

The Parlementaires of Bordeaux at the end of the
Eighteenth Century, 1775-1790

by

William Doyle



Thesis for the degree of Doctor of Philosophy of
the University of Oxford

May, 1967



ME. SIRE. ANDRÉ-JACQUES-INACINTHE LEBERTION
 Premier Président du Parlement de Bordeaux, le 10. Juin 1700.
Paris, Barbouche & Fournier 1707

*Illustre Lèbertion, quel français mieux que toi
 Et constamment scrus sa Patrie et son Roi!
 Accepte de nos cœurs la couronne Cinque-
 Tribut que nous devons à ton ame héroïque.*

Gravé à Bordeaux par de Villeneuve 1788

ABSTRACT

of

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An understanding of the nature and role of the parlements is essential to effective study of the French old régime, and of the origins of the Revolution. Much light can be thrown on this question by the study of the magistrates of these courts, their interests, and the conditions under which they passed their lives. The results of such enquiries have the added use of illustrating aspects of aristocratic life not directly connected with the parlements. The study of parlementaires, therefore, has relevance to political, institutional, social, economic, and intellectual history. Too often, studies have been too narrowly tied to their political or social and economic aspects, with no attempts other than the crudest to link them, and the result has tended to produce an unbalanced picture. In this thesis an attempt has been made to bind together all the aspects of the lives of one group of parlementaires, to relate them one to another, and so to present a total view which will make the ways of parlementaires more understandable.

On the eve of the Revolution, there were twelve parlements, and reliable modern work has been done on certain aspects of those of Paris,

Toulouse, Grenoble, Dijon, and Rennes. Research is in progress on Besançon. The parlement of Bordeaux, however, has had no substantial attention since the 19th century. A study of it, therefore, fills out the growing general picture, which may very soon be complete. At the same time, a study of a provincial parlement and its members should help to counterbalance a tendency which is always present in the study of the parlements, which is to think too narrowly in terms of that of Paris, or to see the provinces as taking their lead from there. Provincial issues, provincial problems, and provincial aspirations dominated the parlements outside Paris; and the very singular conditions of life in Bordeaux and its region gave a special complexion to the issues, problems, and aspirations which preoccupied the local parlementaires.

Bordeaux on the eve of the Revolution was famous for its commercial wealth, based on the colonial trade and the export of wine. As well as an economic centre, however, the city was a social, administrative, political, and judicial one. The members of the sovereign court of parlement were involved in the life of the city in all these respects.

The parlementaires were all noblemen, but their extraction was often recent. The family background of most was the legal profession, though their origins and alliances reflected ample contact with the world of commerce. They were among the richest inhabitants of Bordeaux, and they drew most of their wealth from the most honorable source, land. Their combination of nobility, honour, wealth, social contacts and official position made them the core of the governing class of the province. Their self-consciousness in this role was accentuated by their overwhelmingly

local roots and origins.

The professional life of the parlementaires under Louis XVI was dominated by memories and recriminations over the parlement Maupeou, which half the parlementaires had joined. This promoted an atmosphere of uncertainty and mistrust. The qualifications for entry into the court were not rigorous as to knowledge of the law, capacity, morality, or family relationships, on all of which rules existed, but from all of which dispensations were available. Those candidates for membership whom the court rejected, suffered this fate usually not because of defect in their qualifications, however, but rather because of links with the Maupeou parlement. Similar conditions affected those who wished to rise in the hierarchy of the court, though here competition was far fiercer because the opportunities were so meagre; the parlement was the summit of local achievement, but seldom led to careers beyond the province. Within the court, wealth, not talent, was the usual key to progress, as it was also the key to entry in the first place. The price of parlementaire office in normal times fluctuated greatly, being largely determined by the state of the local economy, but in general prices declined without recovery from 1775 to 1790. The bottleneck of ambition in the court gave internal conflicts added bitterness, and a vehemency which often held up the course of justice. Conflicts with the government were another source of delay. The arrangement of the judicial year, haphazard attendance, and inadequate knowledge and capacity on the part of some also played their part in judicial inefficiency, though most parlementaires seem to have been at least minimally capable in their work. The success of the parlement

Maupeou at Bordeaux partly stemmed from the release which it afforded from many of the tensions and frustrations of the traditional parlementaire life; payment, very poor and fluctuating in value, was increased and regularised, and venality was abolished so that advancement was more open to talent and no longer depended solely on wealth.

Landownership was the basis of the parlementaires' wealth and, ultimately, of their social prestige. The magistrates owned many of the best lands in the Bordelais, though property elsewhere was rarer. The parlement was consequently a bitter defender of local property rights in the face of the government. Individually, the magistrates were also active on the market, selling as well as buying; many also sought cheap development concessions from the government. Often this was not so much in order to expand, as to repair estates in constant danger of decimation from a succession law whose main features were division of inheritances and sacrosanct dowries.

The main crop grown by the parlementaires, at least in terms of returns, was the vine. Very delicate and unpredictable, its annual value was conditioned by a series of variables from war to the weather, and could therefore be, at best brilliant, at worst non-existent. Parlementaires ensured against the worst as far as possible by growing on a large scale but scattering their estates, and by profiting from a network of local privileges in marketing which they defended successfully against governmental attempts at abolition. They also diversified their sources of agricultural income by other crops and activities such as cattle rearing. Conservatism characterised their agricultural activity, exemplified in careful account-

ing and the exploitation to the full of all existing sources of revenue, including the variable returns represented by seignorial dues. Such methods were preferred to experimenting with new ones.

Many magistrates also invested in urban real-estate, old and new, which they found very lucrative in expanding Bordeaux. Some had property in the colonies, though returns on this were not always as lucrative as they seemed. There was, however, little investment in public rentes or trade, though as primary producers of the region's major export, wine, the parlementaires understood and worked with the world of commerce. Care in the management of their fortunes was at the root of the parlementaires' position, for it depended on wealth; cases of bad debt among them were therefore uncommon, though most had substantial debts bound up with the transmission of property from one generation to the next. These however could never be regarded as liabilities.

The parlementaires lived on a comfortable scale, with large residences both in town and country, expensively furnished. They were prominent in the intellectual life of Bordeaux, though in this they were losing the near-monopoly that had been theirs earlier in the century. Educated by priests, they were conventionally religious, though many also belonged to mystic sects or masonic lodges. Their libraries contained, beside large legal, classical, and literary sections, a fair cross-section of the advanced thought of the age, and much history. They were very conscious and proud of their local history and traditions.

The parlementaires' position as members of a deliberative body, with access, through the right of remonstrance, to the crown, made them the

natural defenders of local privileges against governmental encroachment. Even when, as in the case of the steady increase in taxation over the 18th century, the government's demands were nation-wide, the parlement proposed purely local solutions to problems thus raised. The reign of Louis XVI saw the parlement of Bordeaux achieve a series of notable victories in its conflicts with the government. However, its opposition to increases in direct taxation proved fruitless, and as a result the parlementaires, acting not so much as magistrates, as tax-paying noblemen, began to search for new machinery of taxation, embodying some formula of consent and therefore by implication, power to withhold consent. From 1779 they were suggesting the conversion of the parlement's ressort into a pays d'états, on the lines of Languedoc, and the parlement seems to have been the source of the idea of local estates which was mooted by the nobility of Guienne in the summer and autumn of 1788. When for their part in the summer of 1787 the parlementaires refused to register the edict establishing provincial assemblies, it was not out of opposition to the principle of representation and consent to taxation, but rather out of a desire that it should not be merely an appearance, without real substance and power; this the government refused to guarantee. This stand, and the views which underlay it, represented the realisation by the most articulate section of the ruling class of Guienne that they did not have the power over their own fate to which they felt their supreme local position entitled them. Without security against the central power, their whole property-based position at the head of local society seemed threatened. The crisis of 1787-88 brought this feeling to the surface. The aim of the parlementaires in these years seems to have been nothing more than to be masters in their own house.

Prefatory Note

It would be both rash and ungenerous for any writer, let alone the author of a thesis of this nature, to claim that his work was his alone. This thesis would not have been possible without the co-operation of the authorities and the staff of the numerous French Archives and libraries in which I have worked. I should like particularly to express my gratitude to the staff of the Archives Départementales de la Gironde, where most of my work was done.

In addition, I should like to state my debt to my friend John Rogister, of Worcester College, for innumerable useful and stimulating discussions on 18th century France, during the course of which many of the ideas put forward in this thesis began to emerge.

Finally, I must express my gratitude to Dr. J.M. Roberts, of Merton College, who has supervised the work for this thesis, read it through in draft, and made many important suggestions about its form and its content. To his initial support and continued encouragement, I owe a great deal.

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List of Abbreviations

A.D.*	Archives Départementales du Département de la Gironde.
A.M.	Archives Municipales de Bordeaux.
A.N.	Archives Nationales.
B.N.	Bibliothèque Nationale
Arch. Aff. Etrang.	Archives des Affaires Etrangères.
Bib. Mun. Bx.	Bibliothèque de la Ville de Bordeaux.
Bib. V. Cousin	Bibliothèque Victor Cousin, Sorbonne.
Bib. Port Royal	Bibliothèque de Port Royal, rue St. Jacques, Paris.

* N.B. Usually, when sources are cited from series 3E of the Departmental Archives, a name will be given in brackets after the number. This is the name of the notary.

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<u>Arch. Hist. D. Gironde</u>	Archives Historiques du Département de la Gironde.
<u>Rev. Hist. Bx.</u>	Revue Historique de Bordeaux et du Département de la Gironde.
<u>Rev. Philomat. Bx.</u>	Revue Philomatique de Bordeaux.

'No Judge, Sir, can give his whole attention to his office; and it is very proper that he should employ what time he has to himself, to his own advantage, in the most profitable manner. . . .

No, Sir, there is no profession to which a man gives a very great proportion of his time. It is wonderful when a calculation is made, how little the mind is actually employed in the discharge of any profession. No man would be a Judge, upon the condition of being totally a Judge.'

(Samuel Johnson, 1775)

1 - Bordeaux and its Parlement

Bordeaux on the eve of the Revolution was the second city of France, with over 100,000 inhabitants.¹ It was at the peak of a European fame unequalled in its history, before or since, which attracted the curious from all over Europe. Under Louis XVI it was visited by the Emperor Joseph II, most of the princes of the French blood royal, and a host of other important if less distinguished visitors. The attraction of Bordeaux was not artistic; although much fine new architecture was transforming it into one of the most elegant of French cities. Even then there was nothing, except for the palatial new grand théâtre, that Paris could not better. Nor was it particularly distinguished intellectual or cultured society that visitors came for - the university was notoriously somnolent, and with Montesquieu had died the only first rate mind that Bordeaux had produced since Montaigne. What attracted the curious was prodigious and unshamed wealth.

'Much as I had read and heard', wrote Arthur Young in 1787, of the commerce, wealth and magnificence of this city, they greatly surpassed my expectations. Paris did not answer at all, for it is not to be compared to London, but we must not speak of Liverpool in competition with

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1. A. Nicolai Essai statistique sur le clergé, les communautés religieuses, la noblesse, la magistrature, la bourgeoisie, les corporations et le mouvement de la population à Bordeaux au XVIIIe siècle (Paris & Bordeaux, 1909) ps.127-8. This estimate is however likely to be questioned by M.J.-P. Poussou of the University of Bordeaux in his forthcoming thesis on Bordeaux society in the 18th century.

Bordeaux¹,

For it was the first port of France, and one of the busiest in Europe.

Of course, it had always been significant as a port. But in the 18th century it was a boom town as a result of the colonial trade - the supplying of tropical colonies and the import and re-export of their products. Sugar, coffee, and indigo were the main products, brought mainly from St. Domingue, Martinique and Guadeloupe in the West Indies, and in a minor way from certain islands in the Indian Ocean.² The volume of trade continued to rise throughout the century. In 1720 the port's colonial traffic was 74 ships, and by 1789 it had risen to 283 ships. Fifty years after the Revolution, the commerce of Bordeaux with the whole world was not as great as that which it had enjoyed with les Isles in 1789.³ It was to this trade that the great armateurs owed their fortunes, among the

1. Arthur Young, Travels in France ed. C. Maxwell (Cambridge 1929) p.1. 60 26th August 1787. For the general picture see A. Leroux Etude critique sur le XVIIIe siècle à Bordeaux (Bordeaux 1921) and the first chapter of M. Lhéritier La fin de l'Ancien Régime et la préparation des Etats Généraux (1787-1789) La Révolution à Bordeaux (Paris 1942).
2. See C.T. Malvezin Histoire du Commerce de Bordeaux des origines à nos jours t.3 (Bordeaux, 1892); P. de Joinville Le commerce de Bordeaux au XVIIIe siècle (Bordeaux, 1937) G. Charpentier Les relations économiques entre Bordeaux et les Antilles au XVIIIe siècle (Bordeaux 1937) R. Boutruche 'Bordeaux et le commerce des Antilles' in S. Denis (ed.) Nos Antilles (Orleans, 1935) and P. Butel 'Le trafic européen de Bordeaux de la guerre d'Amérique à la Révolution' Annales du Midi Jan.1966 pp.37-82.
3. Charpentier pp.25-9.

greatest in France, and certainly the greatest outside Paris; and it was with their profits that, directly or indirectly, the city paid for the embellishments which made it, architecturally, one of the most modern towns in Europe.

Yet this prosperity was not as stable as it was spectacular. The profits to be made from arming ships for the Indies were certainly immense, but the outlay was also very high, and the risks of voyages of 6000 miles or more very great. When war broke out with England, as it did five times in the 18th century, the boom collapsed because the English controlled the seas. The American war of 1778-83 was an exception to this rule, but even that did not go by without loss. Moreover later in the century the French government began to relax the monopoly of trading enjoyed by French merchants in French colonies, much to the alarm of the Bordelais. To exploit the boom therefore was to indulge in speculation on a grand scale, and the excitement and uncertainty which this bred was the predominant atmosphere in the city.

However the colonial boom was only one aspect of the city's economy. It was the superstructure of the edifice. The basis of it was older and firmer, and lay in the export of agricultural produce. The biggest part of the Bordelais was infertile. The landes began almost at the city's western gates and stretched all the way to the sea in the west, and southwards to the foothills of the Pyrenees, a semi-desert of marsh and heathland. They were not so heavily afforested in the 18th century as they are now. Very

thinly populated, they supported mostly large flocks of sheep and cattle, producing in addition resin, wax, and honey. Such products sold well because competition was not fierce and labour costs were low, but only a tiny proportion of the population made their living from the landes and the landes only accounted for a tiny proportion of the wealth of the Bordelais.¹

The only really fertile land in the whole area, suitable for any crop, consisted of the alluvions or palus, along the banks of the Garonne, Dordogne, and Gironde, and at the Bec d'Ambès, where the first two meet to form the third. There was not much of this. Between the rivers and the landes, was a gravelly strip, over one hundred miles long but only a few miles wide, which was hardly more fertile than the landes except for the growing of vines. The vine was one of the most widespread crops of 18th century France,² but because of the unsuitability of the soil to anything else, it was in the Bordelais of especially overwhelming importance.

Since the Middle Ages, wine had been the basis of the local economy. Not only was this due to the peculiarity of the soil, but also to the climate, with its wet springs, hot summers, and long dry autumns. Moreover the situation of the port of Bordeaux in the middle of the producing area made marketing easier, and facility of export stimulated production for something more than a local market.

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1. A.D. C 3159 'Mémoire concernant l'Élection de Bordeaux' 1756.
 2. See C.E. Labrousse La Crise de l'Économie Française à la fin de l'ancien Régime (Paris, 1944) passim.

The result of centuries of development was that by the 18th century winegrowing in the Bordelais had reached an advanced stage of sophistication. The area offered an unparalleled variety of wines within easy reach of the foreign buyer, white or red, sweet or dry, heavy or light. Different markets, it was recognised, preferred different wines, but in the Bordelais there were types to suit every taste.

As a result, the winegrowers were an economic group comparable in importance to the colonial armateurs. They opposed all attempts to restrict the Wine Privilege of Bordeaux, under which local producers were given preference in the export of wine from the port,¹ and they welcomed the commercial treaty of 1786 with England, because of the favourable terms it offered for the sale of French wine in England.² In these things the interests of producers and traders were not always identical. But their interest in peace with England was the same, for wine export, like the colonial trade, depended heavily on the freedom of the seas. Moreover there is no doubt that the wine trade was stimulated by the colonial boom. The volume of wine exports rose between 1766 and 1790 by one third³. Thus wine-growing can not be separated from the boom as a stabler, more constant element in the town's economy. This it certainly was,

1. See below, ps.181-3.

2. Young, Travels p.61.

3. Malvezin, op.cit. t.3 p.276.

historically, but it was booming too in the exceptional circumstances.

One result of the profitability of wine, throughout the century, had been what the government viewed as a dangerous degree of overplanting. They feared overproduction of wine, and underproduction of corn, and with good reason. It was arguable how far the terrain of the Bordelais was good for corn, regardless of how much more profitable wine was. The two factors together were enough for most proprietors, and corn production languished. As a result, even in good years, Guienne could never supply herself completely with corn. In bad harvest years, such as 1747-8, 1772-3 and 1777-8, she came close to famine. The problem was aggravated by the demands placed on the province's main granary, the Agenais, by the colonies, who grew none of their own corn. So the question of food supply was always peculiarly urgent to France's second largest city, with no resources of her own to draw on¹.

The economic tentacles of Bordeaux stretched far, therefore. The West Indies depended on her merchants; the whole Garonne valley, and to a lesser extent that of the Dordogne, looked to the port of Bordeaux as a natural outlet and a natural market. Economically speaking, Bordeaux was a metropolis, at the focus of many trade routes. She dominated the French Atlantic, and she dominated the whole south-west region of France.

1. This point is made, but badly, in R.M. Brace Bordeaux and the Gironde (New York, 1947) passim.

However the economic is not the only sense in which Bordeaux was a capital. Her wealth made her a social centre too, a place to which those in search of a fortune migrated from all over the south-west. Rapidly expanding faubourgs, which made a great impression on Arthur Young, attested the growth of population.¹ The armateurs of the great merchant houses, of whom about 60 were millionaires², dazzled with the sumptuous estate they kept, their huge new houses, and their fleets of ships.³ The town abounded too in amenities to match such pockets, and those of men who, less rich, were still men of substance. The new grand' théâtre was the finest in France, and could afford the most famous performers. There was a public park, a pleasure garden on the Vauxhall model, and many fashionable gaming houses.⁴ The hotels were the most comfortable in the south of France, and the cabs were better than those of Paris.⁵ And while the old centre of the town was full of tortuous streets, dark, dirty, and

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1. Travels ps. 60-1.
 2. Joinville, op.cit. p.161. See too A. Communay, Esquisses Biographiques- Les Grands Négociants Bordelais au XVIIIe siècle (Bordeaux, 1888) passim.
 3. Young, p.60. See too G. de Maupassant 'Un grand armateur de Bordeaux: Abraham Gredis (1699? - 1780)' Rev. Hist. Bx. (1913-14) and E. Bonnaffé Bordeaux il y a cent ans - un armateur bordelais sa famille et son entourage (1740-1809) (Paris, 1887).
 4. See J. Bencazar, 'Les jeux du Hasard à Bordeaux 1701-89' Rev. Philomat. Bx. (1905).
 5. See Meaudre de Lapouyade, 'Impressions d'une Allemande à Bordeaux en 1785' Rev. Hist. Bx. (1911) p.178.

smelly, the newly developed areas had spacious boulevards lined with graceful new houses, and punctuated by handsome squares. To the north of the city, the expanding mercantile quarter of the Chartrons was an eloquent witness to the volume of the port's business. The only unbecoming feature was the Château Trompette, a fortress built by Louis XIV in less placid days to control the roadstead and, more important, to dominate the restive city. But in 1787, when Arthur Young passed through, work had begun on its demolition. The plan was to replace it by an immense and grandiose Place Ludovise which 'would, if executed, be one of the most splendid additions to a city that is to be seen in Europe.'¹

Not that all this decoration was the result of private or even municipal enterprise. Most of it was the fruit of assiduous patronage by the intendants over the century. They knew that Bordeaux was a capital, and they strove to make it a worthy one for a regional seat of government.

The city had always been a capital in a political and administrative sense, as long as it had existed. As in the economic sphere, its geographical position alone ensured this. From the earliest times it had been an important ecclesiastical centre. In the 18th century the city contained 15 parishes, two collegiate churches, several seminaries, a clerically-dominated university, and over thirty regular communities, male and female. Its clerical population

 1. Travels, p.59.

approached twelve hundred.¹ At the head of all this was the Archbishop, lodged in his huge new palace near the cathedral of St. André. His very position at the head of such a hierarchy made him one of the most powerful men in the province. The fact that by this time the Archbishop was always a courtier, who owed his position to his interest at Versailles, increased his political importance still further, and he was frequently employed as an agent of the government, both locally and nationally. At the accession of Louis XVI in 1774 the Archbishop was the Prince de Rohan.² He was succeeded in 1781 by Champion de Cicé.³

The supreme agent of the government in the province, in theory at least, was the Governor. This was an old office which under Louis XIV had become mainly honorific, as a reaction against the powerful satrapies, such as that of the Duc d'Epéron in Guienne, of the 16th and early 17th centuries. The Governor's functions had devolved mostly upon the Intendant. However, in the mid-18th century, as a result of renewed activity by provincial parlements, and the need to overbear them with some majesty, the importance of the office

1. Nicolai Essai Statistique Ch.1.
2. Ferdinand-Maximilien-Mériadec de Rohan, Prince de Rohan-Guéméné (1738-1813). Grand Prévôt de l'église de Strasbourg. 1769-81 Archbishop of Bordeaux; 1789-91 Archbishop of Cambrai; emigrated; subsequently 1st Almoner to the Empress Josephine.
3. Jérôme-Marie Champion de Cicé (1735-1810). 1765 Agent-Général du Clergé; 1770 Bishop of Rodez; 1781 Archbishop of Bordeaux; 1789-90 Garde des Sceaux; emigrated; returned 1802; Archbishop of Aix, 1802-10.

revived. Great Versailles noblemen were appointed governors and entrusted with important political functions in the provinces. The Maréchal Duc de Richelieu, intimate friend of Louis XV,¹ was made Governor of Guienne in 1755, and retained the office until his death in 1788. The government of Louis XVI had a rather equivocal attitude towards Richelieu, and he was not allowed to revisit his province after 1774. But in his heyday, in the 1760s and early 1770s, he had dominated and ruled his province like a viceroy. Even under Louis XVI he sometimes interfered in the affairs of Guienne, and at other times the government sought his advice on them. However, between 1775 and 1786 it was his Lieutenant-Général, the Maréchal Duc de Mouchy,² who performed the functions of governor and made periodic visits to Bordeaux. In prestige and importance - at least when he was present - his position was unparalleled in the province.

The permanent government representative was however the Intendant. He was the head of the everyday administration of the province, with wide powers only circumscribed by the power of other

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1. Louis-François-Armand du Flessis, Duc de Richelieu (1696-1788) Peer of France (reçu 1721). 1725 Ambassador to Vienna; 1738 Lt. du Roi en Languedoc, Maréchal de Camp; 1744 1er gentil-homme de la chambre du Roi; 1746 Ambassador to Dresden; 1755 Gouverneur de Guienne et Gascogne; 1756 captured Port Mahon; 1771 presided at the dissolution of the cour des aides of Paris and the parlement of Bordeaux.
 2. Phillipe de Noailles (1715-1794). Until 1775 known as Comte de Noailles. 1741 Grandee of Spain; 1744 Maréchal de Camp; 1775 Maréchal de France and Duc de Mouchy, Lt. Général et Commandant en Chef de Guienne; resigned 1786; Notable 1787; executed 1794.

authorities to resist his encroachments. The great age of the intendency of Bordeaux was the time of Tourny, in the middle decades of the century.¹ A vigorous and imaginative administrator, he had a hand in everything, and it was mainly he who reshaped the topography of Bordeaux on the spacious scale that can still be seen. Yet his administration was dogged by conflicts with other local authorities, particularly the parlement. Michelieu, not subsequent intendants, succeeded to his power, and the intendency, while remaining the agency by which the administration was directed, had its political importance overshadowed. When in the reign of Louis XVI Dupré de Saint-Maur² tried to implement projects as grandiose as, but no more radical than, those of Tourny, the government was forced to withdraw him by local opposition. His successor, Le Camus de Néville,³ was the last Intendant of Bordeaux, and was too absorbed in his own political ambitions to have much impact on the province.

1. Louis-Urbain-Aubert, Marquis de Tourny (1695-1760) 1714 cons. au Chatelet; 1719 cons. au Grand Conseil & Maître de Requête; 1730 Intendant of Limoges; 1743-58 Intendant of Bordeaux; 1755 cons. d'Etat. On his administration see M. Lhéritier Tourny 2V (Paris 1920).
2. Nicolas Dupré de Saint-Maur (17 -179) 1751 cons. parlement de Paris; 1755 Maître de Requête; 1764 Intendant of Bourges; 1776-85 Intendant of Bordeaux; 1786 Conseiller d'Etat; 1780 Member of Academy of Bordeaux.
3. François-Claude-Michel-Benoît Le Camus de Néville (1750-179) Cons. parlement de Rouen; 1775 Maître de Requête; 1776-83 Directeur de la Librairie; 1783-5 Intendant of Bayonne; 1785-90 Intendant of Bordeaux; Notable 1787. Reputedly the son of the Garde des Sceaux Miromesnil.

The city of Bordeaux itself was governed by the Jurade, a council of six jurats - two noblemen, two avocats, and two merchants.¹ At the head was a maire, who was usually a great nobleman and did not take much part in municipal affairs. The jurats were chosen for a two-year term by the king from a short list of candidates presented to him by a 24 member elected council of Notables. The largest council of the city, the cent-trente, met only seldom on important occasions, so the jurats were the only effective day-to-day government of the city. In fact, they also ruled a sizeable banlieu all around it, and in the guet they commanded the only armed force allowed within the city boundaries. They constituted a lawcourt with cognisance in the first instance of all criminal offences committed in Bordeaux. Nevertheless their freedom of action was circumscribed. On large issues, they were very much the creatures of the government, and under the close supervision of the intendant. Where he did not interfere, the parlement often did, in its capacity as supreme court of the province. There was a long tradition of hostility between the two authorities.

The jurade as a court was merely one among many, for Bordeaux was also a judicial centre. It had three financial courts - in ascending competence the Election, the Bureau des Finances and the sovereign jurisdiction of the Cour des Aides. It had commercial and

1. See H. Barckhausen, Essai sur l'administration de Bordeaux sous l'ancien régime. Introduction to Inventaire-Sommaire des Archives Municipales de Bordeaux, t.2 Livre des Privilèges (Bordeaux 1878) pp.VII-XXXV.

maritime courts - the Bourse (Jurisdiction Consulaire) and the Amirauté. It had a Baillage Présidial, the judicial court of second instance for the whole sénéchaussée of Guienne. The Intendant too had judicial functions. The personnel of the law in Bordeaux must have totalled several thousand. At the top of this scale socially, and at the apex of the judicial pyramid, legally, was the sovereign court of parlement.

* * *

The Bordelais in the 18th century always maintained that their parlement went back to 1451. By article 20 of the Capitulation of Guienne, of 21st June, Charles VII conceded to conquered Bordeaux:

'... Justice souveraine pour connaître, discuter et déterminer définitivement de toutes causes d'appel qui se feront en iceluy país, sans pour iceux appeaux par simple querelle au autrement être traité hors de ladite cité.¹

In age, this made the parlement of Bordeaux the third in France, after Paris and Toulouse, for it preceded Grenoble by a good two years. Grenoble however never accepted this, and until the Revolution the point of honour impeded friendly relations between the two companies. For in fact, a year after the capitulation, Bordeaux revolted and called back the English, and the treaty was forgotten. There is no evidence that the king of France ever had time to set up justice souveraine. Moreover the question never arose after the

1. Quoted in C.B.F. Boscheron des Portes, Histoire du Parlement de Bordeaux depuis sa création jusqu'à sa suppression (1451-1790) 2v. (Bordeaux 1878) t.1 p.6.

second subjugation of Bordeaux in 1453. Sovereign justice over Guienne was attributed to the parlement of Paris. It was only in 1462 that Louis XI created a parlement at Bordeaux, and it was only from that date that it could trace a continuous history.

Its ressort changed little throughout its 328 year history. In essentials, it was the old Duchy of Guienne that the kings of England had ruled. In the 18th century the parlement was the final court of appeal from 30 sénéchaussées or courts of second instance, and hundreds of royal or seignorial courts of first instance. They covered the pays of Gascogne, the landes, Agenais, Labour, Limousin, Périgord, Bazadais, Saintonge, and of course the Bordelais itself.¹ In area this was the third largest ressort in France, and it contained two million or more justiciables.²

They lived under Roman Law, for the most part, but the importance of this was modified by a series of local customs, the most important of which was that of Bordeaux itself. In such places, only when the custom was silent was Roman Law consulted. The parlement was the supreme judicial authority on all the laws of the ressort, written or customary, civil and criminal. It was divided into five chambers. The Grand' Chambre, composed of the senior magistrates of the court, was supreme among these. It took the most important civil cases,

1. Etrennes Bordelaises ou Calendrier Raisonné du Palais, Année 1776 (Bordeaux 1776) Introduction ps. 76-7.

2. Leroux, Etude critique, p.91.

either directly from lower courts or sometimes on appeal from other chambers, and judged them on the pleas of avocats. The two chambres de Enquêtes, equal in attributions, dealt with all other appeals, and in writing. Criminal cases were the concern of the Tournelle, recruited in annual rotation half from the Grand' Chambre and half from the two chambers of Enquêtes. Finally there was the small chambre des Requêtes, whose exclusive concern was with the cases of those with the privilege of committimus, which conferred direct access to a sovereign court for all suits. Appeal lay from its decisions to the Grand' Chambre, so its justice was not really sovereign at all, but merely of first instance. As a result the chamber had low prestige, and indeed in certain parlements was not even considered a fully integral part of the court.¹

At first the court had only one president and seven councillors. Under Louis XVI it had 115 offices conferring full privileges and status.² All except two were venal and heritable. There was a first president and nine présidents à mortier. These latter alone were fully qualified to preside the court in the absence of its chief. Four of them always sat in the Tournelle, the others in the Grand' Chambre. The Grand' Chambre itself had thirty councillors, headed by the Doyen, the eldest serving. Two of them were always conseillers

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1. e.g. at Rennes - A. Le Moy, Le Parlement de Bretagne et le pouvoir royal au XVIIIe siècle (Paris, 1909) p.7. However at Bordeaux they were considered as full members of the parlement.
 2. This is the criterion of selection.

clerks, who could neither be doyen, nor serve in the Tournelle. Also in the Grand' Chambre were the two Chevaliers d'Honneur, who had no functions other than to adorn the court with the dignity of their birth; the office had been created by Louis XIV as a pure financial expedient in 1702. Each of the chambers of Enquêtes had thirty members, including two presidents and two conseillers clerks each; but here a presidency was a commission (though still venal) delegated to a councillor, and did not entitle the holder to preside outside his chamber. The Chambre des Requêtes was made up of two presidents and eight councillors. In addition, attached to no particular chamber, was the Procureur-Général, head of the Gens du Roi, and after the First President, the most important officer in the court, as the king's legal voice. His two assistants the Avocats-Généraux served in rotation one in the Grand' Chambre, one in the Tournelle. There were also the two Greffiers en Chef, who, as keepers of the records, were fundamentally important officers.

Even such a long list of officers, who are the subject of this thesis, excludes many other inferior members of the court: the substituts du Procureur-Général, the numerous greffers and huissiers, the whole staff of the chancellery, and so on. But none of these were part of the effective parlement. None had voix délibérative, that is, a part in the decision-making process of the court. For this reason conseillers honoraires, ex-parlementaires, are also not considered here. This is perfectly in accordance with contemporary practice. For the purposes of then, and now, a parlementaire is

understood as one who participated in the exercise of the court's power.

This power was not purely that of a judge, and it never had been. A parlement was essentially a mixture of judicial and administrative attributions which could not be separated. In the first place the court had an autonomous legislative function within its own ressort. It could promulgate arrêts de règlement the provisions of which were binding upon all justiciables. These arrêts constituted a sort of corpus of bye-laws of local and often transitory relevance and application. Nevertheless they were an important part of government in old régime France. Secondly, parlements had the right of remonstrance. Laws emanating from the king became applicable as soon as they were transcribed on to the registers of the courts who were to administer them. It was a form of publication. When they registered new laws, however, the king's sovereign courts had the right, in remonstrances, to point out defects in them, and suggest improvements. It was a thing, after all, that judges must be presumed well qualified to do, and nobody, not even Louis XIV, ever deprived them of this right.

It was through the exercise of these judicial and legislative powers, normally wielded by an assembly of all the chambers, that the parlements had political importance. The arrêts and remonstrances of the parlement of Paris often had national significance, and, in the 18th century, could affect the course of government policy. This was seldom the case with provincial parlements. However, with

respect to their own ressorts, and affairs which concerned them, provincial parlements often had more power than that of Paris with respect to its own. In Guienne especially, this was the case. Here there were no estates, as there were in Languedoc, or Brittany, to rival the parlement's political importance or diminish its administrative role. The Intendant represented a government hundreds of miles away. His généralité, though the largest in France, was not co-extensive with the ressort of the parlement, so parts of the ressort were under the authority of the Intendants of Auch, Bayonne, Limoges and La Rochelle. More nearly co-extensive was the gouvernement de Guienne, and of course the reason for reviving the office of governor in the 18th century was to cope better than an intendant could with parlements like that of Bordeaux.

The parlement of Bordeaux had a long reputation for independence and resistance to the government. Henri IV had told it caustically that: 'Tous mes parlements ne valent rien, mais vous êtes le pire de tous.'¹ Its conduct in the Fronde seemed to bear him out, for then it had levied an army against the king and raised Bordeaux in open revolt. In 1675, under the great king himself, it led a revolt against increases in royal taxation, and on its defeat, was exiled for 15 years to a series of small towns on the middle Garonne, La Réole, Condom, Marmande. It was perhaps the low-point of its whole history. Yet even after that, the Intendant could write:

1. Boscheron des Portes, 1 p.352.

'Le Parlement est à présent soumis aux ordres du Roy; personne ne songe à s'écarter de l'obeissance, mais il y a si peu d'union parmi les officiers de cette Compagnie et il y a tant de jalousie entre eux qu'il n'est pas possible de pouvoir se flatter de leur faire prendre aucun party dans des temps difficiles; il paroît tous les jours tant de vivacité et de l'inquiétude dans les affaires particulières de la Compagnie qu'il est très à craindre que le même esprit ne régnât dans des affaires générales si le temps changeoit, d'autant plus qu'ils ne croient pas qu'il puisse y avoir d'autre autorité que celle du Parlement, qu'ils veulent tous les jours étendre jusques dans les plus petites choses qui ne les regardent pas et qui sont fort au dessous d'eux.'¹

Times did change, and what the intendant had predicted did come to pass. Nearly half a century later, D'Argenson concluded that: 'ce sont des gens fermes, chauds, ignorants et intéressés ... le Parlement de Bordeaux est une des mauvaises jugeries du royaume.'²

The phase which leads us into our period began in the 1740s. This indeed was the decade when the provincial parlements began to emerge from relative obscurity to play a national role which, collectively, was as important as that of Paris. It is also the decade that saw the birth of the vingtième, which is no coincidence, for the root of the parlementaire conflicts of the later 18th century, was the fiscal policy of the government. Nearly every clash can be traced back to this, directly or indirectly. In the conflicts of the 1750s and 1760s the parlement of Bordeaux did not play as spectacular a role as those of Rennes, Pau, or Toulouse, but it produced its crop of

1. Memoir of 1698. Quoted in Nicolai, Essai Statistique p.75.

2. Quoted in Lhériter, Tourny t.2 p.444.

judicial strikes,¹ qualified registrations of taxation,² and deputations to Versailles.³ It was far from meekly submissive to the government's orders, and it suffered like all the other parlements at the hands of Maupeou in 1771.

The parlement Maupeou is the key to the history of the restored parlement of Bordeaux, at least, until 1786. The experience of living through the breaking of the parlement left a permanent impression on the parlementaires. For after having boldly declared that:

'Les obligations qu'ils ont contractées par leur serment ne leur permettront jamais d'accepter des places dans aucun des tribunaux formés ou qui pourroient l'être en remplacement des parlements toujours subsistans aux yeux de la loi ...'⁴

- the magistrates of Bordeaux joined the parlement Maupeou in greater force than anywhere else in the kingdom. Of the 53 members of the new court, 51 had been members of the old, and the two who had not, had fathers who had.⁵ Largely responsible for this was the exceptional prestige and political skill of the governor, Richelieu, which consisted of a mixture of threats, promises, bribery, and appeals to the loyalty of magistrates. The motives for acceptance seem equally mixed: poverty with some, ambition with others, convinced sentiments of obedience, distaste for exile, and perhaps even with a few, approval of

1. 1761.

2. 1763.

3. 1763.

4. Arrêté du 29 mars 1771. Bib. Port Royal, L.P. 570 (pièce 97).

5. See Appendix 2.

the reform. It is clear that none joined without trepidation, and several tried to change their minds during the first year. But it was too late. By then, their recalcitrant colleagues were in exile, bitterly decrying them, and the old magistracy had been torn apart. The First President de Gascq saw this clearly enough. For the safe establishment of the reform, he wrote to Richelieu, the most sensible of the exiles should not be allowed to return until two years were up, and the 'extravagants', not before six.¹ In fact, the parlement Maupeou at Bordeaux lasted exactly three and a half years, and indeed at that stage the rancours it had caused were far from dead. The restored parlement of 1775 was bitterly divided between restants and rentrés. The scar of la révolution (as Maupeou's reform was known until 1788) was perpetuated until at least 1786 in virulent form, and sporadically until 1789.

It had other effects too. It shattered faith in the security of tenure of judicial office. Certainly the government of Maupeou and Terray intended to pay compensation for suppressed offices, but that did not alter the fact of suppression. And a whole body of political trust was destroyed which had given some stability to the system before 1771. Rentrés no longer trusted restants, who had betrayed them. Restants no longer trusted rentrés, who after 1775 victimised them. Rentrés mistrusted a crown which in 1771 had dispossessed and exiled them. Restants mistrusted a government which

1. Bib. V. Cousin. Papiers Richelieu, No.38 (XVII) f.136
Gascq to Richelieu, 18 février 1772.

in 1775 and the subsequent years of quarreling had abandoned them. So the old and well-founded mistrust among all parlementaires of the government, was intensified; and now as never before they mistrusted each other. For them, politically and professionally, the reign of Louis XVI was a time of unprecedented insecurity.

And insecurity bred off itself. While the political public in Bordeaux and sometimes even in Paris applauded the parlement's victories in the cases of the corvées,¹ the alluvions,² or the Lamoignon reforms,³ as triumphs of law over despotism, they also bitterly criticised the judicial strikes of 1775, and 1781-82, and the constant personal bickering over admissions which so held up the normal course of justice.⁴ As fast as it won prestige in public affairs, it wasted it in private ones. The populace which fêted the return of the parlement in 1775 and 1788 was a fickle friend, as became clear in 1789; but then the parlement had been, since 1771, an equally fickle hero.

Such was the legacy of the parlement Maupeou in Bordeaux; it will become clearer, but it is essential to have some idea of it before we start. Its ramifications transcended political matters, as the restants realised soon after the session of reinstallation of

1. See below ps. 370-377

2. See below p. 147 ff.

3. See below ps. 378-9

4. See below ps. 72 & 107

2 March 1775, when they went on strike as a protest against the rough and offensive treatment they had received from the crowds. What did they hope for by striking?

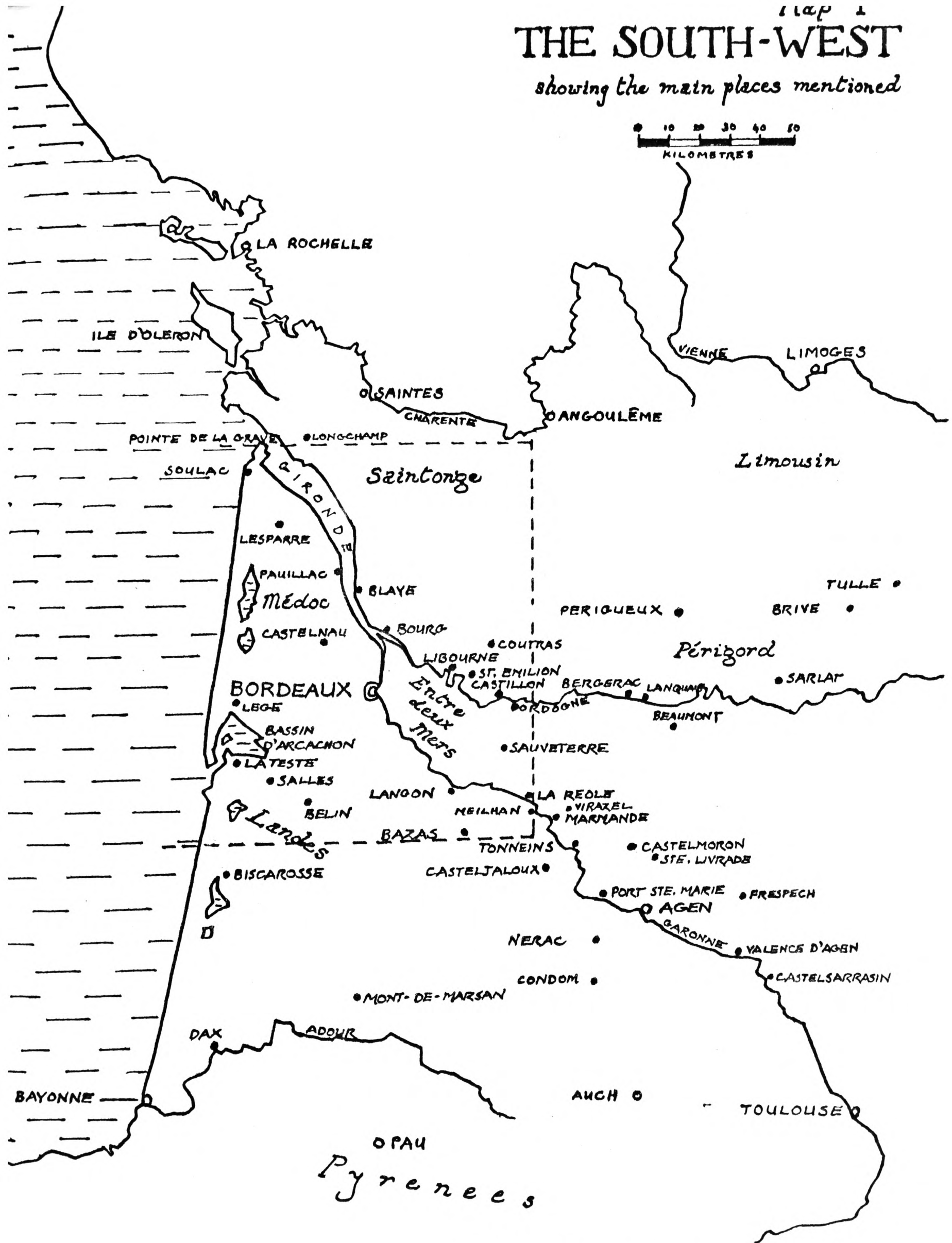
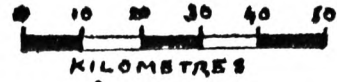
'Les choses les plus honnêtes, les plus simples, les plus raisonnables, c'est leur ouvrir la voye qui peut seule les ramener à leurs fonctions, de leur ouvrir le chemin de l'honneur et de la Considération, qui en est la seule récompense; ils ne respirent qu'après le calme et la tranquillité qui peut seule en assurer l'exercice ... ils sont occupés d'eteindre un germe de division qu'ils craignent de voir transmettre à la posterité; ils cherchent à empêcher qu'un esprit de parti ne se perpetue; que ceux qui entreront désormais dans la compagnie ne soient forcés de l'adopter; et que le Temple de la justice ne devienne pour jamais celui de la division et de la discorde ...'¹

In a word, all that made it worthwhile to be a parlementaire. That much was threatened, it seemed, as a result of Maupeou's revolution. Who then were these men, and what was it that they valued so much in being parlementaires?

1. Arch. Aff. Etrang. Mémoires et Documents. Dossiers France 1588. f. 126vo. Restants to Vergennes, 20 mai 1775.

THE SOUTH-WEST

showing the main places mentioned



NB Broken line indicates area of Map 2.

2 - Origins, Alliances, and Nobility

Throughout the 18th century, and probably throughout its history¹, the parlement drew most of its members from families rooted for several generations in the city of Bordeaux or the pays bordelais. However the prestige of the court always attracted some outsiders. Some parlementaires even came from outside the ressort, like C.J.B.M. Mercier-Dupaty from La Rochelle, N.M. Moreau de Montcheuil from Poitiers, A.J.B. Darblade de Séailles from Perpignan, and several others. There was too a small group of colonials, come to the European capital of the French Antilles; J. Thilorier, P.L. de Raymond and J.B. de Lamolère were born in Saint-Domingue; L.C. Pocquet de Lillotte de Puilhéry, and J.J. Pelet were born in Martinique (though the last named did not grow up there). Similarly the Prunes family had only recently left Martinique, but provided three councillors at the parlement within a few decades.

Most of the non-Bordelais, however, came from within the ressort of the parlement, the province of Guienne and its immediate neighbours. They were so to speak provincials drawn to their local capital and its august supreme court. Parlementsire estates and family seats were so widely scattered² that it is sometimes difficult to decide who fell into this category, but it is clear that in certain cases

1. On the parlementaires in the 17th century, see R. Boutruche (ed.) Bordeaux de 1453 à 1715 (Histoire de Bordeaux, t.4) (Bordeaux, 1966) p.482 ff.

2. See below, ch.7, passim.

men pulled up their roots to go to Bordeaux. Such were the cases of F. Perez d'Artassan from Mont-de-Marsan, E.F.C. Jaucen de Poissac and A. Lafagerdie de Saint-Germain from Tulle, E.J. Chanceaulme de Fonroze from Bergerac, J.E. de Bienassis from Agen, J. de Malet from Périgueux, P.M. Reculès de Poulouzat from Limoges, and L.J. de Mothes from Albret. They tended either to be clerics, whose roots the law loosened by depriving them of substantial patrimony, or ambitious sons of local magistrates, who could go no higher in the society of the little towns where they lived. Doubtless this had been the case at some time with many of the families represented in the parlement. Equally, at any time such families were probably always in a minority. The geographical recruitment of the parlement was overwhelmingly from Bordeaux and its immediate region. Such a common local origin among parlementaires was a most important factor in the court's attitude to public affairs, for it bred a solidarity of interest in the face of the outside world and especially the government.

Not only were the families of the parlementaires rooted mostly in Bordeaux; most were rooted in the judicial society of Bordeaux. Once a family had a representative in the parlement, unless he was a conseiller clerc who could leave no descendants, it became a family tradition. Everything conduced to this: the heritable nature of offices, the local prestige attached to them, and the fact that, unless one ventured off to Paris, the parlement was the summit of social aspiration. One could climb no higher in Guienne than the sénat bordelais,¹ so that families which had got there, stayed there.

1. See below p. 99

Out of 153 parlementaires under Louis XVI,¹ 71 (or 46.4%) were sons of parlementaires. In these fifteen years alone, no less than 21 families had representatives of two successive generations in the court. The bitterest complaints of the restants in the quarrels after 1775 was that the rentrés, who had a permanent majority at the assembled chambers, had declared that they would not allow the sons of restants to become members of the court.

'L'espoir le plus flateur des magistrats,' they wrote to Vergennes in 1778, 'qui ont vieilli dans le pénible exercice de leurs fonctions, est de Transmettre à leur posterité, le rang qu'ils ont occupés dans la Société; une proscription qui s'étend jusques sur nos neveux, nous enlève aujourd'hui une si douce et si légitime satisfaction; le signal vient d'en être donné ...'²

In fact, only the sons of C.J. Drouilhet de Sigalas and J.S. de Laroze were finally excluded by such manoeuvres, and they had the additional stain of having been intrus in the parlement Maupeou, with no previous career in the old parlement. But there were long struggles before C.A. Domenge and J.B.V. de Lorman could secure the acceptance of their respective sons. Such a systematic proscription, as they pointed out, undermined the whole pattern of parlementaire recruitment.

It had gone on in this/^{way}for generations: 46 of the parlementaires representing 33 families could boast paternal grandfathers in the

1. I have no information on the background of nine magistrates.
2. Arch. Aff. Etrang. Mémoires et Documents. Dossiers France 1589 f. 31 Restants to Vergennes, 27 juin 1778.

parlement, and 29, representing 19 families, could boast great-grand-fathers. However only 14 or so¹ could lay claim to more than four generations in the court. Among these were the presidential families of Le Bethon, Gascq, Gourgue, Lavie and Verthamon, for meteoric rises to presidential rank were not normal (as C.J.B.M. Mercier-Dupaty found to his cost²) but the result of long association with the court. Even this was hardly enough without the money to buy presidencies and maintain their appropriate state however, and the Cursol, Castelnaud, Leblanc de Mauvezin, and Laboyrie families, all with long histories in the parlement, longer than say the presidential Gazeaux or de Lancres, never provided more than councillors. Similarly the Filhots, one of the largest and oldest of the parlementaire clans of Bordeaux, only obtained their first presidency in 1789.

The other side of the picture is that most parlementaires came from families relatively new to the court, and the majority did not go back in note beyond the century. For however strong the tradition of maintaining a place in the parlement, it was not rigid. Some families passed out of parlementaire circles, often on to military

1. Not disposing of the time to pursue thorough genealogical research into all these families, I have relied heavily (though not exclusively) on P. Meller, Armorial du Bordelais, Sénéchaussées de Bordeaux, Bazas, et Libourne 3v. (Paris 1906). Even this is far from detailed and some of its statements seem, prima facie, suspect. In view of this, all the figures above are the reliable minimum. But I do not think that completer information would alter them dramatically.

2. See below, p. 81 ff.

traditions. Still more became naturally extinct. So on our list we do not find the names of Ségur, Lecomte de Latresne, Dalesme, Pontac, Dalbessard, Lalanne, Pichon, Bacalan, Guyonnet or Secondat de Montesquieu, all of which families had provided distinguished members of the parlement in the first half of the century or earlier. Some still had living representatives, male or female, some not. It was their places that the newer presidential families like the Picards had taken, which in turn left room for families that were totally new to begin a parlementaire tradition of their own, and the relative newcomers were always in a large majority. As we have seen, just over half were not even sons of parlementaires.

Nevertheless a fair proportion of these were from legal families. 11 were sons of members of the cour des aides, and some of those who did not have paternal grandfathers in the parlement, had them in this court. Altogether 19 had paternal ancestors there, for, as Pierre Bernadau¹ put it: 'C'est là où vont se décrasser de roture et d'ignorance ceux qui veulent faire entrer leurs enfants au Sénat.'² Another 9 were sons of trésoriers de France,³ who made up the bureau

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1. Pierre Bernadau (1762-1852) Avocat, publicist, polygraph, Historian of Bordeaux, published over his lifetime many works on local topics. His Tablettes are a prime MS source for the years 1787-89 and beyond. But the information that they contain is of variable reliability, and the judgements often malevolent. Used with caution, however, they are a valuable source.
 2. Bib. Mun. Bx. MSS 713 (Sér.1) V Tablettes de Bernadau, p.338 2 octobre, 1788.
 3. Three of these not of Bordeaux.

des finances, and 9, sons of members of lower courts either in Bordeaux or elsewhere in the ressort. The fathers of 11 more, though parvenus almost by the definition of the offices they held, had moved on the periphery of robe society as secrétaires du Roi in the chancelleries of sovereign courts. A further 5 were the sons of simple avocats. Clearly most magistrates would have lived in a legal atmosphere from their earliest childhood, even if not all could be classed as inevitable parlement men.

