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Nicolas Mesnager: Trade Negotiator

E. Stewart Saunders

Purdue University, ssaunder@purdue.edu

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Nicholas Mesnager was an expert on trade in the Spanish colonies. For that reason the Controller General, Michel Chamillart, sent him to Spain to negotiate for French access to the Spanish colonial trade. Likewise the Secretary of State for Foreign Affairs, Colbert de Torcy, used Mesnager to negotiate commercial understandings with the United Provinces and with Britain for the purpose of arriving at an agreement on preliminaries to a peace conference. Finally, Louis XIV appointed Mesnager as one of the three French Plenipotentiaries to negotiate a general peace at Utrecht.

Mesnager was born in Rouen in May of 1658. He worked as a merchant in international trade and in 1700 was elected by the Rouen Chamber of Commerce to represent Rouen in the Council of Commerce newly revived by Louis XIV. Within the Council of Commerce he worked between 1701 and 1703 with Annisson and Peletyer to reform the Tariff of 1664. He also worked with Annisson and Fenellon in support of an internal customs union, that is, a set of uniform customs duties for all goods crossing French borders and the elimination of internal customs. In 1703 he set forth his economic ideas in a memoir. He deplored France's negative balance of trade. Although French merchants trading through Cadiz acquired much in gold and silver, these metals never reached France because they were used to buy Dutch and English goods. He proposed a simplified customs and he viewed state trading companies as unproductive but sometimes necessary. In short, he was a follower of Jean-Baptiste Colbert in his economic thinking.

Prior to coming to Paris in 1700 to sit on the Council of Commerce, Mesnager had formed an acquaintance with Chamillart who was the intendant at Rouen in the 1690s. In December 1704 Chamillart sent Mesnager to Madrid to represent him on the Council of the Indies. D'Aubenton was already on this Council representing the French Secretary of the Navy, Jerome Pontchartrain. Mesnager's mission was to obtain the right for French merchants to trade directly with the Spanish colonies and to circumvent the illegal trade being carried by the Dutch and English. Neither Pontchartrain nor D'Aubenton were particularly in favor of this goal. In 1706 Mesnager presented to the Spanish Council of Commerce a plan of 17 articles representing his ideas for a new organization for American commerce. One point in his plan was to have French ships be a part of the Spanish fleet which departed from Cadiz at regular intervals. His key ideas, however, were stated in such a way that those nations which were "allied" with Spain would have freer access to the Spanish colonial trade. France was, of course, "allied" with Spain, but this also allowed the interpretation that other maritime nations which were not at war with Spain could also benefit from this new organization of American commerce. His ideas were put aside by the Spanish and he was recalled to Paris in April 1706.

From Mesnager's point of view the War of the Spanish Succession was about trade in the Spanish colonies. The dynastic politics of the Hapsburgs and the Bourbons were secondary issues. If Spain would agree to a plan giving direct access to its colonial markets for all maritime nations, Mesnager believed that the Dutch could be persuaded to withdraw from the war and a peace settlement would follow. The Dutch were very suspicious of the French bargaining in Madrid which had been in process for the last several years. Following the logic of Mesnager's argument, Torcy sent him to the United

Provinces in December 1707 to allay Dutch fears and to elaborate how nations "allied" with Spain might participate in their trade. In Rotterdam he met with Van Der Dussen and read to him his *Nouveau systeme de commerce et de navigation d'Espagne*. He also proposed a return to the tariffs of 1664 with modifications. Later he elaborated the same ideas with Heinsius and Baron Duvenoirde. The center piece of his proposal was that Cadiz would become the entrepot for all trade with Spanish America and all nations could freely trade their goods through Cadiz. Also Cadiz would remain neutral. The Dutch liked his proposals, but they also demanded the replacement of Philip V and a discussion of the Barrier Treaties. Unwilling to discuss these issues as part of a preliminary agreement, Torcy had Mesnager return to Paris in March 1708.

Although Mesnager's negotiation with the Dutch had produced no dividends, he was still optimistic that a concrete plan for the Spanish trade would detach the Dutch from the war. Two months after returning from The Hague, he was again in Madrid, this time sent by Torcy. In the next round of negotiations with the Spanish he ignored Pontchartrain and D'Aubenton. On 7 July 1708 a plan, which was no doubt the work of Mesnager, was placed before the Spanish *Despacho* where it was favorably received. The plan proposed to make Cadiz the entrepot for American trade. All cargo was to be carried in Spanish ships, but merchants of all nations "allied" with Spain could trade through Cadiz without the mediation of Spanish merchants. If approved, Mesnager hoped his plan would become the preliminary for a peace conference. Instead, Louis XIV chose to use the plan as a bargaining point at a future peace conference. Mesnager returned to Paris in July. In 1709 Torcy sent him to negotiate with the Dutch, but they refused him a passport.

