

Guerra e Contrabando: a Guerra de Sucessão Espanhola e a Conjuntura da Ilegalidade
War and Contraband: The War of the Spanish Succession and Illegality.

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Este artigo reúne duas historiografias: como as guerras influenciaram a ideia de autonomia local (esp. guerra com Holanda, da Independência de Espanha) tanto como o estabelecimento do regime de controle sobre o ouro do Brasil. Foi exatamente durante a Guerra da Sucessão Espanhola em que os “perigos externos” da invasão Francesa e dos “perigos internos” na área mineira ocorreu ao mesmo tempo que a nova legislação fiscal iniciou-se (governo das arribadas dos navios estrangeiros, registro do ouro nas frotas, as Câmaras nas Minas). Quando o livro de Antonil foi publicado, estabeleceu o futuro do regime fiscal no Brasil.

Palavras chaves: Contrabando -- Guerra da Sucessão Espanhola -- Gazetas

O que padece o assucar desde o seu nascimento na cana até sahir do Brasil

“E se livra das prizoens do porto, não livra das tormentas do mar nem do degredo, com imposições & tributos, tam seguro de ser.”

André João Antonil, *Cultura e Opulência do Brasil por suas Drogas e Minas*, André Mansuy ed., (Paris: Institut des Hautes Études de l’Amérique Latine, 1968) 288.

In a most fascinating chapter of Antonil’s condemned work, sugar cane objects to all its sufferings by human exploitation. One of these issues was about sugar’s suffering through taxation, yet in other parts Antonil was quick to defend the royal right of tax, and pointed out the consequences if one tried to evade this. As André Mansuy noted so aptly in her introduction, the book was written at a very disturbing time of Brazilian history, as French merchants were trading illegally around Brazil before the War of the Spanish Succession, and Du Guay Trouin’s forces had occupied Rio de Janeiro at the very year Antonil’s book was published and suppressed.¹

¹ I would like to thank Joseph Jastrzembki for his help with Englishing the text, and the Division of Social Science, Minot State University for financing part of my voyage to Brazil.

Abbreviations used in this paper: AÉ: Affaires Étrangères; Ajuda: Biblioteca do Palácio de Ajuda; ANP: Archives Nationales, Paris; AHU: Arquivo Histórico Ultramarino; BNL: Biblioteca Nacional, Lisboa; NADH: National Archief, Den Haag (Netherlands); NAL: National Archives, London; PBA: Coleção Pombalina; QDO: Quay d’Orsay; SG: Staten Generaal; SP: State Papers. Dutch gazettes can be found at <http://www.delpher.nl/nl/kranten/>
André João Antonil, *Cultura e Opulência do Brasil por suas Drogas e Minas*, André Mansuy ed., (Paris: Institut des Hautes Études de l’Amérique Latine, 1968) 43-46.

The War of the Spanish Succession was fundamental in establishing who should have what share of Brazil's development. In this extremely volatile time foreign merchants, settlers and authorities competed over the right to explore Brazil's natural resources. Brazilian inhabitants found strength in their minimalizing of royal authority to tax as defenses of the colony were put to task. The right to tax and monopolize commerce by Portuguese nationals was subject to negotiation because the Utrecht Peace Conference became problematic. In other words, the right to tax was correlated with security and thus royal authority over the realm. Authority will be challenged when weaknesses becomes public.

Outside sources about Brazil in the form of gazettes and diplomatic correspondence provide an impression how news and rumors spread, and how this determined diplomats' actions. Indeed, Dom Luís da Cunha, the role model for Portuguese diplomacy and statecraft in the eighteenth century and one of the Portuguese negotiators of the Utrecht Peace Treaties organized diplomatic salons in which the gazettes and information from correspondence was exchanged and discussed.² These two sources reflect the foreigner's perception of the precariousness of royal authority in Portugal and its conquests and how this was used to challenge authority, and thereby legitimize illegal trade.³

The War of the Spanish Succession was in origin a war about dynasties: who should be on the Throne in Spain, would it be a Habsburg or a Bourbon? The Braganza dynasty switched allegiances. At first it was inclined to choose for the Bourbon dynasty, hence with land powers of

² D. Luís da Cunha, *Instruções Políticas*, Abílio Diniz Silva ed., (Lisbon: CNDCP, 2001) 21.

³ This was also reflected in the French diplomatic correspondence of this time. Yet the Portuguese plenipotentiaries thought differently, see Eduardo Brazão, *Portugal no Congresso de Utrecht, (1712-1715)*, (Lisbon: Livraria Portugalia Editora, 1933), 126.