So it was from families of lawyers, families of office-holders, that the great majority of the parlementaires came, and within this majority, most were from specifically parlementaire families. This pattern of recruitment shows no striking difference from that found in other parlements.¹ But what of the non-parlementaire, non-legal, minority? Did the court's situation in mercantile Bordeaux give any special minority features to its pattern of recruitment? At first sight, merchant fathers do not appear numerous. Only seven magistrates certainly had négociant fathers, and two of these were not from

1. e.g. Dijon: A. Colombet, Les Parlementaires Bourguignons à la Fin du XVIIIe siècle (1775-90) (Lyon 1936) p.42; Paris: F. Bluche Les Magistrats du Parlement de Paris au XVIIIe siècle (1715-1771) (Paris 1960) Sect. 1, Ch. 5; Rennes: J. Meyer, La Noblesse Bretonne au XVIIIe siècle 2v. (Paris 1966) II p. 956; Toulouse: P. de Peguilhan de Larboust, Les Magistrats du Parlement de Toulouse à la fin de l'Ancien Régime (1775-90) (Thèse de Diplôme de la Faculté de Lettres de Toulouse, 1965) ps. 33-6. The latter was kindly lent to me by permission of the author and Professor J. Godechot.

Bordeaux.¹ Possibly one or two more concealed under the title of bourgeois or even écuyer their true position in the world. However, hidden here is a problem of classification. Of the eleven sons of secrétaires du Roi, most can be classed as sons of merchants, for that office had virtually no functions, conferred immediate complete nobility, and sold very dear.² It was a rich businessman's office. So in fact G.J. Saige, father of an avocat-général, was a secrétaire du Roi, but at the same time the richest trader in Bordeaux.³ Jean Pellet, father of the two Pelet brothers, was in the same class.⁴ J.C. Dubergier de Favars, whose father was a secrétaire du Roi, was a member of the great mercantile Dubergier family, one of those which dominated le haut négoce of Bordeaux throughout the century.⁵ If we look at it in this way, we can say that at least 15 magistrates had fathers in trade, and possibly more. This makes a proportion of

1. The seven families were: Barbeguière, Darblade de Séailles, Féger, Lafargue, Laporte-Paulliac, Perez d'Artassan, Roche de Lamothe. Of these, Darblade came from Perpignan, Perez from Mont-de Marsan.
2. See below ps.125-8, and graph of office prices.
3. A. Grellet-Dumazeau, 'La Société Bordelaise sous Louis XV et le Salon de Mme. Duplessy (Bordeaux & Paris 1897) p.298.
4. J. Cavignac, Jean Pellet, commerçant de gros: contribution à l'étude du négoce bordelais au XVIIIe siècle (Positions des Thèses de l'Ecole des Chartes, 1962) t.2 ps.360-3. There is a typed copy of this thesis at the Departmental Archives, Bordeaux.
5. M.V. Labrague-Bordenave "Histoire des Députés de Bordeaux au conseil du commerce au comité national, et à l'agence commerciale à Paris 1700-1793" Actes de Académie Nationale des sciences, belles-lettres et arts de Bordeaux 3e série 51e année (1889) p.351.

nearly 10% which, though not large, was probably the largest in any parlement of France.¹ And when marriages are considered, as we shall see, the links between the parlementaires and the world of commerce emerge as even stranger than this would imply.

The other significant field of recruitment was among families of what might be called local notables. The Bergeron, Biré, Boucaud, Brach, Demons, Degères, Lamouroux, Lasalle, Ragueneau, and Raymond de Sallegourde families, for example, were of noble gentlemen of leisure, who did not have long parlementaire traditions. Not all were settled in the immediate neighbourhood of Bordeaux; but their names were distinguished and looked upon by their colleagues as an adornment to the parlement. Many of these families had military traditions, and among the fathers were at least six chevaliers de Saint-Louis and even a maréchal de camp to the Elector of Bavaria.² The fathers of five magistrates had also served as jurats of Bordeaux, mostly in the capacity of avocat or gentilhomme. This office, though a mark of distinction, was not considered equal to that of a parlementaire, and when L.J. Demons, conseiller honoraire, accepted office in the jurade in 1781, the parlementaires considered it unworthy of him.³ On the social ladder, the jurade

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1. Certainly larger than Toulouse, Dijon, Rennes, Grenoble, and Paris.
 2. J.M. de La Colonie (c1670-1759) father of the doyen J.F.A.M. de La Colonie.
 3. Bib. Mun. Bx. MS 1201 (Correspondance Duplessy) boîte 9. 20 août 1780.

came before and below the sénat.

So far we have only considered the male side of the parlementaires' background. How far does the pattern of marriage serve to confirm the picture which has emerged? Marriage is ancestry in the making, and while it is often difficult to ascertain the background of the mothers of the parlementaires without disproportionately long researches,¹ the extraction of their wives is clearer.

We are concerned with 162 persons. Of these, I have been able to discover nothing about 20, not even whether they married or not. The wives of 8 more are just names. Of the rest, we may discount 10 genuine conseillers clercs who, being Catholic priests, did not marry. Another 11 remained bachelors, at least while they were parlementaires. Possibly some of the unknowns, especially the young ones, did so too. What happened to them after the dissolution of the parlement does not concern us, though it is certain that at least two of the 1790 bachelors married subsequently. On the positive side, I have discovered or deduced the existence of 123 first marriages, and 14 second marriages. Some of the latter, but only a small minority, were post-revolutionary.

1. Below, p.34, I give at least 50 as the number of mothers from parlementaire families. The imprecision of this figure derives from the scanty information, often merely a name, which I have on many of the parlementaires' mothers. One or two I suspect on the basis of name alone to be of parlementaire family. It seems incredible too that some mothers, whose names, even, I do not know, should not be of parlementaire family.

The largest number of wives were not daughters of parlementaires, but of other noblemen and notables. There were 45 of these, and their fathers ranged from marquis, maréchaux de camp or jurats of Bordeaux, to simple écuyers, often of very recent extraction. By comparison, only 33 wives were daughters of parlementaires. However, 9 of the 45 came from families which had recently provided members of the parlement, so in fact we can say that in extraction, noble wives were fairly evenly divided between 'robe' and 'non-robe'. In social terms there was no rift between 'robe' and 'sword' in Bordeaux. They intermarried freely. This indeed was the pattern all over France in the 18th century.¹ However, this should not be carried too far: there were no marriages with the greatest families of the area, the Richelieu, the D'Aiguillon, the Lesparre, the Duras, the Latour du Pin. These moved in the Versailles circle, which parlementaires did not. It was from the nobility of the second rank, the resident nobility, that the parlementaires drew their wives. Nor was it a step up for them - such matches were between equals in esteem. The result of this process, over several generations, was that, whereas not all parlementaires might be related to other Bordelais noblemen, nearly all the others were related to parlementaires, since at any time the parlement constituted about one third of the nobility of Bordeaux.² Such tight links were of inestimable

1. F.L. Ford, Robe and Sword (Cambridge, Mass. 1953) p.143.

2. See below, p. 46

importance when the nobility came, in the last years of the old régime, to concert its action.

Intermarriage among parlementaire families was one of the oldest and most dominant characteristics of parlementaire society.¹ Strictly, it created problems under the ordonnances, which forbade relationships within certain degrees within the parlement.² However, dispenses d'alliance were easily obtainable; indeed they seem never to have been refused. Thus the 33 matches I have discovered involving the daughters of parlementaires were the last generation representatives of an old tradition. The mothers of at least 50 of the parlementaires were themselves from parlementaire families, and so it went back. The result of this pattern, stretching over several generations, was that the parlementaires were very closely bound together by a web of cousinhood. There were few parlementaires who did not have some relative, however distant, in the parlement with them. The longer their family had been providing members, the more relatives there would be, and the more likelihood indeed of actually marrying one. The family of Verthamon is an extreme example. It provided two presidents under Louis XVI, who both had wives of

1. See Histoire de Bordeaux t.IV, pp.484 ff.

For Toulouse, see J.C. Paulhet, 'Les Parlementaires Toulousains à la fin du XVIIe siècle' Annales du Midi, (avril 1964) p.195.

For Dijon, the implication is in G. Roupnel, La Ville et la Campagne au XVIIe siècle (2nd ed. Paris 1955) Sec. 2, Ch. 3, passim. For Paris, See Bluche, op.cit. Ch. 5, passim.

2. See below, p. 64

parlementaire extraction. Of four daughters in the last parlementaire generation, three married parlementaires. And all the Verthamons were descended from J.M. de Verthamon, councillor 1715-1767 and his wife Catherine de Verthamon, who was also his aunt,¹ and the daughter of a Paris parlementaire. Councillors J.B. Dalphonse, P. de Gères de Loupes, P. de Raymond de Lalande, and P.L. de Raymond all married wives with the same paronymic. In the last case, councillor P. de Lamontaigne noted that:

'Ce monsieur de Raymond, originaire de l'Amérique, est frère de la femme de M. le comte de Raymond, seigneur baron Ryons, frère de M. de Sallegourde et oncle de la nouvelle mariée. Ainsi le nouvel époux est beau-frère et neveu de M. le comte de Raymond et sa femme se trouve aujourd'hui sa nièce et sa belle-soeur.'²

We can add that both her father and her new husband were parlementaires. In the parlement as a whole under Louis XVI, 15 magistrates could count sons-in-law in the court, among whom one had 3, and two others, 2 each. No less than 57, over one third of the court, had brothers-in-law among their colleagues. One had 4, 5 had 3, and 10 had 2. This was merely one generation; the cousinhoods which resulted from such conditions over a long period stretched so far and were so complex that it is impossible to give any precise

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1. G. O'Gilvy Nobiliaire de Guienne 3v. (Bordeaux 1856-83) t.2 'Verthamon'. O'Gilvy is full of errors, but this entry, insofar as I have used it, is accurate.
 2. F. de Lamontaigne, Chronique Bordelaise 1757-1784. ed. P. Courteault (Bordeaux 1926). The contract, of 7 février 1783, before Chalu, notary, is in the Etude of Me. Jondrau, Cours de Verdun, Bordeaux. He was kind enough to let me see it.

idea of them. In this sense, the social composition of the parlement of Bordeaux, as of others,¹ was dominated by dynasties, to which it was of great prestige to attach oneself. Dynasties of course rise and fall. The reign of Louis XVI saw the extinction of that of Gasco, and the more ancient ones of Pontac, Dalesme, and Caupos represented only by females marrying into more flourishing families. At the moment of its dissolution, the parlement's greatest dynasties were those of Verthamon, Darche, Marbotin, Filhot, and Castelnau.

Marriage into the 'robe' outside the parlement was rarer, and especially so outside Bordeaux. President J.B.M. de Verthamon married the daughter of a président à mortier of the parlement of Pau; Dupaty married the daughter of a councillor at the chambre des comptes of Paris, the sister of the famous Paris parlementaire Fréteau de Saint-Just; Councillors J.B.F. Dumas de Fonbrauge and J.B. de Lamolère married two daughters of L.H. Godet Dubrois, councillor at the conseil souverain of Guadeloupe. But this was all, in the circles of superior courts outside Bordeaux. On the other hand, 5 parlementaires married daughters of members of the cour des aides of Bordeaux; and 3 married daughters of trésoriers de France. A.J. de Minvielle married the daughter of an officer at the présidial, and J.B. de Taffard married a daughter of the judge of the seignorial jurisdiction of Salles. But matches at such levels in society were rare, and parlementaires who sought wives from the legal world

 1. Toulouse - Larboust p.38; Paris - Bluche ch.5 passim; Dijon - Colombet p.58; Rennes - Meyer p.955-6.

generally did not look outside the ambit of the ennobling courts, or outside those of Bordeaux.

A fair number, however, the third largest group, sought wives in the world of commerce. In this we may include, for the reasons explained earlier,¹ the secrétaires du Roi, who were usually merchants. So 25 parlementaires had fathers-in-law in commerce, of whom 12 were secrétaires du Roi. This, one fifth of the known marriages, is a strikingly high proportion, and only adds to the evidence of strong links between the world of commerce and that of the parlement. Nor were such matches always in the literary tradition of poor noblemen marrying pour redorer le blason. More often they were marriages of parlementaires of relatively short lineage into families of similar age and only one step behind on the social ladder. The older a family was, in general, the less likely it was to seek a match in le négoce. Yet rules are hard to make. One has only to cite the spectacular example of the Saige family. G.J. Saige, secrétaire du Roi, married his daughter to P.E. de Cazeaux, président à mortier, and his eldest son the avocat-général to a Verthamon daughter. Her sister married the son of the first president. Another married Councillor L.J. Demons. So the Saige family linked itself in a few years to some of the greatest families in the parlement. The same happened when J. Pellet, secrétaire du Roi, married his two sons, both councillors, to noble wives. One was thereby linked at once to

1. See above, p.30.

the family of the First President.¹ Indeed this is one of the most important results of close intermarriage between parlementaire families; when an outside match was made, the outsider was at once accepted and absorbed because he acquired not just a wife, but a host of relatives in the parlement. The world of the parlement was not closed to non-nobles or non-parlementaires because it was inbred. This inbreeding actually had the effect of making it easier to enter and be accepted.

What all the groups of wives surveyed so far have in common, is their local origin. Parlementaires seldom went far for a match. The greatest exception to this rule is that of the heiresses from Les Isles. In 1757 Mme. Duroy wrote to Lamontaigne:

'M. Roland /councillor 1763-6, président aux Enquêtes 1766-83/ se marie, du moins on me l'a dit, avec cent mille francs et mlle Tilaurier, vous ne la connaissez peutetre pas c'est une grande demoiselle née au dela du tropique bien élevée....ce...vent de sudouest nous doit amener au moins 45 vaisseaux de retour de la martinique chacun de 400,000" voulez vous qu'on vous arrete quelqu'une de ces cargaisons a condition d'epouser non pas le vaisseau mais quelqu'une de ces demoiselles qui s'ennuyent de rester filles aux isles.'²

In fact 14 of the parlementaires under Louis XVI did marry heiresses from the West Indies or the Ile Bourbon. Their fathers would send them to France for an education and a husband. They would then wait in a convent in some port like Bordeaux while eligible

1. Cavignac, Jean Pellet, 2 p.311.

2. Bib. Mun. Bx. MS 1696 (Fonds Lamontaigne) 2- Correspondance No. 3. Letter undated, but the marriage referred to took place in 1757.

young men bade for them; and bidders were not rare, in view of the proverbial wealth of Les Isles. The daughters of Godet Dubrois from Guadeloupe struck particularly deep roots in Bordeaux. Their father sent them to Europe with specific instructions to marry neither a merchant nor an officier de finance, but preferably parlementaires.¹ The marrying of the second is chronicled in a series of letters from her to the husband of the first, councillor Dumas de Fonbrauge, as she waited in 1770 in the couvent de la Visitation for a husband. She was courted by two parlementaires, and three relatives of parlementaires in the space of a month, before she eventually gave her hand to councillor de Lamolère. The third married, some years later, E.J.B. de Brivazac, himself the son and brother of magistrates. Lamolère was of course himself from Les Isles, and if the distribution of colonial wives among the magistrates has any particular features, it was that colonial parlementaires, like councillors Lamolère, Prunes Duvivier, and Thilorier, often married colonial wives.

There were a few parlementaires who married utter foreigners, such as President P.M.A. de Lavie or councillor B. de Basterot, who both married twice, and who each married Irishwomen. The naturalised English merchant, John Collingwood, secrétaire du Roi,² married two

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1. M.D. 8J 480 (Fonds Bigot) Correspondance Dumas de Fonbrauge. Godet Dubrois to Dumas, 25 juillet 1770.
 2. Information on him and his family in the private fichier of M. Alain D'Anglade, sous-archiviste at the Departmental Archives. Recherches sur la Compagnie des Conseillers Secrétaires du Roi Maison et Couronne de France à Bordeaux (XVIIe et XVIIIe siècle) f.99, which he kindly put at my disposal.

daughters to magistrates, councillors F.J. Chaperon de Terrefort and J.J. de Laliman. However, his daughters can only be described as foreign in a restricted sense. President N.P. de Pichard went as far as Paris for both his wives. But these matches and the colonial ones are only exceptions to the rule that wives were drawn overwhelmingly from the Bordelais. Similarly there were few exceptions to the rule that wives were noble, and even fewer to the rule that they were rich. Such examples were scandalous. In 1784 P. de Richon, conseiller honoraire and 61 years old, married 'une dem.lle. Seignoret, du Chartron, agée de 36 ans, de basse extraction, sans agrément et sans fortune.'¹ She had already borne him two illegitimate children.² The incident won the dry disapproval of councillor de Lamontaigne, who reported it. Doubtless his colleagues felt similarly.³

The word most often used by French historians to describe parlementaire society at the end of the old regime is fermé. On the basis of this short survey, can we say this of Bordeaux? Certainly not, and for two reasons. First, the figures speak for themselves; over half the parlement's members were hommes nouveaux. Less than half of them married into magistral families. Admittedly most were not new to legal society, or venal office, and to that extent there is

1. Lamontaigne, Chronique p.147 (1784).

2. A.D. 4L 116 Contribution Patriotique: demande en décharge, 1796.

3. On the mechanics of marriage, see below, ch.15.

a certain degree of homogeneity in families of extraction, but the law cast its net over a very wide range of society: there was little in common between a councillor at the parlement and, say, a greffier à l'élection de Guienne.¹ Moreover we find significant marriages and recruitment from outside these circles, notably from trade. But secondly, would 'closed' be the right description even if the parlementaire element were much stronger? The word implies a conscious effort to exclude hommes nouveaux, and even in other parlements, where the recruitment has been shown to have been in similar proportions to Bordeaux,² the existence of such an effort has not been demonstrated, but only inferred. Narrow would be a more appropriate word; for most members of society had not the combination of money, prestige, and ambition to aspire to the parlement; but none of these prerequisites were of the court's deliberate making. Nor was the fact that the biggest group in a position to attain the parlement, was that of the parlementaires themselves. Far from closed, the parlement was open to all who could reasonably aspire to membership, and all a family needed in order to reach this stage was money, from which all else followed. This argument can be extended to much of France. Moreover, on the test of statistics, it has already been shown that the parlements as a whole admitted under Louis XVI a majority

1. Office occupied by the father of J.S. de Laroze, councillor.

2. e.g. Dijon, 45 parlementaire families out of 120, - Colombet p.42; Toulouse, 38% parlementaire families, - Larboust p.35.

of hommes nouveaux.¹

There is however one way in which a conscious effort to exclude has been noticed among the parlements. This is in the sphere of nobility. Office in the parlements had always carried personal nobility, on the principle, derived from the right of every man to be tried only by his peers, that judges who might have to try noblemen should be noble themselves. Office in the parlement of Bordeaux conferred gradual nobility: that is, it only became hereditary after two generations of twenty-year exercise in office, or death in office. However, the trend throughout France in the 18th century was for this to become a superfluous provision, because most parlementaires were noble independently of their offices. It could hardly be otherwise when so many were sons of parlementaires or holders of other ennobling offices. Yet several parlements took this a stage further by laying down nobility as an essential prerequisite for membership, which was to make the courts closed in a very real sense. It began with Rennes in the 17th century; Grenoble followed in 1762, Aix in 1769; Nancy and Toulouse also made such provisions at uncertain dates.² On 16th February 1780, immediately after the first rejection of Dupaty's attempt to become a président à mortier, the parlement of Bordeaux

1. J. Egret, 'L'aristocratie parlementaire française à la fin de l'ancien régime.' Revue Historique 1952, passim.

2. Egret, 'Aristocratie Parlementaire', p.7.

did the same.¹ According to Bachaumont, the arrêté applied to presidents, who before their reception must prove their nobility and three generations in the magistracy,² but it seems to have applied to lower offices, too, and a set of commissaires was nominated to examine the proofs of new candidates. ('chose absurde', remarked Mme. Duplessy,³ car ses charges donnent la noblesse a qui ne l'a pas.') The arrogance of the commissaires created a very bad impression in Bordeaux, especially as some of their own credentials as noblemen were not distinguished.⁴ But did this commission outlive the Dupaty storm which had given it birth? There is no evidence of its activity after August 1780. Did the arrêt, on which some stress has been laid,⁵ in fact remain a dead letter? What were the noble credentials of the parlementaires?

Those of the presidential families were almost uniformly un-

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1. For details of this affair, see below, pp. 81 ff.
 2. Memoires Secrètes pour servir à l'Histoire de la République des Lettres (1784-5) t.15 p.61, 28 février 1780.
 3. Jeanne-Marie-Françoise Duplessy (née Chazot) (c1702-1782) m. 1724 Claude Duplessy, councillor, d.1736. As a young widow, she kept the most notable salon in mid-century Bordeaux, and was all her life extremely well connected in parlementaire circles. Her letters to her daughter (Bib. Mun. Ex. MS 1201) are a major source of Bordelais history, 1768-82, and a useful guide to respectable opinion in the city. She is the heroine of Grellet-Dumazeau's La Société Bordelaise sous Louis XV.
 4. Bib. Mun. Ex. MS 1201 (Correspondance Duplessy) boîte 9 31 août & 26 septembre, 1780.
 5. e.g. by A. Soboul, La France à la veille de la Révolution (Paris 1966) p.84.

impeachable. The Le Berthon, Gascq, Gourgue, Daugeard, Pichard, de Lancre, and Lavie families went back in nobility to the 16th century or beyond. The Cazeaux and the Verthamons went back to the 17th century. Several had provided chevaliers de Malthe, which presupposed a distinguished extraction. The exception among them was Dupaty, who had occasioned the arrêté of 1780. Although almost certainly it was not the real objection against him, low birth was urged as pretext for refusing him. In fact, he had nobility of the third degree, both his father and grandfather having been councillors at the conseil souverain du Cap (Saint-Domingue) and trésoriers de France at La Rochelle, 'Elle n'est pas éclatante, sans doute, mais elle n'est pas vile', he protested, in a moving speech; but could not help observing too, in a nice conjunction of his personal grievance and his philosophical principles, that 'la noblesse de mérite est la seule que les places exigent', and, more unpalatably, that a requirement of nobility 'attente à l'autorité Royale en resserrant pour elle le cercle des choix.'¹ But this was not a common opinion and doubtless not a popular one among the parlementaires.

As a group, our 162 parlementaires can be broken down into 127 families. On the nobility of five of these it has been impossible to find the slightest information.² On the others, the indications are often slight enough, for genealogy is a treacherous jungle.

1. A.N. K708 No. 60. Speech to the Assembled Chambers, 23 février 1780.

2. Dubarry, Lorman, Montforton, Reculès de Poulouzat, and Minvielle.

Among other things we must distinguish between what a family's descent actually was, and what it thought it was. So, for example, the Brivazacs, who were only definitively ennobled by office in the early 18th century, but who treasured a filiation back to one 'Leonardus Brivazaca' in the 12th century.¹ The Domenge de Pic de Blais, in fact ennobled by letters of 1722, claimed descent from no less a person than Pico della Mirandola, and C.A. Domenge père even adopted the title of Pic de la Mirandole, to general acceptance.² The Pelets dropped an 'l' from their name and spent two generations trying to prove a link with the old Languedoc house of Narbonne-Pelet.³ Strange names too could be usefully embroidered: the Marbotins, of Agenais origin, claimed that they were a branch of a medieval Florentine family, the Marbottini.⁴ The Spens, in the name of Spens d'Estignols de Lancre, was held to be Scottish in origin. Safest of all were the Lynches, whose Irish origin was beyond doubt, but who took the opportunity of foreign descent to extract letters from the Jacobite Athlone Herald, declaring them to be of the oldest stock, and so giving them automatic noble status in France. Unfortunately,

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1. P. Meller, Essais Généalogiques - Famille de Brivazac (s.l.n.d.); O'Gilvy, Nobiliare de Guienne, t.1 p.387.
 2. Bib. Mun. Bx. MS 1696 (Fonds Lamontaigne) 2. No. 20. A copy of supposed letters of Henri III recognising this, in the hand of Lamontaigne.
 3. Cavignac, Jean Pellet, ps.360-63.
 4. L. de Baillénx, Notice Généalogique sur la Famille de Marbotin du Parlement de Bordeaux avec des Notes sur les Familles alliées (Bordeaux, 1960).

they said, their proofs had been destroyed in 1689 by marauding English protestants.¹

So on this question, the broadest terms are the safest. Only 4 out of 127 families had nobility that was certainly older than the 16th century - Pichard, Pils, Degères, and Raymond de Sallegourde. Of these, the last two only entered the parlement in the 18th century, which is another measure of the meaninglessness of any division between 'robe' and 'sword' in 18th century Bordeaux. As long ago as 1698 the intendant had written:

'Il y a peu de noblesse établie à Bordeaux hors ceux qui tirent leur origine des officiers du Parlement parce qu'il n'y a pas un Conseiller qui ne se croye fort au dessus de tous les gentilshommes qui ne sont pas titrés...'²

In 1775 the nobility of Bordeaux on the capitation roll numbered 225; at any given time, ex-parlementaires and relatives of magistrates would number about one third of this total; and this is to ignore the parlementaires themselves, who were taxed separately.³ So there were very few noblemen of non-robe origin, and of those there were, only a small minority of families had never had a representative in the parlement.

1. Letters-Patent of March 1755. Printed in Arch. Hist. D. Gironde, t.24 p.474.

2. Quoted by Nicolai, Essai Statistique, p.73.

3. Ibid., ps. 73-4. R. Forster, 'The noble wine producers of the Bordelais in the eighteenth century', Econ. Hist. Rev. (1961) p.21, misinterprets this and so actually underestimates the numbers of the robe.

24 families in the parlement under Louis XVI had nobility going back to the 16th century. With some of these it may have gone further, but where there is uncertainty, it seems wise to accept a later, surer, date. Most of these families had been ennobled by office, and it is among them that we find most of the presidential families. These old families had huge prestige, were much sought as alliances, and their members could afford a certain amount of contempt for the origins of their colleagues. It was always useful to fall back on when under attack on political grounds: the doyen Dussault, in 1775, was much reviled for his role under Maupeou by councillor Duluc. Perhaps his robe had been stained, he admitted, but at least it had not been stained with flour - a reference to Duluc's grandfather who had been a flour merchant.¹ With noble ancestors in the 16th century, Dussault could afford to jibe.

The rest of the parlement, the vast majority, was evenly divided. 46 families could trace their nobility to the 17th century; 48, not back beyond 1700. To put it another way, 38.5% of families in the parlement had acquired nobility within living memory, in the 18th century. Of these, the nobility of two families was 4th degree,² ten, 3rd degree; 21, 2nd degree. Three are represented by two generations, and passed in our period from 2nd to 3rd degree. Only

1. Bib. Mun. Bx. MS 1201 (Correspondence Duplessy) boîte 4.
6 mars 1775.

2. i.e. fourth generation from ennoblement.

13 were roturiers on entry, and had purely personal nobility. In the case of at least one, L.J. de Mothes, even this was actually challenged at one point for fiscal purposes.¹

The parlement of Bordeaux was then an aristocratic body in a broad sense. Well over half its members had several generations of nobility going back at least to 1700. However the nobility of a large minority was quite recent, and it was possible for roturiers to join the court. But in what dignity? Of the 13, only 3 were ordinary councillors, and one of those had begun in the requêtes.² Two were conseillers clercs.³ Four were in the very inferior chambre des requêtes (though one was a president there)⁴ and the other four were all greffiers en chef. Clearly roturiers seldom aspired to the full dignity of the parlement, and seldom attained it.

So from this viewpoint, there was little room for the court to close its doors at the end of the century as part of some aristocratic reaction. They were closed already; and nor did the status of wives whom parlementaires married offer much divergence from this picture. Between 1775 and 1790, 53 magistrates were received for the first time. 37 are recorded as proving their nobility so as to

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1. A.D.C 602. Mothes to Intendant, 12 octobre 1780.
 2. J.S. de Laroze, G. Bouquier, and F. Perez d'Artassan. Bouquier had begun in the requêtes.
 3. H.L. Barbeguière and J. Féger.
 4. President J.E. de Bienassis: councillors E.J. Chanceaulme de Fonroze, P.N. Cajus, and B. Roche de Lamothe.

avoid paying the marc d'or de noblesse, payable by anoblis, and so in theory by all who became parlementaires. This collection of dispenses has formed the basis of an important article,¹ but unfortunately the collection is not complete, and we are safe in assuming that more people obtained these dispenses than are recorded.² The only returiers to be received after the arrêté of 1780 were greffiers en chef.³ However there is no question of the operation of any qualification by quarterings or degrees of nobility, as there was at Rennes or Grenoble. Nobility was enough; its 'quality' was not considered so important.

And indeed it is tempting to wonder how consciously the parlementaires required even this. In 1787 the parlement conferred a signal honour on one of its members. It was unprecedented. The court became, by unanimous consent, collective godfather to a magistrate's son. And it was to the same magistrate, four years later, that it confided its last arrêté of loyalty to the king, before its final dissolution. The magistrate was not a president, not the son of a parlementaire, and not even the son of a nobleman, but Gabriel Bouquier, who had begun in the requêtes, and whose father was a simple avocat.

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1. A. de Roton, Les arrêts du Grand Conseil portant dispense de marc d'or de noblesse (Paris 1951). The article is Egret, 'Aristocratie parlementaire' loc.cit.sup.
 2. 1783, A. Delpech; 1787, L.A. Lafargue.
 3. e.g. the case of Dupaty, on becoming a president. (Papiers de Famille, Dupaty de Clam, kindly shown to me by the Marquis du Paty de Clam). contra Egret, loc.cit. p.5 n.6.
 4. A.N. BB⁵74 Bouquier to Garde des Sceaux, 27 nov. 1820.

3 - Entry into the Parlement

Members of the parlement were usually the eldest sons of their families. It was natural that the eldest son should enjoy the highest dignity in the family, as the future head of it, and there was no higher dignity in the province than its parlement. There were of course exceptions. Conseillers clerics, for example, were seldom eldest sons; the law of inheritance led families to exert strong pressure against eldest sons going into the Church, and if they did, they were likely to be deprived of all patrimony except their légitime. It required a strong religious vocation to ignore such pressure, and if the vocation was that strong, one would be unlikely in any case to enter the largely secular world of the parlement. Another exception was the group of younger brothers, succeeding elder ones who had died without issue and so left a family office vacant, as in the case of president J.C.Daugeard, councillor T.M.de Lagubat, or greffier-en-chef L.A.Lafargue. G.M.A.J.de Laroze de Fonbrune succeeded his father in the family office because his elder brother had made the mistake of entering the legal life in the parlement Maupeou, and the restored parlement could not be persuaded to receive him.¹ In default, he

1. A.D. F, MSS 46 'Copie d'une lettre d'un magistrat à un magistrat' 29 octobre 1775, Laroze père complained of this to the Garde des Sceaux. There is also a request to Vergennes in Arch. Aff. Etrang., Memoires et Documents, dossiers France 1538 f.252.

joined the army and eventually took a presidency at the cour des aides.

The classic pattern among parlementaire families was for sons to succeed to their fathers' offices. We have seen that 21 families had two generations in the court under Louis XV¹ alone.² However the classic pattern had broken down. Out of the 71 parlementaires who were sons of parlementaires, only 25 succeeded to their fathers' offices. Two succeeded grandfathers, three succeeded fathers-in-law, and one, a brother-in-law. The reason for this development is that in most cases to succeed to one's father's office was no longer necessary to the further end of ennoblement, for we have seen that most families were noble already, and so did not need the confirmation of ennoblement by patre et ave consulibus. Fathers did not wait twenty years for their lettres d'honneur and then pass on their offices to their sons: they bought them new offices as soon as they were old enough, but remained in exercise themselves.

On the other hand, it was exceptional to find two members of the same generation of a family, together in the parlement. There were only seven sets of brothers serving together under Louis XV¹. Of these, the Daugeards, Gourgues, Fegers and Pelets were extremely rich, and their families could afford the heavy capital investment represented by two offices. The Meslons both

1. See above, p. 26

inherited their offices, one from their father, the other from an uncle. The younger Leblanc de Mauvezin also inherited his office, so only one had had to be bought in fact. With the Filhots, it was all decided by their father's will of 1770.¹ The eldest son was already a councillor. As to the younger:

'...ne sachant Encore quel Etat il embrassera, voyant la difficulté de Le placer avantageusement au service, je veux d'aportionner de façon a Luy donner Le moyen d'Entrer dans le parlement et d'y prendre charge de Conseiller, dans le cas ou il se Trouvera porté pour cet Etat, et avoir les dispositions, talents et volonté nécessaires pour en remplir dignement les penibles fonctions...'

To this end he left him 50,000^l to buy an office of councillor, and enough property to maintain an appropriate state. If he chose not to enter the court, then the legacy was to be considerably reduced, and in particular he was to lose the 50,000.^l J.F.X.de Filhot, conseiller honoraire, died in 1778. It is hardly surprising to find that his younger son, G.R.de Filhot de Marans, joined the parlement in 1779.

Some parlementaires did not begin their careers as parlementaires. The conseillers clerks, for example, were by definition priests before magistrates. However, most if they did not begin in the parlement, began in the law. Only president J.A.H. Daugeard de Virazel had been previously in another parlement, that of Toulouse between 1760 and 1769. But J.de Garat and T.J.

1. A.D. 3E 5.594 No. 904 (Duprat) Sealed 1770, Opened 14 sept. 1778.

de Gobineau had been councillors at the cour des aides of Bordeaux. J.S.de Laroze was on reception président du présidial at Bordeaux. B. Roche was, and J.B.H.de Verthamon had been, avocat du Roi at the same court. L.F.C.Jaucen de Poissac was président du présidial at Tulle. L.J.de Mothes was lieutenant-général at the sénéchaussée of Albret. Dupaty was a trésorier de France at the bureau des finances of La Rochelle. J.F.de Lascombes was procureur du Roi at the amirauté de Guienne. Some of them obtained lettres de compatibilité which enabled them to keep these positions even while holding office in the parlement.¹ And of course all parlementaires were qualified avocats, for what that was worth; but few parlementaires had followed the bar for any time as a serious profession before becoming judges. Serious avocats remained avocats. For parlementaires it tended to be a formal preliminary and no more.²

Only greffier-en-chef L.A.Lafargue de Laroque had been in trade; but he was 55 when he entered the court, and was filling an office left to him by his brother. All the others with previous professions had been soldiers, of whom there were nine. Several had seen active service in the Seven Years' War, and one, L.C.Pocquet de Lillotte de Puilhery, was a croix de Saint-Louis. However the ex-soldiers were a very heterogeneous group

1. See below, p.65

2. See also below, ibid.

of younger sons, colonials, and other such people outside the parlementaire tradition. Only 4 were sons of parlementaires, and 2 of these were younger sons carrying on the family tradition where elder brothers could not. Two were sons of members of the cour des aides, one of them a younger son succeeding his brother, and the other a chevalier d'honneur with no judicial functions.¹ Two, including Pocquet, were from Martinique; for them parlementaire office was little more than a source of prestige.

A career in the parlement usually began early in life, therefore. The court encouraged this. As Lamontaigne put it:

'Si l'on venoit à refuser aux jeunes gens l'entrée de ces charges, l'on pourroit bientôt manquer de sujets pour les remplir, parce qu'à un certain age on se détermine difficilement à entrer dans une carrière aussi pénible.'²

According to the ordonnances, candidates had to be at least 25³. In fact there was nothing easier than to obtain a dispense from the age requirement, and 76 out of our 162 parlementaires were received under 25. Two future first presidents, A.J.H. Le Berthon and A.A.de Gascq, were received under 20. When the parlement was re-established in 1775, an edict declared that in future the king would grant no more dispenses d'âge,⁴ but from

1. T.Martiens de Lagubat and J.de Gombault de Rasac.

2. Bib. Mun. Bx. MS 1696 (Fonds Lamontaigne) 6. pièce 8

3. Edict of November 1683

4. Edit pour Ordonnance du Parlement de Bordeaux (février 1775) s. 28. Copy in A.D. 8J67 (Fonds Bigot)

the start this clause remained a dead letter. Of the 53 magistrates received between 1775 and 1790, 24 were under 25. Of the rest, 10 were in their late 20s, 17 in their 30s, one was 45, and another, 55. Out of the whole 162, only 12 were over 40 when they were received. Of the conseillers clerics, who had to be ordained priests as well as lawyers, 6 out of 9 were still under 30 on reception.

Nevertheless at any given time there were few councillors under the statutory age. At the dissolution in 1790 there was only one, though three présidents à mortier, who were supposed to be at least 40, were also under age. Moreover dispenses d'âge invariably denied voix délibérative to their beneficiaries until they reached 25, though whether this restriction applied at sessions of the assembled chambers is not clear. The overall average age of the court in 1790 was 47:¹ that of the Grand' Chambre was 58, the first enquêtes, 44 the second enquêtes, 36, the requêtes, 49. There were only 22 magistrates under 35, so that it was never possible for young to outvote old at the assembled chambers. The theory that there was some correlation between the number of young magistrates in a parlement and the turbulence of its political activity does not therefore work for Bordeaux.² Few parlements had a more troubled history than

1. c.f. Toulouse, where it was 48. Larboust, p.33

2. c.f. Egret, 'L'aristocratie parlementaire &c' pp. 11-13

that of Bordeaux under Louis XVI, yet it was a body of predominantly middle-aged men. Moreover the wilder of the two chambers of enquetes, the first, had more older men than the more tranquil second.

The procedure of entry to the parlement would begin with informal soundings of contacts in the court, what would have been called in 18th century England the invocation of one's 'interest'.

'M de Jacobet s'est Enfin décidé à acheter une Charge de conseiller au parlement pour son fils aîné; wrote M. de Mazières from Ste. Livrade to his nephew, councillor J. de Filhot de Chimbaud in 1786. 'tous ses autres enfans sont placés, et il est bien juste qu'il donne un état à celui-la. il me fit prier de passer chés luy pour conférer de cette affaire. il fut arrêté que je vous Ecrirois pour Scavoir 1° s'il n'y auroit pas une Charge à vendre 2° quel en seroit Le prix 3° quels termes pour les payemens ou combien d'argent compté on Exigeroit 4° Combien il en Couteroit pour Les provisions et la Reception. nous avons besoin d'Etre fixes sur tous ces objets afin de Ramasser l'argent qui sera nécessaire pour Consommer cette affaire Le plus promptement possible. M de Jacobet per (sic), seroit bien aise aussi, que vous en parleassiez à M de Loyac¹ à qui il a L'avantage d'appartenir. il a été instruit dans un autre tems d'un pareil project, il eut meme la bonté de se donner des soins; aujourd'huy on Espere qu'il voudra bien les continuer...'²

For somebody like young Jacobet, with only distant links in the parlement, such preliminaries were essential. However he had sizeable interest, as this letter shows; two councillors were approached directly, but Filhot could invoke his uncle

1. Laurent de Loyac, councillor in the Grand'Chambre.

2. A.D. 2E 1213⁵. (Titres de Famille: Filhot de Chimbaud) Letter of 5 février 1786.

councillor J.H.de Brane and his cousin councillor A.J.M.de Basquiat, and doubtless his two Filhot cousins, also councillors. Councillor de Loyac was also Brane's cousin, his brother-in-law was councillor G.J.B.de Raignac, and so on. And indeed it was not through lack of supporters that Jacobet never entered the parlement, but through disagreements over payments for the office he wished to buy.¹

No doubt for sons of parlementaires - fils de maîtres, as they were known, - less preparation was needed. They were inevitably going to be in the parlement. However the formalities had to be observed, and in the last turbulent years of the 18th century there was an art to choosing one's moment. The first formal step was to visit the first president, ask for his approval of one's candidature (rather more usually, fathers went on behalf of their sons) and ask him to make the proposal to the assembled chambers. Without his consent, nothing could be done. A.J.H. Le Berthon was extremely jealous of this prerogative, and to ignore it, or fly in the face of his decision once given, was to invite his lasting enmity. To be fair, however, he was best equipped to know whether a proposal would succeed, as A.J. Drouilhet de Sigalas, a Maupeou intru, was able to confirm in 1776, when his independent efforts met with a refusal from the

 1. That of B. Roche de Lamothe, councillor in the requêtes. Ibid.

court.¹ The same thing happened, initially, to the candidature of P.J. Domenge de Pic de Blais. His father in 1776 approached the first president. 'Je tachai de lui faire sentir', the latter wrote, 'les desagremens d'une demarche trop legerement hasardee, et de lui prouver qu'une activite deplacee nuit souvent au succes le plus naturel a esperer dans un autre temps...'² - that is, the parlement Maupeou, of which Domenge pere had been a member, was too fresh in the minds of the majority. But Domenge went ahead independently - 'on chercha a mettre la division dans ma Compagnie'³ - and as a result received a rebuff. Not until 1781 was his son finally received.

The first president was certainly not a passive or an impartial agent. He could put the proposal favourably or unfavourably, and this could make all the difference to its success. When in 1782 the procureur-général Dudon was currying favour with the government to secure the survivance of his office for his son - another Maupeou intru - he wrote to Vergennes:

'il seroit bien triste pour moy, Monsieur, que le succès de ma demande dépendit entièrement de Mr Le Berthon, et je ne crois pas être dans le Cas de L'attendre...Aujourd'huy, Monsieur le Comte, je suis très bien avec luy. j'ay fait le sacrifice de mes

1. Arch. Aff. Etrang. Mémoires et Documents, dossiers France 1588 f.282 Drouilhet to Garde des Sceaux, 11 février 1776.
2. A.N. O¹352, No. 438 Le Berthon to Garde des Sceaux. An undated justification of his conduct since 1775 in reply to an indictment by the restants. Clearly late 1776.
3. Ibid.

justes ressentiments, j'ai été luy demander son amitié - nous nous sommes embrassés, et nous vivons bien ensemble... Néanmoins Mr Le per Prés a un fils; j'ignore s'il a sur luy les memes vues que j'ay sur le mien. je n'en dis pas davantage, mais j'en ai dit assés pour vous faire sentir que je ne dois pas etre livré à la discrétion de M Le Berthon..!

And indeed, when it came in 1783 to a huge crisis over the admission of the younger Dudon, Le Berthon adopted an attitude which, if not openly hostile to him, was at least one of barbed neutrality. And it was he alone who had sustained, even into exile, the opposition to the admission of Dupaty to the presidential bench in 1780-81. For in the parlement there was always a substantial group who made it a principle to follow the views of the head of the company. Partly this was a question of keeping an interest with such a powerful figure; but partly too out of an honest conviction that division, and opposition to legitimate authority were indecent things.

Why was all this manoeuvring necessary? It was simply that to buy an office, and to obtain provisions from the king to it, were not enough to ensure membership of the parlement. Parlements enjoyed the right of co-optation, the right to accept or refuse candidates for membership. It was old-established and undoubted, and even Maupeou had not dared to abolish it completely. Under him, a court designated three candidates, and the

1. Arch. Aff. Etrang. Mémoires et Documents, dossiers France. 1589 f.203 Dudon to Vergennes, 21 octobre 1782

king made the final choice. But in normal times, the king's role was minimal. As Miromesnil told Laroze, indignant at the exclusion of his son, 'Le roy s'en remet sur le choix des sujets aux Cours. taches de meriter par votre Conduite et que votre fils merite par ses talens d'obtenir un jour l'agrement de la Compagnies'¹. And such was the normal course, though later, in Dupaty's case, it was this same Miromesnil who extolled the royal authority in these matters. Nevertheless in theory local magistrates were better qualified than the government to know whether candidates were competent in the law; and the right of co-optation was a useful counterweight to the effects of unbridled venality of offices. At the same time as approaches were made to the first president, the presidents of the enquêtes were also approached to secure the consent of their separate chambers to the candidature. In 1760 R. Dalon offended the enquêtes by neglecting to do this.² This secured, the proposal was formally put to the assembled chambers. At this stage formal objections were seldom raised, and the candidate (or his father) then felt free to conclude the purchase of his office.³

 1. A.D. F MSS 46 'Lettre d'un magistrat' &c. 1775

2. Bib. Mun. Ex. MS 1696 (Fonds Lamontaigne) 6.

3. For a discussion of office prices, see below pp. 120-128

At the same time he wrote to the Garde des Sceaux asking for provisions and producing his title to them - a procuratio ad resignandum, or legal act designating his successor, signed by the previous owner. The first president would write at the same time to confirm all this, and recommend the candidate. Strictly, the crown could refuse to issue provisions, but it never did.

Provisions were costly, however. There were two major charges involved, and after 1771, the possibility of a third. First there was the right of survivance, which gave to the owner free disposal of the office, and even the fee for this was taxed at 2 sols pour livre, or one tenth. Then there was the marc d'or, one fortieth of the official price of the office (as opposed to the price actually paid). This was the actual fee for the letters of provision, and it too bore a tax. Finally, from 1771, those who were not already noble had to pay the additional marc d'or de noblesse on gaining the ennobling office of magistrate; but we have seen how seldom in fact this needed to be paid.¹ On top of this there were various legal fees involved in applying for provisions, and if one was related to other magistrates, of under age, the cost rose yet further, for the marc d'or was payable on lettres de dis-

1. See above, ps. 48-9

pense.¹

When Dupaty became président à mortier in 1780, his provisions cost him a total of 12,809' 19s, including a dispense d'âge.² The father of J.L.J. Duval had to pay 3328 " 12s 3d in all for the provisions of his son's office of councillor in 1786.³ Nobody could expect to pay much less than this. Such payments were, of course, over and above the price already paid for the office itself. So were certain donations, running in all to over 1000 , payable to the common fund of the court, to certain officers in particular, and to the magistrates' Frairie St. Yves.⁴

On receipt of his provisions, the candidate made a round of visits to present them, in the company of a sponsor, to all the magistrates in order of precedence. He then remitted them to the doyen, oldest of the councillors, for examination. His task was to see that they were in order, that dues dispenses and legal degrees had been obtained, and the doyen delivered his rapport. On this the procureur-général delivered his conclu-

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1. The secret registers (A.M. MSS 758-809: 1753-1767, 52v.) record many such proposals. I have used principally MS 808 (1765-7) in which are recorded the candidatures of several Louis XVI councillors notably Boucaud, Minvielle, Bienassis, Dumas de Laroque, Lagubat, Cajus and Baritault, among others.
 2. A minute in the family papers of the Marquis du Paty de Clam
 3. A.D.2 B1098 (Titres de famille:Duval) 'Etat des frais de lettres de provision et de dispense d'âge'.
 4. Papers du Paty de Clam, Minute of 1768.

sions, and there was a deliberation followed by a vote. It was at this stage that the first formal objections might be raised. If the candidate survived this, he was subjected to the enquête de vie et moeurs. This was to verify that he was of Roman religion (a thing soon ascertained by a certificate from his cure) and good morality. The latter was a nebulous thing under which hostile commissioners could bring any objection to the candidate. For new men, unknown to the court, this enquiry took a month. For those who were magistrates already, it was a summary affair of three days. When it was complete, the candidate made a second round of visits, the chambers were assembled again, and the two commissaires de vie et moeurs made their report. On this, there was another vote, at which the candidate needed a $\frac{2}{3}$ majority. Successful here, he passed to the examen. Kneeling before the first president in the assembled chambers, he was given a text from the Roman Law Code, opened at random. He was then given several days to prepare an exposition on it. The secret registers are clear enough about what happened next. An example is as follows:

'Me Jacques Thilorier avocat étant de l'ordonnance de la Cour entre dans la chambre, fait lecture au Bout du Bureau desd. articles de foy, s'est alle mettre a genoux au devant de Monsieur le Premier President, Jure sur les heures Croire le Contenu en Iceux Et étant retourne au Bout du Bureau fait son compliment pose le cas de la loy, Si re debes unica, Cod de privilegio datis, Et repondu aux arguments qui luy ant ete faits Tant sur la loy que sur les trois livres du Code et du Digest Et sur la Pratique Etant Corty Cuy le Procur-

eur general du Roy, qui a dit que pour la forme de l'examen il s'en contentoit et pour la capacite il s'en remettoit

Lue delivration la Cour a ordonne que ledit Thilorier seroit recu dans la charge de Conseiller Lay en la Cour...¹

...he was called in and took the oath immediately.

The necessary qualifications which a candidate's provisions would confirm that he had, were not many, and he could be dispensed from most of them by the king.

He must be 25 to be a councillor, 30 to be one of the gens du roi, and 40 with ten years experience to be a president. We have already seen that nearly half the magistrates entered the court under 25,² and so must have obtained dispenses d'âge. Six out of seven gens du roi were under 30 on reception as such. 17 out of 22 presidents were under 40 on becoming presidents, though because of early entry, 9 had ten years or more of experience.

Candidates must not have close relatives in the parlement. Close relatives were defined as, father, son, brother, uncle, nephew, father-in-law, son-in-law, and brother-in-law. We already have some idea of what a dead letter this was.³ The

1. .AM.MS 808 p. 24.24 juillet 1765.

2. See above, pp 54-5

3. See above, pp 34-5

parlementaires were fantastically interrelated. Dispenses de parenté (for new entrants) or d'alliance (for those making subsequent marriages within the prohibited degrees) were therefore extremely common, though most did not actually find their way on to the registers of the court.

Candidates must not occupy other offices. However lettres de compatibilité dispensed from this provision. So J.B.R. de Navarre, Lieutenant-général à l'amirauté, J.F. de Lascombes, procureur du Roi at the same court, and J.S. de Laroze, Lieutenant-général at the Sénéchaussée, among others, all held concurrent offices with royal approval. The last was one of the most important single offices in Bordeaux, and because of this, even letters did not assure Laroze an unopposed entry into the court. Some members protested that it was 'moralement impossible de pouvoir exactement remplir ces deux charges a la fois! but the majority were untroubled by this.¹ Sometimes, however, the letters stipulated that the officer must sell one of his offices within a certain time. Such was the case when, in 1760, Poissac, Lieutenant-général at the sénéchaussée of Tulle, entered the court.²

1. Bib. Mun. Bx MS 1696 (Fonds Lamontaigne) 6 piece 2. Chronique de Lamontaigne. 5 mars 1756.

2. A.D. C 871. Request of 1763. Poissac to Intendant.

Candidates must be qualified lawyers, and hold the grade of avocat. There were no exceptions to this, but that in itself proves nothing, for dispenses de temps d'études were also available. Moreover the value of legal degrees as awarded by the university of Bordeaux was dubious. Some magistrates had studied law and become avocats at Paris (like Dupaty) or Toulouse (like F. Perez d'Artassan), but most graduated at Bordeaux. To be an avocat, one had to have the degree of Licencié ès Lois and have been matriculated before the parlement. The degree of Licencié required in theory three years of study, and the passing of two examinations, the first of which also conferred the degree of Bachelier. It is clear from the very youth of some of the entrants that they could not have had three years of study. One of the most famous of Bordeaux avocats at the end of the old regime, Vergniaud, spent about two, but then, he intended to be a serious avocat, and had no parlementaire ambitions. Even so, he took his two examinations in the space of three months.¹ Pierre Bernadau bought his degrees in the space of four months, noting:

'Pour mon argent, je prend le Grade de Licentie es Lois, ce qui suppose une connaissance assez étendue de la Jurisprudence pour exercer l'honorable et delicate fonction d'Avocat. Je suis etonne de

1. C.Vatel, Vergniaud-Manuscripts, Lettres et Papiers 2v. (Paris 1873) t. 1 p. 27 n.14

me trouver sitot un habile Homme...'¹

Admittedly Bernadau is not always trustworthy, but there seems to be no reason why he should have made up this account. It seems in short that the university's degree meant little. Practice was the test of an avocat's worth and knowledge. But all that was asked from candidates for the magistracy was a certificate from the corps des avocats that they were members.²

There was of course the legal test of the examen, the last stage of the process of entry. As elsewhere in the 18th century, however, it was becoming very perfunctory. Those who were magistrates of some sort already were usually excused it,³ which at least proves that it did normally take place. The secret registers, already quoted, corroborate this up to 1767. But did the examen ever make the difference between reception and rejection? It seems doubtful, as an example will illustrate. In September 1765 A.J.de Minvielle and J.J.de Boucaud had passed all the stages of the procedure except the examen, and already a contest had arisen between them as to who should have préséance in the court. They acted as if the result of the examen was a foregone conclusion. So did the first president in putting the question before the court. He said it ought to be

1. Bib. Mun. Bx. MS 713 (ser. 1) V Tablettes de Bernadau, t.1
12 mai 1787.

2. A.D. 2E 1089 'Etat des frais, &c' of J.L.J. Duval.

3. E.G. Laroze in 1756; Dupaty in 1768.

decided before the court proceeded à l'examen et à la reception. Clearly the two were inseparable, and in fact they always took place on the same day. Everything points to the examen being no serious obstacle for anybody. This would accord well with the known situation in the rest of France.¹

If the examen was supposed to test professional competence, the enquête de vie et moeurs was supposed to test professional aptitude. The commissaires normally contented themselves with taking a deposition from two witnesses as to a candidate's moral worth. It was not normally an exhaustive enquiry, and the court had a number of magistrates whose continence, at least, was not all it might be.² There were seemingly only two cases in which the morality of a candidate put his admission in doubt. It was alleged in 1816 that the first application of councillor A. Lajaunye had been rejected on the grounds that he was mauvais fils, mauvais mari mauvais Citoyen et homme depourvu de lumieres! But there may have been an element of personal enmity in this charge, hard to verify after 34 years and a revolution.³

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1. Paris: Bluche, p. 61-2; Grenoble: J. Egret, Le Parlement de Dauphiné et les Affaires Publiques dans la deuxième moitié du XVIIIe siècle 2v. (Paris, 1942) t.1 p.20; Rennes: Le Moy p.20; Dijon: Colombet p.55. For Toulouse, Larboust p.42 disagrees.
 2. See Below, pp. 301-2.
 3. A.N. BB⁶ 56 Rateau, procureur-général of the Cour Royale of Bordeaux, in a report on the personnel of the court to the Garde des Sceaux, Lajaunye certainly claimed later that these stories were put about by his enemies, ibid. Lajaunye to Garde des Sceaux, 18 avril, 1831.

