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DEATH AND THE SURVIVAL OF THE RURAL HOUSEHOLD IN A NORTHWESTERN MUNICIPALITY

I *INTRODUCTION*

Around the middle of the nineteenth century, the municipality of Vieria do Minho had a population of 13,889 inhabitants living in 3,107 households, unevenly distributed among 20 parishes (between a minimum of 160 inhabitants in 32 households and a maximum of 2,375 inhabitants in 505 households)[1] scattered around the *Serra da Cabreira*.

The villagers made their living by closely combining the activities of cattle-raising, agriculture and home-industry, balancing the cultivation of fields (*campos, leiras, cortinhas*), vegetable gardens (*hortas*), orchards and meadows (*lameiros*) in the plains and terraces, with the use of common lands in the hills. They grew maize, rye and beans in plots bordered with vines and olive trees. Chestnuts and honey had an important role to play in the domestic economy, as well as flax which was spun and woven locally by women. Oxen and cows were one of the main assets of the household and could be raised either inside the domestic unit, providing indispensable traction-power, or outside it, when the available land was not enough to support them; sheep and goats appeared to be rather common throughout the municipality;[2] pigs

1 According to the census taken on 1st of January, 1864.

2 As late as 1923, the priest, Alves Vieira, in his monograph (*Vieira do Minho Notícia Histórica e Descriptiva*, Edição do Hospital 'João da Torre': Vieira 1923) referred to the existence of collective herds of sheep and goats (called *vezeiras*) in three parishes: Vilar Chão, Ruivães and Rossas (*op.cit.*, pp.82-84).

were fattened in pig-sties close to the house. Common lands provided fuel, manure and also the main pastures.[3] The water from a dense network of small rivers coming down the mountain was carefully controlled by means of irrigation schemes that allotted the right to use it, during certain days, on several plots of land.[4]

At the centre of the economic and social life was a unit of production which included the house where the members of the household lived, with the pig-sty and the stable next door, the vegetable garden and the orchard nearby; the cultivated fields and the meadows, either close or far away from the house; the plots with chestnut trees (*soutos*) and oak trees (*devesas*), usually far from the house; the common lands in the surrounding hills. This unit was sometimes designated by the word *casal*, when the land was entirely held under perpetual or long-term leases (three-lives lease), or by the words *quinta* or *casa*, both of them implying an owner wealthier than most of his fellow-villagers and commanding a greater amount of land. The word *quinta* denotes a higher economic and social status; in all cases a proper noun was added for identification purposes, almost always the name of the place where the house stood (for example, *casa da Coqueira*, that is the *casa* situated in the hamlet of *Coqueira*).

Being a rural municipality, Vieira do Minho had nevertheless a social structure far from simple. For nearly all the people agriculture offered the only possible way of life. However, there was a wide gap between the absentee landlords and their tenants; between the landowners (*proprietários*) and the landless labourers (*jornaleiros*); between the officers at the local administration (judges, notaries, councillors and the vast majority of powerless, illiterate peasants); between professionals like the surgeon or the pharmacist and the carpenters, tailors, blacksmiths, barbers, shoemakers and masons; between the merchants (*negociantes, mercadores*) and the local grocers (*vendeiros, merceeiros*).

Each household was based upon a kind of subsistence economy, but the eventual surplus of wine, flax, grains, wood and cattle found their way into the local or regional markets. In fact, this

3 However by the late nineteenth century, many of the common lands had already been privatized by means of perpetual leases granted by the municipal council; most of the remaining were submitted to a forestry regime by a law passed in the early 1920s (see, Vieira, *op.cit.*, p.153). For a preliminary analysis of these leases, see M. de Fátima Brandão and Robert Rowland 'Histórica da Propriedade e da Comunidade. Rural: Questões de Método', *Análise Social*, Vol. 15 (1979), pp. 173-207.