The initiative to settle commercial issues as a preliminary to a general peace came not from the Dutch but from the English. When the Tories assumed control of the government in 1710, their goal was to conclude a peace with France. They were willing to concede Philip's right to the Spanish throne and hoped to drag from its Allies agreement on this point. Although Oxford negotiated secretly with the French from late 1710 to April 1711, it was with the idea that the Allies would be included in the final agreement for a peace conference. After June 1711, however, he dropped the intent of including them. He was bent on creating a South Sea Company to fund unsecured government debt. For this he needed monopolistic concessions in the Spanish colonies, which he was certain the Dutch would not agree to. To obtain these new concessions he sent Matthew Prior to Paris in July 1711. When Prior arrived in Paris his instructions from Oxford included a request not only for general concessions for all the Allies, but also a list of concessions for Britain alone. These latter requests stated that France should recognize the House of Hanover, that France concede Newfoundland and Hudson Bay to Britain, and that Spain give Britain Gibraltar, Port Mahon, and a treaty for the slave trade or *Assiento*. In addition Prior made a verbal demand that Spain cede at least four towns in the West Indies to be named at a later date by Britain. Torcy submitted these demands to Mesnager and La Lande Magon. Mesnager declared them to be unacceptable. Torcy too found the British proposals to be extreme, but he felt there was basis for negotiations. He therefore sent Mesnager to London with Prior to work out differences with the British cabinet.

Torcy had given Mesnager some leeway to negotiate, but he was not to concede territory for Spain. When Mesnager met with Oxford and Shrewsbury on 15 August 1711, Mesnager was told that the territorial concessions were necessary for a peace. Five days

later, however, Oxford dropped his demand for the four towns and told Mesnager that Britain would accept in their place an extension of the *Assiento* Treaty from 10 to 30 years. Mesnager worked through September on the other points in Oxford's demands. After some bargaining, the English agreed to allow French fishermen to dry their catches on the Newfoundland beaches, and the French agreed to dismantle the Port of Dunkirk and to explicitly recognize the Protestant succession in Britain. On 27 September 1711 Mesnager signed for France three agreements. The first agreement was a secret treaty listing French and Spanish concessions to Britain. These were the issues which Mesnager had come to settle and for which his expertise was needed. The second agreement stated the preliminary terms for a peace conference. The third was a concession of land in Italy for the Duke of Savoy. The preliminaries were sent to the allies as a *fait accompli*. Although quite angry over Britain's unilateral actions, the Allies agreed to a peace Congress to be held at Utrecht beginning in January 1712.

In December 1711 Louis XIV appointed the Marechal d'Huxelles, the Abbe de Polignac, and Nicolas Mesnager to be Plenipotentiaries for France at Utrecht. The negotiations began in January 1711. On 11 April 1713 d'Huxelles and Mesnager signed seven treaties which concluded the war with all parties but Austria. Peace treaties were signed with Britain, the United Provinces, Portugal, Savoy, and Prussia. Commercial treaties were signed with Britain and the United Provinces. The major issues of the peace were settled in Paris and London, yet the work of the Plenipotentiaries did affect the final outcome. In a memoir written several years earlier, Mesnager had observed that the French had fared badly on commercial matters in the congresses at Nijmegen and Ryswick because no one with sufficient commercial expertise was a part of the negotiations. Mesnager was no doubt appointed Plenipotentiary because of his extensive commercial expertise. In addition to this, however, it was recognized that he had been involved with negotiations from the earliest periods. Having concluded the London Agreement with the English, he believed in the good faith of the English to secretly help the French in its settlements with the Allies. Versailles viewed Mesnager's presence at Utrecht as a means to hold the English to their pledges of assistance.

Before leaving for Utrecht, the Plenipotentiaries were given lengthy instructions and were reminded not to deviate from those instructions without approval. The essence of Mesnager's instructions concerned territorial and commercial concessions to Britain and the Tariff of 1664. He was instructed to allow the British to have Gibraltar but not Port Mahon except in extreme urgency or in exchange for other territories. The British were to be given free entry into Spanish ports rather than entry into ports in the Spanish colonies or possession of towns in the Indies. Because of the very technical nature of the commercial negotiations, Mesnager had more room to maneuver and to take the initiative than did the other Plenipotentiaries. Even so, the Controller General, Nicolas Desmaretz, had to restrain Mesnager's initiatives at times. Desmaretz and the Council of Commerce worked to supply Mesnager with information on tariffs and advice on issues. Pontchartrain, on the other hand, complained that Mesnager did not keep him posted on the progress at Utrecht. At times Pontchartrain offered advice which was at variance to that coming from Desmaretz and the Council of Commerce.

Returning from a walk in the Tuilleries, Mesnager became suddenly ill and died 15 June 1714. He was buried in Saint Roch. For his service to France and Spain he had

received an annual pension of 10,000 *livres* from both Louis XIV and Philip V. He had purchased the charge of *secrétaire du Roi* and had been awarded the titles of *Chevalier de Saint-Michel* and *Comte de Saint-Jean*. His estate was valued at 600,000 *livres*. He had been one of the many *donneurs d'avis* who addressed the state of Louis XIV in its latter years with proposals. He was not a theoretical economist, but his ideas, derived from experience, did exhibit a consistency and coherence. While he accepted the protectionist practices of Colbert as necessary for the strength of the state, he was also moving toward greater economic liberalism. The interference of the state was inimical to commerce but was sometimes necessary. Being both a merchant and a negotiator, he bespoke a view of the world that balanced economic freedom and political power.

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