Louis XIV and his grandson, Philip V. However, especially after the defeat of the French/Spanish navy in the bay Vigo, the Braganzas choose to support the Austrian dynasty claims on the Spanish throne, and hence enter in an alliance with Britain and the Netherlands. If won, this war would finally mean having a friendly king on the throne of Spain, and would leave the Braganza dynasty's right to the Portuguese throne more secure. To underline this dynastical interest, king Pedro II organized a grand entry of archduke and Habsburg king-to-be Carlos III. Indeed, the two jointly started the land campaign on the Peninsula leading their troops personally into war in 1704. The alliance was sealed three years later through the marriage of his successor, king João V, with Dona Maria Ana, the archduke's sister.⁴ In other words, this was not as such a war between "Portugal" and "Spain," but a dynastical issue. The outcome of the war was thus correlated with the Braganza's authority to tax.

War required financing, and this was more guaranteed by the sea powers, Britain and the Netherlands, who guided for the moment the Brazil fleets across the Atlantic out of danger of French war fleets. For king João V, this was a war that was subsidized by the British and Dutch governments, aided with Brazilian gold and run by a combined British, Dutch, Austrian and Portuguese army and navy. In other words, in this war, the Braganza dynasty was deeply indebted to outside help in its struggle against French and Spanish forces.

By the end of the war, the Portuguese king proved unable to defend his Brazilian conquests. Whereas he had been quite successful in bringing the fleets home with the aid of British and Dutch men-of-war, he were not able to protect the city of Rio de Janeiro. According

⁴ For the Peninsular wars and Spanish-Portuguese relations see David Martin Marcos, *Peninsula de Recelos. Portugal y España, 1668-1715* (Valladolid and Madrid: Instituto Universitario de Historia Simancas and Marcial Pons Historia, 2014), esp. chapter 3.

to a Dutch gazette, during Du Clerc's attack in 1710, the inhabitants of Rio de Janeiro suffered 500 casualties in the fierce battles at the very city center.⁵ As a result João V was unable to restore his legitimacy to tax Brazilian products, and he feared other navies from other countries might take over this role.

Dutch gazettes reported wide variants on what happened when Du Guay Trouin occupied Rio de Janeiro. These reports reflect the consequences of the French invasion, as well as the perceptions of the gazettes, especially as it related to Braganza authority. The first report in the gazette of The Hague came by Lisbon from Salvador (Bahia) and narrated the story that Du Guay Trouin and his squadron had been able to get into the harbor under cover of fog. The fleet commander had been forced to burn the war vessels in the harbor, so that they would not fall into French hands, but the population was able to flee with all their goods outside of the city. Most importantly for the population in Salvador, they did not think that the French squadron would be able to obtain enough provisions so that no other attack on Salvador would be possible.⁶ A day later the Haarlem Gazette gave several twists to the story. The first news was positive: the governor, confronted with the French squadron and landed troops refused to surrender when summoned. Moreover, from the interior "the general" was on his way from the Mining district with 7000 troops to defend the city which itself had 12000 men defending. Yet, now came the twist:

⁵ Lissabon de 16 February, *Oprechte Haerlemse Dingsdaegse Courant*, nr. 12, March 24, 1711. The best accounts of the invasions are in Maria Fernanda Bicalho, *A Cidade e o Império. O Rio de Janeiro no Século XVIII*, (Rio de Janeiro: Civilização Brasileira, 2003) 268-292; Charles R. Boxer, *The Golden Age of Brazil, 1695-1750. Growing Pains of a Colonial Society* (Berkeley: University of California Press, 1962) 84-105.

⁶ Lisbon den 18 January, 's *Gravenhaegse Courant*, nr. 20, February 15, 1712.

“it was said that the Paulistas who are exiled priests and monks and were called missionaries (of whom it is said are actually French and invited to live there) have about 8000 men and are on their way to join with the French.”⁷

Rumors did not stop there. On the one hand the city should be able to defend itself. On the other hand, rumor had it was already taken and plundered. The Mines seem to be still in “our” hands, yet if they were taken the consequences for commerce will be disastrous. The reaction in Lisbon was immediate. The Great Council went into a meeting, the foreign ministers were present and asked to aid the colony. This came with the backdrop that the population of Salvador was also rebelling because of a new 10 % tax.

Yet stories kept accumulating, this time the message came from Paris, where Du Guay Trouin’s squadron had arrived back from Brazil.⁸ In a vivid description, the French fleet avoided the fog, hence the vessels had sailed into the city after bombardment of the fortresses. There was a summon of surrender, but the next day Du Guay Trouin found that the city had been abandoned. Thereupon the French commander made a proposal of ransom for the city, which was accepted by the governor. The French left about two months later with a large sum of money (600,000 cruzados), cattle, and sugar. They also took all the canons, forty vessels, and sold some others and burned the rest.