4 In northern Portugal these water-rights, as true property-rights, are still a source of conflict and dispute among villagers, which frequently end in the courts.

society was a highly 'monetised' one: debts were a recurrent feature of village life and money was always in great demand to meet the courtroom costs to buy cattle, to pay taxes, to compensate other siblings, to provide for dowries, to satisfy pious legacies or to pay medical services.

Although the municipality of Vieira was situated in a remote mountainous area, it is impossible to think of it as an enclosed world, owing to the lack of good roads and efficient means of transport. There was the parish church with its priests ordained outside that imposed both moral and religious control over the parishioners (regularly checked up by the visiting priests coming from Braga, the seat of the archdiocese) and frequent journeys to Braga were necessary to obtain marriage dispensations. There was the cult of the saints which took the villagers far away from home to attend the religious festivities in honour of the saint of their particular devotion, whose protection had been invoked in times of need and suffering. There were the lawsuits which could be heard by successive appeals in courts further and further away from the head of the municipality. There were the absentee landlords and the representatives of the king or, after the victory of the liberals, of the state, whose offices invested them with extra-local authority and power. There was also the much hated military service, avoided whenever possible. And finally there was the migratory movement to other parts of the country (mainly to Lisbon and to the Alentejo) or to foreign countries (Spain and Brazil).

The picture of Vieira do Minho just drawn above, and in the following sections, is the outcome of an attempt to give a certain order to the data contained in eight notary books and three books of wills, covering a period from the end of the 17th century up to the last quarter of the 19th century. These sources by no means constitute a statistically representative sample. In spite of this, the loose evidence extracted from them permitted the construction of a set of relationships consistent and plausible enough to delineate a certain problem: how did the households overcome the problems posed by the death of one of its members? How were power, authority, property and accompanying obligations transmitted to the surviving relatives of the deceased, and what were their efforts to anticipate the effects of death and to predetermine the terms of the succession to their own property, if any?

Accordingly, I shall present initially the legal context inside which, or in spite of which, different practices can be carried out in order to anticipate and overcome the effects derived from the death of a member of a family. Secondly, I will put together some elements that uncover actual practices by the villagers of the municipality.

II. *Legal Context*

Death is a very personal experience, property is a rather 'personal' attribute, and the problems of disposing of one's property can also be personal problems. Yet, the solution to these problems must conform with the limitations imposed by the legal inheritance system prevailing. In Portugal, for the period under observation, the most important legal constraints in these matters came from the Laws of the Kingdom compiled in 1595 (*Ordenações Filipinas*), until they were replaced by the Civil Code promulgated in 1867.

For the time being, I will leave aside all the questions related to the transmission of seigneurial property derived from royal donations, with the succession to entailed property (which was one of the most important supports of the Portuguese nobility), or with the succession to some kinds of church property where the main beneficiaries were to be found among the nobles. The reason for this exclusion lies in the fact that in the 'community' I was able to trace back in the sources surveyed, the nobility was only incidentally referred to.

The promulgation of the Civil Code did not change the basic rules governing the devolution of property inside the family when one of its members died. Property circulated through a vertical line linking the deceased to their ancestors or their offspring, and along a horizontal line linking the deceased with their brothers/sisters and collaterals, when the members in the vertical line were missing. In both cases the potential heirs to the patrimony were ordered in different, successive degrees, the first ones excluding the next. This sequence was imperative when property was transmitted vertically or was to be followed along the horizontal line when a person died intestate. This meant that each member of the family had obligatory and forced heirs in the first case (which could only be disinherited under circumstances defined by law), or could choose his own heirs in the second case, provided that before dying property had been handed over by means of a donation or a will.[5] However, the legally defined and imposed heirs (children in relation to their parents or their grandparents and *vice-versa*) could not claim the whole patrimony

