence*, pp. 187-194.

⁴²¹ Ones, 'The politics of government', p. 301.

⁴²² Garrido Conde, *La primera creación del virreinato de Nueva Granada*, p. 21.

Viceroy Villalonga's government was characterised by at least formal efforts to install a more demanding system of controls to the underground trade. Villalonga ordered severe measures against contraband, not only for Cartagena, but in the interior, in the route along the Magdalena River that served as conduit for the irregular introduction of merchandise.

In Tamalameque, the judge of confiscations, Alonso Espinoza de los Monteros, wrote to Villalonga in 1720 to explain the measures adopted against illicit commerce in the provinces of Santa Marta and in Riohacha. The officer said he was reviving the fight against smuggling in a zone that he accepted was known as "the most open coasts of the kingdom".

It was not an easy task. Espinoza wrote that he promulgated an act for the appointment of lieutenants charged with stopping illegal trade, but could not find suitable people to perform this work:

...se me ordena nombre personas en las ciudades, villas y lugares que me parecen convenientes y que estos sean de las calidades necesarias para ministerio de tal confianza, y porque en el termino de cuatro días que ha me hallo en esta ciudad no he percibido los vecinos, en quien pueda recaer esta honra de cuya fidelidad y ser se afane el cumplimiento de las ordenes. Y deseando mi celo la mayor prontitud y eficaz providencia para que no falten ministros que en interín que por mi se nombran tenientes celen y eviten el error de la introducción.⁴²³

He then asked the neighbouring lieutenants of the village to take charge of port sentry duty in this rousing tone:

⁴²³ AGNC, Contrabandos, 8, p. 444.

Mandaba y mande se libren despachos circulares para que en las ciudades, villas y lugares donde hubiere tenientes del señor gobernador, alcaldes ordinarios y de la hermandad todos juntos y cada uno de por sí, lo eviten, rondan, busquen, visiten y naveguen todos los caminos, casas, ríos, puertos, caletas, surgideras y demás parajes en donde discurran o tengan noticia haya o pueda haber ilícitas introducciones, aprehendiendo las que hallaren, y los sujetos que directa o indirectamente se complicaren asegurando los efectos y personas y dándome cuenta con los autos que obraren para su determinación.

He tried a raft of measures to fight smuggling. For example, he ordered that the deposit of seized merchandise should be undertaken by a lieutenant with an *alcalde ordinario*, and an inventory of the merchandise was required. If there was only one officer available, he should be accompanied by any Spanish subject. Moreover, the officer involved should receive a reward, as should the minister who executed the procedures. He instructed Bernardo de Miranda, head of the guard in the mouth of the Magdalena River, to undertake the equally optimistic following orders:

Lo primero con el celo y cuidado que espero de su honra tendrá gran cuidado y observancia en las embarcaciones que de mar afuera surgieren en aquel puerto, playas o costas con cualquiera pretexto y despachándome luego aviso de las que hayan surgido, los movimientos que hicieron y todo lo que observare. Poner y nombrar guardias en los parajes de mar, río y tierra que le parecieren combenientes a quienes les dará orden de que visiten cualquier casa, estancia o hacienda...Cualquier aprehensión pasará al seguro del reino...El alférez podra seguir a cualquier introductor aunque sea en jurisdicción de Cartagena o Maracaibo dando cuenta al gobernador de la provincia y sin omisión alguna me la dará a mí...No debe tener inclusión persona alguna, si no es que por especial comisión mia se determine.

However, practical issues soon placed serious obstacles to his ambitions. Among the problems faced by this province, according to the report, was the lack of an adequate budget for patrolling the coast. He reported some successes: he announced the arrest of the lieutenant governor of Riohacha, placing emphasis on how vulnerable that town had been left due to mismanagement:

...siendo de no menos atención que esta ciudad se halla a que con una piragua de veinte hombres la quemén, roben o saqueen mayormente cuando se manifiesta lo sensible que será a las naciones extranjeras el reparo que mi celo está poniendo a las introducciones de mercaderías y balance que en perjuicio de esta provincia y del Real erario tienen las naciones en la conducción de los frutos de palo brasil [...] siendo indable sin asistencia de personas la justificación de estos cargos.⁴²⁴

Nonetheless, later on he reported the presence of a foreign trading vessel in Riohacha, ordering its seizure:

Con grave desacato se halla traficando y cargando de mulas una balandra extranjera en el sitio de La Cruz a Barlovento de esta ciudad, y luego salgan el guarda y sus hombres y aprehendan las mercaderías y las que no puedan transportar, las dejen aseguradas.

He imposed stringent measures on Riohacha:

...que todas y cualesquiera personas y de qualquier estado y calidad que sean de qualquiera ciudad, villa o lugar que llegare a esta ciudad, tenga la precisa obligación de comparecer ante mi o el teniente que en mi lugar substituyere con manifestación de las petacas, baules, cajas, y cargas que trajere para el reconocimiento de si hay en ellos o no cosa gravosa...⁴²⁵

Espinosa gave the following order to one of his underlings, officer Jacinto López Sierra:

Aplicará todo su celo a la ronda de las marinas playas y ríos continuamente y con más esfuerzo cuando acaezca tener noticia de haber embarcaciones en sus costas, de las que con el motivo de comerciar; y todos cuantos géneros hallase sin excepción los aprehenderá y comisarará pasando por escribano.... Entre los forasteros es necesario particular cuidado y estando por publicado que ninguno entre a esta ciudad sin llevar a su casa las cargas que trajere ni salga sin especial licencia dada por mi. En caso necesario los desterrará.⁴²⁶

Predictably, a central problem in the fight against contraband was the issue of internal corruption. Smugglers often knew of the authorities' movements beforehand. In 1720, viceroy Villalonga wrote that illicit commerce was made possible on the coasts of Santa

⁴²⁴ AGNC, Contrabandos, 8, 1720, p.462.

⁴²⁵ Ibid.

⁴²⁶ Ibid.

Marta, “...por adelantárselas noticias a los yntroductores quienes luego se procuraran en salbo así ellos como sus introducciones”.⁴²⁷

To keep the foreigners from fleeing, a small vessel was assigned to the anti-smuggling guard. Besides, the *alcaldes* of the town of Santa Marta appointed Juan González de Noriega, a official charged with fighting contraband. When there was news of illicit merchandise, he should seize the ships. However, they warned, “Para que se haga efectiva dicha aprehensión se sugiere realizar las operaciones con más sigilo”.

González de Noriega was directed to report all his acts to a judge, and that all the matters involving contraband should be transferred to the judiciary. The document was signed by the towns’ *alcaldes*. As the previous information shows, throughout the period, there is a great deal of concern with formal procedures and jurisdictional matters in the fight against contraband. Though it might sound contradictory, at the same time the Spanish authorities allowed privateering and other unorthodox measures to fight smuggling, they insisted, at least on paper, on their officers following scrupulous procedures and giving accounts of their actions to judiciary authorities. Moreover, as evidenced by some of the trials discussed in this section, officers could find themselves the object of inquiries or worse, if they did not follow these legal conventions.

Another trial, that of Jacinto López Sierra, reveals possible official complicity in the illicit commerce of the region. López Sierra was the officer who had been ordered in anti-smuggling duties in the previously mentioned case. A report sent by him in 1720 stated

⁴²⁷ AGNC, Contrabandos, 5, p. 544.

that two privateer boats, given that status by the governor of Cartagena, had captured a Dutch sloop anchored in Barlovento. Orders were then given to Royal Treasury officers to ascertain if López Sierra complied with his role of guarding against the illicit introductions and if he could avoid the anchoring of the Dutch sloop in Riohacha.

Juan Beltrán de Caicedo dijo que por cartas del teniente general Jacinto López Sierra, se le da cuenta a su señoría de que las dos piraguas armadas en corso por el señor gobernador de Cartagena, que antecedentemente habían estado en este puerto, y presentando ante su señoría su despacho, habían llegado a aquellas costas y apresado una balandra holandesa que estaba surta a Barlovento y llegada a ellas con el motivo de hacer agua y leña la noche antecedente para seguir su viaje. [...] Real Hacienda, en averiguar como tiene de obligación si el dicho teniente del Rio de el Hacha, cumple con la suya en celar cualquier ilícito comercio y si pudo evitar el que diese fondo dicha balandra en aquella costa o celo el que tratara en ella.⁴²⁸

After the detection of irregularities in the capture of the boat, an investigation was opened, with statements taken from some members of the López Sierra flotilla. One Juan Carrasco claimed that, while in Riohacha, the commander of the Spanish patrol set anchor in a lagoon hoping to leave at midnight and reach the port of Riohacha at daybreak. If they travelled by day, they would be seen from any other ship at port and would not be able to capture the sloop, he reasoned. Besides, the breeze caused them to stay in the lagoon until midnight. When they left they found the sloop and this was captured. With respect to the cargo carried in the sloop, they said it was loaded with hides, bait, wood and clothes. It had arrived the previous afternoon and came from Curaçao.

⁴²⁸AGNC, *Contrabandos*, 22, p. 843.

In another statement, Andrés Márquez claimed that they had dropped anchor in a lagoon two leagues from the Rio de Hacha due to the adverse wind. After midnight they found the foreign sloop and unloaded the cargo, with Márquez staying to keep guard. He said that the crew was mostly from France and that they had probably stopped in Curaçao.

The Brigadier of the guards, Juan Beltrán of Caicedo, decided:

...que de la sumaria y declaraciones que en aquella ciudad se han recibido de la gente de las piraguas de corzo, [...] resulta contra el teniente de ella grave culpa sobre que encarga a su señoría su punición y castigo...⁴²⁹

After several further investigations, however, authorities decided they did not have enough evidence against Jacinto López Sierra.⁴³⁰

The trial against Joseph de Salinas in 1721 is another example of investigation for corruption in the fight against contraband during the short tenure of viceroy Villalonga. In this case accusations were brought against Joseph de Salinas, a royal officer, by Juan Bautista de Mier, an important landowner of Mompox, who, in 1721 was fulfilling official functions in that part of the province of Cartagena, and Pedro Pérez de Guzmán. They requested the opening of an investigation against Joseph de Salinas, alleging that he and Carlos de Briones had not given proper account of contraband seized in the Cauca river:

Aprehendió diferentes géneros de mercaderías por de ylicito comercio de cuya deliberación no ha dado razón alguna a estos reales ofizios con autos ni entregado como devía dichos géneros.⁴³¹

⁴²⁹Ibid.

⁴³⁰Ibid., p. 960.

⁴³¹ AGNC Contrabandos, 15, p. 692.

The officials asked Joseph de Salinas to present to the notary the documentation of his actions. Salinas answered claiming that the documentation was held by the governor of Cartagena. Bautista and Pérez insisted that his explanations were not enough:

No dando razón alguna del paradero de los géneros aprehendidos los que devio traer a esta real contaduria pudiendo esto seder en notorio perjuicio del real haver mandaron sus mercedes se le notifique traiga a esta Real Contaduría lo que aprehendió...se procederá a lo que hubiere lugar y en el ynterín que lo executa no salga de esta villa ni en sus pies ni en agenos.

Afterwards, officials heard the testimony of two Spanish merchants, Domingo Antonio López and Pedro Carrasco, who had been sailing up the nearby Magdalena River. They told of being asked by Salinas whether they carried contraband:

...de orden de su gobernador de la ciudad de Cartagena pretendía registrarle su embarcación y habiéndosela franqueado, le dijo le dijese la verdad si traía ropa de contrabando a que le respondió que lo que traía era sal, y no otra cosa. Que procediese al registro de dicha su barqueta y vendría en conocimiento de su verdad. Por cuya verdad mandó el dicho Dn Joseph Salinas arrimasen las barquetas a tierra como se ejecutó, y saltó con un baston diciendo ser juez de comisos y dio voces a diferentes hombres que llevaba de guarda, nombrando a uno por ayudante y a otro de cabo de escuadra Y dentraron estos y los demas por la proa y popa de la embarcacion registrándola.

In this incident, apparently nothing was found but salt. Carrasco, the other merchant, also claimed he had heard Salinas was travelling around the province as juez de comisos. As it proceeded, the judicial inquiry seemed to indicate that Joseph de Salinas carried out confiscations and did not present the respective *auto* to the royal officers. Issues of procedure and jurisdiction seemed to have relevant consequences for those who did not follow them. As the *autos* of the judicial inquiry against Salinas stated:

...por lo que resulta a favor del real haber de Su Majestad lo que no ha tenido efecto por lo insustancial de sus respuestas y que estas y los efugios que profería no ofrecían sus graves competencias e inquietudes de jurisdizi3n, cuyo desconcierto tuvo presente Su Excelencia para motivar su despacho.⁴³²

⁴³² AGNC Contrabandos, 15, 1722, p. 698.

The proceedings also stated that “las dos personas nominadas no son de la integridad correspondiente de su negocio”.

In spite of the previous examples of efforts by colonial authorities to fight corruption in New Granada, it did not take long into Villalonga’s tenure before it became clear that the new viceroyalty had not been a definitive solution to contraband, which flourished as the Company resumed its voyages to Cartagena. In 1722 Villalonga wrote to Madrid that some of those who should help him were actually participating in smuggling, such as one of his officers, Juan Vicente de Luna Cava.⁴³³ On 12 June 1722 another official investigation was undertaken against contraband in Cartagena.⁴³⁴ Sargeant Major Juan Benito de Madroñales, a local official, was accused of giving passports and consent to smugglers. Madroñales testified that he received from the governor five soldiers with orders to patrol the bay all night for smugglers. However, one night, while sailing in one of the city's inner channels he was called by Juan de Luna, who asked him why he was in the port. De Luna then told him that the governor should be informed of his patrols. When this happened, the governor himself ordered Madroñales to limit his surveillance, while the soldiers were replaced by four older and less efficient guards, so that De Luna’s own smuggling activities went unrestricted.

In 1721 and 1722 a new scandal affecting the political life of the colony appeared in judicial proceedings. In this case, the Real Audiencia of Santa Fe, New Granada’s highest court, put Alfonso de Guzmán, a veteran royal official, on trial for slander. He had accused the viceroy himself of being involved in smuggling. Captain Carlos Briones, the

⁴³³ *Ibid.*, p. 668.

⁴³⁴ *Ibid.*, p. 672.

same officer questioned in the previous case, was again asked to take the stand, this time to be asked whether he knew anything about the viceroy's alleged illegal activities, and whether he had been part of the scheme:

Preguntado a que sujetos de la familia del virrey de este Reyno, les vendió en esta ciudad generos de ilícito comercio, dijo que niega lo que contiene la pregunta y que se admira que en sus obligaciones se le haya calumniado de tal tracto y que no save ni tiene noticia que ninguna persona de dicha familia hubiese ejecutado tales tractos, y que tuvo el declarante estrecha amistad con algunos y que jamás lo reconoció, y que solo la depravada malicia puede haber prorrumpido tal maldad, tanto por su empleo y conocidas obligaciones como por no haverse nunca exercitado en tan indecente oficio.⁴³⁵

The prosecutors claimed that Luis de Yberos, a relative of the viceroy, had bought smuggled clothes. Again, Briones vehemently denied it. In his versión he stated:

...solo lo que comunico al que declara don Luis de Yberos fue el que andaba en las tiendas de los mercaderes de esta ciudad en solicitud de algunas encomiendas que le habían encargado de la Santa Fe del lícito comercio, como que para el efecto fueron juntos a la casa de don Joseph Antonio Fernández para la compra de unos pocos de encajes, mercaderias y que por el precio no se ajustaron, hallandose presente don Juan Cristobal Leaiga, y que no sabe si despues se ajustaron o no sobre dicho tracto, ni menos si llevó o no dicho don Luis esta, ni otra ropa.⁴³⁶

However prosecutors insisted that Briones was now recanting earlier testimony given to Guzmán, in which he had claimed to know about a Dutch consignment reaching the viceroys's family:

Preguntado si save quienes fueron los introductores que introdujeron los géneros en esta ciudad para los de la familia de d(ic)ho ex(celentísi)mo señor virrey dijo que se remite a lo que antezedentemente tiene d(ic)ho y responde-----Fuele dicho como dice que no sabe lo que contiene la pregunta, cuando consta por declaración en el sumario que el declarante dijo al capitan don Alfonso de Guzmán que don Sevastián de Yglesias había entrado a llamar un navío holandes para que llegase detrás de la Punta de Canoa para

⁴³⁵ AGNC, Real Audiencia Cundinamarca, 8, p. 304.

⁴³⁶ Ibid. p. 305.

hacer un empleo para los criados de la familia de Su Excelencia, y que con efecto lo ejecutó de cantidad gruesa.⁴³⁷

Briones now stuck to his new version, in which he said he was entirely unaware of the alleged actions. In his own confession, Guzmán denied slandering the viceroy, saying he had simply repeated what he had heard elsewhere:

...dijo el confesante por si no ha calumniado ni ha sindicado a Su Excelencia y familia, ni sabe mas que lo que oyó a las personas que manifestó en su primera declaración; que ni sabe si es verdad o mentira; y que cualquiera declaración que contra el confesante se hubiere hecho de calumnia contra el señor virrey desde luego es falsa y será hecho por algún enemigo suyo en odio y mala voluntad que le tenga por algunos fines particulares.⁴³⁸

Guzmán had accused Villalonga of smuggling more than 300,000 pesos in illegal merchandise, according to what one Juan de la Vega had told him:

...Su Excelencia, había subido número grande de canoas de ropa y que en la boca del río se había descargado una balandra estrangera de ilícito tracto para que llevase su excelencia entre su equipaje.

After nearly two years of trial, during which Guzman's wife died waiting for the resolution of his trial and he repeatedly implored clemency, the final documents found in this dossier, dated July 1723, tell of an inconclusive end to the scandal, as sentence had still had not been delivered to the prisoner, who remained imprisoned in a Cartagena fort.⁴³⁹

As evidenced in the case described above, the increase in the actions against internal corruption led to some officials feeling unjustly persecuted; they alleged that the accusations had become a weapon of personal offense. Along with an abundance of judicial proceeding against contraband, the period also showed related proceedings for

⁴³⁷ Ibid. p. 306.

⁴³⁸ Ibid.p. 312.

⁴³⁹ Ibid.p. 384.

slander. One of the defendants was captain Joseph García de Luna, who, having taken refuge from the authorities in a monastery of a charge of libel against the governor of Cartagena, wrote directly to the King on 20 March, 1722, complaining of the persecution he was suffering. He began by criticizing the attitude of the officials in the fight to maintain the Spanish commercial monopoly:

Justamente tengo insinuado a Su Majestad el poco celo a las introducciones de ilícito comercio como os a informado el comercio y vuestro general de galeones y estas son tan cotidianas que unos ayudantes, don Juan de Luna y otros, solo sirven de convoyes de ellas, no faltando de la costa en todo el año dos, tres y cuatro embarcaciones mercantiles de ingleses, holandeses y a veces más; y en bastimentos son cotidianas y en el tiempo que se hizo la feria de estos presentes galeones se hallaban catorce embarcaciones de trato ilícito.

García told of the open contraband in the coasts of Cartagena, and referred ironically to the loyalty shown by the royal officers:

Ah, señor!! (que buenos ministros tienes) en estas costas, pues en esta ciudad de Cartagena solo hay ministros para tapar gravísimas causas .⁴⁴⁰

García also criticized Bartolomé Tienda de Cuervo, who would become one of the leading officials in New Granada:

Vuestro contador don Bartolomé Tienda de Cuervo, no obstante sus defraudes notició a los factores ingleses de la represalia, y estos ocultaron... cien mil pesos (buen ministro) y ahora para componer sus dependencias sus aliados en esa corte pasó a ella por vía de Inglaterra.⁴⁴¹

García made reference here to a judicial dispute around the *represalia of 1718 described earlier*, when Spain had seized Company goods. The accusation presented here is that Tienda de Cuervo helped the British to avoid 100,000 pesos being seized. García continued with his accusations, suggesting that Spanish sovereignty in America was

⁴⁴⁰AGI, Santafe, 374.

⁴⁴¹Ibid.

unable to contain English economic expansion:

Poned señor remedio a tanto daño porque las tierras de este reino son vuestras. Y los minerales de plata y oro perlas y piedras preciosas son de ingleses y holandeses por el mucho trato que tienen en estas costas y poco celo que tienen vuestros ministros en Cartagena...porque en esta ciudad no hay más ley ni más rey que las que ejecutan este congreso y defraudadores fanáticos introductores tanto de ingleses y holandeses, que por ser los dichos tan malos ministros se llevan aquellos el oro y plata, perlas, plata labrada y joyas de este reino.

In his letter, García argued the need to strengthen the judicial system, alleging that this effort required less investment than a military response to contraband, and might be more effective. He proposed an improvement in judicial authorities and punishment to smugglers as a better alternative to military measures such as warships on coastal patrols, since the latter would be expensive to maintain:

El remedio más eficaz para obviar las introducciones y defraudes es un juez de la calidad que llevo expresado, un verdugo y un cuchillo de la puerta cerrada de esta corteaunque otros son de sentir que con algunas fragatas de guerra ligeras se pudiera evitar el que ingleses y holandeses no tratasen en estas costas, dichas fragatas hicieran más costo en cadenas y bastimentos a Vuestra Majestad que el remedio que pusieran, siendo más seguro y a menos costa a mi dictamen siendo cierto, que no habiendo quien compre, no habrá quien venda, y castigando a los introductores y ministros que los consienten, no osarán (temerosos del castigo) continuar el trato ilícito, y faltando los compradores, por su naturaleza dejarán su curso en esta costa los dichos tratantes ingleses y holandeses.⁴⁴²

The archives show several other instances of judicial actions against smugglers across the colony. The viceroy ordered a new crackdown on contraband in Honda:

...publique en esa villa observando integramente su contexto, y selar en eza jurisdizion y no para que no se permita yntroducciones de ropa ylizitas como me allo ynformado acaeze, sobre que deviera aplicar desde luego un exemplar castigo lo que por aora omito asegurado en que procurareis, y los otros jueces, ministros y soldados del presidio de Carare cumplir con la obligación de unos cargos y para ello se lo hareis saber judicialmente, bien entendidos que a la más mínima noticia proveeré lo conveniente para el remedio y de todo me embiareis testimonio para dar quenta a su majestad y noticia de haber con toda seguridad el pliego adjunto por lo que importa al real servicio.⁴⁴³

⁴⁴²AGI, Santafe, 374, 20 September 1722.

⁴⁴³ AGNC, Contrabandos, 15, pp. 377-78.

Simón de Olaya, an officer in Honda replied:

...la obedezió en la forma acostumbrada y en quanto a su cumplimiento dijo está prompto con todo zelo y cuidado a cuidar, zelar y vigilar el que por este puerto con ningún pretexto se introduzcan ropas ni otros efectos y lízitos y por lo que mira a las demás partes y parajes por donde pueda acaezzer alguna introduzió en virtud de la facultad que por esta horden se le comunica mandaba y mando se le notifique a Francisco García de Andrade ,alcalde de la santa hermandad y apuntador de las bodegas, que por ningún pretexto, causa ni motivo consienta ni permita el que ninguna de las embarcaciones que arribaron a dichas bodegas las descarguen, ni se saque cosa ninguna de ellas hasta tanto que Su Merced no pase a hazer el registro de las cargas y despachos que se conducen.⁴⁴⁴

There were some cases of effective patrolling reported soon after. The following judicial records, of one incident in Honda in 1722 and another in Pamplona, the next year, are examples.

In 1722, Francisco Pedroso de Lugo informed from Honda the capture of contraband:

...Informen los oficiales reales, al Ex/mo señor virrey se a dado denuncia secreto de que un mercader ha conduziado a esse puerto, en una canoa cierta porción de mercaderías de ilícito comercio en cajones con pretexto de libros, y petacas de ropa de bestir y otras cossas”.⁴⁴⁵

The authorities in Honda also reported a large cargo of contraband being held in a local warehouse, pending its delivery to the capital, Santa Fe. The cargo belonged to a Franciscan monk, and the local anti-contraband judge in Honda was anxious to get rid of the cargo, sending it to Santa Fe before it could be “subject to fraud” while under his jurisdiction:

“...Desde el dia veinte y nueve pasado de este año se condujo a la ciudad de Santa Fe en cajones y baules que constan de dicha declaración, pertenecientes al custodio Fray Dionisio de Camino del orden del señor Francisco a quien parece por dicha declarazió pertenecer los efectos de mercaderías embargados..no siendo de menos reparo y de no todo incombeniente el embaraso de la aprehenzió conseguida en el embargo executado y que de no estar Su Merced presente para su precautelazió y la más breve acusazió de

⁴⁴⁴Ibid.

⁴⁴⁵AGNC, Contrabandos, 9, p.218.

dichas mercaderias a las reales cajas de Santa Fe, donde se le ordena las conduzca, pudiera acaecer algun fraude...⁴⁴⁶

Furthermore, the authorities in Honda wrote expressing their alarm about how furious monks were threatening a violent attack on the warehouse to take possession of the cargo.

Officials in Honda asked for military reinforcements to contain such an assault.

“ahora se le acava de dar notizia secreta a Su Merced de cómo dicho reberendo padre y los demas religiosos que se mantienen en su comunidad de esta villa están con determinación de pasar mañana y con estrépito, arrojarse a la violencia de sacar dichas cargas de dichas bodegas en caso de no entregarlas Su Merced llanamente y porque esto no puede coadyuvar y que los religiosos que concurrieren al efecto referido embaltonados de sus estados, han de conseguir este atropellamiento por no tener aquellas bodegas la guardia y custodia para resistirles..”⁴⁴⁷

In 1723, other action against smuggling was being taken in Pamplona, in the colony's northeast. The judicial records described it in this way:

En la ciudad de Pamplona en trece de noviembre de mil setecientos veinte y tres años, yo Andrés del Barco y Quiros, alcalde hordinario más antiguo por Su Magestad en ella, en consecuencia de thener noticia que Don Francisco de Vegas y la Concha, residente en esta dicha ciudad, ha sido yntroductor de ropa de ilícito comercio, el cual puse en prisión con hombres de guarda en la cárzel.⁴⁴⁸

Not for the first time, the authorities found that churchmen were involved in the smuggling business, directly and indirectly, both as suppliers and buyers. In this case, a witness claimed to have been shown the illegal merchandise at a priest's house, and another would say that among customers of the fine clothes were nuns from the local convent:

⁴⁴⁶ Ibid., p. 222.

⁴⁴⁷ Ibid. pp.223-224.

⁴⁴⁸ AGNC, Contrabandos, 8, 1723, pp. 324.

En dicha ciudad, en dicho día mes y año, ante mi dicho alcalde hizo parecer, ante mi por el defecto dicho, a don Francisco Barrientos y Sarmiento, residente en esta dicha ciudad, de quien reseví juramento que lo hizo por Dios , nuestro señor y una señal de la cruz, y preguntando si sabe que el dicho don Francisco de Vegas y la Concha ha vendido en esta ciudad ropa... dijo ...que ha savido que al convento de Santa Clara llevó algunos generos a bender, a las madres monjas y lo que lleva dicho y declarado es la verdad.⁴⁴⁹

The judicial inquest eventually led to the arrest of Francisco de Vegas y Concha, a Spaniard from Burgos, who denied the accusations.⁴⁵⁰ The interrogators did not believe him and he was sent back to jail:

En la ciudad de Pamplona en 13 de noviembre de mil setecientos y veinte y tres años, yo don Andrés de Barco y Quirós alcalde ordinario más antiguo por Su Magestad de esta dicha ciudad, dice que vuelva a la prisión el que está el dicho don Francisco de Vegas y la Concha hasta que purifique con efecto la ropa que se enumpcia haver vendido en esta ciudad, y se pase a rezivir las más declaraciones que convengan a este fin y así lo provei mande y firme con testigos por defecto de escribano. Andrés del Barco y Quirós.⁴⁵¹

However, a few days later, as the evidence became stronger against de Vegas, authorities received news that the accused had fled from jail.⁴⁵²

Barco's measures to recapture the prisoner amounted to less than a manhunt. Instead, a *pregonero* was to shout in the street the edict ordering him to return to jail:

Por quanto estoy siguiendo causa criminal contra don Francisco de Vegas y la Concha a quien teniéndolo en prisión en la cárcel pública, hizo fugas de ella y mediante aquí de los autos resulta culpado, se llame por este edicto por vos de pregonero y que se presente en la dicha cárcel dentro del término, de 5 días..., y este auto se fije en las puertas del oficio público y ninguno lo quite ni borre... y este auto lo haga pregonar, Tomás Zambrano, por vos de pregonero y assí provee mande y firme".⁴⁵³

⁴⁴⁹Ibid., pp. 325-326.

⁴⁵⁰Ibid., p. 327.

⁴⁵¹Ibid., p. 328.

⁴⁵² Ibid. p. 330.

⁴⁵³ Ibid.p. 331.

