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'The Manager in Distress': Reaction to the Impeachment of Henry Dundas, 1805-1807*

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Impeachments have long since ceased to be a feature of British politics. Much scholarly attention has been given to past impeachments, particularly the unsuccessful prosecution of Warren Hastings. Little consideration, however, has been given to the last such case, the impeachment of Henry Dundas, First Viscount Melville, from 1805 to 1807. The Melville scandal held the interest of the country until the middle of 1806, when it was diverted by naval battles. Although generally neglected by historians of the period, the Melville affair was a significant event in the course of then-contemporary British politics, and of wider society. Examination of the reactions to the attempted impeachment can illuminate a number of developing themes and concerns within both elite circles and in the wider political nation. These include dislike of patronage and the Pittite 'system', anti-Scottish bias, and advocacy of financial and parliamentary reform. Moreover, it helped to revive the Radical movement both in parliament and out of doors. While the affair may not have been as significant as the later Mrs Clarke and Queen Caroline scandals, the reactions to it were generally comparable. In fact, reactions to the attempted impeachment presaged reactions to these later events. The issues and passions stirred forth by the proceedings will be shown to have significantly contributed to the revival of a dynamic national political atmosphere which itself enabled and fuelled those reactions.

Keywords: Impeachment; Cobbett; Corruption Dundas; Melville; Prints; Radicalism; Scotland; Whitbread

1

On 8 April 1805, the House of Commons voted to censure Henry Dundas, First Viscount Melville. The debate on whether to progress to impeachment proceedings climaxed dramatically – 216 votes for, 216 against. In vividly described scenes, the speaker, 'white as a sheet', sat silently for ten full minutes before casting his vote in favour of impeachment. This single vote resulted in the first significant parliamentary defeat for a Pittite government in over twenty years. The downfall of Lord Melville from the Admiralty, and from political life, began with the publication of the tenth report of the Commissioners of Naval Enquiry (hereafter referred to as the tenth report) in March 1805, and ended with his eventual acquittal in June 1806, after impeachment proceedings in Westminster Hall Lord Melville, the only

experienced figure in Pitt's otherwise vulnerable cabinet, experienced a long, protracted, and unusually public legal process.

The tenth report, instituted by the previous administration under Henry Addington, accused Melville of negligence in his role as Treasurer of the Navy. The report contended that large sums of public money from 1786–1799 had not been deposited temporarily at the Bank of England, as was proper, but rather had been lodged in the personal Coutts'-s' account of Melville's then-subordinate Alexander Trotter. Trotter, one of the many Scots to attain public office with the aid of Melville's influence, did not keep the money but nevertheless benefited from the interest accrued. It was contended by some that Melville was guilty of mere negligence, and that political opponents had chosen to press for more serious charges to score partisan points, and perhaps even to bring down the Pitt administration.³ Pitt was politically vulnerable, and busy fending off a personal attack on his own reputation, arising from the eleventh report of the Commissioners of Naval Enquiry.⁴ The push to prosecute Melville was led by Samuel Whitbread, shortly before the coalescence around him of the reformist clique of MPs known as the 'Mountain'. Although it had not yet been formed, many of those who became future members supported Whitbread's efforts and were willing to associate with metropolitan radicals out of doors.⁵

Although Dundas, during his long career, was an important figure in Scottish, British and international history, scholarly work focused specifically on him is somewhat sparse.⁶ As such, the circumstances surrounding his fall from power have never been examined in a comprehensive manner. Most works which touch on the impeachment tend to focus on its effects on partisan politics, largely ignoring the effects on the wider public. This article will therefore examine reactions to the impeachment of Henry Dundas in both the parliamentary community and the wider political nation, 'out of doors'. In doing so, it will illuminate the contemporary state of party politics, and the disparate and constantly evolving ideological

beliefs of those within the parliamentary community. Reactions to the impeachment reveals disapproval of overabundant patronage, anti-Scottish bias, disapproval of the Pittite 'system', and advocacy of wholesale financial and parliamentary reform. Evidence of similar reactions can also, moreover, be found in the wider political nation. Finally, it also highlights the extent and nature of linkages between the parliamentary opposition, popular opinion, and the reviving radical movement out of doors.

2

Most works which discuss the impeachment explore the purely 'high party' aspects of the affair. There is in fact still much to be said about the complex, and, at times, arcane party-political struggle between Pittites and Addingtonians, and the manoeuvring of Foxite whigs. Indeed, the combined 'new opposition' of Fox and Grenville, with over 150 adherents, was the strongest that had existed for many years. Speeches made in the Commons reveal the complex and shifting nature of factional allegiances at that particular moment in politics, with the proposed impeachment acting as a central issue around which manoeuvring was conducted. The commonly held view that speeches in the House did not affect voting decisions is mistaken – William Wilberforce's speech in favour of proceeding with impeachment was said to have swayed 40 members. This in many ways mirrored the pivotal debate on whether to impeach Hastings 18 years before, as that vote had appeared to be 'a genuine expression of the idealism and prejudices of ordinary members'. The peculiar intensity of the passions aroused by the affair meant that speeches more accurately reflected genuine opinions than was usually the case – especially Whitbread's forthright orations.

