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Sir Dudley North 'In Loyal Principles Exceeding': A Political Merchant in the First Age of Party

Cover Page Footnote

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A Political Merchant in the First Age of Party

The seventeenth century saw England develop into a worldwide commercial power despite experiencing decades of revolution, civil wars, and political strife. With the rise of monopolies on certain regions or aspects of trade, known as Companies, wealthy merchants entered the political sphere, and their political capital increased as they provided a crucial service to the state—credit. Merchants, in exchange, required that the protection of their monopolies and stipulated that the Crown pursue a merchant-friendly foreign policy that demolished “the . . . corruption-ridden system of economic controls over internal trade, industrial production, land use, and interest rates.”¹ Mercantile alliances allowed the king to circumvent Parliament and gain access to much-needed income, a practice which only escalated existing fears of despotism and arbitrary government. By the Restoration, London merchants were a politicized segment of society and commercial policy had become a matter for political debate.

Merchant involvement in Restoration national politics has been increasingly investigated in recent years, and historians have focused on issues such as the motivation to enter politics, the role in the development of political parties, the level of influence on national policies, and the emergence of party-aligned theories of political economy have been the driving force behind much of the new scholarship.² Overall, merchants were not a coherent political group, and nor did they share a monolithic political agenda. Economic gain and ambition were not the only motivations for political action. Merchants formed the leadership of both the emerging Whig and Tory parties in the late 1670s and early 1680s. Their actions as partisan leaders within the City of London helped to define a new political sphere, in which theories of the political economy became woven into larger Whig and Tory political ideologies.³ Yet, as historian Perry Gauci points out, “we still know far more about

attitudes toward the trader, rather than his outlook per se.”⁴ Each merchant who entered politics did so of his own accord, and therefore factors, such as age, social status, and religious convictions could provide the impetus for a political career. In order to fully understand the political activities and motivations of merchants, historians must take a step back from the merchant “group” and turn their attention to individual merchants who were acting politically.

Sir Dudley North is an intriguing case study for an exploration of a Tory political merchant during the reigns of Charles II and James II. Entering the national political sphere at the height of the Restoration Crisis, North remained politically active until after the Glorious Revolution.⁵ Although his political life was short, it was quite controversial. By examining North’s actions and his theory of political economy during his public career, this article will reveal that he was an embodiment of a strain of Tory ideology that upheld loyalty to the Crown and the Church of England.⁶ He adopted policies that helped Charles engineer the consolidation of his monarchical authority. In return, Charles granted him a knighthood and positions within the Commission of Customs and the Treasury Commission, where he continued to demonstrate the same level of dedication in to James II. In these posts and in Parliament, North was able to merge his political ideology with his mercantile experience and agenda in his theories of political economy, which were both radical and inherently Tory, even though they did not align with other Tory political economy models.⁷

This article provides a brief examination of the historiographical treatment of merchants in politics as well as North’s political role in the Restoration, and an in-depth analysis of his political career, including his entrance via a highly controversial election, his shrievalty, and his post-shrieval duties. This represents a fresh look at North as both a politician and an economist. Rather than a pawn of the Crown, North was an effective and willing political actor who sought to aid the Crown’s assertion of its monarchical authority

during a time it was being actively challenged. Further, while many have viewed North political career and economic theories as antithetical, this paper argues that his theories regarding trade and the economy conformed to his political ideology.

Despite Jonathan Scott's provocative dismissal of the emergence of political parties from the crises of 1678-1681, historical scholarship continues to expose the development of political parties as a response to national and local crises of the late 1670s and early 1680s.⁸ While conceding that the previously held view of partisan Whigs as anti-Catholic exclusionist Parliamentarians and partisan Tories as believers in a divine-right and absolutist monarchy no longer holds true, Tim Harris argues that England was very much divided into Whigs and Tories, which were recognized (and recognized themselves) as two separate ideological camps. However, the modern trappings of political parties cannot be applied to those in the 1680s. Ideology—not party organization, “paid-up membership,” or party platforms—drove these early modern groupings, and a spectrum of ideology existed within each party. These new political categories were not mere factions or “connections.” The men who identified as Whig or Tory were not acting simply for personal or familial gain, but in the name of “political allegiances.”⁹

In regards to Tories, both Tim Harris and Mark Goldie dismiss the contemporary, and subsequently historiographical, viewpoint that these professed principles created “champions of divine-right royal absolutism” in the vein of Sir Robert Filmer's *Patriarcha* (1680). Ideologies differed amongst Tories.¹⁰ The vast majority were defined by their opposition to exclusion, which was characterized by attempts by the Whig party to remove Charles's Catholic brother, James, Duke of York from the succession, and their desire to protect the Church of England. Furthermore, many Tories were as fiercely loyal to the Church as they were to the Crown, and as Jacqueline Rose demonstrates, even absolutist Tories were a particular brand—the Anglican absolutist.¹¹ In contrast to the Whig party, Tories were far

less organized and did not always have clear-cut party leaders. In fact, most Tories did not necessarily view themselves as members of an organized party but rather as men who upheld the Crown's prerogatives and the Church of England.¹² Central to the main Tory party line was the notion that the "English king was sovereign, unaccountable, and irresistible."¹³ Tories feared that the partisan Whig and dissenting agenda would result in an arbitrary form of government that would destroy Church and state, sending England back into the chaos of the 1640s.

For Gary De Krey, the development of both parties and their ideologies was the result of a larger Restoration Crisis, which encompassed the Popish Plot, the Exclusion Crisis, the City of London's mayoral and shrieval elections of the early 1680s, and the conspiracies of 1683. De Krey's analysis of party politics also includes a prosopographical examination of the Whig and Tory party leadership. He finds that Whig leaders tended to be dissenters and Reformed Protestants whereas Tory leaders were Anglican. Tory leaders were wealthier, as they were at a more advanced career stage than their younger Whig counterparts.¹⁴

De Krey also notes that the occupation of both Whig and Tory leaders was overwhelmingly mercantile. Over 64 percent of the Whig leadership worked as overseas merchants, and most were concentrated in Northern Europe, the Baltic, Spain and Portugal, and the Levant. Similarly, 42 percent of the Tory leadership was occupied as overseas merchants. Although the regional concentrations were not as stark as the Whig leadership, a number of Tory leaders were active in the Levant, the Colonies, and throughout Europe. Many merchant Companies were comprised of both Whig and Tory political leaders.¹⁵ De Krey's work is essential in understanding not only the conditions under which political parties developed but also the extent to which Company merchants sought power at the City level through party politics, which greatly increased their political power at the national level.