The final, and most damaging report came on March 1. The city had been surrendered without a fight.⁹ Even though the governor prohibited anyone to leave, on punishment of death, he subsequently ordered that all should go. The French troops thus occupied the city, took all the goods, found gold in a monastery, and then ransomed the city. The population itself returned to

⁷ Lissabon den 18 January, *Oprechte Haerlemse Dingsdaegse Courant*, nr. 14, February 16, 1712.

⁸ Paris den 19 February, *'s Gravenhaegse Woensdaegse Courant*, nr. 24, February 24, 1712.

⁹ Lissabon den 1 Maart. *Oprechte Haerlemse Dingsdaegse Courant*, nr. 15, March 29, 1712.

Rio de Janeiro, and started negotiating with the French commanders. By that time D. Antonio Albuquerque, the governor of São Paulo and Minas Gerais, had returned from the mines with 6000 troops. He was shocked to see that the interim governor was trading with the French military through his own servants. Albuquerque had him arrested, and he took all goods that the population had received in return for their trade with the French.

It would take a generation to overcome this loss of royal authority. As Fernanda Bicalho aptly noted, “Reeditava-se desta vez com conseqüências mais funestas para a ordem colonial e monárquica, a inquietação do povo diante da investida dos franceses, fosse por ter o governador “vendido” a praça, fosse por seus moradores negociarem “à larga” com os invasores.”¹⁰ The newspapers made it seem that the French privateers and the French king had become an alternate authority to D. João V and his officials, and this made the situation in all major Brazilian port cities as well as in the Mining district challenging. Moreover, this loss of royal authority over commerce not only affected the Portuguese merchants, but also their colleagues from Britain and the Netherlands who traded through Portugal to Brazil. Wars obviously had negative consequences for royal regulation of trade, and diplomatic skirmishes lingered on in one form or another until the end of the decade.

The War of the Spanish Succession was not over yet when now the Portuguese king had to continue fighting without the support of his British allies. The British government was the first to sign an armistice and outline a peace with Louis XIV. This opened up a tactical advantage for the French, but even more for the Spanish government. As British soldiers retrieved from the peninsula, Portuguese territory came open to invasion from its more powerful neighbor.

¹⁰ Bicalho, *A Cidade e o Império* 279.

According to a Dutch gazette, this brought about some consternation in Portugal, “four English regiments have been embarked to return to their home country, and the three others of this nation are also marching towards Lisbon in order to sail away. This departure leaves the Portuguese dumbfounded.”¹¹ The notice of the British retreat hit the streets even before the messages of Du Guay Trouin’s attack on Rio de Janeiro. Some months afterwards new notices about a French fleet leaving for the Atlantic were spread. This new French fleet left Toulon, under command of Cassart, and every time the rumor changed about its destination. In May, the attack was supposed to come to Lisbon, and the home bound fleets from Bahia and Pernambuco might be the casualty, then it was under way to the Colônia do Sacramento from which they would establish a link with the gold mines, and finally everything was put in preparation at Bahia de Todos os Santos, because after plundering Santiago on the Cape Verde islands, Cassart would plunder the Brazilian capital. Eventually, only three French vessels were sighted in front of Rio de Janeiro, but they departed for the South Seas.¹² Only later did the coast clear sign come, when it was noted that Cassart’s squadron had attacked Dutch Guyana.

The war ended in a disaster for the Portuguese population, and so would the peace negotiations. Eventually, Portuguese diplomats were able to negotiate somewhat advantageous treaties, but it would come at a high price and was very precarious. Foreign diplomats were especially interested in negotiating for their merchants to trade directly to Brazil, and even establish themselves in the colony itself. They used the Portuguese king’s precarious position

¹¹ Paris den 2 January, *’s Gravenhaegse Courant*, January 8, 1712.

¹² Lissabon den 24 May, *’s Gravenhaegse Courant*, June 13, 1712; Lissabon den 17 Juny, *Oprechte Haerlemse Dingsdaegse Courant* nr. 28, June 12, 1712; Lissabon den 15 Juny, *Oprechte Haerlemse Dingsdaegse Courant*, nr. 32, August 9, 1712; Parijs den 2 July. *’s Gravenhaegse Courant*, July 13, 1712; Amsterdam den 7 July. *Oprechte Haerlemse Dingsdaegse Courant*, nr. 32, August 9, 1712. This angst was confirmed in the Dutch resident’s letter (Schonenberg) to Fagel (Secretary [Griffier] of the Estates General), Lisbon, June 3, 1712, NADH, SG, Liassen Portugal, 7019.

during and after the war as leverage, and British politicians knew it. According to a notice of the debates in the House of Lords “Portugal seems to be left completely in the hands of Spain, nevertheless the advantages we got from the Portuguese trade during the war, and which commerce can also be to our profit in the future.”¹³ The war ended only in December 1712, when the French, Spanish and Portuguese plenipotentiaries in Utrecht signed an armistice, under condition that all Portuguese troops would be withdrawn from Catalonia.¹⁴ A long and tedious process of peace negotiation started, and the ability to trade directly to Brazil was one of the points held in leverage.