A crucial vote in the Commons in June 1805 had illustrated that Pitt had roughly a 40 seat majority, of whom 38 were Dundas-managed Scots members, or 'Melvillites', though

there were already rumblings of discontent even from some of these tightly controlled Scots members. Pitt was therefore attempting to build bridges with Addington, who had until that point been aloof. Given the chaotic state of factional allegiances within parliament, enquiries such as the tenth report were often undertaken with the aim of scoring partisan points. The stance of many members was determined by their personal and/or political connection to Melville, as observed by the Irish Foxite George Ponsonby: 'Not one gentleman has arisen this night to speak for him [Melville], but such as have been his colleague in office'. Dundas was the only other experienced figure in the second Pitt cabinet and, more importantly, delivered a solid phalanx of Scottish votes. Melville was so crucial that Pitt had insisted that if Melville did not agree to take the Admiralty position then he (Pitt) would not form a ministry.

Pitt's defence of Melville not only split apart the coalition, but also the Grenvillite opposition. As such, parliamentary reactions to the impeachment amply illustrate the fragile nature of the contemporary party structure. Melville himself acknowledged the wider personal, and, more importantly, political repercussions of the affair: 'the lashes intended for me have indeed cruelly lacerated the feelings of many valuable friends, and of others more nearly and dearly connected with me'. The affair was ripe for party-politicking because of the longestablished, though now weakened friendship of Melville and Pitt, exploited to great effect by Whitbread, among others: 'If I am not also misinformed, the report to a certain degree involves the character of the right hon. gentleman (Mr Pitt) on the other side of the house'. Elements of the Addingtonian opposition saw the Melville affair as an opportunity to strike at Pitt through Melville. More broadly, the proceedings influenced factional politics significantly in the longer term. Indeed, George Canning wrote to his wife that he had later refused a position in the Ministry of all Talents because of the affair: 'With the exception of Lords Grenville and Spencer I objected to all the present people, as the persecutors of Ld. Melville and consequently the slavers of Pitt'. 16

In electoral terms, the impeachment had far-reaching and long-lasting effects. During the 1806 election, the usually somnolent Scottish constituencies saw the highest proportion of contested seats of all the constituent UK nations, at 27 per cent as opposed to 23 per cent for the UK overall. The Foxites had hoped for success in 15 seats. The fact that little headway was made against the Melvillite faction was due more to the timing of the election – Foxites were held back by Grenville's unwillingness to completely disown Melvillites out of fear of losing Pittite support. The downfall of Melville in British political terms ushered in a protracted period of fierce contestation in Scotland, with all political factions deeply involved. Though persona non grata in British politics, Melville remained powerful north of the border. The survival of a substantial but weakened Melville interest in the 1806 election, despite the Foxite onslaught, set the tone of Scottish politics for the next few decades. Even after he reluctantly bowed out as Manager in favour of his son Robert Dundas, the Melville influence over Scotland continued, but was never as extensive.

Similarly, the manoeuvring of Foxites, demonstrated in this case by Fox himself, illustrates the extent to which the traditional whig opposition treated the Melville affair as a partisan opportunity: 'Neglect on this topic will enable those who are inimical to monarchical government to draw a line of distinction between the monarchical part of the constitution and the house of commons; they feeling no mark of disapproval from his majesty similar to that expressed by this house'.²⁰ In attempting to link the role of the Commons in the matter with the monarchy in such a fashion, Fox continued his decades-long effort to curb what he (and Foxites generally) saw as the overweening power of the monarchy. This was also a motivating factor the previous impeachment of Warren Hastings, the issue becoming a 'touchstone of party'. Interestingly, Hastings's return from India in 1785 coincided with the newly reformed Board of Control, along with its extensive influence, being entrusted to Henry Dundas.²¹ By 1805, Melville attracted strong censure due to the overweening power that he had wielded, on

and off, for 20 years. This was also closely related to his national background, which effectively added to public indignation.

3

Increasing disquiet about the issue of patronage, as well as the pervasiveness of anti-Scottish bias, was brought to light by the impeachment of Melville. These were present both within Westminster and in the wider public. While traditional Foxites wished to exploit the affair for partisan gain, the vociferous and heated content of his numerous contributions to debate show that Whitbread passionately despised Melville's actions: 'He is a political suicide. No more can he hope again to enter the political Elysium. All his expectations of future honours are fled; all his schemes of future ambition are blasted. He must now wander on the banks of the Styx, with kindred spirits employed in useless penitence'.²²

While Whitbread and his supporters were closely tied to the Foxite opposition, they were not consistently loyal party members.²³ Whitbread was considered to be an independently minded anti-corruption advocate, and described by an earlier (and somewhat uncritical) biographer of Melville as 'Loud vulgar, and unrestrained by any requirements of good taste'.²⁴ This view was, unsurprisingly, shared by Pitt: 'he [Whitbread] had departed altogether from the tone in which he had begun ... an appeal to the passions on topics not applicable to the subject in discussion, to excite an undue impression favourable to his proposition'²⁵. Unlike Foxites and Addingtonians, Whitbread, Wilberforce, and some others treated the impeachment as more than a narrowly partisan matter.