De Krey's conclusions only bolster Gauci's earlier study of merchants serving in Parliament. Gauci contends the Restoration created unprecedented political opportunities for merchants. Parliament and Charles II were dealing with political and commercial issues of international trade, such as the Navigation Laws, the taxation of commerce, and the Anglo-Dutch Wars. From 1660 till 1715, merchant MPs increased significantly but only a small percentage of parliamentarians were merchants.¹⁶ While illustrating that merchants enjoyed an unprecedented opportunity for national political participation through both Parliament and petitions, Gauci does not concretely argue that merchant political activity caused an overall political transformation.

Steve Pincus, however, argues political merchants were crucial to the changes in the Restoration political sphere. England's rapid economic development as a result of the colonial trades was a cause rather than a consequence of the first modern revolution in 1688. Overseas trade was political because it was "the hot-house of the British economy."¹⁷ The institutions of trade changed the political sphere and created new prospects for merchant political participation. By the late seventeenth century, economics could not be separated from politics as both Charles II and James II devoted more attention to commercial policy in the form of parliamentary committees, as well as a commerce committee within the Privy Council. In Pincus's view, the expansion of trade led to the creation of an entirely new economy which subsequently necessitated "a new politics."¹⁸

Pincus asserts that two competing theories of political economy emerged along with the Whig and Tory political parties and became wedded to the parties' general political philosophies. The foundation of the Whig political economy was two-pronged: first, property was a human invention not a natural right; and second, the creation of a national bank was crucial for the nation's economic security and prosperity. Whig political economist Carew Reynell claimed the future of the nation depended upon labor and manufacturing rather than

land and raw materials. Further, the Whigs perceived the absolutist French nation to be the political and economic enemy of England. For Tories, property was land, and therefore, finite. This view of finite property translated to wealth and trade, leading to the support of monopolistic companies, especially the East India Company and Royal African Company, instead of a national bank. Josiah Child, Governor of the East India Company, regarded the Dutch Republic as England's enemy. Child alleged that the interlopers seeking to undermine monopolies were directly colluding with the Dutch. The Tory notion of the political economy thrived under Charles II and James II, but the 1688 political revolution produced a transformation in the political economy, and led to the ultimate triumph of the Whig political economy and the creation of a national bank.¹⁹ The work of Pincus is vital to understanding the importance of Restoration political merchants, and he does much to show the levels that commercial interest were intertwined with political ideology in the late 1680s.

This article positions North as a Tory politician who at every level operated with a Tory ideology in mind. North demonstrated loyalty to not only the Crown, but also the Church during his political tenure. This paper extends Pincus's view beyond a dichotomous model of late-seventeenth-century political economies. While some were engaged in the heated debate illuminated by Pincus, there were a number of Tory political merchants, such as Dudley North, Nicholas Barbon, and Charles Davenant, who were beginning to theorize about the opportunities that a free trade economy would create. North, Barbon, and Davenant did not advocate eliminating trade companies but instead called for the removal of protectionist policies prohibiting trade with individual nations. Rather than try to neatly categorize all merchants' ideas about trade based on their party affiliations, through the example of Dudley North, we can see that it was possible for a spectrum of political and commercial ideologies to exist even within a single party.

North provides an excellent case study of a political merchant due to the number of existing records concerning North, his controversial political experiences, and his theories of trade. Along with numerous treatises, pamphlets, newspaper articles, and City records from the London shrieval election of 1682, North's papers include his personal accounts of his shrievalty. Additionally, the 1689 House of Lords inquiry into his process of jury selection as Sheriff of London provides a wealth of information. Perhaps the most valuable sources regarding North, his life, and political career are the works of his brother, Roger North. Roger discussed North's shrieval election in his *Examen* and his biographies of Francis and Dudley North known as *The Lives*. These works reveal valuable information about the North family and the respective careers of Francis and Dudley North. His description of historical events are quite accurate when compared with other sources, but his works must be read with caution as he often devolved into defensive posturing of North who was demonized after his controversial political career in the aftermath of the Glorious Revolution of 1688. Along with these political sources, North also wrote what became an economic treatise, *Discourses on Trade*, in which he clearly articulated a free-trade ideology.

The first historical treatment of North since *The Lives* is Richard Grassby's 1994 work, *The English Gentlemen in Trade*. Grassby's primary focus is North's activities as a merchant, businessman, and political economist, which results in only a partial understanding of North. As historians have increasingly become interested in the political economy of the seventeenth century, North has been cast in the light of a political economist. However, it must be noted that North's economic theories were not published until after his death, and his controversial political career cast a pall over his work to the extent that few contemporaries acknowledged it. In his time, North was viewed as a merchant and a City politician under the Crown's thumb. Grassby insists that North was a "reluctant" politician who was not a "doctrinaire partisan or articulate Tory with strong views on monarchy," and that his entrance

into the national political arena was by happy accident.²⁰ While recognizing him as a political economist, Grassby maintains that North's notions of trade were "too optimistic."²¹ Grassby suggests that North's theories were unrefined and that he was working to "convince himself," but such a statement forgets that North did not actually intend to publish his economic theories as a treatise, but rather planned to introduce them in Parliamentary speeches and convince the nation at large of the importance of his ideas.²²