Enmity there certainly was in the case of Dudon fils when he obtained provisions as procureur-général en survivance avec exercice in 1783. There had formed a cabal against him the moment his intentions were known, and the avocat-général de Lalande, in the conclusions of the gens du roi which preceded the enquête , repeated liberally rumours of the candidate's intemperate youth. Even his supporters believed these to be true, but significantly this did not affect their support.

'je ne dois pas vous dissimuler,' wrote president de Pichard to Vergennes, 'que si les moeurs de mr dudon le fils eussent ette plus pures il ne rencontreroit pas tant de difficultés ou ce seroit un pretexte de moins pour ceux qui luy sont opposes. je redoutte toujours les effets de l'enquette de vie et moeurs, si elle est ordonnee et que les commissaires nommes veullent la faire rigoureuse-ment...'¹

Eventually the company voted 29 to 24 for the enquête , but the minority viewed this as a triumph, claiming that a $\frac{2}{3}$ majority was necessary.² Eventually the king dispensed Dudon from the enquête , but this too played into his enemies' hands. It showed, they said in remonstrances which they had printed in the Gazette de Leyde , that he had something to be afraid of.³ But his youthful immorality was not the nub of the objection to Dudon.

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1. ARch. Aff. Etrang. Mémoires et Documents, dossiers France . 1589 ff 232-3 Pichard to Vergennes, 9 aout 1783.
 2. Ibid. Mauchy to Vergennes, 9 aout 1783.
 3. Remonstrances of 3 May 1784. MS Copy in AM Fonds Delpit 167 "Parlement"

It was not even given pride of place in the remonstrances. The real objections were partly political - he had served in the parlement Maupeou, and what was worse, as an intru. He had also spent the four years preceding his application as a jurat, and in that capacity had made many enemies.¹ Partly too the objections were personal - the survivance in his hands meant that the important office of procureur-général was now spoken for for years to come, which thwarted the ambitions of some. Dudon père had implied that Le Berthon wanted the office for his son.² Poissac also made little secret of his ambition to succeed Dudon.³ The conclusion from all this must be that vie et moeurs were of little importance in themselves, but were useful extra ammunition against those who were objectionable for other reasons.

What, then, finally, was the rate of rejection of candidates? We cannot assume a regular rate. It varied according to time, and the candidates presenting themselves. In 1758 councillor de Lamontaigne informed a fellow councillor that for two candidates recently received, three had been rejected:

'si ce n'est pas le moyen que les places se remplissent, c'en est un pour qu'elles se remplissent par des sujets qui puissent faire honneur a la Compagnie. je crois que vous ne

1. Lamontaigne, Chronique, pp.140-1

2. See above, pp 58-9

3. Bib. Mun. Bx. MS 1201 (Correspondance Duplessy) boîte 4. 28 août 1775.

trouverés point cette attention déplacée.'¹

However it is clear that contested receptions, let alone rejections, were exceptions. A few contested the entry of Laroze in 1756, for reasons discussed. The Abbé de Malromé stood out against Saige's candidature to be avocat-général in 1760, Saige 'étant encore fort jeune, n'ayant point suivi le barreau assidument, n'ayant donné aucune preuve de ses talens, n'ayant passé par aucune autre charge qui eut pu le former.'² The office of avocat-général was too important to be treated in this way, he said; but he remained in a minority of one. Then after 1775 there were the contested admissions of P.J. Domenge (1775-81) and J.G. de Lorman (1782), both sons of Maupeouan councillors, and of course that of Dudon the Maupeou intru, the biggest admission crisis of them all. Of the seven non-parlementaires who had sat in the parlement Maupeou, only Dudon was ever received into the restored court. Indeed he was the only intru in the whole of France to achieve such a reception.³ A.J. Drouilhet de Sigalas, and P.M. de Laroze both made attempts in 1775 and 1776, but both were rebuffed at an early stage. The other four remained in prudent obscurity.

1. Ibid. Ms 1696 (Fonds Lamontaigne) 2 No.90 Undispatched letter of 28 nov, 1758.

2. Ibid. 6 Chronique de Lamontaigne. p.8.11 juin 1760

3. Arch. Aff. Etrang. Mémoires et Documents, dossiers France 1589, f. 241. Mouchy to Vergennes, 16 août 1783.

There is evidence of further rejections, too. G. Montforton, J. de Garat, J. B. de Lamolère, P. A. Durando de Naujac, J. L. J. Duval, J. de Malet, R. Maignol and J. L. F. H. M. J. Maurice de Sentout, the last four all in the 1780's, were second candidates for the offices they held. Others had been nominated to succeed before them, and it seems unlikely that people were nominated without their own consent. The inference is therefore that they must have been rejected, though this is seldom explicitly said in the provisions which give the information.¹ Only one of these intermediate choices was of parlementaire family, which may be significant.² One may have been related to a Maupeou intru,³ but for the rest, it is impossible to say. Also nominated by J. B. M. de Verthamon to succeed to his late father as president in the enquêtes in 1788 was J. Duranteau, an eminent avocat. But in his case it is impossible to say whether it was opposition or the advent of the Revolution which was responsible for his never being received.⁴

To be a parlementaire of Bordeaux in the 18th century, all

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1. To be found in A.D. Série 1B (Registres du Parlement)
 2. J. J. de Loyac, brother of Laurent, who sold G. Montforton his office in 1750. Since he made a loss of 12,000", he was clearly not speculating.
 3. P. Duvergier, first choice for the office of J. L. J. Duval. G. Duvergier was substitut du procureur-général in the parlement Maupeou.
 4. A.D. 3E 21.603 (Nauville) Act of 14 février 1788.

it was essential to be was Catholic and rich. Money bought office, bought nobility if one did not have it, bought provisions, and bought dispenses from the legal prerequisites. It was also needed, of course, for degrees, if one decided legitimately to acquire them by attending the university.

It was helpful to be a nobleman. It was useful to have relatives in the parlement and essential to have friends there. Here too money could be the solution.

It was not essential to be experienced or learned in the law, of mature age, or of stainless morality. Under Louis XVI however, it was crucial that one's family should have been on the right side in 1771, which was a new factor. The permanent rentré majority was responsible for this; it overrode all other considerations till the early 1780s, and was still important until 1786. The crisis of 1787-9 revived its memory sporadically, too. For those on this wrong side, it was as well to have as many of the theoretically desirable qualities - like learning, maturity, and a good reputation - as possible, to avoid deficiencies being used to magnify the primal fault. In this sense Maupeou, though his work was dismantled utterly, still changed the nature of parlementaire life completely, and the legacy of bitterness following his revolution discredited the parlement far more completely than any of its manoeuvres of the 1760s.

4 - Cursus Honorum

A career in the parlement of Bordeaux had its limitations.

'Vous le Scavés, Monsieur le Comte,' wrote the procureur-général Dudon to Vergennes, minister of the province, in 1782, en aspirant a la magistrature dans les Parlements de province, C'est en quelque sorte tourner le dos a la fortune pour sacrifier a L'honneur et au devoir'¹

Yet was it really a renunciation of anything substantial, to join the proud and powerful senate of Guienne? Quite the reverse, surely, for it was to join the most august body in the province. Certainly nobody joined the parlement for money,² indeed membership presupposed a certain standard of wealth. However, it was true that in general, an office in the parlement was the highest distinction a Bordelais could aspire to. It seldom led to greater things on a wider stage, as could for example membership of the parlement of Paris.³

The level at which one entered the parlement depended upon one's fortune, one's extraction, and the selection of offices then on the market. The cheapest, but the humblest, level was in the chambre des requêtes. Its low prestige was reflected by the low price of its offices. Age and length of service in the requetes gave no precedence in the parlement as a whole except

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1. Arch. Aff. Etrang. Mémoires et Documents, dossiers France 1589 ff.194-5 Dudon to Vergennes, 30 sept. 1782.
 2. For remuneration, see below, p.129 ff
 3. See Bluche, ps. 62-3

in ceremonies. The rule was that a councillor in the requêtes had six years in which to buy an office of full councillor at the parlement. If by that time he had not done so, he lost all claim to préséance over full councillors received after him.¹ Of the six full councillors under Louis XVI who had begun in the requêtes, none stayed there long enough to lose their ancienneté in the parlement. It is true that in three cases it was seven years before the transfer was made, but these all included the $3\frac{1}{2}$ year span of the parlement Maupeou, which was not counted. But most of those who joined the requêtes stayed there, probably through lack of money to buy the office of full councillor. Two G.de Leydet and J.G.de Lorman, were actually of the second generation of their families in that chamber. Its presidents were drawn from among its members too; although presidencies here cost as much as full offices of councillor, it seemed preferable to stay in this lowly chamber and be able to speak of oneself and sign 'Le president Maurice' or 'Le president Bienassis', as neither failed to do. None of the higher presidents, however, felt the need to stress their rank thus in their signatures.

In a special case too were the six conseillers clerics. These offices also were cheap, and though strictly confined to clerics in major orders, could be held by laymen if they held lettres de dispense. In 1725 no less than four of these offices had been

1. Bib. Mun. Bx. MS 1696 (Fonds Lamontaigne) 6 p. 5 A rule of 1686 laid down this stipulation.

held by dispensed laymen. A declaration of that year said that in future no such dispenses would be granted.¹ It was not observed, and they were granted at later dates; for example to P.F.J.de Spens d'Estignols de Lancre in 1742.² They usually had a time limit, however, and under Louis XVI all the offices of conseillers clerics were in fact occupied by priests. It was a limited office. Though ascending normally through the court in order of reception, a conseiller cleric could never become doyen, however old he was.³ Nor could he be a president, or serve in the Tournelle. He could not aspire to dignity, only to influence in the assembled chambers.

New entrants as ordinary lay councillors were always added to the bottom of the list of one of the two chambers of enquêtes. They were equal in every respect. On entry sons of parlementaires, followed by sons of members of the cour des aides, all fils de maîtres, had precedence over others joining the parliament at the same time. Members rose in anciennete as others came in below them and their seniors moved up to the grand' chambre. It could be many years before one arrived in the grand' chambre. The only members of the enquêtes who did not move up were the two presidents of each chamber. Strictly, presidencies

1. Déclaration du Roy, 10 avril 1725 in A.N., AD XVI 13^B

2. A.D. Serie 1B Inventaire-Sommaire, p. 184

3. Bascheron des Portes, t.2 p.425

in the enquêtes were not offices but commissions (though in fact they still had to be bought) and presidents had to hold the rank of councillor as well. But because they did not move upwards, these presidents were often much older than the members of their chambers, and could in theory exercise a moderating influence. In fact the opposite was often the case, and constant contact with extreme junior councillors kept these presidents less moderate than the Grand'Chambriers. In any case to an extent they were servants of their chambers and had to implement their decisions whether they liked them or not; but they tended to share a certain esprit de corps with their younger colleagues, and fought all attempts by the Grand'Chambre to override its juniors. In the assembled chambers the opinions of such presidents as Verthamon, Loret or Gourgue carried great weight, for they were senior in age and experience to most of the présidents à mortier. Verthamon and Gourgue were intractables, who had been exiled under Maupeou. Loret had stayed, for he had always been and always was a government man, and often wrote unsolicited reports of secret proceedings to the minister of the province and the Marechal duc de Richelieu.¹ It is not surprising to find that he enjoyed a small government pension.² President Lynch, though

1. e.g. Arch. Aff. Etrang. Mémoires et Documents, dossiers France 1386, f.2. Reports to Vergennes of discussions in the spring of 1778. 'vous voudrés bien, monseigneur, laisser ignorer à toute personne, sans exception d'où vous vient l'avis' Loret to Vergennes. 17 janvier 1778.

2. See below, p. 131.

much younger, was also very influential, for he was the son-in-law of the first president, went everywhere with him, and followed his line on all issues.

But even mere councillors in the enquêtes were not always less powerful for being junior. Each chamber could demand a convocation of the assembled chambers, and there the enquêtes could theoretically outvote the grand'chambre, though in fact divisions on these lines seldom took place. The leader, if there was a single one, of the militant rentres of 1775 was not the first president, who initially at least favoured conciliation, but councillor de Poissac an extremely learned, vigorous and ambitious member of the enquêtes. He was the Duval d'Eprémesnil¹ of the parlement of Bordeaux, seldom out of the news for one reason or another, at least until 1780, attacking the ducs de Richelieu and d'Aiguillon,² as well as his own colleagues. His ambi-

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1. Jean-Jacques Duval d'Eprémesnil (1746-1794) Perhaps the most famous Parisian parlementaire of the reign of Louis XVI. Began his career as avocat du Roi at the Châtelet, but soon moved to the parlement, where from the start he was a most outspoken critic of public affairs. He was in fact a frequent visitor to Bordeaux, and could have known Poissac; he married the widow of councillor J. Philorier (née Bentuary). He was arrested on 6th May 1788 for stirring up opposition in advance to the Lamoignon reforms, and only released in September. Elected 1789 a deputy of the nobility of Paris, He was an outspoken leader of the right in the Assembly, and was eventually executed during the Terror.
 2. B.N. MSS Fr. n.a. 4390 Journal de Nouvelles d'Albertas. f.5 f. 2233 29 sept. 1775 and f. 2491 30 mai 1776.

tion, it was suggested, was to be procureur-général¹ yet it is hardly surprising in view of his intemperate behaviour that he never achieved it. In the parlement his close ally was the scarcely less extreme councillor Loyac.

By 1789 however, both of these councillors had followed the normal course and risen into the grand'chambre. This was the heart of the parlement, which all councillors reached if they lived long enough. Here the first president presided in person, or in his absence the senior président à mortier; here sat the greffier-en-chef of the parlement; here one of the avocats-généraux was always in attendance. The senior, that is the longest serving (though not always the oldest) grand'chambrier was the doyen. The doyen sat on the right hand of the first president and never served in the tournelle². He presided when no presidents were present. He examined the provisions of all candidates for membership, and received a special pension. It was an office of great prestige and ceremonial importance and was naturally coveted, but only longevity and seniority assured enjoyment of it, a thing no councillor could safely rely on. Most in fact retired before the age when doyens normally attained their dignity. Retirement, if it was after 20 years' service, brought lettres d'honneur, which conferred nobility on those who did

1. See above p. 70

2. Boscheron des Portes, t.2 p. 426

not have it. For those who did, there was the status of conseiller honoraire, which gave the right to attend the parlement at all its meetings and ceremonies, though not to vote in its decisions. This status was all a councillor could confidently expect after a career in the parlement.

If the enquêtes were chambers of young men presided by old, the grand'chambre was one of old men presided by young, at least by the 1780's.¹ But the présidents à mortier were steeped in parlementaire tradition. All except Dupaty were sons of parlementaires, and ten were themselves sons of présidents à mortier. We already know their degrees of nobility.² They occupied by far the most expensive offices in the court,³ which also demanded that the holders keep the most impressive state.

'Mr de Pati de Rayet,' wrote Mme. Duplessy in 1775, 'est à Paris, et en marche avec...M de Gasq, pour sa charge de Pt à Mortier et...il en veut 40 mille livres contant et dix mille livres de Rente viagere. Je doute que Notre Ami Pati, soit en Etat de Faire un pareil marché, et de Soutenir cet Etat...'⁴

In any case he never obtained it. If anything in the parlement was a caste, it seems to have been the bench of présidents à mortier. And the case usually cited to prove this is that of

1. See above, ps. 54 & 64

2. See above p. 44

3. See below p. 120

4. Bib. Mun. Bx. MS 1201 (Correspondance Duplessy) 2 mai 1775

Dupaty.¹ In 1778 it was Dupaty, avocat-général, who in fact bought Gascy's office of président à mortier. His professed reason was one of health; his constitution was weak and the work of an avocat-général was too exacting. He sought the first president's blessing before starting, however, and the latter replied:

'Je vous verrai avec grand plaisir pourvu de la charge que vous venez d'acquérir, et j'y prends d'autant plus d'intérêt que je crois la condition de votre santé attachée au nouvel état que vous embrassez, sans que le public perde vue de vos talents et de vos lumières. Je suis persuadé que le Parlement ne portera point d'obstacles à l'accomplissement de vos vœux.'²

Most of the other presidents reacted in similar terms. At this stage there was no mention of his nobility or ancestry, and there was no question that he had the money to support the state. He was well-known outside Bordeaux, both for his flamboyant speeches to public sessions of the parlement, and as a parlementaire martyr, having been imprisoned from September 1770 to January 1771 for refusing to call for the registration of a fiscal edict. At the triumphal rentree of 1775 only the first president received a greater welcome, among the returning exiles. His record was impeccable, his road seemed clear. Yet by the end of January

1. e.g. by Egret. 'Aristocratie parlementaire &c' loc. cit. p. 5 and H. Carré, 'Dupaty et la Correspondance de Vergniaud' Revue Universitaire, 1893.

2. .A.N.K708 No. 60. Letter of 11 déc. 1778. Quoted in extenso by Dupaty in his speech to the assembled chambers, 23rd Feb. 1780

1779 the first president had clearly changed his mind.¹

For ten months he delayed and hedged, refusing to write the customary letter of recommendation to the Garde des Sceaux. Dupaty went in person to Paris, and after much solicitation, obtained provisions on 10 November 1779. But at the assembled chambers on 16 February 1780, the conclusions of the procureur-général were ignored, and Dupaty's provisions were rejected by 20 votes to 16. It was at this session that doubts about the sufficiency of his birth were raised, along with many others, and it was after this deliberation that the famous arrêté on degrees of nobility was passed.² Here began a two-year struggle which split the parlement apart along different lines from the rentrés/restants rift, paralysed the judicial work of the parlement for nearly two years, saw the first president exiled for six months,³ and Dupaty eventually imposed by royal authority upon an unwilling company.

The conflict bred its own bitterness as it went along. Its origins were lost sight of. But it is perfectly clear that the charges brought against Dupaty on 16th February 1780 and in the months that followed - recent extraction, atheism, disrespect

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1. Du Paty de Clam papers. Le Berthon to Dupaty, 18 Janvier 1779
 2. Accounts in Bachaumont, t. 15 p. 61; and Bib. Mun. Bx. MS 1696 (Fonds Lamontaigne) 4. p. 87.
 3. September 1781 - February 1782.

for the company - had not troubled it or its chief up until December 1778. Only the first charge was not open to argument. But clearly in itself inadequate birth was not considered a valid bar. As in the case of Dudon files, such factors were useful pretexts to cover real causes.

What then did change Le Berthon's mind in January 1779? That is the real question. The probable answer is, ironically enough, Dupaty's dearest friend, president de Lavie. Offices of président à mortier were few, and did not fall vacant often. Le Berthon wanted one for his son, received councillor in 1777. In deference to the first president, Dupaty even offered to concede préséance to Le Berthon files when they should both be on the bench. The only competition between them was this conflict of politeness, for the young Le Berthon did not seek Gascq's office, which Dupaty bought on the 11th December 1778. His father's letter of the same date was to approve of this purchase. Clearly he had another office in mind, and it looks as if it was Lavie's, and that Lavie refused to sell it. As Dupaty wrote to Mme. Dillon:

'Le premier président qui, dit-on, est au désespoir, ne comptant plus ou bien faiblement sur la charge de M de Lavie, de voir venir dans mes mains celle qui d'ici a longtemps pourra vacquer seule dans la compagnie, s'est démasqué tout à fait. Il veut s'opposer de toutes ses forces à ma réception, et, par une perfidie inouïe, c'est lui qui seul forme et suppose [sic] un parti contre moi dans le Parlement...'¹

1. Printed in Arch. Hist. D.Gironde t.24, No. CCVII. Dated April 1780, but clearly April 1779.

It was the sudden thwarting of his ambitions for his son which changed the first president's mind over Dupaty. Perhaps he even suspected a plot between the latter and his friend Lavié to lead him on a false trail until Gascq's office was secured. At any rate, those who followed his line in other things followed it in this, and so he gathered a party. This movement had already gathered momentum when, early in June 1779, president L.M.A. de Gourgue died suddenly at 62, and his office fell vacant. On 16th July Le Berthon file obtained the procuratio and resignandum of this office¹ and was received président à mortier on 13th November 1779, without visits or enquête.

This of course leaves another question. Why did not Le Berthon desist in his opposition after obtaining the Gourgue office? Partly it must have been a matter of face. He had taken his stand openly in April; he had gathered the embryo of a party; he had created difficulties of protocol for Dupaty. It was not easy to retrace his steps and undo all his work in June. Nor may he have wanted to, if he considered that he had been betrayed by Dupaty in a plot with Lavié. And by the Autumn he may well have been looking for another office of president, for councillor Lynch, to whom he took a huge liking, and who became on 23rd November his son-in-law. So the affair rolled forward, with a motion of its own, though its original reason - a case

1. A.D. 3E 17.599 (Ferrens)

of family ambitions thwarted - had disappeared within six months of appearing. It is clear then that the case of Dupaty does not show that accession to the grand banc was restricted by conditions of birth. If anything it shows the opposite, that outstanding talents like Dupaty's could have serious hopes of aspiring to it. It was only particular circumstances of the market - so to speak - which stood in his way.

Nevertheless the Dupaty episode does illustrate something. The parlement was a very narrow field for the ambitious to operate in. Above the rank of councillor, in a court of 115 officers, there were only 14 presidencies (not including the requêtes) and the three gens du roi. We can ignore the two purely honorific offices of chevaliers d'honneur, which magistrates never occupied.

The two offices of avocat-général were acceptable alternatives to presidencies, and less expensive. Their prestige was still reflected by a high price. It was a young man's office. Of the six parlementaires under Louis XVI who had held the office,¹ the eldest (Saige) was only 26 on reception. It demanded a great deal of hard work, but little experience. Four of them had never served as councillors at their reception, and the other two had only served in each case for a year. On the other hand it was

 1. P.J. Duden 1739-64; N.P.de Pichard 1755-60; F.A.Saige 1760-78; C.J.B.M.Mercier-Dupaty 1763-80; E.L.Dufaure de Lajorte 1779-90; P.de R.de Lalande 1780-90.

an office that could lead more quickly to fame than most others for an avocat-général was on his feet, pleading before the court, on most days. It was in this capacity that Dupaty made his reputation as an orator. So it often led to higher things: Richard and Dupaty passed to the bench of présidents à mortier and M. J. Dudon became procureur-général, head of the gens du roi.

After the first president, the procureur-général was the most important man in the parlement and its ressort. He was the crown's permanent counsel at the court, and it was his duty to call for the registration of all acts emanating from the government. He also had wide disciplinary powers over all lower jurisdictions. The office was not venal; its functions were too important for the king to run the risk of its being obtained by an unco-operative magistrate. Dudon, who held the office throughout the reign of Louis XVI, was in general a loyal government man. He had been nearly 25 years on the parquet when he was appointed. Immediately the office fell vacant, the Intendant Boutin¹ wrote to the government that Dudon was the obvious successor:

'peut estre ses concurrents proffiteront-ils pour l'écarter, de quelques circonstances delicates dans lesquelles il a donné des preuves d'un role qui a paru outré. Mais l'age et l'experience ont

1. Charles-Robert Boutin (17 - 17) 1743, cons. Parlement de Paris; 1749, Maître de Requetes; Intendant of Bordeaux 1760-1766; Conseiller d'Etat 1766. Commissaire pour l'administration de la Generalite de Bordeaux, 1784-86.

Calmé cette vivacité je puis au moins vous assurer Mr qu'il jouit d'une tres Grande probite, Beaucoup d'esprit et de talent pour son etat, je crois pouvoir y joindre un meritte plus rare encore et dont peuteestre on ne fait pas asses de Cas les moeurs les plus purs, et les plus exemplaires je suis Mr fort peu lie avec Mr. Dudon, et c'est uniquement le bien du service qui me pousse a vous ecrire en sa faveur, mais j'ai eprouve s[ouve]nt comment il etoit avantageux pour ceux qui ont quelque p[art] a l'administration d'avoir a traiter avec des personnes capables de discuter les affaires, de sentir la force des raisons qu'on peut leur oposer, et sur la pro[bit]é desquels on puisse compter.¹

It was a very wise choice, for Dudon never forsook for long the government line. In 1771 he stayed to become procureur-general of the parlement Maupeou. In 1775 he outfaced all the intrigues which were raised against him by the rentrés. He supported the candidature of Dupaty. And though at first he was one of the leaders of the parlement's opposition in August 1787 to the provincial assemblies, by December he was at the head of a minority government party. However such conduct took its toll of his reputation inside and outside the parlement. For Bernadau in 1787-89 he and his son were 'la famille Dudon, connue pour etre plus attachee a l'or qu'a l'honneur'² and an anonymous

1. A.D. C 3629 Boutin to Laverdy, 24 déc. 1763. Rough draft.

2. Bib. Mun. Ex. MSS 713 (Ser. 1) V Tablettes de Bernadau. t.1 p. 490. 21 janvier 1789.

correspondent wrote to the Comte de Brienne¹ that the procureur-général was so mistrusted that to make him head of the government party in the court was to ensure the rejection of the government's measures.² In any case, since his son's admission crisis, he had had many enemies in the parlement and not even his uncompromising stand in the affair of the alluvions³ had won over all of them. Above all, his role under Maupeou was never forgotten, and his obtaining of the survivance of his office for his son (who never played an independent role) confirmed his reputation as an audacious intriguer. This survivance was indeed not unprecedented. Dudon's predecessor Duvigier had been the survivancier of his father. But this did not console the ambitious parlementaires who had eagerly awaited his retirement.

Without doubt the most important member of the company was its head. The first president had immense responsibilities. As the chief magistrate of the ressort his administrative role was equal to that of the intendant, and greater, in the sense that the ressort covered several généralités. He was the chief

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1. Louis-Marie-Athanase de Loménie (1730-1794) Comte de Brienne, younger brother of Cardinal Loménie de Brienne. 1747 Colonel du Régiment d'Artois; 1762 Maréchal de Camp; subsequently Lt. Général des Armées du Roi. July-Sept. 1787 Commandant-en-Chef de la Guienne; 1787-88 Ministre de la Guerre; executed during Terror.
 2. A.N. AF 189 (Papiers Loménie de Brienne) p. 123. 25 dec.1787
 3. See below, p. 147 ff

representative of the parlement in all affairs to which it was a party. He was the government's man in the parlement, and the parlement's man with the government. He had, too, more influence than anybody else over who did and who did not enter the court. It would be difficult to overestimate his power. This office too was in the gift of the Crown alone, and was not given away lightly.

How then did one become first president? The succession of 1735 illustrates the process and the attributes required.¹ When the first president Gillet de Lacaze died there were nine rumoured candidates to succeed him, including four présidents à mortier, an avocat-général, a councillor, the first president of the parlement of Metz, and two intendants.² The decision took several months to make. The first question was, should it be a Bordelais or an étranger? The problem only arose because the government feared that each local contender had his party in the court, and that, whoever succeeded, the others would combine to make his life impossible.³ But they were soon satisfied that this would not be the case, so the final choice lay between local men. This policy was pursued in most parlements throughout the century, and has been characterised as 'worrying' or 'astoni-

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1. It is chronicled in letters between F.B. Le Berthon and A. de Ségur in the Ségur papers in A.D. 2E. Most of these are printed in A. Communay, Le Parlement de Bordeaux: notes biographiques su ses principaux officiers. (Bordeaux 1887) ps. 142-6
 2. Ibid. p. 142. One of the Intendants was Tourny, of Limoges.
 3. Intendant Boucher to Le Berthon 12 July 1735 ibid. p.146

shing'.¹ The king's man should be an outsider, without local bands, it is argued. This is to misunderstand the nature of provincial parlements. Intensely local, suspicious of outsiders, a local man was normally essential to persuade them to follow the king's policies. It was impossible to be the king's man and not the company's man, or the company's man and not the king's man. A first president needed the confidence of both. The successful candidate in 1735, F.B. Le Berthon, certainly had that.

He was of ancient family, with a long parlementaire tradition. He was the son of a président à mortier had served for 13 years as a councillor, and 18 as a président à mortier himself. Naturally he was of mature age, well known and esteemed in the court, and with no enemies there. His public reputation was that of an equitable and learned judge. To add to this he had powerful protectors at court: the Archbishop of Bordeaux, the Duc de Duras, and the Maréchal de Belleisle.² His moral life was unimpeachable. Moreover he was very rich, perhaps the most constantly important consideration of all. The processes of negotiation and conciliation which were the daily business of a first president, revolved round entertaining, both of colleagues and other local powers, and the head of a great company had to

1. eg Egret "L'Aristocratic Parlementaire" loc at ps 3-4

2. Communay, p. 142

keep an estate worthy of it. The remuneration of the office, though greater than that of any other, was still not enough to cover such expenses completely. So the first president was always one of the richest of parlementaires.¹ Such a combination of requisites clearly limited the field.

A.J.H. Le Berthon, however, was born to preside. Grandson of a president, son of a first president, his career was a measured ascent: councillor 1732, president in the enquêtes 1736, président à mortier 1748, first president 1766. But in 1766 there was no contending, for in 1753 he had already obtained the survivance of his father's office, and had it registered by the court. For 13 years he was the official heir apparent.

This was not entirely popular. As the parlement recalled at the time of the Dudon crisis, 31 years later:

'Lorsque votre auguste ayeul accorda la survivance au premier president de votre parlement de Bordeaux, Le Corps entier aplaudit a ce choix; et il s'en felicite encore: mais quelles en furent les suites? Des magistrats recommandables aspiraient à cette place; ils en furent exclus, sans qu'on eût examiné leurs prétentions: ils crurent que c'étoit une injustice, et ne pouvant le supporter, ils abandonnerent leurs fonctions. Si Sa Majeste eut renvoyé ce choix à la vacance de cette place, la délicatesse des autres Magistrats n'en eut pas été blessée, Il est facheux pour l'amour propre d'être vaincu dans la carrière; mais il est humiliant de ne pas être

1. See below p. 275

jugé digne d'y entrer.¹

The main contender, and a very learned and worthy one, seems to have been president de Gascq, who by 1766 was the senior président à mortier. He seems despite the survivance not to have given up hope until the moment it became operative, and when he was not successful, obtained a royal pension of 4,000" in compensation.² But how seriously could he have expected to succeed? Certainly he had the talents, age, experience, and connections in the court and at Versailles. But quite apart from Le Berthon's survivance, Gascq had two severe disadvantages. He was a known lecher, both in Bordeaux and Paris; and even more important, he had no money. With a theoretical capital fortune of over half a million (half the size, or less, of Le Berthon's) he was deep in debt, and its service ate up most of his annual revenues. Only a great stroke of luck could enable him to overcome such drawbacks.

But in the long run of course, he did. In 1771 he became first president of the parlement Maupeou, whose fortunes he guided with immense skill. However, he had to be buttressed with a large salary and a huge additional pension.

The history of the parlement Maupeou, indeed, if closely bound up with the ambitions of the parlementaires. President

1. Remonstrances of 3 mars 1784. A.M. Fonds Delpit 167 'Parlement'.

2. A.N. F¹ 1956. Request of September 1766.

de Pichard, most ambitious of men, jumped from low on the list to the office of second president and heir presumptive to Gascq. Councillors Duroy, Bacalan and Dussault became présidents à mortier. So later, did président à bonnet¹ de Rolland, who was succeeded by councillor de Lascombes. Venality disappeared, the number of high appointive offices rose from two to ten,² while the number of candidates fell from 113 to 41. The result was the promise of much more scope for the ambitious within the parlement.³

In 1775, however, the old system returned. Hence the furore over the reception of Dudon files. It was the outcry of a thwarted reversionary interest, for far more could hope for the office of procureur-général than that of first president. But the latter at least remained open. Le Berthon's son, though a président à mortier from 1779, never received the survivance of his father's office, and it is doubtful if he ever sought it. He seems to have been a rather feckless young man. This uncertainty kept hope alive in others, and in particular president de Pichard. Late in 1774 or early in 1775, when it was clear that there would be a restoration of the old parlement, he asked outright for the survivance after Le Berthon,⁴ or a first pres-

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1. Maupeouan name for president of the enquêtes.
 2. Seven presidencies, including the first; three gens du roi.
 3. See Appendix 2, p. 422
 4. A.N. K708 No. 83. Undated and unsigned memoir; but the hand writing is unmistakeably Pichard's, and the date can be easily deduced from the content.

idency or equal dignity elsewhere. He did not get it, but continued to seek it. By 1781 he was the senior président à mortier. He had refused to compromise himself by striking with the other restants in 1775. He took the government line over Dupaty and Dudon, and as Le Berthon refused to preside in the sessions over these two, Pichard out of seniority did so and used his influence against that of the chief. He was an assiduous correspondent of the government all the while, and at 56 years of age must have seemed Le Berthon's most likely successor before the dissolution of the parlement.

Such were the limited prospects for ambitious men in the parlement: two offices to which talent alone could bring one, and that only theoretically, for even these demanded other assets and attributes as well, particularly that of first president. For the rest, too, a conjunction of money, opportunity, and influence was needed which few experienced. A minority, however, fulfilled their ambitions outside the parlement.

For example there were the judicial pluralists, some of whom have been mentioned in various contexts already.¹ Councillor de Laroze, lieutenant-général at the sénéchaussée, was the most important of these. J.B.R. de Navarre, lieutenant-général à l'amirauté also held a crucial and lucrative office in mercantile Bordeaux, for all lawsuits connected with the sea were heard in

 1. See above, ps. 53 & 65.

his court.¹ B. Roche was avocat du Roi in Laroze's court, and J.F.de Lascombes, in Navarre's.

Usually, however, one had to leave the court in order to progress, and indeed, leave Bordeaux. The exceptions were those who transferred to the cour des aides. Nobody made a simple transfer, of course, for the cour des aides was below the parlement on the ladder of prestige. However in 1775 E. Maignol de Mataplane resigned an office of councillor in the parlement to become procureur-général at the cour des aides; it was an office his father had held. Here family tradition, ambition, and the desire to escape from post-Maupeou recriminations (he had served in Maupeou's parlement) coincided; though in the event he had a difficult reception on account of his recent past.² It was similar with J. Duroy. Son of a first president of the cour des aides, in 1778 he succeeded his brother-in-law P.J. Pascal in that office. He too had served under Maupeou, and he too encountered resistance to his nomination. In this case, the cour des aides was exiled to Casteljaloux until it received him.³

A very small number had national ambitions and the means to fulfil them. The surest way to success in politics was

1. See M.Gouron, L'Amirauté de Guienne, depuis le premier amiral anglais jusqu'à la Révolution (Paris 1938) p.310
2. Bib. Mun. Bx. Ms 1201 (Correspondance Duplessy) boîte 4. 7 mars 1775.
3. 26th July - 1st November 1778. Declarations du Roi, 26 juillet 1778 et 1er novembre 1778. A.D. C4865.

through the higher charges of the magistracy in Paris. The lowest rung on this ladder was the office of maître de requêtes, and one or two Bordeaux parlementaires bought these. Before 1775 councillors de Giac and de Bacalan are examples. After 1775 we find J. B. Taffard (1777) and J. Thilorier (1778) doing so, but no others. Neither of them achieved any eminence by the move. To take such a step was an expensive gamble, which might indeed lead to an intendency and a place on the council d'état, but which might equally prove a dead end, as it did in these cases. Only one Bordeaux parlementaire under Louis XVI was reported to have attained the illustrious heights of the council d'état, and this was Laroze. So at least the story was in Bordeaux, and so he styled himself in the 1780s. Yet he appears on none of the lists in the annual Almanach Royal. One is tempted to think that, in this mystery, somebody was being duped: he by the government, or Bordeaux by him; or even both.

The most eminent and well-known parlementaire of Bordeaux under Louis XVI was in fact Dupaty, and his ambitions outside the city were mainly literary and philosophical. His exiles before and during the Maupeou revolution made him a hero of the parlementaire cause until well after the restoration of 1775. His struggle to become a président à mortier was then followed step by step all over France. Despairing of peace in Bordeaux, he obtained permission in 1785 to go to Italy. On his return he was deputed by Mirmeuil to work on reform project for the criminal law, and in 1786 published a tract on this subject, with

that deafening anonymity that was such a convention of literary life in France in this century. He spent the years 1786-88 in conflict with the parlement of Paris, in the affaire des trois roués; a business which, had it not occurred so close to the Revolution, would doubtless be remembered with the Calas, Sirven, and La Barre affairs as one of the judicial scandals of the century. He died in September 1788, at the height of his fame, only 42 years old, and only a few weeks after publishing his (later) highly successful Lettres sur l'Italie.¹ In his lifetime, therefore, he owed his fame to conflict with, rather than success in, parlements.

The reign of Louis XVI also offered parlementaires certain new outlets for their ambitions. There were the Assemblies of Notables, in which both the first president and procureur-général sat; and of course the Estates-General. Five Bordeaux parlementaires were elected to this assembly: the first president and president P.M.A. de Lavie sat for the nobility of Bordeaux; C.A. de Piis, conseiller honoraire, sat for that of Bazas; and councillor de Poissac for that of Tulle. Councillor Perez d'Artassan actually sat for the third estate of Mont-de-Marsan. But they were all undistinguished there, and the last three appear to have left the National Assembly by the beginning of 1790.²

1. On Dupaty's literary career, see also below, p.348-9

2. See below, pp.398-9

Such was the total achievement of the parlementaires of Bordeaux on the wider national stage. It does not amount to much; and, but for the extraordinary circumstances of the politics of Louis XVI's reign, it would have amounted probably to even less. Dudon was then certainly right about the parlementaire career, if by turning one's back on fortune he meant confining one's ambitions to local achievement. This was all that most parlementaires had the opportunity to do. At first sight this may seem achievement enough for most men, but we must remember that for at least half of the parlementaires it was no achievement to become members of the court. They were born to it. For the ambitious among them, progress therefore meant something more than an office of councillor at the parlement. Even within the court, the scope was extremely limited, and the result was the particular virulence of the personal quarrels over succession to the higher offices. They tore the court apart in a way that public issues never did.

But the absence of wider opportunities had a result on the discussion of public issues all the same. It helped to eliminate the consideration of wider interests than those of Bordeaux and Guienne. This had of course always been largely the case, for the parlement was a local body with local terms of reference, and its members were of local extraction. Without the prospect of going on to deal with national affairs, a magistrate had little incentive to take the national view of government policies; he was only interested in their local effect.

But the reign of Louis XVI was a reign of reforms, and reforms of a more far-reaching and uniform character than any within living memory. Most of them before 1789 were of course blocked in one way or another. The most spectacular failures were those of the Lomenie de Brienne ministry; and they foundered, in part at least, upon the militant provincialism stirred up by parlements such as that of Grenoble, and that of Bordeaux.

5 - The Work of Parliamentaries

The centre of the parlementaires' life was the Palais. The parlement of Bordeaux sat in the medieval palace of the king-dukes of Guienne, the Palais de l'Ombrière, and had sat there since the foundation of the parlement in 1462.

'on y a Non seulement Etabli la Grande Chambre, Celle de Enquettes, Requettes et Greffe du parlement, Mais Encore le Senechal, les Eaux et forest, Lamiraute, La Table de Marbre, la prévôté, la Chancellerie, les archives du parlement &c dans les Rez de Chaussées et Souterains toutes les prisons, Cachots, logement de Concierge Relatif a ces differentes Jurisdiction.'¹

It was not just the seat of one court, then, but a sort of general judicial centre. The only major courts of Bordeaux which did not sit there were the cour des aides, the bureau des finances, and the mercantile jurisdiction consulaire.

The Ombrière reared high over the medieval centre of the town, on low ground only a stone's throw from the river. It was approached through streets which were described in 1783 as narrow, dirty, and ill-paved.² It was itself in a very poor state, and tremendously expensive to maintain. Between 1771 and 1774 alone repairs cost 10,818'15s 3d, and throughout the last decades of the old regime it cost anything between one and three thousand livres a year in maintenance.³ In 1778 there was an ep-

1. A.D. C 3666 Memoir on the palais of 1768.

2. R. Mesuret, 'Antoni Ponz à Bordeaux en 1783' Rev. Hist. Bx. (1958-9) p.96

3. A.D. C 1982

idemic in the prisons, which were overcrowded and had not been cleaned for thirty years.

The king's courts did not however go neglected in the immense architectural activity which characterised Bordeaux in the later 18th century. In 1772 plans were drawn up to group all Bordeaux courts under a single roof. The buildings of the now empty Jesuit collège de la Madeleine were to form the basis of a new complex, and the project was authorised by letters-patent of March 1773. In 1774 work began on the foundations of new prisons and a house for the first president, but when the parlement was restored a year later, work was stopped on the complaint of Le Berthon. The prisons were too near to his house on the rue du Mirail. There ensued several years of wrangling before the building was resumed. Meanwhile the palais of the cour des aides was practically falling down, and a chamber was prepared for it in the college; however they refused to move on the grounds that it was not dignified enough. In 1787 they still had not moved, and nor had any of the courts of the Ombrière. The parlement finished its days in the palace where it had begun them.¹

The judicial year began at Martinmas. The rentrée de la Saint Martin took place on 12th November, and was marked by a messe rouge in the chapel of the Ombrière, hortatory speeches from

1. A.D. c 1982; C 97. Memoir of March 1778. Only the bureau des finances ever made the transfer, A.D. C 3604 Intendant to Garde des Sceaux, 8 aout 1780.

presidents and gens du roi on judicial topics, and the promulgation of the service roll for the year. The year ended on 7th September, veille de Notre Dame, when the magistrates, except those serving in the vacation chambre de retenue, dispersed to their estates for the vendanges.¹ In addition the court did not sit between Maundy Thursday and Low Sunday, and on 36 religious feast days throughout the year.² And so much, only officially. In fact, the judicial year only began in earnest after Epiphany. Most parlementaires, especially when the vendanges were bad and money was lacking, were in the country from early September to early January or beyond.³ The working judicial year was therefore just over six months long, excluding the span of the chambre de retenue, which only dealt with urgent cases.

In fact it was frequently shorter than this, owing to haphazard attendance or deliberate strikes by the magistrates. For instance very little was done in the way of ordinary judicial business in the year 1780-81. Most of the magistrates were on strike - though not a declared strike - over issues arising from the Dupaty case. Nothing was done either in the year 1787 - 88, when the parlement was at Libourne, and publicly refused to transact any business. Half the parlement, the Maupeouan

1. Etrennes Bordeloises &c for 1776, p. 74-5

2. Ibid. p. 109.

3. See A.D. C3214 Tourny to Orry, 27 mars 1744.

half, had also ceased attendance from March to July 1775 in protest against the disdain with which they had publicly been treated at the rentrée. The rentrés carried on, but of course business must have been slowed down.

Absenteeism was a constantly unpredictable factor. There were those, like councillors Piis, Cursol, Desnanots and Maignol, who never returned to the court after 1775, and sold their offices as soon as they could. Some had stayed on under Maupeou, some had not. The most famous absentee was president de Gasco, Maupeouan first president, who retired on a pension to Paris. The judicial pluralists like Laroze and Navarre gave a large part of their time to their non-parlementaire work, and after 1775 had an additional incentive to do so as restants, persecuted by the rentrés.¹ For health reasons, councillor J.J. de Boucaud did not appear for nearly the whole decade of the 1780s.² President de Lavie ceased attending in 1781, during the Dupaty troubles, and did not return, though he never managed to sell his office.³ There was more check upon those wishing to leave Bordeaux, though not much more. The permission of the company and of the Garde des Sceaux was needed, but does not seem to

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1. Laroze gave up attendance in September 1775, after being accused by Poissac of extortionate charges in judicial fees, Arch. Aff. Etrang. Mémoires et Documents, dossiers France 1589 f.60
 2. A.N. BB⁵ 73 Boucaud to Minister of Justice, 2nd July 1811.
 3. A.N. B 111 34 p. 925 Richard to Garde des Sceaux 11 avril 1789.

have been hard to obtain. Councillor B.de Basterot was allowed to spend the years 1778-81 in England.¹ Dupaty had permission in 1785 to spend six months in Italy, and on his return was dispensed from rejoining the company; which he did not do, except at the Versailles séance royale of July 1786. Finally, throughout the century, there were a number of américains, with lands in the West Indies, who went there from time to time on business. In the 1760s this had been the case with the two Prunes brothers. Of such people, however, only Pocquet de Lillette de Puilhery was left by 1775, and he sold his office the next year. But he had been the worst of all. His only appearance at the parlement in his 19 years of membership, was on his day of reception.²

Even if it was a minority who were guilty of persistent absenteeism, there were others with little enthusiasm for the work, for conscientious attendance was indeed exacting. Audiences began at dawn, and went on until lunchtime. In the afternoon, complex cases were dealt with by sets of commissaires drawn from among senior magistrates. In fact, the more senior one's position, the greater the responsibility and the harder the work. Thus,

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1. Bib. V. Cousin Papiers Richelieu Vol.37 f.169 Anon.account of séance of 7 mars 1781
 2. E. Hayot, 'Les officiers du Conseil souverain de la Martinique et leurs, successeurs les Conseillers de la Cour d'Appel 1675-1830' Mémoires de la Société d'Histoire de la Martinique No. 1 (1964) p.218

while the enquêtes and requêtes only held morning sessions twice a week, the grand'chambre met on Mondays, Tuesdays, Thursdays, and Saturdays in the morning. All chambers met to deal with more complex cases on Mondays, Wednesdays, Thursdays and Saturdays in the afternoons. From Epiphany to the Assumption the grand'chambre also met on Friday afternoons.¹ It may well have been not so much the youth of the members of the enquêtes which gave them their lively interest in public affairs, but the fact that they had less routine judicial business to occupy their minds.

But even in normal times, the course of judicial business did not go forward uninterrupted. Audiences were constantly being cut short by summonses to meetings of the assembled chambers. The procureur-général, or the representatives of any chamber, could call for an immediate assembly, which the first president, unless he had a very sound excuse, was obliged to grant. Here the gens du roi presented royal acts of registration, here those acts were discussed, and here any member could raise any matter of public or even internal business. This practice was not abusive in itself, for it was an integral part of the parlement's function; but it could of course be abused for trivial reasons. One function of the first president was to prevent this. But even without abuse, a week

 1. Etrennes Bordeloises &c for 1776 ps. 78-83

seldom passed without at least two assemblies of the chambers.

From the narrow point of view of litigants the uncertainty of the parlement's justice must have been maddening, with strikes, holidays, assemblies of chambers, judges not appearing, and so on. 'Les plaideurs se désespèrent et tout ce qui tient au Palais se trouve dans la consternation', reported Vergniaud in May 1781, 'Il n'y a pas eu une seule audience en grand nombre cette semaine. Il n'a que la Tournelle qui fasse son service assez exactement...'¹ And in July 'Tout le monde crie, mais le Parlement s'en moque...'² By August, even the tournelle under Dupaty was faltering: 'Les prisons regorgent, les prisonniers murmurent, mais il y apparence que c'est sans remède jusqu'à nouvel ordre; il est impossible de former les bureaux pour juger les affaires au Rapport; il faut que M. Dupaty aille vingt fois au Palais pour pouvoir rassembler sept magistrats...'³ Thus in a time of crisis. But even in untroubled times things were bad enough. 'L'hiver, sans être bien rude à Bordeaux, a tellement glace le zèle de MM du Parlement que les audiences se montent apres 11 heures pour finir à midi...les jeunes avocats, qui n'ont pas de pain cuit, commencent à trouver le tems un peu long. Ce sont eux qui temoignent le plus de zèle pour que la

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1. Vatel, Vergniaud, 1 p. 48, 7 juillet 1781
 2. Ibid. 1 p. 50, 25 juillet 1781
 3. Ibid. 1 p. 51, 4 août 1781

justice soit bien administrée,'¹ In sum: 'La justice du parlement de Bordeaux n'a ni de bras ni jambes; et quand on est ainsi estropié, on agit bien lentement.'²

The fact is that as a court of justice the parlement was inefficient. Its justice was costly, uncertain, and slow, though only the first because of the second and third. One thing which helped the parlement Maupeou to establish itself was the seeming promise that this state of affairs would alter. The exiles, wrote Dudon to Richelieu in January 1772, 'sont devenus d'autant plus furieux, qu'ils ont appris qu'on avoit expédié beaucoup d'affaires depuis la rentrée du Parlement jusques à Noël, qu'on n'en avoit expédié l'année dernière à Lamy Careme.'³ This was, too, with half the number of magistrates, but at the same time fewer assemblies of chambers, no strikes, and an unprecedented regularity of attendance.

But 1775 proved a restoration in every sense. Not only were there strikes of restants. The dispatch of judicial business was also much retarded when the rentrés voted that all arrêts of parlement Maupeou, when cited as precedents, should be termed jugements de la commission intermédiaire. The restants refused

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1. Ibid. 1 p. 93,7 février 1784.
 2. Ibid. 1 p. 94,16 février 1784.
 3. Bib. V. Cousin, Papiers Richelieu. v.37 f.134 Dudon to Richelieu, 9 janvier 1772.

to be denigrated or to denigrate themselves by the use of such lowering descriptions. The rentrés refused to acknowledge any other. It was unfortunate for litigants who had the ill-luck to have a case borne upon by decisions of the Maupeou parlement. Such cases stayed in suspension from the moment the precedent was cited; and these quarrels went on intermittently for a year after the restoration.

So much for the efficiency of the parlementaires. What of their technical capacity? We have already seen that there is ground for grave doubt on this; they entered young, and their legal degrees were worth next to nothing.¹ However there are some mitigating circumstances. They did not normally have voix deliberative until the age of 25; between their reception and that age they merely sat and listened. This constituted a sort of training. Moreover we must remember that well over half came from legal families. They grew up with the law, and most grew up, whether they liked it or not, for the law. There must have been some unhappy misfits. 'Je n'ai pris ma charge que pour plaire a mes parens n'ayant jamais eu de goust pour mon estat que j'aurois quitte si j'en eusse ete le maitre il y a bien long tems.'² So wrote L.A.de Castelnau to Richelieu in 1772, though this was probably merely an excuse to leave the parlement

1. See above ps. 66-7

2. Bib. v. Cousin, Papiers Richelieu, v.37 f.26 Castelnau to Richelieu, 16 mars 1772.

Maupeou, for he remained in the restored parlement until 1790. Furthermore councillors began their careers in the enquêtes, whose sessions were not public and whose cases were judged in writing on the rapport of a single magistrate on whose opinion his colleagues sat like a jury. There was thus plenty of opportunity for informal debate and discussion, during which the young magistrate could not fail to equip himself better for the solemn audiences of the grand'chambre later in his life.