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5 The Laws of the Kingdom admitted an exception to this rule: the will instituting an infamous person as heir could be declared null by the deceased person's brother, provided that the latter was not even more infamous than the appointed heir, or had not seriously offended the testator (*Ordenações e leis do Reino de Portugal Recopiladas por Mandado del Rei D.Filipe I*, 9th edition, Coimbra: Real Imprensa da Universidade 1824 Liv.IV,tit.XC, pp.154-5).

because one third of it (*o terço, a terça*) was freely disposable.[6]

The immediate effect of death was to invest the heirs as proprietors of the patrimony of the dead person. Nothing being formally said, property would be equally divided among the heirs. Well in advance of death, the law not only appointed the inheritors and determined their respective shares, but it also conferred a certain degree of freedom to the proprietor in disposing of his patrimony. Two extremes bounded these interventions: one could choose to anticipate the effects of death, transmitting the whole property while still alive, or one could prescribe ways for the devolution of the patrimony, to be effective after death; in both cases only death consummated definitively the transmission of patrimony. This preparation for death could begin at any point of the developmental cycle of the household,[7] and no other occasion could be better to start with than marriage.

In fact, the way marriage was arranged between the future spouses and their families determined the way property would be disposed of later when one of the spouses died. Subsequent to marriage, there was a difficult period when decisions had to be made as regards the occupational and marital future of the potential brides and bridegrooms of the household, which in their turn established the way property would be distributed among the siblings. If one of these steps was formally taken (through a dowry or a donation), a will could always be written in order to formalize the property arrangements already ruling the everyday life in the household.

So, what were the possibilities offered by the law in this field? The spouses could simply go to the church and get married straightaway. However, in a community like this where the opportunities outside agriculture frequently meant going away, and the prospects inside the household could be rather gloomy

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6 In 1769, the law of September 9th prescribed the abandonment of this inheritance system, solidly in Portugal at least since the 15th century, and revived common traditions to the old peninsular law. The powers of the testator were substantially reduced by the enlargement of the group of the forced heirs, and by the reinstatement of the old division between acquired property and inherited property, which allowed for different forms of transmission. However nine years later this law was suspended and the previous system restored (see, Inocencio Galvão Teles, *Apontamentos para a História do Direito das Sucessões Português*, Lisboa: Separata da Revista da Faculdade de Direito da Universidade de Lisboa, Vol.XV, 1963,pp.127-134; and João Marcelino Arroyo, *Estudo Sobre a Sucessão Legitimária*, Porto: Livraria Portuense, 1884, pp.68-79, 89-92).

7 An example of the application of this concept to the study of family structures can be found in Lutz K.Berkner, 'The Stem Family and the Developmental Cycle of the Peasant Household: An Eighteenth-Century Austrian Example', *American History Review*, (1972), pp.398-418.

(especially in this area where land was far less abundant than people), marriage tended to be an economic and social arrangement between two households, with emotional reflections over the future spouses. Access to land was guaranteed by the absorption in one of the households involved. But this could prove to be a very risky business because, as soon as the couple got marriage, it was as if the patrimony of each spouse merged together. Therefore, if by misfortune one of them died prematurely and without children, his or her heirs could claim back a larger share than the one brought by the deceased spouse to the marriage. In the silence of the marriage arrangements, the spouses were assumed to be married under the custom of the kingdom (*por carta de metade, pelo costume do reino*), and so the difference between each other's property vanished.[8] When death came and no children had been born to the marriage, the surviving spouse kept one half of the property and the heirs shared the other half. To prevent this, marriages could be celebrated under a marriage contract (*dote para casamento*) that entitled the surviving spouse to retain half of the acquired property and the household of the dead spouse and to receive back his or her own contribution to the marriage.[9] Between these two extremes, many variations were admitted, provided they were formally embodied in the contract made before a notary.[10]

The future spouses could also have a say in the antenuptial property arrangements. They were allowed to give their own property (present or future) to each other by means of a donation incorporated in the marriage contract. The only limits to be observed in this case were the ones imposed in general to any donation: it could not exceed one third of the patrimony of the donator-spouse when there were forced heirs.