This paper provides a new interpretation of North and his political career through an examination of his political actions. North was far from a reluctant politician, but rather, throughout North's public career, he displayed his commitment to an emergent Tory ideology that upheld the prerogatives of the Crown over that of Parliament and the supremacy of the Church of England in his service to both the City and the Crown. North's Tory ideology is especially evident when examining the shrieval papers of North in conjunction with De Krey's innovative study of the place of party in the City. This is not the first time a historian has referenced North's shrieval papers, however, this interpretation of the sources differs significantly. Examining the same sources, Grassby argued that North was "scrupulous" and strips him of political agency by suggesting that even when North was engaged in overtly political activities that he was a victim of circumstance, whose actions were unavoidable despite his hesitance.²³ Here, it is argued that as a politician, North was actively guided by his Tory ideology, and in return he was able to gain further political appointments that allowed him a platform for his radical political economy that, according to Pincus, did not necessarily align with that of his party. In examining North's economic treatise in conjunction with his political actions and trade policies, the relationship between North's own political ideology and notions of the political economy becomes clear, and further, that a spectrum of ideologies existed even within a single party. By examining North's theories of political economy in conjunction with his Tory ideology, it also becomes clear that his

political and economic philosophies were not as divorced as historians have previously argued.

In the last years of his reign, Charles executed a stringent program to consolidate his monarchical authority over his kingdoms by not only dissolving Parliament and implementing personal rule, but also systematically prosecuting Whig leaders and taking control of municipalities throughout the country, including London. A pervasive anxiety that Charles II's regime would devolve into an absolute monarchy permeated the political sphere. These underlying tensions came to a head during the City of London's shrieval election on June 24, 1682, which erupted in violence and chaos. The shrievalty was such a controversial matter because the sheriffs of London and Middlesex were the Crown's legal representatives within the City and were responsible for constructing juries.²⁴ The November 1681 treason trial of the Whig leader Anthony Ashley Cooper, 1st Earl of Shaftesbury only solidified in Charles's mind the importance of the shrievalty when the jury, "packed" with sympathetic Whigs, produced an *ignoramus*, or "I do not know" verdict.

Although challenged as recently as 1675, traditionally the Lord Mayor held the prerogative to choose one sheriff, and Common Hall elected his counterpart. Common Hall was the general legal body that either confirmed nominations for City officers or popularly elected them. Only those who were both a liveryman and a citizen of the City were able to vote. The privilege of citizenship required one to be a freeman, or a man who was no longer an apprentice, in one of the eighty-nine livery companies.²⁵ The most prominent and wealthy freemen were known as liverymen.²⁶ By the early 1680s there were approximately 8,000 liverymen residing in the City.²⁷

After discussing the matter with Chief Justice Sir Francis North, one of the king's closest advisors and Dudley North's brother, Charles expressed his wish that North "could be prevailed with to stand."²⁸ North was the ideal Crown candidate for a Sheriff of London. He

was a political outsider, having spent twenty years in Turkey working with the Levant Company; however as a merchant, he had an established reputation in the City. On 20 May 1682, Lord Mayor Sir John Moore nominated Dudley North as his choice for sheriff of London.²⁹ North paid his bond and stood for office as the Crown's pick, knowing that many in the City opposed his nomination and that he would be expected to choose juries for the Crown.³⁰

The whole affair continued to drag on for the next four months. Multiple polls were conducted and after each poll, the Lord Mayor declared that the Tory candidates had carried the election despite Whig protests. North remained steadfast as the Crown's candidate throughout the prolonged election despite attempts to convince him to renounce his candidacy. North reported that "a gentleman of estate" had informed him "of what dangerous consequence it would be" for him to hold the shrievalty.³¹ The gentlemen further promised that should North "openly declare [he would] not accept the office of sheriff by virtue of the Lord Mayor's drinking to [him]" that not only would he receive £4,000, but Common Hall would then elect him.³² However, North refused to fine out, and he seemed to be far from concerned with the expense of office.³³ Francis North assured Secretary Jenkins that his brother "can hardly be deceived or frightened out of the principles he has taken up to serve the King and the City."³⁴ A final poll occurred on September 19 and the Lord Mayor called the election for North and Rich.

For Dudley North, the election embodied an opportunity to enter the political sphere in a manner that he could demonstrate his loyalty to Charles. He was the Crown's pick, and in his mind, the Crown was irresistible and sovereign throughout the nation. The privileges and the rights of the City did not supersede the prerogative of the Crown. North remained unwavering in his determination to serve as Sheriff of London despite the unpopularity of his candidacy, bribes, and threats to his person. In this position, North proved that he could be

relied upon to make controversial decisions that aligned with his Tory ideology. Upon his return from Turkey, North might not have fully formed his political ideas in the same manner as his brother Francis, who worked closely with and for Charles; however, North was ambitious and dedicated to the Crown. This sense of allegiance to the Crown, which was the basis of his Tory ideology, was already present in North, and it was the guiding factor in his politics at the outset of his tenure as sheriff.

North was sworn in as Sheriff of London on September 28, 1682, and the election for the new Lord Mayor occurred the following day. Charles was just as determined to secure a Tory as Lord Mayor as he had been to implant Tory sheriffs.³⁵ The Tory-leaning Court of Aldermen nominated Crown favorite, Sir William Pritchard and Whig Sir Thomas Gold. The majority of liverymen, who were Whig sympathizers, demanded the poll include both Tory Sir Henry Tulse and Whig Alderman Henry Cornish as candidates in an effort to split the Tory votes.³⁶ The poll books were altered to reflect the additional candidates. North and Rich conducted the polls and liverymen voted by signing their name in their candidates column in the poll books.³⁷

After the poll, Moore called the election for Pritchard to the dismay of the Whig faction, who accused North of ignoring the polls for the Whig candidates, and a new poll for October 4 was ordered.³⁸ According to the initial tally, Gold won the election with 2,289 votes. The second Whig candidate, Cornish, garnered thirty-one fewer votes. Pritchard was third with 2,233 votes.³⁹ The second Tory candidate, Tulse, received only 126 votes. Moore ordered a scrutiny of the poll books against the livery companies' lists of members. North, his co-sheriff, and the other inspectors (six Tory and six Whig) were to determine if only true liverymen had voted in the poll. They were further instructed to make sure that those who had voted had taken the oath of allegiance to the Crown, as well as their corporation and livery oaths. Moore announced that after the Court of Aldermen approved the inspection

results, the new Lord Mayor would be declared.⁴⁰ The Whig inspectors “met and dined together” to review the poll against the livery lists.⁴¹ The Whig inspectors accused the Tory faction of inflating the polling rosters as they had “made many livery men purposely for this occasion.”⁴²