Partisan concerns were related to the vast and all-embracing power that Dundas held over both Indian appointments and the return of Scottish MPs. It featured heavily in Whitbread's speeches: 'The only insurrection I believe that the noble lord had to fear, was an

insurrection against his own scandalous monopoly of power... [which] completely excluded independence, talent, and virtue'. ²⁶ Fox also touched on the subject, in both attacking Melville's influence and casting aspersions on the ability of the upper House to deliver an impartial impeachment verdict: 'during the period lord Melville had been in administration, no less than between seventy and eighty members of the upper house had been created, and which must naturally be supposed to have some possible influence on the decision of this question'. ²⁷

A pro-Melville pamphlet discussed the 'Long and various service of Lord Melville' dwelling at length on the 'claims upon his time attention, industry, and talents, great and comprehensive as they all were'. This positive spin on his career stands in marked contrast to the substantial weight of evidence that the public strongly disapproved of his political activities. Melville's influence garnered the support of sections of the press, and led to the dissemination of sympathetic pamphlets. However, this support was not monolithic – there were other newspapers which reflected opposing positions. The *Morning Chronicle* suggested that that only those who directly benefited from his patronage could possibly excuse his actions, asserting that 'Hardly a person out of the immediate circle of Lord Melville's influence to whom the account of his conviction [the parliamentary approval of impeachment proceedings] did not convey satisfaction'. The paper went on to describe Melville's supporters as 'partisans, adherents, and dependents, whose interest and ambition it would be to sustain and promote the cause of their PATRON'.

Contemporary political confusion was exacerbated by perceptions of long-term moral decay. The considerable extent of Melville's influence magnified the import of the charges brought, with many hoping for the 'Victory of the independent Commons of England over the whole phalanx of corruption'. Because of the sheer amount of patronage at his disposal, Melville was thought to be able to spread corruption throughout the state, with some concluding that it was erroneous 'to suppose that Lord Melville is the only patron and partaker of abuses'.²⁹

Melville's troubles also took on a symbolic significance as during his tenure as secretary of war, he had seemed the embodiment of rectitude.³⁰ The *Times* worried that 'Entrenched in influence and office, and behind the shield of patronage and power, he seems to stand like something too high for justice and too great for the laws of this country'.³¹ There was public concern that corruption might be so endemic as to prevent a prosecution of Melville; the fact that he preferred impeachment to criminal prosecution also served to deepen suspicions that 'More than forty proxies of peers of the realm [were] in the pocket of a man who is now impeached at the bar of these peers'.³²

It was noted that Melville was acquitted by many of those linked to him; indeed, the acquittal of Melville came as no surprise, as the Lords was packed with ministerial supporters.³³ Even those favourably disposed to Melville such as Walter Scott acknowledged that 'though the ex-minister's ultimate acquittal was, as to all charges involving his personal honour, complete, it must now be allowed that the investigation brought out many circumstances by no means creditable to his discretion'.³⁴ Though exonerated, he was still firmly connected to malpractices, if not outright corruption, in the public mind. The fact that the trial ultimately forced his retirement from public life, and also eventually from the management of Scotland, constitutes strong evidence of the power of public opinion at this time.

Even a Scottish ally of Melville in the Lords admitted privately that Melville had an acutely strong hold over Scotland: 'There is no such thing as an opinion between one political party and the other; there are merely melvillites'. Disapproval had long been directed towards Melville in particular, as manager for Scotland. Criticism of this nature outside of Scotland in 1805–06 serves to expose a distinct undercurrent of anti-Scottish bias during the course of parliamentary proceedings. This feeling in the House was perhaps exacerbated by the generally passive attitude of Scots MPs towards the affair, with the sole exception of the Foxite MP for Lanarkshire, Lord Archibald Hamilton, who could state that 'No member for Scotland had yet

delivered their sentiments on the question, and he only meant to state that there was at least one representative of that country who would vote for the original motion'.³⁶ This contribution was indicative of rising political tensions north of the border as well, as some noble (and electorally influential) Scots families now leaned more towards the whigs.³⁷

Anti-Scottish bias directed at Dundas was intimately connected to his immense powers of patronage. Whitbread went so far as to imply that Melville was holding Pitt politically hostage: 'On the first dawn of an alteration in administration, up comes lord Melville from Scotland, with 40 or 50 proxies, saying he was not too old or infirm to stand candidate again. His lordship must have known well, that his right hon. friend opposite could not spare him'. This suggests a close link between widespread anti-Scottish bias on the part of parliamentarians and the issue of patronage. In private correspondence, William Wyndham celebrated the 'good fortune that the Admiralty is to be taken out of the hands that would soon have given us a Scotch navy'. This factor had a definite impact on the reaction of parliamentarians to the impeachment of Melville. It exacerbated contemporary prejudices within the parliamentary community, both towards Dundas specifically and towards Scots in general.

The numerous petitions presented to parliament by 'the gentlemen, clergy, freeholders, and inhabitants, of the county of Cornwall' (in addition to numerous others) confirm the extent to which public feelings were inflamed by the Melville affair. ⁴⁰ Moreover, the wide geographical spread of petitions submitted suggests that the politically aware and politically active nation was not exclusively metropolitan or urban. The complete and glaring lack of petitions from Scotland also illustrates the continuing robustness of Melville's management. In fact, after his acquittal there was a general illumination in Edinburgh, in addition to a large public dinner. Further, mirroring the famous burnings of Dundas in effigy during the early period of the French Wars, one of his Scottish supporters informed Lady Melville that 'Our children celebrated it, last night by fireworks and burning an effigy of Mr. Whitbread. We

understand the sailors intend doing the same at Leith'. ⁴¹ This aspect was not missed by contemporary newspapers, both during and after proceedings: 'The intermediate time has declared the feelings and wishes of the English People from Cornwall to Northumberland. The tables of the house have become buried under addresses from the Shires and Cities, from the Nobles and Yeomanry of the Empire'. ⁴² In describing a range from the far south of England to its northern limits, *The Times* deliberately excluded Scotland, implying that the Scottish people were to be viewed in a similarly negative vein.