However, the same day, two local attorneys presented themselves to another *alcalde ordinario*, with a power of attorney granted by de la Concha, commissioning them to conduct his defense.⁴⁵⁴

One of his Spanish-born attorneys, Gregorio Pascual Ruiz de Cote, proceeded to protest formally against what he saw as an unfair and abusive public treatment of his client. Moreover, the lawyer claimed, the local authorities were ignoring the special *fueros* or judicial prerogatives granted by Spanish kings since medieval times to the inhabitants of Oviedo. He also claimed that the authorities had not informed him of the reasons for his arrest. It was then, the attorney claimed, that Francisco de la Vega had simply walked away from the prison, seeking refuge with monks at a nearby convent.

Don Gregorio Pascual Ruiz de Cote residente en esta ciudad, natural de Cádiz en los reynos de España, en nombre de Don Francisco de la Vega y Concha, de las montañas de Oviedo en los mismos reinos, y en virtud de su poder que presento,..digo: que de esta mi parte el día trese del corriente mes y año, como a las siete de la noche fue llamado por vuestra merced quien le aprehendió y carzeró en la de esta ciudad, poniéndole pies en un sepo, en la que hablando devidamente se le infamó contraviniéndose a los privilegios de que goza en fuerza de sus executorias y de las exempciones que para este hecho gozan los oriundos de dichas montañas....⁴⁵⁵

Regardless of the lawyer's pleas, the authorities insisted that Francisco de la Vega return to confront the judicial investigation against him. Available documentation does not show the final result of the inquiry. But, as was the case with the Honda example, it does show some typical trends in the efforts of the time to strengthen the public administration. In this case, a well-connected Spanish peninsular, who could afford two lawyers to defend his actions, was called to account for his brazen disregard for the monopoly laws. The accused tried to shield himself, among other resources, in the pre-modern *fueros* of

⁴⁵⁴ Ibid., p. 332.

⁴⁵⁵ Ibid., p. 334.

medieval Spain, this defence being quickly rejected by authorities. In the previous case in Honda, royal officials did their best to prevail against the threat of possible violence by members of a religious order who were also running up against anti-contraband measures. At least in these small incidents, modernity was gaining some ground in the conduction of official business in New Granada.

In spite of these efforts in the fight against contraband, the viceroyalty was suppressed after 1723, with colonial authorities disappointed by the cost of its bureaucracy and the scant royal income derived from its operation, only to be restored in 1739.

Ones claims that “the official reasons for revoking the newly implemented reform were mainly financial and economic. Royal revenue had not increased and foreign interloping had not decreased. In addition, the cost of maintaining a viceregal court in the sparsely populated New Granada was deemed too high”.⁴⁵⁶

However, as Ones and others have pointed out, there were other unspoken reasons. “One was the allegation that viceroy Villalonga was a party to the illegal trade which he was supposed to prevent. The Council of the Indies received complaints from the governor of Panama, the oficiales reales of Cartagena, and the General de Galeones Baltasar de Guevara that Villalonga was involved in illegal trade with the English asiento company”.⁴⁵⁷

⁴⁵⁶ Ones, ‘The politics of government’, p. 320.

⁴⁵⁷ Ibid.

Ones sees the failure of Villalonga's tenure as viceroy as an example of the persistence of familiar political shortcomings in the local government in spite of Bourbon reformism.

“The new monarchy was unable to find a satisfactory alternative to the Habsburg mode of governance, and the Bourbon viceroyalty foundered amidst recriminations similar to those which so often beset its predecessors”.⁴⁵⁸

McFarlane describes how the viceroyalty was unable to meet its central, economic goal of controlling the illegal trade and Villalonga's position was thus unsustainable, regardless of political scandal. “It was however his failure to stem the tide of contraband that finally brought him down and ended the experiment with viceregal government in New Granada. His presence in the port between December 1720 and May 1721 did nothing to prevent contraband from undermining the trade of the tierra firme galleons of 1721 and frustrating the objectives of the 1720 Proyecto”.⁴⁵⁹

McFarlane argues that the poor result of the anticontraband campaign had evidenced the failure to reimpose through the viceroyalty a more centralized and efficient colonial authority, a crucial objective of these early Bourbon reforms. “The disappointing performance of the 1721 galleons had shown his inability to shield Spanish commerce, and his conflicts with the governors of Cartagena and difficulties in organizing the city's defenses also reflected his failure to enforce authority on the colony's administration”.⁴⁶⁰

⁴⁵⁸ Ibid., p. 321.

⁴⁵⁹ McFarlane, *Colombia Before Independence*, p. 192.

⁴⁶⁰ Ibid.

The collapse of the first viceroyalty in late 1723, with Villalonga himself under doubt of corruption, showed the limits of Spain's early administrative reaction to the increase in contraband to New Granada. However, it would be inaccurate to call it completely useless. The previous examination of some of the colonial administration's responses, particularly in the judiciary sphere, shows that officials could easily face long, protracted trials for ignoring substantive or even procedural aspects of the anti-smuggling campaign. Some of these trials ended up being seen in the Council of Indies in Madrid, and occasionally merited an intervention or comment by the King himself. On occasions, the accused dealt with the problem by placing their defence in the able hands of their wives, as was the case with Joseph Mozo de la Torre. However, in some other instances their defence involved more legal costs, suspension from their jobs and other more onerous charges. It may be that the profits presumably available from contraband justified these inconveniences. But again, it would not be entirely precise to talk about impunity when several of the top officials of colonial life in New Granada during the 1720's faced judicial inquiries over their role in fighting illicit commerce.

The judicial reaction seemed to center on local collaborators rather than on foreign perpetrators. With few exceptions, those questioned in the judicial proceedings are Spaniards. Few foreigners are actually captured and placed on trial for their part in smuggling.

It is also noteworthy that, despite the fact that the South Sea Company played a substantial part in the illegal trade and that, precisely in those years –the late 1710's and early 1720's- was the object of intense political intrigue and diplomatic maneuvering in

Europe, the Company is strangely absent from the business of colonial courts in New Granada. The judicial proceedings discussed here largely ignore the South Sea Company. The documents presented in this chapter give strength to the argument stating that the early response of the Spanish colonial administration to other European commercial inroads was, as has been often analyzed, a failure, but a qualified one. The dismantling of the viceroyalty in 1723 clearly showed that its creation was not a solution, but it was nevertheless a demonstration of an increasing political will to counteract English-led contraband. The viceroyalty was a tangible measure of administrative reorganization to match the commercial reforms embodied in the *Proyecto para Galeones y Flotas*, an early demonstration of Bourbon efforts to revitalize the conduct of business in the empire. Moreover, as will be discussed later in the following chapter, the intensification in the prosecution of contraband in New Granada and elsewhere in the Spanish American empire, carried out over the next decade and a half after the end of Villalonga's tenure, was effective enough to merit a political and eventually military response from England, which would lead to war in 1739.

Chapter 5

War and beyond

The limitations and failures in the first efforts by the Spaniards to improve the administration of New Granada, described in the earlier chapter, led to more sustained initiatives in the 1730's. A buildup of coastal patrols, stronger inland antismuggling campaigns and schemes such as the creation of a private *compañía de corso* in Cartagena to fight interlopers, as well as a second attempt at a viceroyalty in New Granada signified a more confident Spain's decision to stand up against English encroachment. As before, many of these initiatives were derailed by the inefficiency, corruption and general lack of resources affecting the colonial authorities. But enough of them succeeded to lead to the escalation of hostilities that closed the decade.

The following section presents evidence from the judicial and administrative branches of government of New Granada relating to the stepping up of anti-smuggling activity during the 1730's. It also shows how this crackdown elicited a powerful reaction in British popular opinion, which eventually hastened the arrival of military conflict between Spain and Britain. And it presents additional information on how English commercial interests in New Granada reacted to the escalation of hostilities.

Anti-smuggling efforts

The end of the 1720's and the beginning of the 1730's were also characterized by frequent confrontations between Britain and Spain over trade in the Americas and specifically over New Granada.

In 1726, viceadmiral James Hosier, commander of the West Indies Fleet, had been ordered to blockade Cartagena.⁴⁶¹ This was followed shortly after, in October 1726, by a new reprisalia in Cartagena against Company property.⁴⁶² The Spaniards seized 152,000 pesos there, using 80,000 pesos to repair galleons, and 70,000 for local defence.⁴⁶³

The blockade ended in June 1727 and at the Convention of El Pardo, on 6 March 1728, Spain and Britain agreed on restitution of the seized goods.⁴⁶⁴

However, as described in the account by Houstoun presented in chapter 3, efforts by the British to have this money reimbursed were dismissed by officials in Cartagena for several months⁴⁶⁵, although by 1730, the *asiento* had been restored and the Company had resumed regular trading to New Granada. Illicit trade was as rampant as ever.

A 1731 correspondence between two high officials in Cartagena reveals some of the problems faced by the authorities fighting contraband: turf wars, permanent struggles over limited funds, and differences of opinion about the most appropriate methods for fighting illicit trade. The letters are between Bartolomé Tienda de Cuervo, a prominent local official, named as *intendente*, in charge of implementing reforms for improving the anti-smuggling effort, and Manuel López Pintado, the naval officer in charge of the fleet of galleons arriving from Spain to carry the colonial gold and silver back.

The correspondence can be traced back at least to 1730. López Pintado, a distinguished naval officer, arrived in Cartagena with strong ideas on how to fight the war on

⁴⁶¹Gardner Sorsby, 'British Trade with Spanish America', p. 146.

⁴⁶² *Ibid.*, p.139.

⁴⁶³ *Ibid.*, p. 140.

⁴⁶⁴ *Ibid.*, p. 149.

⁴⁶⁵ Houstoun, *Works of James Houstoun*, p. 169.

contraband. He wanted guards from Punta Dorada to Sabanilla, a 70 league extension west of the port of Cartagena. He demanded seven sentry posts.⁴⁶⁶

There was also a proposal for four sentry posts on the coasts of Santa Marta:

...en Isla Verde, asegurando así la boca de la Salamanquilla y la punta de Maldonado, controlando así de seis a siete leguas de entrada de dicho río.

La segunda guardia estará en la Punta de la Aguja, en donde se deberá construir además una torre de calicanto, además en dicho punto se contará con seis caballos para la guardia en la noche. Por las condiciones de la Punta de la Aguja no se requerirá del uso de una piragua...La cuarta se debe instalar desde Riohacha hasta cinco leguas más allá.⁴⁶⁷

A meeting of colonial authorities was called to discuss the plans. However, the local officers believed the expense was unnecessary. The treasurer, the accountant and the governor, among others, thought the problem could be solved with fewer guards.

They proposed four sentry posts, one in the mouth of the Magdalena River, the second one in Carvajal, a third one in Barú, and the fourth in Tolú. The officer's proposal would place the anti-smuggling budget at around 30,000 pesos.

Manuel López Pintado criticised the counter-proposal. The King's overriding objective was to stop smuggling. They were talking instead of saving money. López Pintado then requested testimony from brigadier Juan Herrera de Sotomayor and from Juan Beltrán de Caicedo, on the need to implement more sentry posts. He criticized the local government's proposal:

...nombrando por primero, el de la boca del Río de la Mag(dale)na, en la bahía que llaman Playa Francesa, o la Savanilla, en cuyo paraje no dificultan lo de este presidio, en el sitio que llaman Miquelo, [...] el ver q(ue) solo se le asignan quatro hombres a esta guardia, teniendo que guardar la entrada para el caño de la Salina, y toda la Playa Francesa en la extencion de dos leguas....⁴⁶⁸

⁴⁶⁶ AGNC, Contrabandos, 19, 1730, p.412.

⁴⁶⁷ Ibid.

⁴⁶⁸ Ibid.

López Pintado added: “...ni los cañones son de algún efecto, ni los quatro hombres suficiente número para la piragua, playa y caminos”.⁴⁶⁹

The local officials believed fewer guards were required because coasts could be inspected from the vantage point at San Lázaro Castle, in Cartagena. But the naval commander responded that San Lázaro was eight leagues away from these coasts, and there was a hill in between, which made it impossible to perform an adequate surveillance from the castle.

Referring to the third sentry post in Barú, it was claimed that a land-based guard would not be enough to stop the smuggling, so there was a counter-proposal to station a marine patrol there. Besides, the island of Barú was ten leagues away from Isla de Palma and three leagues from the coast of the river Sinú, so smugglers would have little trouble unloading their cargoes three leagues away from the sentry.

The guard of Tolú was also to be charged with repelling attacks by “pirates from Darien”.

The naval officer presented a dispiriting portrait of massive infiltration:

...toda la costa de Sotav(en)to hasta d(ic)ho río del Synú, son puertos principales, para los tratantes, pues en solo ella se deven contar por puertos principales Barú, costa de Tigua, Isla de Palma, Aguadilla, Carbonero, Punta de Piedras y punta de Horada, y aún en Ysla Fuerte.⁴⁷⁰

⁴⁶⁹Ibid., p. 413.

⁴⁷⁰Ibid., p. 418.

The situation in Santa Marta was also dire. While all the officers agreed on the need to keep a guard in Gaira, López insisted that the governor's proposal would still allow smuggling from zones near Riohacha. When discussing the cost of these measures, one local officer seemed to agree with López Pintado on the need to increase spending. The King's delegate, Bartolomé Tienda de Cuervo, claimed there was a need for 30,000 pesos. The accountant and treasurer responded:

...hasta el cumplimiento de treinta mil al año, aunque fuese conveniente (q(ue) no lo es) la citada su proposición, en estas Re(ale)s Caxas no ay caudales ni fondos para el preciso gasto de treinta mil p(eso)s, [...] por donde se viene en pleno conocim(ien)to que estas Re(ale)s Caxas, no pueden suministrar los treinta mil p(eso)s que supone preciso el expresado D(o)n Bart(olo)mé y q(ue) con dificultad podrán hazer el desembolso de los quatro mil...⁴⁷¹

Finally, they agreed on spending 11,768 pesos.

The document included an interrogation of Manuel Rodríguez, a port official, who underlined the frequent presence of English ships:

...por el mes de marzo de este año, estuvo el declarante en S(an)ta Martha, con un paquibot que salio de Potovelo, de d(o)n Phelipe de Moya y q(ue) por mal t(iem)po arriaron a d(ic)ha ciu(da)d de S(an)ta Martha y vio diez balandras holandesas e inglesas, que les servía de conboy una frag(a)ta de veinte y dos cañones de esta última vandra, las quales estaban fondeadas en el Río de la Hacha y venían a hacer el trato y lícito...⁴⁷²

In 1731, Tienda de Cuervo wrote to López Pintado asking for permission to leave his post and return to Spain. He claimed that during his tenure the control of the kingdom's coasts had substantially improved. However, he insisted, lack of funds prevented his work from being performed even more successfully.

⁴⁷¹Ibid., p. 427.

⁴⁷²Ibid., p. 433.

Tienda de Cuervo argued three points to justify his departure from New Granada. First, he claimed to have done such a good job that anyone who replaced him would not find it difficult to keep up the work of the anti-smuggling guard at the high standards they now enjoyed. Second, he could do nothing about the financial difficulties being faced, since the royal coffers were already exhausted. Third, there was no royal order impeding his leaving the kingdom.

Nonetheless, López Pintado denied his petition, saying that:

...ni en mi reside la facultad para permitir a V(uestra) m(erced) su transporte a España y substituir la comision a V(uestra) m(erced) dada por S(u) M(ajestad) a alguna otra persona, ni en V(uestra) m(erced) hay arbitrio para dejarla, y cesar en la continuacion de sus encargos.⁴⁷³

López Pintado argued that both had royal orders to deal with contraband. He warned that Tienda's departure could lead to a setback in the guards' activities and a reactivation of contraband. Additionally, given the dire financial situation, it was not convenient for a high officer to leave the colony in such a moment. He requested therefore that Tienda de Cuervo stayed in the city fulfilling his obligations. After receiving the negative response, Tienda de Cuervo came up with further proposals to improve the fight against the smugglers.

As suggested improvements, he singled out the need to strengthen the guard in the nearby coastal town of Tolú and the need to have a corporal keeping permanent sentry at that place. He also requested additional funds to cover the increasing costs of the control operations, as well as a boat, weapons, gunpowder and bullets, an officer and six men to support him.

⁴⁷³AGNC, Milicias y Marina, 44, 1731, p. 984.

He asked López Pintado:

...se ha de servir V(uestra) S(eñoría) mandar providenciarlo luego, y que se pague esta corta tropa en la forma que lo demás, o por la thesorería de d(ic)hos guarda costas, mientras se mantuvieren por acá, y de esta forma no quedare atendido a los difíciles auxilios del gobernador...⁴⁷⁴

The main issue was, then, to guarantee funds that were not subject to the whim of the local governor. López Pintado answered with new instructions: first, he was to inspect a frigate called *Capitán Columba*. With regard to smugglers:

...procedera V(uestra) m(erced) en cualquiera caso de esta naturaleza a la aprehensión de los introductores, y de los géneros de ylicito comercio, pasando inmediatamente a formar sumaria, y pronunciar sentencia de comiso, y en cuaderno separado la formará contra el reo...⁴⁷⁵

Also, he gave him the freedom to appoint a corporal as the head of the guard at Tolú, who would also have responsibility over: “la boca del Río Grande de Magdalena y del sitio de Sabanilla”. Tienda was authorised to recruit five men and a corporal under his direct orders.

It seems noteworthy that a very small contingent, just half a dozen men, were believed to make a difference in keeping guard over a large section of the coast from Tolú to the mouth of the Magdalena river, which was also the colony's main artery and a prime avenue for the introduction of illicit commerce. This may serve as an indication of the limited resources available at the administration's disposal.

⁴⁷⁴Ibid., p. 988.

⁴⁷⁵Ibid., p. 990.

Regarding financial resources:

...se arreglara V(uestra) m(erced) y librará la cantidad de once mil seiscientos sesenta y ocho p(eso)s [...] y por los costos que se aumentaron determinando fuesen piraguas las que habían señalado barquetas, y los que nominaron indios para su manejo fuesen hombres de mar; que supiesen manejar armas de fuego.⁴⁷⁶

The orders given to Tienda by López Pintado were presented for ratification by the former at a new government committee held in Cartagena on 2 July 1731, with the presence of the governor and several other royal officers. They did not take kindly to many of the orders given by the outsider López Pintado, and felt he was bypassing them by giving new powers to Tienda de Cuervo. They moved to reassert their authority. The committee took the following decisions:

Se le debe denegar la facultad de visita y fondeo de embarcaciones a Tienda de Cuervo, porque es contra la autoridad y jurisdicción privativa del Tribunal de Real Hacienda.

Also, they clarified it was up to the governor, and not Tienda, to appoint the head of the guard at Tolú. They said the boat requested by Tienda was not necessary. And regarding his request for a group of soldiers under his personal command, they said:

Debe darse el auxilio necesario para que no se retrase providencia alguna, sin embargo no se debe permitir guardia personal para Tienda de Cuervo.⁴⁷⁷

In other words, the local officials vetoed the orders given by the prominent Spanish naval officer almost in their entirety. In this bureaucratic skirmish, the governor's group had clearly prevailed against the other faction led by Tienda. The plans for new actions against contraband were neutralised, apparently due to a turf war.

⁴⁷⁶Ibid., p. 991.

⁴⁷⁷Ibid.

There were several other fault lines in the administration's commitment to fight contraband, besides that of the *intendente* versus the governor, or the Spanish naval officer versus the local officials. Another important division was between the interests of the Cartagena administration and that of the vast interior of the colony.

In that same year of 1731, the administration discussed the legal regime applicable to traders in New Granada. The discussion confronted local officials and merchants, in this case from the town of Mompox, who found the orders from Cartagena difficult to fulfill. One of the letters in the dossier was directed to Bartolomé Tienda de Cuervo and signed by local *alcalde* Juan Bautista de Mier y la Torre, along with Joseph de Segura, Francisco Chacón and others. They asked the delegate of the King not to demand from the inhabitants of the province of Mompox that any distribution of merchandise had to be authorised at the *Despachos de la Real Contaduría*, as proposed by Manuel López Pintado. Besides fulfilling official duties in Mompox, Bautista de Mier was, as we have seen, the largest landowner in the region, and had substantial commercial interests. The previously mentioned officials asked for a Royal *Cédula* certifying the demands. Tienda de Cuervo wrote back saying that previous government interventions aimed at the total eradication of illicit commerce had failed to work, making it vitally important that the registration of merchandise at the Real *Contaduría*, as demanded by López Pintado, was carried out.

The Mompox officials also asked for a house to store the merchandise of local traders. They quoted a letter from the distant times of King Fernando the Catholic in which he ordered his officials in Spain:

...y en todo lo que hallares poder favorecer a los tratantes, débelo hacer, para que crezca el trato y estén proveídas estas partes de todas las cosas en abundancia.⁴⁷⁸

The document went on to demand that merchants should benefit from colonial policy.

They asked for the elimination of the so-called “puerta franca”, that facilitated illicit trade.⁴⁷⁹ However they requested this action was not executed through the *Real*

Contaduría as proposed by Manuel López Pintado. Instead, the document talked about the need to stop the indigenous population’s dealings with foreigners:

...ataje la comunicación de los naturales con los extranjeros que hasta ahora tanto ha hecho decaer los comercios y perjudicado la Real Hacienda.⁴⁸⁰

In summary, the local officials and merchants of Mompox reminded Tienda that since the days of the Catholic monarchs, traders were supposed to enjoy favourable treatment from the crown in America. And while they formally accepted the government’s worries about contraband, they did not want to be inconvenienced themselves with the plans to fight it through more state control. Instead, they found a convenient scapegoat in the indigenous people. Bautista’s reaction is easier to understand when considering that, as shown in the previous chapter, at about this time he was engaged in clandestine dealings with the South Sea Company, which considered him a valued contact for illegal trade with the interior of New Granada.

Bartolomé Tienda de Cuervo went on to write another *memorial*, this time with six concrete points about guards against contraband. He began by claiming that Manuel

⁴⁷⁸AGNC, Aduanas, 3, 1731. p. 635.

⁴⁷⁹ The petition was backed by Juan Bautista de Mier y la Torre, Joseph de Segura, Lucas de la Cueva, Francisco Chacón, Blas de Godoy Vargas, Pedro Artolfi, Sebastián Durán, Antonio Martín de Vidales, Toribio Valiente, Pedro de los Reyes, Francisco Martínez de Grimaldo, Andrés Aquilino Masdeu, Domingo Martínez de San Juan, Joseph Pérez, Francisco García and Francisco de Ortega.

⁴⁸⁰AGNC, Aduanas, 3, 1731, p. 639.

López Pintado did not send the required report to the King about actions undertaken between December 1730 and March 1731.⁴⁸¹ Royal business, he continued, was not being carried out as required, as the proceedings were not registered in writing by a notary public. He demanded the application of correct due process.⁴⁸²

He also mentioned that a group of guards led by Alfonso de Guzmán had been sent to the mouth of the Magdalena River, but since local officials had not given them any support, two Dutch vessels had managed to introduce smuggled goods.

He said that there was still no guard in Tolú since local officials had not yet assigned an officer to that post, nor had they accepted the one proposed by the delegate of the King.

Police actions along the coast had managed to capture at least some persons involved in the illegal trade. A 1731 account of legal procedures told of testimony given by several foreigners caught in illicit activities. These included three black men who traveled on Dutch ships, and were identified as Nicolás, Francisco Pedro y Juan Marcos.

They gave some description of their activities. Nicolás claimed they had stopped in Riohacha, where the sloop's captain had sold around 10,000 pesos in merchandise. He claimed not to know the people who had dealt with his captain. Their trading voyage had subsequently continued along the New Granada coast until they held a fair at the mouth of the Magdalena River, where they sold hides, liquor and other items worth around 20,000 pesos.

⁴⁸¹Ibid., p. 975.

⁴⁸²Ibid., p. 976.

Francisco Pedro, meanwhile claimed he was part of the crew of a vessel called the *San Juan*, whose captain was one Joseph del Loore. He said they carried merchandise to trade across the whole coast of the province, and concurred with Nicolás in describing the two episodes of trade, one in Riohacha, the other near the Magdalena River. He added that those trading with his master were Spanish subjects. Nicolás later added that dealings had also been made in the Sotavento coast, near the mouth of the Sinú river west of Cartagena, where liquor, gunpowder and other merchandise had been traded for 400 pesos. Francisco Pedro claimed that no further deals had been possible due to guards patrolling the Sinú river.

They also claimed that their vessel was accompanied by another one called the *Santiago*, whose captain was one Pedro Calsones. They said they were captured by captain Francisco Gonzalez along with a Dutchman in Punta de Piedras, on the Sinú.

Francisco Pedro also added that the two ships were sailing together from their base at the Dutch Antillean island of Curacao. He said that the Dutch captain boarded an English ship towards Jamaica, thus avoiding capture by Gonzalez.

Another captured Dutchman named Abraham was also interrogated. He claimed that other Dutch ships had reached the province with the intention of engaging in trade, but due to the absence of locals, these deals could not be conducted. The absence of *naturales* of the province meeting the foreign ships was described by Abraham as unusual. The Dutchmen had stopped a fishing boat to inquire about possible reasons.

The fishermen, claimed Abraham, had responded:

...que por haber muchas guardias en la costa, ninguno de los naturales de ella se atrevían a pasar a bordo, considerando no podían ejecutarlo aunque quisieran; y que aún que así mismo habían estado en el Río de el Hacha, y no pudieron ejecutar trato alguno.⁴⁸³

The measures against illicit trade were showing at least some effectiveness. In the last part of his report, Bartolomé Tienda de Cuervo asked governor Antonio de Salas for an order to evacuate all the inhabitants of Isla Palma and San Bernardo:

...se sirva mandar se muden de las islas de San Bernardo, dos hombres notoriamente sospechosos, que habitan en las de Palma y Múcura, en la primera Martín Gómez, con dos o tres hijos suyos, y en la segunda Juan de Chiclana; con su suegro Domingo del Peso, ...que las embarcaciones extranjeras les hacen mil males, quitándoles los frutos y aves, las más veces sin pagarles.⁴⁸⁴

According to the King's delegate, the isles of San Bernardo and La Palma were a hotspot of contraband and the locals were extensively involved, which justified their removal. He added that the locals were involved not only with merchants but also with pirates.

A 1732 document mentioned some of the seizures of merchandise related to the anti-smuggling campaign. One of them had been undertaken by Alfonso Guzmán in the mouth of the Magdalena. He also mentioned a small boat found approaching from the coast of Santa Marta with a cargo of textiles.

Como el sar(gen)to de d(ic)hos descaminos, tengo remitidos a d(ic)ho señor deleg(a)do, siendo todo el importe de los d(ic)hos dos descaminos, rebaxados todos los costos..., trescientos y cinq(ue)nta p(eso)s líquidos: porque el primero que hize el día primero de junio se vendio todos los gén(ero)s de que se componía, en ciento y cunquenta y nueve p(eso)s, como más largo consta de los autos, que sobre ello remití a d(ic)ho señor delegado que rebaxados de las d(ic)has dos cantidades, sinquenta p(eso)s y siete r(eal)es que tengo suplidos, en varias diligencias, de espías y otras judiciales, y extrajudiciales que tengo executadas...⁴⁸⁵

⁴⁸³Ibid., p. 983.

⁴⁸⁴Ibid., p. 985.

⁴⁸⁵AGNC, Contrabandos, 5, p. 539.

There were also reports of seizure of merchandise held by one Sebastián de Ambula. This included “123 piezas de platilla, angaripola, olandilla azul, canela, pimienta, candados, relicario de plata, capote de paño azul, vestido de choleta amarilla”, among other artifacts.⁴⁸⁶

In 1732 the authorities ordered a crackdown on illicit trade on the Atrato river in Chocó. The King produced a *cédula* ordering the president and *oidores* of the *Real Audiencia* to implement several related measures. The *oidor* José Joaquín Martínez was to go to that province to collect testimonies:

...habiéndose continuado los clamores, sobre las yntroduziones de ropas holandesas, hechas por el río de Atrato, en las provincias de Choco, determinasteis pasase a d(ic)has provincias el oydor decano de esta audiencia, Dn Joseph Joachin Martínes, quien había remitido los testimonios que acompañabais de lo actuado en la ciudad de Cartaxena...⁴⁸⁷

The royal *cédula* was to be published across Chocó province and officials were to inform him of the results. Throughout this period, efforts against internal corruption kept occupying a prominent place in the judicial efforts against contraband.

In 1732, Tienda de Cuervo wrote directly to the king about the ongoing dispute regarding the number of guards. This time he presents himself as having advocated more guards, while, according to him, Lopez Pintado, his previous ally, had erred on asking for less troops than were needed.

⁴⁸⁶Ibid.

⁴⁸⁷Ibid., p. 120.