North drew up the detailed list of “objections” to the polls for Pritchard, Gold, and Cornish as well as a list of “errors” in the polls on behalf of the Tory inspectors.⁴³ In regards to the Tory candidate, Pritchard, North’s main protests were centered on those who had voted but had not paid their fees as liverymen to their respective company. Other objections included the votes of those who were pensioners, did not live within the confines of the City, were not members of a livery company, or those who had not been legally sworn into their respective companies by the date of the poll. According to North’s tally, a total of ninety-five men had erroneously polled for Pritchard, which reduced his total to 2,138.⁴⁴

North was far more meticulous in his examination of the Whig ballots. Just as in the poll for Pritchard, one of North’s most common notations was that the respective men were not legally members of their espoused livery companies, or that they had been “made free of other Companys,” but they had not legally “translated” their membership to the livery company that they were voting with on the day of the election.⁴⁵ In particular, North found that several men who had voted with the Merchant Taylors Company had not taken the oath of the livery men.⁴⁶ The second most common objection was against men who were Quakers, whose beliefs prohibited them from taking the oath of allegiance or the oaths of the respective livery companies. Without taking these oaths, Quakers would be ineligible to vote in any City election as they would not be considered true liverymen. In all, North asserted that twenty-four of the 165 erroneous votes for Gold and Cornish were Quakers, and therefore did not count towards their final tallies.⁴⁷ North seemed to have little regard for dissenters and he deemed their votes invalid.

In the end, the Tory-leaning Court of Aldermen ignored the Whig arguments. After tallying up his final objections, North found that 165 of the votes for Gold and Cornish combined were invalid, which left Gold with 2,124 and Cornish with 2,093.⁴⁸ By combining their objections into one pool, North calculated that the Tory Pritchard, with 2,138, received the largest number of legitimate votes. The Court of Aldermen accepted North's calculations, and Sir William Pritchard was declared Lord Mayor-elect. Upon hearing the news, the King's brother, James, Duke of York wrote to his son-in-law, William the Prince of Orange and exclaimed that "we shall have a good and loyal Lord Mayor as well as two sheriffs of the same stamp, which is a mighty mortification to the Whigs."⁴⁹

After conducting the mayoral election and scrutiny, one of the first orders of business for North and Rich was to appoint the new grand juries. The new jurors chosen by North and Rich were staunchly loyal to the Crown and to the Church of England. In their presentments, the new grand juries avowed to actively prosecute dissenters, who were "destructive to the Interest of the Kingdom."⁵⁰ Furthermore, the grand juries insisted that any group that was larger in number than was allowed by laws who met in "Conventicles, Clubs, or Cabals" or "who go from County to County and Associate in Numbers to do Unlawful Acts" were also a threat to the nation and should be prosecuted to the fullest extent of the law.⁵¹ Finally, the juries asserted that "those Persons, who publish *Libellous* Matters against the Government, or False News, ought to be . . . Punished."⁵²

Throughout both the mayoral election and the selection of the grand juries, North acted in line with the expectations that he would be a Crown ally in the City and he carried out his duties accordingly, setting the tone for his shrievalty and his overall political career. North's actions as a new sheriff demonstrate that he sought to exclude dissenters from participation in the political sphere. His interpretation of the Corporation Act ensured that a staunch Tory would be elected Lord Mayor. In his first tasks as Sheriff of London, North

toed a Tory ideological line that upheld the supremacy of the Church of England by invalidating the votes of Quakers and by empaneling juries that were completely intolerant of dissenter groups. From the outset, North proved that Charles had chosen the right man.

In the wake of their electoral defeats, the Whig leaders began to shift gears from trying to work within the government to trying to replace the existing one. Many Whig leaders, such as the earl of Shaftesbury and William Lord Russell, were not only concerned about Crown policies in the City and the nation, but also about their own security. After the election of William Pritchard was concluded, Charles began actively pursuing the *quo warranto* proceedings against the Corporation of London to reinforce his firm grip on the City. With new loyalist grand juries in place and the charter of the City under attack, the Whig leaders felt that they were backed into a corner, and feared “their necks were in danger.”⁵³ Shaftesbury certainly felt that it was only a matter of time before he would be arrested and tried again, and therefore, he fled the country on November 28 for the Netherlands where he died of natural causes in Amsterdam on January 28, 1683.⁵⁴

Just months later, on June 12, 1683, the government received information regarding the Rye House plot from Baptist Josiah Keeling. The radical opposition had been plotting to assassinate the King and his brother, the Duke of York, and incite multiple insurrections throughout the kingdom. Charles and his ministers swiftly ordered the immediate arrests of the conspirators. The first series of trials proceeded just as quickly as the arrests. On July 12 and 13, 1683, the commoners Thomas Walcott, William Hone, John Rouse, and William Blague were tried, along with William Lord Russell. These men were charged with “Conspiring against the Life of the King, and endeavouring the Subversion of the Government,” and they all plead not guilty.⁵⁵

The most controversial matter North dealt with throughout his shrievalty was jury selection, and North’s role in the prosecution of these conspiracies would be the defining

feature of his tenure as sheriff. While the trials of the Rye House conspirators provided the Crown and his government an opportunity to purge the Whig party of many of its radical members, the trials also allowed North to demonstrate his dedication to the Crown. In October 1682, North and his co-sheriff chose the grand juries that were active in prosecuting dissenters, but the Rye House trials only required a jury of twelve. Richard Greaves argues that the first series of trials against the Rye house conspirators were not completely arbitrary, but were based on a substantial amount of evidence.⁵⁶ However, even with the evidence that the government had amassed and witnesses willing to testify, the outcomes of these trials were, in many ways, predicated on the jury, as had become clear in the 1681 trials of the earl of Shaftesbury and Stephen College.