There is no doubt that some magistrates were extremely learned in the law. There was M.F.de Verthamon, president of the enquêtes, who reconstituted in 52 volumes the secret registers of the parlement from its origins to 1767.¹ Poissac published in 1776 a collection of 'Arrets notables rendus en la 1^{ere} Chambre des Enquetes du Parlement de Bordeaux, pour fixer la jurisprudence de la Cour.'² The procureur-général Dudon, when still avocat-général, had had his compte rendu of the constitutions of the Jesuits published,³ and left an unpublished manuscript of Conferences su la Coutume de Bordeaux. Lamontaigne collected remonstrances, and kept a detailed journal of the parlement's affairs in the late 1750s and early 1760s. He was extremely well-informed on everything that concerned the parl-

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1. Collection now in A.H. MSS 758-809
 2. Bordeaux, 1776.
 3. Bordeaux, 1762.

ement, and corresponded with Boucher d'Argis, who wrote many of the legal articles of the Encyclopédie.¹ And of course there was Dupaty, who devoted his later life to the reform of the criminal laws. By 1788 he had become a national authority on the subject, and his last years were a sort of crusade. Nevertheless it remains true that most parlementaires did not consign their learning to print, and it was left to the brothers Lamothe, avocats, and L.F.de Salviat, councillor at the présidial of Brive, to write the most reliable modern commentaries on the law which was the parlement's everyday business.²

Many were very learned for all that. Richelieu and Gascq, when they were recruiting the parlement Maupeou, took special pains to enlist eminent judges like J.A.de Coursol, J.de Fonteneil, Lamontaigne, or Lascombes, known for his 'science profonde en matière de droit écrit.'³ One has only to read the remonstrances

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1. Journal in Bib. Mun. Ex. MS 1696 (Fonds Lamontaigne) 4 Letters of Boucher d'Argis to Lamontaigne ibid. 2. Nos. 83, 86, 88, 91, 92. Antoine-Gaspard Boucher d'Argis (1708-1791) Avocat, 1727. 1753 member of the conseil souverain des Dombes; 1767-8 échevin de Paris; member of conseil souverain de Bouillon. Wrote articles on judicial matters for the Encyclopédie, and numerous works of legal commentary.
 2. A. & D.Lamothe, Coûtumes du Ressort du Parlement de Guienne; avec un commentaire pour l'intelligence du texte; & les Arrêts rendus en interprétation. 2v. (Bordeaux 1768)
L.F.de Salviat, La Jurisprudence du Parlement de Bordeaux Avec un Recueil de Questions importantes agitées en cette Cour & les Arrêts qui les ont décidées (Paris 1787)
 3. Bib. V.Cousin, Papiers Richelieu, v.38 f.138 Gascq to Richelieu, 25 février 1772.

of the parlement to recognise the skill, intelligence and legal knowledge of the commissaires who drew them up, though admittedly they tended to be the same people over and over again.

Parlementaire libraries were rich in legal books. Admittedly in many cases these represented the accumulation of several generations in the magistracy, and many were very old. Nor can we prove how often they were used. But most magistrates had a useful kernel of works of reference. All had, as was natural, editions of the custom of Bordeaux; most had the 17th century jurist Autome in preference to that more modern edition of the Lamothe brothers.¹ The customs of Saintonge and other districts of the ressort were also to be found, along with collections of Décisions Sommaires du Palais. Several families had copies of secret registers of the parlement. Most had copies of and commentaries on the great ordonnances of Louis XIV, and the Roman law collections of Justinian. The new dictionaries and repertories of Ferriere, Bourdot de Richebourg and Guyot were often found too.²

Clearly there was a kernel of learned and assiduous magistrates, though they may not have been in the majority, and

1. B. Autome, Commentaire sur les Coustumes generales de la ville de Bourdeaux et pays Bourdelois (Bordeaux 1621, 1666, 1728)
2. The book lists consulted are those of émigrés and condamnés in the Bibliotheque de la Ville de Bordeaux. Cited, with references, below p. 35!

were perhaps concentrated in the grand'chambre. Assiduity alone must have led before long to a certain amount of knowledge and experience. Probably the majority of parlementaires were unexceptional one way or the other in knowledge of the law, though doubtless there was a fair number without vocation or interest. However, justice is not only law, but equity. As judges, were they impartial? Everything, it is clear, was against it. The common practice was to solicit one's judge. There are several examples in the 1780s in the correspondence of the young councillor Filhot de Chimbaud.¹ His uncle M. de Mazières wrote in 1786, on behalf of a cousin in litigation:

'Mon parent desireroit que je Luy envoyasse quelques Lettres pour Messieurs ses juges de ma connaissance. Je sçay que ces Lettres ne font pas...de sensation..., cependant il est des circonstances ou l'on ne peut guère se Refuser d'Ecrire...ainsi j'Ecrirai a Messieurs de Gobineau, biré Marans et chalup, à moins que ma belle-soeur ne me promette de solliciter ces Messieurs.'

Filhot himself often received such letters:

'Mon gendre...me mande quil a le bonheur de vous avoir pour juge, dans un procès, au rapport de M de gobineau, permettez-vous, Monsieur, que je vous supplie de vouloir bien donner toute vôtre attention ordinaire à cette affaire'²

If all parties sent such pleas, however, it seems permiss-

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1. A.D. 2E 1213⁵ (Titres de Famille: Filhot de Chimbaud) Mazières to Filhot 21 mai 1786.
 2. Ibid. de Paget to Filhot 6 juillet 1785.

ible to doubt whether they affected the outcome. If there was any outright bribery, no evidence of it has emerged, though one would expect it to be well-concealed.

It has often been alleged that parlementaires never lost cases to which they were parties. They were such a litigious group that it would be a work in itself to follow all their cases and so reach a definitive answer to this question. The propensity to go to law may itself suggest that they had a good hope for success. On the other hand they were often suing each other, and both sides could not win. One of the claims of the restants in 1776 was that, because of the rentré majority in the parlement, it was impossible for them to win cases. The first president was outraged at this charge, and pointed out in a reply to the government that out of the four most recent cases concerning restants, one had been lost, two won, and one was as yet undecided.¹ Probably parlementaires did most often win their cases, but how far was this due to the fact that, as lawyers themselves, they knew when they were on firm ground and when not? However in a court where, contrary to all the ordonnances, it was possible for a man to be named rapporteur in his own case, as was president de Pichard in 1777 in a case against his ex-steward, one must wonder how impartially justice

1. A.N. O¹ 352 No. 438. Reply to the charge in Arch. Aff. Etrang. Memoires et Documents, dossiers France 1588 ff. 316-9 restants to Vergennes, 3 september 1776

was administered.¹

The hardest-worked officer in the parlement was the procureur-général. He was not, like most magistrates, at the service of litigants, who being to an extent less powerful, were at the mercy of his caprice. He served the king and the company, and when either gave orders, he and his assistants in the parquet had to begin work at once. When the company asked for conclusions, or the king ordered delivery of conclusions with the presentation of edicts, a date was usually fixed, and when it came, the conclusions had to be ready. In addition, the procureur-général had to keep up a day-to-day supervisory correspondence with all the inferior courts of the ressort, report regularly to the government, and concert the public policies of the parlement with the first president. This was particularly difficult when the two were enemies, as were Dudon and Le Berthon for most of the last years of the parlement. Even with his secretary, two avocats-généraux, and several substituts to help him, the procureur-général still found little leisure, for his office was the very hub of the legal functioning of the whole ressort.

No less busy, though in a different way, was the first president. Indeed perhaps he had more to do. Within the company he had to keep harmony, an almost impossible task under Louis XVI. This demanded endless expensive entertaining, negotiation, and

1. A.D. 2E 2285 (Titres de famille: Richard de Saucats)
See below pp. 206 ff.

monoeuvres. It demanded his presence at all the crucial sessions. At the same time he had to maintain contact between the company and the government through a correspondence with Versailles, and constant conferences with the governor or his representative and the intendant. The attempts of Le Berthon to steer a middle course here have too often been underestimated.¹ The essential ceremonial duties, inside and outside the parlement, took up a great deal of time. All this was on top of day-to-day judicial work .

As to presidents and councillors, they could be as busy as they wished to be, except for the presidents in the enquêtes, on whom certain minimum obligations rested. There was always a need for rapporteurs. There were always in being a number of bureaux and commissions, for drawing up remonstrances or conducting judicial enquiries. To be selected for these was a mark of honour not won by those who had not worked for it. There were also deputations from time to time, either to the government or to visiting dignitaries. For the assiduous, it was not a peaceful life, and a real interest in the law, or a driving ambition, was needed to sustain one. Certainly the money was not enough.² As president de Gasco, a most conscientious

1. Egret, 'Aristocratie parlementaire' p. 3; Boscheron des Portes II p. 331

2. See below, pp. 129 - 135

magistrate, wrote to his friend Richelieu in a moment of depression:

'Prunes...ne veut plus aller au palais ny moi aussi, il n'y a rien a gagner dans ce metier la que du travail de lenuy et des occasions de deplaire ainsi il faut prendre son party surtout quand on na pas la fortune necessaire.'¹

Such was the career of a parlementaire. The senate of a province, the parlement was the goal of all inferior office holders, and every generation a crop of new men, from families which had at last reached the requisite estate, appeared in its ranks. For most of them, except for the Dupatys, the Poissacs, and their like who wished to progress especially quickly, this was achievement, this was to become a notable. This was why families became parlementaire families.

For them, there was a satisfaction. It was different for those, the largest single group, for whom entry to the parlement was the most natural thing in the world, and for them there was not the satisfaction of any achievement. Their position seemed secure, their career mapped out with no obstacles. Whether they had any taste for it or not, they were condemned for life to the dull, exacting, legal round of the palais. Doubtless some were content. Others reacted by neglect. Many sought relief by exploiting the possibilities of the parlementaire life in public

1. Bib. V.Cousin, Papiers Richelieu, v.38 f.37 Gascq to Richelieu, 7 decembre 1765.

affairs. The political role of the provincial parlements, which did not cease to grow throughout the 18th century, is a reflection of increasing social confidence on the one hand, and political and professional frustration on the other. A place in the parlement was a reward in itself, but it did not confer further rewards. It was a dignified dead end.

As a career, it paid poorly. Moreover it seldom now had its traditional social function of conferring nobility. Yet so much power and security was needed before it was even possible to think of being a parlementaire; and so much was needed to sustain the estate once there. A study of parlementaire fortunes is therefore essential to the understanding of the framework within which the parlement acted.

6 - Office

All parlementaires were by definition office holders. Only by possession of a venal office could one enter the parlement. Pieces of real property, offices could be bought, sold, bequeathed, even leased, at will. In capital value, at least, the office he held was usually a substantial item in the magistrate's fortune.

There were indeed two exceptions to the venality rule. The first president and the procureur-général were chosen by the king and did not buy their offices. Yet even they had usually to pay a sum which was arbitrarily fixed by the king, to their predecessors. At the same time he usually granted to the new occupant of the office a brevet de retenue, which was a credit note, usually for the same sum, payable to him by his successor. When F.B. Le Berthon became first president in 1735, he had to pay to the heirs of Gillet de Lacaze 150,000", and in return he only got a brevet de retenue of 75,000" at first.¹ But after protesting he was granted a gratification of the other 75,000" payable on the port dues of Bordeaux. When Dudon became procureur-général in 1763, he had to pay 50,000" to his predecessor's family, but was at once granted a brevet for the same sum.² So in fact the only thing which distinguished these offices from truly

1. Protest of 16 mai 1747; letters in A.D. C3783.

2. Vice-Chancellor Maupeou to Dudon. Versailles, 29 Dec. 1763. Printed in Arch. Hist. D. Gironde, v.18 (1878) No.CCCXXI.

venal ones was a guarantee against money loss when they were resigned; though of course there was no guarantee against real loss, through the decline in the value of money.

By the end of the 18th century, they were even tending to become hereditary, as we have seen. Neither the elder Le Barthon nor Dudon was ever paid for his brevet de retenue, since both were succeeded by their sons. The same thing was happening all over France.¹

The higher one went in the court, the more offices cost. There is in the Departmental Archives at Bordeaux a sub-series of notarial acts of sales of offices for the whole of the 18th century, collected under the law of 9 brumaire, An II. These have been summarised in an inventory, and from this it is possible to come to some general conclusions on the price of parlementaire offices.²

The most important and expensive were those of président à mortier. The average selling price for these offices between 1739 and 1778 was, to the nearest thousand, 123,000".³ They range between 135,000" paid by L.M.A. de Gourgue in 1753 to 114,000" paid by P.M.A. de Lavie in 1768. These sums are all well above a recent estimate of typical price ranges for the mortier in provincial parlements between 1715 and 1748.⁴ However

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1. Egrat, 'L'aristocratie parlementaire & c' p.4.
 2. Cessions d'offices; Minutes Notariales retirées des fonds en exécution du décret du 9 brumaire An II. portant suppression des offices: Inventaire alphabétique par noms de personnes et de lieux suivi d'une table des matières. 2v. (Repertoire numérique no.100)
 3. Based on 8 transactions.
 4. Ford, Robe and Sword, p.50 gives 70,000" to 100,000" as typical.

the overall trend, insofar as one can be discerned among such a small sample, seems to have been downwards. Admittedly, they had risen since the end of the 17th century, when an office of président à mortier sold for as little as 72,000¹ but the peak for prices appears to have come in the 1730s, and after that they slowly declined.

'... un notaire est venue me parler pur ma charge.' wrote Gasq in 1765. 'jay dit 45 mille écus. Si on veut m'en doner 40, je seray fort tenté de la doner. celle du p Lalane na ettee vendue que 114 mille francs et je suis moins que lui, en estat d'attendre ...' ²

Most of these offices were passed on from father to son at the end of the old regime.

Next in price came the two offices of avocat-général. In 1760 Pichard sold his to Saige for 84,000³; and Dudon sold his to Duapaty in 1767 for the same sum. Both acquirers made profits when they sold these offices in 1778. E.L. Dufaure de Lajarte paid Saige 91,200⁴; and P.de Raymond de Lalande, buying Dupaty's office for his son, paid 92,400⁵. The prices for the two offices of greffier-en-chef were similarly rising. While they were to be had in 1728 for 65,000⁶; by 1777 one sold at 80,000⁷; and prices had mounted steadily in between those years.³ Finally, in the higher ranges, the two purely honorific functions of chevalier d'honneur were to be had at between 75,000⁸ (1738) and 48,000⁹ (1748).⁴

1. Arch. Aff. Etrang. Mémoires et Documents, dossiers France 1587, "Memoir de la Province de Bordeaux dressé par Mr de Bezons Intt en l'Année 1698"

2. Bib. V.Cousin. Papiers Richelieu, v.38 f.37 Gasq to Richelieu 7 dec.1765.

3. There were only four transactions in all, however.

4. These are the only two figures I have.

Much cheaper were presidencies of lower chambers. Presidencies in the enquêtes rose up to 35,000" in the early 1720s, and stayed absolutely level throughout the century. So in 1789 G.R.B. de Filhot could still pay 36,000". On the other hand these offices could not be held by themselves; in theory they were commissions conferred on councillors, so each president of the enquêtes had to hold the office of councillor too.¹ This does not seem to have applied to the presidents of the requêtes, whose offices in any case did not fetch more than those of full councillor at the parlement, at 30,000".²

Three classes of office prices corresponded to the three sorts of councillors. Cheapest were those of offices in the requêtes, very inferior magistrates. Among the 16 here studied, for which 11 prices survive, the average was about 16,500". From a high of 25,000" in the mid-1720s, the overall trend was down. When B. Roche was approached to sell his office in 1786, he asked 18,500", and the buyers, though willing to pay it, considered the price 'exorbitant', and in fact the deal was never concluded.³

The conseillers clercs also form a special group. Because the candidates were normally limited to clerics in major orders, the field of competition was reduced on the score both of age and qualifications. Moreover, since most conseillers clercs were also canons, with some income and

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1. This may account for the discrepancy between Bordeaux prices and those given as typical of the provinces by Ford (l'oc. cit.). If he adds the two offices together, the discrepancy disappears, but he does not say whether he does.
 2. This is the only figure I have for this office.
 3. AD 2E 1213⁵ (Titres de Famille: Filhot de Chimbaud) Mazières Correspondence Fév-Mars 1786.

a certain social position assured, the extra work involved might not have made a magistrate's life very attractive, despite the extra privileges. Above all, priests who became conseillers clercs tended to be poor younger brothers in their families, whose meagre légitimes did not run to the purchase of very expensive offices.

'Ma fortune est mince', protested the Abbé A. de Meslon in 1771, when his office, suppressed by Maupeou, was not compensated at once. 'ma légitime est presque entièrement absorbée par le prix de mon office supprimé et des provisions et frais de réception. J'ai été pourvu depuis peu d'un Canoniat dans une Collegiale dont les revenus sont médiocres.'¹

Such factors are reflected in the price of offices, whose average is about the same figure as for those in the chamber of requêtes, or a little less. Once more there is a shallow centurylong decline, from 20,000" in 1725, to 16,000" in 1787.

The prices for the most numerous offices, those of full councillor at the parlement, were normally a good deal above this. Bluche has shown that in Paris between 1682 and 1771 office prices in the parlement, though in general slowly falling, were subject to substantial year-to-year fluctuations.² As regards the fluctuations, the same was true at Bordeaux. But if we take the average price per decade over the 18th century³ we see that the price of

1. A.D. 2E 2056 (Titres de famille:Meslon) Meslon to Intendant, janvier 18 1772.

2. Les Magistrats du Parlement de Paris & c p.167.

3. see graph 1.

office actually rose until the decade 1730-9, when it was just under 39,000," though from there indeed it fell off during the two central decades of the century, decades of war. There was a notable recovery in the decades 1760-69, by the end of which some offices were selling at 40,000" (though the average is lower than for the 1730's). But from 1770 there was a steady overall decline until the Revolution. Contemporaries were aware of these fluctuations and their possible causes. In a letter of 1758 Lamontaigne wrote:

'Le prix auquel les dernieres charges ont été vendues, n'est pas bien brillant; elles l'ont été à 26000 ou 27000" mais vu les malheurs du tems, on peut n'en être pas surpris. elles augmentent, sans doute, si la paix venait rouvrir le commerce et l'aisance ...'¹

He seems to have been right. Until 1770, the curve of prices for the office of councillor followed closely enough the fortunes of Bordeaux' 18th century boom, though the recovery after 1763 was not as dramatic. When the British fleet cut off the West Indies from Bordeaux, trade slumped, as it did in the middle two decades. As a result there was not so much free capital for investment in offices. The same downward curve in prices is strongly registered in the 1740s for that most typical of merchant offices that of secrétaire du Roi.² As in perhaps most things, the war curbed investment. This applied to the families from which the parlement was normally recruited as much as to anybody, for most of their income was

1. Bib. Mun Ex. MSS 1696 (Fonds Lamontaigne) 2. No.90. 28 Nov. 1758.

2. See graph 2.

derived from exporting wine, which became as perilous as any other sort of commerce in time of war.

The decline from 1770, in the period which interests us most, seems however to have more complicated reasons. There was of course another war; yet it was far less harmful to Bordeaux trade since the French controlled the sea better. And prices for the office of secrétaire du Roi continued to shoot up, so that by the 1780s these offices were worth as much as those of président à mortier in the parlement. Prices for the office of councillor at the cour des aides continued the steady rise that they had registered since the 1740s, and by the 1780s actually surpassed those of councillor at the parlement. This is a remarkable fact. One reason for it may be that all the other ennobling offices involved less work for the privileges that they conferred than office in the parlement. The secrétaires du Roi, above all, had next to nothing to do, yet twenty years possession of such an office ensured full nobility for one's heirs, and for oneself the moment it was acquired. This, of course, brought fiscal privileges, such as exemption from the taille. Certainly too the bureau des finances and the cour des aides were far from overworked, and it was sometimes suggested towards the end of the century that the two should be merged to form a chambre de comptes to give all their members enough to do.¹ These things perhaps help to explain the rise in price of certain non-parlementaire offices.

Yet does it explain the fall in the case of the parlement? In 1776 the average price for the office of councillor was 30,700^l in a year of peace and

1. e.g. A.N. BIII 34 ps.979-980. Laroze to Garde des Sceaux, 14 mars 1789.

a brisk market. And perhaps this is the significant thing. The burst of selling in 1776 followed the Maupeou revolution, with its suppression and tardy remboursement of all parlementaire offices. It seems likely that the 3½ year suppression of the old parlement, which was only ended by an event as fortuitous as the death of the king, was a blow to confidence in the safety of parlementaire office from which the price of offices never recovered. It is worth noting that the cour des aides, which underwent no such suppression, underwent no such decline. It was the same in 1787-88. But Maupeou had shown that, in the last resort, whether illegally or not, the government could with a little determination destroy the parlements, and that with the co-operation of many of their members. What could be done once could be done again, as indeed it was in 1788 and finally in 1790. It seems likely too that the undignified squabbling between rentrés and restants, further lowered the prestige of the court.¹

Other reasons have been advanced; for the decline in the price of parlementaire office is a fairly general and well-known aspect of the 18th century. One is that one paid for one's place in the court with other things besides money, with other acceptable attributes, like nobility. On the face of it, even at Bordeaux, this is true. Certainly it would seem that the fewer the applicants qualified to bid, the less vigorous the bidding; yet at Toulouse, after Rennes perhaps the most 'aristocratic' court in the realm,

1. Yet this alone cannot have been enough. There was squabbling at Toulouse, too, yet prices recovered as from 1775 after a slump in the 1760s. But there a number of offices were suppressed in 1775, and there were fewer ennobling offices to be had outside the parlement. Larboust op. cit. ps.61-6.

prices recovered after 1775, and stayed far above those paid at Bordeaux right until the Revolution.¹ The real reason for the decline at Bordeaux thus seems to have been some mixture of the blow to confidence dealt by the Maupeau revolution and all its ramifications, and the local circumstance of there being concentrated in Bordeaux a very large number of other privilege-conferring judicial offices which demanded less of their occupants.

At any rate, whatever the reasons for this decline, it was an important fact in the life of all magistrates, for the current price of office represented of an important portion of their capital assets. And in cash terms this value was falling from the 1730s onwards, after rising from the 1680s. This meant an even more marked decline in real value owing to the general rise in prices over the century.² Those who succeeded to their father's offices and then after a time sold them, must inevitably have lost on the transaction. The longer one kept an office the less chance there was of getting back a profit on the purchasing price, or merely of breaking even. More councillors made a net loss over their lifetime in the buying and selling of office, than made a profit; and by the 1780s most offices were selling at prices which Lamontaigne considered 'pas bien brillant' in 1758. In 1781, this fall in prices had become notorious, and although Mme. Duplessy dismissed the idea, claiming that 'on orait toujours trouve

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1. For reasons suggested in the above note. 43,000" was the average price for councillorships, 1775-90. Ibid. p.64.
 2. One corollary of this is to make the rise in cour des aides prices look less important. Their real value may have been merely keeping level. But no argument of this sort will explain the rise in prices for the office of secrétaire du Roi.

des gens prêts à les prendre à aussi Bas prix, ne fussent que pour en faire Commerce',¹ the fact remains that in 1782 one office of councillor sold for as little as 20,000"; and president de Lavie, who put his office of president a mortier on sale in 1782, had still not managed to sell it in 1789.²

Such was the depressing situation of capital sunk into parlementaire office. The returns on the investment were equally uninspiring, as we shall see. But of course parlementaire office was not just the monetary investment, it was a status in society, a job, and the key to a certain sort of power. And these intangibles far outweighed the financial disadvantages, as is shown by the fact that candidates and buyers were never lacking, right up until 1789. Long vacancies there certainly were³, but for the most part when an office was not filled, it was a sign that it was being kept by its owner for a young relative. Certainly this reflects a reluctance to go outside for a buyer, but it does not mean that an office was unsaleable. Lavie's case is special, because of the large sums required. Another reason for long vacancies of several years (since the transfer of an office, from sale to reception, normally took about a year) was that, as we have seen,⁴ certain people went through all the formalities of obtaining provisions only to be rejected in the end by the court; which meant that somebody else had to

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1. Bib. Mun. Ex. MSS 1201 (Correspondance Duplessy) Boîte 10, 16 mars 1781.
 2. A.N. BIII 34 p.925 Pichard to Garde des Sceaux, 11 avril 1789.
 3. There are several vacancies of 5 or 6 years.
 4. See above p. 71-2

start again from the beginning. Why then was such a poor and declining investment so constantly sought after? The fact is that a magistrate's office was not usually his only or even his major investment in cash terms. The bulk of his capital was usually more safely anchored in other investments. Investment was never the prime motive for buying an office, but rather what have been called above the social intangibles, and there is no evidence that they were declining in value.

So much then, for the capital invested in office. What, in terms of cash, were the returns?

Parlementaires received no salary from the crown. They were paid for their work as judges by the interest on the purchasing price of their offices, and by the fees of justice paid by litigants. The interest constituted the gages. Gages did not represent interest on the actual price paid by the office holder to his predecessor, but only that paid by the original purchaser to the crown. For these purposes it was assumed that prices were uniform for each grade, as indeed in law they were supposed to be.¹ The result was that gages in no way reflected the price paid for an office, but only its rank. Moreover, they never came in full to the magistrates. The bureau des domaines deducted 1/10 automatically as a droit de retenue, and capitation was also deducted at source. The following table shows the gages as paid in the parlement of Bordeaux before and after deductions.

1. Edict of December, 1661.

Annual Gages 1775-90¹

<u>Grade</u>	<u>Before deductions</u>	<u>After</u>
First President	2212 " 10s.	191 " 5s.
Président à Mortier	1425 "	742 " 10s.
Presidents: Enquêtes and Requêtes ²	750 "	225 "
Chevalier d'Honneur	2000 "	1510 "
Conseiller Clerc	310 " 13s 9d	9 " 12s 5d
Conseiller laic	375 "	67 " 10s
Conseiller aux Requêtes	375 "	67 " 10s
Gens du Roi	956 "	590 " 12s 6d
Greffier-en-Chef	181 "	167 " 7s ³

These sums are not substantial. Even if we discount the capitation deduction as representing a sum that would have to be paid anyway, the gages in no case represented a return of more than 2% on prices actually paid for office, and sometimes far less than that.

There were indeed other payments from the government to augment them a little. Each of the 14 councillors who served annually in the chambre de retenue received 60 " 18s 9d, and the gens du roi received for the same service 243 " 15s.⁴ Those councillors of the grand' chambre and the enquetes

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1. From A.D. C4014 & 4016. Etats du Roi, 1776-88.
 2. In addition, presidents in the enquetes received 375 " for the office of councillor which they were obliged to hold concurrently.
 3. Capitation was not deducted for the greffiers, as their gages were too small.
 4. A.D. C4014 & 4016.

who served in the *tournelle* received an extra 33" 15s.¹ More substantial were the pensions. There was nothing special about these; they were a standard payment on the états du roi to all the more important offices in the court. Like the gages, they were subject to a dixième de retenue, which shows how routine they were. That deducted, the first president received 3206" 5s; each président à mortier, 405"; the doyen of the councillors, 450"; and the gens du roi, 945" each.

Certain favoured magistrates also held pensions on the Trésor Royal. Except for the gages du conseil. Of 4050" net enjoyed by the first president, and small domains which he and the procureur-général had by virtue of their offices near Blaye, all these payments were purely personal. However, first presidents and procureurs-généraux seldom failed to obtain them; they were too important in the dispatching of government business to risk the loss of their goodwill.² So from 1767, the year after his succession, Le Berthon received 6000" p.a.. Dudon had in 1789, 3360" dating from 1751, when he was avocat-général, and another 3000" from 1767. Until his death in 1781, Gascoq, as ex-first president of the parlement Maupeou, enjoyed 10,000" a year, presumably in recognition of his services in that capacity.³ Almost as highly pensioned over the whole period was Pichard, who through assiduous

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1. A.D. 8J 481 (Fonds Bigot) Dumas de Fonbrauge: account books. The receipts noted by this councillor confirm the figures in the états du roi
 2. So, at the end of 1787, only the first presidents of Grenoble, Nancy, Rouen and Toulouse had no personal pension, and only the procureurs-généraux of Douai and Toulouse: A.N. BB²⁰ 62.
 3. Ibid.

time-serving enjoyed a gross total annual pension of 9600" (8662" after reductions) from 1771 to 1790.¹ President de Loret, that other regular government correspondent, received 1200" p.a. from 1773. Laroze had 1200" p.a. from 1778, and though this was strictly in compensation for the suppression in 1764 of his office of président du présidial, and not an inducement to government service, it was quickly stopped in 1788 when he refused to participate in the Lamignon reforms and preside the projected grand baillage of Bordeaux.² Clearly the government regarded personal pension as rewards for services rendered, or as safeguards against disservices by disappointed men. They were not given lightly, and they were not given to unimportant people. Only one simple councillor, J.A. de Cursol, enjoyed such a pension, from 1767 onwards,³ and he had exceptional prestige and influence in the company, such as was usually only possible to presidents. The payment was proposed by the first president himself. Clearly, however, it was only the exceptional parlementaire who could expect any money from the government beside his gages, and he would have to earn it.

Epices - judicial fees - generated a great deal of heat in the 18th century, for not much light. Paid by litigants on a time basis, assessed by the president of the chamber, they were obviously prone to abuse by unscrupulous or greedy judges. Yet it would have taken very great abuse

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1. Letter in A.N. BB³⁰ 58: Also Etat Nominatif des Pensions sur le Trésor Royal, imprimé par ordre de l'Assemblée Nationale 4v+lv (Paris 1789-90) t.1 p.90.
 2. All these figures are from the Etat Nominatif...&c. The Laroze story from A.N. BIII34 pp.984-7. Laroze to Garde des Sceaux, 14 avril 1789.
 3. A.N. O¹ 265 fol. 43 vol.

indeed to make their amount substantial for each magistrate. I have not found any evidence of the actual sums received by individuals, but arguments from the annual totals can lead us to some conclusions.

So, as a source of income, épices varied greatly according to the amount of judicial business done in a year. Four years have been taken; one relatively undisturbed, one undisturbed except for two months, one which was dominated by internal quarrels, and one of judicial strike. The total of épices varied considerably.

1778-79 for instance, was a quiet year. The post-Maupeau schism was being forgotten, and the storm over Dupaty had not yet broken. Epices totalled 26,295". 1780-81, on the other hand, was a year when the company was bitterly divided, and factional strikes interrupted the course of justice almost daily; épices fell to 13,638". In 1786-87, at the moment of exile to Libourne, they had yielded over a peaceful year 33,777", but they did not rise higher because at Libourne the whole court went on strike. This strike continued throughout the year 1787-88 and no more épices were levied until November 1788.²

1. These are judicial years, from November to November.

2. These sums are calculated from the épices written by the president at the foot of each arrêt. A.D. serie B Arrêts du parlement. Grellet-Dumazeau, La Société Bordelaise sous Louis XV p.296 gave a total of about 40,000 for 1770. Forster, The Nobility of Toulouse in the 18th century (Baltimore 1960) p.105 says that a year's épices for the whole court at Bordeaux only came to 2051. I have looked at the source he cites, and it is clear that he has misread it. These are the épices of one man, the payeur des gages.

These fees were paid to an officer, the payeur des épices, who deducted a proportion for the domaines du Roi, and then towards the end of the judicial year paid them out to the magistrates. Most always went to presidents, senior councillors, and the rapporteurs of cases; but when we consider that there were nearly 20 magistrates to share them among, it seems unlikely that anybody could have had as much as 1000" a year from épices.

There were other fees. Complicated cases, those with five or more heads of demand, were judged in the afternoons, by a set of commissaires made up of senior magistrates. They levied après-dinées at 38" 10s a time: 6 8s for each of two presidents and 3 4s for each councillor.¹ In 1779, 487½ après-dinées were levied; in 1781, 230½, in 1787, 529. Called outside the palais to sit in judgement, a parlementaire could exact also vacations, on a time basis, but I have found no evidence of the frequency of this, or of the rates charged, in Bordeaux. Finally, we must remember that those parlementaires who were pluralists, like Laroze, Navarre and Roche, could add to their earnings in the parlement the gages and épices of these other offices too. These and the presidents must have profited from the legal profession to the tune of several thousand livres a year.² But the average councillor could not have brought in from all legal sources much more than 1000" at the most, even if he were a regular rapporteur, prepared to undertake a great deal of hard work. The reward could hardly have been worth

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1. Bib. Mun. Ex. MS 1486 'Journal et Formulaire du Parlement de Bordeaux' par Mathieu de Lamantaigne (d. 1737).
 2. The office of Lieutenant-général à l'amirauté was especially lucrative during this period of intense commercial activity at Bordeaux. It has been estimated that it yielded 25,000-35,000" p.a.: Gouron, L'Amirauté de Guienne p.270.

the effort, though this is not to say that nobody made the effort in consequence.

There were then no rois des épiciers in Bordeaux.¹ For the work the parlementaires did, the remuneration was extremely modest. And the financial privileges associated with the status of parlementaire were negligible, except for exemption from the taille, which nearly all the families provided magistrates already had in any case. The gabelle did not operate fully in Guienne, and so the privilege of franc-salé was of little value. So if we view all judicial payments - gages, épices, and others - together with the other financial advantages of judicial office, as a return on the capital laid out on the purchase of office, they never could have represented a return of more than five per cent at the most. As a return, this was acceptable enough, though as a payment for the distribution of sovereign justice it was not a great deal.

From 1771 to 1775, of course, a radical attempt had been made at reforming the financial structure of justice. Venality was abolished, justice was declared to be free, and simultaneously to compensate them for the loss of épices, which were now abolished, the gages of magistrates in Maupeou's new parlement were raised. The new rates were as follows:

1. Name given to D'Aligre, first president of the Parlement of Paris, 1768-89.

Annual Gages 1771-75¹

First President	15,000"
Président à Mortier	6,000"
Président à Bonnet (or Conseiller-Président)	4,000"
Councillor, Grand' Chambre	3,000"
Councillor, Enquêtes	2,000"
Procureur-Général	6,000"
Avocat-Général	2,500"

In addition there was a regular pension of 1,500" for the doyen, and 1000" for the senior conseiller cleric. More important, Gascq received an annual gratification of 20,000", Pichard one of 6,000", and Dudan, one of 6,000".² The annual bill, when all sums were taken into account, was 206,500". It was paid from an addition to the capitation.

This then was Maupeou's 'free' justice. The new parlement, with less than half the numbers of the old, cost nearly twice as much.³ The burden once borne by litigants was now borne by all the inhabitants of the ressort, litigants or not, on their capitation. The same shift of the burden, and a similar increase in the general cost of justice, occurred in the ressorts of Paris and Toulouse.⁴

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1. A.N. H91, dossier 1. This confirms the list printed in Grellet-Dumazeau, op. cit. p.332.
 2. A.N. H91 and A.D. C3631.
 3. e.g. In a Maupeou year, gages came to 206, 500" for 53 magistrates. In 1779 gages, épices and apréssinées from all sources came to 111,660" for 115 magistrates.
 4. For Paris, see R. Villers, L'Organisation du Parlement de Paris et les Conseils Supérieurs d'après la réforme de Maupeou (1771-1774) (Paris 1937) pp.72-74; For Toulouse, see Essai historique sur la dernière Révolution de l'Ordre Civil en France (Anon.) 3v. (Londres 1782) t.1 p.150ff.

Moreover there is reason for thinking that not even then were litigants spared their former costs. The declaration of 1st June 1771¹ increased the duties payable on stamped paper, and fees at all stages of the judicial process. It was estimated that in the ressort of Paris such payments had gone up 2 1/2 times,² and in 1773 the parlement at Bordeaux protested that 'Les frais de justice excèdent de beaucoup ce qu'il en coutoit auparavant, & avant la suppression des epices et vacations.'³ True or not, it seems at least clear that if some charges were abolished, others were raised, and removed much of the benefit to litigants, if not all of it. The only substantial beneficiaries in money terms of the parlement Maupeou were the parlementaires themselves, who for the first time received something substantial in remuneration for their services. It is true that their old offices were suppressed, but it was not, as is commonly supposed, without compensation. This of course was a further charge on the taxpayer. But perhaps such considerations help to explain why so many parlementaires were prepared to serve under Maupeou. The money was clearly a major incentive for instance in the case of Gascq, who was in debt. Yet even with him it was not the only motive, and nor, probably, was it the only motive with any of the others.

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1. 'Déclaration... portant révocation de plusieurs aliénations et exemptions et rétablissement de différens droits.' Registered at Bordeaux, 10 avril 1772.
 2. Villers, op.cit. p.73.
 3. Arret d'enregistrement, 2 aout 1773. Text in A.M. Fonds Ancien Sér. FF5.^b

GRAPH 1

Thousands
of livres

Average price of Offices
per decade: Conseiller au
Parlement, Conseiller a
la Cour des Aides, and
Tresorier de France.

Cons. au Parlement

Cons. Cour des Aides

Tresorier de France

170

160

150

140

130

120

110

100

90

80

70

60

50

40

30

20

10

0

1700

1710

1720

1730

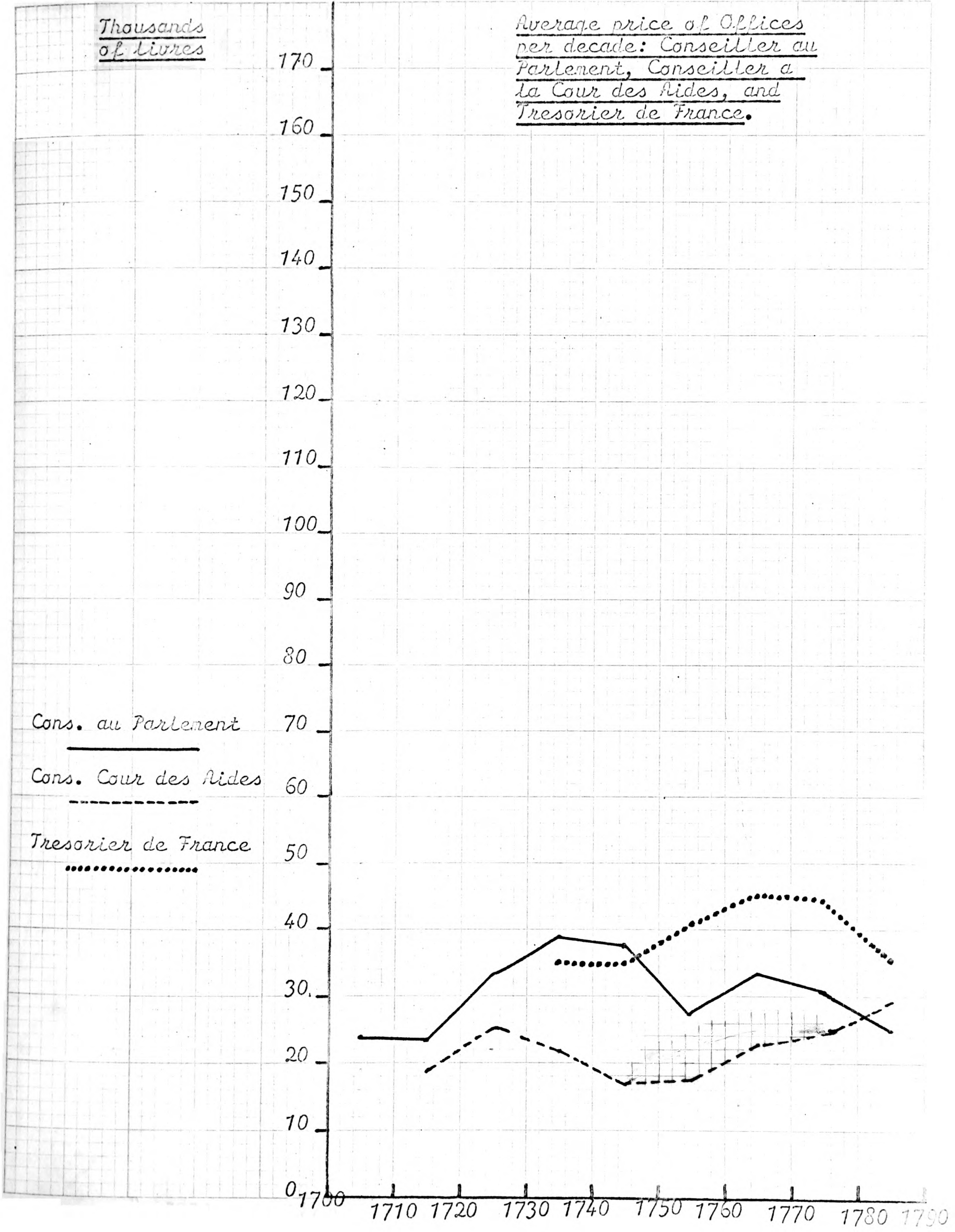
1740

1750

1760

1770

1780 1790



GRAPH 2

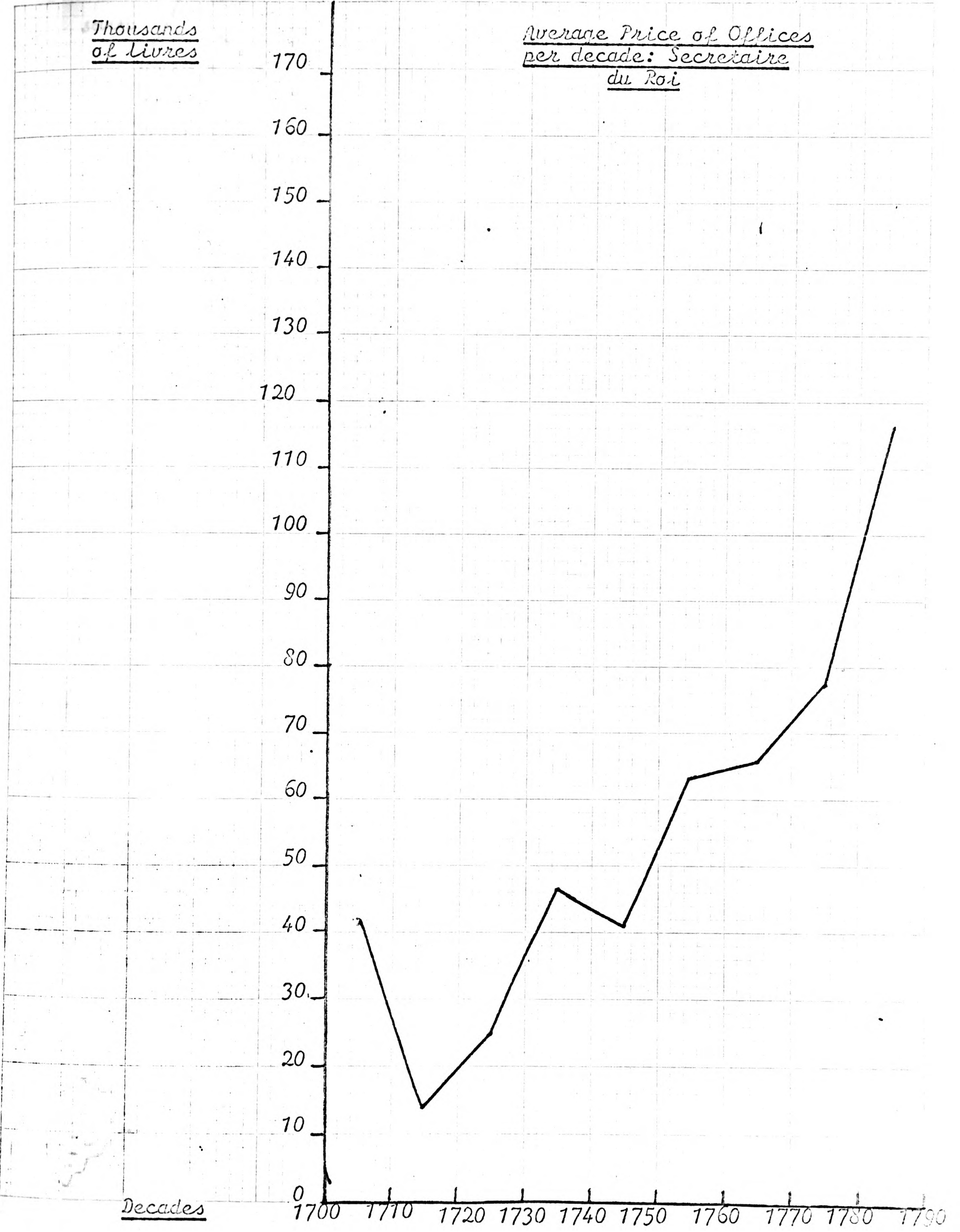
Thousands
of livres

Average Price of Offices
per decade: Secrétaire
du Roi

170
160
150
140
130
120
110
100
90
80
70
60
50
40
30
20
10
0

Decades

1700 1710 1720 1730 1740 1750 1760 1770 1780 1790



THE BORDELAIS

showing the main places mentioned



Of course the situation only lasted $3\frac{1}{2}$ years. Then the old system was restored. The remuneration under this was scarcely enough to live on, for anybody above the lowest orders of society, let alone for parlementaires who, in the province, were the highest. Men did not go into the parlement for money, nor could they sustain their estate, except perhaps for one or two presidents, by what they earned there. Admittedly a sizeable piece of capital was represented by their offices, but their main income came from completely extraneous sources.

7 - Ownership of Land

Land was the kernel of a parlementaire's fortune. In nearly every case it was the largest capital item, and usually the largest source of current revenue, too. But we cannot look at land simply as wealth, for its ownership was the crux of social standing. 'La fortune est un état, et non pas un bien', Montesquieu proposed to advise his grandson, and it was landed fortune he had in mind.¹ Parlementaires were aristocrats and aristocrats, almost by definition, were landowners.

At the highest level, the rule was, nul titre sans terre. In the parlement under Louis XVI were 5 marquis, 4 comtes, 4 vicomtes, one capitai, and 28 barons.² It was normal for parlementaires not to use their titles, and only one ever did so consistently,³ but this does not mean that they did not seek them. Thus, in the 1780s, president M.F. de Verthamon, already the possessor of two vicomtes and three baronnies, reached the top of the noble scale for a parlementaire by having his domain of Tercis near Dax erected into a marquisate.⁴ Councillor L. de Paty, baron du Rayet, began on the strength of his estates in 1775 to style himself comte de Beaumont without authorisation, and ended up as a result in a lawsuit.⁵ Councillor F. Pelet d'Anglade had

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1. Pensee 72 in the L'Intégrale edition of the complete works, (Paris 1964) p.859.
 2. I have only counted those families represented by two generations, once; but I have counted each title separately in the cases of those with more than one.
 3. E.F.C. Jaucen de Poissac, created Baron de Poissac in 1770, always signed thus.
 4. Correspondence in A.D. C352.
 5. Bib. Mun. Ex. MSS 1201 (Correspondence Duplessy) boîte 4. 17 mars 1775.

tried in 1758-9 to erect his land of Maisonneuve into a vicomté de Pelet but the intendant advised the government that the name was far too recent to deserve the honour.¹ It was much simpler, if possible, to buy title-bearing land, and Saige, avocat-général, was baron de Beautiran et Laprade thanks to his father's money. Similarly councillor P. de Raymond de Lalande bought the land and marquisate of Castelmoron in 1769. Even the first president, vicomte de Castillon, owed this title to one of his father's purchases in 1739. A title always lent a family new prestige, but there were no such things as landless titles.

Admittedly, most parlementaires were not titled, but lands were still essential ornaments of their nobility. In legal acts where the full name was required, they never failed to list their seigneuries, the next best thing to a title, and of which all had several. Again, such feudal lordship seldom went without ownership of at least part of the land in question. Ownership of land was the safest way of making a living, and in a society ruled by aristocrats, the most honorable way. It always preceded the status of parlementaire, and it always accompanied it.

Obviously parlementaire estates were thickest on the ground in the immediate neighbourhood of Bordeaux. This reflects the origin of family fortunes. Most families began their rise to prominence in the city, and bought their first domains nearby. The time when they had first invested their wealth in the countryside was still quite recent for some families, and the Saiges and the Pelets are 18th century exemplars of a process which

1. A.D. C3269. Quoted in Cavignac, Jean Pellet, p.326.

had occurred at one time or another in the history of most of the families in the parlement. When they wanted to enter the robe, besides contracting marriages in its ranks,¹ they fortified themselves with lands near to Bordeaux: thus the Pelet family at Izon in the Entre-deux-Mers, and the Saige family at Beautiran and Laprade to the south, and Merignac to the west.

'Si la Paroisse de Merignac est peuplée et cultivée' wrote the Abbé Baurein² in the 1780s, 'ce n'est pas a la bonte de son terroir qu'elle en est redevable... C'est... uniquement a sa proximité de la Ville de Bordeaux qu'elle doit sa bonne culture. Un Negotiant, un particulier, qui a quelque faculté, est bien aise d'avoir une maison de campagne, ou il puisse aller le matin et s'en retourner le soir ou même y passer quelques jours pour se recreer; mais cela suppose une certaine aisance..'³

Perhaps he had Saige, or his merchant father, in mind. At any rate, it was this sort of process that had established most of the families who were in the parlement as landowners near to Bordeaux. 'Near' is of course a relative word, and not all could be as near as Merignac. But most were still not more than a day's riding away.

They were most closely distributed in two main areas. The first was the western bank of the Gironde and Garonne from Lesparre to Langon, the long narrow strip of good wine land flanked by the river on one side and the wild landes on the other. The city of Bordeaux stands about halfway down this strip.

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1. See above, p. 37 .
 2. Jacques Baurein (1713-1790) Priest, antiquarian, topographer. 1761 member of Academy of Bordeaux; 1771 archivist to the chapter of the cathedral of St. Andre. Published 1784-6 Variétés Bordeloises ou Essai Historique et Critique sur la Topographie ancienne et moderne du diocèse de Bordeaux (Bordeaux, 6v.) - A major source on the countryside of the Bordelais in the 18th century.
 3. Variétés Bordelaises, re-edition of 1876 (Bordeaux 4v.) t.4 p.409.

To the north of Bordeaux, roughly, this area is known as the *Médoc*; to the south, as the Graves. It is hardly an exaggeration to say that it would have been possible to travel from north of Lesparre to south of Langon, and not pass through a single parish where there was no land belonging to a *parlementaire*. Thus in the Bas-Médoc we find, among others, the names of Verthamon (Vensac, St. Yzan, Prignac) Daugeard (Bégadan, Prignac) Basterot (Jau, Prignac) Bergeron (Vensac) Degerès (Saint-Sauveur) and Maignol (Lesparre). In Haut-Médoc, Leblanc de Mauvezin (Moulis) Sauvat de Pommiers (Agassac, Ludon) Lamouroux (Parempuyre) Pichard (Pauillac) Brane (Pauillac) Cazeaux (Macau) Lavie (le Taillan) Dupaty (Blanquefort) Dudon (Bruges) Labat de Savignac (Le Bouscat) and many more. In the Graves, we meet the names of Saige (Mérignac, Beautiran, Laprade) Roche (Labrède) Pichard (Saucats) Gascq (Portets) Le Berthon (Virelade) and so on down to the Sauternais, where the estates of many more magistral families were concentrated. When councillor E.J. Chanceaulme de Fonroze bought the domain of Monplaisir, at Bègles, in 1784, he found that it adjoined the land of no less than seven magistral families - Chaperon, Raymond, Féger, Barbeguière, Dalon, Saige, and Castelnaud.¹ The reasons for the concentration of estates along this narrow strip are clear. Not only were they along the easiest lines of communication to Bordeaux, they were the best, indeed the only economically viable lands in the region of the city. The landes were of very limited value. The communications into the broken uplands of the Entre-deux-Mers were in general very bad. Only the triangle of alluvial land, made

1. Now Château Pontac-Monplaisir. A.D. 3E 24.282 (Collignan) Sale of 20 fevrier 1784.

between the two rivers and a line from La Bastide, opposite Bordeaux, to Vayres was comparable, and it was in this second area that most of the other parlementaires had their estates. In it we find concentrated the holdings of such families as Brach, Brivazac, Barret, Baritault, Chauvet, Darche, Degères, Domenge, Duroy, Filhot, Gombault, Laboyrie, Lagubat, Loyac, Maurice de Sentout, Paty, Saige, Gobineau, and Kélet.