Tienda argued that López Pintado tried to discredit his reports, but that facts were proving him right. Tienda de Cuervo argued that the main problem resulted from López Pintado's decision "...reduzir a el corto gasto de 110 p(eso)s anuales, un negocio que tanto importa, pudiendo con 80 p(eso)s mas, conseguir su total logro, y mayor triunfo, imposibilitando de todo trato y comercio, a los extranjeros de d(ic)has costas..."⁴⁸⁸. It is not clear what specific item cost 110 pesos, since total expenditure had been previously calculated at more than 10.000 pesos. Tienda also accused López Pintado of scheming with the notary, the governor and other local officers against him. He now requested royal intervention to clarify the situation. The specific claims against López Pintado included having established the guards with insufficient funds and sloops, failing to admit counsel from Tienda de Cuervo, and not giving him money to pay for some arms for the guards acquired by him and Joseph Campuzano Polanco.

He added, regarding the guards in Santa Marta and Cartagena, "ha sido preciso después añadir unas barquetas pequeñas, mas caballos y en vez de indios gente blanca, a poco más costo". He mistrusted indians:

...y aunque caribes, escoltan a los yntroductores y les dan paso por los motivos que poseen en la costa de barlo/to de dicho rio, hasta el cabo de Chichivacoa, y mas hallá, en cuya distancia ay muchas bahías y surjideros q frequentan los yntroductores mayormente desde que han hecho amistad con dichos yndios...⁴⁸⁹

Another interesting example of turf wars between officials can be seen in the following case, where the provinces of Cartagena and Santa Marta entered into a long feud to determine if the seizure of a particular cargo of contraband had occurred within their provincial borders. Manuel Carrera Urbina, from Santa Marta, claimed that cargo

⁴⁸⁸ AGNC, Contrabandos, 10, p. 861.

⁴⁸⁹ AGNC, Contrabandos, 10, 1732, p. 871.

confiscated from Joseph de Sevilla in a place called Morales, in the Magdalena River, fell under Santa Marta's jurisdiction. Cartagena's *fiscal*, however, insisted on saying that it was part of their province:

En virtud del auto de vs. mercedes para que declare mi sentir según el pedimento fiscal sobre si el sitio de Morales y brazuelo de Toro y Sotomayor pertenecen a esta provincia de Cartagena y la posesión que en ellos hubiere tenido esta... de Santa Marta, devo dezir que el sitio de Morales y demás sitios referidos son y han sido siempre sin duda y sin controversia alguna pertenecientes a esta gobernación de Cartaxena...⁴⁹⁰

The dispute reached the King, who sent a royal *cédula* on these terms:

Librese real provision para que el gobernador de Cartagena remita los autos que hubiere obrado sobre los dos descaminos hechos en el río de la Magdalena por Joseph de Sevilla en los sitios de la playa del Brazuelo, e ysla de Sotomayor, arriba del sitio de Morales; para con su vista probeher respecto al remiso indendentado por gobernador y oficiales reales de Sta. Martha.⁴⁹¹

The need to involve the King in this apparently local dispute showed the level of animosity that turf conflicts could reach in the colonial government.

The search for corruption within the administration was almost continous during the period in examination. In 1734 the turn was for Alfonso de Guzmán, an official accused of complicity in smuggling. A royal *cédula* was produced to investigate his activities:

...os mande prosiguieseis, substanciaseis y determinaseis la causa que se hallava pendiente contra Don Alfonso de Guzmán dando quenta de lo que resultase como también de la inzidencia de Don Isidro de la Puente por cómplizes y factores del trato ylízito.⁴⁹²

The public prosecutor ordered that the official be suspended while the investigation proceeded against him.

⁴⁹⁰ AGNC, Contrabandos, 22, 1733, p. 586.

⁴⁹¹ Ibid. p. 596.

⁴⁹²AGNC, Contrabandos, 16, 1734, p. 152.

One of the most drastic proposals against smuggling during these years was the definitive closing of the port of Riohacha, discussed by the King in this cédula:

...a mi noticia ha llegado ser mucho crecido el continuado abuso del trato hilísito en la provincia de Santa Martha y que actualmente llega a tanto el desorden en el Río del Hacha que dan fondo en aquel puerto diferentes valandras olandesas haciendo sus empleos, o dinero o comiso descargando sus fondos en la ciudad de las Ave Mariás los extranxeros bendiendo publicamente y paseando sus calles hasta media noche siendo el trato y contrato con los extranxeros tan familiar que siendo así que de antes tardar mucho tiempo en expender sus cargos ahora en muy breves días tienen selebradas sus bentas...⁴⁹³

The King asked for a report on the feasibility of closing down the port, the task being given to Silvestre García de Quesada, an experienced officer. Garcia however believed there were geographical difficulties:

...y en lo natural es imposible serrar el puerto porque no tiene boca, y es el mar ancho y mucho más abierto que el de Cádiz.⁴⁹⁴

Garcia described how the Dutch used the port, arriving from Curazao with a ship and a crew of almost 100. According to the officer, the ship would fire its cannon twice or thrice, terrorizing the locals, before sending men ashore to conduct trading.

Carlos de Briones, a colonial officer, thought of a possible solution:

...antiguamente en el principio del lugar hubo un castillo situado a la orilla del mar [...] del que solo han quedado los vestigios y que fabricado un fuerte aunque sea de madera con quatro cañones embarasaría el que los holandeses saltaran a comerciar en la ciudad...⁴⁹⁵

However, it was discussed, this proposal would be unworkable if the smugglers just moved out of shooting distance from the fortress's cannon. They concluded that establishing more sentry posts was a better response:

⁴⁹³ AGNC, Aduanas, 8, 1734, p. 326.

⁴⁹⁴ Ibid., p. 330.

⁴⁹⁵ Ibid., p. 332.

Y así digo, que el modo, o arbitrio que se podrá tomar a fin de embarazar totalmente aquellas introducciones, es poner dos guardias con cabos de satisfacción, la una con diez hombres [...] y la otra guardia con quatro o seis hombres [...]. Deven los soldados de ambas guardias tener sus cavallos.⁴⁹⁶

The privateer company

One of the most ambitious schemes against contraband in the colony was undertaken in the final months before war broke out with England. It entailed the creation of a company of privateers, financed by some of the most powerful men in Cartagena and its environs, to go after English interlopers.⁴⁹⁷

Discussion on its formation had gone on for some time. In an *auto* of August 18 1736, the King sent an order to his governors in America and especially those of the provinces of Santa Marta and Maracaibo to help the company. By 1737, the enterprise actually began to take concrete shape. The issue was described at length in a report by brigadier general Pedro Joseph Hidalgo, Knight of the order of Santiago and Captain General of the province of Cartagena, Santa Marta and Maracaibo. He began, as customary, by describing how the coasts under his command had been flooded by foreign ships loaded with all kinds of merchandise; he also expressed his worries about the freedom with which foreign sloops navigated along the coasts.

Hidalgo reported to the lieutenant general of the Real Armada and commander of the guardacostas, Blas de Leso, on the constant presence of foreign ships and his indignation

⁴⁹⁶ Ibid., p. 339.

⁴⁹⁷On this incident, see also: Moreno Lorente, A., 'La fundación de la Compañía de Armadores en corso de Cartagena de Indias (1737)', in *Temas Americanistas*, 2, 1983, 29-30.

by the impossibility to take measures to stop the problem. He designed a plan that could help improve the difficult situation of the guarda costas in Cartagena, Santa Marta and Maracaibo.

The plans were discussed in a meeting on 26 March 1737. The meeting was attended by Leso and Hidalgo, as well as officials of the Treasury and representatives of the city merchants. A proposal was presented to establish a group of vessels tasked with preventing commerce by foreigners on the coasts. The government lacked at that moment enough ships to defend its coasts from smugglers, so the new company would provide the vessels by purchase or by building new ships to face the British, French and Dutch.

The proposal was summarized as follows:

...se propuso al Señor comandante la suma importancia al servicio de Su Majestad interese al comercio, y bien de toda la monarchía en armar algunas embarcaciones mayores, y menores para impedir el comercio que en estas costas están haciendo los extranjeros...⁴⁹⁸

The report added that the growing presence of foreign ships in the coasts of the province of Cartagena was due, among others factors, to the lack of commerce of Spain. A great part of the Kingdom was flooded with merchandise and clothes of illicit origin. The ease with which they entered and their low cost led the locals to acquire them, favouring the interests of the foreigners. The guards established for the control of arriving foreign ships were deemed insufficient, Brigadier General Hidalgo explained:

...aún cuando el número de guardias fuese tan grande que de él pudiera formarse un ejército numeroso mandado de oficiales tan iguales que todos atendiesen al honor con total abandono de los propios intereses, aún no podrían quedar enteramente guardadas las costas por su longitud...⁴⁹⁹

⁴⁹⁸AGNC, Milicias y marina, 33, p. 84.

⁴⁹⁹Ibid., p. 85.

An alternative mechanism against contraband was the conformation of a private company dedicated to patrolling the coasts in all their extension. Funding of the company was carried out by the emission of 48 shares at a cost of 500 pesos each. The total capital would be \$24,000, destined to fund the establishment of a fort against foreign contraband-laden vessels. The fund would also provide for the purchase of two vessels. In case of an increase in the assets of the company, more sloops would be purchased.

Once agreement was reached on the company's funding, they continued with the appointment of officials. Domingo de Miranda, Francisco Gervasio de Herrera and Bartolomé de Arauna were appointed to record the conditions for the formal establishment of the company. After the meeting, the notary public Francisco Ochoa Montes communicated the decision of the company's formation to all its partners. The date of the announcement is registered on 5 April 1737. The formation of the company in the province of Cartagena was described in the documents with the following words:

...se ha dispuesto y se forma en ella esta compañía de armadores para hacer el corso por todas estas costas de los dominios de su majestad en su real servicio contra las embarcaciones que intentasen comerciar ilícitamente...⁵⁰⁰

Initially the company was to man two sloops acquired with the 24.000 pesos resulting from the sale of 48 stocks at 500 pesos each. The shares were bought by 20 private citizens with a preliminary agreement not to enrol any additional members. It was also agreed that all profits would be reinvested in arming the sloops.

⁵⁰⁰Ibid., p. 88.

The company also agreed on a series of initial rules.⁵⁰¹ It established that any profit or losses sustained by the company would be held in common by all the stockholders. No stockholder was allowed to demand money or other goods from the company in lieu of stock. Captains and officers in the armed ships would be elected by the company. An agreement would be reached with them concerning their part in the booty obtained. There were also rules of conduct:

El señor capitán y gobernador dará sus patentes a los capitanes que le serán presentados por la compañía, los cuales serán obligados a observar y guardar las órdenes e instrucciones que les dé la compañía: los demás oficiales y gente de tripulación deberán obedecer y cumplir las órdenes de sus capitanes y oficiales respectivamente. En caso de que los capitanes, oficiales y demás gente del curso faltasen a la obediencia que deben tener se procederá en justicia contra los delincuentes castigándolos conforme a reglas militares según la calidad del delito.⁵⁰²

The governor of Cartagena was committed to supplying weapons and ammunitions to the company in case of need. The procedure for captured ships was also clearly established:

Las presas que hicieren las embarcaciones del armamento de la compañía se deberán conducir a este puerto y ciudad en donde las han de recibir sus directores por los cuales solamente se venderán políticamente todos los cargamentos que conocieren con cuenta y razón que satisfaga a la compañía. Y en esto no tendrán los servidores de Su Majestad más voto, ni acción que la de cobrar los dineros reales que deban pagar las ropas que encontrasen de otras presas bien entendido: que estos otros han de ser regulados en la misma forma que si fuesen cargamentos del comercio de España vendidos en galeones y como a tales se les dará despacho desde acá para el Reino de Santafé y otra cualquier parte de la provincia que se pida.⁵⁰³

The company rule book added the following:

A los capitanes que mandasen las embarcaciones del armamento, se les dará por los directores las instrucciones de lo que han de ejecutar, y observar en los viajes, a que fueren despachados y en ellos se les advertirá, y encargará mucho la buena conducta que deberán tener en todo para que por ningún motivo resulte queja ni perjuicio a la compañía: y también cuidarán los directores de proveer a las seguridades de que en ningún modo se cometan fraudes en las presas que se hicieren.⁵⁰⁴

⁵⁰¹Ibid., pp. 89-92.

⁵⁰²Ibid.

⁵⁰³Ibid.

⁵⁰⁴Ibid.

The company ambitiously proposed naming an agent in Cádiz and another in Madrid:

...señalando a cada uno de los dos, la gratificación que pareciere conveniente o proporción de lo que tuvieren que hacer en las dependencias que respectivamente se les encargase.

There was, finally, a procedure established for the eventual dissolution of the company:

Respecto a la inconstancia de los sucesos al tiempo, y variedad de accidentes de la balandra en cualquiera tiempo que los llamadores de la otra compañía por motivos que podrán sobrevenir, tuviesen por conveniente deshacerla y retirar y recoger sus caudales podrán hacerlo, a su arbitrio y con entera libertad, suponiendo que para tomar esta resolución y practicarla ha de ser de acuerdo común en junta general de los armadores y en voto de los que lleguen al número de las dos terceras partes de las 48 acciones por lo menos, y habiendo elegido ya la compañía por sus directores a Don Domingo de Miranda, Don Francisco Gervasio de Herrero y Bartolomé de Arauna, por éstos se firmaría este reglamento y se responderá a todo lo demás que haga la compañía. Hecho en Cartagena de Indias a los 10 días del mes de Abril de 1737.⁵⁰⁵

One of the problems facing the anti-smuggling campaign was that the colony lacked material for shipbuilding, as well as facilities to manufacture guns, gunpowder, sails and the other materials required for *guarda costa* ships. The only available alternative was to request from the King permission for the company to run a yearly ship from Spain loaded with wine, flour, oil, iron, tar, tarpaulin, steel, knives and firearms, gunpowder and bullets, so the company could equip the vessels that would serve the monarchy's purposes. Governor Hidalgo asked for approval for the company from Blas de Leso. The answer came in these terms:

...por cuanto de la formación y establecimiento de la expresada compañía resuelto con claridad y evidencia muy considerable servicio a Su Majestad y conocidas ventajosas consecuencias ventajosas a los comercios de sus reinos desde luego conformándose como se conformaba el citado decreto [...] aprobaba y aprobó la referida compañía de armadores y en nombre de Su Majestad daba y dio las gracias por su celo y fidelidad...⁵⁰⁶

⁵⁰⁵Ibid.

⁵⁰⁶Ibid., p. 98.

After being endorsed by the King, the company proceeded to sell its stock under the leadership of the directors, Domingo de Miranda, Francisco Gervasio de Herrera and Bartolomé de Arauna. The company was thus formed on 4 May 1737. The same day, the directors of the company, Domingo de Miranda, Francisco Gervasio de Herrera and Bartolomé de Arauna appointed Benito Socarras as the commander of one of the sloops:

...haviéndonos llegado una de las embarcaciones solicitadas para este destino presentamos el día 13 del pasado para su capitán y comandante de las demás que se agregasen a Don Benito Socarráz, y juntamente a su primero y segundo theniente de otra embarcación como también a Don Francisco Saloa para que se sirva de mandar despachar la patente correspondiente.⁵⁰⁷

Soon after, they began preparations to launch a second vessel whose mission was to support Socarras's ship in attacks against foreign smugglers. The commander appointed for the second sloop was Francisco Acero, with as his first lieutenant Joseph González Chacón and as his second Joseph of Berroa; as pilot they chose Joaquín Azillaga and Agustín de Vrizar as secretary to keep the log of the mission. The ships were ordered to seize sloops with illicit merchandise and besides to retain the ships that anchored next to any of these vessels. Their orders commanded them in these terms:

“apresando todas y cualesquiera que en ellas encontrasen tratando, o negociando: las que estuviesen a la vela fondeándolas; y de hallarles frutos, plata, oro o alhajas conocidas de nuestros reynos, las hará a buena presa...”⁵⁰⁸

An official notice was placed in the port of Cartagena announcing the mission:

Por el presente ordeno y mando a todas las personas que estuviesen alistados en las embarcaciones de corso el capitán Don Benito Socarráz: que el lunes que se contarán diez y nueve del corriente, al amanecer se hallen todos a bordo de ellas para pasar revista, y recibir los préstamos que les están asignados, para que desde otro día en adelante les corra la ración diaria, con apercibimiento: que el que no se hallare en la revista perderá el préstamo y hará la campaña. Y si algunos de los que

⁵⁰⁷Ibid., p. 111.

⁵⁰⁸Ibid., p. 121.

hubieren alistado no se embarcase para salir a otro corso se le pondrá en el castillo de San Luis de Bocachica por el término de un año a ración y sin sueldo.17 de Agosto de 1737. ⁵⁰⁹

Soon after, Governor Hidalgo hired a notary public, Luis Castellon, to present a balance of all the expenses incurred by the company. Their initial legal expenses totaled 259 pesos, 4 reales and 31 cuartos.

After some time, a third sloop was ready to set sail as the two previous one. This one was commanded by Joseph Diego de Izarralde. The port was made ready for the activity of the three sloops authorised by the monarchy.

The company had begun operations with auspicious beginnings in August 1737.

However, before a year had passed, the directors reported that they could not supply the vessels since they had spent all available funds. A meeting was then called to report about the serious state of the company and to explain the reasons of the difficulties and to take corrective measures. The meeting was called for 23 August 1738 bringing together the directors, Pedro Joseph Hidalgo and the shareholders. After they were briefed on the difficult situation that confronted the company, their opinion was individually asked regarding the measures that should be adopted. The majority of the shareholders opted for abandoning the company given their unwillingness to contribute more money to the maintenance of the enterprise; others asked for an appraisal of the sloops' value, hoping to sell them and recover the investment carried out. Among these was Domingo Buzeta del Porto, who initiated the procedures through a request that was accepted by the members of the company and notified through the public notary, Francisco Joseph Ochoa de Montaos.

⁵⁰⁹Ibid.

The appraisal was carried out by members of the carpentry of Rivero, who, one by one, inspected and assigned a value to the supplies in the sloops acquired by the company. Manuel Galán was the official responsible for carrying out the inventory and determining the amount to be paid to the shareholders from the sale of objects bought for the attacks against foreign ships. According to them, there were reasons to think that the monetary value that had been assigned to the goods was unrealistic, making it impossible to carry out the payment demanded by the shareholders.

One of the cases that did seem to suggest an inflated appraisal was the sale of the ship *La Gran Bestia*. This sloop, according to the report, was worth 17,000 pesos and its supplies were said to be worth another 10,000. Nevertheless at the moment of the sale the best offer was 9,000 pesos.

The constant tension within the company left it with five members (including the directors and the treasurer); this group took charge of drafting *autos* to request the execution of a new appraisal. In the request sent to the King of Spain they expressed their preoccupation with the appraisal and described the actions of the company before it faced its crisis, claiming that:

...con efecto se consiguió la retirada de alguna parte de las otras embarcaciones extranjeras por temor de dicho armamento...⁵¹⁰

The effective action of the company had been scant. This was recognised in a report describing how, in spite of large expenses, they had not obtained *presas*:

⁵¹⁰Ibid., p. 173.

...dado que las embarcaciones estaban muy maltratadas y sin logro de presa alguna que sufragara siquiera en parte; al crecido gasto de más de 16,000 pesos que se hizo en otra campaña parece que esta pudo ser la causa por que los mas de los compañeros pasaron a la retirada que hicieron de la compañía en la junta...⁵¹¹

The remaining members of the company insisted on continuing with the mission promised to the King for a few more months. Nevertheless legal disputes with the old members of the company soon led to its dissolution. A report was presented to wind up the company:

...estar el vergantín grandemente deteriorado y hallarse la balandra en campaña siete meses sin más noticia de ella que haver llegado desarbolada donde estaba por el mes de octubre pasado en la isla de Santo Domingo; se nos ha hecho precisa la expresada deliberación de dar por conclusa nuestra compañía quedando solo con el sentimiento de no haber logrado los mayores progresos que deseamos, y solicitamos al fin de su establecimiento; y de que todavía tengamos que seguir los litigios a que nos han obligado las injustas pretensiones de nuestros separados compañeros...⁵¹²

The company was thus dismantled, leaving little else besides the numerous lawsuits among its former members.

Regardless of this particular episode, the campaign against infractions of the Spanish monopoly rules continued through 1738 and, according to some testimonies, had been successful enough to place strains on the precarious legal system of the colony.

In 1738 the governor of Cartagena authorised the *Alguacil Mayor*, Nicolás Dávila Maldonado to grant a pardon to those being held prisoners for contraband in Maracaibo. The pardon was necessary, according to commander and *capitan general* Antonio de Salas, referring to the provinces of Santa Marta and Maracaibo:

⁵¹¹Ibid., p. 174.

⁵¹²Ibid.

Hallándome informado de que en la jurisdicción de esa provincia y en las de Sta Martha y Maracaibo se hallan muchas causas pendientes contra los introductores de ilícito comercio y que igualmente es crecido el numero de los comprendidos en este delito, siendo difícil su plena averiguación para imponerles el correspondiente castigo: he resuelto concederos como por la presente os concedo así mismo que al que os sucediere en esse gobierno, facultad para indultar a los reos de comercio y lícito...⁵¹³

In order to proceed with the pardon, Cartagena governor Joseph Hidalgo proposed that a lawyer from the *Real Audiencia* of Santa Fe, Antonio de Verástegui, should head the process, and in his absence, Nicolás Dávila Maldonado.⁵¹⁴

At this point, war with Britain was seen as imminent. Correspondence between Blas de Leso and the *audiencia* detailed preparations:

Con el aviso que entró en Bocachica el día 22 del corriente , me participa el Rey en cartas del 20 marzo y 21 abril de este presente los recelos con los que se halla S.M. de que ver yntentar los ingleses y olandeses algunas hostilidades en esta América, y para evitar y castigar estos atentados, os ha signado para la seguridad de sus comercios y vasallos dar las más estrechas ordenes a fin de que en la Habana se junte el numero de navíos suficientes que siempre superen la fuerza de los extranjeros, mandándome estén a mis órdenes para oponerme con estas fuerzas a los intentos que los extranjeros tubiesen y para que estén los navios en estado de operar cuanto convenga a su real servicio, me previene ocurra para los caudales necesarios a los virreyes de México y Lima.⁵¹⁵

Blas de Leso quickly asked for help in other colonial dependencies:

... He enviado las combenientes a Habana al comandante de aquella escuadra para que inmediatamente destaque para este puerto los navíos que le prevengo, y siendo muy remotos los recursos para tan importante providencia, los de los virreyes me ha parecido muy de mi obligacion poner en la gran comprensión de Su Excelenciala gran importancia de esta dependencia, para que entendidos de ella, se sirvan dar las más estrechas ordenes para que de cualesquiera ramos de la Real Hacienda o de otros arbitrios que Vuesas Srías. hallasen por combenientes, se envíen a esta ciudad sin la menor dilacion 200.000 pesos para la subsistencia y manutención de dichos navíos.⁵¹⁶

However, the Santa Fe *audiencia* responded to Blas de Leso a few days later in these

terms. The treasury officials sent a report:

⁵¹³ AGNC, Contrabandos, 12, 1738, p. 953.

⁵¹⁴ Ibid., p. 957.

⁵¹⁵ AGNC, Negocios Exteriores, 4, 1738, pp. 253-258.

⁵¹⁶ Ibid.

...en que expresan la total pobreza en que están y no haber con que sufragar a sus precisas cargas...con atención a no haber caudal de ningún ramo de hacienda, ni vecinos a quien de presente poder estrechar al préstamo de mil doblones pagandole los intereses de lucro cesante por tener todos embebidos sus caudales en las compras que han hecho de los efectos de galeones y bajándolos a Cartagena. Se responde al comandante de galeones no haber arbitrio ni caudal alguno en las Cajas Reales para el socorro de 200.000 patacones que pide...⁵¹⁷

While in this instance Blas de Leso did not get his money to prepare for the invasion due to an alleged total lack of funds in royal coffers, the regular police activities against smugglers continued. There is some evidence that the anti-smuggling campaign was extended to the interior of the colony and was not confined to the environs of the main ports. A previous reference has been made in this section to dealings with local authorities in Mompox. A 1739 document showed actions further into the interior, in this case in the province of Tunja. Manuel García de Araoz gave an account of the efforts he had taken to stop contraband in the interior:

...habían entrado en la ciudad de Tunja, a pocos días a esta parte gran número de cargas, que según avisos anteriores se tienen justos fundamentos para creer vienen de las costas de las provincias de Maracaibo y Caracas...⁵¹⁸

Following rumours of this activity, García Araoz was ordered to go to Tunja to seek out the current holders of the illegally introduced merchandise, with instructions to confiscate the cargo and prosecute those responsible. He was instructed to inspect the city's stores and shops and prosecute the shop-owners who could not certify the legality of their merchandise.

⁵¹⁷ Ibid.

⁵¹⁸AGNC, Contrabandos, 16, 1739, p. 172.

The restoration of the New Granada viceroyalty

The second attempt at establishing a viceroyalty in New Granada was another aspect of the colonial response to British commercial expansion in the years leading to the war.

While the previous section emphasized the police and judiciary actions against contraband, this section deals with one of the central decisions of the colonial administration in the final stretch leading to the hostilities of 1739: the restoration of the viceroyalty. This was both a recognition of failure of many of the previous strategies and a renewed effort to revitalize the colony, which now was seen under direct military threat from Britain.

An official report from early 1738 signed by a high-ranking official in Madrid, the Marquis of Torrenueva, presented a worrisome picture of the effect of smuggling on New Granada, placing a heavy degree of the blame on ineffective administration. His report was entitled “Del infeliz estado en que se halla (el Nuevo Reino de Granada) de algunos años a esta parte por el continuo trafico y comercio de extranjeros y principalmente por el descuido y ninguna aplicación de los gobernadores de todas aquellas provincias sin atender a la conservacion y mayor fomento de ella...”.

As was frequent in many of these reports, he began by emphasizing the evident natural wealth of the colony, which made its economic troubles harder to justify:

Siendo constante que el reino de Santa Fe o Nuevo Reino de Granada se halla actualmente muy opulento de ricos metales como lo acreditan las naciones que los

disfrutaban....⁵¹⁹

He then went on to discuss the proposals made by the *intendente*, Bartolomé Tienda de Cuervo, for the reform of New Granada's administration. The main issue presented was institutional: he now thought that the *audiencia*, the hybrid between executive and judiciary which hitherto ruled the colony, was ill-suited to the present difficulties. A strong leader was required:

Pues por lo tocante a establecer virreynatos en aquel reino me parece muy bien y lo tengo por muy necesario por los causales motivos y razones que expone (Bartolomé Tienda) en su papel, siendo la principalísima el que las audiencias no pueden dar las providencias gubernativas que (puede) un virrey cabeza de todo el reino, ni tampoco pueden dedicarse en aquellas grandes distancias a remediar los diversos abusos que con gran facilidad podrá extinguir la superioridad del virrey.⁵²⁰

The report also suggested naming additional staff to strengthen tax collection:

A todo lo expresado no puedo dejar de añadir el que si fuere del agrado de Su Majestad establecer virreynato en el Reyno de Santa Fe convendría también se nombrase un ministro con el titulo de intendente para planificar el modo y forma de asegurar los quintos y todo lo demás perteneciente a la Real Hacienda visitando las provincias hasta dejarlas arregladas a lo que debían practicar en lo sucesivo, pues para uno y para otro tiene Su Majestad en esa corte personas del mayor conocimiento y práctica en todos aquellos parajes que es lo que se necesita para tan grave importancia. Cádiz, 26 de enero 1738.⁵²¹

The Council of Indies discussed the viceroyalty plan through 1738. In a session held on 20 June of that year it discussed the pros and cons presented by several officials, including:

...el intendente Bartolomé Tienda de Cuervo, el Marques de Torreblanca, el Conde de la Cueva y Francisco Baxas, presidente de la Casa de Contratación de Cádiz sobre las conveniencias e inconvenientes que pueden resultar del restablecimiento del virreynato de

⁵¹⁹ AGI Santa Fe 385, Del infeliz estado en que se halla (el Nuevo Reino de Granada) de algunos años a esta parte por el continuo trafico y comercio de extranjeros y principalmente por el descuido y ninguna aplicacion de los gobernadores de todas aquellas provincias sin atender a la conservacion y mayor fomento de ella, 1738.

⁵²⁰Ibid.

⁵²¹Ibid.