Let us now have a look at the property itself. The main distinction here was between movables and fixed property. Movables were devoluted according to a general rule of dividing them in two halves, one for the surviving spouse and another for the heirs; the part for the heirs was equally divided amongst them. Fixed property was subjected to some rules that could not

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8 *Ordenações*, Liv.IV, tit.XLVI, p.80 and *Código Civil*, 1954, art. 1 108.

9 *Ordenações*, Liv.IV, tit.XLVII, p.81 and *Código Civil*, 1954, art. 1 134.

10 The differences between the Civil Code and the Laws of the Kingdom lay less in matters of substance than in terms of the presentation of the alternatives available to write the antenuptial conventions. The Civil Code offered a wider range of alternatives (four different regimes) whereas the Laws of the Kingdom reduced them to two, and it was up to the spouses and their families to choose from either of the two the one that suited them best (see, *Código Civil*, Parte II, Liv.II, Tit.II, secção V).

be overlooked. In fact, three households tilling more or less the same extent of land, and using it exactly in the same way, could be in very different situations when the head of the household died. If the land, the house and other buildings were allodial property, everything had to be divided among the heirs. If land, house and buildings were all held under a perpetual lease, everything was entered in the evaluation of the patrimony to be divided, although this unit could not be materially divided among the heirs. This was partible property and not divisible property.[11] One of the heirs was head of the unit and the others received their share of its value. If the same unit was held under a three-lives lease, nothing was taken into account to calculate the value of the patrimony of the dead person. This meant that the economic unit would pass entirely to one of the heirs (respecting of course the rules of succession agreed before, when the lease had been granted), and the remaining heirs had no legal claims to it whatsoever.[12]

The arguments behind this differentiation were that temporary leases did not constitute a patrimonial asset of the family, since they were granted at the will of the landlord. When they came to an end, there was no assurance at all that the land would be granted back to the family. Nevertheless, it is true that the right to renew the lease was granted to tenants by a set of laws enacted between 1768 and 1770 (4/7/1768, 12/5/1769, 9/9/1769 and 23/9/1770). But things were complicated by the fact that the right to renew the long-term lease was not clearly stated, except in cases where the tenant had benefitted from the property received; in all the other cases, the right to renewal was more a matter of equity than of strict legality. Besides, two conflicting tendencies lay behind this problem: one favoured an equal treatment of the heirs, no matter how different the legal statute of the fixed property was; the other favoured the preservation of a viable economic unit in detriment of the aims of equality. The

11 Land held as *dominium utile* could not be divided without the consent of the owner of the *dominium directum*, and the latter would not be willing to divide it just for the sake of the interests of the tenant (see, José Homem Corrêa Teles, *Questoẽs e Várias Resoluções de Direito Enfitêutico*, Coimbra: Imprensa da Universidade 1851, p.8).

12 For the different treatment accorded to long-term and perpetual leases, see *Ordenações*, Liv.IV, tit.XCVI, pp.169-170 and tit.XCVII, pp.178-79. It is obvious that the restrictive system applied to temporary leases was put aside when land had been acquired during marriage, by means of buying the *dominium utile* from the previous tenant. The law assumed that this purchase had been financed by the common assets of the couple, and therefore a corresponding share of its price should be given to the heirs not entitled to head the lease afterwards.

outcome of these contradictory tendencies would have far reaching effects over the very demographic structure of the household, over the size of the rural unit and even over its market value. And before the precarious nature of the long-term leases was definitively and explicitly rejected by law, the tendency that prevailed must have been largely determined by local conditions.[13]

It is precisely in this field that the Civil Code (1867) really innovates as it prescribed the transformation of all the three-lives leases (always measured in terms of the duration of three lives, for example, the life of the husband, plus the life of his wife, plus the life of one of their children) into perpetual leases, thus giving predominance to an egalitarian tendency.[14]