Dundas had experienced anti-Scottish prejudice over the whole course of his career. As such, it is not entirely unsurprising that the public reaction to his impeachment contained anti-Scottish undertones. William Cobbett was a political writer, editor of *Cobbett's Weekly Political Register*, and later a prominent radical. He was also, amongst a host of other prejudices, a notorious anti-Scot. His views helped to increase his appeal to a public which itself held long-established popular prejudices. He provided ample evidence of anti-Scottish bias linked to Melville's influence during the course of the scandal, entitling one editorial 'Scotch Patronage'. Cobbett wrote that the 'Ever since the Union, there has been a ... minister for Scotland. That office has been held for many years by Lord Melville, and the great duty of it is the *recommendation for places and pensions*'. This conforms to Cobbett's general pattern of criticising specific Scots types rather than Scotland in general – the scandal provided ample opportunity to rail against the stereotype of Scottish placemen. He

Alongside the role of newspapers in bringing the words of parliamentarians to the political nation, satirical prints spread their images outside of Westminster. Although Melville was parodied in prints as a stereotypical Scot for the majority of his career, the impeachment led to the single greatest sustained graphical attack on him. Satirical prints were a prominent feature of the Melville affair – between February 1805 and June 1806, the British Museum lists 36 prints directly relating to the scandal. Examination of their contents can provide further

understanding of subtler aspects to the public reaction. Of the numerous prints which illustrate this, Thomas Rowlandson's *Johnny Maccree opening his new budget* shows Melville, in traditional Highland dress, holding a bag, out of which a stream of Scots placemen emerges. They march towards St. Stephen's chapel in Westminster, resembling an occupying army preparing to loot. Melville exclaims 'leave a Scotsman alaine to stick in a place gin he once gains an entrance', reflecting the popular view that once entrenched, Scots placemen were particularly adept at exhausting the spoils of patronage offered by the Pittite state. Hodge, representing England, despairs at the sight, exclaiming that the 'swarm' would be 'enough to cause a famine in any Christian county'.⁴⁷

Melville was hence seen by a section of the public as the chief representative and promoter of Scots who sought, through patronage, the proceeds of state corruption. The irritated figure of Hodge is an indication of the extent to which these practices were unpopular outside of Scotland. Indeed, one of the most enduring satirical images of the period was that of sycophantic Scot MPs seeking patronage.⁴⁸ Dislike of Pittite corruption, connected to patronage, and anti-Scottish bias were therefore thoroughly interconnected aspects of the public reaction to impeachment.

4

Disapproval of Pittite corruption also led to the intensification of other issues by the impeachment, namely the agitation for sweeping financial, and even parliamentary reform. Many remembered Pitt's creed of hard work and probity in the 1780s – in that period Dundas had also made vigorous attempts to curb corruption. The topic featured prominently in debate, particularly in Whitbread's contributions: 'Petitions flowed in from all parts of the country, praying for some reform in the expenditure of the public treasure. The right hon. gent. opposite [Melville] was then in the dawn of his political life... his zeal for the reform of abuses, and his

anxiety to have a well-regulated system of economy established in every part of the public expenditure'. ⁴⁹ The vast growth of public expenditure was a core aspect of the Pittite state, and, as such, denouncements of Dundas went hand in hand with assertions of wider corruption in the Pittite system, what Cobbett termed 'Old Corruption' and Lord Henry Petty decried as a 'violation of law, after having been systematically carried on for 14 years, during which the public expenditure will have doubled or tripled in its amount'. Petty, a Foxite, later went on to conduct a parliamentary campaign to curb Melville's Scottish sinecures. ⁵⁰ There is also evidence, however, that some went further than this, in asserting that the only solution to the problem of Pittite corruption was parliamentary reform.

A subject that had been mostly dormant since 1793–5, calls for parliamentary reform were partly exacerbated, and indeed instigated by, the Melville affair. Largely, however, those inside the parliamentary community shied away from explicitly advocating reform, preferring to allude to this by denouncing what was perceived to be widespread and long-standing corruption. These sentiments were echoed by Wilberforce, who contended that 'The great loss was not in money, it arose from a cause much more important and deeper, which struck at the root of all those principles ... could alone secure the constitution against public corruption, and prevent the affections of the people from being alienated from that constitution'. This highlights how much parliamentary evangelicals were concerned with wider systemic corruption, and with resultant lack of success in to other reform efforts, including Wilberforce's longstanding efforts against slavery. While the rhetorical style used by the evangelicals during proceedings did not have the religious tone associated with related reform efforts such as abolition, this is not an indication that the issues was not related. In fact, speakers such as Wilberforce had 'mastered various political vocabularies', and as such were both able and willing to temper their religiosity in debate for pragmatic ends. ⁵²

These ideas were not confined to Westminster – they also featured heavily in the wording of the petitions composed by public meetings and presented to parliament, with one such example from the City of Westminster opining that 'if anything can be worse than a deeprooted, wide-spreading system of abuse and peculation in the management of public money, it would not be the institution of a system of revision'. Several petitions, such as one from Cornwall, alluded to popular concerns that corruption was 'not confined to the naval department', the affair being merely a symptom of wider corruption in all branches of government. There is ample evidence that the events of impeachment provoked significant agitation for parliamentary reform. This evidence, moreover, suggests that this desire was not confined merely to members of the then-nascent reviving radical movement. Radicals held special meetings to discuss the Melville affair; they were also heavily involved in the process of wording petitions. Nevertheless, the contents of the petitions constitute substantial evidence of a wider approval of reformist ideas beyond these restricted sections of society.