Santa Fe....⁵²²

The *fiscal* of the council recognised then that the arguments in favour of the new viceroyalty were so evident, “que halla por esencial su restablecimiento”. The document showed extraordinary optimism about the effects of the measure, “mediante que con el se experimentara el total destierro del comercio ilícito tan frecuentado por extranjeros en el río Orinoco, el de san Juan, Atrato y el de la Magdalena”. It went on to suggest that the viceroyalty should incorporate other provinces suggested by Tienda, “con la subordinación que deben tener todos los gobernadores de ellas al virrey”.⁵²³

The viceroyalty would reestablish discipline and authority, bringing rebellious or corrupted provincial governors into line:

La conveniencia que se seguirá a todas las provincias subordinadas con su restablecimiento por el inmediato superior recurso, que sus naturales tendrán al virrey para contener los excesos y tropelías que lastimosamente padecen de los gobernadores con la despótica y absoluta potestad que comprenden, tienen, sin subordinación y antes conformar resistencia a las ordenes y provisiones de las audiencias.⁵²⁴

There were also fiscal benefits to be had:

Será beneficiada la real hacienda en los quintos del oro y demás metales que con tanta abundancia dicen los informes producen las provincias del Chocó y otros parajes de la comprehensión de aquel virreinato...⁵²⁵

The bringing of Panama under this jurisdiction would have the added benefit of helping the suppression of an indigenous rebellion there, which was considered an additional reason for the flourishing of smuggling:

⁵²² AGI Santa Fe 385, 20 June 1738.

⁵²³ *Ibid.*

⁵²⁴ *Ibid.*

⁵²⁵ *Ibid.*

...(con) la subordinación al virrey cesaran sus excesos. Se aunarán unos a otros para desterrar el comercio ilícito estando como están todas las provincias continentales con Tierra Firme y contiguas con el Nuevo Reyno y agregada la de Panamá dedicándose a la reducción de los indios cunacunas (que es el primer objeto de Su Majestad) y que por este medio se propone fácil, desde ella se consigue el tráfico por tierra a Cartagena.

The document mentioned geographical considerations that it believed backed the need for a strong executive:

...por estar el reino de Santa Fe tierra adentro 300 leguas apartado de las fronteras, en paraje donde no hay guerra ni ocasión para ella, no tenía que mandar el virrey; respecto de agregársele diversas provincias que son costas de mar y que tanto frecuentan las embarcaciones extranjeras, se hace inevitable la persona de un virrey para contener los fraudes y introducciones, a que no alcanzan las facultades de un gobernador responsable solo del distrito de su gobierno.⁵²⁶

It also discussed how the new bureaucracy would be funded, by imposing a tax on *aguardiente*. It even noted the ambiguous situation this placed the government in, of needing to promote consumption of an item it knew had negative effects on public health:

...y la necesidad de permitir el uso del aguardiente de caña para imponer algún oro en que asegurar el sueldo del virrey, pues aunque con ella resultasen las utilidades a la Real Hacienda, que dice don Bartolomé, tiene experiencia el fiscal de lo nociva que es esta bebida, ocasionada a muertes repentinas como en varias ocasiones lo ha resuelto el protomedicato de México.⁵²⁷

The report ended by ordering a revision of all the presented surveys on the state of the colony, in order to prepare instructions for an eventual viceroy:

(Para que) tanteara el modo y medio de reparar la decadencia de aquellas provincias y sus naturales, el beneficio de la Real Hacienda con el aumento y conveniencia lícita que dice la ley final, tit. 8, lib. 8 de la Recopilación de Indias, es siempre la intención de Su Majestad como sean estos los fines a que aspira esta providencia, con la práctica y conocimiento que tome el virrey del estado de aquel reyno.

On 26 June 1738, another document of the *Consejo de Indias* discussed the decision that

⁵²⁶Ibid.

⁵²⁷Ibid.

had been made to approve the establishment of the viceroyalty:

El consejo ha visto con atenta reflexión el proyecto del intendente don Bartolomé Tienda de Cuervo... y los informes que sobre el mando del.. hiciesen el Conde de la Cueva, el Marqués de Torreblanca⁵²⁸ y don Francisco de Bajas, con los antecedentes que sobre el asunto se hallaron y oído sobre todo del fiscal es de parecer se debe aprobar y practicar el referido proyecto con algunas moderaciones y extensiones que sin apartarse de su sustancia pueden en algunas circunstancias coadyuvar a los mismos importantes fines.⁵²⁹

The Council asked that the viceroy should also assume other posts in the colonial administration:

Es el dictamen del consejo se sirva de erigir el virreinato del Nuevo Reino de Granada, siendo el virrey que S.M. nombrare juntamente presidente de la Audiencia de Santa Fe y capitán general de la jurisdicción de aquel reino y provincias que se le han de agregar con las mismas facultades y prerrogativas y en la misma conformidad que lo son y las ejercen en sus respectivos distritos los virreyes del Perú y Nueva España.

In a telling notice of how low inflation was in the colony, his salary was set at the same levels of his predecessor, the last viceroy, two decades before:

Que el virrey tenga la misma dotación, en cuanto a su sueldo y guardias que se le señalo el año del 18 que S. M. se sirvió erigir este virreinato.⁵³⁰

Although Santa Fe was to be the main site of residence, there was also a mention of the special status of Cartagena and its efforts to obtain the capital of the viceroyalty.

...que su residencia sea la ciudad de Santa Fe como lo fue entonces, y como propuso el consejo a S.M. debía ser en consulta del 19 de abril del 23, hecho en vista de varios informes que el mandó pedir, con motivo de haberle representado la ciudad de Cartagena mandase pasar por allí su residencia.

Discussions around the idea of having the viceroyalty based in Cartagena created the fear of leaving the colony's interior too far away from authority:

⁵²⁸ The Marques de Torreblanca was Manuel López Pintado, the naval officer who had been in Cartagena in the early 1730's as the chief of the galleons, and whose correspondence with Tienda de Cuervo was described in the previous section. He had been created Marquis in 1737.

⁵²⁹ AGI Santa Fe 385, 26 June 1738.

⁵³⁰ Ibid.

Todo el resto de provincias y pueblos quedaban enteramente desamparados y con el tiempo llegaría a despoblarse y a una total ruina de hacienda.⁵³¹

The document also contained more detailed orders for the administrative reform in the rest of the colonial government:

Que las cajas reales de Santa Fe sean generales y matrices de toda la Real Hacienda del territorio del virreinato, y en ellas den los oficiales de todas las provincias subalternas sus cuentas, entendiéndose desde el principio del año, que empiece después que el exija el virreinato.⁵³²

The substantial extension of land to be covered by the new viceroyalty was presented in these terms:

Que debajo del mando y jurisdicción del virrey han de quedar las provincias de Santa Fe, el Nuevo Reino de Granada, provincias del Chocó, reyno de Quito, Guayaquil, y provincias de Cartagena, Santa Marta, Río de la Hacha, Maracaibo, Caracas, Antioquia, Guayana y Río Orinoco, islas de Trinidad y Margarita, Popayán, Panamá, Portobelo y el Darien, con todas las ciudades villas y lugares, con todos los puertos, bahías surgideros caletas y todo lo perteneciente a ella en uno y otro.... y tierra firme.⁵³³

It was particularly emphasized that Quito and Panama were to obey to orders from Santa Fe:

Permanezcan y subsistan las audiencias de Quito y Panamá como están, pero con la misma subordinación y dependencia del virrey que tienen las demás subordinadas en los virreinos del Perú y de México, en orden a sus respectivos virreyes.⁵³⁴

It also presented instructions on civilian-military relations:

Que haya tres comandantes generales, que aunque han de ser súbditos, como los demás del virrey, han de tener la superioridad que se dirá respecto de otros. Estos han de ser el gobernador y presidente de Panamá, comandante general de Portobelo, Darien y de Guayaquil. El gobernador de Cartagena, el de Santa Marta y Río de la Hacha. El gobernador de Caracas, del de Maracaibo, Cumaná, Guyana, Río Orinoco y Margarita.⁵³⁵

⁵³¹Ibid.

⁵³²Ibid.

⁵³³Ibid.

⁵³⁴Ibid.

⁵³⁵Ibid.

They had special responsibility in the anti-smuggling effort:

La superioridad de estos comandantes ha de ser para que velen sobre las operaciones de los subalternos, que se les encarguen en punto, de introducciones y extracciones del ilícito comercio.⁵³⁶

Peru was to continue funding garrisons in Panama, although the latter was no longer under its direct supervision:

...que sin embargo de separarse Panamá y Portobelo del virreinato de Lima y agregarse al de Santa Fe, mande el virrey del Perú, que continúe de remitir la dotación de aquellos presidios, como hasta aquí, respecto de que como se necesita algún tiempo para fructificar la nueva planta y era demasiada carga añadir esta desde luego, pero que haya de ser con la prevención de que, si el presidente de Panamá pidiese algo mas de lo establecido para todos los años, haya de dar cuenta antes del motivo a su virrey de Santa Fe, y aprobándolo este, lo aya de remitir el de Lima y sin esta circunstancia, no remita mas que el situado que mande Su Majestad.⁵³⁷

Likewise, there were elements of courtesy to be taken care of:

...que el gobernador de Panamá siga una urbana correspondencia con el virrey del Perú, sin embargo de no ser ya su jefe, pasándole las considerables noticias que ocurran por aquellos parajes por lo que pueda conducir tenerlas parra el gobierno de sus distritos.

Someone added on the margin of the document that not only the “considerable” news should be sent to Lima, but “any that arrived”.

Jurisdiction over Panama and Portobelo was, unsurprisingly, a point of contention. Again geography was a determinant for the decision to keep them in New Granada. Smuggling routes overlapped between Panama and the rest of New Granada, making it inconvenient to have two separate jurisdictions for the two regions:

⁵³⁶Ibid.

⁵³⁷Ibid.

...sobre la inclusión de Panamá y Portobelo en la jurisdicción del virreinato en vez de quedarse en Lima, ha venido el consejo en que se agregue a Santa Fe como lleva propuesto a Su Majestad. Porque así lo propone el proyecto con muy fuertes razones, siendo entre otras muy considerables las que los ríos Atrato y San Juan, que pasan las provincias del Chocó, entran en los mares por (...) el territorio de Panamá y Portobelo, y que si estos son de diversa jurisdicción, es mucho mayor el riesgo de la extracción del oro de aquellas ricas provincias y introducción de géneros prohibidos.⁵³⁸

Again, the military conquest of rebellious indians in the Darien was brought up as an additional argument:

...y la de que, para tan importante conquista del Darien es necesario que éste y los demás gobernadores que le deben ayudar, estén debajo de un mismo jefe superior que los pueda hacer concurrir a un mismo tiempo a la empresa por cuyo defecto sea malogrado ya en otro tiempo, con crecido dispendio de la Real Hacienda que el ser un mismo continente de tierra con el mismo virreinato expone a este, si es de diversa jurisdicción, a las introducciones de ilícito comercio por aquella parte.⁵³⁹

Being the key economic event in the viceroyalty, the Portobelo fair was an object of consideration in this discussion. It was important to have an adequate judicial system in place for it:

...además, la feria de Portobelo, si tienen jurisdicción en Santa Fe alcanzan a hacer recurso mientras dura la feria, lo que no ocurre si la jurisdicción respectiva fuera Lima.⁵⁴⁰

Likewise, the previously described regional *comandancias* to be introduced in the viceroyalty were seen as a good idea in practical terms, since, for example, Guayaquil was very far from Santa Fe, but closer by sea to the governor of Panama, which facilitated a reaction in case of a “turbación del comercio”. The document also acknowledged some scepticism surrounding the mission of the viceroy, expressed by a dissenting opinion at the Council of the Indies in these terms:

⁵³⁸Ibid.

⁵³⁹Ibid.

⁵⁴⁰Ibid.

Es cierto que los que votan particularmente se apartan de los más entendidos fines por considerarlos inasequibles, pues aunque se confiera la abundancia del país y multitud de ricos minerales, dicen que esta la tierra despoblada y pobre, y que como el virrey con su persona no lleva caudales ni gente que la beneficie, que es en lo que consiste el producto, no advierten como sin llevar uno y otro se pueda lograr el fin con la autoridad y carácter de su persona.⁵⁴¹

However, the Council of Indies insisted on the need for government action, hoping that adequate administrative change could provide the solution:

...Cada día se ve en el mundo que una casa que teniendo en realidad sustancia, por su mal uso se halla atrasada y en minoría, sin mas novedad que ponerla con un buen administrador empieza a florecer, y se ve desahogada, haciendo este que, lo que se le debe, se cobre, que sus subalternos se sujeten a la cuenta, que no daban, y que todos cumplan con su obligación con lo que aquellos mismos que en el desorden disipaban, puestos en regla, aumenten y contribuyan, y con la debida proporción sucederá eso en una ciudad, en una provincia y en muchos.⁵⁴²

The idea of the need for a solid, powerful central authority is revisited often in the Council's discussions.

No hay nada mas monstruoso que un gran cuerpo sin cabeza o con muchas cabezas iguales, independientes y separadas que es, como se deben considerar la audiencia y los gobernadores respecto a aquel vasto reino, el que facilitando con la preciosidad de sus frutos que los delitos sean muy licenciosos y con la diversidad de sus cabezas que se oculte la puerta por donde recibe el daño hace precisa la mísera decadencia en que se encuentra.⁵⁴³

The Council considered among the reasons to justify expenditure in the viceroyalty, the positive impact the viceroy and his retinue would have on consumption and economic activity in the region:

Estas reglas generales nos las ofrece más precisas el caso de que se trata por razón, y por experiencia, que se deduzca del mismo voto particular, es la razón atribuirse en él la miseria de aquella tierra a la ninguna saca y comercio de sus frutos que precisamente se ha de consumir en su mismo reino, de que infiere que el útil que puede dar el virrey solo

⁵⁴¹Ibid.

⁵⁴²Ibid.

⁵⁴³Ibid.

puede ser el mayor consumo de su familia y guardias y el que tendrían con los forasteros concurrentes a la capital con motivo de los superiores recursos. En lo que claramente se confiere la utilidad que necesita aquel territorio, pues viniéndole su daño de no tener quien consuma sus frutos, ni tener forma de sacarlos, el llevar allí a quien los consuma es empezar por el modo más eficaz el remedio.⁵⁴⁴

Furthermore, the Council reasoned, the last experience with the viceroyalty in New Granada had not been entirely negative. They remembered that during the administration of Antonio de la Pedrosa, the gold-producing regions of Popayán and Choco had flourished:

Se exceptúan de la pobreza y miseria las provincias de Popayán y el Chocó, por que tienen caudales y negros y que en las del Chocó trabajan de diez a doce mil, y mas adelante señalando los ramos de que se dedujeron los caudales en el tiempo del gobierno de Antonio de la Pedrosa. Dice el voto particular que se aumentaron entonces muchos negros en aquellas minas, de estos antecedentes se confiera, pues siendo esto así: porque no se ha de esperar que bajo la mano de otro virrey igual conducta a la de Antonio de la Pedrosa, se aumenten negros en otras provincias y de este aumento se siga en ellas la opulencia que se pretende? Y que como así no le hicieron falta a Antonio de la Pedrosa pobladores ni caudales, para hacer laborear las ricas minas del Chocó y florecer sus provincias, no le haga falta a un nuevo virrey para hacer florecer otras.⁵⁴⁵

The report claimed that in the times of the previous viceroyalty, royal income from Chocó province had greatly increased. In contrast, during present times, although the number of slaves, and presumably production, had remained high, tax revenue had fallen. Therefore, they reasoned, the office of the viceroy had a key role in maintaining revenue.⁵⁴⁶

In the discussion, the figure of Antonio de la Pedrosa and his example during the previous viceroyalty, acquired almost reverential dimensions. When he arrived in Cartagena, the report claims, there was not a *real* in the royal coffers. The Santa Fe

⁵⁴⁴Ibid.

⁵⁴⁵Ibid.

⁵⁴⁶Ibid.

treasury was in similarly poor conditions. In the next two years, the document indicated, Quito contributed 80,000 pesos and Choco gave three arrobas of gold in taxes. Caracas contributed nothing, while Cartagena, Santa Marta and Maracaibo required subsidies.⁵⁴⁷

In spite of these dire conditions, Antonio de la Pedrosa is said to have turned around finances:

...sin que para ello hubiere habido la menor violencia si solo en virtud de la buena regla y providencias en cajas reales y en todo el gobierno, y estando el consejo en esta inteligencia por informes que no puede dejar de creer, menos puede dudar que aquel país por pobre y despoblado que sea puede lograr el remedio restaurando el gobierno de un virrey.⁵⁴⁸

Nonetheless, the document accepted that other opinions explained the happy situation experienced in those years not as a result of the viceroy, but from other causes such as the dismantling of the Quito *audiencia*, and effective tax administration which did not depend on there being a viceroyalty in place.

The Council heard other arguments against the viceroyalty. One of the strongest ones was that it was pointless to have such a high official if his actions were to be disregarded anyway. For example, navigation in the Sinú and Atrato rivers, main arteries for contraband, was prohibited, but this order was not respected and many doubted that the presence of the viceroy would make a difference:

Para evitar el comercio por los ríos del Sinú y el Atrato,..mediante su absoluta prohibición y que para eso basta la autoridad del presidente, y audiencia que tanto lo celan. Si lo que esta prohibido en esos países no se ejecutase, virrey, presidente y audiencia serian inútiles porque en habiendo trasgresión de leyes, son ociosos los ministros.⁵⁴⁹

⁵⁴⁷One of the most elaborate studies on the situation of royal finances in the various Spanish American colonies is presented by TePaske, J., and Klein, H., *The Royal Treasuries of the Spanish Empire in America*. Durham, 1982. However, the study does not focus on the finances of New Granada.

⁵⁴⁸AGI Santa Fe 385, 26 June 1738.

⁵⁴⁹Ibid.

The document went on to summarize what they expected from the new viceroyalty:

...sean en hora buena estos hechos como se proponen: que se cobra lo que no se pagaba de composición de tierras: el hacer pagar deudas atrasadas: el poner intendente que no deje extraviar el oro sin quintas son providencias de un buen gobierno que han producido el efecto deseado. Pues esto es lo que el consejo busca y espera conseguir con la erección del virrey.⁵⁵⁰

These objectives were so important, the council added, that monetary considerations should be put aside:

El consejo espera de lo que lleva propuesto, aumento de la religión católica, extensión de los dominios de Su Majestad en las reducciones que ha de emprender el virrey, y que los dominios ya reducidos se gobiernen en justicia y fructifiquen para Su Majestad grandes tesoros con que están hoy engrosando los enemigos de el estado que son los fines y aun mas, que han movido a los gloriosos predecesores de Su Majestad a la conquista y manutención de las Indias, con tantos desvelos y anticipando tan crecidos gastos y estando en esta esperanza, mal le puede embarazar el dispendio costo irrespectivo de el mayor sueldo de el virrey y gasto de sus guardias, para proponer un medio con que comprende se lograra todo: y así se mantiene en su dictamen y Su Majestad resolverá lo que fuere de su agrado.⁵⁵¹

McFarlane has pointed out that the vote for the restoration of the viceroyalty in the Consejo de Indias was not unanimous, with four ministers submitting a minority report in which they claimed that it would generate more costs than benefits, and that the development of the mines in Choco and Popayan would continue regardless of administrative changes, while those regions without mineral resources would remain impoverished.⁵⁵²

⁵⁵⁰Ibid.

⁵⁵¹Ibid.

⁵⁵² McFarlane, *Colombia before Independence*, p. 196.

Moreover, McFarlane argues claims that the decision to restore the viceroyalty was hastened by the imminent declaration of war, but it was not the only reason. “The discussion that preceded Eslava’s appointment shows that Spanish government was also concerned with broader issues of colonial development”.⁵⁵³ McFarlane states that although military defence was paramount, the new viceroy was also expected to impose greater royal authority over the local government, to restore trade and increase fiscal yields. He concludes that the reinstatement of the viceroyalty was “the second major conjuncture in Bourbon reform of New Granada and a new departure in the region’s administrative and political history”, which would endure for the rest of Spanish rule over the colony.⁵⁵⁴

This dissertation presents additional evidence that reinforces this idea. Just as the authorities in Spain, colonial officials in New Granada also saw the restoration of the viceroyalty as the opportunity to implement a wider and more ambitious programme of government. In January 1739, the Intendente Bartolomé Tienda presented a new report to the Council of Indies on the implementation of many of these policies.⁵⁵⁵ These included specific instructions for sending slaves aged 18 to 26 to the mines of Antioquia and putting down an Indian rebellion in the Guajira province to allow the reestablishment of pearl-fishing in the town of Riohacha, for which he estimated that 300 slaves bought from the factors in Cartagena would be needed, as well as a new fort in Riohacha.

The pacification of the lawless Guajira province was seen as essential for cutting down smuggling:

⁵⁵³ Ibid., pp. 196-197.

⁵⁵⁴ Ibid.

⁵⁵⁵ AGI Santafe, 14 January 1739.

...quedará aquella fértil y rica provincia en una total libertad, se fomentarán las haciendas, se poblará la tierra se restablecerá la rica pesquería de perlas se extinguirá el comercio extranjero y los indios conquistados serán de gran servicio en La Habana y Santo Domingo para poblar aquellas islas y cultivar las haciendas.⁵⁵⁶

His grand plans went on to mention that other centre of clandestine commerce, the Atrato river in Chocó province. He wanted it developed as a new artery for internal communications in the viceroyalty.⁵⁵⁷ This would require the building of another military fort in the site called Bojayá.⁵⁵⁸

The further exploitation of gold in Chocó required a new Casa de la Moneda in the provincial capital of Quibdó. Furthermore, he demanded that the province of Raposo, which included the Pacific ocean port of Buenaventura, be removed from the jurisdiction of the city of Cali and returned to that of Chocó, in order to improve control over the illegal traffic of gold through the nearby San Juan river and from there to Panama and Portobelo.

His ambitious plans also covered new installations in the northeastern provinces of New Granada:

...que se funde una casa de moneda nueva en Pamplona, Mariquita o mejor en Mompox...

For preventing smuggling on the coasts of Portobelo, he required four sloops with armed men. Other actions included repressing illegal liquor. Tienda ended his report quantifying what he believed would be needed for these actions:

⁵⁵⁶Ibid.

⁵⁵⁷ Ibid.

⁵⁵⁸ Ibid.

2.200 fusiles,
 900 pistolas
 1.200 machetes
 60.000 piedras para fusiles pistolas
 Quinientos quintales de pólvora
 200 botafuegos y mil granadas además de 300 hombres ojala gallegos y varios cientos de esclavos.⁵⁵⁹

The ambitions of officials were not always met with the resources needed to implement them. In this particular instance, the Council of Indies responded to Tienda's grand scheme in less than encouraging terms. The royal officer responded that:

...aunque se reconoce la importancia de los fines proyectados, ...Con todo tiene por casi imposible que de una vez se pueda ocurrir a tanta variedad de cosas y reducir a practica todo lo ideado, no solo por la confusión y dificultad que puede ocasionar el cúmulo de tantas empresas, pues esta la puede vencer el celo, acuciosidad, inteligencia y buena conducta de los ministros a quien se encargue la ejecución, sino también por la imposibilidad de dar providencia...cuanto contienen estos proyectos.

Nonetheless, the officer ordered that as part of the briefing to be given to the new viceroy to be sent to New Granada, "se le den tantos de los citados proyectos de Bartolomé Tienda con la orden de que, en llegando a Tierra Firme procure informarse de si sería o no conveniente su ejecución, los medios y costos que podría tener todo, y cada una de sus proposiciones, valiéndose para ello de las personas mas prácticas y fidedignas".⁵⁶⁰

The discussion generated around Tienda's proposals contained in documents analysed in this dissertation supports the interpretation offered by McFarlane. The reinstatement of the New Granada viceroyalty was not simply a military decision. It exemplified the ambitions and optimism about the possibility of government reform as a means to improve the economic wellbeing of the colony. Although budgetary and other restrictions

⁵⁵⁹ Ibid.

⁵⁶⁰ AGI Santafe 385, 14 January 1739.

made them difficult to implement, they are nonetheless an example of early Bourbon reforms being tried in New Granada.

The road to war in the British pamphlet press

The reassertion of Spanish imperial authority in America was observed with apprehension in Britain. While Spain increased its crackdown on Spanish contraband in New Granada and elsewhere in its colonial possessions, a reaction of public opinion was developing in England, one which eventually hastened the advent of war. As has been often discussed, the rise in political confrontation between Spain and Britain that eventually led to war in 1739 was aided by the role of the press, particularly in England, and the role it played in mobilising public opinion in favour of hostilities.

The 1730's in the United Kingdom were characterized by the appearance of numerous publications of varying political and ideological orientation, some of them stridently critical of the government. Among London's 551 coffee houses, 207 inns and 447 taverns in existence in 1739, reading an independent and often anti-government paper became a vehicle of political mobilisation for the middle classes. One estimate suggests that some of the larger papers could be read by 20,000 people.⁵⁶¹ *The Craftsman*, among others, became well known for its repeated denunciation of the Walpole-era politics. It has even been argued, perhaps with some exaggeration, that with a circulation of 13,000 numbers per edition, and at least 40 people reading every single copy, this newspaper had a *de facto* readership of up to half a million.⁵⁶² The following section examines the role of the

⁵⁶¹Harris, M., 'Print and politics in the Age of Walpole', in Black, *Britain in the Age of Walpole*, p. 194.

⁵⁶² *Ibid.*, p. 196.

press in forging the political climate that eventually hastened conflict between Spain and England.

Traditional historical versions presented this conflict as a clear example of a manipulative press led by large merchant interests, provoking a frenzy of public emotion against Spain that left the Walpole ministry with little alternative to war. The view of a press-led campaign being the determinant for the war is presented in general studies about the 18th century by scholars such as Langford:

The great outburst of anger which forced Walpole into war owed much to the propaganda and pressure deployed by the great merchants of London in alliance with a vociferous parliamentary opposition.⁵⁶³

These modern scholars are echoing the views of earlier historians. For example, Edmund Burke, looking back over the century, found only one war to have been “the fruit of popular desire, the war with Spain in 1739”.⁵⁶⁴

In another often-quoted study, Coxe stated that “as if by common impulse the whole nation clamoured for war as the only means of humbling Spanish pride and cruelty, and avenging British honour”.⁵⁶⁵ However, other recent studies such as Woodfine have produced a more nuanced view on the role of the English press in this conflict:

This is not to say that popular pressures on both the British and Spanish crowns were not important. They were, but they were not the only or even the decisive case of war”.⁵⁶⁶

⁵⁶³Langford, P., *The 18th century 1688-1815, Modern British Foreign Policy*, London, 1976, p. 14.

⁵⁶⁴Quoted in Woodfine, *Britannia's glories*, p. 241.

⁵⁶⁵Coxe, W., *Memoirs of the King of Spain of the House of Bourbon, from the accession of Philip V to the death of Charles III*, London, 1815, p. 307.

⁵⁶⁶Woodfine, *Britannia's glories*, p. 2.

This follows the line of authors such as Black, who has argued that “whether the press could inflame the Parliament and the nation is a contentious issue. It is unclear how influential newspapers and other printed works such as pamphlets, were”.⁵⁶⁷ He added:

The attempts to use issues of foreign policy to precipitate the fall of Walpole failed. The major public attacks mounted upon the French alliance in 1728-31 and upon Britain’s Spanish policy in 1738-39 probably played a certain role in the decisions to alter policy, but neither provoked the fall of the first minister.⁵⁶⁸

And he concluded:

(in the 1730’s) the ministry found it harder to persuade people that they were defending national honour and national interest. It is difficult to say whether this was cause or effect (or both) of their increasing reliance on their Parliamentary majority and their willingness to ignore the debate outside Parliament... The incessant criticism in the opposition press had little direct effect upon foreign policy, but it helped shape public understanding of that policy.⁵⁶⁹

Regardless of its importance, there are also diverse views on the nature of press coverage of events leading to the war. One of them denounces the press of the time in these terms: “The quality of this press coverage has also been questioned. J.R. Jones portrayed a press that was guilty of wilful misrepresentation of facts, sensationalism and pandering to popular prejudices, partisanship and appeals to xenophobia”.⁵⁷⁰ To which Black replies: “Press treatment was often xenophobic...but the predominant impression is one of measured treatment of European affairs that was on the whole reasonably accurate and attempted to discern the ‘true springs of policy’”.⁵⁷¹

⁵⁶⁷Black, J., *British Foreign Policy*, p. 164.

⁵⁶⁸ Ibid., p. 168.

⁵⁶⁹ Ibid., p. 170.

⁵⁷⁰ Ibid., p. 166.

⁵⁷¹ Ibid.

Kathleen Wilson has written one of the more often quoted analyses of public opinion during this conflict, criticising those who described the press activity as the crude agitation of an unsophisticated public: rather than manipulation by trade interests and their allies in the press, she sees the emergence of a strong and authentic brand of popular nationalism in the people's support for this war.⁵⁷²

One less explored angle of the British press during the first half of the 18th century is how it interacted with the world outside Britain. A substantial amount has been written on how these publications helped define English self-image during that period, but somewhat less on how they portrayed foreigners. It is worth examining how the press actually pictured the external threats and opportunities confronting England's commercial expansion in South America, and how it helped define the emerging rivalry between Britain and Spain for economic dominance in the American colonies. Another aspect of the subject that can be explored more deeply is how the impact of the London press on public opinion was not limited to England. It sometimes influenced, and was also influenced by, audiences abroad. When comparing English press and public opinion with that of Spain during the same period, the expected differences emerge, but also some degree of interaction and communication between them.