Some estates were indeed much further from Bordeaux, but they were widely scattered. The families of Ruat (La Teste) Marbotin (Lège) Verthamon (Lacanau) and Pichard (Salles, Belin Bellet) owned huge stretches of the landes, to the west and south of Bordeaux. Others had lands far up the river valleys of the Dordogne and the Garonne. Estates outside the Bordelais are explicable in three ways. Some belonged to what have been called earlier the provincials,¹ those who had made the family fortune in the outlying towns of the ressort. Their most important estates were obviously near the towns where they had first prospered. Thus, the main Poissac estates were at Poissac near Tulle. Those of the Dumas de Fonbrauge family were around Saint-Émilion, near Libourne. Those of the Mothes family were at Villefranche, near Casteljaloux, and those of the Bienassis family were at Port Ste. Marie sur Garonne, in the Agenais. Lands with which they had buttressed their local position remained in their hands, serving their new dignity.

Less frequently, outlying estates belonged to those less well-established families of noblesse de race who came to the capital to join the sénat. Such

1. See above, p. 24.

was the case with the Piis family, whose main lands were near Puybarban, in the Bazadais. But most frequently of all, families accumulated distant properties through dowries and bequests. President J.A.H. Daugeard's domain at Virazel in the Agenais was brought to the family by his mother, Catherine Belrieu de Virazel. Similarly, president L.M.A. de Gourgue's estate at Lanquais and St. Aigne, up river from Bergerac, came from the succession of his mother Marie de Mons, who had bought it in her own right in 1732.¹ M.F. de Verthamon had the terre et fief of Ambloy, in Poitou, through his mother, Catherine de Verthamon.² J.J. de Boucaud was left the terre of Longchamps, around Grezac in Saintonge, by his uncle.³ J. de R. de Lalande received lands in the Isle of Oléron through his marriage to Honorine-Etiennette D'Alesme;⁴ and so we could go on. Most of the families with lands far from Bordeaux, moreover, also had them in the Bordelais, or if not - through distant origins - they soon acquired them.

In fact estates seldom consisted of one compact block. They tended to be widely scattered, even in the Bordelais, and even those of the least well-endowed magistrates. B. Roche, councillor in the requêtes, had only two properties, but one was in Labrede, to the south of the city, and the other was in the village of St. Paul near Blaye, far to the north end on the other side of the Gironde.⁵ The first president had extensive lands around

1. A.D. 2E 1405 (Titres de famille: Gourgue)

2. She was a cousin of his father. See above, pp.34-5.

3. A.M. MSS 653. 'La Terre et Seigneurie de Longchamps' - a description among various autograph letters of the Marechal de Richelieu.

4. A.D. 3E 21.716 (Rauzan) Marriage contract, 13 avril 1782.

5. A.D. C23 requête en décharge du vingtième, 1773.

Castillon, on the Dordogne, and others at Virelade, on the Garonne, south of Bordeaux. When L.G. de Brivazac, conseiller honoraire, died in 1782, he left lands in Montferrand (Entre-deux-Mers), Pessac to the west of Bordeaux, Birac in the Agenais, and La Salle in the Blayais, as well as several others.¹ In fact the richer a family was, the more scattered its estates would tend to be. President de Pichard, one of the richest, had vast tracts in the landes, vineyards in Medoc, the Graves, the Sauternais, and the Bazadais.² The Verthamon lands, equally rich, were similarly scattered.³ So were those of the parvenu Saige family.⁴ The reasons for this vary. One is the same as for more widely scattered lands - they came through dowries. Another is that land had to be taken where it could be found. Perhaps more important was a rational desire to diversify, if not the crop, at least the quality of its product. As Montesquieu had pointed out earlier in the century:

'Les étrangers tirent plus de vingt sortes de vins de la Guyenne pour différentes destinations...Or le goût des étrangers varie continuellement, et à tel point qu'il n'y a pas une seule espèce de vin qui fut à la mode il y a vingt ans qui le soit encore aujourd'hui; au lieu que les vins qui étaient pour lors au rebut sont à présent très estimés. Il faut donc suivre ce goût inconstant...'⁵

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1. Factum A juger en la Cour Sénéchale de Guyenne 1789. A.M. shelfmark 123⁸
Will in A.D. 3E 13.071 (Cheyron) Sealed 20 juillet 1774, opened
5 octobre 1782.
 2. Marion, Bencazar, & Caudrillier, Documents relatifs à la Vente des Biens Nationaux - Département de la Gironde 2 v. (Bordeaux 1911) t.1 p.144.
See too A.D. Q 1009.
 3. Ibid. p.187.
 4. Ibid. p.16
 5. Edition L'Intégrale p.190. 'Mémoire contre l'arrêt du Conseil du 27 février 1725 portant défense de faire des plantations &c'

Scattered estates were an insurance against loss in such cases.

However it remains true that one favoured estate was often bigger than the rest, and here it would be that the magistrate would have his favourite chateau, to which he would retire each September for the vendanges. It was often the place to which his main title was attached, if he had one. His other lands he saw far less often, and probably did not care for much, apart from their revenues. 'Enfin nous arrivames dans ce maudit chateau', wrote Le Berthon from Aiguilhe north of Castillon, where he was exiled by Maupeou, '... Je m'y ennuye à perir... et je m'y ennuyeraï de plus en plus, jusqu'à ce que je sois mort.'¹ Many magistrates, so extensive were their domains, had several chateaux. Richard had six. The Gourgues had three. The Le Berthons, Bergerons and Duroys had two each. So did Daugeard de Virazel, and so did Saige, and there are others.² Many more had country houses which did not quite merit the name of chateau, for of course each estate needed a minimum of buildings to assure facilities for its exploitation, and a residence for the signeur if he should call.

The estates of parlementaires, then, were overwhelmingly concentrated in the Bordelais, an area a good deal smaller than the present-day department of the Gironde. There was not a part of it where they did not have properties. Yet properties far outside it were relatively uncommon. As a result the interests of the parlementaires were overridingly local, and overridingly uniform, owing to the very limited variety of the Bordelais agricultural

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1. A.M. Fonds Delpit 134. Le Berthon to Roborel de Climens. 7 septembre 1771.
 2. Many are recorded in E. Guillon, Les Chateaux historiques et vinicoles de la Gironde 4v. (Bordeaux 1866-69) See too below, pp 326-7

economy. At the same time, the position the magistrates occupied in the parlement, a legal avenue of complaint to the throne, made them in a real sense the voice of all the large landowners of the Bordelais. Nowhere is this clearer than in the case of the alluvions.¹

* * *

On 5th July 1781 there appeared an arrêt du conseil which declared that:

'tous les atterrissements, alluvions et relais dans les rivières de Gironde et de Dordogne, et sur la côte du Médoc depuis la pointe de la Grange jusqu'à Soulac paraissent être usurpés; il est d'une nécessité absolue pour les intérêts de Sa Majesté de connaître d'une manière irrévocable la véritable consistance de ces objets, et le nombre d'usurpations, afin de réunir au domaine tout ce qui porroit en dépendre ou de confirmer, s'il y a lieu, les possesseurs actuels qui feraient leur soumission à cet effet.'²

The grand maître des eaux et forêts was to judge all contests arising from the arrêt.

It had precedents of a sort. Throughout the 18th century the domain was one of the most aggressive of the government's fiscal departments, and in the remaking of the royal paper terrier it had already clashed once seriously with the parlement of Bordeaux, over the cognisance of domain contentieux.³ This new arrêt was thus in an established tradition. But it appears also to have been partly the result of an unsavoury intrigue at Versailles. So at least it was rumoured at the time,⁴ and certain evidence suggests that the queen and

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1. See, on this affair, Boscheron des Portes, t.2, pp.345-355. Also A.Plantey, 'Un exemple de continuité des principes du droit public français: l'affaire des alluvions (Bordeaux 1781-6).' Revue de droit public et de science politique (1955) t.71 No.3 ps.537-569.
 2. Quoted ibid p.558.
 3. On the Affaire du Terrier of 1755, see Dhéritier, Tourny t.2 ps.447-49.
 4. B.N. MSS Fr. 6685 S.P. Hardy, Mes Loisirs. p.397. 20 juillet 1786. Also Bachaumont, t.32 p.127. 24 juin 1786.

and the comte d'Artois were encouraging concession-seekers in Guienne at this time.¹ At any rate, it was concession-seekers, wishing to exploit the marsh of Ambares and indeed the whole Bec d'Ambès, who seem first to have put the idea before the government, of unclaimed domain property on the Gironde, and so provoked the arret of 1781.

'Des que cet Arret fut connue', declared the procureur-général some years later,² 'la consternation fut générale. Les propriétaires des fons riverains se virent au moment d'être dé pouillés par voye de fait, du patrimoine de leurs pères; les Seigneurs voyaient echapper de leurs mains les droits les plus utiles de leurs Seigneuries, et ceux qui ne se trouvaient pas personnellement intéressés, n'en furent pas moins alarmés, par la crainte de se voir un jour exposés à la même dépossession, sous la même prétexte, ou par quelque' autre moyen aussi violent et aussi mal fondé.'

It is clear that from the start ~~the~~ parlementaires misinterpreted the arrêt. The key word was dans. Nobody doubted that the beds of rivers were royal domain, and it was islands in the rivers, as well as a strip of sea-shore at the tip of Medoc, that the domain wished to investigate. It had a good case. The parlementaires, however, spurred on by rumours from Versailles, took it to mean even the alluvial banks of the Gironde and Dordogne, the fertile palus - not the best vineyards but beyond question the best all-round lands in the province. The arrêt was therefore offensive on three counts - as an attack on the parlement's claim to have jurisdiction over domain cases; as an attack on the pretention of lords to levy seigneurial dues in the palus; and as an attack on proprietors in the palus. Various parlementaires would have suffered: on the banks of the Gironde the Basterot, Verthamon, Sauvat de

1. A.D. 03675 Joly de Fleury to Intendant, 3 juin 1782.

2. Réquisitoire of 21st April 1784.

Pommiers, Castelnau and other families had rights of one sort or another, and all the parlementaires with lands in the Bec d'Ambes parished of Ambes. Ambares, and Montferrand could also consider themselves in danger. But the very principle was enough to agitate circles far beyond those of the parlementaires. The duchesse de Lesparre confessed herself worried, though she refused to take a public stand at Versailles; and when in 1786 the marechal duc de Mouchy resigned his command in Guienne, it was over the government's attitude on this question.² By that time the whole of the court at Versailles and the whole of Guienne was on the parlement's side.

In the first place a war of arrêts took place over several years. The parlement forbade the grand maitre des eaux et forets to proceed.³ This action was quashed by the council, which gave the assurance that 'les detenteurs de bonne foi pourraient etre maintenus sans inconvenients'.⁴ The parlement was unconvinced. As Dudon wrote in April 1784:

'Il n'est point de résistance que le Parlement ne soit déterminé a employer pour s'opposer a l'exécution des arrêts du Conseil... Je n'ai point voulu dissimuler...la resolution que le parlement a prise, et la volonte bien décidée ou je suis d'employer les forces qui me restent pour m'opposer autant qu'il sera en moi à l'exécution d'un plan, ou d'un projet aussi contraire au droit de propriété, et à la liberté civile de chaque citoyen.'⁵

A few days later the court, on a violent réquisitoire from Dudon, renewed its prohibitions.⁶ Remonstrances were sent.⁷ Again the Council

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1. Bib. Mun. Ex. MS 1696 (Fonds Lamontaigne) 22. No.49. Letter of 10 mai 1782.
 2. B.N. MSS Fr. 6685. Hardy p.397, 20 juillet 1786.
 3. Arrêt of 3 mai 1782.
 4. Arrêt du Conseil, 31 octobre 1783. Plantey op. cit. ps.540-1.
 5. A.N. K708 Dudon to Bastard, 15 avril 1784 (copy).
 6. Arrêt of 21 avril 1784.
 7. May 1782; October 1783; 30 June 1786.

quashed the parlement's action.¹ At this time matters were further complicated by one Chevalier des Pestels, who, boasting royal orders, was surveying, and even extracting aveux in the crown's favour from small proprietors in various of the alluvions. Pestels had been one of the original projectors of 1781.² For his trouble he now found himself under arrest on the orders of the parlement.³ On 30th May 1786 the comte de Fumel⁴ held a military session at which the last arrêt du conseil and letters-patent freeing Pestels were compulsorily registered. The government made the concession of revoking Pestels' commission at the same time, but this made no impressions.⁵ The court declared the transcription illegal and sent new remonstrances.⁶ On this the government lost patience and called the court in a body to Versailles.

There, what looked like ultimate defeat for the parlement was turned into a triumph. A royal session, with the whole parlement present, was a measure seldom resorted to, especially with provincial parlements, except in the gravest cases. And indeed all the way through, the facade of royal authority was maintained. All the parlement's defiant arrêts were struck from its registers in the king's presence. All the royal arrêts were reinstated - but

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1. Arrêt du Conseil, 6 Octobre 1785.
 2. His project is in A.N. K1164 and printed in Arch. Hist. D. Gironde t.19 (1879) p.382.
 3. Arrêt of 11 janvier 1786.
 4. Joseph de Fumel (1720-1793) Comte de Fumel. Lt.-Général des Armées du Roi. 1773 Gouverneur du Château Trompette; 1786-88, 1788-89 Commandant en chef en Guienne; 1789-91 Maire de Bordeaux; Executed by Commission Militaire of 1793.
 5. A.D. 1B 56 (Registres du Parlement) ff. 192-3 for these transcriptions.
 6. A.N. K708 No.67. Remonstrances du 30 juin 1786.

with some changes. This session had been preceded by a week of discussions between the first president and the procureur-général on the one hand, and members of the royal council on the other. There, the precise points of difference were examined, and solutions agreed upon. New letters-patent reiterated the orders to the Grand maître des eaux et forêts, but:

'sans néanmoins que l'on puisse en induire que les alluvions, atterrissements et relais formés sur les bords desdites rivières ni d'aucune rivière navigable puissent appartenir à d'autres qu'aux propriétaires des fonds adjacents à la rive desdites rivières et à nous, lorsque la rive desdites rivières sera adjacente à de fonds de terre faisant partie de notre domaine. N'entendons que, sous prétexte de rechercher ou de vérifier les terrains dépendants de notre domaine, on trouble les propriétaires dans la possession et jouissance des fiefs, terres, seigneuries, et autres propriétés qu'ils possèdent d'ancienneté par eux ou par leurs auteurs et que rien n'annonce faire partie de notre domaine.'¹

And in his final speech the king added:

'Le domaine est une patrimoine de la Couronne, qui lui est le plus ingérant, je dois être attentif à veiller à la conservation de ses droits, mais je ne souffrirai jamais qu'on en porte les prétentions jusqu'à vouloir dépouiller de leurs biens les possesseurs légitimes.'²

This was enough. The parlementaires were satisfied, and so was the province that they returned to. They went, it was said, prepared to resign; they returned in triumph to a hero's welcome.³ They were genuinely grateful and relieved that their worst fears about the intentions of the

1. A.D. 1B 56 (Registres du Parlement) f.196 ff. The actual transcription.
2. A.N. K708 No. 73. Speech for the king in the hand of Miromesnil.
3. Bachaumont, t.32 p.258, 20 août 1786: A.D. 2E 1213⁵ (Titres de famille: Filhot de Chimbaud) Boudin to Filhot 19 août, 1786.

government did not turn out to be justified; and so they wrote to the King on their return:

'Sire! Les Bons Rois sont trop peu connus de leurs sujets; leurs noms trop souvent profanés des fiscaux ... Combien chacun de vos sujets est assuré contre les surprises qui pourroient être faites à Votre Majesté par le témoignage Eclatant que vous venez de leur donner de votre amour pour la justice et la vérité et de votre Patience infatigable dans sa recherche, toutes les fois qu'il s'agit du bonheur de vos Peuples.'¹

1786 ended the penultimate phase of the parlement's life, begun in 1775, and it ended in triumph, after so much bitterness in the previous decade. The cause which brought the parlementaires into unity, was the most powerful possible - a threat to the security of their property. For their property, far more than the office they held, was the basis of their whole standing in society, and the source of their wealth. It was the same with all the great landowners of Guienne. In this sense at least, the parlementaires were the real representatives of a whole class, and a whole province.

1. Lettre au Roi 29 août 1786: Arch. Aff. Etrang. Mémoires et Documents, dossiers France 1400 ff. 299-301.

3 - The Land Market

The ownership of land was not, except in the broadest sense, a steady state. The extension and consolidation of estates was one of the most prominent features of the parlementaires' attitude in the countryside. Mr. Robert Forster has already produced some figures to illustrate the domain-building activities of 15 noble families in the Bordelais in the later 18th century.¹ We are concerned with ten of these families here; the Gourgue, Laboyrie, Gombault, Carrière, Castelnau, Brivazac, Le Berthon, Pelet d'Anglade, Dudon and Baritault families, all of whom enlarged certain of their properties considerably between 1755 and 1790. There is, too, ample evidence from other sources to illustrate other families about the same business. Between 1771 and 1791, councillor G.R.B. de Filhot enlarged his domains at Sauternes in 21 exchanges and purchases at prices between 200^l and 3860^l². Similarly Saige spent 25,055^l between 1769 and 1790 in 20 transactions legally registered at Bordeaux, at prices between 95^l and 6000^l, but mostly below 500^l. This was on his estate at Merignac.³ At Le Taillan, and in the neighbouring parishes of

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1. 'Noble Wine Producers' p.31 His table is based on a comparison between the vingtième rolls of 1755 (A.D. C3018) and documents in Marion, Bencazar, & Caudrillier, Biens Nationaux &c.
 2. A.D. Q1009 Inventory after emigration of the Filhot papers
 3. Calculated from A.D. Ser. 4 Tableaux des Acquereurs et Vendeurs. Bx 2 2(1769-80) Bx 1 1(1781-84) Bx 1 2(1784-88)
 M & N M & N M & N
 Bx 1 3(1788-91). In fact between 1768 and 1780 Saige
 M & N
 passed all-told 64 acts, A.D. Q1012

Blanquefort, Eysines and Le Vigean, president de Lavie passed 50 acts before Berninet, notary, between 1774 and 1790, whose combined value was over 288,504" 2s. Od.¹ This, admittedly, included 61,200" for the purchase of three mills, and other sizeable sums for large properties, but most of the transactions were sales or exchanges of small slices of land, often less than a journal² in area, for a few hundred livres. He was also prepared to sell to consolidate his domain, if he could not do it by exchange, but all his exchanges and alienations in this period, to the number of 14, only amounted in value to 2724". It is clear in whose direction the ownership of land was tending in this district.

But Lavie's landlordly vigour nearly cost him his head in later times. In the year II he found himself under arrest, suspected of 'aristocracy'. Thirteen peasants of the commune of Le Taillan, led by their maire, came forward and made a statement to the commission militaire at Bordeaux about his activities in the previous decade. They claimed that he had closed roads in the district and dug ditches across them, appropriated seven journaux of common land, exchanged or purchased peasant lands without adequate recompense, refused to draw up legal deeds for these transactions, allowed a métairie which had once yielded

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1. Berninet's archives for these years are in A.D. 3E 28.260
28.275
 2. 0.8 of an acre.

60 boisseaux of corn to go to scrub, pulled up fruitful vines, and consistently refused to show his feudal titles. At once, however, thirteen other peasants came forward and declared that they were completely satisfied in their dealings with him. The commission, happily for Lavie, noted that he had an enlightened and philosophic reputation, and decided that these crimes, if crimes they were, were cognisable in the civil courts, not the political ones, and he was acquitted.¹

This case raises the whole question of the methods which the parlementaires used to extend their domains, and that of the provenance of their new acquisitions. It is clear from the evidence of the notarial acts that most of the small acquisitions came from peasants. It would be interesting to know how much duress on the part of the landlords lay behind these sales and exchanges, particularly the latter. But it is almost impossible to say. On the face of it, the exchanges made by Lavie seem equitable enough, and he often gave away more land than he took; but the notarial acts give no idea of the quality of the land exchanged, which is the really important question. How many sales too were foreclosures on accumulated arrears of feudal dues? There is nothing in the acts to show that this was often the case, and it seems somewhat incredible that parlementaires should out of deliberate policy allow dues to mount up for

1. A.D. 14L 25 Commission Militaire: dossier Lavie.

decades in order to take tiny morsels off peasants who could not pay.¹ Such arrears certainly did mount up, they certainly were suddenly called in, and lands certainly were confiscated when peasants could not pay. But this was rather a routine part of the process of reconstructing the terriers, than a devious way of domain-building.² It has also been suggested that the acquisition of peasant land by retrait féodal was 'frequent'.³ Certainly the parlementaires sometimes applied this right, as seigneurs, to purchase for themselves recently sold lands in their jurisdiction. However such action was decidedly not frequent. President de Lavie used this right only once, for a patch only worth 60", between 1774 and 1790.⁴ Councillor de Loyac performed one retrait for 17 purchases and exchanges in Cameyrac between 1750 and 1790.⁵ But mostly the acquisition piecemeal of peasant properties was done by outright purchase or exchange. This process was not confined to parlementaires, for all around Bordeaux rich men from the city, usually with taille exemption,

1. Contra Forster, loc. cit. p.30
2. See below, p. 227 Forster, p.30 cites various foreclosures by councillor L.A.de Castelnau. A.D. Q1009 records two transactions by councillor de Filhot, of 3 sept.1772 and 3 jan. 1783 as déguerpissements, which seem to be foreclosures of this sort.
3. R. Forster, 'The Provincial noble: a reappraisal' American Hist. Rev. 1963 v.68 No.3 p.685. Colombet, p.154-8 shows that this right was used by the parlementaires of Dijon.
4. A.D. 3E 28.261 (Berninet) 23 Janvier 1776
5. A.D. Q1010 Inventory after emigration of Loyac's papers.

were buying out the small proprietors and domain building. The result was to throw the burden of the taille on fewer and fewer people who were also those least capable of paying it. Such village cahiers of 1789 as survive, are perfectly clear about this.¹

Sometimes too, the parlementaires bought whole new domains. There was no special pattern among those from whom they bought - sometimes they were non-robe noblemen, sometimes merchants or other Bordeaux notables, and quite often other parlementaires. The more recent a family's arrival on the scene, the more vigorous its buying activities. The estate at Merignac, which Saige was consolidating with acquisitions from peasants, had only been acquired by him in 1768, at the cost of 170,000".² By the time of the Revolution, he had spent nearly 100,000" more on extending it. Large tracts were acquired from the Archbishop, and also from the Brivazac family, fellow parlementaires. In 1768 too he had bought an estate for 100,000" from another such family, the Desmoulins de Maspérier.³ In 1771 he spent 161,000" at

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1. A.D. Cahiers de Doléances: Sénéchaussées de Bordeaux et Libourne. (Particularly Ambès, Ivrac, Bassens, St. Sulpice and St. Christophe). See too Forster, 'Wine producers' p.29 and M.Marion, 'Etat des classes rurales au XVIIIe siècle dans la généralité de Bordeaux' Rev. des Etudes Historiques 1902 ps. 24-5
 2. A.D. Q1012 Inventory after condemnation of Saige's papers.
 3. Resold 112,400" before Rauzan, notary. 5 avril 1771.

Ambarès. In 1782, 90,000" at Montferrand. In 1783 he spent in all 128,000" on land in Blanquefort, much of which, admittedly, he resold in 1787 to president de Lavie.¹ However straight afterwards he bought more land in the area for 85,720", and all this is far from the sum of Saige's activities.

However, it is only in scale and range that his activity was exceptional, for most parlementaires were buying land. It would be impossible to cite all the large scale purchases made by the parlementaires even in the fifteen years before the Revolution. The most famous was the purchase by Pichard of Chateau Lafitte, probably for over a million livres.² Almost as impressive must have been the purchase by the Brane family of the nearby domain and cru of Mouton. Chanceaulme de Fonroze paid 130,000" in 1784 when he bought the domain of Monplaisir, south of Bordeaux.³ G.B.R.de Filhot bought the domain of Coutet, Barsac, in 1791 for 240,000".⁴ These are some of the biggest. The commonest transactions however are much lower in value, usually below 20,000", and too numerous to list. Although 20,000" was not

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1. A.D. 3B 15.037 (Baron) 19 novembre 1787
 2. Forster, 'Noble wine producers' p.31n. I have been unable by other means to verify or date this transaction. Probably it was passé sous seing privé, and possibly in Paris. In the year IV its 1790 value was estimated at 1,715,474". Marion, Bencazar, &c. Biens Nationaux p.144
 3. A.D. 3B 24.282 (Collignan) 20 février 1784.
 4. A.D. Q1009 Inventory after emigration of Filhot's papers.

much where grands crus were concerned, there were not many of these, and a great deal of useful land could be obtained for that amount. Not many whole domains were acquired by the parlementaires, but many single farms, métairies, or small parcels. Only a few could afford whole estates; they were rather domain-extenders than domain acquirers.

Mr. Forster's recent work has taught us this much. However, there is another side to the land market, about which he has been misleading. As well as landbuyers, the parlementaires were land sellers, both on a large and on a small scale, particularly the former. In fact in the later 18th century, they sold as many whole estates as they bought. For instance in 1771 president M.J. de Gourgue sold his estate at Talence for 184,800".¹ In 1770 P.F.I. Labat de Savignac sold his estate at Cauderan for 40,000".² In 1776 J.C. Dubergier de Favars sold the estate from which he derived his title for 97,000".³ In 1775 J.B.R. de Navarre sold the Maison Noble de Camponnac (Pessac) for 45,000". In 1778 J.S. de Laroze sold an estate at Le Taillan for 78,600": J.A.P. de Carrière sold his estate at Lédat in 1785 for 69,550": and so we could go on. These sales, again,

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1. A.D. 3E 5.563 (Dupré) 8 février 1771. Maison Noble de Lamothe de Thouars.
 2. A.D. Tableaux des Acquéreurs &c in Ser.Q: provenance of all the figures that follows, unless shown otherwise.
 3. A.D. 3E 21.705 (Rauzan) 16 juillet 1776

are only the most spectacular of their sort. Sometimes, admittedly, they were resales for profit. Saige for instance often sold his acquisitions soon after their purchase. Richard made 60,000" profit when he re-sold the estate of Coutet to Filhot, after only seven years. But most were sales of necessity, to liquidate successions, or pay other debts, for the law was so narrow on these matters, that few families could hope to retain their domains intact for long.¹ The vigour shown by the magistrates in extending their lands by small purchases can be explained partly at least in terms of the reparation of large alienations.

Purchase, exchange, and retrait, were not the only means of extending and consolidating estates. Clearing waste ground was made more attractive in the later 18th century. The government, increasingly under the influence of physiocratic ideas, promoted the clearing of waste by offering défricheurs 15 years' exemption from all taxes on the land cleared.² In the généralité of Bordeaux, from 1768, this policy was supplemented with money prizes, distributed jointly by the intendant and the first president, but from the start it was clear that only small proprietors qualified for these.³ As it turned out, it was only in

1. See below, ch. 19

2. Déclaration du Roi, 13 août 1766.

3. A.D. C1332. contra Forster, 'Noble Wine Producers' p.32.

the élection of Bordeaux, bordering on the landes, that there was much land of value not already under cultivation.¹ And even here, the parlementaires were not very conspicuous as clearers. Between 1775 and 1790, only 20 parlementaires declared clearings for exemption, mostly in Medoc, and mostly in batches below 20 journaux.² The most regularly recurring names on the registers are the various members of the Basterot family, with large estates in Bas-Medoc; Ruat, who cleared 156 journaux in the landes; and Laroze, who regularly cleared small amounts at St. Julien. But in general parlementaires were not great clearers; or, if they were, they did not bother to declare their work for tax benefits. The registers give no indication of how the cleared land was cultivated.

Parlementaires seem rather to have preferred to seek large-scale concessions. To obtain 'vacant' land, or a stretch of the marsh in which the Bordelais abounded, from the king at a nominal feudal payment, was by far preferable to buying land. A particularly notorious adventurer of this sort was councillor J.A. Leblanc de Mauvezin. He was an homme à projets and did not much care whom his projects affected. As a result he was mistrusted and disliked by most of his colleagues. In 1761 he

1. Ibid. See too P. Butel, 'Défrichements en Guyenne au XVIIIe siècle' Annales du Midi, 1965 p.179.
2. Based on A.D. C4709-4911. Register of declarations under the royal declaration of 13 aout 1766.

asked for the concession of the marsh of Arcins, and gained at Versailles the support of the duc de Choiseul.¹ In 1762 he demanded the concession of the Island of Patiras, in the Gironde opposite Pauillac, offering to grow corn on it, at an annual payment to the crown of a gold piece worth 30". Unfortunately he did not mention that the island already belonged to his colleague president de Cazeaux.² The same year he also sought the concession from the crown of the marsh of Montferrand, which he offered to drain, claiming it was 'vacant'. In fact, part of it was owned by the communities of Ambès and Montferrand, and the rest by individuals, most of them parlementaires. Montferrand had more parlementaire estates than perhaps any other parish in the Bordelais; however those of Leblanc himself were across the river and 15 miles away. As the intendant nearly wrote, but doubtless though better of it:

'M de Mauvezin scait la sensation que sa seule demande a formé a Bordeaux et combien elle a revolté tous ceux qui en ont eu connaissance, et plusieurs de ses confrères.'³

By 1763 all these bold schemes had been abandoned.

However, wherever land was vacant, parlementaires were

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1. Arch. Aff. Etrang. Mémoires et Documents, dossiers France 1587 f.351 Choiseul to Boutin, 28 juillet 1761.
 2. A.D. C2352
 3. A.D. C3675 had most of the pieces on the affair. The quotation is a paragraph crossed out in an undated letter draft.

quick to assume that it was crown land, and ask for the concession. Islands, formed of fertile alluvium, were popular objects. In 1758 councillor J.F.de Marbotin, Baron du Lege, asked for and received the concession of the Ile aux Oiseaux in the Bassin d'Arcachon. It was partly formed, he pointed out, from soil washed away from his mainland domains.¹ In 1785 five claimants sought the concession of the island of Le Grand Faignard, of 90 - 100 journaux, in the Gironde. Among these were councillors Laporte-Paulliac and Leblanc de Mauvezin files.² In 1789 councillor J.de Chalup solicited a small island in the Garonne opposite the village of Podensac, in compensation for loss of port dues owing to him, because it blocked the channel.³

On the question of dividing up the common lands, the parlementaires were split. Here was obviously another way of enlarging one's domain: but we can discern three attitudes. Some parlementaires, in asking for vacant land, seem not to have realised that it was commons. Thus Leblanc de Mauvezin with the marsh of Montferrand, and thus president de Lancre, who from 1757 was claiming vacant land at Sainte Croix du Mont. He was opposed by the community of that parish, who claimed the 700-800 journaux as commons and wished to divide it, and also by the jurade

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1. A.D. C2352 Letter of Tourny, 16 mai 1758.
 2. A.D. C2357
 3. A.D. C3734

of Saint-Macaire, who claimed it as their commons, and did not wish to divide it. In 1762 councillor J.L. Darche met a similar problem when he solicited 500-600 journaux elsewhere in the jurisdiction of Saint-Macaire; he had trouble in convincing the jurade that it was not the same land.¹ Other parlementaires knew perfectly well that it was commons that they were claiming, and, being often the largest proprietors of their areas, stood to gain in certain ways by the division. Such was the case with councillor Peiet d'Anglade, who from the early 1770s was attacking alleged common rights on 1500-1600 journaux in the neighbourhood of Izon. However, he was bitterly opposed, and the leaders of the opposition were his colleagues, councillors Loyac and Gobineau, also large local landowners. Loyac had 40 head of cattle which he pastured on the commons, and so had several other notables in the area. Division would cut down their effective pasture.² This in fact was the third attitude - opposition to any partage or concession of commons. At Montferrand, no sooner had Leblanc's attempts been diverted, than others were made. From 1780 to 1783, apparently under no less patronage than that of the royal family,³ various projectors sought

1. A.D. C1336. Forster, 'Noble Wine Producers' p.33 mentions these two cases, but gets them hopelessly confused.
2. A.D. C1357. This supports the general view put forward by A. Cobban, The Social Interpretation of the French Revolution (Cambridge, 1964) p.114; though he seems to put it too extremely.
3. A.D. C3675 Joly de Fleury to Intendant, 3 juin 1782.

the concession of the same marsh, and were opposed by 'la communauté de ces deux paroisses Composée de tout ce qu'il y a de plus considérable à Bordeaux dans la noblesse et dans le parlement',¹ led by councillors de Richon and de Brivazac. Admittedly the question here was not one of division, but of total loss; but it is surely not without significance that nobody ever proposed division as an alternative step, among all the parlementaires who lived around this 400 journaux of marsh.

Standing somewhat apart from all these activities, but worthy of mention if only because of their ambitious scale, are attempts to bring the landes into cultivation. Most of the landes of the area around Bordeaux were owned by four parlementaires, Ruat, Verthamon, Marbotin, and Fichard. Marbotin's barony of Lège consisted of over 11,000 journaux. 3000 of these, he estimated, could be turned if cleared into ploughland, and certain other terrain could be put under vines. Most, merely left as it was, made useful rough pasture. The main problem was that the area was constantly being diminished by the advance of coastal dunes, which it had been found impossible to fix.² It was the same with the Ruat lands. Councillor de Ruat, as Capitai de Buch,

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1. Ibid. Intendant to Joly de Fleury, 8 juin 1782. The parishes concerned were Montferrand and Ambarès. This whole issue was subsequently submerged in the Alluvions affair, q.v. above ps. 147-152
 2. A.D. C3671 'Mémoire de la terre et Baronie de Lège en Buch' Undated, but after 1765.

was the largest landowner of all, and throughout the century his family had sought to make their vast possessions more lucrative. Nor is there any doubt that these vast virgin lands caught the imagination of 18th century projectors. In 1766 F.A. Amanieu de Ruat, conseiller honoraire, conceded 40,000 journaux south of La Teste to a Parisian company headed by a swiss entrepreneur named Nézer. They paid Ruat 77,500" for this, and recognised him as the feudal lord of all the land thus alienated, with all rights.¹ The aim was to clear these huge stretches of waste, and plant them with vines and corn, or turn them into meadows; and not until this was done, in fact, was Nézer's company to become the full owner of the lands. This concession had been previously authorised by an arrêt du conseil of 21st January 1766. The parlement also confirmed the contract by registering the letters-patent which authorised it. When one Chassaing, syndic of the community of La Teste, brought a case opposing this registration before the court, on the grounds that the Nézer contract was detrimental to common rights, it was dismissed with costs. (Arrêt of 1 août 1766). Unfortunately for optimists, within a very short time Nézer went bankrupt, and his schemes were forgotten.

1. A.D. 28 37 (Titres de Parille: Amanieu de Ruat) contains a printed copy of the contract, 5 fevrier 1766. Information also in D.Petit Le Captalat de Buch pendant la Révolution Française 1789-1804 (Bordeaux 1909) p.28 ff.; and A. Ferradou, Mémoire sur la Propriété des Dunes de La Teste (Bordeaux 1930) p.62ff.

The main activity of this captal and his son, councillor F.A.de Ruat, after that, was devoted to planting and so fixing the dunes around La Teste. Between 1772 and 1787 they tried repeatedly to do this, and constantly met opposition from the community of La Teste, who refused to be excluded from their common rights even for a limited period while the trees were still growing. In 1782 at last the community's protests were overridden, and planting began.¹ The fixing of the dunes was essential if the government's great project of a canal linking the Adour and the Bassin d'Arcachon was ever to be effected. But it was not until 1787 that Bremontier, ingénieur en chef des ponts et chaussées,² began really successful planting on the dunes. All Ruat's attempts came to very little; but president de Verthamon, Viconte de Biscarosse, was so impressed by Bremontier's success that, on the eve of the Revolution, he began planting his own dunes.³ As for the landes themselves, however, they remained uncleared.

what emerges from the tableaux des achats et ventes is the briskness of the land market among parlementaires. They

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1. Arrêt du Conseil, 21 mai 1782, Ferradou, p. 78
 2. Nicolas-Thomas Bremontier (1738-1809) successively sous-ingénieur at Caen, Verthamon, and Bordeaux. 1784 ingénieur en chef des ponts et chaussées, Generality of Bordeaux, a post he held, mutatis mutandis, throughout the Revolution until his death. The first effective fixer of the dunes.
 3. Ferradou, ps. 98-9

were buying a great deal, and also selling a great deal, often something confined to the parlementaires - it was a manifestation of the wealth that was general in 18th century Bordeaux. When land was put on sale, there was always a ready market, in which the parlementaires participated with the others. However their activity is not so much evidence of plans of expansion, as of constant rationalisation. Every generation had to rationalise its domains afresh, indeed often rebuild them, after the havoc wrought each generation by an egalitarian succession law. Under these circumstances, a steady expansion of domains was almost impossible; the first thing was to refurbish losses made to younger brothers. Only those with huge incomes could afford domain-building for its own sake - the Richards, the Lavies, the Saiges. The rest spent most of their time keeping holdings at a more-or-less constant level. Even then, some succumbed, and this is why large-scale sales were as common as large-scale purchases among the parlementaires.

This also explains the enthusiasm of certain parlementaires for concession-seeking. It was domain-building without initial expense, a disadvantage which even tax-free clearings laboured under. The governmental atmosphere also could not have been more favourable. But one result was that the magistrates often sold their judicial souls. Throughout their

history, and especially in the 18th century, the parlements spent much time opposing and condemning the judicial pretensions of the intendants, and evocations to the conseil d'état. However, when it was a matter of concessions, individual parlementaires were very quick to resort to these authorities. Concession-seeking involved, first of all, establishing that the land in question was royal domain, and then applying to the department of the domain, whose ultimate head was the controller-general. Such applications went through the intendant. Leblanc de Lauvezin, in his project for the marsh of Ambares and Montferrand, even specifically asked that contests over his proposed concession should be cognisable by the intendant, with appeal to the conseil d'état,¹ and in any case, this is usually what happened. Similarly in contested cases, parlementaires were not above appealing straight to the council if they thought their case would be better received than in their own parlement; for we ought never to forget that in these cases, the interests of magistrates often clashed. In any case, as lawyers, parlementaires were well equipped to know what judicial obstacles stood in the way of their projects, and which ones like-minded men might raise. With the administration, it was sufficient to invoke bien public in order to by-pass the law. 'Il est des cas où il soit nécessaire de s'écarter des règles exactes, c'est lors-

1. A.D. C3675

qu'il s'agit de faire un bien aussi considerable que celui qui
resulterait du projet que M de Ruat propose', wrote the intend-
ant in 1773.¹ So it was that the parlementaires' land hunger
often led certain of them individually to treat in a very cavalier
fashion that law whose sanctity they often extolled and claimed to
defend, collectively, on the benches of the Ombrière.

1. Quoted in Ferradou p.66

9 - Wine Growing

If parlementaires were primarily landowners, and their estates were mainly concentrated on the gravelly soils to the north and south of Bordeaux, it follows from the nature of the terrain that they were mainly wine-growers. The unsuitability of the soil for anything else, its perfect suitability for vines, and the immense profits that could be made from quite small patches, all made this economically inevitable. In fact, the parlementaires dominated the group of large-scale, high quality wine producers who were the pillar of the traditional economy of the Bordelais. It has been deduced from tax rolls that in 1755, an average 73% of the gross landed income of 68 parlementaire families came from wine;¹ and the situation was similar at the end of the old régime.

One of the most fundamental and attractive features of the vine as a crop was its high yield per surface area; this explains the smallness of most parlementaire estates. The unit of measurement in the 18th century for most of the area around the city was the journal de Bordeaux, which was equivalent to 0.8 acres.² To find single vineyards of over 100 journaux was

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1. Forster, 'Noble wine producers' ps.21 and 23. The roll used is however in A.D. C3018, and not 3019, as the author says. It is printed in Arch. Hist. D. Gironde, t.44 (1909) p.355ff.
 2. Forster, op. cit. p.31. Metric equivalents of most of the old regime measurements of the region are given in J.A. Brutails, Recherches sur l'équivalence des Anciennes Mesures de la Gironde (Bordeaux 1912)

uncommon. Quite apart from anything else, it would hardly have been possible in much bigger units to give the vine the degree of individual attention that it needs.¹ At Château Lafitte, owned by president de Pichard and premier cru of the Medoc, the rewards were worth the trouble; at the end of the old regime it contained 169 journaux under vines, and its net yield was between 30,000" and 40,000!"² Even so this was after deducting the costs of cultivation sums as high or higher. Lafitte was however exceptional. Thus, although in their overall holdings many parlementaires might have several hundred journaux of vines scattered over the Bordelais, individual pieces tended to be well below 100 journaux. A significant portion, sometimes the majority, of each holding was under other forms of culture - corn, meadow, or woodland. This was especially the case in the alluvial palus, where the soil was rich but yielded only undistinguished wines - though even these sold well, especially in the colonies. Up on the stony graves, however, wine was not only the best, but often the only economic proposition.

What then were its returns? Owing to the disappearance of most of the account books which the parlementaires undoubtedly kept, information is not easy to come by on this question. But certain things are clear. First of all the

1. See below p. 177-8

2. A.N. W400 (927) Tribunal Révolutionnaire: Pichard. Emprunt Forcé de 1793.

quality and therefore the price of wine largely depended on the area it came from. Only a handful of individual châteaux and grands crus were famous by name in the 18th century, such as Lafitte, Latour, or Haut Brion, but the importance of the area of provenance was clearly understood. A list drawn up in 1767 shows the immense variations in the price per tonneau,¹ according to district: hardly any of the parishes mentioned were totally without some parlementaire property.²

<u>REDS</u>	<u>Graves</u>	
1 ers crus	Pessac	crus de Pontac 1500-2500"
	"	others 800-1200"
	Mérignac	400- 800"
2es crus	Talence, Léognan	300"-400"
	Gradignan, Caudéran	200- 300"
	Bègles	200"
3es crus	Poudensac, Virelade, Portets, Castres, Arbanats, Beautiran, Aiguesmortes, Eyrans, Cadaujac, Le Bouscat, Canéjan, Eysines	150"
	<u>Médoc</u>	
1 ers crus	Pauillac, Margaux	1500-1800"
	St. Lambert, Cantenac,	

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1. 1 tonneau = 42 cubic feet. Brutails, Recherches...Mesures &c
 2. Printed in Malvezin, Histoire du Commerce de Bordeaux, t.3 p.377-8

	St. Seurin de Cadourne,	
	St. Julien	800-1200"
2es crus	Soussans, Labarde	600"
	Agassac, Arçins, Arzac	400-500"
	Listrac, Moulis, St. Laurent,	
	St. Estèphe, Le Pian, Macau,	
	Ludon, Le Taillan	300-400"

Others 120-150"

Palus

1 ers crus	Queyries	300-400"
	Montferrand, La Souys	
	Ambès	200-300"
2es crus	Fronsadais, Vayres, Quinsac,	
	Ile St. Georges, Cadaujac,	
	Bègles, palu de Bordeaux,	
	Parempuyre, St. Macaire,	
	Macau, Ludon	150-200"

WHITESauternes

1 ers crus	Barsac, Preignac, Langon,	
	Ste. Croix du Mont, Sauternes,	
	Cérons, Bommes, Fajols,	
	(Blanquefort, Gradignan,	
	Toulène - non Sauternes)	300"

Entre-deux-Mers

2es crus all¹ 180-240"

1. Individually listed in the original.

An additional factor bearing upon income from wine, was the yield of tonneaux per journal. Between one and three tonneaux per journal was a normal amount.

Against any income from the sale of wine there had to be set the outlay in costs of cultivation. The vine is very delicate: it needs constant attention throughout the year, in pruning, propping, digging several times round the roots, and ensuring good drainage. There was too the actual process of pressing and storage after the harvest, an equally skilled business. Labour costs therefore were very high. The gross product of Chateau Lafitte in 1792 was 75,713" 9s. but 39,851" 15s. had to be deducted for cultivation.¹ As we have noted, these amounts (though not their ratio one to another) were in fact exceptional. More typical were the returns of councillor Dumas de Fonbrauge in 1779-80. He had two main properties: just over 35 journaux at Chateau Claveau just north of Bordeaux, and the domain of Fonbrauge, 302 journaux in the parishes of St. Christophe and St. Culpice, near to St. Emilion.² For Claveau the gross receipts of 1779-80 were 6549" 10s. of which 5860" came from wine.³ Costs of cultivation were about 3000". For Fonbrauge

1. A.N. W400(927) Tribunal Révolutionnaire: Pichard.
2. Marion, Bencazar & Caudrillier, Biens Nationaux, I p.154: A.D. 8J 481 (Fonds Bigot) Papiers de Famille: Dumas de Fonbrauge.
3. A.D. 3E 23.308 Livre de raison de Dumas de Fonbrauge.

the gross receipts were 16,270" ls. 6d., of which 11,050" came from 42½ tonneaux of red wine at 260" each, and 2415" from another ten tonneaux of inferior wine at 230" each. Costs of cultivation came to about 4000", of which the biggest item was 1600" for sixteen dozen new barriques. He also sold 83 boisseaux of corn from Fonbrauge, but this only brought in in all 952" 7s. 6d. Unfortunately, this account book only covers just less than three years, so a long series cannot be obtained.

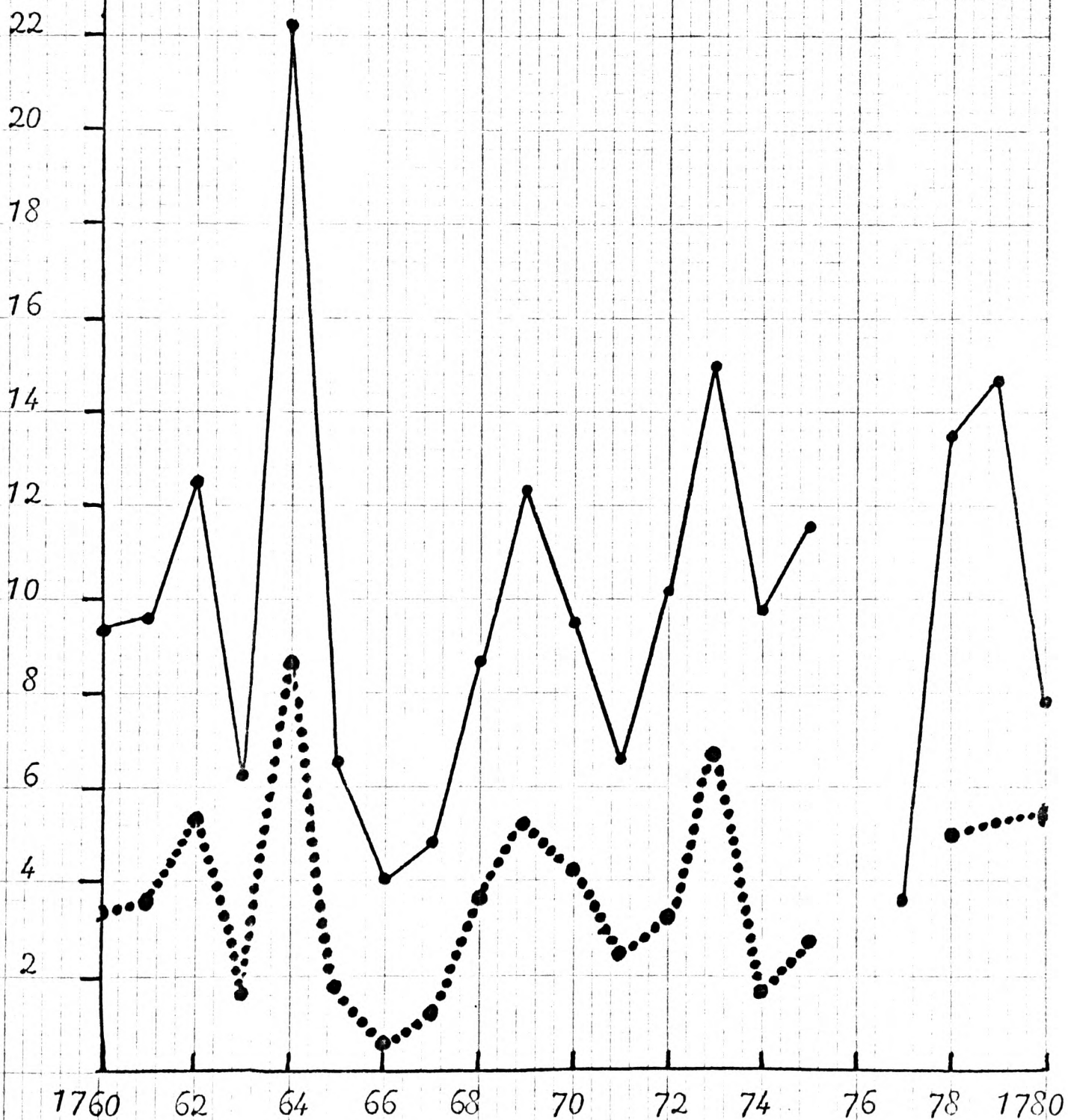
The only surviving account book which does yield a long series of figures is that of councillor J.L. Darche over the years 1760 to 1780.¹ His domain at Sauternes was of 109½ journaux, 72 of which were under vines. The accounts of the latter have already been tabulated and published.² Those of a less lucrative domain at Langon have not. They may be found both together, in graph form, between this and the next page, with gross and net receipts shown.