A petition from the City of London hoped that: 'A system of vigilance and economy may be established, as may effectually guard against the recurrence of such flagrant abuses'. 56 While not explicitly calling for reform, the petitioners advocated the systemic tackling of corruption, and the prevention of future impropriety – effectively asserting that reforms would be needed to ensure this, though doing so in the cautious prose characteristic of this particular period in domestic politics. Another petition from Norfolk not only advocated scrutiny of the government in general, but also declared that the constitution had decayed, calling on parliament 'to institute immediate and rigorous enquiries into the expenditure of every other department ... the house will perceive the necessity of resorting to those principles which prevailed in the better days of our constitution'. 57 During the Melville affair, Pitt instituted largely ineffectual inquiries into reform. 58 The failure of these may have caused petitioners to more strongly believe in its necessity.

The specific parts of the Pittite system that needed reform, however, was a matter of some contention. Cobbett stated his view succinctly: 'There are men, great men, in this country, with whose names corruption was never associated: we have a sovereign well known to be the enemy of peculators: we have a parliament composed chiefly of men, who, from their rank and their education, must be supposed to hold such persons in abhorrence'. While Cobbett wrote that he saw parliament and the sovereign as incorruptible, the grudging way in which he assumed parliamentarians 'must be supposed' to abhor corruption suggests that, as a result of the Melville scandal, he, along with a section of the wider public, was increasingly convinced that parliament was also corrupt. He went further in the same editorial, suggesting that MPs 'disgust the people, not only with the ministry, but with the government altogether' and that servile members 'Having no hope that they shall ever see abuses checked, and hardly daring to open their mouths to complain of them ... have no course left but that of endeavouring to become partakers in the spoil'. ⁵⁹

A month later, he attacked the wider Pittite system of patronage and electoral management, characterised by compliant placemen: 'It has always been, the Pitt system, and not the *man*, with which I was at war'. Cobbett thus asserted that his main concern, and the concern of a large section of the public, was not partisan or personal dislike of Pitt and Dundas, but was in fact opposition to the wider political system that they had created, reasoning that 'A change of men would produce such a change of system as to destroy the canker-worm of corruption'. ⁶⁰

Popular prints dwelled at some length on the tax burden imposed by Pittite system to fund the war – in one such example by Charles Williams, *Johnny Maccree at confession*, Pitt protests that he is 'Compleatly Imacculate. Except laying a few trifling Taxes on Income, Births, Marriages, Burials, Houses, Windows, Tea, Coffee, Wine, Horses, Dogs, Carriages, ... Hops, - and such like inconsiderable things'. He does this to distance himself from the politically

toxic Melville. Pitt recognises that his own role in expanding the Pittite state, and by extension the patronage controlled by Melville, had the potential to destroy both of them – perhaps why, despite his protestations, he disingenuously offers to assist Melville 'for old acquaintance sake'. He is portrayed as responsible for the system that required such taxes of the people, and thus brought the funds into government control that would be mismanaged by Melville's cronies.

Radical campaigner Major John Cartwright touched on the scandal in his book: 'The faction, with Mr Pitt at its head, dared to do an act of three-fold enormity; being calculated at once, to bring an *English house of commons* into detestation, to libel *trial by jury*, and to likewise libel *trial by the house of lords*'. Cartwright thus used Pittite attempts to influence the impeachment in the Lords to support his argument that the Pittite system was inherently degraded. The fact that the instigation of proceedings had almost been voted down by the Commons also gave him scope for criticism: 'When we see such immense proportions of the House of Commons, in contempt of decency, in defiance of the nation, openly voting *for* a gross violation of the law, and for official abuse and flagrant corruption ... the nation shall crumble those factions to dust'. Reaction to the Melville affair allowed advocates of reform to suggest that if a guilty Melville should be impeached, then a guilty parliament should also be reformed: 'I do not look upon the defenders of Lord Melville, as less guilty than himself'. 62 Hence, the related issues of financial and parliamentary reform were revived and, to an extent, enhanced by reactions to the impeachment.

5

Reactions inside and outside of Westminster highlight the extent to which links between parliament and the political nation were reviving and strengthening, both in a general sense and as a direct reaction to the impeachment itself. They also show how far these links considered

to be acceptable in the period. The sections of debate within parliament which discussed systemic failure and possible reform contain many references to the needs and wishes of the public. It is impossible to understand speeches in the House without giving consideration to the deep effect they had outside its walls, as arguments begun there were continued outside, whether in newspapers or on street corners. Pro-Melville members thought the matter 'seems to be much misunderstood by the public', and Lord Grenville's son Thomas wrote to his father that 'The spirit of enquiry certainly spreads as it naturally would among the better class of middling men as well as among the lower orders'.

Acknowledgement of, and concern about, public agitation was not confined to those supporting Melville's censure – different opinions with regard to this aspect serve to highlight the slowly changing nature of attitudes amongst parts of the political elite. Whitbread was perhaps the most conscious of this aspect, and the unintended effects of partisan squabbling outside of Westminster: 'If we shall ... pronounce the noble lord not guilty, then indeed the people will have serious cause for complaint and indignation ... render him contemptible in the eyes of his fellow citizens'. ⁶⁵

He made his ultimate attitude towards Melville clear in no uncertain terms: 'The public feel this disgust, in full force; and never, I believe, will the nausea be discharged from the stomach of the public, till the authors of these disgusting scenes are brought to condign punishment'. This speaking style was unusual in several respects. The beginning of the 19th century was characterised in parliament by the dominance of a conservative style of speaking. Measured classical rhetoric, peppered with Latin and Greek quotations, was considered the basic standard of discourse. Whitbread's use of plain, straightforward and clearly belligerent language amply demonstrates the extent to which he felt ideologically linked to the passionate and intense views being expressed by the extra-parliamentary community. The sheer number

of references to public agitation confirms that this aspect was of paramount interest to those inside Westminster.