Obviously, the English press was substantially different from the Spanish press in the early 18th century. England, and particularly London, was a bastion of commercial capitalism and this new class showed great enthusiasm for this type of information, comment and controversy provided by the pamphlets and papers flooding the city in the

⁵⁷²Wilson, K., *The sense of the people: politics, culture and imperialism in England 1715-1785*, London, 1995, p. 138.

1730s and 40s. Political competition for an urban electorate helped to create a flourishing market of ideas in early Georgian England. Needless to say, the situation in Spain was very different, with little in the way of an urban commercial bourgeoisie or electoral competition to provide such abundant readership for the press. While dozens of new pamphlets circulated every week in the streets of London, many fewer appeared in the Spanish capital. The *Gaceta de Madrid*, a semi-official newspaper which is regarded as perhaps the earliest example of urban journalism in Spain, ran a weekly section on the latest editorial novelties to be recommended to its readers. On 14 April 1739, apparently with no irony intended, the recommended text of the week was the newly published version of the Inquisition's Index of Prohibited Books.⁵⁷³

This does not imply that the market for comment was non-existent in Spain. Newspapers such as the *Gaceta de Madrid*, other established Madrid periodicals such as *El Mercurio Historico*, scholarly books and subversive pamphlets, all followed the issues of the day, and of course, few issues were so contentious in the 1730's as the rivalry with England over trade in the Spanish West Indies. Walpole was not alone in being attacked by a hostile press due to his reluctance to start an Anglo-Spanish war over American trade. In 1736, at the same time that the London papers were accusing the Walpole ministry of failing to stand up for the rights of English sailors against Spanish depredations, his counterpart as head of the Spanish government, minister Jose Patiño, faced the savage criticisms of *El Duende Critico*, a pamphleteer who anonymously raged, among many other things, against the Spanish government's own incompetence in stamping out

⁵⁷³ *Gaceta de Madrid*, 15, 14 April 1739.

English smugglers from the colonies in America⁵⁷⁴. *El Duende*'s pamphlets, later attributed to a Portuguese priest, circulated widely enough in Madrid, to have become a serious nuisance to the government. His audience was reported to include ministers, junior officials, members of trade guilds, convents, and soldiers in army barracks.⁵⁷⁵ Patiño's biographers would later claim that the pamphlets gave the chief minister so much grief, that his obsession in unsuccessfully trying to discover the author's identity drove him to desperation, and contributed to his falling sick and dying in 1736.⁵⁷⁶

Patiño's successors at the helm of the Spanish government in the years leading to the war were subjected to frequent criticisms in print over their management of the Anglo-Spanish rivalry. And, as exemplified by the *Duende* episode, although they did not face the pressures of parliamentary democracy and a largely unfettered press like their British counterparts, they also had to deal with real constraints from public opinion.

How was the Spanish commercial rival and potential military enemy portrayed by the London press? First of all, the explosion of pamphlets that emerged in England during this time of increased Anglo-Spanish animosity seemed much more concerned with the Spanish colonies than with Spain itself. The economic sphere of the conflict was centered on the gains to be obtained from trading English manufactures for Spanish American silver and gold. It was generally assumed that any military action would occur in the West Indies, not in Europe.

⁵⁷⁴Lopez, T.E., *Prensa Clandestina española del siglo XVIII. El Duende Critico*, Valladolid, 1968, p. 97.

⁵⁷⁵*Ibid.*, p. 25.

⁵⁷⁶*Ibid.*, p. 112.

The clear focus of British publications on Spain in the decade preceding war was commercial. For example a 1730 book, attributed to Daniel Defoe, had the title *Plan of the English commerce, being a compleat prospect of the trade of this nation as well the home trade as the foreign*. Defoe claimed that English textile manufactures were already being widely used in the Spanish colonial cities, as the most visible sign of increasing English economic dominance:

At Mexico, the most luxurious, extravagant and profuse city and country in the world; even there the utmost pride of the proudest people on earth, is to be clothed in the English cloth...Tis the same at Cartagena, at Panama, at Lima and St. Jago, the capital richest cities of their several countries; some of them situated within ten degrees of the equinox, and where the heats are almost insufferable; which I mention to observe to you, how well our manufactures are adapted to all countries, climates persons and qualities: not too thin for the frozen Laplanders, Swedes and Russians, or too thick for the scorched Americans and inhabitants of Peru and Brazil.⁵⁷⁷

Defoe noted that much of the bullion reaching Spain from America was being re-exported to Britain to pay for additional British manufactures.

The product of our improved colonies raises infinitely more trade, employs more hands and I think , I may say by consequence, brings in more wealth to this one particular nation of people the English, than all the mines of New Spain do to the Spaniards. And not to insist only upon the little share Spain itself reaps from the returns of gold and silver, most of which runs out again in the very same species in particular channels of trade , to other nations.⁵⁷⁸

As an example, he pointed out that in the latest report from the Spanish port of Cadiz, there were 18 English merchant ships, to France's 12. There were only 3 Dutch, 1

⁵⁷⁷Defoe, D., *Plan of the English commerce being a compleat (sic.) prospect of the trade of this nation as well the home trade as the foreign*. London. Charles Rivington, 1730. Appendix: containing a view of the present apparent increase of commerce in all the trading nations of Europe, but especially in England, as it is influenced by the late peace with Spain, London, 1730, p. 185.

⁵⁷⁸Ibid., p.306.

Swedish and a single Hamburg vessel in port at the time.⁵⁷⁹

He concluded that “the Spaniards in America live in the most voluptuous and extravagant manner imaginable....” Trading with them was one of the avenues for England’s future economic prosperity. Defoe was also quick to note the importance of the slave industry to Anglo-Spanish commercial relations in the Caribbean. British islands, particularly Jamaica, had become the main purchasing centre of slaves bound for the Spanish colonies. This led to increasing resentment of local colonists who now faced increased prices for this key input as a result of Spanish demand for them. He described how “in Jamaica...the price of slaves is risen within these few years from twenty pound a head, to thirty and forty pound, on the meer (sic.) account of the dearness of wages”.⁵⁸⁰

Defoe added:

The rate of negroes in America as it is of late years risen in all the colonies, is from 20 to 25 to 30 pounds a head according to the age the growth and the sex of the negroes: and if we allow 30,000 to 40 and 50,000 negroes a year to be carried away, as (if the trade was interrupted) would be the case, then the value of this trade at a medium of 25 l per head upon all the negroes amounts to no less than 1 million two hundred and fifty thousand pounds per annum. This is a trade of infinite advantage, considering that these negroes do not cost in the country above 30 to 50s. per head: and if the trade was uninterrupted, as it might, and I think indeed merits to be, we should no doubt, including the *asiento*, carry 40 to 50,000 slaves from the coast of Africa and find business enough for them all in our increasing colonies.⁵⁸¹

On the relative cost of slaves in different areas of the Americas, he described:

The easiness of procuring negroe slaves, which would here cost from 30s to 50s. or at most 3 pounds per head, whereas they are at this time in Barbadoes and Jamaica worth from 25 pounds to 30 pounds a head; at the Brasil from 30 pounds to 40 pounds; and to the Spaniards at the provinces of Guajaca (*sic.*), Guatimala, &c. 50 to 60 l sterling per

⁵⁷⁹Ibid., p. 170.

⁵⁸⁰Ibid., p. 67.

⁵⁸¹Ibid., p. 243.

head".⁵⁸²

The London press's interest in American trade was matched in Spain by a series of scholarly publications by the so called *arbitristas*, who wrote in the 1730's to criticise the failings of Spanish naval and commercial policies in facing the English challenge in the West Indies, denouncing how this failure jeopardised the future viability of the Spanish American Empire.⁵⁸³

Many influential Spanish writers had access to the writings, not only of the London pamphlet and daily press, but also of more scholarly works by English authors that helped them enrich their intellectual positions towards the economic challenges faced by their own imperial system. Pagden, for example, has pointed out how Spanish *arbitristas* were influenced by ideas of English writers on economic affairs such as Sir Josiah Child who in the late 17th century defended some of the tenets of mercantilism such as partial restrictions on colonial trade as a means to enhance national prosperity. Pagden emphasizes, nonetheless, the difference in the evolution of ideas about empire between British and Spanish writers of the time, with the British veering more towards liberalism, which underpinned their vision of a commercial empire as opposed to the more traditional empire of conquest often visualized by Spanish writers. Pagden says, for example, that British writers of the time liked to talk about plantations and industrious colonies as opposed to the conquest of Spaniards, described as "kingdoms".⁵⁸⁴

⁵⁸² Ibid., p. 333.

⁵⁸³ Ezquerro, R. 'Crítica española de la situación de América', in *Revista de Indias*, XXII, 1962, p. 159-288.

⁵⁸⁴ Pagden, *Lords of all the world*, p. 79.

Thus, the ideological approach in Spain's arbitristas' analysis of the problems of empire in America are very different to that of England's publications.⁵⁸⁵ While the latter frequently waxed lyrically on the irrefutable advantages of expanding commerce, Spanish publications told their readers to be wary of more trade. Their writings were almost always in the mercantilist tradition, pointing to the drain of silver resulting from English traders in Spanish American ports. Gerónimo de Ustariz, seen as one of the key economic commentators, complained that unfettered trade of the kind England demanded in the West Indies would bring to Spain damages "even greater than any that have been felt from the most devouring of locusts".⁵⁸⁶ He informed his readers that the Spanish Empire had extracted from America nearly 5 billion dollars in silver, of which only perhaps 100 million remained in Spain, the rest having enriched the coffers of the other European powers. The solution was to be found in promoting Spanish manufactures and in applying laws similar to England's Navigation Acts, of which he spoke most admiringly. In 1751 his work would be published in London, according to his translator, by special petition from the Prince of Wales.

Other Spanish economic writers in the 1730s complained repeatedly that England preached free commerce to others while protecting its own, and demanded from their government more action against English contraband, helping bring about the clampdown in colonial commerce which led to the war of 1739.

⁵⁸⁵ Other examples of studies on arbitristas include: Bitar Letayf, M., *Los Economistas españoles del siglo XVIII. Sus ideas sobre la libertad de comercio con las Indias*, Madrid, 1968; and Grice-Hutchinson, M., *Early Economic Thought in Spain (1177-1740)*, London, 1978.

⁵⁸⁶Ustariz, G., *Theory of Commerce and maritime affairs*, translated from the original by John Kippax, fellow of Clare Hall and Master of the Academy in Little Tower Street, London, 1751, p.1.

How was contraband portrayed by the London publications? The fact that England's extensive and growing commerce with Spanish America was to a great extent unlawful, did not seem to place an excessive burden on the conscience of many English writers of the time. It has often been said that in the 1730's a manipulative press led the English people to believe Spain was abusing legitimate British traders, stoking the nationalist sentiments of a largely uninformed people. However, several of the London publications of the 1730s were extremely open about the illegal nature of much of English sales to Spanish America. Defoe wrote about it in this terms:

...That secret commerce with the Spanish colonies, which the English have improved to such a degree...is even threatening the whole trade of New Spain. For when the English conquered the Island (of Jamaica) from the Spaniards, those Spanish families, which remained upon the island, keeping up a correspondence with their friends and former acquaintances in Cartagena, Santa Marta and the coast of Caracas, and all the other ports of that country, that intimacy became the foundation of an advantageous correspondence since carried on, and the improving English brought forth from it a trade grown up by time and the particular encouragement of succeeding ages, to a prodigious magnitude".⁵⁸⁷ He explained how this involved: "Sending our English manufactures to Jamaica, to be sold there by the sloop trade; that is, by clandestine commerce with the Spanish smugglers, or to the Spaniards of Cartagena, and the coast of Caracas."⁵⁸⁸

Nonetheless, Defoe considered that trade was so beneficial for both nations as to make future wars unlikely:

There are scarce any two nations in the world, whose trade with one another is so mutual and so great and above all, whose trade is so particularly beneficial on both sides as the English and Spaniards. The trade between England and Holland is the only exception... The English are gainers (from Anglo-Spanish trade) by having a vast quantity of their most valuable woolen manufacture taken off every year by Spaniards, for their new Spain trade in particular, and having as return (in the most valuable of all returns) silver and gold and therefore the English rejoice at the peace.

⁵⁸⁷ Defoe, *Plan of the English commerce*, p. 311.

⁵⁸⁸ *Ibid.*, p. 325.

And let our politicians advance what they please to the contrary, this is to me an unanswerable reason why the present peace with Spain is likely to be durable: namely that both sides are gainers by it, and that both sides have been lately made sensible (by their experience) of the damage received by the past breaches, and I may add, will be now made sensible of a rising increase by the present peace to a greater degree than ever.⁵⁸⁹

As the decade advanced, and with it English commercial expansion in America, the tales filtered back home of increasingly obvious contraband activity. Rather than feeling guilt, many of the pamphleteers expressed an almost evangelical belief in the convenience of trade as a force of progress and peace, one that should not be encumbered by the petty disturbances of the Spanish bureaucracy insisting on enforcing their colonial laws. In the words of an anonymous West Indian trader publishing his thoughts in a 1738 pamphlet:

Commerce, by extending its progress to the remotest parts of the earth, by bringing together, in a friendly and mutual intercourse, people of the most different complexions, habits and customs and by rendering them beneficial to each other, naturally rouses up the hidden springs of nature with which the Divine Being first endued the Heart of man, and which inspire him with a generous friendship to all his fellow creatures. Therefore, as commerce gives rise to this noble ardour of the soul, it must be the only cement of mortal happiness and the source of every virtue, in which the Union and Harmony of Mankind subsist.⁵⁹⁰

The quasi-missionary element attributed to English trade in America was also frequently intertwined by the London writers with the explicitly religious vocation of this Protestant power. For many of them, the Spanish American colonies, subjected to the yoke of Catholicism would be only too happy to trade and eventually even possibly switch allegiance to this new power that would grant them freedom of conscience as well as economic prosperity. In 1740, another publication considered that the Spanish Main “would be an easy prey to any who would invade it, especially if they sought the

⁵⁸⁹ Ibid., Appendix, pp. 25-26.

⁵⁹⁰ Anon., *A letter from a gentleman in the West Indies to a merchant in London concerning trade, the pretensions of Spain to Georgia, the depredations and cruelties committed by their Guarda Costas on the English merchants and sailors*, London, 1738, p. 17.

assistance of the ancient inhabitants, who would be glad in driving out the Spaniards".⁵⁹¹

As Woodfine has pointed out, when the English fleets set for the Caribbean a few years later, their admirals carried printed bills promising freedom of religion to the locals in exchange for their allegiance.⁵⁹²

In January 1740 another author who claimed to be a Sussex farmer, retook the discussion on the pros and cons of fighting a war with such an important trade partner. In this case, he argued that peninsular Spain's extensive trade with England, particularly its export of wool, made it susceptible to a boycott from England, which could become a more powerful weapon than the planned naval assaults against Spanish interests in the Caribbean. Once again, the West Indies trade was portrayed as a sideshow to the more substantial European trade between the two nations:

It is generally supposed that the English nation consumes two thirds of the produce of Spain which is exported. Therefore the greatest part of their trade for their own produce depends on a friendly intercourse between the two nations. The French are too fruitful, the northern nations too poor and the Dutch too frugal to dabble much in the luxury Spain produces. Tis therefore to Great Britain they are beholden for the consumption of the produce of old Spain and the greatest part of their trade....

For the Spaniards therefore to neglect keeping up to a friendly correspondence with the English nation and to be forward to run into French fashions, a French trade and French counsels, must be exceedingly more pernicious to Spain than injurious to England.

He concluded:

For I would ask anyone what the French would take of the Spaniards in return for their manufactures? For my part I know of nothing of any significance except their gold and silver....Let any man reflect what a scene of misery will arise in Spain from two years prohibition of Spanish merchandises, and I dare say such a prohibition will appear to him of equal weight with blocking up the galleons, and cutting off communication with New

⁵⁹¹ Anon., *A geographical description of the principal objects of the present war in the West Indies*, p. 16.

⁵⁹² Woodfine, *Britannia's glories*, p. 176.

Spain.⁵⁹³

As the political conflict between Britain intensified, so did coverage of the trade disputes in both countries. Spanish publications showed an inclination to try to understand the minute details of British domestic politics, while the English press seemed less interested or knowledgeable of the mechanisms of government in Madrid. For example, the *Gaceta de Madrid*, in its edition of 24 February 1739, detailed how the last session of the House of Commons had been attended by 120 Members of Parliament.⁵⁹⁴ One month later it textually reproduced an address of King George to Parliament referring to the attacks on British shipping in the West Indies.⁵⁹⁵ Days later it included a news item on how the West India merchants had assembled in an inn next to London's Royal Exchange in order to write a memorial.⁵⁹⁶ An April edition remarked on how the Commons debates on the West India trade had attracted the remarkable number of 100 members before six in the morning, something never seen before, according to the reporter.⁵⁹⁷

This mixture of curiosity and candid description of the relatively open nature of British politics was also a characteristic of *El Mercurio Histórico*, Madrid's other newspaper. In January 1738 it informed Spanish readers that the Cockpit Bureau in Whitehall had deliberated on the issue of Spanish trade.⁵⁹⁸ In its following edition it reported from London that "the ministry with great dexterity has avoided the embarrassing examinations in Parliament arising from the complaints that merchants wish to bring

⁵⁹³ Anon., *The advantages and disadvantages which will attend the prohibition of the merchandises of Spain, impartially examined and humbly offered to the consideration of the Parliament by a Sussex farmer*, London, 1740, pp. 30-33.

⁵⁹⁴ *Gaceta de Madrid*, 8, 24 February 1739.

⁵⁹⁵ *Ibid.*, 10, 10 March 1739.

⁵⁹⁶ *Ibid.*, 11, 17 March 1739.

⁵⁹⁷ *Ibid.*, 15, 14 April 1739.

⁵⁹⁸ *El Mercurio Histórico*, 1, January 1738.

against the Spanish coast guards that have taken many English ships in America”.⁵⁹⁹ Subsequent editions of *El Mercurio Histórico* presented results of votes on the Commons and transcriptions of their speeches. The Spanish press seemed sometimes also more knowledgeable of recent military developments than its English counterpart. Woodfine has pointed out how English readers were led to believe in the majority of cases that Spain was a broken empire, ignoring recent rearmament campaigns and the strengthening of garrisons in the Caribbean.⁶⁰⁰ Instead, as war broke out, Spanish readers received up to date reports on English manuevres. *El Mercurio Histórico*'s readers shared England's great interest on the expedition of Admiral Edward Vernon to the Caribbean. He was the subject of several items which traced his long voyage to the Caribbean heading what was reported as the largest fleet ever assembled by the British Navy. *El Mercurio Histórico* also reported in early 1740 on how Vernon first successful assault against the Spanish American city of Portobelo had made him a hero in England.⁶⁰¹

English publications seem to show much less of this interest in Spanish political life. London readers did not receive much information on the nuances of the Bourbon monarchy, the infighting among ministers who sought to replace Patiño as the chief minister in Spain, or the public proclamations of top officials in Madrid. Just as English readers showed a demand for relatively detailed studies on the economic state of its adversary, the supply they received of Spanish political comment was relatively limited. Spain was generally described as an arrogant and treacherous nation.

One anonymous author wrote:

⁵⁹⁹ *El Mercurio Histórico*, 2, June 1738.

⁶⁰⁰ Woodfine, *Britannia's glories*, pp. 178-79.

⁶⁰¹ *El Mercurio Histórico*, 25, January 1740.

When any grievance becomes national, especially in the mercantile part of the kingdom, it must naturally affect every true Englishman.... The ill usage our fellow subjects have met with from the Spaniards must naturally rouse us to revenge, if not root in us as an implacable hatred to a nation that has always deceived us. Never behaved friendly to us, even when they professed the strictest alliance, but have always upon the slightest occasions, took every opportunity of showing themselves our enemies.⁶⁰²

In 1738, a pamphlet authored by an anonymous writer who claimed to be close to the merchant community, denounced Spanish abuses against Englishmen in the Caribbean:

"I shall in compliance with this, your request, give you a relation in what manner they (the Spaniards) behave and what is the usual treatment which the unhappy Englishman meet with from these revengeful and hateful wretches not only in the Gulph, but in all parts of the West Indies. ...I think Spain hath broke by her late behaviour not only the most solemn treaties but the law of nations in general, of which every potentate on earth is in his regal and civil capacity a guarantee and bound in justice to maintain for the good of universal society, and the safeguard and benefit of his own subjects, not only in a regard as they stand to the social tie of nation and nation, but as a distinct community with a particular view to their own interest."⁶⁰³

The author portrayed commerce as a force for peace:

Commerce, by extending its progress to the remotest parts of the earth, by bringing together, in a friendly and mutual intercourse, people of the most different complexions, habits and customs and by rendering them beneficial to each other, naturally rouses up the hidden springs of nature with which the Divine Being first endued the Heart of man, and which inspire him with a generous friendship to all his fellow creatures. Therefore, as commerce gives rise to this noble ardour of the soul, it must be the only cement of mortal happiness and the source of every virtue, in which the Union and Harmony of Mankind subsist.

This natural order had been subverted, in the pamphleteer's opinion, by devious Spaniards. The text continued presenting the case of injured English merchants, who are only defending their just right to collect the rewards of their naval mastery:

⁶⁰²Anon., *The merchant's complaint against Spain*, London, 1738.

⁶⁰³ Anon., *A letter from a gentleman in the West Indies to a merchant in London concerning trade, the pretensions of Spain to Georgia, the depredations and cruelties committed by their Guarda Costas on the English merchants and sailors*, London, 1738, p. 17.

Whoever improves in any valuable knowledge or strives to enlarge any science with a view to the general good has undoubtedly a right to reap the benefit thereof, as he has to demand a property in his own estate...And further, the art of navigation having been found most useful, hath met with the most immunities and those persons who have applied themselves most diligently thereto, have had honours and punctilio's of deference paid them by the rest, as an acknowledgement of their superior force, art and industry. Of this the British Flag was once an uncontestable proof that she was mistress of the ocean. By this her subjects were confirmed in their privileges and free traffick, by the most solemn agreements that could be made, having liberty to carry their own merchandise to any port, at the same promising not to invade the property of the contending nation.⁶⁰⁴

The rhetoric was interspersed with more concrete descriptions of the problems that lead them to protest against Spaniards. For example, the increasing insurance premiums brought about by the fear of war:

If any one will put his head into the City, or enquire into the present rate of insurance upon ships bound from any part of the West Indies, will find they have too much reason for their complaints.⁶⁰⁵

The claim against the Spaniards was straightforward:

If ..a Monarch will direct his Officers and Subjects, under the specious pretence of 'guarding is own coasts' to commit whatever outrages they think proper upon a Nation with whom they pretend to be in Peace, and even on the High Seas, when on any pretext they shall plunder their ships, and even take their necessaries as contraband goods, even carry their ships into their own ports, condemn them to their own use and unheard, commit the men to prison loaded with irons: in that view must the rest of Mankind look upon the monarch who if he does not command, at least screens or permits his subjects to commit such depredations? If their pretences are just, and they have received any real injury, why do they not make it publickly appear, and demand Reparation? For without War declared, Acts of Hostility are acts of Piracy, and they ought to be deemed so in the strongest light.

Spain was also portrayed as insincere, willing to take advantage of England's noble conduct:

To pick a man's pocket while you shake him by the hand would in the meanest person be

⁶⁰⁴ Ibid., p. 33.

⁶⁰⁵ Ibid.

accounted as the vilest action that could be...Let any unbiased person, then, (of any nation whatever) determine whether a monarch who authorises his dependants to do as aforesaid, does not break the Universal Chain of Peace and violate the strictest social ties.⁶⁰⁶

He went on to compare the Spaniards unfavourably with Arab pirates:

The wild Arabs make no scruple of robbing the caravan as it crosses the deserts, but by professing themselves enemies, and continually repeating such attempts, they are guarded against as such: but for a Christian Nation, that pretends to be civilised and polished, to rob and plunder the unwary, unguarded merchant who is following lawful traffick and at a time, as is declared of profound peace, is an action that can admit of no paliation or excuse...

And predictably enough, reference was made to the *casus belli*: Jenkins' ear itself:

There have been ages when the cutting of an Englishman's ears, or even detaining his ship, but for one day, on pretences more plausible than the Spaniards can now make, would have been punished with a vengeance due to such an insolence, when the British cannon would have spoke their minds.⁶⁰⁷

As many others, this pamphlet ended in a patriotic discourse, named "The English oak or the Spaniards' scourge":

From a small acorn see the oak arise
Supremely tall, and tow'ring to the skies!
Queen of the groves her stately head she rears
Her bulk increasing with the length of years
Now ploughs the seas a warlike gallant ship,
While in her womb destructive thunders sleep.
Hence Britain boasts her wide extensive reign
And by th'expaded Acorn rules the Main.⁶⁰⁸

Besides resorting to rhetoric about Spanish deviousness, another factor that seemed to sell lots of pamphlets in London was reference to great English triumphs of the past.

⁶⁰⁶Ibid., p.22.

⁶⁰⁷Ibid.

⁶⁰⁸Ibid., p.43.

Numerous titles appeared comparing the present threat from Madrid to the dangers faced before by Drake, Morgan or other English heroes. One quoted a pamphlet published during the reign of King James I, which in the author's opinion, "seems to me to be wrote with so much judgement and so well expressed the innate hatred of Spain to England, that I thought it would not be amiss to set forth the following extracts from it".

He chose to reproduce this passage:

Wars, wars, then ye (with chear Hearts and joyfull souls) let us prepare ourselves for war: that our Great Britain (the beauty of Europe, as Europe is the beauty of the world) lie no longer exposed to the apparent danger and merciless mercy of this Castilian Rat, of this Crocodile of Italy, of this vulture of Germany and of this wolf of Ardena.⁶⁰⁹

Another pamphlet finished with a reference, this time to Elizabeth's victory over the Spanish Armada, by annexing the text of a speech by Elizabeth to her army, contrasting it to the present situation:

Oh England. At what a state of cowardice are you arrived. England that destroyed the Spanish Armadas in 1588 and 1718 is now in danger of being destroyed by Spanish pirates.⁶¹⁰

The English pamphlet press was, of course, not unanimous in its bellicose stance against Spain. Strident pro-war pieces coexisted with some calls for understandings with Spain, in many cases expressed by government members themselves. A pamphlet written in 1739 by the first minister's brother, Horace Walpole, had this to say about the pro-war camp:

If they could by any methods plunge their own country into a ruinous and destructive war they reckoned their point gained, the blame of it would without the least ceremony have been thrown upon the ministry and then the universal cry, they hoped, would be, that a

⁶⁰⁹Anon., *The merchants complaint against Spain*, London, 1738, p. 16.

⁶¹⁰Anon, *Reasons for a war against Spain, in a letter from a merchant of London trading to America, to a member of the House of Commons. With a plan of operations and a true copy of Queen Elizabeth's heroic speech at the head of her army against the Spaniards*, London, 1738, p. 36.

change of hands was absolutely necessary to save the nation and recover it out of the difficulties they had themselves most wickedly thrown it into.⁶¹¹

It reminded the English public that Spaniards also feel aggrieved and see themselves as the offended party in this commercial conflict:

It must be remembered that Spain has demands upon England as well as England has demands upon Spain which perhaps may be news to those whom the Patriots have taken so much pains to keep in the dark: who tell people of nothing but our demands from Spain, but not a word of anything being due to Spain from us.⁶¹²

He defended the efforts at peace conducted by the government:

And thus the nation are happily got to the end of one of the most difficult and most disagreeable disputes it could be engaged in and the demands of Spain on account of that naval fight in which honour and interest of that crown were so highly concerned, are finally liquidated and extinguished...For shame them, let the Patriots give up these pitiful cavils, these groundless, these false assertions, that no care is taken in this convention for the future security of our trade and navigation. But whatever part they think fit to act, I have no doubt but all impartial men will rather believe their own eyes and upon what they have seen, be fully satisfied, that this convention is without reproach, that not only a reasonable satisfaction is by it given to the merchants, but that a proper and good foundation is laid for carrying on a successful negotiation upon the other points that remain to be adjusted between the two crowns, for preventing as far as possible, all future grievances; and all honest men, instead of raising groundless clamours and discontents to weaken the Hands of Government and obstruct thereby the success of the negotiation, will join with me in wishing a happy issue to it.⁶¹³

Another 1739 anti-war publication, also attributed to Horace Walpole argued that:

The endeavours that have been used to inflame the people into a high dislike of the present measures, are so flagrant, are so full of an incendiary spirit, have so manifest a tendency to sedition and rebellion, and are in every view so very criminal and so big with mischief, that an honest man, who means nothing but the publick good, the Honour of the King and the interest of his country, can't think of them without the greatest indignation.⁶¹⁴

⁶¹¹Walpole, H., *The Convention vindicated from the misrepresentations of the enemies of our peace*, London 1739, p. 7.