The most important thing to notice about them is the great fluctuation in income from year to year. While costs of cultivation remained uniformly high, - an average 4760" p.a. at Sauternes and 2153" p.a. at Langon, - receipts varied immensely, from the handsome profits of 1764 to the deficits or near deficits of 1777, which was a disaster year for wine all over France.³

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1. A.D. 2E 63 (Titres de Famille:Darche) 'Livre pour les biens de Sauternes et de Langon commence en 1760'.
 2. By R. Forster, 'Noble wine producers' p.27.
 3. Labrousse, Crise de L'Economie, &c. p.304

1760-1780 Receipts and Profits of Darche's Sauternes Vineyard

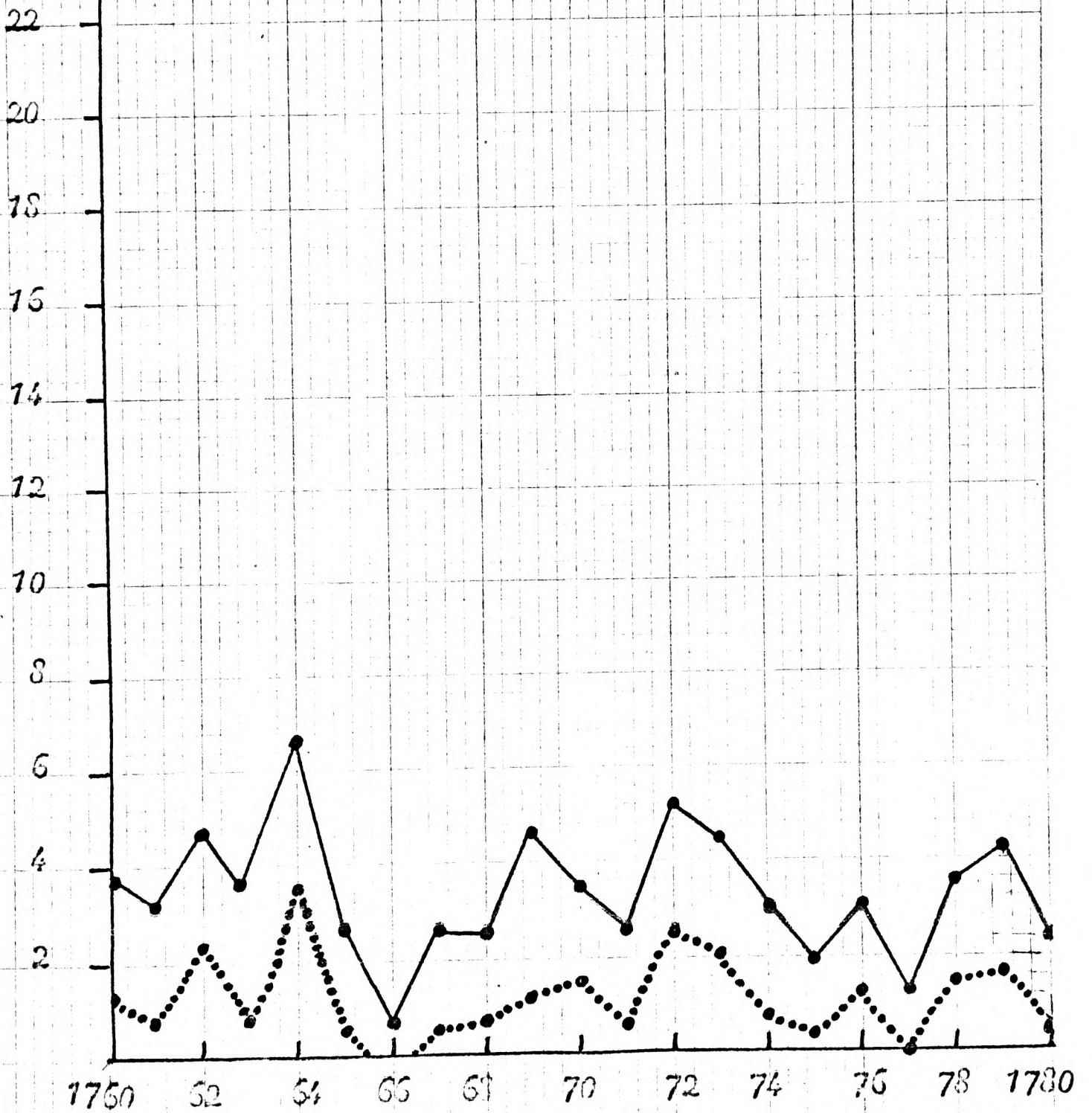
Thousands
of livres



Gross receipts: —●—
 Net receipts: ●●●●●

1760-1780 Receipts and Profits of Darche's Langon Vineyard

Thousands
of Limes



Gross receipts: —●—
 Net receipts:●.....

Making a profit was therefore not certain, and depended on an immense number of variables.

One was the weather. The climate of Bordeaux is usually mild in winter, but some frosts do occur, and if vines are not well drained, frost can kill their product. This could have two opposite effects. On the one hand, if too many were killed, it meant disaster; however, more often, only those which were badly placed or badly drained would suffer, and that would only take away a proportion of the harvest. In good crus, the consequent rarity of the wine might even force the price above that of abundant years. This was not only applicable in the case of frost, for an abundant harvest was not always a lucrative one. As Le Berthon wrote in 1780, from Virelade:

'Il me manque icy Le quart du vin rouge, et le cinquième du blanc que je vendis l'an passé. Mais j'ay tout lieu de croire que l'une et l'autre qualité seront infiniment moins basses, et peut-être vendront-elles davantage vu la dizette dont on se plaint... partout.'¹

Hail, however, meant complete disaster. The Bordelais is prone to sudden and violent hailstorms, and their only mitigation is that they tend to be localised. But where they fall, they often destroy the vines utterly, breaking off the shoots. Nor was it possible in the 18th century to take any precautionary measures. Similarly there was no effective way of ensuring good

1. A.D. 2E 1089 (Titres de famille: Duval) Le Berthon to Duval, 27 octobre 1780.

quality even to undamaged harvests, which were dependent on rain at the right time of the year, as well as sunshine, to determine the value of the wine which they produced.

The market was often as fickle as the weather. Most Bordeaux wine was exported; even that going to the rest of France went mostly by sea.¹ Changing foreign fashions, as Montesquieu had pointed out in his famous memoir of 1726,² could change the value of a vineyard. So in 1756 the Sauternais had been 'le canton le plus brillant de l'Election',³ but since then fashions had changed in Holland, where most Sauternes had been sold, first to the wines of Bergerac, then to those of Médoc. Wine growers were also at the mercy of the merchants who bought and exported their products. Only the grands crus had an absolutely certain market. Most of the others usually found buyers, but a regular price could not be assured.

Worst of all the imponderables was war, because it was the most general in its effect. When the seas became unsafe, as they did whenever France went to war with England, then so did the trade of Bordeaux. The mere rumour of war was enough to deter

1. Malvezin, Histoire du Commerce, t.3 p.276
2. 'Mémoire contre l'arrêt du Conseil du 27 février 1725 portant défense de faire des plantations nouvelles en vignes dans la généralité de Guyenne'. L'Intégrale edition pp.190-91 See above p.145
3. A.D. C3159 Anonymous memoir on the Election of Bordeaux

many merchants from buying wine, and slow down commercial activity in general. The American War of Independence was admittedly different, for then the seas were freer and the wine exports of Bordeaux were not affected much,¹ but the previous two maritime conflicts with England had restricted the trade of Bordeaux catastrophically as long as they had lasted, and with it, wine sales. As an English traveller noted around 1746: 'The nobility of Bordeaux have suffered more by the war than the merchants as they have no fund of ready money and live by the sale of their wines.'²

Finally, for those who wished to expand their production, there was sometimes opposition from the government. Early in the century, the government took fright over the extent of the vineyards in the Bordelais. The result was the arrêt du conseil of 27th February 1725, against which Montesquieu wrote his famous memoir, and a further arrêt of 5th June 1731. These forbade the planting of more vines, and ordered the tearing up of those planted in contravention. The reason was the fear that Guienne was a one-crop province, which could not provide itself with bread in time of famine, which was indeed true.³ However the intendant Boucher⁴

1. Labrousse, op. cit. p.304

2. Quoted in R. Shackleton, Montesquieu: A Critical Biography (Oxford 1960) p.206.

3. See below, pp. 196-99

4. Claude Boucher (1673-1752) 1693 cons. cour des aides de Paris; 1699, president; 1717, intendant d'Auvergne (though not even a maître de requêtes); 1720-43 intendant of Bordeaux; 1720 conseiller d'honneur at the parlement of Bordeaux.

made no sustained effort to enforce the arrêts, and nor did his successor Tourny, except for a brief period of panic in the years 1744 and 1745.¹ By Louis XVI's time the arrêts and the ordonnances in their support issued by the intendants had long been dead letters. For after all, no other crop yielded a remotely comparable return to that of wine, in proportion to area cultivated. One could hardly expect proprietors to ignore this.

To offset the risks attendant on wine growing, the large growers, and especially the parlementaires, enjoyed certain important advantages. The first was their mere size as producers. They expended a large amount of capital in the hope of large returns. Admittedly several bad years would affect them, proportionately, as badly as anybody, but they could sustain temporary loss or delays in marketing better than small producers, over whom they thus had an unanswerable advantage. 'Given the fact that the sharecroppers and small vigneronns lacked the capital for presses, vats, casks, and wagons, their dependence on the large producers for the marketing of their wine was almost inescapable!² Parlementaires tended both to buy and sell the wine of their tenants and vassals.

Another advantage was the privilege of Bourgeoisie de Bordeaux, one facet of an extensive network of privileges in the

1. See Lhéritier, Tourny, t.1.p.384-7

2. Forster, 'Noble wine producers' p.27

wine trade enjoyed by Bordeaux and its inhabitants, which had their origins in the 13th century.¹ Bourgeoisie had nothing to do with social status: it was a hereditary privilege enjoyed by a number of notable families, some noble, some not, under which they were allowed to bring their wine into the city free of duty, and had the monopoly of retail sale within its precincts. Proof of possession of this privilege was conveyed in lettres de bourgeoisie, which were distributed by the jurade to those with a certain residence and property qualification. The register of such families, the Livre des Bourgeois, was revised several times in the early 17th century, and again in 1762.² Several parlementaire families had had letters since the 17th century, others had obtained them in the meantime, and most merely acted as if they had them. However the revision of 1762 brought matters to a head, and by an arret of the same year,³ the parlement declared that henceforth all its members and their families were to enjoy automatically the privilege of bourgeoisie whether they had letters or not:

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1. See Y. Renouard (ed.) Bordeaux sous les Rois d'Angleterre (Histoire de Bordeaux, t.3) (Bordeaux 1965) pp.294 & 554-6; and H. Kehrig, Le Privilège des Vins à Bordeaux jusqu'en 1789 (Paris/Bordeaux 1886 passim).
 2. The 1762 revision is printed in Arch. Hist. D.Gironde t.33 (1898). In it are the names of 45 families who provided parlementaires under Louis XVI.
 3. Arrêt du Parlement du 18 août 1762. Printed in Arch. Hist. D. Gironde t.26 p.205

'La dignité dont ils sont revêtus comprend la plénitude de tous les privilèges du droit de cité et...il seroit contre l'ordre des choses que MM de la Cour, fixés par état à Bordeaux et y ayant leur domicile de droit, et juges nés des différens qui arrivent au sujet du droit de Bourgeoisie et de l'état des personnes revêtues de la première et plus suprême magistrature de la ville, fussent privés de l'exemption bourgeoise...'¹

Parlementaires therefore could sell their inferior wine retail within the city, without the expense of a middleman, though they were only allowed one shop each from which to do it.²

Moreover, as inhabitants of the sénéchaussée of Bordeaux, the parlementaires benefitted from the more general aspects of the wine privilege. Only wine from the sénéchaussée, comprising 350 parishes, might be sold within the city, or freely introduced there. Wine for export from the haut pays, up river, and generally outside the sénéchaussée had to be stored in a specially designated part of the Chartrons quarter. Wine from the more remote parts of the Entre-deux-Mers was only half privileged, and paid on passing through the town the duty of the demy marque, 2s 6d per tonneau. Wine from beyond paid the double marque of 5s per tonneau.³ The former was not allowed down the Garonne till

1. Ibid. Réquisitoire of the procureur-général.

2. A.N. H93 bis No. 79. Fauquier to Controller-General, 14 février 1783: reply 15 avril 1783.

3. Kehrig, op cit. ps. 37-42

Martinmas; that is, until the vendanges in the Bordelais were ^{and} over the crop sold. The latter was not allowed down until after Christmas; and all non-Bordelais wine had to be out of the port by 8th September each year, on pain of confiscation and conversion into brandy. The overall effect of the privilege was to increase the price of non-Bordelais wine when it reached the port, and to exclude it altogether during the crucial period of the vendanges, from mid-September to the end of October. It gave the Bordelais wine-growers an immense advantage.

The growers of the haut-pays, in particular those of Cahors, always resented the disadvantage that they thus laboured under at their natural part of outlet. Moreover as the 18th century went on, the government, groping towards the notion of free trade, lent them an increasingly sympathetic ear. The intendants of Bordeaux even, while keeping a diplomatic silence within the city itself, took an unfavourable view of the privilege in their reports to the government.¹ The accession to the contrôle-général of Turgot in 1774 brought at last victory to the opponents of the privilege. In April 1775 he sent an arrêt du conseil lifting the prohibition on wines of the haut-pays after 8th September, and promising a general law to follow. 'Si le Parlement rendoit quelque arret contraire aux dispositions de

1. G. Martin, 'Les Intendants de Guyenne au XVIIIe siècle et les privilèges des vins bordelais' Rev. Hist. Bx. (1908) ps. 461-470.

celuy du Conseil, 'he told the intendant, 'vous aurez soin de m'en informer sur le champ'.¹ The latter replied that there was sure to be a protest. On 12th April 1776 came the promised general law declaring free traffic in wine throughout the realm. The parlement of Toulouse, as we might expect, registered it at once.² Bordeaux, absorbed in intestine quarrels, did nothing at first, and during the delay the government distributed as propaganda in the city 200 copies of the edict, together with the arrêts d'enregistrement of Toulouse, Grenoble, and the conseil souverain of Ferpignan. At length the parlement decided on remonstrances, and while they were being drawn up, lettres de jussion arrived, ordering registration of the edict. On 3rd September the maréchal de Mouchy carried through a forced registration, and the parlement sent its remonstrances the same day.³ They were very bitter:

'Detruire ces privileges, et ces Régle-
ments, C'est renverser l'ordre public, c'est
porter dans la société le trouble et la
dissension, sous le prétexte spécieux de
reformer des Abus anciens, c'est tromper
les espérances des propriétaires des fonds
de cette Sénéchaussée, qui, sur la foi de
ces Réglemens toujours en vigueur, se sont
empressés à former des Vignobles, plus utiles
à l'Etat qu'à leur intérêt personnel...

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1. A.D. C3683 No. 53 Turgot to Clugny, 25 avril 1775.
 2. D. Dakin, Turgot and the Ancien Régime in France (London 1938) ps. 252-3
 3. Bib. Mun. Bx. MS 1201 (Correspondance Duplessy) boîte 5, 6 sept. 1776.

Pourquoy...faire fleurir le commerce de nos voisins en ruinant le nôtre, par une Concurrence aussi nouvelle que dangereuse?¹

The edict would ruin cultivators by flooding the market, destroy all the value in the status of bourgeois de Bordeaux, encourage fraud through the blending of wines, and turn over good corn lands outside the Bordelais to vines. It was in short 'un Edit qui ne peut que ruiner cette Sénéchaussée'.² While perhaps not concurring completely, we can at least see that it would have been a bitter blow to the parlementaires and the larger proprietors. Nevertheless M^{me}. Duplessy at least felt sure that the remonstrances would have no effect.³ Yet the main battle against the edict had been won even before the forced registration; Turgot had fallen, and his work, in any case hardly begun, was undone. Letters-patent of 30th November 1776 suspended the operation of the April edict, and the wine privilege did not disappear until 1790. It seems unlikely that this government volte-face occurred at the instance of the parlement of Bordeaux, but it was all that the parlementaires desired.

For if we can speak of the parlement having a policy on anything, it was on the wine trade. It emerged in a series of arrêts passed throughout the century, and of which the remonstrances

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1. A.N. K708 No. 58 Remonstrances of 31st August 1776.
 2. Ibid.
 3. Loc. cit. sup. n.1

of 1776 were merely a culmination. Broadly, this policy was to keep the wine privilege watertight, and to protect the wine of Bordeaux against competition, adulteration, and fraud. So in 1764 two vigorous arrêts were passed,¹ forbidding the blending of Bordeaux wines with others, a practice which had given rise to complaints in buying countries. Ever since the 17th century the parlements had been passing arrêts about this. Now, it claimed, the adulteration of pure products, for which nevertheless the price of pure products was charged, was slowing down the growth of the wine trade. The merchants of Bordeaux were incensed at this arrêt, challenging both the assumptions behind it, and the provisions to enforce it. Only blending, they claimed, ensured the sale of inferior wines. 'Si nos Magistrats étoient payés par nos rivaux, ils ne pourroient pas les servir plus à souhait'.² But of course the parlementaires were more interested in preserving the purity of the superior wines which many of them grew. The government passively supported them.

In the early 1770s foreign complaints again prompted the parlement into action. Bordeaux wine had since 1597 been sold in a barrigue bordelaise of a special size, to distinguish it from others.³ By the mid-18th century this size was becoming

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1. Arrêts du parlement du 13 juillet 1764 et du 21 septembre 1764. Arch. Aff. Etrang. Mémoires et documents, dossiers France 1587. ff. 371 & 421.
 2. Ibid. f. 420. Anonymous letter to Choiseul, 18 sept. 1764
 3. Kehrig, op. cit. p. 27

vague, since the town had lost the prototype of the jauge, and buyers were beginning to complain of fraud and to sue in the courts. For this reason the parlement Maupeou, by arrêts of 1772 and 1773 laid down precise dimensions for the barrigue bordelaise, and heavy punishments for those not using vessels of this size, or those using them without authorisation.¹ These regulations remained in force until the Revolution.

There can be no doubt that, apart from his work, growing wine was the main preoccupation of a parlementaire's life; as it was indeed with most of the non-parlementaire notables of Bordeaux who owned lands. This gave them a certain unity of interests. Certainly the government knew that the most effective way to secure the parlement's submission to its policies, was to prolong the sitting of the court into the September vacation, the time of the vendanges. This it did with the approval of the intendant, in 1780 and 1781.² As Mouchy wrote to Vergennes in 1781:

'...on est dans le desespoir et les Magistrats tres peu en etat de juger. Ils ne peuvent qu'a la ruine de leurs fortunes, et rien de plus, les gens les plus sensés deviennent fols, et ceux qui reellement n'ont pas quitté le palais depuis la rentrée du Parlement disent qu'ils sont bien malheur-

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1. Ibid. p.32: A.D. C4265 Chambre de Commerce to Boutin, 20 aout 1784. Arrêts du parlement du 28 août 1772 et du 21 avril 1773. The volume of the barrigue thus prescribed was about 235 litres - Brutails, Recherches...mesures &c.
 2. A.D. C3452 Intendant to Garde des Sceaux, 30 août 1780.

eux ayant fait leur devoir de se trouver confondus avec ceux qui y ont manqué: presque tout le bas palais est parti ainsi que tous les plaideurs: Il faut avouer que le temps des vendanges pour ce pais ci ne reassemble a rien de ce qu'on voit ailleurs; tout le monde ne parle, n'entend et ne voit autre chose, les affaires les plus serieuses et les plus essentielles sont abandonnees pour cet objet.¹

This should hardly surprise us, when we consider, on the one hand, that most of a magistrate's income came from wine, and on the other, that growing wine was such a speculative business. At its best, it was the most lucrative form of agriculture in France, and brought unparalleled returns; at its worst, it yielded nothing, for a high outlay, and a single hailstorm might make all the difference between the one and the other. The parlementaires, therefore, lived in a constant state of tension, between the prospect of huge rewards, and the fear of catastrophe. It was this which made them so vehement in support of the wine privilege which, along with the outlay at a steady level year after year, was the only constant element in their economic lives.

Possibly other things are explicable in similar terms, too. It is clear, for instance, that a constant rate of taxation, such as that represented by the vingtième, would fall with very uneven weight on the parlementaires from year to year. In 1763 and 1780, when the first and second vingtièmes were prolonged,

1. Arch. Aff. Etrang. Mémoires et documents, dossiers France 1589 f.77. Bouchy to Vergennes, 11 septembre 1781.

the parlement only registered the edicts on condition that so long as the taxes lasted, the basic assessments should not be raised.¹ It is noteworthy that 1763 was a very lean year for wine, and followed a war, and that in 1780 the winegrowers still had not recovered from the complete disaster of 1777-8; the harvest of 1780 itself was also mostly spoiled.² Doubtless these facts do not fully explain the attitude of the parlement towards taxation, but they must surely be taken into account. It is clear too that other large winegrowers had every reason to support the parlement in the steps it took to defend its economic interests, in this, or in any other way; which helps to explain its popularity.

Conversely, the wine policy of the parlementaires also makes clearer the grounds for some of the enmities it encountered. We have seen how the marchants protested at the arrêt of 1764, and doubtless they continued to see other such restrictions on their freedom of trade in a hostile light, while the parlementaires upheld them. Similarly the small growers had little cause to support the restrictive wine privilege of Bordeaux, and were quick to profit from its abrogation during the vendanges of 1776.³ The policy of the parlement was exclusively designed to protect the large high-

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1. Arrêt du parlement du 24 décembre 1763 - A.D. C3159: Arrêt du parlement du 2 mai 1780 - A.D. C3044. See also below, ch. 18 passim.
 2. Bib. Mun. Ex. No 1201 (Correspondance Duplessy) boîte 9. 19 oct. 1780. At Freignac, councillor de Lamontaigne Produced 120 tonneaux in 1779, but only 7 in 1780.
 3. Ibid. boîte 5. 12 sept. 1776.

quality producer.

Finally, the circumstances of wine-growing surely help to explain the conduct, in a more general sense, of the parlementaires themselves - turbulent, volatile, and unsteady. This was the commercial atmosphere of the boom town in which they lived, and this was the atmosphere even of the more traditional activity in which they engaged.

10 - Other Cultures and Estate Management

If the greater part of the landed income of the parlementaires came from wine, we should not therefore conclude that the parlementaires had all or even most of their land under vines. The richest wine-grower of the middle of the century, president de Segur, whose inventory after death was drawn up in 1755, had a very significant part of his domains, even on the precious soil of the Medoc, in ploughland, pinewoods, and sheep-runs.¹ For those with property in the landes, only a small proportion of their overall holdings was under vines; but then the landes were of very limited value to anybody, and Richard's thousands of journaux at Salles, Belin, and Beliet, only yielded him each year a fraction of what he got for the product of his 169 journaux of vines at Lafitte. He estimated in 1793 that the net yield of Lafitte and dependencies in the previous year had been in all 33,135" 18s 11d, whilst that from his immense properties in the landes only came to 5128" 18s 2d.² Thus, more of the parlementaires' domains were under other cultures than the proportion of income deriving from them might suggest.

Arthur Young suggested that only meadows in France yielded anything approaching the value per acre of vines.³ However,

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1. P. Butel, 'Grands propriétaires et production des vins du Médoc au XVIIIe siècle' Rev. Hist. Bx. (1963) pp.129-141 passim.
 2. A.N. W400 (927) Tribunal Révolutionnaire: Pichard.
 3. Travels (ed. Maxwell) p.294

meadows did not form a very large proportion of parlementaire domains. In mid-century in the Bordelais they yielded between $1\frac{1}{2}$ and 4 cartloads of hay per journal.¹ Most domains contained small meadows, often under 10 journaux and hardly ever over 20. This was because of intense competition from other cultures; for most of the meadows were in the palus along the river, which was the most generally fertile land in the Bordelais. However, even the palus were under pressure from the vine, for vin de palu, though not approaching in quality that grown on the graves, was abundant, sturdy, and travelled well, if indeed it did not positively benefit from transport. It was thus the basis of the wine exports from Bordeaux to les Isles. The pressure for intensive cultivation of the palus was all the greater, as the proximity of the river facilitated the export of their products. Such factors inhibited meadowland in favour of vines: yet outside the palus, except in a few marshy parishes like Blanquefort, the land was ill-suited to meadows. Nevertheless there is ground for thinking that meadows were extended as the century went on. The biens nationaux which had been owned by parlementaires up to the Revolution often contained far larger portions of meadows than are indicated in the vingtième roll of 1755; many were above 50 journaux. This is a far more spectacular rise than any of land under vines. Small meadows doubtless reflected only the consump-

1. Conclusion drawn from perusal of the tax-roll in A.D. 163018.

tion of forage on the estate itself; where they were larger, hay would be sold.

We should not underestimate the amount of livestock kept by parlementaires. However, the reign of Louis XVI was a bad time for cattle and sheep. A number of plagues, spreading from Spain, swept the south of France, notably the epizoôtie, which appeared in 1771, and reached its height in the years 1774-5. In 1774 councillor P.A. Durand de Naujac lost 9 head of cattle. In 1775 councillor L.J. Demons lost 27 head in the élection of Bordeaux and 36 in that of Condom. In these two years, in the latter élection, president Daugeard de Virazel lost 200 head.¹ Losses on this scale represented a considerable capital value. Councillor Dumas de Fonbrauge estimated his losses on livestock in these years at 5164".² In view of all this, it is not surprising to find the parlement co-operating vigorously with the intendant to stop all fairs where the disease might be spread.³ It does not seem that the smaller herds of cattle at any rate were kept so much for meat or milk as for manure, which, being rare but important in an area so intensely cultivated as the Garonne valley, sold well.

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1. A.D. C3195. 1775-6 'Etat des décharges sur les Vingtièmes'
 2. Ibid. This probably means that he lost perhaps 50 head. He was selling young cows in 1780 at around 100" each. A.D. 3E 23.308. livre de comptes de Dumas de Fonbrauge.
 3. A.D. C1551 Arrêt du parlement du 20 août 1774.

Admittedly it was rather different with sheep. In the Medoc and in the landes, there were many flocks. Their wool and their meat were both valued, as well as their manure. The Basterot family kept a famous flock at Les Granges d'Or.¹ In 1787 president de Verthamon had 282 sheep and 92 brebis on his domain at Loudenne.² In 1793 there belonged to president de Richard in the landes, at Saucats six flocks making 1643 in all, at Salles 194 head, and at Belin 248 head.³ He also had a handful of cattle in each place. The landes were ideal for free-rein pasture, and could support such large flocks of sheep all the year round.

In addition, the landes had a number of specialised products. There was honey and wax: at Saucats Richard had 200 beehives;⁴ at Belin he had 20; at Merignac president de Cazeaux had 52.⁵ Also they grew pinewoods and their by-products. The pines were not as extensive in Guienne as they are now - great stretches were in sheer waste.⁶ Nevertheless the woods were extensive enough, and Young opined that 'Improvements on the heaths of Bordeaux are not...obvious, because an immense tracks the

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1. Malvezin, Histoire du Commerce &c. t.3 p.101
 2. A.D. 15312 Actes concernant le Médoc.
 3. A.D. 1934 Inventory after condemnation: Richard.
 4. Ibid.
 5. A.D. 1908 Inventory after confiscation: Cazeaux.
 6. Young, Travels, ed. cit. p.239

the proprietor receives as much perhaps at present from pines as he would receive were the whole in cultivation.¹ Resin, for instance, could be very lucrative, when one tapped thousands of journaux of trees for it. At Salles in the 1780s there were 24 resin ovens.² In 1777 president de Verthamon's agent at La Teste sold 40,000 pounds of resin at 98" the thousand, and still had another 116,076 pounds left in storage the next year.³ Then there was the wood itself. The pines produced resin up to their 20th year. After that, they could always be cut and sold. In 1793 in Pichard's estate yard at Salles, 9000 bundles of faggots were found, and 10,000 cut pine logs.⁴ In fact, wood sold very well in the Bordelais in the 18th century, though pinewood was not the most profitable. Wine-growing required large amounts of wood, in effect a prop for every vine; also there was the wood for casks and wine vessels. Pinewood was too soft for the latter, and for the best wines, only imported bois du nord was good enough. However, for more ordinary wines, local hardwood was used, and, being scarce, it sold well. There was oak in the landes which could be used for this purpose; moreover many parlementaire estates outside the landes had patches of woodland, though this did not occur as often as meadow and was often unkept

1. Ibid. p.281

2. Baurein, Variétés bordelaises, t.3 (1876 edition) p.368

3. A.D. 3J-E35 (Titres de famille:Verthamon) Letter of 17 Feb. 1778

4. A.D. Q934

bois taillis. There is little evidence of a systematic use of woodlands for income, except in the landes. The saplings demanded by parlementaires from the royal nurseries were mostly fruit trees or ornamental ones like poplars.¹ However, every few years the sale of a coupe could bring in an acceptable rise in income. In 1783 councillor P. de Geres de Loupes sold all the wood from his domains, except a patch around his château, and enough for the firwood he and his metayers needed, to a firm of contractors for 24,000".² Admittedly few magistrates were as drastic as this; such a once-for-all step seems to indicate an overriding need for money. However, many parlementaires had on their estates patches of woodland which they farmed out to be cut every few years. Yet the return was too infrequent to induce them to expand deliberately their woodlands to the detriment of vines or other cultures.

It was the same with corn, but here it was not the infrequency of the return, but its relative mediocrity, which was decisive. The stony graves of Bordeaux were not suitable for profitable grain growing; the fact that vines grew so well there only discouraged the growing of corn all the more. The result was that Guienne was far from self-sufficient in corn, even in

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1. A.D. C1509 Pépinière Royale de Bordeaux, 1778.
 2. A.D. 2E 1359 (Titres de famille:De Geres) Contract of 27 oct.1783. The contractors provided all the labour, as was customary in the Toulouse region also. Forster, Nobility of Toulouse, ps. 83-94.

the best years, and was always dependent on imports from other ports of France, such as Brittany and the upper Garonne, or even from abroad.¹ In times of general famine, or of war, when the sea routes were closed, the shortage of corn in Guienne quickly reached crisis proportions, as it did in 1748, 1773, 1778 and 1789. It was at these times, rather than any other, that public order tended to break down, and the parlement was quick to intervene if it thought the other authorities, such as the intendant of the jurade, were not taking appropriate action. In general, the first president and the intendant co-operated closely on such occasions. However, whereas the intendants tended more and more as the century went on to adopt a doctrinaire attitude of non-interference with 'natural' price levels, the parlement was more pragmatic. Not that the parlementaires were unsympathetic to such doctrines; the remonstrances sent by the parlement Maupeou on 31st August 1773, after the dangerous dearth of that year had been overcome, contained an eulogy of the edict of 23rd May 1763, which freed the grain trade from control.² However, they pointed out that if control was to be abandoned, it had to be

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1. See L. Bourgoign, 'Une disette en Guienne à la fin de l'ancien régime' Rev. Hist. Ex. (1918-19) It was estimated that in good years, Guienne still fell 526,000 setiers de Paris short of self-sufficiency. p.156.
 2. Remonstrances printed in Journal Historique de la Révolution opérée dans la Constitution de la Monarchie Française par M. de Maupeou, Chancelier de France. (Londres 1775, 7V.) t.5 ps. 83-94.

abandoned uniformly all over France, or free circulation could not have its desired effect. In 1773, certain provinces which habitually supplied Guienne, like Brittany, had initially been forbidden to export corn, and this created 'une espece de famine artificielle'.¹ The intendant's remedy had been to give special permission to certain contractors to supply the province, but the parlement condemned this monopoly almost as strongly as the lack of free circulation. These being its views, it is no surprise to find the parlement registering without demur in January 1775 Turgot's abolition of restrictions on the corn trade.² Similarly in 1789, the court passed a series of arrêts designed to make the sale of corn as free as possible within the city.³ Nevertheless, in 1773, when it saw that a crisis was on its hands, whose root cause was beyond its control, the parlement was quick to fix at a low level the price of grain, irrespective of broader economic arguments against it.⁴

'il y a du bled a Bordeaux', wrote Gasco to Richelieu privately at the height of the crisis,'

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1. Ibid. p.85
 2. A.M. No 225 Melanges 1756-89. The printed edict with the arrêt d'enregistrement appended.
 3. A.D. C3630 Arrêts du parlement du 4 avril, du 12 avril, et du 4 sept. 1789. However an arrêt of 7 sept. restricted exports to les Isles.
 4. See P. Caraman, 'La disette des grains et les émeutes populaires en 1773 dans la généralité de Bordeaux' Rev. Hist. Ex. (1910) ps. 301 and 310-15.

il en arrivera beaucoup, nous le savons
puisque les connoissemens sont icy, mais
quel avance cela ferait pour le peuple
des campagnes qui n'est pas en état de le
payer?...le peuple n'a pas tort de se
plaindre il est hors d'état de payer son
plain...pour moy, je l'avoue. il me semble
que dans un païs, où les impots ont
portez a l'excez, le souverain est tenu
d'assurer a ses sujets le seul bien qui
leur reste: la vie'¹

In contrast to the question of wine, the attitude of
the parlement on that of corn, though basically clear, was flexible.
Partly no doubt this was due to a realisation that the question
of subsistances was one of the fundamental ones that society
faced. Partly too it was because, unlike their colleagues at
Toulouse,² the parlementaires of Bordeaux had little direct
personal interest in the grain trade. Only that handful whose
estates were up-river in the corn-growing Agenais, like presidents
Daugeard de Virazel, or de Bienassis, drew perhaps their largest
item of income from corn.³

Nevertheless, it is very common to find, in sheer area
of cultivation, a proportion of a parlementaire's estates given
over to corn similar to, or often larger than, that given over
to vines. For instance, on the first president's estate at
Virelade and Urbanats, early in the Revolution, 296 journaux were

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1. Bib. V. Cousin, Papiers Richelieu. Vol 38, ff.169 & 187
(split letter) Gasq to Richelieu 22 mai 1773.
 2. Larboust, ps.105-7: Forster, Nobility of Toulouse, ps.66-76
 3. A.D. 7B 1564 (Fonds des Négociants) Contains various letters
of 1783 from Bienassis to his corn-broker.

described as terre labourable, and only 79 journaux were under vines.¹ On councillor P.L.de Raymond's estate at St. Medard d'Yrans in 1792, 96 journaux were under the plough, and 93 under vines.² On the precious soil of Pauillac, adjoining Chateau Lafitte, Pichard's domain of Lorte was divided into woods, meadows, and ploughland, with no vines at all.³

All this goes to illustrate one thing about the parlementaires of Bordeaux which seldom receives enough emphasis - theirs was not a one-crop economy.⁴ Wine was certainly their predominant concern, and their main source of income, but corn-growing, rearing, and other agricultural activities all concerned them, and these subsidiary concerns were not neglected because of the concentration on vines. The magistrates were certainly bold enough agriculturalists to gamble for the high profits of wine, but they also exhibited a certain caution in keeping up their subsidiary cultures. In fact, caution, conservatism, and precision were the watchwords of the parlementaires as estate managers.

The way domains were managed and exploited depended

1. Marion, Bencazar, & Caudrillier, Biens Nationaux, t.1 p.140
2. L.S. 1796 Inventory after confiscation.
3. Marion, Bencazar, &c. t.1 p.144.
4. Notable for exaggerating the role of the vine is Forster, 'Noble wine producers' passim

on their distance from Bordeaux, their size, and the quality of the crop they produced. Estates that were far off were almost invariably farmed out. Thus president de Gourgue farmed Lanquais at 13,000" a year in the middle of the century.¹ The Lalande family farmed its estates at Castelmoron for 10,000" a year;² president de Lavie farmed his maison noble of Laroque at St. Etienne de Lisse near St. Emilion, at 13,000" a year.³ Sometimes too, lands very close to Bordeaux were farmed out by owners whose estates were so extensive that they could not give them all close attention. The Verthamons did this with various small properties that they owned close to the city.⁴ But as the Intendant Bsmangart,⁵ musing on the difficulties of just taxation, wrote to the controller-general:

'Il n'en est pas de cette province, comme de celles ou presque tous les domaines sont affermés...la plupart des domaines de la guienne sont exploités pour le compte des propriétaires, soit par des valets a gages, soit par des métayers, les vignes particulièrement ne sont affermés nulle part, les propriétaires les font cultiver et faconner à prix d'argent, et

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1. A.D. 2E 1405 (Titres de famille:Gourgue) bail a ferme, 9 juin 1753.
 2. A.D. 3E 15.414 (Dugarry) bail a ferme, 3 octobre 1779.
 3. A.D. C3171 Intendant to subdelegate of Libourne, 5 mars 1782.
 4. e.g. at Cadaujac, 3200" p.a. A.D. 3E 13.065 (Cheyron) 18 mai 1765; palu de Bordeaux, 1900" p.a. ibid. 3 juillet 1765; Blaye, 1100" p.a., A.D. 3E13.067 (Cheyron) 8 juillet 1776.
 5. Charles-Louis-Hyacinthe Bsmangart (1736-93)1761 Maître de Requêtes (Lettres d'Honneur 1782);176-1771 Intendant of Lille;1771-5 Intendant of Bordeaux;1775-1783 Intendant of Caen.

retirent pour leur compte la totalité du produit...¹

Valets à gages, or day-labourers, were employed for the most valuable vineyards, and this method of cultivation was one which spread throughout the century.² Of all methods, it cost the grower least, especially since, though prices rose throughout the century, the wages of day-labouring vignerons in the in the Bordelais did not.³ Métayage, cultivation by maîtres-valets on a sharecropping system, was on the other hand diminishing; except in the Hauternais, an area which, partly as a result of this, and partly as a result of changing fashions, was by the late 18th century relatively in decline.⁴ This system demanded, in provisions for the métayer, too even an outlay for a business as variable as wine-producing. By this time, therefore, it was only employed in the Bordelais for other forms of agriculture. The most common method of management in vineyards was a cross between day-labour and métayage, through contract-labourers or prix-faiteurs.⁵ They tended the vines throughout

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1. A.D. C74 Intendant to Controller-General, 11 november 1775. See too Forster, 'Noble wine producers' ps. 25-6.
 2. See Forster, ibid. and Parion, 'Etat des classes rurales &c' p. 108.
 3. A.D. C3159 'Mémoire concernant l'élection de Bordeaux, 1756'.
 4. Ibid.
 5. The translation is Forster's, 'Noble wine producers', p.26.

the year for a lump sum, but the harvesting was done by journaliers brought in specially for the purpose.

The Filhot de Chimbaud estates are a typical example of a parlementaire domain in the Bordelais.¹ In 1790 the total real estate of councillor J. de Filhot de Chimbaud was estimated to be worth 136,930" 10s. Of this, 94,232" 10s 6d was in country estates. The smallest was a tiny patch of land at Blazimont, deep in the Entre-deux-Mers, estimated at 814" 16s 4d, and farmed out at 150" a year. Filhot also owned three métairies in the marais of Blaye, one of which was farmed at 2800" a year, and the others probably too. It is impossible to say what sort of culture they were under. However his most important estates were in the Entre-deux-Mers in the string of villages stretching between Floirac, opposite Bordeaux, and Cambes. At Floirac he had three separate domains, totalling 91 journaux; at Camblanes, 4½ journaux of vines; at Cénac, 105 journaux of woodland; at Lignan, 113 journaux; and at Quinsac, three domains, of which one was a metairie of 137 journaux. The latter was partly under corn, being in the palu, and only partly under vines. Filhot provided 12 boisseaux² of seed a year for the corn, and the product

1. All that follows is taken from the family papers in A.D. 25 1213¹ (Déclarations du centième denier, 1776 et 1790) A.D. 25 1213¹¹ (Livre de raison, 1788-90), and Marion, Bencazar, & Caudrillier, Biens Nationaux, t.1 p.153.

2. 1 boisseau de Bordeaux = 78.808 litres. Brutails, Recherches...mesures &c.

was shared. The vines however were cultivated à prix fait. The prixfaiteur undertook to prune and tend the vines, and dig around their roots three times a year (donner trois façons de beche). In addition he provided the owner with two cartloads of vine prunings (sarment), and in return received 150" a year. Similar arrangements prevailed on the other eleven domains, varying in area from 16 to 113 journaux, into which the estates were divided. If there was corn, as there was on four of them, Filhot gave a proportion of the seed; as for the vines, he paid between 300" and 500" a year for three façons and general care. In return, he received between $1\frac{1}{2}$ and 4 cartloads of sarment from each. On the domain of Montaigne, 54 journaux, at Floirac, there was a flock of 43 sheep and a ram. There the contractor also paid one third of the price of manure whenever any was bought, and provided the landlord with 24 chickens and 100 eggs a year. Meadows around Cadirac were farmed out at 134" a year. The produce of the woods at Cénac was sold to a contractor who guaranteed to take it all for a number of years. Finally, at Quinsac there were a number of water mills, farmed respectively at 600" and 800" a year, plus a certain number of chickens, eggs, and other produce.

The economy of the estate was then very diversified, as were its methods of management. The main crop was certainly the grape; the wine of Floirac brought 120" a tonneau in 1755, when 16 journaux had yielded Filhot's grandfather 12 tonneaux a year;

that of quinsac brought similar prices for first quality, and 80" a tonneau for second.¹ But there was also a good deal of corn grown, wood sold, and cattle reared. Councillor Filhot was not in fact totally dependent on the wine crop, though it still represented by far the largest portion of his income. In addition to his revenues from other cultures, he had a guaranteed return from his more distant, farmed lands. And such a case was typical. No parlementaire put himself totally at the mercy of the grape harvest. Doubtless partly this was out of the convenience of being able to provide himself with certain other products, but surely too it was a measure of caution against the precariousness of wine as a basis for income.

Caution in diversity; conservatism in culture. There is little evidence that the parlementaires were prepared to make agricultural experiments; the wine trade was so much built upon foundations of immemorial confidence among its consumers, that innovation was positively discouraged, and doubtless this attitude of mind affected minority cultures. At any rate, there was a complete lack of interest in agricultural theory, in the whole Bordelais, let alone among the parlementaires. Attempts in 1761 and 1772, at the instigation of the central government, to form a local société d'agriculture, came to nothing. In the first case, the attempt was actually thwarted by the parlement,

1. A.D. C3018. Vingtième roll of 1755,

allegedly because certain magistrates, being also members of the Academy of Bordeaux, feared that such a society might be a competitor.¹ The academy's occasional discussion of agricultural questions was the sole manifestation of any abstract interest in agricultural principles.

However, parlementaire account books, their number, and the care with which they were kept, shows a precise attention to the details of culture. It is our misfortune that so few of these books have survived, but the inventories of the papers of the émigrés attest their existence in considerable numbers. In the Basquiat papers, 15 such books were found for the years 1735-92;² in the Filhot papers, 8, for 1733-91;³ in the Pelet papers, 22, for 1738-91, and so on.⁴ Those of Filhot de Chimbaud, Dumas de Fonbrauge and Darche, all of which survive, have already been mentioned.

There also survives a very illuminating set of letters from president de Richard to his steward of Salles and Belin in the years 1769-73.⁵ These letters, written over a period when

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1. Arch. Hist. D.Gironde, t.1 (1859) p.247. Esmangart to Bertin, 18 juillet 1772. A.N. H¹ 1503 Bertin to Esmangart, 4 juillet 1772.
 2. A.D. 1008.
 3. A.D. 1009.
 4. A.D. 1011.
 5. A.D. 2E 2285 (Titres de famille: Richard de Saucats). Printed in 'Reponses aux observations préliminaires et au Mémoire de M.le président de Richard. Pour le Sieur Giraudeau, Notaire à Salles'.

the steward, Giraudeau, was slowly losing control of the running of the estates, show Pichard, absent for much of the time in Paris, growing increasingly frantic at Giraudeau's inefficiency. It is clear that the president's knowledge of his possessions was detailed and intimate.

'Je viens d'apprendre qu'on n'avoit trouvé à Bellin que trois charrettes de foin, quoi qu'il dut y en avoir neuf charrettes...'¹

Or:

'Ne perdez pas de vue la vente de mon bois mais ne consommez pas la vente sans m'en avoir prévenu...'²

And later:

'Vous ne m'écrivez que par monosyllabes, j'aime les détails & l'exactitude dans les promesses'³

He certainly liked a rigorous exactitude in the recovery of what his peasants owed him, in feudal payments or otherwise.

'Ceux qui voudront donner de l'argent au lieu du bled, doivent payer le bled au plus haut prix.'⁴

'Je vous charge de m'envoyer l'état des arrérages qui me sont encore dûs, je veux faire assigner tous mes débiteurs'⁵

He even ordered his man to speculate in corn:

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1. Ibid. p.2, 16 avril 1770.
 2. Ibid. p.10, 7 août 1771.
 3. Ibid. p.15, 1 février 1772.
 4. Ibid. p.3, 27 décembre 1770.
 5. Ibid. p.4, 2 février 1771.

'Si le bled est dans ce moment-ci trop cher, il faut attendre qu'il soit dépiqué; mais du moment qu'il baissera, il faut prendre le moment favorable pour en acheter cent boisseaux au plus bas prix, mais pas au dessus de 9" 10s'¹

Then, seven months later:

'Le bled augmente à chaque instant; ainsi, si vous n'avez pas vendu les cent-cinquante boisseaux de bled, n'en vendez que cent boisseaux, à raison de 12 liv. ou de 12 liv. 5 sols, mais argent compté...'²

Giraudeau, through malice or incapacity, eventually brought about the near-ruin of Pichard's estates in the landes, to his employer's fury:

'Vous etes, Monsieur, un frippon, qui ne meritez aucune protection ni faveur. Il faut que vous soyez bien hardi d'accumuler mensonge sur mensonge, en soutenant des faits dont j'ai la preuve contraire. Oui, Monsieur, je vous poursuivrai avec la plus grande rigueur...je ne vous ferai nulle grace, et je vous poursuivrai rigoureusement par les voies de la Justice.'³

And so he did. Giraudeau was condemned for misappropriation of his employer's goods by the sénéchaussée. He appealed in 1775 to the restored parlement, and the rentrés took up the case in order to spite Pichard. In 1778, after much trouble, he won his case. But in 1793 Giraudeau had the last laugh when as

1. Ibid. p.18, 4 juillet 1771.

2. Ibid. p.8, 19 juillet 1771

3. Ibid. p.15, 1 février 1772

4. Ibid. p.28, 3 octobre 1773.

mayor of Salles, he confiscated on behalf of the Nation the possessions of his ex-employer, presumed fled, and soon to die in Paris.¹

Nobody however could have foreseen this. At the time, the publication of these letters did Pichard little harm.

'Elles ne prouvoient que la hauteur, et la Dureté de Caractere, d'un homme irrité, Centre un homme d'affaire dont il étoit mécontent.'²

Such was the opinion of Mme. Duplessy. They were certainly not enough, by themselves, to lose him a case at the parlement, or even secure Giraudeau a hearing, had Pichard not also been a restant, prey to any feasible persecution. Unthrifty stewards were the nightmare of all the parlementaires, as landowners. Pichard's exasperation would have been shared by them, in similar circumstances. The court later showed its opinion of Giraudeau by instituting, as soon as his civil suit was dismissed, a criminal prosecution for the defamation of the president, and in 1780 he was exiled for ten years from Guienne.³

The history of Giraudeau was a vivid example of what could happen when landlords relaxed, either through negligence or (as in Pichard's case) deliberate policy, their hold on the administration of their domains. It is easy then, to see why so few

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1. A.N. W400 (dossier 927) Tribunal Révolutionnaire: Pichard.
 2. Bib. Mun. Bx. MS 1201 (Correspondance Duplessy) boîte 5, 16 juillet 1776.
 3. A.D. 2B 2285 (Tit. fam. Pichard) Arrêt of 6 juin 1780. Confirmed by the grand'chambre of the parlement of Paris in 1782.

did so. In general, the last penny was always scrupulously accounted for, because such care alone could assure any sort of acceptable returns from agriculture, especially when the largest earning crop had such a fluctuating value. As president de Caseaux put it, 'L'exactitude et la précision ne sont jamais de trop dans les affaires.'¹

But no attempt, other than this exactitude, was made by experiment to increase the security of the agricultural life. In this sense precision was, far from the symptom of a vigorous, market-seeking attitude to production, the result of a deep conservatism in such matters.² Largely this was the result of the peculiar nature of the wine trade. The only positive policy followed was the simple one of increasing the area under cultivation, and maintaining a certain diversity of culture, but there was nothing extraordinary or progressive about this. Even fermage, as sure a method of guaranteeing returns as existed, was not widely practised in the Bordelais, nor is there any evidence that it was becoming more widespread. Why should it? The existing system worked, in its precarious way. Besides, there were other, not strictly agricultural, ways of assuring a minimum agricultural income, in addition to the variable returns of agriculture proper.

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1. A.D. 7B 2013 (Fonds des Negociants) de Casaux to Servenier, 1 mars. 1773
2. Comte Ferster, 'Noble wine producers' & 'the provincial noble' passim.

11 Feudalism

In pre-revolutionary France two systems of property prevailed, not side by side so much as one on top of the other. Ownership in the modern sense was already the pre-eminent property right; yet lordship in the medieval sense, though no longer a vital bond in society, survived. Thus, it was possible for a man to have certain rights over land he did not own, by virtue of being lord of that land. Equally, it was possible for a proprietor to have obligations to a lord incumbent on his property, for which that property it-

self was surety; and these obligations at law were perpetual and could never be extinguished. The forms that such obligations or rights took, in personal service, fees, or payments in kind, were endowed with the full status of property. Even the revolutionaries of 1789 accepted this. Moreover, because of their association with a noble or chivalric past, these rights were valued by all those who possessed or sought nobility, as symbols or as confirmation of their status. The vast majority, if not all, of the parlementaires were therefore not only landowners, but also seigneurs.

Lordship and ownership were seldom totally divorced. The head of a seigneurie was usually an estate of which the acquirer was both lord and owner. The largest often carried, or became the means to, a title. The smallest carried the right to incorporate its name into one's own.¹ All carried two sorts of rights - honorific

1. See above, p.139-140.

rights, and useful rights (droits utiles). The first were symbols of prestige, and the second, while they carried prestige too, were also sources of income.

It is very difficult to go beyond this, in generalisation. In the face of 'feudalism', statistical method breaks down. 'Feudal' rights were prescriptive, customary rights, whose origins went back beyond the limits of reliable memory. Their variety was almost inexhaustible, both in quality and in quantity; there is nothing harder about which to make confident general statements. All that is certain is that most parlementaires had them, and that they provided a proportion of the income of those who did. But these proportions seem to have fluctuated wildly from seigneur to seigneur.

Honorific rights included the right to keep a crenellated castle such as president de Gourgue had at Lanquais,¹ the first president at Aiguilhe, councillor Dumas de Laroque at St. Germain de Fronzac,² or councillor Sauvat de Fomiers at Agassac. However, this honour at least was less and less coveted in the 18th century, savouring as it did of Gothic darkness. So, early in the century, the Rust family had abandoned their castle at La Teste to move to a newer one at Le Teich.³ Similarly the Piis family in the course of the

1. A.D. 2E 1408 (Titres de famille: Gourgue) 'Titres historiques de la maison de Lanquais'.

2. Guillon, Châteaux historiques ... de la Gironde, t. 4, p.186.

3. Guillon, t. 4, p.449.

century moved into a modern house alongside their old feudal stronghold at Fuybarban.¹ However, other honorific distinctions were jealously maintained. Such for example was the seigniorial pew in the parish church. Le Berthon occupied this on the rare occasions when he visited his vicomté of Castillon.² P.F. de Brach, chevalier d'honneur, enjoyed similar rights at Montussan.³ The right to a tomb in the parish church was also enjoyed by the Brach family, as it was by the Ragueneau family at St. Loubes.⁴ Sometimes these rights in the parish church even went as far as the nomination of the curé. For instance councillor G.J.S.J. de Raignac, Baron de Frespech, nominated to the parish of St. Jean de Bourdiels, in the jurisdiction of Frespech. However, for Raignac this was more than a mere honorific right - he was procurateur of the living, and paid the cure a portion congrue.⁵ Le Berthon did the same with the living of St. Philippe d'Aiguilhe.⁶

1. P. Meller, 'Une Rupture de Mariage en 1758' Rev. Hist. Bx. (1909) p.334.

2. F. Guignard, Histoire de Castillon-sur-Bordeaux (l'une des filiales de Bordeaux) et de la région Castillonnaise depuis les origines jusqu'à nos jours. (Paris/Laval 1912) p.361.

3. Guillon, t.3, p.147.

4. A.D. 3E 24.268 (Lavau) Will of councillor J.J. de Ragueneau. Sealed 27 mai 1762; opened 12 décembre 1771.

5. A.D. 2E 2421 (Titres de famille: Raignac) Notarial acts of 1-4 janvier 1772.

6. Guignard, op.cit. p.360.

Seignorial justice was a right of great prestige. At its fullest, it compr hended haute-, moyenne-, and basse justice, administered by the seignorial court. High justice strictly carried the power to condemn to death, and the right to know all cases, civil and criminal, which the king had not reserved.¹ But seignorial courts did not condemn to death in the 18th century. This right and its manifestations, - the fourches patibulaires or gallows at the entrance to the village, - were maintained now merely for prestige. However, as late as 1784 councillor de Poissac, seigneur haut-justicier of Poissac, secured letters-patent permitting him to erect 'fourches patibulaires à quatre piliers' there.² Moyenne and basse justice covered civil cases over small sums, and especially cases of the violation of the lord's rights by the peasants. For these purposes the seigneurie would have a court, presided over by a judge who was a nominee of the lord. In 1758 the feudiste of president L. M. A. de Gourgue recorded that at Lanquais 'Le Seigneur a droit de créer un juge, un lieutenant, un procureur fiscal, des procureurs postulans, notaires, et baillies ou sergens. La justice de Lanquais est actuellement composé d'officiers de toutes ces especes, et le Seigneur est en possession d'en nommer depuis longtens'.

It is not unreasonable to doubt the impartiality of these courts, when the ord was a party. The judge did as he was told.