Whereas the peace with the French king came rather smoothly in July 1713, it was the Spanish negotiations that continued to be a headache.¹⁵ As D. Luís da Cunha pointed out the key of Portuguese diplomacy was its relationships with Spain, and even with a peace concluded, a Spanish attack was always eminent.¹⁶ He learned his lessons from Utrecht and the subsequent occurrences. Contrary to most negotiations, the Spanish diplomats demands were published openly in the Gazettes. Not only did the Spanish plenipotentiaries refuse to restitute Colônia do Sacramento, they also demanded restoration of three Spanish vessels from Buenos Aires, two had been confiscated in Rio de Janeiro, and one beached in the Algarve, but they also went back to an age old issue.

“That the king of Spain demands the restitution of all the income taken from the goods of those noble families who left their country and rather recognized Philip IV, king of Spain, than

¹³ Londen den 28 Juny. ‘s *Gravenhaegse Woensdaegse Courant* nr. 81, July 6, 1712.

¹⁴ Lissabon den 13 December [1712]. *Oprechte Haerlemse Saturdaegse Courant*, nr. 3, January 21, 1713.

¹⁵ Announcement of the French peace: Lissabon den 18 July. *Oprechte Haerlemse Dingsdaegse Courant*, nr. 33, August 15, 1713. The armistice with Spain was prolonged at the same date.

¹⁶ D. Luís da Cunha, *Instruções Políticas*, 203.

the Duke of Bragança as their legitimate king.”¹⁷ No wonder that the gazette called the relations “tense,” this point put forward one of the Spanish diplomats strongest card: the Portuguese administration’s fear that the Spanish king still refused to recognize the Portuguese separation. Philippe IV and Louis XIV used this Portuguese fear to pursue their political and economic objectives. The first wanted to deny Portuguese access to the Rio de la Plata region, the second used this to gain access to the Brazilian gold. European tensions had consequences in the Americas. In 1713, the Spanish and Portuguese governments increased tensions by commercial needle picks. In 1714, this escalated to an armed border. Only through mediation did the problem seem that it might come to a solution, however any mediation might come at a price. At first the negotiators looked at Britain, and when this failed, willy-nilly the Portuguese diplomats asked Louis XIV to mediate.¹⁸ The absence of a Spanish peace kept the Portuguese territory insecure, and insecurity seemed to be the norm. Three times peace seemed to be close, and subsequently taken away. In August 1713, “the peace between the Crowns of Spain and Portugal is completely arranged, and a bullfight was postponed” to celebrate the peace. Again in February 1714, “and the expectation is that peace will finally be quickly achieved.” In August, a year after the planned peace festivities, “One has the impression that the difficulties which have delayed the signing of the treaties between Spain and Portugal have been lifted.”¹⁹ But every time all seemed to be

¹⁷ Utrecht den 18 Juny. *Oprechte Haerlemse Donderdaegse Courant*, nr. 25, June 22, 1713.

¹⁸ Both the Spanish and Portuguese governments started to restricted trade, Lissabon den 18 Augusti, *Oprechte Haerlemse Donderdaegse Courant*, nr. 38, September 21, 1713, Portuguese merchants were even ordered to leave Spain, Suite des nouvelles de Londres du 7. et 10 de ce mois, *Supplement à la Gazette de Rotterdam*, November 16, 1713; Portuguese forces were sent to the Spanish border, starting May 1714, De Leide le 15 May, *Supplement aux Nouvelles Extraordinaires de Divers Endroits*, May 15, 1714 (according to letters from Madrid dated April 24, 1714). For English assistance: King João V went even as far to write a letter to Queen Anne of England, Lissabon den 18 Augusti. *Oprechte Haerlemse Donderdaegse Courant*, nr. 38, September 21, 1713. The first open mentioning of French mediation came in August, De Paris le 3 Août, *Gazette de Rotterdam*, August 9, 1714.

¹⁹ De Londres le 18 Août, *Gazette de Rotterdam*, August 18, 1713; De Lisbonne le 3 Fevrier, *Nouvelles Extradordinaires de Divers Endroits*, February 27, 1714; De la Haie le 12 Août, *Gazette de Rotterdam*, August 13, 1714.

going well in Utrecht, another disappointment arrived “some say that the negotiations have never been at such a bad stage, and that they are almost broken off. What is certain is that new orders have been send to the generals at Extramadura and other provinces” [at the Spanish border].²⁰

All came to a grand finale in the first two months of 1715. While the Spanish troops had occupied Barcelona, and were making their final attack on Mallorca, the Portuguese king ordered the borders to be even more fortified. Now the Spanish troops were not necessary in the East, they were sent to the Portuguese border, and an attack seemed ever so imminent. However, foreign intervention seemed to have changed Philip IV’s mind. As João V continued to send reinforcements and fresh recruits towards the Spanish borders, the Portuguese and Spanish plenipotentiaries signed a treaty that was quickly ratified.²¹ However, no complete security was achieved with this peace treaty.