⁶¹²Ibid., p. 11.

⁶¹³Ibid.

⁶¹⁴[Walpole, H.], *Whether war or no war with Spain, impartially considered, in defence of the present measures against those that delight in war*, London, 1739, p. 1.

He repeated the familiar claim that “war is particularly disadvantageous to a trading nation; and of all wars, a war with Spain is most so to the British nation, as it deprives us of our most valuable commerce, as our trade with Spain is by all confessed to be”.⁶¹⁵

He also voiced strategic worries:

“Are we sure France will not assist Spain when a branch of the house of Bourbon is upon the Spanish throne? Was not the strong apprehension that we and all Europe had of this, the reason of the grand alliance to prevent the union of these two crowns in the same family?”.⁶¹⁶

About the prospect of an invasion of Spanish America, he argued:

“Let us now see if the matter would be at all mended by carrying the war into the West Indies. What is it that we could do there? Could we get any settlement there from the Spaniards? And if we could, do we desire it? I don’t know we do; but if we did, it is forbidden fruit; this can’t be done without a land force; and the Havannah, if I am rightly informed, is as well fortified as Cadiz”.⁶¹⁷

About intercepting the Spanish galleons en route to Cádiz, he was of the opinion that “tis’ therefore a very wild and chimerical project to fit out a great squadron with the sole prospect of taking the galleons with their rich lading on board them”.

Another 1739 pamphlet also supported the anti-war argument:

(Spain) hath indeed periodical plate fleets coming from America, but the ocean is so vast and her American dominions so wide, that the sending of English squadrons (so chargeably set on feet) in quest of such fleets is like pursuing the Arabs in the desert scarce ever to be overtaken. Besides I believe, ’tis generally well understood by all but the mob, that in seizing the Spanish plate fleet, we should seize more of the property of other nations than that of Spain, and perhaps hurt ourselves very sensibly.⁶¹⁸

⁶¹⁵ Ibid., p.8.

⁶¹⁶ Ibid., p.10.

⁶¹⁷ Ibid., p. 19.

⁶¹⁸ Anon., *Popular prejudices against the Convention and treaty with Spain, examined and answered with remarks on a pamphlet entitled considerations upon the present state of our affairs at home and abroad*, London, 1739, p. 9.

Answering to a fellow pamphleteer who asked on what ground of the law of nations have the Spaniards a right to stop or search our ships at all, he answered:

They do it upon the very grounds of the law of nations, upon the same grounds that we do, and agreeably to the practice of all nations, who all thus act on behalf of themselves and against all others who violate such laws. How else can we distinguish a pyrate or smuggler from a lawful trader?⁶¹⁹

He also accepted that the English engaged extensively in contraband:

Such is the spirit and vigilance of our fellow subjects in the American colonies that neither the laws of England, nor the laws of other nations, can restrain them from trading wherever they foresee advantage... They trade with the French and Dutch for European commodities against the laws of England, with the French for sugar, cocoa and indigo, against the laws of France and of their own islands. At Jamaica particularly, they fit out vessels for the Spanish trade (though absolutely prohibited and illicit) with more parade and publick ostentation than any trading vessels go out of the Thames upon the most lawful commerce. They fire guns, display their colours, and for what nay, it so happened, I mean in times past, that where the cargoes were considerable, our Men of War have been hired to convoy and protect these fleets of smugglers. It hath been commonly said in the newspapers, that one or more ships of war were lying on the coast of New Spain to secure the English in their (prohibited) trade with Spain. Nor have these men of war neglected the opportunity of dealing deeply in it themselves.⁶²⁰

This writer claimed that this war was wanted by overseas merchants for their own benefit, more than for the general welfare:

A war with Spain is the last war which any man who loves his country and understands its interests would desire. An eagerness for such a war would well enough become an old buccaneer, or a prodigal factor in Jamaica, who wanted to balance his accounts with his principals in England by charging to their account money or goods put on board such ships as he knew had fallen into the hands of the Spaniards; an artifice which has been already practiced- But such reasoning from this ingenuous author is very surprising. ..Is it possible that we can have any amongst us who would like to disguise their pursuits by a false cry, and only seek to wound the ministry through the sides of the Spaniards?⁶²¹

⁶¹⁹ Ibid., p. 13.

⁶²⁰ Ibid., p.23.

⁶²¹ Ibid., p.20.

In spite of these cases, most analyses of the pamphlet press voiced support for an aggressive English stance against Spain. Some publications addressed the direct political costs to be paid by the Walpole ministry from its perceived failures in defending national interests against Spain:

It is the peculiar happiness of our nation that our kings can do no wrong, in the eye of the law, but our ministers are answerable for everything; and therefore, if our present minister, in this case, deserves censure, the united voice of all Europe, from the well known character of his majesty in every respect, and particularly in relation to this affair, will conclude, as every Englishman justly does; and the Honour of the nation may be retrieved by it; since the Prince and the People are not blameable in any respect, but one man only; for ignominy and contempt can never be fixed upon any but those who deserve it.⁶²²

In these publications, the Anglo-Spanish rivalry was also expressed in the language of legal controversy. Some entered into detailed discussions on the legality of particular Spanish actions. For example, one by Baron Lyttelton, a member of the so-called Boy Patriot opposition, protested:

They treat every British ship which they are able to master, as if the sailing only in those seas was a sufficient cause of confiscation. They have seized and condemned outward bound ships above a hundred leagues from any shore, without any pretence at all...They pretend that every ship which has logwood, cocoanuts, or pieces of eight aboard, is lawful prize. Now two of these grow in our own colonies; and the South Sea Company, by the *Asiento* contract, furnish the Spaniards with Negroes, which they pay for in pieces of eight; and as the principal market for these negroes is Jamaica, this occasions the circulating of a great deal of specie there. So that we might with full as good reason stop the ships of Spain in their passage by Jamaica, or our other plantations, and confiscate them formally, if we find aboard of them either logwood, cocoa nuts or pieces of eight; For this will just as well prove that they have been trading with our colonies as our having such goods aboard can prove that we have been trading with theirs.⁶²³

The pamphlet also discussed the issue of distrust of the Spanish legal system when it dealt with Englishmen accused of contraband:

⁶²² Pulteney, W., *A review of all that hath passed between the courts of Great Britain and Spain*, London, 1739, p. 3.

⁶²³ Lyttelton, G., *Considerations upon the present state of our affairs, at home and abroad, in a letter to a member of Parliament, from a friend in the country*, London, 1739, p. 4.

And their manner of trial is a mockery of justice, which would be highly ridiculous, if the effects of it were not so terrible. The cause is tried in their own courts in America, a Spanish advocate is to plead for our merchants, and the judges themselves almost always share in the prize. The consequence of this is, that every ship which is taken by them must be confiscated.⁶²⁴

The author disapproved of Spanish interpretations of international treaties, saying that “All the rules therefore laid down in the Treaty of 1667 between England and Spain, concerning the method of searching for prohibited goods, are plainly confined to Europe, where a general trade is allowed, and have no relation to America, where all trade is forbid”. After a lengthy analysis of international law, he concluded:

It remains then certain, that in Reason, and Justice, by the Law of Nations, and by all our Treaties, the way to and from our own dominions in America is as free as the passage between London and Bristol, and that Spain has no more right to stop and search our ships in the seas of America, than in the British channel.⁶²⁵

Another publication by the same author discussed the European power struggles at stake in this conflict, claiming it is Spain that has sought to destabilise the European balance of power with her aggressive conduct in the Caribbean:

A due balance of trade in the West Indies has been long looked as one of the most effectual means of preserving that just circulation of treasure that is so necessary to the preservation of the balance of power in Europe... For this reason every encroachment of one nation upon another, in that trade, has been strictly guarded against in several treaties, the principal aim of which is to accommodate differences in Europe. All these treaties therefore may be looked upon as so many securities which the contracting powers have given to Spain for the peaceable possession of her American commerce and possessions. So that, while she takes care to regulate her conduct according to the intention of these treaties and the general rights of nations, she is in no danger of being stripped of any right or possession she can justly claim in America.⁶²⁶

⁶²⁴ Ibid.

⁶²⁵ Ibid.

⁶²⁶ Lyttelton, G., *Farther considerations on the present state of affairs at home and abroad as affected by the late convention, in a letter to the minister: with an appendix. Containing a true state of the South Sea Company affairs in 1718*, London, 1739, p.1.

Still, by 1740, on the eve of the main naval campaign in the Caribbean, there were voices claiming for a return to pragmatism and an understanding of the high costs of war:

The foundation of your dissatisfaction with the measures of this administration seems to be their endeavours from time to time to prevent plunging this nation into European wars, when misunderstandings between Britain and its neighbors may be honourably accomodated, without disturbing the world's quiet or their own. For this, as traders and as Englishmen, I think they are entitled to your highest gratitude instead of your ill will and reproach...After having been engaged in wars to the injury of our trade and navigation for six and twenty years, was it not full time to think of changing the scene and recovering our strength?⁶²⁷

This particular author defended the apparent compromise reached in 1739 with Spain:

Between all extremes there is a midde point which true statesmen often perceive; and this our ministers happily hit upon, maintained our possessions, rights and privileges of commerce and navigation without engaging Europe in a war, and without any dishonour to ourselves or our allies than the imaginary one which filled the noddles of our knight errants at home. ⁶²⁸

He stated the pragmatic worries of those who remember the fiscal troubles brought about by the War of Spanish Succession:

We City politicians forget that war is quite changed from what it was in the days of our forefathers, when in a hasty expedition and pitched field, the matter was decided by courage. But now the art of European wars is in a manner reduced to money. That prince who has the longest purse is sure to have the strongest sword.⁶²⁹

His conclusion was straightforward: "There is as little the interest of traders as of the nation to hurry Britain into a war with Spain".⁶³⁰

Compared to what their counterparts in Madrid, British publications during the 1730`s tended on the whole to be more simplistic in the analysis of causes for the Anglo-Spanish

⁶²⁷ Anon., *An address to the merchants of Great Britain. Or review of the conduct of the administration with regard to our trade and navigation, by a merchant retired*, London, 1740, p. 5.

⁶²⁸ Ibid., p. 7.

⁶²⁹ Ibid., p. 18.

⁶³⁰ Ibid., p. 34.

rivalry, on the underlying economic factors, and on the political maneuvering taking place around it in both capitals. As shown previously, many of the London pamphlets offered readers little more than cartoonish portraits of Spain and its leaders, compared to the sophisticated and detailed accounts presented by Madrid publications of English politics surrounding the West Indies trade conflict.

Part of the explanation may lie in the different nature of the readership. According to the relatively few academic studies of Spanish journalism in the early 18th century, the Madrid papers never reached the massive audience of their London counterparts.⁶³¹ The editor of Madrid's *El Mercurio Histórico* claimed as much, when in his first number he proclaimed that this publication would be particularly useful to a certain type of person. For a man of the Court who prided himself on being a politician, it was not only necessary, but "indispensable"⁶³². He insisted that if there was any political novelty within or outside the country, such as the threatened breaking out of hostilities with England, or the marriage of Prince Charles with the Princess of Saxony, the man of the Court would need to read *El Mercurio Histórico* to avoid the social and political humiliation of not knowing about such high matters of state. His was clearly a more restricted target than that attempted by the London press with its thousands of readers.

Also, trying to read the Spanish political climate in a much more restricted and closed society was a hard task for any London commentator to undertake. As it was, this closed Spanish society enjoyed a far more transparent view of the political nature of its enemy,

⁶³¹López, T.E., *Opinión Pública y oposición al poder en la España del Siglo XVIII (1713-1759)*, Valladolid, 2002.

⁶³² *El Mercurio Histórico*, 1, January 1738.

frequently obtained by reading the enemy's own press, including their open admission of their commercial ambitions in Spanish America. In the negotiations preceding war, Spanish diplomats sometimes came to the table armed with Englishmen's own accounts of their abuses in the Caribbean trade.⁶³³ This strengthened Spanish resolve to enforce their commercial privileges by clamping down on the English, and accelerated the outbreak of war.

A signal of the London press's influence is the fact that it was sometimes targeted by Spanish officials and the Spanish press for advancing their own objectives. The rest of this paper shows how in this age of an emerging mass public opinion and increased commercial intercourse, information and propaganda from one nation traveled quickly and could prove useful for another. On occasions English publications helped to inform the Spanish public of the state of politics in London during the months preceding the war, as the Spanish periodicals transcribed them, word for word, for the benefit of their Madrid readers. For example, in March 1738, *El Mercurio Histórico* copied an editorial piece from *The Craftsman* claiming that Spanish interceptions of English sailors violated the treaties of 1666 and 1670. In April, *El Mercurio Histórico* again reproduced a pamphlet produced by English merchants demanding reparations from Spain. And a year later, in April 1739, the *Gaceta de Madrid* transcribed the complete text of an antiwar pamphlet entitled "The grand question of whether war or no war with Spain, impartially considered, in defence of the present measures against those that delight in war". The text in question happened to be written by the prime minister's brother, Horace Walpole and

⁶³³ For a detailed description, see: Brown, V.L., 'The South Sea Company and Contraband Trade' in *The American Historical Review*, Vol. 31, No. 4, July 1926.

its contents largely defended the Spanish positions; it must have been particularly attractive to the editors of this semiofficial *Gaceta*.

The open, chaotic and at the same time influential nature of the London pamphlet press also presented a tempting opportunity for Spanish officials wishing to manipulate British debates in their favor. López, in his book on Spanish public opinion, claims that the war of Jenkins' Ear led to a large propaganda effort undertaken by the Spanish crown in the first half of the 18th century, as it strove to convince the English and other European publics of the righteousness of the Spanish case.⁶³⁴ For example, in 1739 a pamphlet was published and circulated presenting a manifesto on the conduct of the Spanish Crown towards the British, stating its case and arguing that they were only defending their territorial waters in America from British smugglers.⁶³⁵ Some evidence of the management of these propaganda operations is to be found in the Spanish national archives at Simancas. In September 1739, a British informer for the Spanish crown identified as Mister Richmond, corresponded with Thomas Geraldino, Spain's ambassador in London, who had abandoned the city some days before as hostilities became imminent. In his letter, Richmond told his Spanish master that the manifesto had received diverse opinions in the British press, but many complained that its effectiveness had been diluted because the text's translation into English had not been done properly. He suggested that in the future, "if it should be judged proper to publish anything of that kind that I may be honoured with the management of it".⁶³⁶

⁶³⁴ López T.E. , *Opinión Publica*, p. 90.

⁶³⁵ Anon., *Cotejo de la conducta de Su Majestad con la del rey Británico así en lo acaecido antes de la Convención de 14 de enero de este año de 1739 como en lo obrado después hasta la publicación de represalias y declaración de guerra*, Madrid, 1739.

⁶³⁶ Simancas, Estado 7013, Richmond to Geraldino, September 13 1739.

It is clear that the pro-Spanish pieces were swamped by the tide of patriotic literature that has come to be associated with this war. Nonetheless, as shown above, quite a few British authors, not least those close to the Walpole ministry, had reasons of their own to write against this war and did not need prompting from Spain to do so. The Madrid public relations effort seems to have managed to get at least a few parts of the Spanish view across to the exalted readers of London in 1739. The previously mentioned Spanish pamphlet circulating in London included among its arguments a piece of counter-propaganda directly aimed at the emotions of the pro-war mob. Responding in kind to the infamous story about Captain Jenkins' ear cut off by Spanish coast guards, the Spanish manifesto retorted that the English had done a bit of ear-cutting of their own, and told the story of a British smuggler who had kidnapped a Spanish trader off Jamaica, and went on to cut not one, but both his ears along with his nose, forcing the Spaniard to eat them before releasing him. Whether or not the story was true, it was picked up by other sympathetic London pamphleteers. The same year an anonymous tract carried the same story among its arguments to stop the war, reasoning that "Here was a precedent and provocation for the exercise of the like cruelty and maiming by the Spaniards, who yet hardly ever practiced it with the like circumstances of inhumanity"⁶³⁷.

Moreover, it was possible for private domestic interests to ally themselves with Spaniards in the propaganda war being fought in London. Many Englishmen bore grudges against the South Sea Company and felt this war was being fought on its behalf. In January 1740,

⁶³⁷Anon., *Popular prejudices against the convention and treaty with Spain, examined and answered with remarks on a pamphlet entitled considerations upon the present state of our affairs at home and abroad*, London, 1739.

the informer Richmond wrote again to the Spanish ambassador, telling him that he had been in conversation with a Mr. Ward, who “said he is vigorously resolved to push his resentment against the directors of the South Sea Company but he wants to be helped out by an answer to the following queries”. Richmond went on to ask the Spanish minister for details on the South Sea Company’s operations and contraband in South American ports, which would be used to criticize the government in a pamphlet to be published by Ward, claiming that the British government was improperly defending the Company’s private interests at public expence. Richmond added that “we should be very glad to know by what particulars we may entangle the ministry in the intended letter and observations that are to be printed, for if any just handle can be pressed against them, the enquiry will certainly either take place or create a great confusion in both houses of Parliament”.⁶³⁸

As war actions became imminent, the London press reacted to a growing public interest in following their course. In 1739, Spanish spies reported that in the city of London, near the Royal Exchange, a brisk trade was carried on in maps of Cartagena and Havana, presumed to be Admiral Vernon’s next inevitable conquest.⁶³⁹ The level of popular enthusiasm in England increased to the heights that have been described by Kathleen Wilson in her well known essay on the Vernon phenomenon.⁶⁴⁰ As mentioned before, early in 1740 the British commander took the town of Portobello with just six ships, fuelling an expectation of great future territorial conquests in Spanish America and

⁶³⁸ Simancas 7013, Richmond to Geraldino, 13 January 1740.

⁶³⁹ Simancas 7013, Richmond to Geraldino, 6 December 1739.

⁶⁴⁰ Wilson, *The sense of the people*.

becoming a popular hero at home.

By 1741, the London pamphlet-reading public was receiving even more detailed studies of the social and economic conditions in the Spanish colonies that might be soon taken by their heroic admiral. An anonymous tract of that year promised a “geographical description of the principal objects of the present war in the West Indies, *viz* Cartagena, Puerto Bello, la Veracruz, the Havana and San Agustin, showing their situation, strength, trade, etc.”. The writer introduced his work claiming:

The design of this undertaking is not only to give a much more complete and accurate account than has given before by others, of the places mentioned in the title page, but also to show the possibility of them being subdued, and the manner in which they may be taken.⁶⁴¹

Moreover, he claimed:

Memoirs of this kind may be necessary for the information not only of the public at home, but also of the officers sent on foreign expeditions: who often, for want of being sufficiently acquainted with the nature of countries and coasts, strength of places and other circumstances, miscarry their attempts; whereof History, both ancient and modern, furnishes numerous instances.⁶⁴²

Additionally, the author argued:

This work may answer another End: for as the whole body of the nation is convinced of the absolute necessity of getting possession of some place in the Spanish West Indies, as the only possible means of securing the British trade thither, every reader, by considering the situation and nature of the places here described, may the better judge which would be most proper for the purpose as well as of the force of the arguments advanced to prove, that the Havana is the only place which can in any wise way answer the aforesaid end, or that we might keep possession of, without giving just offense to the other maritime powers.⁶⁴³

The author stated the important nature of Cartagena and Havana, along with Portobelo

⁶⁴¹ Anon., *A geographical description of the principal objects of the present war in the West Indies*, p.1

⁶⁴² Ibid., p.1.

⁶⁴³ Ibid.

and Veracruz, in the colonial economy.

Although there are many very fine ports in the Spanish West Indies, yet none are of so great importance as those under our consideration...All the treasures of America as well as what goes in return from Europe, pass through these places and is for some time lodged there. To this we owe their present flourishing condition: and were it not for the unhealthiness of the air, La Vera Cruz and Portobelo might vie for riches with Cartagena and La Havana. ⁶⁴⁴

He described the fortifications of Cartagena, adding that “it is reckoned at present the second place for strength in the West Indies next to the Havana and was all along pretty strong; being the first that was walled by the Spaniards in America”. ⁶⁴⁵

But the author of the pamphlet saw Cartagena as ripe for British conquest.

Notwithstanding the strength of the place, it has been taken two or three times, as shall be shown presently. It is true, the Spaniards grown wiser since the last peace, have improved its fortifications and enlarged its garrisons. So that (as a certain author observes) if a French squadron was to come this way again they would find they could not besiege Cartagena with such force as before, nor perhaps with twice that number. I shall not pretend to say what the French could do; but I am of opinion that the English under such a commander as admiral Vernon would take it with fewer troops and in less time than de Pointis did. ⁶⁴⁶

A survey of the London and Madrid press in the years leading to hostilities between England and Spain shows that although the London press was more complex and independent than its Spanish counterpart, this does not mean that the Spanish governments did not face pressures from public opinion.

The English press was reasonably accurate in portraying the underlying economic causes

⁶⁴⁴ Ibid.

⁶⁴⁵ Ibid.

⁶⁴⁶ Ibid.

of conflict, in some cases showing a more specialised knowledge of economic conditions of the Spanish American colonies than is apparent from Spanish printed sources. In their diversity, the London sources also portray accurately the conflicting domestic interests in England with respect to American trade. This sometimes proved useful to the Spanish government in its dealings with the English, as it presented them with the opportunity of exploiting those internal divisions.

The English did not count on an equally complete view of the political conditions in Spain and its imperial system. This contributed to some British miscalculations regarding the conflict in America, for example, in estimating the degree of allegiance to Spain in the colonies.

There is evidence to suggest that, in a time of increasing commercial contact, the London pamphlet press not only spoke to domestic audiences, but on occasions it also became part of the discourse of Spanish public opinion and political life.

The War

The military aspects of the outbreak of war between England and Spain in 1739 have been the subject of numerous studies.⁶⁴⁷ When Walpole was unable to contain the numerous pro-war voices in parliament, parts of the merchant community and public opinion in Britain, war was declared and a military expedition ordered to go to the West Indies.

⁶⁴⁷ For example, Woodfine, *Britannia's Glories*, or Harding, R., *Amphibious Warfare in the eighteenth century*, *The British expedition to the West Indies*, London, 1991, or more classic versions such as Richmond, H.W., *The Navy in the War of 1739-1748*, Cambridge, 1920.

The imminence of hostilities was, unsurprisingly, closely followed by colonial administration officials in New Granada. It was not particularly surprising to Spanish officials there, but it brought about apprehension, which to a significant extent, dealt on the economic shortcomings of the local administration to deal with conflict.

On 2 December 1739, a letter to viceroy Eslava from an officer of the Audiencia of Santa Fe informed him of the outbreak of war:

Muy señor mío. Acabo de recibir chasqui del gobernador de Cartagena en que me avisa está declarada la guerra y en la colonia de Jamaica 30 navíos de guerra de los que se habían avistado uno en aquellas...por seguro lo vendrían a atacar en breves días y que respecto de hallarse totalmente falto de bienes y caudales se le asista de aquí y de esas Reales Cajas con cuanto sea posible...⁶⁴⁸

The said officer cooperated with preparations to defend the port:

...determino viajar personalmente al puerto de Honda para despachar con toda celeridad ...las porciones de harinas, jamones, quesos y legumbres que ivan acudiendo ahí en virtud de las ordenes que tengo dadas.⁶⁴⁹

Moreover, the notice was passed to other colonial dependencies to help with the defence of Cartagena. A letter dated that same 2 December stated:

...dijeron se solicite persona para que pase a Lima a dar cuenta al Senor virrey de la noticia que contiene dicha carta y se pague el costo de cualquier caudal que existiese en Cajas Reales....dara todas las ordenes que pareciesen convenientes a fin de que se logre el socorro de dicha plaza, solicitando de los vecinos de esta ciudad los caudales que estuviesen efectivos...⁶⁵⁰

The governor of Cartagena requested 100,000 pesos from the city of Quito. The response was stark:

⁶⁴⁸ AGNC, Negocios Exteriores, 2, 1739-1740, pp. 671-702.

⁶⁴⁹Ibid.

⁶⁵⁰Ibid.

...Hallándose esta Real Caja sin caudal alguno ...mandose despachos en cartas de oficio ...a los vecinos de esta provincia que tubiesen manejo de caudales efectivos para que cada cual según sus facultades suplan lo que les dictare su lealtad para dicho socorro y que para la seguridad de estos préstamos se obligue esta Real Caja a pagar de los primeros caudales que entrasen de cualquier ramo...⁶⁵¹

However, further letters documented the excuses presented by Quito residents. On 4 December 1739, Antonio Lino Muñoz wrote:

...Hallándome al presente sin plata efectiva he hecho vanas diligencias con personas que me deben y no he podido conseguir dinero prestado por la pobreza de la tierra.

The same day, Pedro Joseph Bermúdez wrote:

...Yo señor, mi caudal se reduce a una casa y una corta hacienda que entre ambas fincas tienen 8.000 pesos de censo, los granos que cojo no valen a poderla mantener.

Antonio Flores responded:

...mi corto caudal está disperso en haciendas, mercadería y algún dinero en Europa y Panamá. Ya le pidieron prestado antes 4.750 pesos, no tiene más.⁶⁵²

On 11 December Bernardo Leon did offer some help:

“Algunas haciendas que poseo... puede su señoría disponer de ellas como gustase, aunque advierte que son pobres”.⁶⁵³

And months later, on 26 August 1740, a letter from the Marquis of Villagarcía in Lima to the Quito audiencia gives evidence of plans for a larger military mobilisation across the province in case the hostilities spread to the Pacific port of Guayaquil:

En carta del 26 de julio que recibí a 23 del corriente me participa su Sria. Que, habiendo entendido en facilitar la internación más breve y cómoda del tesoro de Armada, ha mandado alistar las milicias en las provincias de Tacunga, Ambato, Riobamba y Chimborazo para que esten prontas a socorrer la ciudad de Guayaquil.⁶⁵⁴

⁶⁵¹Ibid.

⁶⁵²Ibid.

⁶⁵³Ibid.

⁶⁵⁴Ibid.

While New Granada prepared for what it believed was an imminent British invasion, in London the Company's board of governors also reacted to the new situation. They were concerned that the war and its aftermath could lead to the granting of charters to competing companies.

On 4 December 1739, weeks after the hostilities began, the deputy Governor "laid before the court a printed copy of a bill now depending in the hon. House of Commons entitled 'a bill for the more effectual securing and encouraging the trade of His Majesty's British subjects to America, and for the encouragement of seamen to enter into His Majesty's service'". The bill provided:

...for empowering His Majesty during the present war, to grant charters to any societies or particular persons for more effectually enabling them to join in any expedition or adventures by sea or land, and to sail to and in any of the seas of America, and for assuring to them the property of what they shall take from the Spaniards, and after the present war is ended also empowering His Majesty to grant further charters for securing to the partys the possession thereof, which clause will deprive the company of their rights granted them forever by the act of the 9th of Queen Anne, erecting this corporation.⁶⁵⁵

At around the same time, the former Spanish representative at the Company, Thomas Geraldino, received a letter from a friend in London warning of British plans for aggression all across Spanish America:

...Some days ago, sir Charles Wager sent for a certain gentleman well known to your excellency to be informed of the fortifications and present strength of Cádiz, and for answer he was told that it is now twentyfold stronger and more difficult to be taken than it was when the Duke of Ormond took Port St Marie. However a map of it is printed and others are getting ready of Cartagena, Portobello, la Veracruz, Havanna and all the Spanish West Indies in general, and even some of them are already off and selling at the Royal Exchange, and I am humbly of opinion it is no longer to be doubted but our own chief design is on some point of the Spanish settlements in America.⁶⁵⁶

⁶⁵⁵B.L. Add. 25510, 4 December 1739

⁶⁵⁶ Simancas, Estado, 7013, Richmond a Geraldino, 6 December 1739.

A few weeks later, this same informant was writing again to Geraldino, warning him of the popular feelings rising against Spain in London:

...Today is flying about a paper entitled The Queen of Spain is with child and longing for an English haddock...there are more people get bred by lying and corruption in this place than in all of Europe besides.