In contrast, no controversy emerged in the case of land held under a short-term lease against the payment of a rent (*arrendamento*). As the only thing transmitted to the tenant was the right to use another's land, without any particular property right attached to it, it was unanimously agreed by the jurisconsults that rented land was not a patrimonial asset and therefore there was no question of transmitting it to the tenant's heirs.[15]

Combining the basic inheritance rules with the legal statute of fixed property, one can say that there were two conflicting tendencies underlying the functioning of the Portuguese inheritance system. One of them favoured an equal treatment to all heirs; the mechanisms to enforce it were provided for by the institution of the forced heirs, and by the legal assumptions designed to supply for the silence of the proprietor. The other tendency favoured an unequal treatment of the heirs; the differentiated legal statute of fixed property and the institution of the *terço* were its corner stones. Which one of these tendencies prevailed was no longer a legal question, but a matter of concern for individual householders who had to reach a compromise between legal constraints on the one side, and demographic, economic and social constraints on the other.

13 For all these arguments see, Corrêa Teles *op.cit.*, pp.24-25, 101-104, 135-137, 165-169, and also Corrêa Teles, *Digesto Portuguez*, 3rd edition, Coimbra: Imprensa da Universidade 1845-1846, pp.149-156, 171-72.

14 *Código Civil*, 1867, arts. 1 697-1700.

15 See, Corrêa Teles, *Digesto Portuguez*, pp.119-121.

III *Inheritance Practices*

In legal terms, death was an easy event to handle. The dead person ceased to be the centre of a bundle of rights and obligations, and the law ensured that his heirs would replace him, exactly in the same position, as soon as death occurred. But this replacement could be much more intricate than the numerical simplicity of the law suggested.

To begin with, a choice had to be made with regard to the *terço*. To let the legal assumption work was equal to choosing an equal distribution of it among the heirs. To use the legal right to dispose of it demanded a formal contract (a donation, a will or a marriage contract) in which the favoured person was nominated. Everything was straightforward in legal and numerical terms, but what about a rural society where most of the patrimonial assets are indivisible by nature or by law? To make things more difficult, even when property could be divided, an actual division was not always possible or advisable owing to economic reasons. Besides, if the patrimony was not large enough to offer each child an identical standard of living to the one enjoyed by their parents, the attempt to preserve a viable economic unit could only succeed at the expense of the aspiration of some of the siblings to become heads of households on their own. Definitively, there was no optimal solution allowing for the satisfaction of all the interests involved. This can explain the fact that the community surveyed here seemed so prone to conflicts which were continually being taken before the courts, and so highly concerned with the exact evaluation of the inheritance. Children sued the surviving parent in order to receive their shares, siblings contested the division of the patrimony on the basis that they had been defrauded by their own brothers or sisters, sons-in-law sued their wives' parents because the financial marriage arrangements had not been met, the parents of the deceased spouse sued the survivor for the return of the dowry. In the meantime, a lot of people were called to disentangle the messy lawsuits, from lawyers and judges to local experts known by their ability to evaluate and partition inheritances.

The data gathered for Vieira do Minho uncover several inheritance practices, all of them aimed at the preservation of the household unit and its transmission to the next generation as as undiminished as possible.[16] Three main variations are

[16] Pierre Bourdieu ('Célibat et condition paysanne', *Etudes Rurales*, n.5-6 (1962), pp.33-135; and 'Les stratégies matrimoniales dans le système de reproduction', *Annales*, n.4-5 (1972), pp.1105-1127) presents a fundamental approach to the problems posed by the reproduction of a rural household. In both articles he ascribes a pivotal role to marriage in the delineation of the inheritance strategies necessary to the preservation of the unit of the household.

discernable: the first relied upon the celebration of a marriage contract; in the second, a donation played the prominent role; the third, was concretized by means of a will. Let us begin with the first, since it was the only one that could be supplemented both by a donation and a will.