The list of the potential panel of jurors, broken down by ward, provides evidence that North shied away from wards that leaned towards the Whig party.⁵⁷ Even Grassby, who does not ascribe political motivation to North, notes that although there is a lack of evidence, “it is still doubtful whether [North] selected names at random.”⁵⁸ Further, three of the jurors on the list were “personal acquaintances” of North.⁵⁹ The probability that North was partisan in his choice of jurors becomes even higher when the list of potential jurors is compared to the research carried out by De Krey on the party divisions in the City of London’s twenty-six wards. Party was a “neighborhood affair” and in his research, De Krey has been able to delineate between what he terms Whig space, Tory space, and contested space.⁶⁰ De Krey, however, concedes that some Whig partisans lived within Tory-inclined wards, and vice-versa. Therefore, unless North knew all 122 potential jurors, he could not have been certain if all the men were Tories or Tory-inclined. North did increase the likelihood that the juries for the accused would return a favorable verdict for the Crown by pulling more jurors from Tory wards. In order for North to avoid a jury that would not be predisposed to issuing a not guilty verdict, or worse—*ignoramus*—he was careful not to draw too heavily from Whig-

inclined wards. In his panel of 122 only eighteen men were from Whig-leaning wards, and that is not to say that these eighteen men were Whigs. In avoiding men from Whiggish-leaning wards, North ensured that Charles would not be saddled with another *ignoramus* jury, but rather, ensured that the desired guilty verdicts would be achieved. Grassby notes that the “verdict was none the less in line with the law and the evidence; there is no evidence that the jury was bullied into bringing a verdict of guilty.”⁶¹ However, bullying of the jury would be unnecessary if in fact North chose jurors who were sympathetic to a Crown who increasingly saw opposition as a threat to his authority.

In the aftermath of the Glorious Revolution, the House of Lords Murder Committee in 1689 questioned North about his role in the jury selection for the Rye House trials. He admitted to choosing the jury for Russell despite that “so far as he remembers, the juries before were returned by the secondaries.”⁶² He maintained that because Russell’s trial was “very extraordinary business, he thought it requisite to take care of it himself,” whereas in the trials of the other conspirators, he left the task up to his deputies.⁶³ However, North’s claim that the juries for the commoners were chosen by his subordinates was disingenuous.⁶⁴ North instructed his Secondaries Edward Trotman and Mr. Normansell to use the list of names he compiled of potential jurors and to ensure that the jury was composed of men from several wards.⁶⁵

North insisted that he acted in concert with co-sheriff Sir Peter Rich. North argued that if Rich had not approved of the jury, then “he should not have done it.”⁶⁶ Rich maintained that he had decided upon his nomination to shy away from any involvement in jury selection due to the high level of controversy surrounding the *ignoramus* juries.⁶⁷ The Murder Committee accused North of returning only jurors who were sympathetic to the Tory faction and questioned him about his criteria for determining eligibility to sit on the juries. In a written defense, North stated that he “took no care of what opinion the jury were, but only

that they were substantial men.”⁶⁸ He contended that he had carried out the duties of his office by trying to return a “good” jury.⁶⁹ Yet, he never detailed how he established which men were either good or substantial. He also denied that he had been pressured to choose the jury by the Crown, stating that he had “no orders nor directions from any man alive to take care of this business.”⁷⁰

North performed his duties so well that his tenure as sheriff ultimately dominated his political and historical legacy. Only in the recent historiography have North’s contributions to the development of a free-trade political economy been discussed. For North and his contemporaries, his actions as sheriff defined him as a Tory politician who the Crown could trust and call upon again and again to carry out his duty. North consistently demonstrated that he believed that the Crown should be able to function independently of both Parliament and the City government and further, that the Crown was irresistible. To resist the King was treason. Although his one-year term as sheriff has dominated North’s historical legacy, he served the Crown in various capacities until the Glorious Revolution. In each of his positions, North continued to adhere to his Tory ideology and work to strengthen the position of the Crown, but he also began to contribute to economic policy at a national level. North elevated himself above mere merchant to a political merchant actively participating in the construction of new kind of political economy.

North’s term as Sheriff of London ended on September 5, 1683. Charles consulted with Lord Keeper Sir Francis North, who believed that should North be appointed as a Commissioner, revenue from the Customs would increase by £50,000.⁷¹ As Tim Harris has pointed out, the key to ruling without parliament was “royal financial independence” and Charles was showing no indication that he planned to recall Parliament.⁷² With his background in trade and finance, North was well equipped to help the Crown gain a measure of financial independence so essential when ruling without Parliament. Charles appointed

North to be one of the six Commissioners of the Customs where he served from March 26 to July 1684 and March 1685 until April 1689 and in between his two tenures as Commissioner of the Customs, he served in the Treasury Commission until it was dissolved.⁷³ North accepted the positions, and along with his stint in the 1685 “Loyal Parliament,” he turned to matters of trade and revenue. In the remaining years of his political career, North was able to influence trade and customs policies and push his own economic agenda at the national level.

North was a vigorous and committed Commissioner and he sought to ensure that every duty owed was paid. According to North, the income generated by the Customs required a great deal of attention to detail.⁷⁴ In order to prevent the loss of revenues from customs, North and his fellow Commissioners sought to discourage and stop any merchant from trying to commit fraud. He also worked to close any potential loopholes, especially those pertaining to sugar, despite the protestations from the New World colonies.⁷⁵

Charles also asked North to perform an unusual task in addition to his normal duties. Lord Rochester, Lord President of the Council, was feuding with Lord Halifax, Lord Privy Seal, over a farm of the revenues from the Hearth and Excise taxes, which had been created in response to Charles’s lack of funding during his early reign. According to Halifax, the treasury books regarding the Hearth and Excise taxes were doctored and several pages were missing from the books.⁷⁶ Furthermore, Halifax charged that contractors who were collecting the taxes were amassing large profits while the King was suffering a great loss. Halifax estimated that £40,000 of the King’s revenues from the hearth tax was pocketed by the contractors and further claimed Lord Rochester knew of the deceit and had taken a share of the money as a bribe.⁷⁷ At Halifax’s insistence, Charles agreed to have the books examined by an Auditor William Aldworth, who “answered nothing but doubts, and was very shy of saying anything at all.”⁷⁸