He also referred to possible means of countering English propaganda and even influencing Parliament in the current dispute:

What was the value of the said company's effects seized in the Spanish West Indies, from whence proceed the debt of 68,000...inasmuch as it is said in the King of Spain's manifesto that the British King did back the unjust transactions of the company deeming their concerns as an engagement of the Crown, whereas before the convention they were looked upon as a contract with a private person..We should be very glad to know by what particulars we may entangle the ministry in the intended letter and observations that are to be printed, for if any just handle can be pressed against them, the enquiry will certainly either take place or create a great confusion in both houses of Parliament, and if the form you are sensible sir, it will salt the saddle upon the right horse in such ways as to let your word see whether Spain or England had the greatest reason to declare war.⁶⁵⁷

In Cartagena, in the meantime, the declaration of war had led to the final closure of the Company's factory. Ord and Gray stayed in Cartagena until June 1740, when they sailed for Jamaica bringing to an end 27 years of the first formal British commercial venture in New Granada.⁶⁵⁸

On 26 July Ord wrote to the Company's headquarters from Kingston informing of the latest events:

We have made several attempts to inform you of the uneasy situation we have been in ever since the embargo made on the company's effects and ours in September last, but all our endeavours have been rendered fruitless by the diligence and vigilance of the officers and ministers in Cartagena. ...The only matter of consequence they could lay hold of was Araujo's debt, betwixt two and three thousand dollars, which at the time of the represalia

⁶⁵⁷Simancas, 7013, Richmond a Geraldino, 13 January 1740.

⁶⁵⁸Shelburne, Vol. 44, p. 689, Houstoun to Burrel, 28 July 1740, p. 689.

was in contest, and he (Araujo) in prison; all outstanding debts at the time of the represalias are liable to this misfortune, for as our interventor has a copy of them, it is impossible to conceal them; all such debts are before our time, during our administration nothing has been trusted but what is paid.⁶⁵⁹

Also in July of that year, Houstoun, the former Cartagena surgeon, reappeared in the Company's correspondence, writing to headquarters from Jamaica about topics that ranged from military observations to his own unsettled debts:

Since my last long letter of the 3 of June, by His Majesty's ship the Diamond, I have advised that the spanish squadron mentioned in my last, that set out from Cadiz designed for the west indies, put in at Ferrol, not being able to proceed the voyage only the vice king of Mexico in a Dutch ship of 20 guns manned by almost all spaniards proceeded on his voyage to la Veracruz...I have advices by a letter of the 3 of May from Panama that Don Blas, general of the Galleons, has wrote a letter to the president of Panama, with the king of Spain's order for celebrating the fair at Punto, and accordingly the commerce of Peru were to embark with their money about the middle of May from Panama for Guayaquil from thence by land for Quito and the goods be transported to Cartagena. Some of the way by the Rio Grande, the rest by land to Quito; what an endless labyrinth they have brought themselves into; as the geography of the place will show you. They continue at Cartagena in the same posture as in my last, whilst our admiral Vernon is disabled from making any further attempts for want of necessary supplies of stores, etc, which leaves us entirely in the dark here, some imagine peace, others I don't know what, mere conjectures.⁶⁶⁰

Houstoun proceeded to describe the continuing squabbles around the remaining accounts of the Cartagena factory, and reassured London that once the war had ended, he would remain available for business:

...The Cartagena factory arrived here the 26 of June. I fancy some of them go home in this fleet, whilst others are battering here with Messrs. Meriwether and Manning about their old accompts...In the meantime I shall only beg to rest under the wings of your protection and generous friendship of peace with a reestablishment of the *asiento*, there is such a person alive entirely devoted with a most sincere attachment to your disposal and

⁶⁵⁹ Shelburne, Vol. 44, Ord to Burrel, Kingston, 26 July 1740

⁶⁶⁰ Shelburne, Vol. 44, Houstoun to Burrel, Kingston, 28 July 1740, p. 689.

service.
Houstoun.⁶⁶¹

Meanwhile, in Cartagena itself, the authorities were placing themselves on war footing.

On 23 August, Juan de Vera, a customs officer, wrote to his superiors informing of the capture of foreigners:

En esta ocasión remito a esa plaza seis prisioneros..adentro los cinco blancos y el otro negro . Y quedan en esta ciudad cuatro, el capitán y un judío por no poderse poner en la lancha a causa de las heridas...habiendo tomado este la religion católica, el cuarto un indio que sirve al capitán, que no remito por este efecto.⁶⁶²

The Court of Directors of the South Sea Company in London spent a few final months sorting out the accounts. In October 1740, one of their ex factors, Gray, reported being in correspondence with the Spanish military commander in Cartagena:

...Mister Gray having delivered to the court a letter from don Blas de Leso, general of the Galleons, dated at Cartagena the 21st of June last, and one from don Melchor de Navarrete, governor of that place dated the 20th in favour of Mr. Ord, and of himself the said Mr. Gray, translations thereof were read and referred to the committee of correspondence.⁶⁶³

By December, the Court of Directors was still quarrelling over the exact amount of money spent by the factors in Cartagena:

The minutes of the committee of account of 27th and this morning touching the accounts of the Cartagena factory were read as also the minute of the said committee of this day proposing that the charge made by that factory for housekeeping, salaries, etc., be referred to the consideration of the committee of correspondence which last minute being disagreed to...Resolved that on Thursday next this court will take into consideration the aforesaid minutes of the committee of accounts relating to the accounts of the Cartagena factory.⁶⁶⁴

A week later they agreed on the following:

⁶⁶¹Ibid.

⁶⁶²AGNC, Milicias y Marina, 115, 23 August 1740, p. 654.

⁶⁶³B.L. Add. 25510, 16 October 1740, p. 106.

⁶⁶⁴B.L. Add. 25510, 4 December 1740, p. 114.

The court sees the minutes of committee of accounts regarding Cartagena. The covenants by and between the company and Messrs. Ord and Gray were read. Ordered that it be referred to the committee of accounts to make up to the time of the last *reprisalias* the account of the said factors according to the said covenants wherein is to be allowed them so much as the commission they have drawn is sufficient, or falls short of the yearly allowances of \$8,000.⁶⁶⁵

And the following week they added these considerations to their disputes with Ord and Gray:

The reports of the committee of accounts of this morning on the letter from Mr. Burrow and laying before the court pursuant to order at last meeting the account of the commission drawn by Messrs. Ord and Gray from the 11 of July 1738, when they commenced factors, to the 24 September 1739, the time of the last *reprisalia*, with the deficiency thereon the foot of a yearly allowance of \$8,000. Which reports were read and agreed to. Ordered that the secretary write to Mr. Burrow agreeable to the said reports... Ordered that the secretary transmit to Mr. Gray copy of the said report concerning the accounts of Mr. Ord and him. Resolved that this court will take into consideration what may be reasonable to allow the said Messrs Ord and Gray during the time of the late *reprisalia*.⁶⁶⁶

Only three weeks later, the Court heard back from Gray, who still claimed monetary compensation for the time following the last Spanish *reprisalia*:

A letter of yesterday's date from Mr. Gray, late factor at Cartagena, in answer to one wrote him by the secretary by order of the last court was read, signifying that he has nothing further to offer relating to the accounts of Mister Ord and himself than what is contained in their letter from Jamaica in July last, and their account current therewith sent, and in a letter from himself of the 2nd of December last, but earnestly to request that all matters between the Company and them may be finally settled. The resolution of the last court to consider what may be reasonable to allow Messrs. Ord and Gray during the late *reprisalia* was then read, and being taken into consideration resolved, That the said Messrs. Ord and Gray be allowed for commission and all other factory charges after the rate of their allowance of \$8,000 per annum from the 24 September 1739 to the time of their arrival in Jamaica, they paying thereout to the surgeon and the other officers of the factory their respective salaries up to the time of those officers arrival also at that island.⁶⁶⁷

⁶⁶⁵B.L. Add. 25510, 11 december 1740, p. 116.

⁶⁶⁶B.L. Add. 25510, 18 December 1740, p. 118.

⁶⁶⁷B.L. Add. 25510, 9 January 1741, p. 119.

Among the items being claimed as expenses by the factors was an allowance to help

English sailors in need:

The accountant laid before the court the further account of Messrs. Ord and Gray, late factors at Cartagena, made up according to the order of last court, which was read, whereby the balance due from them to the company appears to be \$2.416...

A letter from Gray of the 2nd past praying that \$2459:2 *rials*, which Mr. Ord and himself disbursed for maintainance and relief of English mariners in distress at Cartagena may be carried to their credit and their account be entirely settled was also read.

A clause in an act of the 1st of his present Majesty whereby the government makes an allowance towards the relief of distresses English mariners in foreign ports also being read.

Ordered that upon Mr Gray's making an affidavit and giving the best proofs he can of the said sum of \$2459:2 having been disbursed by Mister Ord and him for maintainance and relief of sundry distressed English mariners, whereby to enable the company to recover from the government the allowance made by the aforesaid act, that the committee of accounts pays the said sum to the credit of the said Messrs Ord and Gray.⁶⁶⁸

On 2 December 1739 Viceadmiral Edward Vernon and his men carried out a successful attack on Portobelo, occupying and burning down the town.⁶⁶⁹ The initial success seemed to confirm British expectations of military glory and made Vernon into a popular hero in his home country.

In late 1740 Vernon was told to prepare a much larger expeditionary force. The objective would be one of the main trade hubs in the Spanish American colonies. According to *inteligencia*, the British originally contemplated an attack on Havana, but given the city's particularly strong defences, decided that the cost would be prohibitive. This left Veracruz and Cartagena. Nearly 10,000 men were assigned to the task force, including a 3,000 man contingent from the North American colonies.⁶⁷⁰

By the summer of 1740 Vernon decided on Cartagena and by December 1740 the

⁶⁶⁸B.L. Add. 25510, 16 January 1741, p. 122.

⁶⁶⁹ For a more recent study on the war, see Rivas, I., 'Mobilizing Resources for War: The British and Spanish Intelligence Systems during the War of Jenkins' Ear, (1739-1744)', PhD thesis, University College London, 2009.

⁶⁷⁰ *Ibid.*, p. 156.

expeditionary force was in Jamaica.⁶⁷¹ Vernon's attack on Cartagena in March 1741 was the main armed encounter of the war in this continent.

His ships carried out a bombardment and the soldiers attempted a landing on the outskirts of the colonial walled city. The attack began on 6 March with bombardments of the Spanish fort at Bocachica, which guarded the entrance to the bay of Cartagena.⁶⁷² Also, hundreds of soldiers disembarked in the outskirts of the colonial walled city, beginning a siege that was to last for two months. Remarkably, Cartagena resisted. Blas de Leso, the commander of the Spanish garrison, who eventually died from wounds sustained during the siege, led the resistance. He ordered the sinking of five Spanish vessels, the *Africa*, *San Carlos*, *San Felipe*, *Conquistador* and *Dragon*, to hinder access to the bay for the British attacking ships. With casualties mounting among his own troops due to combats and tropical disease, Vernon gave up on the attack on 14 April and in early May left with this fleet for Jamaica.⁶⁷³ It was the last British attempt at occupying New Granada militarily. After another smaller and equally unsuccessful attack on Santiago de Cuba, the fleet made its way back to England in October 1742, having achieved none of the promised territorial gains in the Spanish possessions in America, nor having inflicted a great military punishment on Spain. A smaller British expedition led by Commodore Anson had also been sent to the Pacific coast of South America in October 1740. Original plans to have the six ship squadron attack Panama City were abandoned as communications problems and other mishaps affected Anson's task force. Besides a small attack at the small and relatively unimportant port of Paita in Peru in November

⁶⁷¹ Ibid., p. 174.

⁶⁷² Ibid., p. 183.

⁶⁷³ Ibid., p. 188.

1741, the expedition achieved little in terms of military damage to Spanish American positions.⁶⁷⁴ Instead, Anson sailed to Acapulco, trying to intercept the Manila galleon, and eventually in early 1742 left for Asian Pacific waters following the Spanish treasure ships.

In the end, the large military effort against the Spanish empire in America embodied in Vernon's expedition had been rather inconsequential and the humiliation, particularly in Cartagena, hastened the resignation of Robert Walpole as prime minister. By late 1742, the War of Austrian Succession had broken out in Europe, and the focus of military attention moved from the Caribbean to the European mainland for the duration of hostilities until 1748.

Meanwhile, by mid 1741, with the affairs of the factors Ord and Gray being sorted, mentions of Cartagena disappeared from the South Sea Company's Board of Directors's meetings. Admiral Vernon's campaign against Cartagena, which so riveted the attention of the English public, was of little business interest to the directors, who presumably had given up on the enterprise and had little hope of restoring the *asiento* after the hostilities.

Instead, in New Granada and across the Spanish empire, colonial society celebrated an important military achievement. Shortly after Vernon's failed attack at Cartagena in 1741 had dispelled British hopes of invasion and conquest in Spanish America, the first works appeared in Madrid celebrating the feat. Joachin Casses de Xalo, professor of the University of Valencia, published a book in which he triumphantly began by saying: "the

⁶⁷⁴ Ibid., p. 215.

vulgar axiom that used to say: war with all the world and peace with England, is no longer true".⁶⁷⁵

In 1744, in the upland town of Tunja in New Granada, a local monk called Blas de Umaña published a celebratory poem on the siege of Cartagena. His piece began with a vivid account of King George addressing Parliament in Westminster on the eve of war, followed by MPs debating on the merits of the conflict. He then recounted many of the subsequent events, seen from the eyes of a Londoner, all the way to the English celebrations after the victory at Portobelo, of which he writes on how fireworks resounded, music without equal was played, and people congratulated each other.⁶⁷⁶

This was the background into which he then introduced the tales of Spanish heroism in Cartagena. Apparently, accounts of London's celebration of Vernon's initial conquests had reached all the way to this corner of the Spanish American Empire. These descriptions, possibly written by a patriotic London journalist and later transcribed by a Spanish *Gaceta de Madrid*, now permitted this colonial writer to reproduce the English domestic political context which made his country's victory in America so especially gratifying.

However, when celebration had given way to reflection, Spain's evaluation of the impact of war on the integrity of their empire was more sobering.

⁶⁷⁵ Casses de Xalo, J., *Rasgo épico, verídica epiphenémena y aclamación cierta a favor de España, en el célebre tropheo que consiguieron en Carthaggena Americana las armas cathólicas contra Inglaterra, gobernadas por el virrey de Santafe d. Sebastián de Eslaba, sistema político, histórica descripción geográfico-pronóstica de Inglaterra y panegyris crítico-histórico de España*, Madrid, 1741.

⁶⁷⁶Hernandez de Alba, G., *Poemas en Alabanza de los defensores de Cartagena de Indias en 1741*, Bogota, 1982, p.46.

On 18 June 1747, upon the death of Felipe V, first minister Ensenada wrote to Fernando VI a letter describing the health of the kingdom, entitling it “Idea de lo que parece preciso en el día para la dirección de lo que corresponde a Estado y se halla prudente”.⁶⁷⁷

In the section referring to the British, Ensenada stated:

...Concederles la libre navegación, como la piden, no es posible sin abandonar las Indias. Restringirla, como pretendemos, tampoco es practicable aunque fuera justo. Con que entre los dos extremos se ha de procurar alguna senda que nos lleve al término deseado...⁶⁷⁸

According to this royal officer, the disputes over the *asiento* were also still far from over:

...Por lo que concierne a la compañía del asiento de negros, son tales y tan arduas las respectivas pretensiones sobre cuentas, navío de permiso, su duración y otros incidentes, que no es posible desenmarañarlas sin un prolijo examen y un largo tiempo y en esta innegable suposición, es preciso, si se camina de buena fe a la paz, que se remitan a comisarios que las determinen dentro de un espacio oportuno y capaz del logro...⁶⁷⁹

Ensenada recognised that England would continue to demand greater commercial access in the colonies:

Sobre revalidar los antiguos tratados insistiran los ingleses, para que sirvan de fundamento al que ahora se estipule. Tiene graves perjuicios esta pretensión por lo que mira al comercio, y es necesario estipular que la España estará religiosamente a lo ofrecido en cuanto no se aparte de los tratados que hubiere hecho después de la guerra con los ingleses, o que hiciere en adelante con cualquiera otra potencia la más favorecida, porque siendo su firme resolución el que se establezca la recíproca en todo lo pactado y que se pactare, no puede proceder a obligación que no embeba este admínculo.

He believed, nonetheless, that colonial administration was now in good hands, including

Viceroy Eslava in New Granada:

Hay en la America los tres virreyes, Eslava, Manso y Horcasitas, que no se pueden

⁶⁷⁷Ensenada, ‘Idea de lo que parece preciso’, p. 62.

⁶⁷⁸Ibid.

⁶⁷⁹Ibid.

mejorar, y bien inútiles y perjudiciales han sido algunos de sus antecesores...⁶⁸⁰

On 22 July 1749, the people of Cartagena were treated to a sort of celebration:

Sebastián de Eslava, ..por cuanto por Real Orden de Su Majestad, Se manda publicar la paz general celebrada entre las potencias... Que a honra y gloria de Dios nuestro señor y bien de la cristiandad...se ha combenido, firmado y ratificado el tratado definitivo de paz...Se le comunica al pueblo ...para que en su demostración haga luminarias en las tres noches siguientes...leído en bando con clarines y timbales en Cartagena.⁶⁸¹

The people of Cartagena learned in that way about the official end of the war, although, as Ensenada had mused in his report to the King, very few of the issues that had given rise to this conflict had been resolved.

The evidence discussed in this chapter provides further proof of how Spanish colonial authorities reacted in New Granada to the empire-wide crackdown on British contraband. In the mid and late 1730's, local authorities were effective to a substantial degree in harassing British trade, both formal and clandestine, to a higher degree than had been the case in earlier decades. The material analysed here supports the picture of a Spanish administrative resurgence as at least some of the Bourbon reforms began to bear fruit, raising levels of confrontation with England in New Granada and elsewhere in the empire until war was inevitable.

As was discussed in chapter one, there were also forces in both Spain and England that would object to war, British merchants with peninsular trade interests being one example. But the analysis of pamphlets in the English press in the years leading up to the conflict reflect the growing popular pressure to go to war.

⁶⁸⁰Ibid.

⁶⁸¹AGNC, Negocios Exteriores, 4, 1749, p. 551.

The chapter shows how, in the late 1730s, economic conflict between the powers in New Granada gave way to overt military preparations. Ever more forceful measures, from the establishment of the privateer company in Cartagena to the restoration of the viceroyalty, signaled Spain's intention to challenge Britain in the region. As has been discussed elsewhere in this dissertation, a picture of a more sophisticated Spanish administration appears than has been shown in other studies of these events. Tienda's memorandum regarding his plans for a revitalized New Granada showed confidence in the colony's future and in Spain's capacity to manage its affairs there. It was not the voice of a collapsing, helplessly corrupted administration.

The final preparations for war did, of course, reveal many of the limitations of Spanish government here. The internal squabbles between officials discussed in the first part of the chapter are an example. There is also proof of the venality affecting the colonial authorities when some of the officials, who had been shown to be collaborators with British smugglers, were now publicly designated as the men leading New Granada's fight against contraband.

The correspondence between officials in Cartagena and other cities desperately requesting funds to prepare for the expected British invasion, and the meager response these pleas obtained were also evidence of the constraints the Spanish response faced. Nonetheless, these preparations, however imperfect, were followed by one of Spain's greatest military victories against Britain, the 1741 defence of Cartagena.

During this period, the South Sea Company, which had seemed so powerful and ambitious in earlier decades, fades away into irrelevance in the colonial life of New Granada.

That this stunning military victory should have been followed shortly thereafter by renewed British economic encroachment in the region must have been particularly frustrating to the defenders of Spanish interests in New Granada and elsewhere in the empire. Ensenada's letter of 1747 already acknowledges the fact that British demands for trade would continue to grow.

Still, the defence of New Granada during the war of Jenkins Ear showed a Spanish imperial administration that, at a local level at least, was resurgent, not crumbling. It would be eventually face wider economic challenges as British trade power increased in the 18th century. But at a military and administrative level, the Spanish administrators of New Granada could be satisfied with a job well done, certainly better than what their British rivals had expected from them.

Conclusions

This dissertation presented a case study of the economic confrontation that eventually led to the War of Jenkins' Ear between England and Spain in the early 18th century.

It discussed the commercial competition taking place in New Granada in the years leading to the conflict, as exemplified by the experience of the South Sea Company factory in the port city of Cartagena, its efforts to penetrate the colonial market, and Spain's response to this challenge.

The document discussed how economic expansion as well as a relatively liberal political structure in Britain contributed to the flourishing of discussion of public issues to a degree not seen in other contemporary European countries, amplifying the political influence of the group of London traders interested in expanding commerce with Spanish America. They were able to voice their interests to help convince the government to steadily increase military pressure on Spain and eventually declare war over its efforts to constrain that trade. At the same time, large segments of the population were adopting a new "Britishness" in which imperial power played a large part in the formation of the national identity, and were therefore increasingly sympathetic to efforts to seek British supremacy overseas. While this new nationalist assertiveness was most often asserted in contrast to France, Spain was often seen by the British public as a subordinate or proxy for French interests.

The dissertation reviewed how Spain, in turn, was beginning to experience a gradual but eventually profound transformation resulting from dynastic change. The arrival of the Bourbons set in motion a period of efforts at stemming the country's political and economic decline.. One of their earliest challenges was to restore their waning control over trade with the colonies. The project of national regeneration started under the Bourbons led to Spain beginning efforts to reassert political and military control over colonies such as New Granada.

These simultaneous trends led this colony to become one of the staging grounds in the 1730's of competition and eventually confrontation between two large European powers, with the War of Jenkins Ear emerging as a result in 1739.

The second chapter presented a brief overview of the economic rivalry between Spain and England in New Granada during the early 18th century.

The crucial economic challenge for Spanish colonial authorities was to beat contraband conducted by traders from other European powers, including England.

The dissertation reviewed previous studies about the impact in the colony's economy of early Bourbon economic reforms intended to discourage this contraband. It discussed how the *Proyecto para Galeones y Flotas* planned a liberalisation of the convoy system, hoping to make legal trade more dynamic. And while the New Granada mining industry did grow in the early 18th century as a result of increased production, the consensus is that anti-contraband enforcement was not enough to prevent a substantial part of this production being diverted off the Spanish imperial system through contraband. Therefore, in itself, the Proyecto was not enough to reactivate the colonial economy of New Granada.

The chapter also discussed reasons behind the flourishing of contraband in this part of the Spanish empire, including geography and local corruption. Some of the reasons for the abundance of contraband were applicable to the entire Spanish empire, not just New Granada. The increasing price and quality advantage for manufactures from other European nations increased the attractiveness of wares sold by English or Dutch smugglers. And the source of a crucial commodity in the colonial economy, African slaves, was entirely out of control of Spain, which relied on contracts with foreign powers: Portugal, France and eventually England, to deliver them to American ports. The chapter ends briefly describing the *asiento* of 1713, the contract which legally enabled England to export slaves to Spanish American colonies. This created the opportunity for the English South Sea Company to conduct trade in slaves and other commodities.

The third chapter looked at the operation of the South Sea Company in Cartagena between 1713 and 1739, creating a portrait of its operations from the official Company records and from more candid testimonies left by a few of its employees. It contrasted the information found about the Cartagena factory with previous studies on the importance of its trade, its profitability, and on the amount of illegal trade carried out alongside its officially sanctioned activities in New Granada.

This research showed how by the end of the three decades of the English *asiento* in New Granada there was evidence of commercial contacts not only limited to Cartagena, but extending deep into the interior of the colony, to places such as Popayan and Antioquia province, and across wide segments of colonial society.

The study showed how, in contrast to the often very negative portrayal of Spanish colonial structures that emerge from studies of that period, it was not infrequent that English accounts of the time expressed admiration for the sophistication of Spanish officials in Cartagena, recognising them as more than adequate counterparts in the commercial rivalry that was emerging between the two nations.

The study presents further evidence on how the South Sea Company was indeed used on numerous occasions as a vehicle for contraband. It also reinforces with more evidence the claim that the Company derived to a substantial amount of its profits from illegal trade. The Company's day to day effort seemed to be more geared towards commerce with other goods besides slaves.

In spite of growing local demand for slaves as the mining economy recovered in the early 18th century, profits here were likely undercut for the Company due to the continuous arrival of slaves by other means besides that of the legally sanctioned asiento.

But the centre of the factory's activities seemed to be in the trading of other goods, both those brought legally through the annual ships and those imported illegally, either for the Company's profit or for the benefit of individual employees who did so on their own.

However, the Company in Cartagena showed the need on occasions to react to Spanish pressure against contraband. While Grahn focused on showing the helplessness of Spanish authorities against the situation, testimony shown here by Houstoun and others

indicated how the British traders were often respectful and sometimes in awe of the capacity of Spanish officials to outmaneuver them in the delicate negotiations and confrontations over trade in New Granada. And, particularly in the later part of the period under study, the Company did implement stronger safeguards against private contraband by employees, likely both as a reaction to Spanish demands and as a means to protect its own income.

The Company's operations in Cartagena ended up to a great extent focusing on defrauding Spanish officials through contraband. This dissertation adds to the existing studies on how English trade interacted with diverse sectors of New Granada's colonial society, and how it helped fuel political and eventually military conflict in the region.

The collapse of the first viceroyalty in late 1723, with Villalonga himself under doubt of corruption, showed the limits of Spain's early administrative reaction to the increase in contraband to New Granada. However, it would be inaccurate to call it completely useless. The previous examination of some of the colonial administration's responses, particularly in the judiciary sphere, shows that officials could easily face long, protracted trials for ignoring substantive or even procedural aspects of the anti-smuggling campaign. Some of these trials ended up being seen in the Council of Indies in Madrid, and occasionally merited an intervention or comment by the King himself. On occasions, the accused dealt with the problem by placing their defence in the able hands of their wives, as was the case with Joseph Mozo de la Torre. However, in some other instances their defence involved more legal costs, suspension from their jobs and other more onerous charges. It may be that the profits presumably available from contraband justified these

inconveniences. But again, it would not be entirely precise to talk about impunity when several of the top officials of colonial life in New Granada during the 1720's faced judicial inquiries over their role in fighting illicit commerce.

The judicial reaction seemed to center on local collaborators rather than on foreign perpetrators. With few exceptions, those questioned in the judicial proceedings are Spaniards. Few foreigners are actually captured and placed on trial for their part in smuggling.

It is also noteworthy that, despite the fact that the South Sea Company played a substantial part in the illegal trade and that, precisely in those years –the late 1710's and early 1720's- was the object of intense political intrigue and diplomatic maneuvering in Europe, the Company is strangely absent of the business of colonial courts in New Granada. The judicial proceedings discussed here largely ignore the South Sea Company.

The documents presented in this chapter give strength to the argument stating that the early response of the Spanish colonial administration to other European commercial inroads was, as has been often analyzed, a failure, but a qualified one. The dismantling of the viceroyalty in 1723 clearly showed that its creation was not a solution, but it was nevertheless a demonstration of an increasing political will to counteract English-led contraband. Moreover, the intensification in the prosecution of contraband in New Granada and elsewhere in the Spanish American empire, carried out over the next decade and a half after the end of Villalonga's tenure, was effective enough to merit a political and eventually military response from England, which would lead to war in 1739.

Moreover, the dissertation shows that the military and administrative reform that characterized this period in the colonial administration of New Granada, leading to the restoration of the viceroyalty in 1739, was motivated by the British threat, but aspired to consolidating a more ambitious and integral economic modernization project, in line with early Bourbon reformism.

On the causes of the War of Jenkins' Ear, this dissertation adds to the discussion of how British public opinion was led by merchant interests and eventually contributed to the inevitability of conflict. It discusses how Spain was sometimes seen in England as a proxy for its archrival France. And reinforces the view, presented by others, of imperial discourse playing a definitive role in Britain's identity in the early 18th century. And shows how the discussion of war in the British pamphlet press informed not only British but also Spanish perceptions of the conflict. The thesis also discusses how British interests were not unified in wanting war with Spain. Eventually, however, merchants with interests in peninsular Spain were not powerful enough to counter the desires of traders with America to use British military force to try and open up markets in the Spanish Main.

The dissertation discusses how, in spite of their shortcomings, Spanish authorities in New Granada performed surprisingly well against the British military threat, and obtained a major military victory in Cartagena. The South Sea Company, which had played an important role in the previous two decades, disappeared from New Granada.

This was followed, however, by a realization that, in spite of the administrative resurgence that made possible the successful defence of New Granada by Spain in 1741,

British global might was on the ascendancy and would maintain the challenge on Spanish imperial interests.

This study is original in that it is the first time the process leading to the War of Jenkins' Ear is presented from the viewpoint of New Granada. While several studies have examined the issue before from a purely English, or purely Spanish perspective, this dissertation presented the two efforts as experienced by the colonial society of New Granada. The dissertation relied on both Spanish and English archival sources, allowing for a more comprehensive view of the complex economic, political and social exchanges taking place in New Granada at the time between the two powers.

It also adds to the knowledge about a not very thoroughly-studied period of the economic history of New Granada, by documenting in detail the operations of the South Sea Company factory, the first organised English commercial settlement in the country.