“The Count of Ribeira Grande, extraordinary ambassador of Portugal, had” (...) “a personal audience with the king [of France] concerning the ratification of the peace-treaty with the crown of Spain, for which the Portuguese recognize how they are indebted to the king.”²² It was with mediation of the French king that the Peace Treaty was finally signed and ratified. As such it looked very good for the Portuguese negotiators. They were able to undo any request from the Spanish crown concerning financial compensation, the Colônia do Sacramento would be restituted, there would be compensation to the king of Portugal concerning past debts related

²⁰ De Lisbonne le 12 Juin. *Gazette de Rotterdam*, July 16, 1714.

²¹ About the arrival of Spanish troops: Lissabon den 27 November [1714]. *Oprechte Haerlemse Dingsdaegse Courant*, nr. 1, January 1, 1715; last moment fear: Lissabon den 26 January. *Oprechte Haerlemse Donderdaegse Courant*, nr. 9. February 28, 1715; Arrival news of exchange of treaties: Lissabon den 5. Maert. *Oprechte Haerlemse Dingsdaegse Courant*, nr. 15. April 9, 1715.

²² Parijs den 5 April, *Oprechte Haerlemse Donderdaegse Courant*, nr. 15, April 11, 1715.

to the *asiento* however no compensation was achieved for goods confiscated from Portuguese merchants, and no barrier cities were given to the Portuguese military.

The French mediation had a price: the French diplomats asked and seemingly got direct access to Brazil. As Henry Worseley, the British ambassador in Lisbon wrote before the treaty was finalized:

“the French Ambassador at this Court, who was at that time in Madrid, had full powers to offer his Master’s mediation, and very probably might have given Portugal its peace with Spain, for a beneficial Treaty of Commerce, especially that of trading to the Brazils, which through the convenience of the Governors that nation does already enjoy: almost any French ship that goes to the South Sea, trades there, either going out or coming home.”²³

As Worseley pointed out: there were two issues at stake. French vessels wanted to trade directly in Brazilian ports, and the French government wanted to have stronger economic ties with the Portuguese crown, which would make this trade less illegal. This split became clearer as the Brazilian fleets started to arrive. According to a Dutch gazette:

“the fleet brings 5 million cruzados in Gold according to the registers, apart from what was already minted in Rio de Janeiro, but not the king’s fifth, which was missing for three years already, given that the merchants of Rio de Janeiro have left it there, as they want satisfaction for the suffered damage by the French’s plundering.”²⁴

This account is very likely exaggerated. According to the Dutch resident’s report, a part of the *quinto* did arrive, but less than was expected. A ship was send back to Brazil to get the fifth, but what was happening in Rio de Janeiro that started this rumor? In June 1713, the governor, bishop and treasurer of the Royal Exchequer (*provedor da fazenda*) made a deal that the population

²³ The treaty was published in the Dutch gazettes, see D’Utrecht le 3 Avril. *Nouvelles Extraordinaires de Divers Endroits*, nr. 28, April 5, 1715.; Worseley to Viscount Lord Bolingbroke, October 16, 1714, NAL, SP 89, vol. 23, fl.93^r-94^r.

²⁴ Lissabon den 5 January. *Oprechte Haerlemse Dingsdaegse Courant*, nr. 6, February 6, 2014. The Dutch resident Francis Schonenberg wrote also about this to Fagel, explaining that some gold had not arrived from Minas Gerais, NADH, SG, Liassen Portugal, 7019, January 5, 1714.

should pay back the money they borrowed from the royal treasury to pay Du Guay Trouin.²⁵ In other words the local population, and especially those who owned houses, were made responsible for paying back for the damage. Similar confusion existed as to newly discovered crimes by “the Paulistas, who want to keep it all to themselves and give nothing to the king.” To which the reply went, according to the Dutch resident, “that the Paulistas, or the finders of the mines in about one hundred miles from the old ones, have found again new mines” (...). “have asked for permission to work in them and keep them for themselves, and that the Portuguese who were in the old mines had slowly joined them, promising to promptly pay the royal rights, or *quintos* in a certain amount yearly.”²⁶ Royal authority to tax was hereby negotiated on both sides.