The celebration of a marriage contract involved two different households which agreed to make certain property arrangements with the intention of providing for a new marriage, although not for a new household. Usually one of the spouses received land, the other money, and also the future bride was almost always given a trousseau. The household which gave land absorbed another working partner and submitted to a new head. At the time of the marriage property was also transferred to the newly-weds. Since land in this area was commonly held under a perpetual lease, the spouse who had received land as a dowry was usually the one chosen to retain the lease, as well as to be awarded the *terço*. These decisions produced effects which went far beyond the immediate sphere of the new couple. In the first place there was the transfer of authority and power, along with property, from the old couple to the new.[17] In practical terms, the old couple was reduced to a mere working partner (health permitting) sharing house and table with the younger members, and who could legally enforce the special rights or reservations which foresight had led them to secure in the marriage contract. In second place, this transfer had its counterpart in terms of the obligations burdening property (debts) and of the obligations towards the other siblings. When the resources were sufficient, the other children could marry outside, with the help of the money in the form of a dowry brought to the marriage by the spouse. When resources were in short supply, the prospects of marriage for the others were drastically reduced and the obligations of the favoured sibling towards them increased exactly in the same proportion: the unfavoured had to be cared for as full members of the household, as long as they chose to stay. Sometimes when neither marriage outside, nor permanence inside the household was possible or desired, migration supplied a further solution.

When death was felt to be close the old couple could write a will and have a final say in relation to the property not included or reserved in the marriage contract (for example, clothes, jewels, flax, furniture, money and provisions for pious legacies). At an intermediate point between the drawing of the marriage contract and of the will, if the amount of property

[17] It is true however that even in the case of a marriage contract, this transfer of property, authority and power could be postponed until the death of the old couple. It was only necessary to say so when the marriage contract was being written before the notary. Yet, in general, marriage brought about the change in the positions of the two couples in the household, when the newly-weds acquired the leading position.

justified it or if the antenuptial arrangements did not include the *terço*, the old couple could write a donation favouring whomsoever they wanted to.

However, this way of settling things was a kind of social death for the previous head of the household and respective spouse. And even worse the period of time that elapsed between this social death and the real death sometimes turned out to be a very painful one, because the younger couple failed to respect the terms of the marriage contract. For this reason, a better deal for the old couple consisted of delaying its own social death as late as possible. The longer property was kept in the hands of the old couple, the stronger their bargaining position would become in relation to the inheritors and consequently the easier it would be for them to provide for a peaceful and dignified period until death.

To secure their own rights the old couple could choose to dispose of the patrimony as soon as they thought best, but retained control over it until they died (by means of a donation or a marriage contract where property changed hands only at the time of death). They could postpone the crucial decisions to the last surviving spouse giving themselves reciprocally their own *terços* (therefore sometimes preventing the split of the patrimony after the first death), or they could delay until the last possible moment the important decisions of nominating the head of the household and giving the *terço*.

The last option involved however a great risk: death could strike without warning and leave the household in disarray. Apparently the community was eager to avoid this 'bad death': its members appeared to be committed to prepare for a 'good death' that obliged them to leave their material affairs in good order, for the sake of the survival of their household and of the salvation of their souls.[18] Here lay perhaps the reason behind the tendency to reach a compromise between the anxiety over the future felt by the old and the eagerness to become independent by the young.

Another set of problems was raised in the case of a childless couple and in the case of an unmarried member of the household. The predominant formal arrangement in these situations was a donation. Through this device a new head was appointed for the household and protection was secured for old age, when children had not been born to the marriage; usually the new head was chosen from among close relatives, nephews and nieces being the most probable choice. In the case of an unmarried sibling who had decided, willingly or not, to remain in the household, and by doing so, not to take away the respective share in the patrimony, a donation was a powerful instrument for reinforcing the unit of the household. By means of it the share of the unmarried sibling was reincorporated in the patrimony of the household, after having been legally separated from it as a consequence of the death of one or both parents. The children born to the household, that is the nieces and nephews of the donator, were the usual beneficiaries.