 1. J.B. Denisart, Collection de Décisions nouvelles et de Notions relatives à la Jurisprudence Actuelle, (7e édition, Paris 1771) 4v. t.3, p.79.

2. A.D. 1B 57 (Registres du Parlement) f.10 Letters-patent, Mai 1784.

3. A.D. 2B 1408 'Etat de la Vicomté de Lanquais'

As Richard, seigneur haut justicier of Salles, wrote to his steward Giraudeau of his judge:

'Informez vous qui pourroit remplacer rascal, je ne propose de le casser; dites-lui que s'il n'amplie pas le prisonnier, il aura à faire à moi, car j'ai de grandes preuves contre lui et contre son fils. Informez-vous si à Bellin ou a Belliet, at de savoir écrire, & remplacer je veux tous casser, afin d'être

often a lord did not have justice over all the land he owned, so complicated was the geography of lordships in the 18th century.

'La haute justice ne comprend pas toute la terre mais elle est dans ce qu'il y a de mieux, neuf gros villages qui entourent le château y sont compris. La moyenne et basse s'étend sur toute la terre ...'

In the parish of Le Taillan, most of which was owned by president de Lavie, he only had justice in the eastern half.³ President de Verthamon shared the justice of Lacanau with the Duc de Duras,⁴ and so on. Doubtless the right of justice could be turned to profit though not perhaps in the sense of a direct and regular source of income. However, it had its obligations too, like the maintaining

1. A.D. 2E 2285 (Tit. fam. Richard) loc. cit. sup. p.1 - . p.8
Richard to Giraudeau, 20 juillet 1771.

2. A.M. MS 653 p.39 'La terre et seigneurie de longchamp' c. 1773.
(Owned by councillor J.J. de Boucaud).

3. Baurein, Variétés Bordeloises (1876) t.2 p.147.

4. Ibid. p.55.

of prisons, and the care of enfants trouvés, which could prove expensive.

Where towns or larger communities fell within a lord's jurisdiction, he often had rights in the choosing of its officers. At Castillon, Le Berthon cast the first vote in the election of the maire and the two jurats and he had the right to confirm or reject the result.¹ At Castelmoron the Marquis, councillor L. de Raymond de Lalande, chose four consuls from a list of eight candidates submitted to him annually.² However, when councillor L. de Paty de Rayet claimed the right of nominating the corps de ville of Beaumont, in Périgord, his claim was rejected by the government.³ Paty, in fact spent the whole of the 1770s trying to increase without warrant the scope of his powers over Beaumont. In 1776 the harassed maire begged the intendant to intervene:

'C'est alors que nous n'aurions plus à craindre la profanation trop Commune du Sanctuaire de Themis, surtout lorsqu'il y est question de sacrifier l'ambition quoiqu'intolérable de ses ministres'.

- a reference to an arrêt of the parlement upholding Paty's claims.

1. Guignard, op. cit. p.283.

2. A.D. C4192 25 mars 1770: Aveu et Dénombrement de la Terre et Seigneurie de Castelmoron.

3. A.D. C891.

4. A.D. C453 Montsec to Intendant, 23 nov. 1776.

Certainly the parlementaires were in a position of incomparable power and influence for the enforcing of their seignorial claims, as members of the supreme court of the province. Usually doubtless, these claims were justified in law, whatever we may think of them in justice. However, as influential seigneurs, parlementaires were able to benefit their communities as well. In 1758 president de Richard was authorised to hold a weekly market at Saucats.¹ In 1760 president de Gasca secured a similar authorisation for the community of Portets.² But even here it is not clear whether these markets were not mere devices for levying dues. Le Berthon at Castillon, and Lelande at Castelmoron, each owned the halle where the market was held, and perhaps levied tolls for its use.³

Tolls were in fact a common source of revenues to seigneurs. Some maintained ferries, where rivers were in their jurisdiction, and naturally charge for their use. So Le Berthon on the Dordogne, again at Castillon.⁴ Councillor J.L. de Marbotin kept a ferry at Meilhan on the Garonne which he farmed at 250" a year, though he assured the intendant that it cost about 270" to maintain.⁵ The

1. Baurein, Variétés bordelaises (1876) t.3, p.32.

2. A.D. 1B 50 (Registres du Parlement) f.57, février 1760.

3. Guignard, p.407 : A.D. G 4102.

4. Guignard, p.213.

5. A.D. 2E 1968 (Titres de famille: Marbotin) 'titres relatifs aux droits de passage & de pêche sur la rivière de Garonne en la juridiction de Meilhan.'

rates chargeable were however usually fixed by arrêt du conseil. In Marbotin's case rights over the river at this point also included fishing. Similarly, at Gastelmoron Lalande had a fishing monopoly of the lot throughout his jurisdiction.¹ On the river Ciron, which runs from the landes into the Garonne near Versac, several seigneurs constructed water mills, and charged dues on each raft of pine-logs floated down from the landes, which passed them. In 1780, there were ten such mills, all charging dues. Of these, one belonged to J. Duroy, ex-councillor and first president of the cour des aides, and another to councillor de Rust. They each charged 10 sols per raft. In 1779 these charges were abolished by arrêt du conseil, as 'un péage onéreux au commerce'. However, the next year they were re-established, though at a slightly lower rate, to compensate for the digging of by-pass canals.²

Banalités were a species of monopoly levied on the inhabitants of seigneuries. Under such rights, a lord could force all dwellers within his jurisdiction to bake their bread, or mill their corn, or press their grapes, at his oven, mill, or press. He could then charge monopoly prices, and in addition sometimes levied a right consisting of a proportion of all goods brought there. At Gastelmoron, Lalande had banal ovens and banal wine-presses. He was entitled to 1/5 of all the red wine pressed there.³ At Lanquais

1. A.D. C.4192.

2. A.D. C 1953 Arrêts du Conseil, 27 novembre 1779 et 24 sept.1780.

3. A.D. C 4192.

president de Gourgue had banal ovens and banal mills. A 16s fine was levied each time the inhabitants failed to bring their corn there to be ground.¹ Similarly, some lords enjoyed the monopoly of boucherie in their seigneuries, like president de Gascq, in his barony of Portets. This monopoly was farmed by his successors in 1789 at 800 a year.²

Several parlementsaires still had the right to corvées, or forced labour by their feudatories. But it was seldom heavy. At portets, they owed two days corvée a year, with cart and animal, or, if they had none, with a spade.³ At Lanquais, three days a year, or a commutation into a 12d tax, was the rule.⁴ At Longchamp, the estate of councillor J.J. de Boucaud in Saintonge, each owed four days of corvée a year.⁵ On the other hand, in Castelmoron the right of corvée seems not to have existed.

The key to feudalism was the cens, a payment by each feudatory on land held, which was the gage of feudal tenure. The total of the cens, even for huge seigneuries, was often so derisory that at first sight it would seem to have been more trouble than it was worth to collect. The cens for all the six villages of the marquisate of Castelmoron in 1770, came in all only to 263^{''} 11s 3d annually.⁶

1. A.D. 2E 1408.

2. D. Petit & A.d'Anglade, La Seigneurie de Castres, Portets, et Arbanats (Bossegor, 1934) p.122.

3. Ibid. p.74.

4. A.D. 2E 1408.

5. A.M. MS 653, p.39.

6. A.D. C4192.

Those of the Montsec de Reignac family in 1763 from the Maison Noble de Reignac (450 journaux) came to 29¹¹ 16s 3d.¹ But cens were not always so small and not always levied in cash. The rentes or cens of Boucaud's Longchamp seigneurie came to 125¹/₂ boisseaux of wheat, seven boisseaux of barley, and 73 of oats, 308 capons, 65 hens, and 14⁰ in cash.² If nothing else was collected, the cens was, because the cens was the key to everything else, the essential sign, however small, of a feudal obligation. In the Bordelais, it was almost always accompanied by the exporle, another money payment also very small, which was payable at each change of lord or tenant. But neither of these payments was usually more than one livre, and often much less. Their importance was purely symbolic, though not less for that.

The really lucrative feudal rights were far less common. The most important were the agrières, annual payments in kind of a proportion of one's crop to the lord. At Longchamp they were leviable on 1523 journaux at the rate of 1/8 except for 223 journaux where 1/9 was the rate. In an average year they produced 60 sacks of corn, 60-80 sacks of blé d'Espagne, and 100-120 barriques of wine.³ In 1793 J. de Raymond de Lalande claimed that under the old regime he had had agrières in the Ile d'Orléron whose annual

1. A.D. C4769 'Aveu et dénombrement de la Maison Noble de Reignac,' 17 janvier 1763.

2. A.M. MS 653, p.39.

3. Ibid.

yield was 150 tonneaux of white wine, 50 or red, 300 boisseaux of corn, 500 boisseaux of barley, and other corn.¹ To this must be added 226 boisseaux of corn, 80 of oats, and 163 of barley from Castelmoron.² This represented a substantial amount of money. In 1789 the agrières of the late Gascon seigneurie of Portets were estimated to be worth 4600["] a year.³ Yet in general it seems to have been only on a small proportion of seigneuries that agrières fell, and that according to no obvious plan or system. They seem to have reflected so many individual tenancy agreements, made under more, or less, favourable conditions, throughout the history of the seigneuries under which they were payable.

Lucrative also, in a degree dependent largely upon the size and value of the land in question, were the lods et ventes, leviable each time that property changed hands. The rate was, 1/12 of the price in the Agenais, 1/10 in the Condomois and the Basadais, 1/8 in the Bordelais and 1/6 in Perigord.⁴ Of course, these could not have a constant annual value, but since lods et ventes were a due so universal in application, most parlementaires must have benefited from them sometimes. At Portets in 1789 their average

 1. A.D. 4L 116 Contribution Patriotique: requête en décharge, février 1793.

2. A.D. C4192

3. Petit & d'Anglede, op. cit. p.122.

4. A.D. C 2295 cited in Marion, 'Etat des classes rurales .. &c' p.65.

annual yield was estimated at 1500¹". After two years of growing neglect by Giraudeau, Fichard estimated in 1773 that he was owed 14,000["] in arrears of rents, agrieres and lods et ventes in Salles, Belin, Beliet, and Le Barp.²

'Feudal' revenues could therefore be quite considerable. However, what is often forgotten is that most landowners paid out feudal dues as well as collecting them in. Their property was seldom totally in their own mouvance. Feudally, many parlementaires were each others' lords. For instance, councillor Filhot de Chimbaud, who we have seen had extensive estates along the right bank of the Garonne, had lands at Floirac in the mouvance of councillor J.B. de Lamolère, seigneur de Feuillas.³ At Izon, councillor J. Jelet d'Anglade was lord of part of the land owned by councillor T.J. de Gobineau, though how much, was a point of dispute between the two magistrates which they took to the parlement to settle between 1775 and 1779⁴. Even more magistrates had non-parlementaire lords; all those with land in the area of Villenave d'Ornon paid dues to the jurade of Bordeaux, the collective Comte d'Ornon. When in 1781 Bordeaux received a new archbishop, and exporles were levied on all the land in his mouvance, 18 parlementaires were among those paying.⁵ Certainly, in amount, exporles were nothing. But lods

1. Petit & d'Anglade, p.122

2. A.D. 2E 2285 loc. cit. p.23, 7 mars 1773.

3. A.D. 1 324 Terrier of Feuillas, f.53, 5 mai 1780.

4. A.M. MS 638 Izon - mélan es.

5. A.D. 3E 5.633 (Duprat) Répertoire, 1783-6. This was clearly the Archbishop's notary.

et ventes could fall very heavily on large buyers, such as some parlementaires were. When Saige bought the mill of Plessan, at Blanquefort, from the Duc de Duras in 1785, its seigneur, one Duret, demanded 8000 " lods et ventes from him, on the price of 36,000 ¹. Duret collected another 8000 " from president de Lavie when he bought the mill from Saige in 1787². When in 1778 councillor F.J. Chaperon de Terrfort bought the fief and barony of Calémiac and Tastal from the Capitai de Lestrene, for 240,000 " , several lords demanded lods et ventes from him, including the royal domain, which asked alone for 89,925 ³. It is debatable whether large landowners did not have more to lose than to gain from the system of lods et ventes, in the light of such figures.

But that the parlementaires profited, often substantially, from the feudal structure of property is beyond dispute⁴; as is the fact that they valued their feudal rights highly. How far then did they participate in the famous 'feudal reaction' of the last years of the old régime? The supposed central point of this movement was the remaking of the terriers, the records of feudal obligations, and here the parlementaires were in the van. Most of the examples

1. A.D. C4785. Sale of 30 janvier 1785, before Bousn, notary.

2. A.D. 3E 15.037 (baron) 19 novembre 1787.

3. A.D. C4785. Sale of 26 février 1778.

4. Contra Forster, 'Noble wine growers', p.23.

already cited come from contemporary reassessments of the value of feudal rights. In 1758 president de Bourgue went to Lanquais mainly to see if there was ground for making a new terrier.

'On a discouru, 'wrote the feudiste he took with him, 'beaucoup sur le renouvellement des terriers. M de Monbrun y est opposé, M. Boivert le croit necessair- mais il excepte la parroisse de Varenne, & le Caré ne voudroit pas que l'on fit des frais aux tenenciers, mais il convient des embaras qu'il y a dans la levée des rentes. Le juge et lui voudroient que l'on s'en tint a un arpentement.'¹

A few days later, however, it was decided to proceed, even though some thought the chosen arpentuer 'ignorant, et homme a rançonner les habitans pour les arpentemens et le renouvellement du terrier'. The agreement was passed on 25th June 1759, when for 1000["] the feudiste promised to have the new terrier complete by 1762. In 1765 councillor Pelet d'Anglade commissioned a similar terrier at Izon; however, owing to difficulties the work went slowly. For one thing Pelet seemed reluctant to send the feudistes all his old terriers, and also the inhabitants were not coming forward to state their holdings. The work was still not finished in 1772.² Fragments of many other new paper terriers made for parlementaires also survive. In the 1760s and 1770s councillor Leblanc de Mauvezin was making one for his Medoc fiefs.³ From 1764 J. de Gombault deKésac, chevalier d'honneur, was having a new

1. A.D. 2E 1405 'Journal de voyage et de nos opération' 23 sept. (1758).
2. A.D. 2E 2221 (Titres de famille: Pelet d'Anglade) lettres and Contracts.
3. A.D. E (Terriers) 577.

terrier made for his barony of Fajols.¹ In the same decade councillor de Spens d'Estignols de Lacre was continuing the work of terrier revising at Sta. Croix du Mont which his ancestors had begun earlier in the century.² At Floirac, councillor de Maolère had a new terrier made between 1777 and 1789, but he too was continuing his predecessor's work.³ The same thing was happening on the Pilhot de Chimbaud fiefs, in the same district,⁴ and on the fiefs of the Brane family, around Pauillac, in Médoc.⁵ The indefatigable Richard also employed a feudiste to revise his terriers in the landes at Salles and at Bellet, where the yield of feudal dues was high.⁶ When councillor J. de Raymond de Lalonde, from whom Richard had bought the seigneuries of Bellet and Le Barp in 1764, had acquired them himself a few years earlier at a cost of 25,000", their main value was in justice and feudal rentes.⁷

Here again emerges the keynote of rural activity among the parlementaires - precision. They were determined to extract every penny that was legally theirs, without going so far as to change the system, yet in so doing they often gave new life to seemingly

1. A.D. E (Terriers) 965; 1766.

2. A.D. 3E 14.784 contains nearly 120 feudal reconnaissances, 1724-1756. Evidence too of a feudiste at work in 1763.

3. A.D. 1J 324.

4. A.D. 2E 1213 (Titres de famille: Pilhot &c.)

5. A.D. E (Terriers) 618. I was not able to look at this item, but it seems safe to cite it, on the authority of the inventory.

6. A.D. 2E 2285. Reconnaissances of 22 août 1785 & 8 septembre 1787.

7. A.D. C 3018 'Etat du vingtième &c' - Lalonde.

moribund rights and dues. Hence the sudden foreclosures which occurred on many years of arrears, which enabled men like L.A. de Castelnau d'Essenault to confiscate peasant lands in lieu of payment.¹ As has been suggested, this was not so much a deliberate policy aimed at obtaining land cheaply, as the result of a renewed precision in collecting, after a generation of changes in ownership which had made previous terriers almost useless for the levying of dues, and so brought collection to a stop. It seems indeed that there was a sort of rhythm in this, with terriers, being remade each generation. Certainly, for example, in the land around Dijon, the precision in feudal exactions which characterises the supposed 'feudal reaction' is to be found in the 17th century.² Perhaps the same would emerge from a study of the bordelais, which would make the precision of the 15th century seigneurs seem far less singular and not at all a new or unprecedented phenomenon. Indeed already some of the force has gone out of the original idea of the 'feudal reaction', for in the bordelais at least there is hardly any evidence of the actual raising of feudal dues at the end of the old régime. There is none in the papers of parlementaires, and Marion, not a man to ignore such evidence if it occurred, found hardly any

1. Forster, 'Grape wine producers' ps. 29-30.

2. G. Roupnel, La Ville et la Campagne au XVIIe siècle: étude sur les populations du Pays Dijonnais (Paris, new ed. 1955), ps. 250-279. Volume 4 of the new Histoire de Bordeaux (1965), which covers the 17th century, has much about feudalism in the 15th century, but not later.

in 1902¹. It was the exploitation to the full of the assets he had, at a time when prices were rising, that increased the burden that the seigneur laid upon the landowners in his censive. Rising prices made fixed dues more lucrative to the lord, and more onerous to the payer, in the case of the arrière paid in kind. The legal costs of new terriers and arpentements, always partly borne by the feudatories themselves, were an irksome additional charge. In these senses, the feudal burden increased, but not through the raising of dues, and not through any unprecedented precision in levying them.

Many feudal rights enjoyed by parlementaires have not been mentioned, indeed they were so diverse that it would be impossible to mention them all. We have seen that on occasion the retrait féodal, the right to pre-empt a feudatory in the land market, was employed.² Those seigneurs who wished to expand their property at the expense of the common lands often had their eyes on the right of triage, under which the lord was entitled to a third, or some similar proportion, of the common land enclosed on his seigneurie. At Belin in the landes, two successive parlementaire lords, Lalande Pichard, sought division of the commons against the wishes of the community:

1. 'Etat des classes rurales' ps. 74-6. Colombet found no such evidence among the parlementaires of Dijon: op. cit. ps. 170-71.

2. See above, p. 155-6

'Pourquoi... le S de la Lande ... resistet-il à la demande de la Communauté? son objet est sensible: c'est qu'il veut se conserver cette magnifique portion de landes en toute propriété... et en outre, disposer du surplus par des affieffemens à cens et rentes qu'il en fait Journallement.'¹

In a division, he would have been entitled to one quarter.

The Gascq family for 200 years fought to secure full lordship over portets en Comtau, an island of franc-fief tenure in the middle of the seigneurie of Portets. When in 1777 president de Gascq at last received confirmation of this claim, the right of triage was specifically assured to him, though in the years left to him he did not use it. This last unsuccessful lawsuit on behalf of the inhabitants of the comtau, cost them 24,000 " over twenty years.²

How shall we sum up the value of feudal dues to the parlementaires? Not exclusively in terms of money, certainly. The prestige of lordship had an intangible value of its own. However, in pure cash terms, we can say that feudal dues often brought an enviable return. The larger a seigneurie, the more likely this was, though firm rules are still impossible to make. On the Gascq seigneurie of Portets, sold for 517,660 " in 1785, dues brought in all told 7810 " in 1789.³ The seignorial revenues of Le Berthon nearby in Virelade, were farmed in 1773 at 2000 "⁴, and to this must be added the unknown

1. A.D. C952 Undated 'Mémoire de la Communauté de belin'.

2. Petit & d'Anglade, op.cit. pp. 26-33.

3. Ibid. ps. 36 & 122.

4. A.D. C99 1 (Bureau de Cadillac: Baux de toute Nature de biens appartenans aux laïcs - Table Al cabétique (1756-Ann 1))

yield of his viconté of Castillon. In 1783 it was estimated that the seignorial rights of the marquisat of Dunes, near Valence d'agen, owned by councillor Demons de Saint-Paul, were worth 6000" a year.¹ We have already seen how Richard's feudal arrears on two years' neglect at Salles came to 14,000". Most of these, admittedly, were large and compact seigneuries. Magistrates without such assets doubtless had much more meagre returns. Nevertheless the size of the figures which we have, makes it perfectly understandable why the parlementaires in the alluvions case were almost as concerned over threatened lordship as over threatened ownership; why their libraries boasted such contemporary handbooks as Guyot's Dictionnaire des Fiefs, or Boucharic's Traité des Droits Seigneuriaux; and why they were always prepared to undertake lengthy and expensive litigation on feudal matters. And this is why, too, certain of them tried to take the National Assembly at its word in 1789 when, after the heady renunciations of the night of the 4th August, it hedged them about with provisos for the continued payment of dues until they were bought out. Between 7th and 15th October 1789, president de Richard and councillor de Brane, as joint owners of several agrières au sixième near Beuillac, issued 3 summonses to a total of 30 landowners, to come and pay them. Richard even drew up a list, as in the old days at Salles, of:

1. Marion, 'Etat des classes rurales &c', p.64. In A.D. 1402 there is a 'livre pour la levée des rentes seigneuriales de la terre de Dunes' of 1790, detailing sizeable agrières in co.n.

'Noms des tenanciers ... qui n'ont pas payé l'arrière et aux
quels Mr de Pichard a fait faire une sommation ...Ceux qui
sont distingués par une croix sont les plus riches tenanciers
Et ceux qu'il faudra faire assigner.'¹

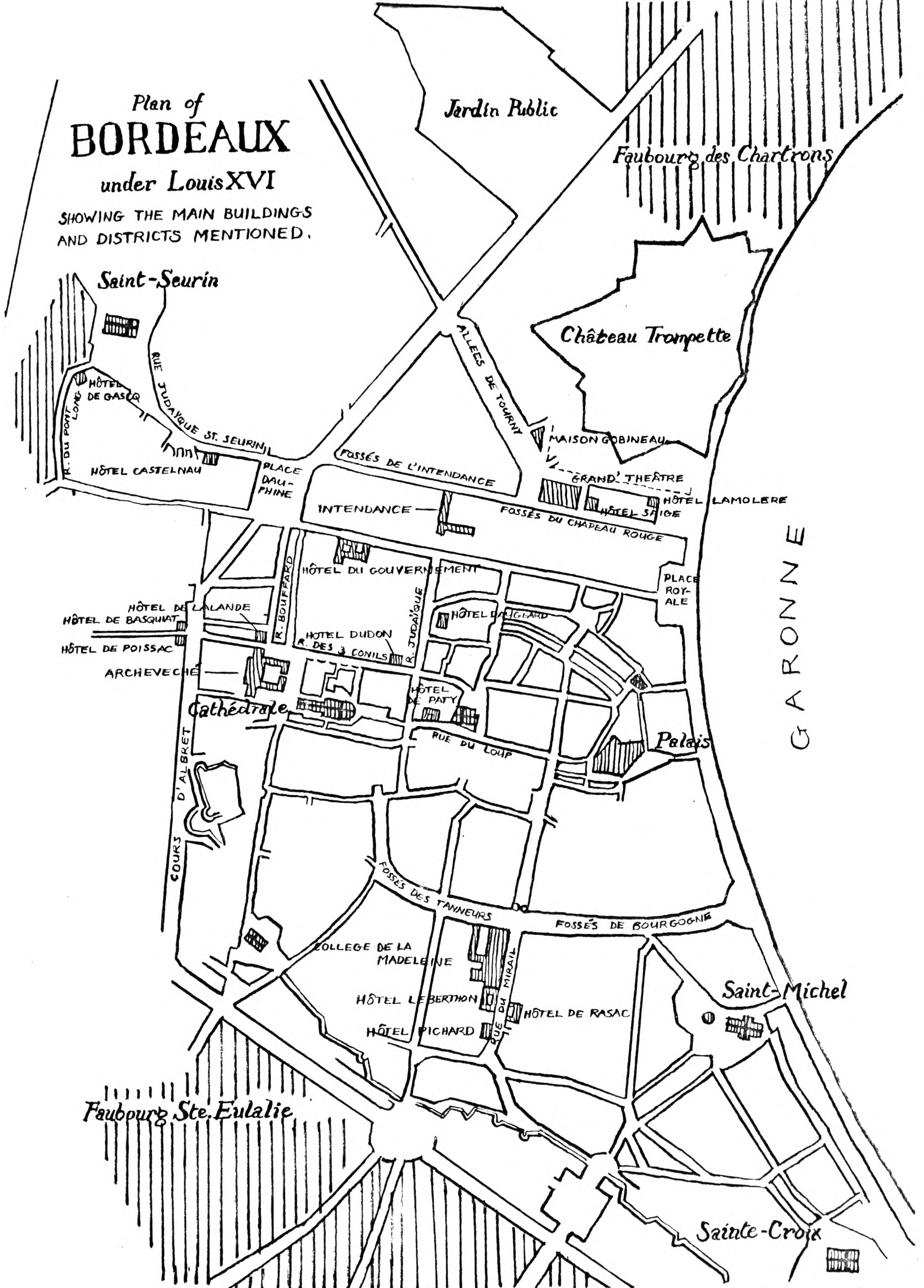
Clearly the feudatories had forgotten, or were ignoring, the
provisions of the law and were refusing to pay. There is no evidence
that they ever did. For by now feudal dues were doomed, and, at
this late stage, the parlement had lost all power to sustain those
who wished to levy them.

1. A.D. E (Terriers) 930.

Plan of
BORDEAUX

under Louis XVI

SHOWING THE MAIN BUILDINGS
AND DISTRICTS MENTIONED.



Saint-Seurin

Jardin Public

Faubourg des Chartrons

Château Trompette

HÔTEL CASTELNAU

PLACE DAUPHINE

FOSSES DE L'INTENDANCE

MAISON GOBINEAU

GRAND THÉÂTRE

HÔTEL LAMOLÈRE

HÔTEL STIGE

FOSSES DU CHAPEAU ROUGE

INTENDANCE

HÔTEL DU GOUVERNEMENT

PLACE ROYALE

HÔTEL DE LALANDE
HÔTEL DE BASQUIAT

HÔTEL DE POISSAC

ARCHEVÊCHÉ

HÔTEL DUDON
R. DES 3 CONILS

HÔTEL D'ALIGARD

HÔTEL DE PATY

Palais

Cathédrale

RUE DU LOUP

COURS D'ALBRET

FOSSES DES TANNEURS

FOSSES DE BOURGOGNE

COLLEGE DE LA MADELEINE

HÔTEL LE BERTHON

HÔTEL DE RASAC

HÔTEL PICHARD

RUE DU MIRAIL

Saint-Michel

Faubourg Ste. Eulalie

Sainte-Croix

12 - Urban Property

When Arthur Young approached Bordeaux from the direction of Toulouse in 1787 along the Garonne valley, he was struck by the lack of new building down in the area around Agen; but the nearer he came to Bordeaux, the more country seats, many of them new, he saw. This was, he assumed, the effect of the wealth of the city. When he finally arrived indeed, perhaps the thing which struck him most was the amount of building that was going on:

'The new houses that are building in all quarters of the town, ' he wrote, 'mark, too clearly to be misunderstood, the prosperity of the place. The skirts are everywhere composed of new streets; with still newer ones marked out, and partly built. These houses are in general small, or on a middling scale, for inferior tradesmen. They are all of white stone, and add, as they are finished, much to the beauty of the city. I inquired into the date of these new streets, and found that four or five years were in general the period...'

Several parlementaires owned large stretches of land in areas which were now becoming suburbs through this expansion. They were not slow to take advantage of the fact. This could be done in several ways. President J.C. Bugeard, who was both lord and proprietor of lands in the parish of Sainte-Croix, in the extreme south of the city, preferred to work within the feudal framework. So, in the 15 years preceding the Revolution, he passed 37 notarial acts in Bordeaux, all of them according baux à fief to small tradesmen,

1. Travels (ed. cit.) p. 60-1, 26 August 1787.

of small plots of land in Sainte-Croix.¹ bail à fief was a restricted form of sale. The acquirer was enfeoffed with the property in question, which vested in him, subject to certain conditions, perpetual proprietary and hereditary rights over it; while the lord and previous owner retained on his side his overlordship. When the new bail was drawn up, the acquirer paid a droit d'entrée which amounted in fact, though not in law, to a purchasing price. Since this was not a fashionable or rich part of the town, the droits d'entrée exacted by Daugeard rarely exceeded 500". The average was about 426", though there are two sums over 1000" and one over 2000". Sometimes in addition the acquirer was bound to pay an annual feudal cens or rente of 5". Not counting this, however, Daugeard made 14,984" 16s 8d from droits d'entrée between 1775" and 1789. Some at least of these baux were new assessments on tenants already enfeoffed. Clearly 'feudalism' had its place in the sphere of urban property, as well as in the country.

Occasionally Daugeard also made outright sales. In these fifteen years he made eight, of property in Sainte-Croix, at prices between 192" and 5000". Outright sale in a seller's market was, in fact the usual way of profiting from the city's expansion. Prominent in this was in the early 1780s was E.L. Dufaure de Lajarte,

1. Most of the information in this section comes from the Tableaux des Acquereurs et Vendeurs in A.D. Ser. 4. The precise references to these are given above, p.153, n.3.

avocat-general. When in 1781 he came to divide with his sister the successions of their father and brother, who had both died intestate, he deliberately chose for his portion of the succession all the town houses, to the number of three, and the portion of the family estate at Sablonne, on the southern fringe of expanding Bordeaux, which was nearest to the city. He left their large country estate at Le Sauve, worth 90,000["], to his sister. It is clear that he intended to make his money from urban property.¹ Sure enough, in June 1782 we find him beginning to sell plots of land in Sablonne and in the adjacent faubourg Sainte-Eulalie, which was the fastest expanding quarter of the town. He even created a street and gave it his name, along which he sold plots. In ten years Dufaure de Lajarte made 47,909["] 15s 2d. from such sales, and his prices ran at a far better level than Daugeard's baux, averaging 2084.²

But the richest returns fell to N.M. Moreau de Montcheuil, councillor. He had the good fortune to own extensive lands around the jardin public. The jardin public itself was a witness to the 18th century expansion of Bordeaux. Tourny, whose idea it was, saw it not only as a desirable decoration, but:

'fort utile... (au) commerce, un pareil jardin ou les negot-
iants ayant souvent occasion de se rencontrer, en font ensemble
beaucoup plus d'affaires: c'est en quelque façon une seconde
Bourse, une Bourse de soir ...'³

1. A.D. 3E 15.491 (Morin) Partage of 9 juin 1781.

2. This includes, however, one very large sale of 15,530["].

3. Quoted in Lheritier, Tourny, t.2, p.260.

It had been completed in the 1750s, and joined the faubourg of Chartres, the business quarter, to the city proper, around the obtrusive bulk of the château Trompette. By the 1780s its surroundings, on the city side, had become a fashionable place to live;¹ and on the Chartres side, a direction for the expansion of that faubourg. Moreau de Montcheuil made the most of this. From 1774 he began to sell small plots of land behind the garden, mostly to small merchants and craftsmen from Chartres - masons, carters, carpenters, barrel-makers, and so on. As with Dufaure de Lajarte, this was no haphazard business; by the 1780s we find that these plots are along the 'rue Moreau' or the 'rue Montcheuil', which seems to indicate that he had some co-ordinated plan of development. Between 1774 and 1790² he sold no less than 66 plots of land behind the jardin public, though retaining his feudal overlordship in each case. The overall sum he received from these sales was 144,491¹¹ 15s 0d. which was one of the largest capital gains to come to any of the magistrates at the end of the old regime.

It is clear that the parlementaires saw no use in owning land

 1. Several magistrates moved there, e.g. J.B.D. Desnoets, 1776; H.J. de Laboyrie, 1779; J.L. Beyronnet, 1783; H.F. de Verthamon, 1780; E.L. Dufaure de Lajarte, 1781.

2. To Young it seemed that in the suburbs 'the spirit of building was at a stop during the war'. However, the war certainly did not affect the sales made by Montcheuil and Daugeard, many of which were made in the war years. Whether land thus acquired was also built on during the war is another matter.

merely for its own sake, and that they were quite prepared to dispose of what they had if circumstances appeared rewarding. But of course it was a limited number who happened to have land where it could be so rewardingly disposed of: the three mentioned are the most striking of those who did. Moreover there is little evidence of such suburban land actually being bought for exploitation by parlementaires. That vigorous man, the avocat-général Saige, was practically the only notable example here. When president de Gasco died in 1781, he left his property by thirds to two female cousins and his presumed bastard son, the maître de requêtes A.N. Valdec de Lessart.¹ Valdec bought out his co-heirs, and part of the estate that he thus acquired was Gasco's house and garden on the outskirts of the town near St. Seurin. This he sold in 1787 to Saige, for 56,560".² Gasco himself had viewed investment in real-estate in this quarter as unpromising:

'A mesurequ'en batira du cotté du jardin public les maisons de ce quartier diminuerant toujours de prix.'³

Saige clearly did not agree. In 1789 we see him begin to sell off the old Gasco estate, the first batch going for 9680".⁴

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1. Antoine-Nicolas Valdec de Lessart (1744-1792) 1768 maître de Requêtes; close collaborator with Becker in both his ministries; Dec. 1790 Controller-General; Jan. 1791 Minister of the Interior; Nov. 1791 Minister of Foreign Affairs; March 1792 indicted for treason and removed. Massacred at Versailles, 9 Sept. 1792. Gasco's will is in A.N. (Minutier Central) Etude LIII, liasse 374. Sealed 15 septembre 1761; opened 27 mars 1761. A copy in A.N. Fonds Alain d'Anglade, dossier 35.
 2. Contact of 4 août 1787, before Troupenat, notary.
 3. Bib. V. Cousin, Papiers Richelieu, Vol. 38, f.7. Gasco to Richelieu 1 Octobre 1765.
 4. Sale of 1 juin 1789 before Ségouré, notary.

when his goods were confiscated in 1793, he was listed as still having several houses in the area, along the rue du Pont Long,¹ on land which was merely described in 1787 as an emplacement. However, Seige was an exceptional man, and an exceptional parlementaire. Most magistrates confined their urban economic activities to houses already built in the heart of the city, and here many had very large holdings.

This is hardly surprising in an expanding city, full of new wealth, or among a group of men many of whom were only a generation or two away from such new wealth themselves. The opportunities for lucrative leases and sales were very great.

'The rent of houses and lodgings', observed Young, 'rises every day, as it has done since the peace considerably, at the same time that so many new houses have been and are erecting, unites with the advance in prices of everything. They complain that the expenses of living have risen in ten years full 30 per cent.'²

A general idea of how far the parlementaires shared in this urban prosperity can be obtained from the urban vingtième rolls of 1777 and 1790.³ There were no less than seven vingtième rolls for the généralité of Bordeaux in the 18th century, and one of

1. Marion, Bencszar, Caudrillier, Biens Nationaux, t.1

2. Travels, loc. cit.

3. A.D. C 4572 'Minute du Rolle du Vingtième des Maisons de Bordeaux pour l'année 1777': A.D. 4C 109 (one half) and 4L 111 (the other half) 'Rôle des sommes réparties au marc la livre, des impositions ordinaires & des vingtièmes, pour la présente année 1790, sur tous les propriétaires et contribuables de la municipalité de Bordeaux pour le remplacement des différents droits supprimés par l'Assemblée Nationale,' ac. Not a vingtième roll at all, strictly, but it contains vingtième assessments.

these was exclusively concerned with the city and faubourgs. We must not look to it for precise information on holdings and their value. The assessments were never a twentieth of the value of the properties, and were not changed substantially between 1760 and 1790. However, it does give a proportional picture of the extent of the magistrates' urban property.

Parlementaires paying the vingtième on houses, 1790.

<u>Assessment</u>	<u>No. of families.</u>
Over 500 "	3
400-500 "	1
300-400 "	4
200-300 "	10
100-200 "	22
50-100 "	24
Under 50 "	26
	<hr/>
	90

The first thing which is apparent from this is that there were many families who seemingly owned no urban property at all. We are concerned with about 130 families; the vingtième roll, which seems complete, gives between 90 and 100, and only those names which are beyond doubt those of parlementaires have been counted. On the other hand, it is clear that most families did own some city property. Thirty of the families in the lower groups of assessment only owned one property, according to the rolls, and we must assume that they lived in that. This leaves about half the parlementaires

in the position of deriving income from urban property outside their own domicile; though a domicile was not always without increment, for parts of it could be, and often were, leased out.

The three magistrates most highly assessed on the roll form a very heterogeneous group. At the top was Saige, whose family was the richest in Bordeaux. He and his mother were assessed for twelve blocks of property, including his huge hôtel on the Fossés du Chapeau Rouge, his other houses down the same street, the ex-Gasco holdings, and several others. Even on the 1777 roll, when many of Saige's 1790 holdings were unacquired or unexploited, he was still top of the list. There is no way of ascertaining the precise capital value of all this property, but it does not seem excessive to place it between half a million and a million livres. Its annual yield in rent must certainly have run into tens of thousands. Such an urban fortune is perhaps not very surprising in view of Saige's relatively recent mercantile origins. One would expect those whose fortunes had been made in an urban context to make their initial investments in town property. However, second on the 1790 roll came the well-established parlementaire family of Brivazac. When L.G. de Brivazac conseiller honoraire, died in 1782, he left a fortune approaching two millions. About one third of this was made up of 25 he ses worth at least 677,000¹ in capital value.¹ However, the family was not very active on the market.

 1. A.N. factum, côte 1 3 (Tableau d'une partie de la succession de 23 (feu M. de Brivazac').

The vagueness of certain terms here is owing to the fact that these assessments were disputed. Brivazac's daughter claimed that they ought to be higher.

Between 1770 and 1790 father and son were only involved in four urban transactions in land. One of these was trivial; one was the purchase of a modest chai (or wine shed) in Chartrons, and the other two were sales in which altogether five houses were disposed of. So at the end of the century the brivasse city properties were diminishing. The third on the list in 1790 was a newcomer since 1777, councillor T. J. de Gobineau. He only had two properties, even in 1790, but one was his immense new h telon the Allées de Touray,¹ built between 1786 and 1789. A new house, it was newly, and probably justly, assessed at 440." But if the other proprietors had not all been assessed at wildly anachronistic rates, even this new house would not have put him among Bordeaux' most heavily taxed property owners. High taxation was his reward for ostentation, but no guide to his relative urban wealth.

Only one of the next five families on the list was of any great age, or had a long parlementaire history. The others, those of Dufaux de Lajarte, Feyronnet, Domange, and Lelet, had all been ennobled since the beginning of the century, and their entry into the parlement had been in each case within living memory. We can therefore conclude that in general, as the case of Saige led us to suspect, among parlementaires great urban fortunes tended to be new fortunes. The older and more aristocratic a family became, the more its wealth tended to become represented exclusively in country

 1. See below, p. 244.

estates.

The vingtième was strictly an income tax, but we have noted that its rolls are usually no reliable guide to exact income. What then did parlementaires bring in annually from urban property? Figures are hard to find. In 1794 councillor J. Pelet d'Anglade had 12 houses, all leased out except for the one he occupied. His annual rental was estimated at 17,605".¹ The councillors de Basquiat de Mugriet, father and son, after they had emigrated were reckoned to own between them 17 houses and shops, estimated in capital value at 521,000", on which the rental, to judge by the leases of a few items that are given, must have been higher than Pelet's.² How lucrative property was, depended on what it was and whereit was. Apart from palatial hôtels in the middle or in fashionable faubourgs of the town, the most valuable property was in Chartrons. This was the business and trading quarter, and the facade, directly on the quay, was obviously a coveted position for a trading house. Chais in particular were in great demand, since under the wine privilege of Bordeaux, it was only in Chartrons that the wine of the naut pays might be stored during its permitted period in Bordeaux. Doubtless this was one contributory reason why some parlementaires, owning such valuable property, opposed the abolition of the wine privilege. In 1777 about 20 parlementaire families were to be found with property in Chartrons; among the new families those of Pelet,

1. A.D. 1793 An undated list, which I place after his execution.

2. A.D. 1799 Biens des émigrés à Bordeaux: Basquiat.

Latouche-Gautier, Peyronnet and, inevitably, Saige; among the old, the presidential de Lancre and Lavie. Their holdings included 21 chais and 5 caves.¹

In the city proper, where most holdings were, rents were derived not only from whole dwelling houses, but from parts let off piecemeal, especially ground floors, which were frequently leased as shops. Even Saige did this with the ground floor of his Chapeau Rouge hôtel.² So did Gobineau with his.³ Were the parlementaires raising their rents as Young said? It is extremely hard to say. The notarial minutes are curiously unhelpful, for most baux à loyer seem to have been concluded by simple police and not a full legal act. Moreover no account books of urban income have survived. However, certain things emerge from the few recorded leases which have come to light.⁴ The length of leases tended to be short; none over nine years and most under five. This suggests that rack-renting may well have been taking place, though this cannot be confirmed. What is clear from the contracts, is that the tenant

1. A.D. C 4572 Vingtième roll of 1777.

2. A.D. Q 1012 Inventaire des papiers: Saige.

3. G. Ducannes-Duval, Inventaire-Sommaire des Archives Municipales: Période Révolutionnaire (1789- An VIII) (Bordeaux 1929). t.4 p.541. Gobineau to l'hôte: 16 Messidor An II

4. About 30 in number.

bore all the burden in terms of repairs, except for paving the frontage, for which the owner was responsible to the city. At the same time, the tenants were circumscribed in what they could do while the leases had effect; most commonly, they were forbidden to sublet. Doubtless though, such terms were not peculiar to parlementaire leases.

There can be little doubt which piece of urban property, among all he held, the parlementaire considered most important. It was his hôtel, where he lived. The magistrate's residence was at once a witness to his wealth, his social importance, and his taste. The crown, as much as anybody, was well aware of the prestige which a befitting residence could bring to its magistrates; and this is why, in 1741, when the first president's house was burnt down, the king built him a new one at the expense of the Trésor Royal. This large grand house still exists, in the rue du Mirail, as a bank. It cost 100,000 " and took six years to build.¹

But by the end of the old regime this great house was not among the largest in Bordeaux. There was so much wealth in the city that bigger and bigger houses became the order of the day. Both owners and architects went into competition. The culmination of this process came when Laclotte built an immense hôtel for the merchant

1. 'Chronique bordelaise rédigée de 1735 à 1759 par un personnage anonyme au collège des Jésuites de Bordeaux ... &c.' Arch. Hist. D. Gironde t.55 (1923-4) No. LV.

François Bonnaffé across the road from Victor Louis' grand'théâtre. His object, he said, was to crush the theatre.¹

The houses built by Victor Louis himself were scarcely less monumental, and the greatest of them were built for parlementaires. Behind the grand'théâtre several plots of land were acquired by Saige in 1775 for a total of 186,020" 2s 2d.² On some of these he built houses whose usufruct for life he managed to sell off to eager customers even before they were built.³ Indeed, it was Saige who built and first leased most of the houses on the north side of the Fossés du Chapeau Rouge. But he reserved the main plot for himself and there he commissioned Victor Louis to build a solemn and monumental house, which is the present-day prefecture. How much the actual building cost, is uncertain, but some fragments give a rough idea. Every few weeks a roll of expenses was drawn up by Louis, and two of these survive. Between 9th and 21st October, 1775, the bill was 3652" 3s 2d, and between 22nd April and 4th May 1776 it ran to 5008" 14s 9d.⁴ When we realise that the Hotel Saige took over five years to complete, the cost at this sort of rate must have been staggering.

1. L. Desgraves, Evocation du Vieux Bordeaux (Paris 1960) p.300

2. C. Marionneau, Victor Louis, sa vie, ses travaux, 1731-1800 (Bordeaux 1881) p.440.

3. A.D. 3E 15.026 (Baron) Contract of 18 avril 1776.

4. A.D. 2E 2537 (Titres de famille: Saige)

Yet Saige was not alone. Councillor J.S. de Lamolère, on a plot which cost him over 27,000" in 1774, just around the corner from Saige's house, engaged Louis to build him an hôtel of scarcely smaller dimensions.¹ Both men were new nobles. In size both of these houses were overshadowed by what was perhaps Victor Louis' reply to the Hôtel Bonnaffé, the Maison Gobineau. In 1786 when councillor de Gobineau was at Versailles with the rest of the parlement, he took the opportunity to confer with Louis about plans for a new house. Louis had been secured to design the network of roads and buildings leading to the monumental Place Ludovise, a project which was stillborn except for Gobineau's house. Plots of building land were on sale in 1787 and Gobineau bought the first for 40,000". By 1789 the huge house, triangular in plan, was inhabited. We have already seen how the tax-collectors estimated its value.² In fact it cost about 200,000" to build.

These were the most spectacular parlementaire hôtels built towards the end of the old régime. But there were others, smaller, less pretentious, more tasteful. In the mid-1770s the local architect Laôte built an hotel on the Cours d'Albret opposite the new Archbishop's palace for councillor J. de Basquiat de Musriet, at the cost of 14,190" 4s 9d.³ Several hundred livres more were

1. Marionneau, op.cit. p.441. It still stands, too.

2. See above, p.160.

2a. Ducannès-Duvsl loc. cit. p.541.

3. A.D. 2E 168² (Titres de famille: Basquiat) Now the Rectorat of the University.

spent on interior decoration. Next door councillor de Poissac had a very similar house constructed. Probably the most tasteful, certainly the most characteristically French, house built in Bordeaux under Louis XVI was that built in the rue Bouffard for councillor P. de Raymond de Lalauze in 1779, by Leclotte.¹ In 1785 councillor G. de Castelnau d'Auros and his brother began to build themselves an hôtel in the rue Judaïque St. Seurin, which they sold in 1790 for 125,000².

Yet if the building of brand new houses was common among the magistrates in this period, still most families did not go as far as that. Many were probably satisfied with their ancestral houses; after all, newcomers the Seige, Lenolère, or Poissac needed to establish themselves. Many families were already established, and had their ancestral hôtels to prove it. Such was the case with the Dudons, in the rue des Trois Conils, the Richards and the Combaults de Basac in the rue du Mirail, the Cazeaux in the rue Judaïque, or the Gourgues in the street which bore their name. From time to time, of course, somebody felt that their position merited more exalted quarters. So thought L. de Paty du Rayet, councillor, in 1770. He sold his house in the rue Leyterrie for 42,000², and the proceeds went towards buying a handsome 17th century hôtel in the

 1. Now the Musée des Arts Decoratifs.

2. A. D. G 4236 & 3E 21.732 (Rauzan) Sale of 17 février 1790.

rue du Loup, which had once belonged to the First President Gillet de Lacaze. This cost him 15,000¹". President J.C. Daugeard felt even more undignified in 1783. He found himself, a comfortable millionaire, renting a house. For 136,000 " he ended this situation by the purchase of a house more suited to his dignity, that of the former president de Latresne, rue Judaïque, itself only built in mid-century.²

Moving house was in fact quite common. We must not forget that nearly half of the parlementaires had not been noble and had not been established in the parlement when the century began; many were still consolidating and improving their social position, and to change the style and scale of one's life was one way of doing this. So, out of our 162 magistrates, 85 had only one address from 1775 to 1790 or the time when they left the court. The rest changed their residence, most once, some twice, and several three or four times.³ It is to be presumed that they were moving, in most cases, to more acceptable surroundings.

However this can hardly be ascertained from strict names and addresses alone, for there does not seem to have been any particular parlementaire quarter, as there was for instance at Toulouse.⁴

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1. P. Meller, Généalogie de Lety (Bordeaux, undated. Only five printed) This house now houses the Municipal Archives.
 2. Figures from the Tableaux de l'acquiescence... &c, 7 avril 1783. Lamontaigne, Chronique, p.135, exaggerates it slightly to 130,000".
 3. Based on a year-to-year analysis of addresses given in the Etrennes Bordeloises... &c 1775-90.
 4. Forster, Mobility of Toulouse, p.19; Larboust, p.154.

It is easier to be precise about where parlementaires did not live, than where they did. They did not live in the parish of Sainte-Croix, or in the southernmost parts of that of St. Michel. This was an artisan quarter of the town, and though some might have substantial and lucrative holdings in the area (like president J.C. Daugesard), magistrates did not live in it. Nevertheless it was next to the street where, for its length, more magistrates lived than in any other, the rue du Mirail.¹ Neither did magistrates live on the north side of the Château Trompette, in Chartrons. It was infested with foreigners and merchants, and though it was acceptable and as we have seen not uncommon, to own and lease out property in the Chartrons, one did not live there.

Beyond this, however, there was no pattern. Many magistrates lived in the congested and smelly centre of the town, in the tangle of streets around the Palais. There are many erstwhile parlementaire hôtels to this day lining the central rue Castillon, then called rue Judaïque. Other parlementaires, like Gasco and Castelneau, lived in the more salubrious faubourgs. A dense cluster surrounded the first president's house on the rue du Mirail; whereas ostentatious newcomers often took or built spectacular residences on the Fossés du Chapeau Rouge or the Allées de Tourny. It is hard to be more precise, for in effect, apart from the two areas

1. Names include Le Berthon, Richard, Darthe, Combaut, Lancre, Vasin.

mentioned as exceptions, there were parlementaire residences all over the town.¹

It must never be forgotten, however, that not all magistrates lived in their own houses, as the tax-rolls suggest. Nevertheless they had to live in Bordeaux to function as magistrates there. So councillor B. Roche, for example, lodged in a dependent house of the old Jesuit College de la Madeleine, at a rent of 800" a year on a nine year lease.² The example of resident Daugeard has already been mentioned. Another case is that of president M.J. de Gourgue, who leased from his own brother part of the family hôtel in the rue de Gorgue for 1000 " p.a. on a seven year lease as from 1779³. At Toulouse, most magistrates probably lived in leased apartments,⁴ so it would not be surprising to find the same thing at Bordeaux. But many of the younger parlementaires of course, lived with their parents, and perhaps indeed this is the factor which accounts for most of those who are not mentioned in the vingtième rolls.

Urban property, apart from striking hôtels, is a rather neglected aspect of parlementaire circumstances. Perhaps this is because there is and was nothing controversial about it. Houses

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1. The families of Féger, Latouche - Gautier, and Prunes, all of recent mercantile origin, had pavillons on the Allées de Tourny.
 2. A.D. C3732. Roche to Intendant, 21 nov. 1779.
 3. A.D. 2E 1405. However the same year the elder brother died childless, making his brother's daughter his heir. The lease must have lapsed, and M.J. de Gourgue taken over the house as of right.
 4. Forster, op.cit. p.170.

were vested interests which the government never threatened, and therefore the court never took any action to defend them. Thus their strings of houses, unlike their estates, never came to public notice, and have therefore not been a concern of the historian either.¹

Partly this may be because they hardly ever formed the major part of a parlementaire's fortune. Even for the Saige family this was not the case, for they were so rich that they had expanded almost simultaneously into country and town, and town never acquired predominance. For those who owned them, houses were a minor, though not necessarily small, segment of their fortune.

This was less so in terms of capital than in terms of returns. The returns per annum on a whole string of houses would have to be exceptionally good to match those of vineyards in the best parts of the Bordelais. On the other hand, if it came to realising one's assets, a single parlementaire hôtel could fetch as much as a vineyard of a modest-sized maison noble with attached lands in the country. As a field for investment, urban property was not as rewarding as wine-growing, but it was far more reliable. In times of natural disaster, therefore, it must have proved a very useful second string, to those who had it, for eking out current revenue. And in terms of capital value, it formed a larger section of the

 1. For this question at Paris, see Bluche, part 2, ch. 3; at Dijon, see Colombet, ch. 2 section 1; a brief general picture in Ford, Robe and Sword, ch. 3, sec. 3, which is however confined to the topic of hôtels.

parlementaire fortune than its revenues might suggest.

The parlementaires seem to have appreciated its advantages, and until the Revolution got under way, there was no great tendency among them towards selling such property. The cases of sales in the faubourgs of building land were altogether special, and cannot be viewed as a squandering of capital for immediate gains. In 1731 Dufour de la Ferté's estate at Angoulême was estimated at 6000¹, yet through selling it piecemeal over ten years he made eight times that sum. Here, audacity could hardly fail to be the wisest course.