Parliamentary rhetoric was judged for its style as well as its content, for how much it conformed to contemporary notions of polite taste.⁶⁸ The rhetorical flourishes employed by Whitbread would eventually cross this line, as his concluding speech at the impeachment trial itself was widely criticised for its lack of propriety and nuance.⁶⁹ This stood in marked contrast to the progress of the Hastings impeachment, which has been said to have first established parliamentary oratory as a great public spectacle, particularly the closing speech in Hastings' defence by William Cowper.⁷⁰ In speaking to an audience consisting of the public and of members of both Houses in Westminster Hall, Whitbread was caught between two different standards of discourse – in using language more suited to the gallery, he in effect alienated those listening from the benches.

The pomp and pageantry of proceedings in Westminster Hall was a major aspect of the affair: 'The eagerness to view the extraordinary scene appeared, in some measure, to have subsided. Though the company was numerous, it did not equal that of the previous day'.⁷¹ While the *Times* emphasised the decline of public interest, the *Political Register* contended the following day that 'The guards were stationed outside the hall, to keep the multitude in order, who were not very respectful in their remarks concerning the High Court of Parliament', and had stated the previous year at the beginning of the impeachment that 'The people are *unanimous*. Witness the Common Hall, where persons of any rank in the City of London, from journeymen shoemakers to aldermen and members of parliament were assembled'.⁷² Cobbett emphasised the widespread and popular indignation of the wider political nation, of all classes, and portrayed them as boisterously outspoken, rather than deferential. Having personally attended the impeachment proceedings with his wife and children, he was well-placed to observe matters.⁷³ A biographer of Whitbread described the impeachment itself as 'pageantry

without reality', an event which was colourful but lacking in political ferocity.⁷⁴ The quiet period between the parliamentary vote against Melville and the beginning of proceedings had taken some of the heat out the issue. This suggests that the affair had its deepest effect on the political nation in the lead-up to the impeachment. Nevertheless, public indignation was still pronounced throughout the course of the scandal.

Many of those inside the parliamentary community not only acknowledged public uproar, but also (to an extent) aligned themselves with those out of doors, including mainstream whigs such as Fox: 'It was true the public had no right to insist on the judgment of the house being in any particular way on any given case... [but] it had a right to say that the house should enquire...'. While Fox makes it clear that he felt an affinity with the public agitation, he also qualified this affinity by stating that the public had no right to dictate the House's judgement for them — although there may have been a tentative alliance between parliamentary mainstream whigs and external actors, this alliance was hesitant and definitely limited. Less cautious parliamentarians such as Wilberforce made efforts to defend the character of these external actors: 'As to the "clamour" that has been mentioned, it is not the cry of popular faction, but it is the universal sentiment of persons of every rank, of the rich as well as the poor, of the middling class of the community, who understand the constitution perfectly well'. 76

This illustrates the extent to which activist whigs were in a tentative ideological partnership with a reviving (and largely middle class) radical movement outside of parliament. Wilberforce's actions were especially indicative of the changing mood, as his advocacy of public morality brought him into direct conflict with his longstanding friend, Pitt. Wilberforce had an enduring connection with external elements related to his advocacy of abolition. Indeed, the role of public opinion in the period immediately preceding the abolition of slavery was more prominent than has previously been assumed. As such, the elite-popular linkage relating to the Melville affair affected, and was affected by, other popular issues and campaigns.

A pro-Melville pamphlet contended that 'Mr. Fox was indefatigable with all his party... public meetings were convened – palace yard mobs were addressed, and the very worst passions of the lowest people, were roused by the most disingenuous and inflammatory...'. By referring only to the 'lowest people', the pamphlet's author attempted to deny the participation of other, more 'respectable' ranks of society.

This attempt to marginalise and belittle the role of public clamour was reflected in several contemporary satirical prints: in James Gillray's *The Wounded Lion*, a blunderbuss fired at Melville was inscribed with 'Condemnation Without Trial', 'Popular Clamour', 'Envy' and 'Malice'. It is of particular interest that this is one of the few prints not to portray Melville in caricatured Highland garb — as a pro-Melville work, his portrayal as a lion might even be seen as an attempt to highlight his stature as an elder statesman. Further, given that the lion is a prominent national symbol in both England and Scotland, it may well be an attempt to remind the audience of the British nature of his service, as a particularly effective secretary of war during the French Wars.

Figure 3: *The Wounded Lion* (London, 1805). BMC, no. 10421. © The Trustees of the British Museum.

Another print by James Gillray, entitled *Bruin in his boat,-or-The Manager in Distress*, published after Melville's acquittal, showed Whitbread in shallow tub with a broken oar, inscribed 'Popular Clamour', which also serves to highlight the leading (and ultimately unsuccessful) role played by Whitbread in relation to this aspect of the Melville affair. This work illustrates how much satirical prints could recognise the multiple underlying themes and

motivations of events – the cannon fired by Melville strikes a ship, out of which Addington and Fox have fallen overboard, thus recognising the partisan motivations of many in parliament, especially as the ship is flying a tricolour flag of 'faction'. The tricolour is indicative of an attempt to portray those who would engage in factional squabbling as unpatriotic, given the war with France. Hence, the print also touches on hotly contested and shifting definitions of patriotic feeling at that time.