However, the next fleet did not bring any better news. In the winter it arrived, with fewer vessels there was less cargo to take home. The fleets did, again, go without the *quintos*, and the Dutch resident confirmed British rumors that “the letters from Brazil complained all about the bad state of commerce, as no goods are available, especially textiles, while French vessels who are refreshing and repairing in the harbors have brought in so many goods that none are necessary from here.”²⁷ The French diplomats themselves had on other classic explanation “one speaks here openly that the gold mines ruin Brazil, because everyone goes there, and neglects sugar and tobacco cultivation. Moreover, the Inquisition has taken a large amount of Jews in Rio de Janeiro, who were all rich and owned sugar mills and there are more than 25 that are not functioning.”²⁸ Yet the French ministers pursued a policy to trade directly to Brazil and bypass

²⁵ Dated June 28, 1713, AHU, Rio de Janeiro, papeis avulsos, caixa 9, doc 63 (Resgate: 968).

²⁶ De Lisbonne le 4 Janvier. *Gazette de Rotterdam*, January 29, 1714; Dispatch Schonenberg to Fagel, March 1, 1714, NADH, SG, Liassen Portugal, 7019.

²⁷ De Lisbonne le 3 Novembre, *Nouvelles Extraordinaires de Divers Endroits*, November 30, 1714; Dispatch Schonenberg to Fagel, November 9, 1714, NADH, SG, Liassen Portugal, 7019.

²⁸ Dispatch Consul Du Verger to French Secretary of State, October 22, 1714, ANP, AE, B¹ 653, fl.181^{r-v}.

its British and Dutch rivals who traded with Brazil by Portugal. This policy did not go unnoticed, and the permission to obtain a French vice consul in Salvador da Bahia was its most public expression.

In sum, the Portuguese government needed the help of the French king in order to obtain a peace with Spain. In return, French diplomats started to negotiate an economic treaty, and the objective was to obtain more access to the Brazilian market. Early 1715, when the Peace treaty was about to be signed, the French government finally got their permission to send a vice consul to Salvador. Thus the rumor in the Dutch gazettes went

“the notice that one has obtained from Lisbon is that a French consul left on the fleet, to reside in Bahia in Brazil. This provides consternation among our merchants, and this makes them mumble out of fear that the Portuguese have made a secret treaty with France, in which she allows the subjects of that nation to trade directly to Brazil, which would be of a great disadvantage to England, which foreign trade, people say, has been greatly diminished since the peace.”²⁹

This combination was not new. Already in 1711, the proactive D. Luís da Cunha asked the British government to forfeit their treaty obligations that they had the right to establish four trading houses in Rio de Janeiro, Salvador and Recife. Both the Dutch and English governments had negotiated this in the seventeenth century peace treaties with Portugal, and the French diplomats negotiated that they should have the same rights as the Dutch and English. Thus did D. Luís da Cunha argue, if the English and Dutch will abstain from this privilege, the French cannot claim this either. The British government for its turn refused, and even found ammunition

²⁹ De Londres le 5 Mars. *Nouveaux Extraordinaires de Divers Endroits*, nr. 21, March 12, 1715. French policies were indeed directed towards this see for instance: consul Du Verger to French Secretary of State, January 15, 1715, ANP, AE, B¹ 653, fl.20^r-24^v. For a discussion of the French consuls in Brazil see Jean-François Labourdette, *La Nation Française à Lisbonne de 1669 à 1790. Entre Colbertisme et Liberalisme*, (Paris: Fondation Gulbenkian, 1988) 154-158.

for their argument that they should have these commercial houses themselves, which the Portuguese government made difficult.³⁰

Yet once the treaty with the Spanish crown was concluded, the balance of power changed. The first reports of confiscated French vessels in Brazil started to arrive; it was Jean Dansaint's *La Reine de Nantes*, which brought enslaved Africans traded with the governor of São Tomé. Dispatches from the French consul complained that the Count of Angeja, viceroy in Salvador, made his life difficult and he argued that the English were helped better, and in October a Dutch gazette mentioned that "the king has published a forceful edict against the direct trade of foreign nations to Brazil," about which the British ambassador mentioned that the specifically mentioning of five British vessels in Brazilian ports in that decree raised the issue that "a suspicious mind might think they either permit or connive at the French trade, and would fling the Odium of strangers trading thither directly, only on the British nation." The British historian A.D. Francis' remark that the Portuguese government was playing out the French and British diplomats against each other seemed well on the mark.³¹

Once peace negotiations were winding up, the Portuguese government became more empowered to crack down on any foreign trade. Next to the impeding of direct foreign trade to

³⁰ Dispatch Worseley to Stanhope, Lisbon, July 4, 1711, NAL, SP 89, vol. 21, fl.90^{r-v}; Memorandum D. Luís da Cunha to British court, July 17, 1716, BNL, PBA 638, fl.259^r-261^r; Boxer, *Golden Age*, 462-463.