Charles requested North take the books and study them along with Aldworth to determine if the King had been cheated out of revenue.⁷⁹ Charles trusted North to examine the books and give an accurate report as to whether or not any money was missing. Once again, North was in a position to prove his reliability to the Crown. North questioned Aldworth and he “hummed and hawed, as if he had lost his utterance.”⁸⁰ After a careful scrutiny of the books, North found an entire column of false entries that had been written after the investigation had begun in an attempt to hide the true profits of the revenue farm. Once North reported that the Crown had been cheated out of profits, Charles dissolved the farm. He placed it under the direct management of the Exchequer, but before any further actions could be taken, Charles died on February 6, 1685. The whole affair was dropped as James II ascended to the throne.⁸¹

North continued in his position as Commissioner of the Customs under James. In addition, North also served in the “Loyal” Parliament of 1685 for the corporation of Banbury, rather than any of the port cities so he could “make room for another of the king’s friends.”⁸² By serving in both the Customs and Parliament, North was not only responsible for enforcing the customs laws and collecting revenues for the Crown, he was also able to influence and create new trade and customs policies. In his service as an MP, North once again proved to be a devoted servant to the Crown, and worked diligently to promote legislation that would benefit the Crown. North also saw his time in Parliament as an opportunity to introduce his economic theories.

In his opening speech to the English Parliament, James requested that both Houses work “to the settling of my Revenue, and continuing it, during my Life, as it was in the Lifetime of my Brother.”⁸³ James insisted that he needed the lifetime revenues “for the Benefit of Trade, the Support of the Navy, the Necessity of the Crown, and the Well-being of the Government it self.”⁸⁴ As a Commissioner of the Customs and an MP, North was in a good

position to play an integral role in securing the Crown revenues from the taxation of imports.⁸⁵ His brother Roger asserted that North “took the place of manager for the crown, in all matters of revenue stirring in the House of Commons.”⁸⁶ In an effort to raise even more revenue, North decided to examine the books of the Customs-houses and “took a strict account of all the commodities in trade . . . and considered which would best bear a farther imposition.”⁸⁷ North’s conclusion was that a “tax of one farthing upon sugars and one half-penny upon tobacco imported, to lie upon the English consumption only” for a period of eight years would provide the needed revenue and “would scarce be any burthen sensible to the people.”⁸⁸

The Commons agreed to the new impositions, a bill was drawn up, and it passed the Commons on 15 June after multiple readings, and it was passed in the Lords the following day. In November, The Commons considered James’s request for another grant of supply. The debate concerning the supply centered on two issues: the need of additional supply and the amounts required, ranging from £200,000 to £1,200,000. In the end, the Commons settled on the supply of £700,000 “and no more” to be given to James, who had already been granted supply and revenue that totaled “in all six Millions.”⁸⁹ John Ernly moved to place an additional duty on wines that would yield a sum of £400,000, and that the remaining sums could be made up by raising rates on such goods as soap, “planks and other boards,” raisins, prunes, iron, copper, and drugs and spices from Holland, as well as by extending existing impositions on French linens and East Indian silks. According to North, the Book of Rates suggested that these “goods are capable of bearing the duties proposed.” However, in his only recorded parliamentary speech, North did not agree with the imposition on French wine. Using his scrutiny of the Book of Rates, he argued that if James “took 40*l.* per tun on French wine at 20,000*l.* yearly, he would be a loser by it.”⁹⁰

Once again, North used his authority as a Commissioner of Customs to support new impositions on goods that he believed could bear the tax, just as he had done to raise duties on tobacco and sugar. On the surface it appears as if North, a Levant Merchant, was actively seeking to impose taxes on a rival company, the East India Company, as both companies imported silks. However, North was also an investor in the East India Company.⁹¹ A declining profit margin for the East India Company would have affected North's investment. North believed that if the Crown requested revenues, then the revenues should be raised, and he used his abilities to the benefit of the Crown. However, he resisted taxing a commodity on the simple grounds of its national origin. Upon deciding the new taxes, the Commons then sought to establish the number of years the new impositions should last, but determined that the Custom-House books needed to be examined to verify how many tuns of wine were imported yearly. On November 19, the Committee reported that based on the Custom-House books a duty of £4 per tun of wine would result in a sum of £350,000 yearly.⁹² The Commons concluded that the duty should be placed on wine for nine and a half years. Before the bill could be drawn up however, James prorogued the Parliament until February 10, 1686.⁹³ By dismissing Parliament before both Houses could vote on the new supply bill, James lost the potential £700,000 in revenue that North had worked so hard to procure for him. In the coming years, James tried to cobble together another loyal Parliament, but ultimately he never called Parliament again.

Although never given, North prepared two speeches regarding trade and money during the 1685 Parliament's session. North planned to address several practical issues dealing with money, including interest rates and clipping. Imbedded in his speeches, North presented an argument for a political economy based on free trade. After North's death, his brother Roger North compiled the notes from the intended parliamentary speeches and published them with a preface and postscript in 1692 as *Discourses Upon Trade*.⁹⁴ While

these theories did not come to light until after North's death, the *Discourses* provide insight into his ideas about the role of the government in trade, and the relationship between politics and the economy.