At a time when England's commerce was growing and the country was on the verge of further imperial expansion, the experiences of the South Sea Company in New Granada from 1719 to 1739 and its interaction with Spanish authorities and merchants there, showed both the limitations of English power against what was still strong Spanish administrative and military control over the South American mainland, as well as the English commercial vitality that was rightfully seen by Spain as a threat to the continuity of its empire there.

The thesis provided details of the power structures prevailing in New Granada, and the interaction of the commercial and administrative elites of both European powers.

Through the analysis of first-hand accounts such as the one presented by Company factor James Houstoun, new detailed evidence was presented of the participation of important members of Spanish colonial society in the illegal trade with England. Jesuit priests, well-respected colonial officials and local landowners are shown dealing with the Company in defiance of Spanish monopoly statutes.

The study also presented evidence of how English commercial inroads did not limit themselves to the main Caribbean ports. Records of judicial and administrative inquiries showed how merchants deep in the interior of the country, from Cauca to Antioquia, were frequently dealing with the Company, in spite of Spain's strenuous efforts to stop this interchange.

It also expanded on previous studies about the working of the South Sea Company. It showed details of its dual and ambiguous economic structure, on the one hand presenting itself as a legitimate business conducting the slave trade authorised by the Spanish Crown, while at the same time engaging in large-scale smuggling to the Spanish colonies. While there is still discussion on the actual profitability of the legal side of the Company's activities, new evidence is presented on how these two aspects interplayed in the specific context of the Cartagena factory

It also discussed new aspects of the life of the Company factors, including their background, salaries, and detailed explanations of the mechanics of their work in New

Granada, again both as representatives of a well-structured, legitimate company and as front-line operatives in a major smuggling operation.

The study adds to a growing body of literature on the practice and impact of contraband in this colonial society. By adding depth to this specific example, it will hopefully have complemented other more general studies on smuggling in 18th century New Granada. As the study sought to show the interplay between political and economic factors in colonial society, it also examined the growing impact of the press in mobilising public opinion about the issues at play, both in the metropolitan centres of London and Madrid, and in the colonial society itself. It showed how, even in a relatively early of the internationalization of trade and economic activity, flows of information moved between the two European powers and across the Atlantic to the colonies. While the role of the English press in galvanizing support for hostilities against Spain has been well studied, this dissertation presented more evidence on how it also impacted on Spanish public opinion, on how Spanish officials sought to manipulate English public opinion through its own London-based press, and finally on how New Granada itself received the news on the conflict between England and Spain.

The focus of the study was to show how this rivalry was carried out in the local sphere of New Granada's colonial society, but it also provided elements for a wider view on the divergent imperial experiences of England and Spain. It offered a good example of the limits of Spanish administrative power against a more agile commercial nation, a process which, of course, would help bring about the end of Spanish imperial control over this region over the following century.

Bibliography

Archives

British Library, (BL)

B.L. Add. 25494, 25495, 25496, 2497, 25498, 25450, 25503, 25505, 25507, 25509, 25510

Archivo General de Simancas, Valladolid, (AGS)

AGS Estado 7013, 7017.

Archivo General de Indias, Sevilla, (AGI)

AGI Santafe 374, 385, 1167

Archivo General de la Nacion de Colombia (AGNC)

AGNC Aduanas 3,7, 8

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AGNC Real Audiencia Cundinamarca, 8

AGNC Fondo de milicias y marina. 33, 44, 115,

AGNC Negocios Exteriores, 2, 4.

Contemporary sources

Books and Pamphlets

Anon., *A letter from a gentleman in the West Indies to a merchant in London concerning trade, the pretensions of Spain to Georgia, the depredations and cruelties committed by their Guarda Costas on the English merchants and sailors*, London, 1738.

Anon., *The merchants complaint against Spain*, London, 1738.

Anon., *Reasons for a war against Spain, in a letter from a merchant of London trading to America, to a member of the House of Commons. With a plan of operations and a true copy of Queen Elizabeth's heroic speech at the head of her army against the Spaniards*, London, 1738.

Anon., *Strenuous motives for a war against Spain With a short account of the vigorous war made by King Edward I for depredations upon his subjects. Mr. Addison's opinion of our trade and commerce*, London, 1738.

Anon., *Cotejo de la conducta de Su Majestad con la del rey Británico así en lo acaecido antes de la Convención de 14 de enero de este año de 1739 como en lo obrado después hasta la publicación de represalias y declaración de guerra*, Madrid, 1739.

Anon., *Popular prejudices against the convention and treaty with Spain, examined and answered with remarks on a pamphlet entitled considerations upon the present state of our affairs at home and abroad*, London, 1739

Anon., *A series of wisdom and policy: being a full justification of all our measures ever since the year 1721 and especially of our late most honourable convention with Spain*, London, 1739.

Anon., *A state of the difficulties under which the South Sea Company labour under, and in which they pray to be redressed, presented to his late Majesty, Anno 1718, in Further considerations on the present state of affairs at home and abroad as affected by the late convention, in a letter to the minister: with an appendix; Containing a true state of the South Sea Company affairs in 1718*, London, 1739.

Anon., *An address to the merchants of Great Britain. Or review of the conduct of the administration with regard to our trade and navigation, by a merchant retired*, London, 1740.

Anon., *The advantages and disadvantages which will attend the prohibition of the merchandises of Spain, impartially examined and humbly offered to the consideration of the parliament by a Sussex farmer*, London, 1740.

Anon., *The Expedition [to Carthagena], An ode*, London, 1740.

Anon., *A geographical description of the principal objects of the present war in the West Indies, viz. Cartagena, Puerto Bello, La Vera Cruz, the Havana and San Agustin. Shewing (sic.) their situation, strength, trade, etc. With an account of the many sieges they have undergone to the present time. The whole compiled from the most authentic memoirs and enlarged with many curious particulars, not to be met with in the former authors. To which is prefixed an accurate map of the West Indies adapted to the work*, London, 1741.

Anon. 'Fragmentos Historicos de la Vida del Excelentísimo Señor don José Patiño' in *Semanario Erudito*, 28, Madrid, 17??

Alcedo y Herrera, D., *Aviso Histórico, político y geográfico, con las noticias más particulares del Perú, Tierra-Firme, Chile y Nuevo Reyno de Granada, en la relación de los sucessos de 205 años, por la Chronologia de los Adelantados, Presidentes, Gobernadores, y Virreyes de aquel Reyno Meridional, desde el año de 1535 hasta el de 1740. Y razón de todo lo obrado por los ingleses en aquellos Reynos por las Costas de los dos Mares del Norte, y del Sur, sin diferencia entre los tiempos de Paz, y de la Guerra, desde el año 1567 hasta el de 1739. Dedicado al Rey Nuestro Señor, (que Dios*

Guarde) y escrito en virtud de real orden de S.M. Por Don Dionysio de Alcedo y Herrera, Presidente que ha sido de la Real Audiencia de Quito, Gobernador, y Capitán General de las Provincias de su Distrito, Madrid, 1740.

Beeston, W., The Relation of Colonel Beeston, his Voyage to Carthagena, for adjusting the Peace made in Spain, for the West-Indies, &c, in The voyages and adventures of Captain Barth. Sharp and others in the South Sea being a journal of the same. Also Capt. van Horn with his buccanieres surprizing of La Veracruz. To which is added the true relation of sir Henry Morgan, his expedition against the Spaniards in the West Indies and his taking of Panama. Together with the president of Panama's account of the same expedition; translated out of Spanish. And Col. Beeston's adjustment of the peace between the Spaniards and English in the West Indies, London, 1684.

Casses de Xalo, J., Rasgo épico, verídica epiphenómena y aclamación cierta a favor de España, en el célebre tropheo que consiguieron en Carthagena Americana las armas cathólicas contra Inglaterra, gobernadas por el virrey de Santafe d. Sebastián de Eslaba, sistema político, histórica descripción geográfico-pronóstica de Inglaterra y panegyris crítico-histórico de España, Madrid, 1741.

Coxe, W., Memoirs of the King of Spain of the House of Bourbon, from the accession of Philip V to the death of Charles III, London, 1815.

Defoe, D., Plan of the English commerce being a compleat (sic.) prospect of the trade of this nation as well the home trade as the foreign. London. Charles Rivington, 1730. Appendix: containing a view of the present apparent increase of commerce in all the trading nations of Europe, but especially in England, as it is influenced by the late peace with Spain, London, 1730.

Eslava, S., Diario de todo lo ocurrido en la expugnación de los fuertes de Bocachica y Sitio de la Ciudad de Cartagena de Indias en 1741, formado de los pliegos remitidos a S.M., Madrid, 1894.

Ensenada, M., 'Idea de lo que parece preciso en el dia para la dirección de lo que corresponde al Estado y se halla Prudente', in Rodríguez Villa, A., Don Cenón de Somodevilla, Marqués de la Ensenada, Madrid, 1878.

Gage, T., A new survey of the West Indies, being a journal of three thousand and three hundred miles within the mainland of America, by Tho. Gage, the only Protestant that was ever known to have traveled those parts, London, 1699.

Houstoun, J., Works of James Houstoun, M.D.: containing memoirs of his life and travels in Asia, Africa, America, and most parts of Europe, from the year 1690, to the present time, London, 1753.

Juan, J., Ulloa, A., Noticias Secretas de América, Madrid, 1991.

Knowles, C., *An account of the expedition to Carthagena, with notes*, London, 1743.

Lyttelton, G., *Considerations upon the present state of our affairs, at home and abroad, in a letter to a member of parliament, from a friend in the country*, London, 1739.

Lyttelton, G., *Farther considerations on the present state of affairs at home and abroad as affected by the late convention, in a letter to the minister: with an appendix. Containing a true state of the South Sea Company affairs in 1718*, London, 1739.

Sharp, B., *The voyages and adventures of Captain Barth. Sharp and others in the South Sea being a journal of the same. Also Capt. van Horn with his buccanieres surprizing of La Veracruz To which is added the true relation of sir Henry Morgan, his expedition against the Spaniards in the West Indies and his taking of Panama. Together with the president of Panama's account of the same expedition; translated out of Spanish. And Col. Beeston's adjustment of the peace between the Spaniards and English in the West Indies*, London, 1684.

Macanaz, M, 'Carta y diseno para que un ministro o secretario lo sea con perfección. Por don Melchor Rafael de Macanaz, la que remitió a don Juan Gregorio Muniain, secretario que fue del serenísimo señor don Felipe, duque de Parma, infante de Espana', in *Semanario Erudito*, VIII, Madrid, 1788.

Pombo, J., *Comercio y contrabando en Cartagena de Indias, 2 de junio de 1800*, Bogotá, 1986.

Pulteney, W., *A review of all that hath passed between the courts of Great Britain and Spain*, London, 1739.

Sharp, B., *The voyages and adventures of Captain Barth. Sharp and others in the South Sea being a journal of the same. Also Capt. van Horn with his buccanieres surprizing of La Veracruz To which is added the true relation of sir Henry Morgan, his expedition against the Spaniards in the West Indies and his taking of Panama. Together with the president of Panama's account of the same expedition; translated out of Spanish. And Col. Beeston's adjustment of the peace between the Spaniards and English in the West Indies*, London. 1684.

Smollet, T., *Adventures of Roderick Random*, London, 1748.

Ulloa, B., *Restablecimiento de las fábricas y comercio español. Errores que se padecen en las causas de su decadencia, cuáles son los legítimos obstáculos que le destruyen y los medios eficades de que florezca, Que trata del comercio y tráfico marítimo que tiene España en las naciones y en la América; causas de su decadencia y medios con que se debe aumentar y extender para beneficio de estos reinos y aumento de las fuezas marítimas de ellos y su población*, Madrid, 1740.

Ustariz, G., *Theory of Commerce and maritime affairs, translated from the original by John Kippax, fellow of Clare Hall and Master of the Academy in Little Tower Street, London, 1751.*

Walpole, H., *The convention vindicated from the misrepresentations of the enemies of our peace, London 1739.*

Walpole, H., *Whether war or no war with Spain, impartially considered, in defence of the present measures against those that delight in war, London, 1739.*

Newspapers

El Mercurio Histórico

Gaceta de Madrid

Secondary Sources

Articles

Aiton, A., 'The *Asiento* Treaty as Reflected in the Papers of Lord Shelburne', in *The Hispanic American Historical Review*, Vol. 8, No. 2., May 1928.

Black, J., 'Anglo-Spanish Naval Relations in the Eighteenth Century' in *Mariner's Mirror*, 77, 1991, 235-258.

Brown, V.L., 'The South Sea Company and Contraband Trade' in *The American Historical Review*, Vol. 31, No. 4, July 1926.

Brown, V.L., 'Contraband Trade: a factor in the decline of Spain's Empire in America', in *Hispanic American Historical Review*, Vol. 8, 1928, 178-89.

Cole, W.A. 'Eighteenth-Century Smuggling Reconsidered', in *Economic History Review*, 21, 1975, 23-49.

Davis, R., 'English Foreign Trade, 1700-1774', in *Economic History Review*, 15, 1962, 285-303.

De Granda, G., 'Una ruta marítima de contrabando de esclavos negros entre Panamá y Barbacoas durante el asiento inglés', in *Revista de Indias*, 143-144, 1976, 123-142.

- De la Pedraja, R., 'Aspectos del comercio de Cartagena en el siglo XVIII', in *Anuario colombiano de historia social y de la cultura*, 8, 1976, 107-125.
- Donnas, E., 'The Early Days of the South Sea Company, 1711-1718', in *The Journal of Economic and Business History*, 11, May 1930, 419-450.
- Eltis, D., 'The Volume and Structure of the Transatlantic Slave Trade: A Reassessment', in *The William and Mary Quarterly*, Vol. 58, No. 1, New Perspectives on the Transatlantic Slave Trade, January 2001, 17-46.
- Ezquerro, R. 'Crítica española de la situación de America', in *Revista de Indias*, XXII, 1962.
- Farnie, D.A., 'The Commercial Empire of the Atlantic, 1607-1783', in *Economic History Review*, 15, December 1962, 205-218.
- Flinn, M.W. , 'Sir Ambrose Crowley and the South Sea Scheme of 1711', in *Journal of Economic History*, 20, March 1960, 51-66.
- Galenson, D., 'The Slave Trade to the English West Indies, 1673-1724', in *Economic History Review*, 32, May 1979, 241-249.
- Hamilton, E., 'The Role of Monopoly in the Overseas Expansion and Colonial Trade of Europe Before 1800', in *American Economic Review*, 38, May 1948, 33-53.
- Hillner, E., 'The Role of the South Sea Company in the Diplomacy leading to the War of Jenkins' Ear, 1729-1739', in *Hispanic American Historical Review*, 18, August 1938, 322-341.
- Hilton, Sylvia Lyn. "El conflicto anglo-español sobre derechos de Navegación en Mares Americanos (1729-1750)." *Revista de Indias*, XXXVIII (#153-154, 1978): 671-713.
- Hogendorn, J., 'The Economics of the African Slave Trade', in *The Journal of American History*, Vol. 70, No. 4, March 1984, 854-861.
- Inikori, J., 'Slavery and Atlantic Commerce, 1650-1800', in *American Economic Review*, 82, 1992, 151-157.
- King, J., 'Admiral Vernon at Portobelo: 1739', in *The Hispanic American Historical Review*, Vol. 23, No. 2. May 1943, 258-282.
- Loosley, A., 'The Puerto Bello Fairs', in *The Hispanic American Historical Review*, Vol. 13, No. 3, August 1933, 314-335.

Lovejoy, P., 'The Volume of the Atlantic Slave Trade: A Synthesis' in *The Journal of African History*, Vol. 23, No. 4, 1982, 473-501.

Moreno Lorente, A., 'La fundación de la Compañía de Armadores en corso de Cartagena de Indias (1737)', in *Temas Americanistas*, 2, 1983, 29-30.

Morgan, W., 'The Origins of the South Sea Company', in *Political Science Quarterly*, Vol. 44, No. 1. March 1929, 16-38.

Morse, F., 'Toward a Theory of Spanish American Government', in *Journal of the History of Ideas*, 15, 1954, 71-93.

Moreno, F., 'The Spanish Colonial System: A Functional Approach' in *Western Political Quarterly*, 20, 1967, 308-320.

Muñoz Pérez, J., 'El comercio de Indias bajo los Austrias y los tratadistas españoles del siglo XVIII', in *Revista de Indias*, XVII, 1957, 209-221.

Nowell, C., 'The Defense of Cartagena', in *Hispanic American Historical Review*, 42, November 1962, 477-501.

Nelson, G., 'Contraband Trade under the *Asiento*, 1730-1739' in *The American Historical Review*, Vol. 51, No. 1, October 1945.

Nettels, C., 'England and the Spanish-American Trade, 1680-1715', in *The Journal of Modern History*, Vol. 3, No. 1, March 1931, 1-32.

Paquette, G., 'The image of imperial Spain in British political thought, 1750-1800', in *Bulletin of Spanish Studies*, Volume LXXXI, Number 2, 2004, p. 187.

Restrepo Canal, C., 'Erección del Virreinato de Santa Fe' in *Boletín de historia y antigüedades*, 347-348, 1943, 982-1024.

Scelle, G., 'The Slave Trade in the Spanish Colonies of America: The *Asiento*' in *The American Journal of International Law*, Vol. 4, No. 3, July 1910, 612-661.

Sharp, W., 'The Profitability of Slavery in the Colombian Choco, 1680-1810', in *The Hispanic American Historical Review*, Vol. 55, No. 3, August 1975, 468-495.

Temperley, H., 'The Causes of the War of Jenkins' Ear, 1739', in *Royal Historical Society, Transactions*, 3, 1909, 197-236.

Books

- Anzoátegui, V., 'Las Reformas Borbónicas y la Creación de los Nuevos Virreinos', in Barrios, F., *El Gobierno de un Mundo. Virreinos y audiencias en la América Hispánica*, Madrid, 2004.
- Baugh, D., *British Naval administration in the age of Walpole*, Princeton: Princeton University Press, 1965.
- Bethencourt y Massieu, A. *Relaciones de España Bajo Felipe V. Del Tratado de Sevilla a la Guerra con Inglaterra (1729-1739)*, Las Palmas, 1998
- Bitar Letayf, M., *Los Economistas españoles del siglo XVIII. Sus ideas sobre la libertad de comercio con las Indias*, Madrid, 1968.
- Black, J., *Britain in the age of Walpole*, London, 1984.
- Black, J., *British foreign policy in the age of Walpole*, Edinburgh, 1985.
- Black, J., *The British Navy and the use of naval power in the eighteenth century*, Leicester, 1988.
- Black, J., *The diplomacy of a rising world power: Britain 1603-1800*, Leicester, 1997.
- Black, J., *Eighteenth century Europe, 1700-1789*, London, 1990.
- Borrego Pla, M., 'Tráfico comercial de España con Indias (1700-1714)', in *La Burguesía Mercantil Gaditana (1650-1865)*, Cádiz, 1976.
- Brading, D.A., 'Bourbon Spain and its American Empire', in Bethell, L., ed., *The Cambridge History of Latin America. Volume I: Colonial Latin America*. Cambridge, 1984.
- Burkholder, M and Chandler, D.S., *De la impotencia a la autoridad. La Corona española y las Audiencias en América 1687-1808*, México, 1984.
- Burkholder, M and Johnson, L., *Colonial Latin America*, Oxford, 2004.
- Carswell, J., *The South Sea Bubble*, London, 1993.
- Cervera, M., *La Marina de la Ilustración*, Madrid, 1985.
- Cole, C., *French Mercantilism, 1683-1800*, New York, 1943.
- Colley, L., *Britons, Forging the Nation 1707-1837*, New Haven, 1992

- Crewe, D., *Yellow Jack and the worm: British naval administration in the West Indies, 1739-1748*, Liverpool, 1993.
- Cruikshanks, E., 'The Political Management of Sir Robert Walpole', in Black, J., ed., *Britain in the Age of Walpole*. London, 1984.
- Davies, K.G., *The Royal African Company*, London, 1957.
- Dickinson, H.T., 'Popular politics in the Age of Walpole', in Black, J., ed., *Britain in the Age of Walpole*, London, 1984.
- Elliot, J.H., *Empires of the Atlantic World: Britain and Spain in America 1492-1830*, New Haven, 2007.
- Elliott, J.H., *Imperial Spain, 1469-1716*, New York, 1966.
- Cesario Fernández Duro, *Almanaque de la ilustración española*, Madrid, 1881.
- Fisher, J., *The Economic Aspects of Spanish Imperialism in America, 1492-1810*, Liverpool, 1997.
- García-Baquero González, A., *Cádiz y el Atlántico (1717-1778): el comercio colonial español bajo el monopolio gaditano*, Sevilla, 1976.
- Garrido Conde, M. T., *La primera creación del virreinato de Nueva Granada (1717-1723)*, Sevilla, 1965.
- Grahn, L., *The Political Economy of Smuggling. Regional Informal Economies in Early Bourbon New Granada*, Boulder, 1997.
- Grice-Hutchinson, M., *Early Economic Thought in Spain (1177-1740)*, London, 1978.
- Harding, R., *Amphibious warfare in the eighteenth century : the British expedition to the West Indies, 1740-1742*, London, 1991.
- Haring, C., *The Spanish Empire in America*, New York, 1947.
- Hargreaves-Mawdsley, W.N., *Eighteenth Century Spain 1700-1788. A political, diplomatic and institutional History*, London, 1979.
- Harris, M., 'Print and politics in the Age of Walpole', in Black, j.,ed., *Britain in the Age of Walpole*, London, 1984.
- Harris, R., *Patriot press, national politics and the London press in the 1740's*, Oxford, 1993.

Hernandez de Alba, G., *Poemas en Alabanza de los defensores de Cartagena de Indias en 1741*, Bogota: 1982.

Jones, J.R., *Britain and the world, 1649-1815*, London, 1980.

Kamen, H., *Philip V of Spain. The King Who Reigned Twice*, New Haven, 2001.

Kennedy, P., *The Rise and Fall of British Naval Mastery*, London, 1976.

Langford, P., *The 18th century 1688-1815, Modern British Foreign Policy*, London, 1976.

López, T.E., *Prensa Clandestina española del siglo XVIII. El Duende Crítico*, Valladolid, 1968.

López, T.E., *Opinión Publica y oposición al poder en la Espana del Siglo XVIII (1713-1759)*, Valladolid, 2002.

Lynch, J., *Bourbon Spain, 1700-1808*, Oxford, 1989.

Malamud, C., *Cádiz y Saint Malo en el comercio colonial peruano (1698-1725)*, Cádiz, 1986.

Maltby, W., *The Black Legend in England, the development of anti-Spanish sentiment*, Chapel Hill, 1971,

Marchena, J., *La institución militar en Cartagena de Indias en el siglo XVIII*, Sevilla, 1982.

McFarlane, A., *Colombia Before Independence: Economy, Society and Politics under Bourbon rule*, Cambridge, 1993.

McFarlane, A., *The British in the Americas 1480-1815*, London, 1994.

McNeill, J., *Atlantic Empires of France and Spain, Louisbourg and Havana, 1700-1763*, Chapel Hill, 1985.

McLachlan, J., *Trade and Peace with Old Spain 1667-1750*, Berkeley. 1940,

Mena García, M., *El contrabando de Santa Marta en los inicios del siglo XVIII*, Sevilla, 1979.

Merino, J., *La Armada Española en el siglo 18*, Madrid, 1981.

- Morineau, M., *Incroyables gazettes et fabuleux métaux. Les retours des trésors américains d'après les gazettes hollandaises (XVIe-XVIIIe siècles)*, Cambridge, 1985.
- Morgan, K., *Slavery, Atlantic Trade and the British Economy 1660-1800*. Cambridge, 2000.
- Moutoukias, Z., *Contrabando y control colonial en el siglo XVII: Buenos Aires, el Atlántico y el espacio peruano*, Buenos Aires, 1988.
- Muro Romero, F. 'Instituciones de Gobierno y Sociedad en Indias (1700-1760)', in *Estructuras de gobierno y agentes de administración en la América Española, siglos XVI-XVIII. Actas del VI Congreso del Instituto Internacional de Historia del Derecho Indiano*, Madrid, 1984.
- O'Gorman, F., *Voters, Patrons and Parties, The Unreformed Electorate of Hanoverian England, 1734-1832*, Oxford, 1989.
- Ocampo, José Antonio, ed. *Historia Económica de Colombia*, Bogotá, 1987.
- Ots Capdequí, J. M., *Nuevos Aspectos del Siglo XVIII Español en América*, Bogotá, 1946.
- Pagden, A., *Lords of all the world. Ideologies of empire in Spain, Britain and France, c. 1500- c.1800*, New Haven, 1995,
- Palacios Preciado, A., *La Trata de negros por Cartagena de Indias*, Tunja, 1973.
- Palmer, C., *Human Cargoes, The British Slave Trade to Spanish America, 1700-1739*, Urbana, 1981.
- Pares, Richard, *War and Trade in the West Indies, 1739-1763*, Oxford, 1963.
- Parry, J. H., *Trade and Dominion: The European Overseas Empires in the Eighteenth Century*, London, 1971.
- Peñas Galindo, D., 'Por las Llanuras del Caribe, Las Rutas coloniales en la Costa Atlántica' in Angel, P. and Melo, J., eds., *Caminos reales de Colombia*, Bogotá, 1995.
- Pérez-Mallaína Bueno, P., and Torres Ramírez, B., *La Armada del Mar del Sur*, Sevilla, 1987.
- Pérez Turrado, G., *Las Armadas Españolas de Indias*, Madrid, 1992.
- Phillips, C. R., 'The Growth and Composition of Trade in the Iberian Empires, 1450-1750', in Tracy, J., ed., *The Rise of Merchant Empires. Long Distance Trade in the Early Modern World, 1350-1750*, Cambridge, 1990.

- Plumb, J., *The Growth of Political Stability in England, 1675-1725*, London, 1967.
- Plumb, J., *Sir Robert Walpole, The King's Minister*, London, 1960.
- Plumb, J., *Sir Robert Walpole, The Making of a Statesman*, London, 1956.
- Polanco Alcántara, T., *Las Reales Audiencias en las provincias Americanas de España*, Madrid, 1992.
- Quintero, G., *Don Blas de Leso, defensor de Cartagena de Indias*, Bogota, 2002.
- Richmond, H.W., *The Navy in the War of 1739-48*, Cambridge, 1920.
- Rodger, N.A.M., *The Wooden World: an Anatomy of the Georgian Navy*, London, 1988.
- Rodríguez Villa, A., *Don Cenón de Somodevilla, Marqués de la Ensenada*, Madrid, 1878.
- Rodríguez Villa, A., *Patiño y Campillo. Reseña Histórico-biográfica de dos ministros de Felipe V*, Madrid, 1882.
- Segovia, R., *Las fortificaciones de Cartagena de Indias: estrategia e historia*, Bogota, 1982.
- Sharp, W., *Slavery on the Spanish frontier. The Colombian Choco, 1680-1810*, Norman, 1976.
- Sperling, J.G., *The South Sea Company: An Historical Essay and Bibliographic Finding List*, Boston, 1962.
- Steele, I. K., *The English Atlantic 1675-1740. An exploration of communication and community*, Oxford, 1986.
- Stein, S., *Silver, trade and war; Spain and America in the making of the early modern Europe*, Baltimore, 2000.
- TePaske, J., and Klein, H., *The Royal Treasuries of the Spanish Empire in America*. Durham, 1982.
- Tracy, J., ed., *The Rise of Merchant Empires. Long Distance Trade in Early Modern World, 1350-1750*. Cambridge, 1990.
- Vilar, E., *Aspectos sociales en América colonial de extranjeros, contrabando y esclavos*, Bogotá, 2001.

Vilar, E., *Hispanoamérica y el comercio de esclavos: los asientos portugueses*, Sevilla, 1977.

Walker, G., *Spanish Politics and Imperial Trade*, London, 1979.

West, R., *Colonial Placer Mining in Colombia*, Baton Rouge, 1953.

Williams, B., *The Whig Supremacy, 1714-1760*, Oxford, 1962.

Williams, E., *Capitalism and Slavery*, London, 1994.

Wilson, C., *England's apprenticeship 1603-1763*, London, 1965.

Wilson, K., *The sense of the people: politics, culture and imperialism in England 1715-1785*, London, 1995.

Woodfine, P., *Britannia's glories, The Walpole ministry and the 1739 war with Spain*, London, 1997.

Unpublished dissertations

Gardner Sorsby, V., 'British Trade with Spanish America Under the Asiento (1713-1740)', PhD thesis, University of London, 1975.

Ones, S., 'The politics of government in the Audiencia of New Granada, 1681-1719', PhD thesis, University of Warwick, 2000.

Rivas, I., 'Mobilizing Resources for War: The British and Spanish Intelligence Systems during the War of Jenkins' Ear, 1739-1744', Phd Thesis, University College London, 2008.