³¹ Confiscation French vessel: Dispatch Abbé de Mornay to French secretary of state, April 9, 1715, ANP, AE, B¹ 653, fl.302^r- 303^r; Treatment of consul Salvador: Dispatch vice consul de Pantigney, to French secretary of state, July 12, 1715, QDO, Cons. & Comm, Bahia, vol. 1, fl. 45^r-47^v; Decree against direct foreign trade: Lissabon den 22 October, *Oprechte Haerlemse Donderdaegse Courant*, nr. 48, November 26, 1715; the decree can be found in AHU, cód. 1193, nr. 11; British comment on decree: Dispatch Henry Worseley to Henry Stanhope, October 18, 1715, NAL, SP 89, vol. 23, fl.304^{r-v}; A.D. Francis, *Portugal, 1715-1808, Joanine, Pombaline and Rococo Portugal as seen by British diplomats*, (London: Tamasis Books, 1985) 5. For *La Reine de Nantes* and its aftermath see ernst Pijning, "Le Commerce Négrier Brésilien et la Transnationalité. Le Cas de la Compagnie Corisco (1715-1730)," *Dix-Huitième Siècle* 33 (2001) 63-79.

Brazil came the harassing of gold exports to foreign nations. A Dutch gazette mentioned from London that “from Portugal came a large quantity of gold, and preparations are made to coin them in the Tower with a new stamp; the first guineas with that of king George.” The Portuguese authorities were not amused, and thus started to inspect foreign vessels for unauthorized gold on board. Some three years later the Portuguese authorities went even so far as opening letters, and condemning merchants to death for their trespassing, of course it was overturned, but the gold exports seemed to be somewhat curtailed.³² It was a give and take, also in Brazil, where the crown had to deal with trading governors and revolting “subjects.” Like on the Peninsula, all depended on the authority of the home government.

At the end of the War of the Spanish Succession Brazilian revolts seemed everywhere: Minas, Rio de Janeiro, Salvador and Pernambuco. After the war, unrest lingered on, as royal esteem was diminished through Du Guay Trouin’s attack. Moreover, a new economy brought about more government, more regulations and new reasons to tax. Just like foreign nationals who challenged Portuguese merchants authority over to the Brazil trade, so did Brazilian traders challenge taxation and commercial regulations, particularly in the mining districts. A Dutch newspaper reported that “in the gold mines were some disturbances, and some even spoke about a formal revolt as a consequence of the introduction of some new taxes for the king.” One should thus not be very surprised as again not all the *quintos* had arrived in time for the 1716 fleet, and

³² Minted gold in London: Londen de 11 December. *Oprechte Haerlemse Dingsdaegse Courant*, December 18, 1714; Searches on foreign vessels: Lissabon den 18 December [1714], *Oprechte Haerlemse Dingsdaegse Courant*, nr.4, January 22, 1715; Death penalty: dispatch Henry Worseley to James Craggs, May 21, 1718, NAL, SP 89, vol. 26, fl.33^f-34^v.

again new vessels were sent to Rio de Janeiro to return with them.³³ Part of the unrest may also have been related to the commercial activities of the governors and high officials.

In 1720 a law was revoked that all governors were allowed to trade.³⁴ Maybe the most notorious case was that of the governor during Du Guay Trouin's invasion, about whom the Overseas Council wrote "as it was notorious that said Governor Francisco Castro de Moraes had obtained a large capital with the Minas Gerais trade, and that he added to this with the bargains with the French through intermediaries after he had surrendered the city."³⁵ He was arrested and sent to Lisbon, much to the chagrin of the people in Rio de Janeiro who wanted to keep him there, because that is where he should be put on trial. Subsequent notices about the governors' commercial activities became public. Finally, in 1718 a very rich fleet arrived from Brazil, including a substantial part for the king, and for the former governors of Angola and Minas Gerais, who "surely will try to hide the large capitals that they have brought."³⁶ Even worse, Dutch gazettes reported that D. João V's brother, Dom Francisco was involved in a contraband scam and so were other members of the high nobility. This became clear after a vessel bound for Rio de Janeiro was filled with illegal goods from Spain, which led to searches in their palaces. All undermined royal authority, and eventually led to an unwillingness to pay taxes. This might

³³ Revolt in Minas: Lissabon den 28 April. *Oprechte Haerlemse Dingsdaegse Courant*, nr.20, May 20, 1716. Lack of the fifth: dispatch Dutch resident Schonenberg to Fagel, December 15, 1716, NADH, S.G., Liassen Portugal, 7020. On this see: (AHU, Rio de Janeiro, p.a. caixa 10 doc. 1038 (resgate)), missing were 17 arrobas out of 30 from Rio das Velhas.

³⁴ The French ambassador found it important enough to communicate: Depeche De Montagnac to Conseille de Marine, September 17, 1720, ANP, AE, B¹ 658, fl.183^{r-v}; For the discussion about this, see the pareceres of Francisco Barretto, the archbishop of Braga, and the Conselho Ultramarino in: Ajuda, 51-ix-32.