Figure 4: *Bruin in his boat,-or-The Manager in Distress* (London, 1806). BMC, no. 10576. © The Trustees of the British Museum.

These prints conveyed a rather unsubtle graphic condemnation of public agitation, but also touch on many of the underlying themes explored in this article, particularly the *Manager in Distress*. The *Morning Chronicle* stated in 1805 that 'It is impossible for any language to paint the sensation excited in the metropolis'⁷⁹. It would appear that the medium of visual language was better suited to conveying the diverse set of themes embodied and exacerbated by the affair. Overall, the impeachment served to both highlight and strengthen the links between parliament and the political nation, while also illustrating the continuing limits to this.

6

The impeachment had a significant and related effect on the development and revival of radicalism, both in and out of the Commons. After the vote of censure, Whitbread spent time 'congratulating the house on the sense which seemed so universally to be entertained out of doors, of the conduct of the house in the votes ... [to] meet the wishes of the people'.⁸⁰ He approved of and, to a limited extent, personally associated himself with nascent romantic

radical ideas in the wider political nation. In a later debate, he also explicitly approved of the main direct channel of communication between the public and parliament – petitions: 'As to the county meetings which have taken place in different parts of the kingdom, I must say that I have never attended one of them, that I never signed even one requisition. I am ready to confess, however, that the approbation expressed of my conduct at many of those meetings, has been highly gratifying to my feelings...'.⁸¹ He did, however, personally distance himself from the meetings themselves, illustrating that his close connection to agitation out of doors was not yet complete by 1805, though the Melville affair effectively enabled him to do so later. Indeed, his subsequent management of the impeachment brought him to national attention as an anti-corruption watchdog.⁸² More broadly, this showed early on that any accord between the parliamentary community of evangelical whigs and outside political reformists, though perhaps fruitful, would be limited and brief.

The *Morning Chronicle* suggested that the impeachment constituted 'An attempt to get rid of a political opponent, by making him the victim of a popular prejudice'. ⁸³ Though against Melville, the paper betrayed its anti-radical sentiments by suggesting that public indignation was a tool of Foxites, rather than spontaneous and self-perpetuating. In this way, it attempted to exaggerate the negligible extent to which the public reacted in a partisan manner. There is very little evidence that the crowds who were agitated by the Melville affair were primarily concerned with party-political rivalries. This is not to say, however, that there were no partisan reactions in the extra-parliamentary community. Henry Cockburn, a prominent Scottish whig, noted that 'It convinced the tories that they were not positively immortal. It told the whigs, and all that liberal population which was growing in silence, not to despair utterly'. ⁸⁴ The impeachment therefore did much to bolster the hopes of the wider (and widely constituted) 'liberal population' in addition to the whigs.

Large sections of the public may have considered the partisan actions of many parliamentarians to be borne of cynical political manoeuvring, rather than righteous moral indignation. Evidence of public disdain for the partisan aspects of impeachment was repeatedly noted by Cobbett: 'Appeals have been made to the people and to the parliament; but, the cause has been much too good to stand in need of the aid of misrepresentation. It has, indeed, been no *party* matter either in or out of doors'. He went further in his editorial a week later, exclaiming that 'Those who receive the wages of corruption may cry '*party*' as long as they please: the *unanimous* voice of the nation denies the assertion'.⁸⁵

Cobbett, and a large section of the population, reacted to the scandal in an actively non-partisan manner. Overall, party-political considerations were seen as a peripheral distraction from the main issues of public concern: disapproval of the Pittite 'system', and related support for partial and perhaps wholesale reform of that system. The British elite were by this time well-practiced in encouraging the populace to take up arms in defence of the political nation, and of the political status-quo. The Melville affair proved this encouragement to be something of a double-edged sword; most petitions justified their right to criticise matters by referring to the public sacrifices being made for the war effort.⁸⁶

Cobbett wrote in 1807 that newspapers were then reaching a much wider public than was the case a quarter of a century earlier, In the case of parliamentary reporting it 'brought the House into the home'. Cobbett's frequent editorials of 1805–06 did much to attract wider attention to the Melville affair, and his accessible writing style brought him a significant number of readers. When writing on the scandal, he stated that his readers were 'Ready to make any sacrifice that the safety and honour of our country requires' and that, though they may 'be accused of clamouring', it would hypocritical of Pitt to do so, as he was 'the person who calls on us for those sacrifices'. In effect, Cobbett stated that the wider public were, by their contribution to the war effort, afforded the right to criticise elite corruption. This

argument was one of the principal ways in which a revived radical movement was able to justify their criticism of the government.

The radicalism of the 1800s bore little resemblance to that which had preceded it, as radicals abandoned French-style Jacobinism for English republicanism. ⁸⁹ Despite Cobbett's conservative and anti-Jacobin attitude, he embraced parliamentary reform in 1805. Though the many causes of this change made it more of an evolution than a sudden conversion, the impact of the scandal was significant. By February 1805 Cobbett had 'laid the platform on which his later broad-scale reform program was founded', the tenth report being printed in the *Political Register* in March, a month later. ⁹⁰ It was during the Melville affair that Cobbett began to associate with radicals such as Major Cartwright and Colonel Wardle during the Melville affair, and it was at this time that his dislike for prominent Reformist Francis Burdett began to diminish. His changing views might therefore be partly attributed to the effect of the Melville scandal.