The *Discourses* illustrate that North was alarmed at the consistent devaluation of the money that was circulating in the nation due to clipping of silver from coins.⁹⁵ In his notes regarding money, North included observations about trade in general. North did not subscribe to the traditional economic theories of mercantilism or the theory of balance of trade. Mercantilists believed in a finite supply of money and that for a nation to acquire wealth, it had to export more than it imported.⁹⁶ A precursor to Adam Smith, North advocated free trade without the restrictions of policies that sought to restrict trade with individual nations. According to North, if a

Town, or County were cut off from the rest of the Nation; and no Man would dare to come to Market with his Money there . . . Now would such a Constitution as this, soon bring a Town or County to a miserable Condition, with respect to their Neighbors, who have free Commerce? The Case is the same, if you extend your thought from a particular Nation, and the several Divisions, and Cities . . . to the whole World, and the several Nations, and Governments in it.⁹⁷

Trade between nations was the equivalent of trade between individuals and should not be overly regulated. North envisioned a truly global economy, and therefore to refuse to trade with one nation meant that “so much of the Trade of the World rescinded and lost, for all is combined together.”⁹⁸ North did not believe that any trade with any particular country was inherently unprofitable.

For this reason, while in Parliament, North did not advocate banning trade with the Dutch, England's main trade competitor, a policy that was supported by other Tories. Pincus maintains that Tories believed the Dutch to be seeking “universal dominion through commercial hegemony.”⁹⁹ According to Pincus, the Tories also feared the Dutch political model as they revolted against Spain and established a republic.¹⁰⁰ North did not believe that taxes should be used to discourage trade despite the fact that he was a partisan Tory. The

purpose of taxes was to raise revenue, which is why he chose to tax only those commodities that he felt could bear the burden of higher taxes. North believed that the greater danger came from banning trade with specific countries as it meant that the nation would experience great losses in revenue. North disagreed with other members of his party about restricting trade with the Dutch as he opposed Parliamentary interference in trade. According to North, “Countries which have sumptuary Laws, are generally poor; for when Men by those Laws are confin’d to narrower Expence that otherwise they should be, they are at the same time discouraged from the Industry and Ingenuity which they would have employed in obtaining wherewithal to support them.”¹⁰¹ While he acquiesced that it was not impossible to make money with such laws in place, he believed that “the growth of Wealth in the Nation is hindered.”¹⁰²

Perhaps due to the eventual marriage of classical liberalism and Smith’s *laissez-faire* economics, historians for centuries have portrayed North as progressive economic liberal and tended to view his political career as an anomaly. Economic historian Max Beer frames North as “a Tory in politics, he was, as an economist, an advanced Liberal.”¹⁰³ Further Joyce Appleby discusses North and other Tory free trade theorists as economic liberals that were precursors to Adam Smith.¹⁰⁴ Although it is true that North and others were discussing the attributes of free trade almost a century before Adam Smith, he was neither a political or economic liberal. North’s free trade ideology was not in conflict with his Tory political ideology. W.J. Ashley maintains that the free trade theories of Tories, such as North, Barbon, Child, and Davenant, were very much tied to their partisanship. According to Ashley, this particular group of Tories argued for free trade as a counter to a collective Whig cry for economic sanctions on France.¹⁰⁵ By advocating for a policy of free trade, Tories were, in reality, championing trade with France.

For North, touting a free trade ideology meant more than simply allowing England to trade with France. North did not believe that trade should be guided by the partisan politics of Parliament. He not only advocated trade with the French, but also with the Dutch. Unlike his fellow Tories, North used the Dutch as a positive example in his arguments for free trade. Rather than passing laws to restrict trade with the Dutch, North suggested that if Parliament did not meddle with the interest rates or pass other such legislation, the English nation “would follow the course of the wise *Hollanders*.”¹⁰⁶ By advocating a political economy based on free-trade, North was also advocating for reducing Parliament’s reach, a view which would be very consistent with a Tory political ideology.

Although North argued against Parliamentary restrictions prohibiting or restricting trade with an individual country, he did not advocate for a completely unregulated economy. North was a member of three trade companies and he felt that trade companies, rather than Parliament, would be the guiding force of the economy in the same vein as Sir Josiah Child, James’s economic adviser and the Governor of the East India Company. Child argued that monopolies protected English economic interests because it was detrimental for English merchants to compete with one another in the same trade.¹⁰⁷ In this view, the regulation of trade was a matter for merchants and trading companies, and by extension the Crown. Merchant and corporate monopolies were granted via Crown charters, and therefore, by supporting company regulation, North was in fact arguing for a Crown-regulated economy.

For North, Parliamentary regulation or intervention was not only detrimental to trade, but it was also bad for the national economy. He noted “That Laws to hamper Trade whether Forreign or Domestick . . . are not Ingredients to make a People Rich, and abounding in Money, and Stock.”¹⁰⁸ He further illustrated this point in regards to the issue of whether or not Parliament should pass a law “to prohibit the taking more than 4*l. per cent.* Interest for Money lent?”¹⁰⁹ North argued that a nation with a prosperous trade would naturally enjoy

low interest rates as “it is not low interest makes Trade, but Trade increasing, the Stock of the Nation makes interest low.”¹¹⁰ He further notes that an increase in interest due to high demand “is not in the Power of any Legislature to prevent, or remedy.”¹¹¹ Ultimately, he maintains that “it will be found best for the Nation to leave the Borrowers and the Lenders to make their own Bargains, according to the Circumstances they lie under.”¹¹² As an MP in 1685, North actively campaigned for customs duties that would have given James a measure of financial security without restricting trade. North proposed raising the duties on individual commodities that could support the tax. In his capacity as Commissioner of the Customs, North had access to the Book of Rates, which he used to determine specific commodities that could accept higher taxes without overburdening merchants or the goods. As a member of several parliamentary committees that dealt with economic affairs, he could have continued to introduce policy which directly reflected both his political and economic ideology had James not dissolved Parliament.

Few in his time likely noticed that North was even practically applying his ideas about the political economy as his theories were not published during his lifetime. Even after the posthumous publication of the *Discourses*, North did not receive any recognition for his ideas until much later. The reality is that North’s theories were ignored because he was tainted by political scandal. In the last years of his life, he was brought before multiple parliamentary committees in retaliation for his actions during his time as Sheriff of London. After the dismissal of the Loyal Parliament, North remained in the Customs for the remainder of his political career, including a short period after the Prince of Orange assumed the throne. The Glorious Revolution, however, essentially ended North’s political career.