³⁵ Consulta Conselho Ultramarino, AHU, Rio de Janeiro, Castro & Almeida, 3315. I like to thank Fernanda Bicalho for this reference. "sendo notório que o ditto Governado Francisco de Castro e Moraes tinha um grosso cabedal com o negócio que fazia para as Minas, e que este se aumetava mais com as compras que por interposta pessoa fez aos Franceses depois de rendida aquela cidade."

³⁶ De Lisbonne le 4 Janvier. *Gazette de Rotterdam*, January 29, 1714. Lissabon den 26 July. *Oprechte Haerlemse Saturdaegse Courant*, nr. 35, July 27, 1718.

have also been correlated to the king's leniency towards the Municipal Council of Rio de Janeiro, which argued that all creditors had been satisfied, after you asked us to repay everything back for the ransacking of the city in 1711.³⁷ International commerce became even more undermined as, again the neighbors on the peninsula remained a threat.

“Todos estes ministros não cessarão de dizer a VS que SMC é e será sempre religiosissima na observância dos tratados, mas tenho entendido que nele e nos mesmos ministros está autorizada aquela perniciosa máxima, que muitas vezes me desse o Cardeal Alberoni, que os príncipes não estavam obrigados a guardar os tratados em que a forçade faze-los tivera parte, senão enquanto convinha aos seus interesses.”³⁸

How eagerly was the Treaty of Utrecht executed? The years between 1715 and 1720 remained tense. The Portuguese king sent troops to the border, when the Spanish king was difficult in executing the treaty in two major points, the restitution of Colônia do Sacramento and the payments for the debts occurred for the *asiento*. As a result, the Great Alliance forces asked the Portuguese king to enter a quadruple alliance against Spain. Still, again this required a favor to protect the Portuguese borders, and hence concessions which weakened the Portuguese king position to curb direct trade with Brazil. Allies needed to be rewarded, for instance by allowing them to establish consuls in Brazil, or lessen obstructions to gold exports.³⁹ All was contested during these five years.

³⁷ Lissabon den 14 February, *Oprechte Haerlemse Dingsdaegse Courant*, nr. 12, March 21, 1719; Lissabon den 21 February. *Oprechte Haerlemse Saturdaegse Courant*, nr. 12, March 25, 1719. Petition Municipal Council Rio de Janeiro to king, July 17, 1719, AHU, Rio de Janeiro, p.a., 1141 (resgate).

³⁸ Breve informação para o sr. António Guedes Pereira, in: D. Luís da Cunha, *Instruções Políticas*, Albertino Diniz Silva ed., 387. “All these officials do not cease to say to your grace that the Spanish king is, and always religiously will adhere in observing the treaties, but I have understood that he and the same officials are authorized to use the doctrine that Cardinal Alberoni had said many times, namely that royals are not obliged to keep the treaties as the execution of them always depends on the convenience to do so.”

³⁹ Sacramento and payments: *Oprechte Haerlemse Dingsdaegse Courant*, nr. 1, January 5, 1717. Strengthening of border, many times, for instance, Lissabon den 28 November. *Oprechte Haerlemse Saturdaegse Courant*, nr. 52, December 30, 1719. Quadruple Alliance: Lissabon den 7 November, *Oprechte Haerlemse Saturdaegse Courant*, nr. 49, December 4, 1719.



Seven years after the publication of Antonil's *Cultura e Opulência das Dorgoas do Brasil*, "the king rode to Mafra" (...) "to lay the first stone for a Capuchin church and monastery, which he will build on his own cost."⁴⁰ There were revolts in Bahia, Minas Gerais, Pernambuco and Rio de Janeiro. Governors enriched themselves in the colonies. The king's own brother was implicated in contraband trade. The French had invaded Rio de Janeiro and traded with the local population during the war, and continued to conduct commerce in Salvador after the war. Foreign diplomats insisted that their support of the Portuguese national territory depended on their nation's merchants access to the Brazilian market. The Spanish kings never ceased to claim Portugal as their own territory, and the local inhabitants in Brazil fought amongst each other over access to its natural resources, and resisted any new taxation. And still king D. João V was not only starting to establish his authority over Brazil, he was even able to invest his overseas income in a prestige object like Mafra. Wars were crucial in diminishing royal authority, and hence the right to tax. Portuguese diplomats and administrators were used to negotiate peace, as well as the ability to tax in incrementing phases, and eventually they became experts in balancing the internal and external dangers and turning their subjects into reluctant taxpayers.

⁴⁰ Lissabon den 16 November. *Oprechte Haerlemse Dingsdaegse Courant*, nr. 51, December 21, 1717.