Cobbett objected to those who pressed for impeachment being labelled as "French Reformers", if this accusation is to be brought against every one, who endeavours to put an end to the system of peculation and corruption, then what have we gained by preserving our government against the effects of the French Revolution? What have we gained by ten or twelve years war?'. Cobbett asserted that the public reaction was in no way unpatriotic, and denounced attempts to portray it as such. Cobbett summed up the public reaction thus: 'We have *not clamoured*. Not a man of us has clamoured. We have only demanded justice'.⁹¹ The public reaction, as seen by Cobbett, was widespread, responsible, and justified – a justification which relied heavily on notions of patriotic indignation permitted by the rise of romantic radicalism.⁹²

The attempted impeachment of Melville thus encouraged the growth of a reconstituted radical movement. It allowed radicals to display and improve on the 'romantic' language in

which their causes would henceforth be couched. The aim of Cobbett was to 'Restore the government, not the *ministry*, but the *whole government*, to the confidences of the people ... till there be a real reform, till real address be afforded'. Cobbett therefore made clear that only wider parliamentary reform would serve to restore public confidence, not a mere change of party: 'Unless it be the intention, the solemn resolution, to change this *system*, let no one talk to me of a *change of ministry*; for, until this system is destroyed...'.⁹³ Cobbett was not initiating, but instead following a new reforming tide.⁹⁴ The Melville affair did much to invigorate both the pro-reformist press and awaken reformist zeal in the wider public, a change which Cobbett noted: 'No man should, therefore, be liable for punishment for writing the truth of public men; yet, I am afraid, that, if anyone had written the truth of Lord Melville two months ago, he would not have been permitted to prove that truth'.⁹⁵

Thus, by the middle of 1806 radical attention was focused on several interconnected questions, at the root of which was the notion that virtually all parliamentary factions were corrupt. ⁹⁶ The proceedings inspired popular radicals to initiate a parliamentary reform campaign to take advantage of increased public support for this. More than this, however, the wider public reaction to the impeachment had a genuinely fundamental effect – it seriously damaged the ability of the government, Pittite or otherwise, to insulate itself from popular agitation. ⁹⁷

7

David Reid, a prominent Scottish Commissioner of Customs and a beneficiary of Dundas's patronage, wrote to him that he was 'Clearly of opinion that it was worthwhile to undergo all that has happened, for the issue will immortalise your name and character'. ⁹⁸ In fact, the attempted impeachment of Henry Dundas was until now the hitherto overlooked beginning of a narrative of government scandals which included Convention of Cintra and the Duke of York

affair. The comparative lack of agitation for impeachment during the Duke of York scandal in 1809 could reasonably be ascribed to the failure of this mechanism three years earlier. ⁹⁹ It was the first of a series of blunders which served to increase popular perceptions that corruption and inefficiencies were seriously hindering the war effort. ¹⁰⁰ The impeachment proceedings inspired renewed outdoor reformist agitation, and by 1810 reformists had overtaken whigs as the main voice of opposition in parliament. ¹⁰¹ The Melville affair contributed significantly to the rise of reformist elements in parliament and the revival of a radical reformist movement out of doors.

The purely partisan reactions to the affair offer a lens through which the murky state of different factions in parliament can be made clear. The substantial extent to which elements of the parliamentary opposition was increasingly opposed to the wider Pittite system is also revealed, in addition to the prevalence of anti-Scottish bias prevalent among members. There is also evidence of cautious links between independently-minded parliamentarians and radical forces out of doors. The short coalition with the whigs at this time gave revived radicals a 'patina of constitutionality', which allowed them to shake off residual accusations of Jacobinism, freeing them to begin their dramatic expansion. ¹⁰² Indeed, a more detailed examination of elite-radical linkages at this time could further illuminate the strategy of radicals at a crucial point in their development. It has been said that the Duke of York scandal excited public opinion in a way that the Melville affair did not. ¹⁰³ Yet, the scandal was a dry and near-incomprehensible financial affair in which it was widely acknowledged that no money had actually been lost, and which had occurred six years before proceedings commenced. That it could capture the public imagination to the extent that it did is telling.

The reaction to impeachment serves to reveal the vast extent and nature of public agitation, and provides a snapshot of who exactly constituted the politically aware nation in a time of rapidly increasing public participation. It also reveals how very little the public were

interested by the partisan aspects of impeachment. It has been suggested that the Duke of York scandal saw corruption displace popery as the 'chief populist bogey', but the evidence above suggests that this change in public priorities largely stemmed from the earlier Melville affair. 104

The period between 1805 and 1810 saw a 'bellicose moment' in popular politics, in which radicals and their ideas reached the forefront of British political life. Analysis of the reactions to impeachment suggest that this event was an early manifestation of radical agitation, and was one of the principal catalysts for this 'bellicose moment', in which radicals appealed to patriotic sentiments based on a radicalised and defensive constitutionalism. One of Whitbread's speeches on the affair has been described as the 'moment in public life when the exalted ethical tone of the 19th century was first struck'. Hence, reactions to the affair contributed significantly to changing parliamentary mores and changing popular values — it is notable that a young Henry Hunt made his first foray into public speaking at a meeting condemning Melville. Thus, reaction to the impeachment of Henry Dundas had far-reaching repercussions for the parliamentary elite, the reviving radical movement, and the wider political nation.

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²⁷ Cobbett, Parl. Debs, v, col 611.

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