Inheritance practices defined in the terms of a will were the only ones available when sickness brought the prospect of death earlier than expected and in these circumstances they were almost always used to dispose of the *terço* and appoint the successor to the land lease. But the will could also be used by the less well-to-do. When there was no land to dispose of, the personal belongings (a surprisingly high-valued asset of the household was constituted by clothes and linen, no matter how worn out) and the pious legacies afforded a very strong reason to write a will.

Within the broad legal context the delineation of the actual inheritance strategy seemed to depend on the demographic and economic conditions of the household along its life-cycle, on the position occupied inside the household by the person in question, on which of the siblings were expected to survive and on what kind of preparation for and anticipation of death one decided to make. However, a unifying principle seemed to permeate all of them: the preservation of the household as a viable patrimony. Voluntarily accepted (especially in the case of the favoured heir) or imposed over against will (particularly in the case of the unmarried siblings who had to stay in the house), this principle was embodied in very revealing expressions: to succeed to the household (*suceder na casa*), to marry in the household (*casar na casa*), to remain in the household (*ficar na casa*), to establish the household (*fazer casa*). This preparation for death, which in some instances had already begun at the time of marriage and in others only allowed for the hasty writing of a will, was without any doubt a personal matter, although a personal one within the household. Besides, these personal, conditioned choices were rather locally determined by the forms of accession to land and their different forms of transmission. Here lies an important variable to be taken into account in the study of the demographic composition of the household, as well as in the study of the migratory movement. Widening the horizons even more, the analysis of eventually different inheritance patterns, coexisting within the same legal context but representing a response to regional, economic and social variations, suggests a fruitful approach to the understanding of rural Portugal in its transition from the old

[18] This preparation for death was a kind of social obligation for everyone with property to dispose of. The spiritual preparation and provision for death of which every good Christian should be conscious was matched by the material preparation for death, so that when this occurred not only the needs of the soul had been met, but also the household was left in good order. A careful preparation for death was thus essential to achieve a 'good death'. For this concept of 'good death', which combines religious and social requirements, see, Patricia Goldey 'The Good Death: Personal Salvation and Community Solidarity' in this volume.

regime to the liberal society. However, these questions are not directly related to my main concern, the preparation for death, and as such they will have to wait for further consideration in the future.

MARGARIDA DURÃES

TESTAMENTARY PRACTICES IN VENADE (MINHO), 1755-1815

I

It is probably not necessary to recall the importance of death as a subject of investigation in the context of recent historiography, and the countless works published in the last 40 years. Death as a demographic factor; the behaviour of men before death; the preparation to die and the ambiance in which death occurs - these are only a few of the themes which have aroused the curiosity of historians, and led to major contributions by Ariès, Vovelle, Chaunu, Lebrun, Goubert.[1]

The sources used in those works are quite varied. But inasmuch as this theme has been regarded in the perspective of *longue durée*, what has assumed a central place in the course of the last decade is the subject of wills.[2] It is difficult today to deny the importance of wills to the history of *mentalités*, and to

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[1] Philippe Ariès, *Essais sur l'histoire de la mort en Occident, du Moyen Age à nos jours*, Paris: Editions du Seuil 1975; Michel Vovelle, *Piété baroque et déchristianisation en Provence au XVIII. siècle*, Paris: Plon 1973; Pierre Chaunu, *La mort à Paris (XVI., XVII., XVIII. siècles)*, Paris: Fayard 1978; François Lebrun, *Les Hommes et la Mort en Anjou aux XVII. et XVIII. siècles*, Paris and The Hague: Mouton 1971; Pierre Goubert, *Cent Mille Provinciaux au XVII. siècle*, Paris: Flammarion 1968.

[2] See Michel Vovelle, 'Un préalable à toute histoire serielle: la representativité sociale du testament (XIV.-XIX. siècles)', in *Les Actes Notariés*, Strasbourg: Istra 1979.