Along with his post as Commissioner of the Customs, North lost his Aldermanic seat in the City of London when in May 1690, Parliament passed a bill that reversed the judgment of *quo warranto* against the City and restored its “ancient Rights and Privileges.”¹¹³ With the

passage of this bill, the City “was put in a state referring to a time before he was chosen.”¹¹⁴ That same month, King William III issued a bill of indemnity known as the Act of Grace, which forgave those who had followed James.¹¹⁵ North was not named as exempted from the Act of Grace, but he worried that he would be added due to his role in the Rye House trials and therefore open to prosecution for his actions as sheriff and as a Commissioner of the Customs and Treasury. This continued to be a concern until he died at the age of sixty-two in December 1691.

In the seven years of his political career, North continually demonstrated his loyalty to the Crown and the Church. In the first year, he carried out his duties as sheriff with his Church and King in mind. Although North always denied that he was politically motivated, his actions as sheriff indicate that he was an ideological Tory. He made controversial decisions that were based on a Tory ideology that upheld the Crown’s prerogative over that of Parliament and the City of London and sought to protect the Church of England.¹¹⁶ By interpreting laws through such a lens, North was able to ensure that a fellow Tory, Sir William Pritchard, won the position of Lord Mayor for 1683 by invalidating votes cast by Quakers. North approached creating a list of potential jurors in the same manner. He created a panel that was far more Tory than Whig by avoiding choosing jurists from heavily Whig-inclined wards.

Both North and Rich were aware of the controversy surrounding the shrievalty and the juries when they agreed to stand for the shrievalty. North not only accepted the nomination, but he refused on multiple occasions to fine out. North and Rich knew that they were being placed in a position in which they might be called upon to create juries that would give their allegiance first to the Crown.¹¹⁷ In exchange for North’s loyal actions, the Crown granted him a knighthood, and positions within the Commission of Customs and the Treasury Commission.¹¹⁸ These further appointments in government subsequently allowed him to be

involved in the formation and execution of trade policies during the last year of Charles's reign and throughout the reign of James II.

In the later years of his political career, North used his mercantile acumen and prowess to aid Charles to rule without Parliament and to create policy as a member of the Loyal Parliament that would have provided an additional £700,000 to James II. North's notes, as published in the *Discourses*, suggest that he would have worked to push through economic policies and legislation that would have put James one step closer to financial independence if Parliament had not been dissolved in 1685. After settling the issue of the supply, North planned to introduce further economic policies that not only would have dealt with practical issues of interest or clipped money, but also with his theories regarding a healthy national trade unregulated by Parliament.

Pincus contends that two models of political economy emerged in the late Stuart era and helped to form to the foundation of the Whig and Tory parties. Although it is true that many Whigs and Tories were invested in separate models of the political economy, North's theories show that the emerging ideas of the political economy were far more complicated than a dichotomous model allows. Pincus contends that neither Whigs nor Tories supported a model of non-governmental intervention in the economy, but that was only partially true for North. North was comfortable not only envisioning a free-trade economy regulated by trading companies and the Crown rather than Parliament, but enacting policy to make this vision a reality.

North's model of a political economy based on trade that was unregulated by Parliament not only resides outside of the Tory political economic model as outlined by Pincus, but it is antithetical to the Tory philosophy of restricting trade with the Dutch. Yet, North's free trade ideas aligned nicely with his political philosophy. Throughout his political career, he had exhibited a Tory ideology that upheld the Crown's prerogative over that of

Parliament and the City government. North, as a Tory politician, adhered to the notion, outlined by Harris, that both Charles and James as kings were “sovereign, unaccountable, and irresistible.” North had a clear vision of the role of Parliament, which was to provide revenue to the Crown. North did not view Parliament as a body for which the king should be held accountable nor was it to regulate trade with any nation, regardless of that nation’s political or religious structures.

North’s short political career and his theories of the political economy help to shed new light on the relationship between politics and the economy in the late Stuart era. By the late seventeenth century, politics and the economy could not be separated. To espouse a certain view of the economy was to make a political statement and certain notions regarding the economy helped to influence the formation of political parties. However, that is not to say one’s identity as a Whig or a Tory was linked to one certain model of political economy. North was a Tory politician with very definite ideas in regards to the functions of politics and trade, and he used these ideas to support national policies that upheld the prerogative of the Crown at the expense of Parliament. In North’s mind, his political economy was far from liberal.

North was the exact type of man that both Charles II and James II needed in order to consolidate their power. He did not follow blindly. He was well aware of his actions and the consequences they produced. North, in all his positions, from Sheriff of London to Member of Parliament, continued to advocate for policies that strengthened the Crown’s power while weakening that of Parliament and the municipalities. North’s actions suggest he was more than a blind loyalist. He actively supported Charles’s attempts to consolidate his monarchical authority throughout the realm, and continued to act in this manner under James. North’s actions and policies do not suggest that he was a pawn, a reluctant politician, or an even an ideologue, but rather a savvy politician and an apt political merchant.

ENDNOTES

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- ¹⁸ *Ibid.*, 50-51, 86-8, 90.
- ¹⁹ *Ibid.*, 365-99.
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- ³⁴ '15 September 1682' *CSPD: Charles II 1682*, 362-448.
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- ¹⁰⁷ Pincus, 1688, 374.
- ¹⁰⁸ North, *Discourses upon Trade*, 22.
- ¹⁰⁹ Ibid., 2.
- ¹¹⁰ Ibid., 4.
- ¹¹¹ Ibid., 7.
- ¹¹² Ibid.
- ¹¹³ *Journal of the House of Commons, 1688-1693*, x, 407.
- ¹¹⁴ North, *The Lives*, iii, 186.
- ¹¹⁵ Ogg, *England in the Reigns of James II and William III*, (London, 1955, re-issued 1969), 241.
- ¹¹⁶ Tim Harris, "Tories and the Rule of Law," *The Seventeenth Century* 8 no. 1 (1993), 13.
- ¹¹⁷ *State Trials*, ix, 966.
- ¹¹⁸ R. North, *The Lives*, iii, 122; Grassby, *English Gentleman in Trade*, 157.