But more normal conditions, under which most parlementaires possessed urban property, dictated a more conservative attitude. Houses were the soundest and solidest investment in 18th century Bordeaux, and one whose returns might be increased every few years when the leases fell in. No wonder parlementaires, whose interests were in security and stability, invested in them.

Of course, hôtels could be another matter; they could be a heavy drain in upkeep. Nevertheless they were also a public witness to the healthy state of a magistrate's account book. Indeed they were the most graphic of all witnesses, especially those ones which were actually built during this period. And even here a return came too, though less tangibly. They symbolised what the magistrate was, a man of consequence, a ruler of his society in terms of power, a leader in terms of taste. The return, was to be recognised as such.

1. A.D. 3E 15.491, cited above, p.233.

13 - The Colonies, Trade, and Finance.

As large-scale producers of high-quality wine, the parlementaires were closely involved in the traditional economy of Bordeaux and its region. The wine trade was the permanent basis of the city's wealth. In the 18th century, however, it was overshadowed by the spectacular activity of the port as a centre for the colonial trade. Wine made Bordeaux a prosperous town, but colonies made it a boom town. For were the two trades unlinked. The tropical colonies of Saint-Domingue, Martinique, Guadeloupe, and Ile Bourbon were hothouse plants. Their surface was totally given over to the culture of lucrative special products like sugar, coffee, and indigo. Much of the normal food supply of the white colonists especially had to be brought in from outside, from France. This meant above all flour and wine. Three quarters of the exports of Bordeaux to les Iles were in food-stuffs, and the biggest single item among these was wine.¹

The vins de palu were above all destined for the colonies. Grown on the extremely fertile river banks, they were abundant, and, though not exquisite in quality, did not deteriorate but positively benefited from several months of Atlantic tossing in the hold of ships. Parlementaire proprietors were well-represented in the palus. When the parlement remonstrated against the abolition of the wine privilege in 1776, it made special mention of the colonial trade:

 1. Charpentier, Relations économiques entre Bordeaux et les Antilles
 p.59.

'En permettant la circulation, que de mélanges, que de fraudes pour tromper la bonne foi des colons qui croiront acheter des vins de Bordeaux dans toute leur pureté!.'¹

Pillars of the traditional economy though they were, the parlementaires had a real interest in the health of the modern colonial trade.

Thus much generally; but many of the magistrates were involved in the colonies far more closely than this. A small group were of colonial origin, having either been born there, or having had recent antecedents there. The families of Rocquet and Brunet were from Martinique; those of Dupaty, Ismolère, Thilorier, and Raymond from Saint-Domingue. By marriage to colonial heiresses, came to Bordeaux for education and a husband,² the families of Holland, Dumas de Fonbrauge, Poissac, Basterot, Dufaure de Lejerte, Darcy, Maurice de Sentout, Dudon, Loret, Gentier de Latouche, Raymond de Sallegourde, Bienassis, Lajeunye, Islande, and Lamouroux, also acquired colonial links in the course of the century. Those parlementaires from mercantile families such as Saige, Péger, and Dubergier, moved in circles where the colonial interest was paramount. We cannot speak of a colonial lobby in the parlement, but we can be sure that the parlement was well equipped through its members to understand colonial questions. When in 1759 the 'americains' of Bordeaux formed a société américaine résidente à Bordeaux, to

1. A.N. K708 Reconstrances of 31 août 1776. See also above, p. -

2. See above, p. 38-9

concert action with the Parisian Club Massiac in defending colonial interests before the National Assembly, several parlementaires joined and one, councillor de Mesterot, had a place on the steering committee.¹ Early in the century provisions had been made for Bordeaux parlementaires to join the deliberations of the conseil souverain of Guadeloupe, when they were there.² It is certain that one or two parlementaires did visit the colonies, notably J.B. de Lamolère and P.L. de Raymond; the various members of the Brunes family, and of course L.C. Rocquet, who not only visited the colonies but lived there, and only came to France for his reception in the parlement and possibly twenty years later in order to sell his office.³ For people such as these, it was not merely trade which mattered, for they actually owned land in les Iles.

Precise information on the extent and value of parlementaire possessions in the isles is hard to find. However the list of those qualifying for the post-revolutionary indemnity of Saint-Domingue gives names for one island, if not area or useful values.⁴

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1. G. Debien, La société colonial au XVII et XVIII siècles - Les colons de Saint-Domingue et la révolution - Essai sur le Club Massiac (Août 1789-Août 1792) (Paris 1953) ps.105-6.
 2. A.N. Colonies F³ 224 (Collection Moreau de St. Méry) p.180 ordre du roy, 31 décembre 1726: p.313 ordre du roy, 27 janvier 1728
 3. A.N. Colonies F5^B 39-42 'Embarquements à Bordeaux pour les Iles, 1749-90': Mayot, Les officiers du Conseil Souverain de la Martinique p.218 (Rocquet)
A.D. 3E 6.220 (François) Marriage contract, Brunes/Thilorier, 21 février 1764.
 4. Ministère des Finances - Etat détaillé des liquidations opérées par la commission chargée de répartir l'indemnité attribuée aux anciens colons de Saint-Domingue en exécution de la loi du 30 avril 1826...&c 6v. (Paris, 1828-33)

The Dupaty family was one of the most extensive owners; the avocat-general's father had a sugar plantation in the parish of Acul, which passed, after a period of sharing with his elder brother, completely to the magistrate; he also had the expectation of the goods of his mother, née Carré, consisting of a sugar plantation at Quartier Morin. Jeanne de Lalonde, sister of the Marquis d'Usturbie and wife of councillor P. de Raymond de Lalonde, shared with her brother the ownership of a sugar plantation in Quartier Morin and a coffee estate at Grande Rivière. P.L. de Raymond, councillor, had a coffee plantation and hereditary rights in a sugar plantation at Petit-Trou. Councillor J.B. de Lamolere had a sugar estate in Quartier Morin. Councillor de Basterot ran the sugar estate of his wife, née Sans, in Le Terrier Rouge. Among the other Saint-Domingue proprietors were councillor J. Philorier in Ouanaminthe, and president J. J. Maurice de Sentout in Port-au-Prince, through his wife, née Cazaux. However, the only really detailed information which has come to light on Saint-Domingue holdings concerns the habitations of the Dupuy sisters, one of whom was married to councillor de Poissac. These estates were run from Bordeaux by Poissac and his brother-in-law Dupuy, trésorier de France. They had three sugar-growing habitations at Bondon, employing between them over 400 negro slaves. They estimated their meubilier alone on these estates, slaves included, to be worth over 1,200,000 "in the 1770s, and this at a time when, as they complained:

'le Bas prix du caffé ... peroit chaque Jour devoir Diminué,
soit à raison des impots Excessifs portés sur cette denrée

Tant dans les colonies que dans la metropole, soit encor a raison des Embargo mis par les puissances du nord... En telle sorte que tout le produit des plus immenses habitations se trouve devoré par le frais de culture, le fisc, et le fret exorbitant qu'exige le commerce pour le transport de ces denrées¹.

To compensate, at this time they were suing for a concession in order to enter the more stable sugar market. Marie Dupuy, mother-in-law of councillor R.J.A. Dubergier de Favars and possibly a relative of Poissac's wife, had lands in Saint-Domingue worth 60-80,000 " a year, and half of them were promised in dowry to Dubergier's wife.² The theoretical annual net value of the estate in Le Terrier Rouge administered by councilor de Basterot was 50,000 ".³

The value of colonial property was then astronomical. It dwarfed that of all but the largest holdings in metropolitan France. What must the immobilier of the Dupuy plantations have been worth, if the meublier alone was worth over a million? The completest information available as to the capital value of an estate is that for the Prunes habitation at Basse Pointe in Martinique. This they sold to the Jewish merchant house of Gradis, by contracts of 1767 and 1775, for a total of 611,330 " 16s 5d.⁴ In area it was 160

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1. A.D. 2E 2325 (Titres de famille: Poissac) Undated memoir, but clearly of the 1770s.
 2. A.M. Fonds Deloit 83: A.D. 3E 20.391 (Gatellet) Marriage contract, Dubergier/Dupuy, 9 juillet 1788.
 3. Cte. de Basterot, Souvenirs d'Enfance et de Jeunesse - Notes biographiques et ethnographiques (Paris 1896) p.13.
 4. A.D. 3E 17.593 (Ferrens) 23 juillet 1773; and A.D. 3E 15.025 (Cheyron) 20 avril 1775. Contracts of sale.

carres de terre, with 120 slaves, and an estimated revenue of 55,000 " a year.¹ However, before we conclude that these parlementaire americans were all fabulously rich, it is instructive to enquire why the Grunes sold their habitation. The fact is that these transactions constituted not so much a sale, as a foreclosure by the Gradis on insuperable debts. When the first half was sold to them, the price fixed was 125,236" 19s 4d, out of a value of 311,330" 16s 5d. The difference was debts. When the other half was sold in 1775, the Gradis kept 200,000" of the 300,000" price, again for debts. For debt haunted colonial proprietors. The growing of tropical goods was as dangerous as the growing of wine, though on an even bigger scale, what with high costs of cultivation the peril of hurricanes, the passage of the Atlantic, and the threat in time of war from the English. During the Seven Years' war the English occupied both Martinique and Guadeloupe, and captured many ships plying between Bordeaux and the Antilles. But above all, other obstacles to profit, was the fact that most of the owners were absentees.² Most of the parlementaires with interests in the Antilles had never been there and never intended to go. Even those who were born there, with the notable exception of Tocquet, hastened to make their home in France. Credits

1. This information was kindly sent to me by R. Emile Bayot, Secretary of the Société d'histoire de la Martinique.

2. See Debien, op. cit. ch. 1, passim.

are hard to call in at 3000 miles distance, when a letter takes months to arrive, and when the local conseil souverain is made up of residents resentful of the absentees who own much of the territory. Basterot complained to the Minister of Marine in 1783 that he had:

'une multitude de débiteurs au cap St. domingue, depuis plusieurs années ils ne retiennent, Monseigneur, des sommes tres considerables dont ils ne se payent pas même les intérêts et avec une fortune brillante pour mon etat, je me vois par leur inexactitude dans une scène cruelle. il en est surtout qui me doit près de cent mille ecus et à raison de la faveur que lui accorde le procureur général du Cap je n'ai pû encore Monseigneur, parvenir depuis deux ans à lui faire rendre son compte de tutelle. j'ai offert de recevoir mon payment en fonds, en negres, en bestiaux, de faire même des sacrifices s'il le faloit et malgré cett excès de complaisance je suis traite avec le plus parfait dédain.'

The minister promised to help, and wrote to the conseil souverain, but there is no evidence that Basterot obtained satisfaction. Indeed, by 1790 he was bankrupt.² This was the result of constant high outlay on cultivation and of living in a style proportionate to his theoretical revenues, when he was completely unable to realise his assets. Doubtless this had been the dilemma of the Irunes brothers in the 1760s too, which they attempted to stave off with loans from the Gradis, of which the result was really only to increase their debts. To be sure of success in les Iles, the proprietor had to be resident, like Pocquet, or have a totally reliable agent there. The latter, as resident resentment grew against the absentees, were increasingly hard to find.

1. A.N. Colonies E¹⁸ (Dossiers personnels: Basterot) letter of 13 decembre 1783.

2. See below, pp. 286-7; A.M. Fonds Delpit 23 'Basterot'.

Thus, we cannot automatically conclude that the colonies were El Dorado. The wealth of many colonial proprietors must have been largely notional. Nevertheless a loss was surely not inevitable, and account books, if they survived, would probably reveal sizeable profits for at least some of the proprietors. It seems likely that the revenues of colonial estates paid, at least in part, for the new hôtels de Lamolère and de Boissac, both built by men whose French estates were not big enough to support such an unreturning capital outlay. Yet many young parlementaires, having made the conquest of some colonial heiress, must have been unpleasantly surprised at the insecure and dubious nature of the immense wealth which she seemed to be bringing him.

Between the producers of the colonies and the armateurs who conveyed their goods to France, there was little goodwill. They disliked each other as monopolists. Each side sought the end of the other's monopoly, but the preservation of its own.¹ These unpleasantnesses were only avoided by becoming shipper and planter all at once. However, only Boissac among the parlementaires seems to have done this on a large scale. Again, sharing the capital outlay with his brother-in-law, in 1770 and 1771 we find him financing consignments of very diverse goods - cloth, hats, axes, sealing wax, paper, and so on - for Saint Domingue.² Presumably when the

1. Debien, ps. 50-52; A.D. C4266 (Registres de la Chambre de Commerce) Chamber to Minister of Marine, 15 novembre 1735.

2. A.D. 2E 2325 Accounts of consignments, nov. 1770 and mai 1771.

ship returned, it brought coffee from the Guay plantations in that island. However, there is no indication whether this was a regular practice over a long period, or merely an experiment. Nor does any record survive of other parlementaires acting in the same way, though councillor Dumas de Fontbrauge did trade directly with Guadeloupe through the agency of his first wife's family, the Godets, who were important planters there.¹

This opens the whole question of trade. Traditionally, of course, parlementaire were noblemen, and noblemen could not indulge in trade of pain of dérogance. But this did not apply to commerce en gros, wholesale trade, which is exactly what the most lucrative trade of Bordeaux was, in the 18th century. How far, then, were the parlementaires involved in this aspect of the boom as well?

The answer is, hardly at all. The only other example which has emerged, beside that of Poissac cited above, is that of the ubiquitous Seize, whose father had of course been an active armateur. Even this was after the time when he had retired from active work in the parlement. In 1783 he took one quarter share in financing the building of a ship. 'Le Seize', which cost in all 86,329["] 5s 6d. Its first voyage to the isles brought in a net profit of 67,135["], of which he got one quarter. Its second in 1786 made 51,100["]; its third in 1788-7 made 94,550["], of which Seize got 5/8. His 3/8 on the fourth voyage of 1787-88, alone amounted to 77,677["]². These were the sort

1. A.D. 8J 480 (Fonds Bigot) Correspondance Dumas de Fontbrauge.

2. A.D. 9 1012 Inventory after execution of Seize's papers.

of returns that the great armateurs of Bordeaux realised in the 18th century, and which only exceptional vineyards could match. But armature was full-time work: this alone was reason enough to keep parlementaires, who had a profession, from entering it. This reason, not some fear of dérogance or mere disdain for trade, is why the magistrates traded little.

Their links in the world of commerce, and their action in its interests, exclude any other interpretation. Many magistrates were married to wives from the world of trade;¹ many others had mercantile fathers or grandfathers²; some had brothers in trade. One or two had been merchants before entry into the court, notably the Lafarque brothers. After the suppression of the parlement in 1790, several went into trade, notably councillor R.J.A. Dubergier de Favars, by extraction a member of a famous mercantile family, councillor J.B. Chauvet, and even G.J. de Cazeaux, président à mortier.³ It is clear that the parlementaires were far from unacquainted with the commercial world, its conditions and its men. They met them socially, they were related to them, they sold their wine to them. In this last sense at least, they were even in some measure dependent on

1. See above, p. 37 -

2. See above, p. 29 -31

3. A.N. BB⁵ 73 'Etat des Anciens Membres du Parlement, de la Cour des Aides de Bordeaux', 24 février 1811. See below, p. 403.

their goodwill. The parlement was not an aloof aristocratic island in a commercial sea, as has sometimes been suggested.¹

Only on the question of bankruptcy did the parlement clash seriously and often with the world of commerce. As early as 1715 the chambre de commerce had angrily drawn attention to:

'La facilité que les officiers du parlement trouvent de se faire passer à la faveur des décrets de prise de corps, ce qui leur est due et à leurs amis, au préjudice des autres créanciers des faillis.'²

In 1783 an arrêt de rélement of the parlement restricted the terms of definition of bankruptcy so much, that the chambre de commerce was led to protest that many creditors might under the new rules lose all chance of securing repayment. The conseil d'Etat, on the protests of the merchants, quashed the parlement's arrêt.³

Beyond this, however, except where there was a direct clash with their interests as wine-producers, - not altogether uncommon admittedly, - the parlementaires usually threw their powerful support behind the merchants of Bordeaux when they aired their grievances.⁴

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1. e.g. J. Siret, La Pré-Révolution Française (Paris 1962) p.222. Also many local bordelais historians, like Ihéritier and Bruteils, who ought to know better.
 2. A.D. C 4261, quoted in M. Ihéritier, Histoire des rapports de la Chambre de Commerce de Guienne avec les Intendants, le Parlement, et les Jurats de 1705 à 1791 (Bordeaux 1913) p.26.
 3. A.D. C4476. Arrêt du Parlement, 10 mars 1783; Arrêt du Conseil d'Etat, 26 juin 1783.
 4. On these relations, see Ihéritier, Histoire des rapports ... and J.A. Bruteils' introduction to volumes of the Inventaire-Sommaire des Arch ves départementales de la Girande, Série C., though both are less than fair to the parlement.

'Notre parlement ... a mis le commerce sous sa sauve-garde Contre les pretentions du fisc', wrote the chambre de commerce to that of Rheims in 1785¹, when the parlement opposed by arrêts de défence the attempts of the domain to levy stamped paper duty on bills of exchange. It was only at the Versailles session of 1786 that the government finally overbore the parlement on this issue. When in 1770 the fermiers-généraux demanded that thenceforth all duties on goods entering the port of Bordeaux should be paid in specie, the merchants, whose main wealth was represented by negotiable bills, protested, and the parlement again forbade the receivers to operate the order, though its arrêt was subsequently quashed.² When in 1784-5 the mercantilist organisation of colonial trade was weakened, and the government extended certain limited trading facilities to non-French ships in the French Antilles,³ the merchants again protested. The parlement, on a réquisitoire from the procureur-général, decided to write to the king a powerful letter of protest, which was printed and circulated publicly. In effect the whole situation of the colonies was reviewed in this letter, and notably the powerless position of creditors.⁴ We might wonder if Basterot had a hand in its composition.

 1. A.D. C4266. Letter of 9 avril 1785.

2. A.D. C4264. Arrêt du parlement, 15 mars 1770.

3. Arrêt du Conseil, 30 août 1784

4. Bacheumont, t. 28, ps. 124, 125-7, 144-5. Lettre au Roi du 29 janvier 1785: synopsis. I have been unable to find the full text of this letter.

The involvement of the parlementsires in the fortunes of the part of Bordeaux was, then, deeper than would appear at first sight. In commercial matters, they were far from ignorant outsiders. This was just as well, for they were the supreme court of appeal for commercial cases like any others; moreover the two most important officers of the court of first instance in maritime cases, the amirauté de Guienne¹, were also parlementaires - Navarre the lieutenant-général and Lascombes the procureur du Roi. Theirs was one of the busiest courts in the kingdom. The magistrates were therefore touched by commerce in all its aspects - as primary producers, both in France and in the colonies; sometimes as shippers; sometimes as judges of contests; and often as relatives of the great men of the Bordeaux trading world. True, it was never their main preoccupation, but we should not expect this from men who already had a profession. The strong West Indian interest seems unique among parlements, though again it should not come as a surprise when we consider that it was on colonial products that the boom of 18th century Bordeaux was based. Good relations between the parlement and the chambre de commerce have been described as a 'miracle'.² On the contrary, they were the most natural thing in the world. And as for the view that the activities of the parlement were threatening to ruin the city in 1789, seriously put forward by Brutsils,³ with total lack of evidence,

 1. Gouron, L'Amirauté de Guienne, ps. 307-9

2. Ihéritier, Histoire des Rapports... &c p.96.

3. Introduction, loc. cit. ps. XXXI - XXXIV.

the proposition is best refuted by his own words:

'Le Parlement était animé de dispositions très bienveillantes envers la Chambre (de Commerce); c'était l'un des protecteurs auxquels elle recourait le plus volontiers. A maintes reprises des démarches furent faites en des circonstances difficiles auprès du Premier Président ou du Procureur Général, qui répondaient à peu près invariablement à ce témoignage de confiance par des preuves effectives de dévouement'.¹

Doubtless such conduct is unexpected in parlementaires, and so disturbs accepted views. But these were the parlementaires of Bordeaux and, as in so many other aspects of their activities, the local stamp was the deepest and most decisive one.

Any other disposable capital that was left after all this went into rentes. Such industry as there was in Bordeaux - shipbuilding, bottle making, and sugar-refining - seems not to have attracted parlementaire capital at all. At Paris, investment in life rentes for large sums was very common among parlementaires, and accounted for much capital and income.² At Toulouse, it was also common, but for smaller capital and returns.³ At Bordeaux, with none of the central institutions of confidence that Paris had, and without loan-raising estates, such as Languedoc had, it was far rarer. Most parlementaires, therefore, had only a few small contracts. Lending in perpetuity to the state, - which is in effect what buying a life rente meant, - was not a popular form of investment.

1. Ibid.

2. Bluche, ps. 212-16.

3. Forster, Mobility of Toulouse ps. 110-16.

Nevertheless it did occur. In 1768 the government requested the surrender of all titles for examination. The intendency kept a register in Bordeaux of all such titles, which gives us some idea of the holdings in life rentes of various parlementaires.¹

Some Parlementaire Rentes in the 1760s

<u>name</u>	<u>return p.s.</u>	<u>capital</u>	<u>No. of contracts</u>
Loyac, cons.	362 " 11s	14,502 "	2
Verthamon, prés.	553 "	10,660 "	9
Conilh, cons.	295 " 7s 6d	11,275 "	4
Brivezac, cons.	609 " 10s 6d	24,201 "	3
Le Berthon, p. prés.	124 " 9s	4,978 "	3
de Spens, cons.	74 " 19s 11d	2,506 " 10s 11d	2
Piis, cons.	208 " 5s	8,330 "	1
Filhot de Chimbaud, cons.	16 " 9s	658 "	1

There are others too, for whom however the information is less clear. All these titles were old ones, mostly dating back to the 1720s, and all had been reduced by half in interest, and often by far more in capital value, in 1766. This may help to explain why there is hardly any evidence of parlementaires buying rentes in the last decades of the 18th century - they were no more secure in value than any other form of investment, and though their value might be diminished, as in 1766, it never went up. Thus, not only were government rentes a rare phenomenon in most parlementaire

1. A.D. C 2473 'registre des Rentes sur les Privilles, 1767-71'.

fortunes; they were also an old one, and a diminishing one. More were people like councillor J. Lelet d'Anglade, who had, on a capital of 96,000, " 7,900 " of rentes a year; and even these were inherited from his father.¹

However, life rentes on the government were not the only way of placing capital. More frequent were rentes constituées, or private loans. Strictly, of course, loans at interest were illegal, for they constituted usury; at law, to loan money at interest was to purchase outright an annuity.² Nevertheless the reality was the same, and it was very common to find parlementaires lending surplus capital to other individuals, often their own colleagues. This pattern of loans and debts among parlementaires was common throughout France.³ Most were well below 20,000 " in capital and only brought at most a few hundreds in interest per year; 5% was the normal, legal rate. There was always a ready market for those who wished to buy rentes, (i.e. lend money) among those with family settlements to make, or other business in need of ready cash. specie was in fact very rare in Bordeaux: most transactions were done in negotiable paper, and parlementaires (or anybody else for that matter) found

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1. A.D. 1011 Inventory after execution of Lelet's papers.
 2. For a clear exposition of the legal status of rentes, see Forster, Nobility of Toulouse, ps. 106-110.
 3. e.g. at Toulouse - Harboust p.127, Forster p.117-9; and at Dijon - Colombet p.76.

it hard to realise assets quickly. As a result, whenever large sums were needed, it was quicker to obtain them by borrowing. Similarly, as soon as sums of any size came in, for example in payment for a year's wine sales, it was more profitable to make loans with it than to leave it as unprofitable fonds oisifs. These circumstances make it even clearer why the parlementaires opposed the imposition of the contrôle on promissory notes. Most succession inventories mention one or two contracts for small rentes in individuals. The notarial archives reveal others. Often their amount was soon reduced, a sure sign of a short term loan being liquidated as soon as the urgency which had made it necessary was past.

If by some chance a parlementaire was left with any unproductive funds for any period, with no debt service, no buyers of rentes, and no land in which to invest, he would often remit them to a banker. President de Richard banked with the Jew Pexchote, fosses des Tanneurs.¹ Seige, that man of infinite resource, himself acted as a banker, and sold, rather than bought, rentes.² His financial activities even included speculating on the exchange rate between livres tournois and Spanish piastres, though his profits on this did not come up to his expectations.³

1. A.D. 2E 2285 (Titres de famille: Richard) Richard to Girardeau, 24 février 1772.

2. See below, p. 287-8

3. A.D. 2E 2537 (Titres de famille: Seige)

Nevertheless, Saige was the exception to almost every rule about parlementaires, and can seldom be cited as typical. When all is said, the investment of parlementaires in rentes, and other sorts of financial ventures, does not amount to much. Rentes on the state were mistrusted, rentes on other people were haphazard. Infinitely preferable to them was investment in some form of immobilier. This does not mean that the parlementaires had no contact with, or no understanding of, the localness de finance. The world of merchants and the world of financiers in Bordeaux were practically indistinguishable, and we have seen that there was no lack of contact with the merchants. Moreover the parlementaires were great borrowers, and for this, could not always have recourse to their colleagues, whose supplies of ready cash were as fleeting as their own.

So we see that the 18th century boom in Bordeaux certainly did not pass the parlementaires by. They were deeply involved in some of its aspects, and they could not avoid its consequences, even if they had wanted to. However they clearly could not participate in it to the full - they were not merchants, but magistrates, and their freedom of action was limited by their chosen role in life. The most remarkable thing is that they were able to diversify the range of their activities as much as they did. Nevertheless such diversity as there was was diversity within the framework of the local economy. National or central fields of investment attracted little of their capital. Their finances were as provincial as their politics; or, to put it another way, their politics were as provincial as their finances.

14 - Parlementaire Wealth

We have now examined the main economic activities of the parlementaires, and some of their results in terms of public action. It remains to see what total wealth all these activities represented. It is far from easy to be exact about this except in isolated cases; only with the rough figures obtainable from tax rolls can we put together larger samples. All these suffer from one defect or another. Nevertheless they can be made to yield certain information about the income of the parlementaires, relative both to that of their colleagues, and that of the other inhabitants of Bordeaux. Even then however, not all parlementaires can be accounted for. The whole subject must be begun and ended on a note of caution.

The best and most detailed tax-roll of the century before 1789, as far as the parlementaires are concerned, is the schedule for revising the vingtième of 1755. It has both been printed in extenso and broken down into an analytical table.¹ It gives in detail the estimated gross agricultural revenue from landed estates of 68 robe families. It gives nothing however on urban real estate, or other sources of income; and there are grounds for thinking that, even in respect of rural revenues, it underestimates the feudal element especially. Nevertheless the table is well worth reproducing

1. A.D. C3018 'Etat du vingtième des biens fonds des officiers du Parlement.' Printed by A. Nicolai as 'Documents sur la fortune privée au XVIIIe siècle' in Arch. Hist. D. Gironde, t.44 (1909) p.355 ff.. Analysed into a table by R. Forster, 'Noble wine producers', loc. cit. p.21, though he gives an erroneous reference. See too above, p.171.

as a guide to the relative income of parlementaires from their most important source - agriculture.

Distribution of Gross landed income among 68 noble families in 1755.

40,000 "	or above	1	(42,340 ")
30,000 "	to 39,999 "	2	
20,000 "	to 29,999 "	9	
15,000 "	to 19,999 "	1	
11,000 "	to 14,999 "	17	
7,000 "	to 9999 "	13	
5,000 "	to 6999 "	10	
3,000 "	to 4999 "	7	
1,000 "	to 2999 "	0	
0	to 999 "	1	(905 ")

68

After this, we find no more rolls with enough detail or reliability for calculating income until the revolution. The decree of 6 October 1789 authorised a levy of a contribution patriotique of at least one quarter of net annual revenue for all citizens with over 400" a year.¹ At first, assessments were merely the unchecked declarations of those subject to the tax: it was a point of honour not to verify them. However this early idealism was soon abandoned,

1. See M. Brouillard, Des Impositions Extraordinaires sur le revenu pendant la Révolution (Contribution patriotique - emprunts forcés) et de leur application dans la Commune de Bordeaux (Bordeaux 1910) pp. 14-16. For supplementary information, and for non-parlementaire statistics, I have drawn heavily on this work.

and in 1790 local authorities were given the power to verify declarations. Nevertheless a comparison of the assessments for this tax with those for the forced loan of 1793 indicates that most of the sums declared were fairly accurate. The following table indicates sums declared, income thereby presumed, the number of people in Bordeaux in each class, and the number of parlementaires in each class.¹

Contribution Patriotique of 1/4 net revenue, 1790-91: 66 noble families

<u>assessment</u>	<u>income</u>	<u>subject in Bordeaux</u>	<u>parlementaires</u>
Over 20,000 "	80,000 "	1	0
15,000 "	60,000 "	2	0
13,000 "	52,000 "	4	0
12,000 "	48,000 "	1	0
10,000 "	40,000 "	2	1
9,000 "	36,000 "	4	1
8,000 "	32,000 "	5	0
7,000 "	28,000 "	3	1
6,000 "	24,000 "	23	6
4,000 "	16,000 "	45	20
2,000 "	8,000 "	176	14
1,500 "	6,000 "	111	6
1,200 "	4,800 "	75	3

1. Brouillard, p.44 'Bilan de la contribution patriotique', gives the general figures. The parlementaire ones have been taken from the rolls themselves in A.D. 41 113 and A.D. Fonds révolutionnaire G 27.

cont...

<u>assessment</u>		<u>income</u>		<u>subject in Bordeaux</u>	<u>parlementaires</u>
1,000	"	4,000	"	151	11
600	"	2,400	"	295	2
500	"	1,000	"	154	0
300	"	1,200	"	543	1
200	"	800	"	369	0
100	"	400	"	767	0
					61

When it came to the verification of the figures, 31 parlementaire declarations were raised: then, on petition, some were lowered again, though seldom to the original figure. The complexity of tabulating these changes would be too great. Therefore here only the original declarations have been taken; and in any case the original difference was seldom more than 2,000", and the final one, usually less. The only blatantly scandalous case was that of the Saige family. The mother of the avocat-général declared 5,000", and had this raised on review to 25,000", which would have made her the second richest person in Bordeaux, after the armateur François Bonaffé. On petition, it was reduced to 10,000," but this still put her in the top handful.¹

But however near to the truth these estimates come, the figures

 1. A.N. Fonds Révolutionnaire G 27. Bonaffé declared 30,000" for one quarter. A.D. 4L 113.

are always curiously round. For greater precision, we must turn to the accounts of the forced loan of the Year II. This was a tax on wealth. A year's net revenue was to be taxed on a sliding scale up to 9,000["], when one half was taken. Anything above that, was to be taken in full. So somebody with, for example, 100,000["] revenue was expected to contribute 95,500^{"1}. Moreover the terror conditions of the Year II ensured that declarations were fairly precise and accurate. Only three full detailed statements of ex-parlementaires have been found.² However, there exists a minute of the totals levied on 51 ex-parlementaires, from which it is possible to work out the totals of their full declarations.³ Of course, even these figures, precise as they are, must be subject to certain reservations as a guide to old régime income. There was no more income from office to be taken into account. The revenue from the colonies had dried up completely. Nor in general was there any more revenue from feudal rights. Moreover some parlementaires under revolutionary conditions may have changed their source of income completely, such as councillor R.J.A. Du^bergier de Favars, who was now a merchant. Even so, this was a small minority. Above all, there was the depreciated value of the assignats. Yet the loan appears not to

1. Brouillard, p.78

2. A.D. 14 L 10 Commission Militaire: Chaperon (Chaperon de Terrefort); A.M. Fonds Revolutionnaire G 16 : Emprunt Forcé. (J.B.M. de Verthamon); A.N. W400 (927) Tribunal Révolutionnaire (Richard).

3. A.D. 4L 117 Emprunt Forcé de l'An II.

have been levied in assignats or at assignat values. Comparison of individual assessments with those for the contribution patriotique bears this out. With these reservations, the declarations for the forced loan can be regarded as precise.

Forced loan of the Year II - 51 parlementaire assessments¹

<u>assesment</u>	<u>income</u>	<u>subject in cordesaux</u>	<u>parlements</u>
Over 100,000 "	Over 104,500 "	6	0
50,000-100,000 "	54,500-104,500 "	9	1
20,000-50,000 "	24,500-54,400 "	59	5
10,000-20,000 "	14,500-24,500 "	104	6
5,000-10,000 "	9,500 "	122	6
1,000-5,000 "	5,500-9,500 "	311	15
500-1,000 "	4,000-5,500 "	340	7
100-500 "	1,000-4,000 "	500	5
50 - 100 "	Under 1,000 "	300	3
1 - 50 "	Under 500 "	374	1
			51

If we look at these three tables together, we see that they have certain things in common. First, in all three there is only a small minority with incomes under about 4,000 " a year, whereas the majority of citizens recorded on the last two rolls had incomes falling below this figure. Most parlementaire incomes per year fell

1. Brouillard, p. 92, 'Bilan de l'emprunt forcé'; p. 41 117.

between 4,000" and 20,000". This put them among the richest few hundred inhabitants of Bordeaux. A few were even in the ranks of the richest of all. At the top was Suige, rich more in terms of the money to which he had access through his mother, than in his own right. After him in 1790 came the first president, who declared by inference an income of about 40,000" a year; and president J.A.M. de Verthamon who declared about 36,000" in 1790 and 44,452" 7s in 1793. In fact the biggest annual incomes usually belonged to presidents. Of the ex-members of the grand banc taxed in 1793, four had less than 20,000", but one of these was Richard, who would have had much more had it not been for extraordinary debt service; and another was J.A.M. Bougeard de Virazel, who was a younger son. The procureur-général Dudon, councillor J.A.M. de Lassalle and the widow of councillor J.B. Dalphonse had over 30,000". They were the richest of the non-presidential parlementaires.

So we see that the parlementaires did not base their pretensions and aspirations to be the leaders of local society on their office alone. In terms of income, they were among the richest inhabitants of Bordeaux. Their chief had an income comparable to any but that of one or two of the greatest aristocrats, as did his most notable colleagues. In this sense the parliament was much more of a local senate than perhaps even its most assiduous flatterers realised, for it did contain representatives of all that was most considerable,

in terms of riches, in Bordeaux. And we must also remember that several thousands should probably be added on to each figure to get an estimate of income nearer to that enjoyed under the old régime.

Compared to the incomes of Parisian parlementaires, these figures do not seem much. 40,000 " a year was not enough to sustain the estate of a président à mortier in Paris,¹ whereas only two or three Bordeaux parlementaires ever had such an income. Similarly, in Paris a councillor needed about 25,000 " to be respectable.² But Parisian incomes had to cover Parisian expenses, which were always higher than those of the provinces. There is no doubt, as Mr. Forster has suggested, that the Bordeaux parlementaires came near the top of the revenue scale in provincial France.³ Other provincial comparisons are hard to come by. Mr. Forster estimates the average annual income of a Toulouse aristocrat at 8,000 " a year,⁴ whereas the average gross landed income of the Bordeaux parlementaires in 1755 was 12,691 "⁵. The Toulousan parlementaires were richer than their aristocratic brothers⁶, so it seems likely that the pattern

1. Bluche, p.150.

2. Bluche, p.234.

3. 'Noble wine producers', p.22.

4. 'Nobility of Toulouse' pp.175-6

5. 'Noble wine producers', p.21.

6. Larboust, p.89.

of income among them was much the same as at Bordeaux. They were probably richer as a group in both places however, than the parlementaires of Dijon, if we are to judge from the rather fragmented evidence that we have on the latter.¹ Thus probably the parlementaires of Bordeaux were among the richest of provincial parlementaires. But far more significant in the last analysis than their place in the magistracy as a whole, is their place in local society, for it was on this that their real power and influence was based. And here we see that, despite the commercial wealth in which they participated so little directly, they can still in general be ranked among the richest of the Bordelais.

* * *

But wealth has two sides. What sort of capital value did such revenues represent? Here we must admit at once that accurate information is much harder to find. It abounds on individual items of fortune, and whenever land was bought or sold, the price at once put a value on it. But such gleanings would be hard to tabulate in any digestible form, and we could never be sure that for any individual all items would be included. Only with inventories after death and partages de famille is such comprehensiveness possible, but these are rare because families preferred to avoid the expense of such legal processes wherever possible. Thus we only get them when there are family disputes, or when a succession is so complicated as to seem incomprehensible. Of course, there are inventories

1. Colombet, ps. 71-2

and estimates of goods confiscated during the Revolution, very detailed, and of incomparable value for information about parlementaire estates. But the estimates of value put on them, though strictly supposed to reflect the values of 1790, were usually made some years after that, and their reliability is dubious. So, in what follows, only those estimates have been used which have been deemed by the historians of the confiscations in the Bordelais as most full and reliable - that is, those for the goods of relatives of émigrés.¹ There follows a list of all the reliable capital values that have come to light, from various sources. Not all are fortunes of parlementaires studied here, but those which are not, are at least those of parents or relatives to whom a parlementaire was the main heir. In any case, they were all parlementaire families.

Gross Capital Value of some Parlementaire Fortunes

<u>name</u>	<u>date</u>	<u>amount</u>
B. de Basterot, cons.	1788	2,528,000 ²
J.C. Daugeard, pres.	1789	2,434,320 ³
L.G. de Brivazac, cons.	1782 contested	1,798,807 ^{or}
		1,925,404 ⁴

1. Marion, Bencezar, & Caudrillier, Biens Nationaux, t.1, introduction.

2. Basterot, Souvenirs d'Enfance, p.13.

3. Marion, Bencezar, &c., t.1, p.176.

4. Factum in A.N., cited above, p.238 n. 1.

<u>name</u>	<u>date</u>	<u>amount</u>
Presidente de Gourgue	1753	1,023,544 " 16s 5d ¹
P.J. Dudon, proc. -gén.	1789 at least	720,360 "2
P. de Ragueneau, cons.	1778	571,258 "3
J.R.H. Daugeard, prés.	1789 at least	460,474 "4
A.A. de Gascq, prés.	1781	430,000 "5
J.B. Maignol, proc.-gen a la Cour des Aides.	1774	401,585 " 8s 7d ⁶
J. de Castelnau, cons.	1774	396,343 " 7s 8d ⁷
J.B. Féger, greffier en ch.	1777	208,869 "19s 7d ⁸
J.B.L. Dufaure de Lajarte, cons.	1781	180,500 "9
L.J. Demons, cons.	1789 at least	149,813 "10
J.B.L. Barret, greffier en ch.	1787 (d. 1781)	135,000 "11
J. de Filhot de Chimbaud, cons.	1789	136,930 " 10s ¹²

1.A.D. 2E 1405 (Titres de famille: Gourgue)

2. Marion, Bencazar, &c., t.1 p.176.

3.A.D. 3E 5.591 (Duprat) 1778 no.539.

4. Marion, Bencazar, &c., ibid.

5. A.M. Fonds Alain d'Anglade, dossier 35.

6. A.D. 2E 1933 (Titres de famille:Maignol) Inventory, 22 avril 1776.

7. A.D. 2E 565 (Titres de famille:Castelnau) Inventory.

8.A.D. 3E 13.262 (Guy, père) Partage du 6 janvier 1777.

9.A.D. 3E 15.491 (Morin) Accord du 9 juin 1781.

10. Marion, Bencazar, &c. t.1 p.177.

11. Partage du 24 juillet 1787 (Morin) A.D. 3E Bx 1 Tableau alphabétique des partages.

12. A.D. 2E 1213 (Titres de famille:Filhot de Chimbaud)

These are only a few examples, and it has not been possible to collect enough reliable information to lengthen the list. However, the rough size of several other fortunes is known or can be guessed at. Saige in 1793 was supposed to be worth ten millions, which seems not incredible.¹ Lelet d'Anclade at the same time was said to be worth four millions.² We cannot doubt that the first president, that president de Richard, that president de Levie, or that president de Verthamon, were all millionaires, perhaps more than once, in terms of capital. Many of the parlementaires with land in the colonies also must have been theoretically at least millionaires, in view of inflated land values there. An unvalued holding in Martinique must thus be added to the total value of the Dudon fortune, listed above, which would probably put it in the millionaire class. Councillors J.N. de Arane, P.J. de Laboyrie, J.N. Leblanc de Beauvezin, F.J. Chaperon de Terrefort, J.B. Balphonse and J.N.B. de Lassalle all probably had more than half a million. So, probably, did the avocat-général J. de Asymond de Lalande, and the chevalier d'honneur P.F. de Brach.³ Perhaps most parlementaire fortunes, however, amounted to between 100,000" and 400,000". This is a wide range, but a meaningful one for all that. Those within it, while they

1. Boscheron des Portes, t.2, p.452.

2. Ibid. p.453

3. These estimates are mostly based on information in Corinon, Gencazar, cc., op.cit.

cannot be considered among the very opulent few, were nevertheless very comfortably endowed. A fortune below 100,000["], provided that it was not too far below, might sustain the state of a single magistrate, but hardly of a married one. A presentable house for a councillor would cost alone from one third to one half of that amount.

In terms of capital, as in terms of income, the parlementaires of Bordeaux did not match those of Paris. In Paris there were more millionaires,¹ though possibly, not so many in proportion to the size of the company. A fortune of 150,000["] to 400,000["] was mediocre,² and anything much below that, inadequate. At Bordeaux, the line of inadequacy could perhaps be set around 80,000["]. This makes Bordeaux rather similar to Toulouse. M. de Larboust has evaluated 64 capital fortunes of Toulousan parlementaires in this period, and finds that about 2/3 of them fall between 100,000["] and 500,000³. He finds ten millionaires, - Bordeaux probably had more, - but only five magistrates with under 100,000["]. Dijon, by contrast, was a poorer parlement; Colombet found no millionaires, and a large proportion with under 100,000^{"4}. It seems that at the end of the old régime, the parlementaires of Toulouse and Bordeaux were probably the richest provincial magistrates in the kingdom, though more studies would be needed to affirm this finally. The

1. Bluche, ps. 150-1

2. Ibid., p.152

3. Loc. Cit. ps. 65-7

4. Colombet, ps. 71-2

difference between the two parlements was that at Toulouse, parlementaires were the richest men in the city; at Bordeaux, there were about 60 armateurs with fortunes over a million¹, and probably many more with hardly less. This made the rich parlementaires altogether more commonplace in their local context, and the poorer ones, quite undistinguished for their wealth. Because of the business world of the port, the high robe of Bordeaux could never enjoy the absolute economic and social predominance which other parlementaires had in their towns. What is striking is the extent to which, despite everything, it overcame these adverse circumstances.

Such capital figures as we have found are of course gross; they take no account of debts, an item in the balance of fortunes which could be considerable. To take only those figures which we have most precisely, and set them against their burdens in debts, is instructive.

Assets against Debts - Four Examples

<u>name</u>	<u>assets</u>	<u>debts</u>	<u>difference</u>
Castelneau	396,343 " 7s 8d	140,947 " 17s 10d	255,396 " 9s 6d
Ragueneau	571,258 "	91,337 " 14s 7d	479,920 " 5s 10d
Féger	208,869 " 19s 7d	33,000 "	175,869 " 19s 7d
Maignol	401,585 " 8s 7d	92,757 " 3s 6d	308,828 " 5s 1d

Most of the parlementaires, in fact, were in debt; though we cannot doubt that the balance was usually, as in the above cases,

1. Joinville, Le Commerce de Bordeaux, p.161.

healthy.

However, from the start we ought to distinguish between two sorts of debt, of very different significance. The heaviest and most common were family debts: dowries and portions to daughters and sons, légitimes to be paid to brothers and sisters, and so on. These were all paid and payable out of patrimonies theoretically at least capable of bearing the burden. Nevertheless this burden could be very heavy and not easily or quickly lightened. On the other hand, family debts were seldom pressing ones. Dowries were paid over long periods and they, except in uncommon circumstances, were the heaviest part of such liabilities. But they were a natural incident of family life, and quite likely to be recompensed by other dowries coming to the family when sons married. This form of debt can therefore be conveniently left aside for consideration later on.¹

However, many parlementaires still had extensive debts. During the Revolution, the creditors of condemned men and declared émigrés, whose goods had been forfeit to the state, were invited to lodge their claims with the bureau des domaines nationaux.² From these claims we can draw up a list of the debts of some parlementaires at the moment of confiscation. Family debts are here excluded.

1. See below, next chapter.

2. Registers in A.B. C1286 - 1300. Drawn up under the law of 9 ventôse, an. II

Some Parlementaire Debts in the Year 11

Basterot, co ncillor.	527,320 " 4s 3d
Laporte-Paulliac, concillor	111,654" 2s 3d
Leblanc de Mauvezin, concillor	111,712 " 10s 4d
Richard, <u>président à mortier</u>	154,923 " 13s 11d
Dussault, concillor	76,333 " 0s 3d
Honsec de Reinac, concillor	41,413 " 12s 10d
Dudon <u>fils, procureur-général.</u>	41,239 " 1s 8d
Casperon de Terrefort, concillor.	90,513 " 4s 8d
Paty du Royet, co ncillor.	65,784 " 18s 9d
Raignac, concillor	18,565" 17s
Pelet d'Anclade, concillor	1,509" 0s 1d
Trunes Duvivier, concillor	74,088" 17s 10d
Rollan , president	37,164" 10s
Meritault, concillor	30,482" 10s 6d
Malande, <u>avocat-général</u>	5,894" 1s.
Filhot, president.	20,000 "
Daugeard, <u>président à mortier</u>	7,652 "7s 6d.
Lamolère, concillor	47,098 "7s 8d
Loyac, concillor	31,130"
Meslon, co ncillor	29,109 "2s 4d
Maurice de Sentout, president.	14,000 "
Dufaure de lajarte, <u>avocat-général</u>	52,000 "
Fauquier, concillor	1,453 "11s 6d
Dumas de Laroque, concillor	20,057 "15s
Dumas de Foubreuge, concillor	1,555 "

In interpreting these figures, some caution must be exercised, Many of the debts in question were of very short standing, and it was already several years since the dissolution of the parlement. Others must have been the result of the peculiar conditions of the Revolution and the war which by this time had broken out, both of which may have deranged the economic arrangements of the ex-parlementaries and forced them into debt. The majority of the debts, though the smallest ones, were owed to small tradesmen who had not been paid when the person in question emigrated or was arrested. But when all is said (and all these reservations tend to the conclusion that the debts listed above probably exceeded those owed by the parlementaires before the Revolution) these debts do not emerge as insuperable. Most totals were under 50,000^{''} and only four were over 100,000^{''}. Most parlementaires could easily cover such sums with the value of their estates. Some could have wiped out their debts with one or two years' income. They were not then in financial straits during the Revolution: therefore it seems all the more unlikely that they were, before it.

Bankruptcies were therefore rare. In the 1760s, however, president de Gasco had come near to it. It seemed that he must realise some capital by setting his office:

'Surtout quand on n'a pas la fortune necessaire qu'un fonds de six mille livres de rente qui porte a faux rend encor plus genee.

1. Bib. U. Cousin, Papiers Micheliu,, t. 38. f.37. Gasco to Micheliu 7 déc. 1765.

For:

'Il faut songer a faire honneur à ses affaires et a vivre honnettement le reste de ses jours. C'est a quoy je ne sais parvenir sans vendre, car l'interet de ce que je dois absorbe le revenu tres incertain de mes fonds, et il ne me reste que la plus valeur qui diminue chaque jour...'¹

And this was the case, even though he had estates which sold in 1785 for over half a million.² His day-to-day financial situation was only saved by a timely bequest and a series of royal pensions.

It was death which saved Jacques Delpy conseiller honoraire and father of councillor J.L.H. Delpy de la Roche. At his death he left an overall deficit of 487,264 " 16s 10d.³ His succession had to be declared bankrupt, and the result was a series of lawsuits. It was the Revolution which saved councillor de Basterot, who heads our list of debtors with debts of over half a million. Early in 1789 he invited all his creditors, and those of his father who had died the previous year, to send in their claims.⁴ Whether he expected them to be overwhelming is impossible to say, but on 24 December 1790 he was bankrupt, and a council of his creditors was established to run his estates until he was discharged.⁵ This was

1. Ibid. f.50, same to same, 3 jan. 1766.

2. Petit & d'Anglade, La Seigneurie de Castres &c, p.36.

3. A.M.factus: open shelves B 6 ff.152-205. Two factums of 1768

4. Bib. Mun. Ex. MS 713 (V) (Fonds Bernadeu, premiere série) 'Tablettes' de Bernadeu, t.1. p.504. 4 février 1789.

5. A.M. Fonds Delpit 23 'Basterot' - 'Registre des Délibérations du Bureau de Direction, nommé par le traité passé entre Mr Bartolomei Basterot et ses créanciers en date du 24 Mars 1790.'

not, it seems, so much the result of bad management on his part, as of inability to call in his own assets. We have seen that he had huge credits in Saint-Domingue from his second wife's dowry,¹ which he found it impossible to secure. His first wife had been Irish, again with a large dowry, which again was difficult to obtain. At length in 1791 Basterot was permitted by his creditors to go to Dublin to institute proceedings against her family for its recovery. He won his case, but did not return to France until the Restoration, when his debts were forgotten.

There seems to have been some element of financial juggling in Basterot's debts. He appears in the 1780s to have tried to raise capital by the selling of rentes viagères, if we are to believe the details furnished by his creditors in the Year II. This was, presumably, to get capital to tide him over while he attempted to extract his dotal arrears, living at the level of his theoretically 'brilliant' fortune.² With him, it did not work. However for the enterprising Saige it was the basis of all his diverse economic activities. For although Saige's father was one of the richest men in Bordeaux, when he died the usufruct of his vast fortune remained, in accordance with the custom of Bordeaux, in the hands of his widow, who lived to over 90 and survived her son. So Saige never disposed freely of his family's vast capital, and not even of his marriage portion of 400,000^{''}, which was only payable after his mother's

1. See above, p. 257.

2. Ibid.

death¹. All that was strictly his, was a pension of 10,000["] a year. How then did he finance all his projects? The answer seems to be, by selling rentes. When his papers were inventoried in 1793, records of no less than 48 rentes viagères were found, all but two of which were still payable. They represented an outlay annually of at least 42,258["], but at the same time an accretion to his disposable capital of well over 300,000². Some of these rentes represented the purchase on a sort of instalment plan of works of art, for Saige was a great dilettante.³ Most however represented interest on simple capital sums. For Saige, rentes viagères provided the capital for his economic 'take off'. His projects in housing, land, trade, and finance brought returns which repaid handsomely his loan-raising policy. His debts approached a million, but his fortune approached ten. Nevertheless, such loan raising could be a dangerous business, and where he succeeded, Basterot failed.

The two were admittedly exceptional, in success on the one hand, and in failure on the other. It is clear that, though most parlementaires had extensive debts, they were in nature inevitable, but in amount not unmanageable. They followed mainly from the composition of the parlementaire fortune. In it, there was a crushing predominance of immobilier over mobilier, or real-estate over movables and cash. At Paris, fortunes were more diversified,⁴ but at Toulouse,

1. A.D. 3E 5.511 (Duprat) No.997 Marriage contract 12 mai 1764.

2. A.D. 91012 Inventory. The figures are minimum; some of the amounts are not given in the inventory.

3. See R. Brouillard, 'Le pillage de l'Hôtel Saige', Rev. Philomat. Ex. (1937-8) ps. 49-64.

4. Bluche, ps. 153-5

the situation was similar.¹ The result was that assets were difficult to realise quickly, and ready cash was short. Hence loans were necessary. If colleagues could not oblige, there was a large community of Jews to rely on. The Gradis, from whom the Prunes brothers borrowed, are one example.² In 1793, president de Richard had 340,000["] worth of debts, of which 102,000["] was owed to Jews.³ The same year, when the widow Rodriguez declared her income, her late husband emerged as the creditor of several parlementaires, five of whom were labelled bad debtors.⁴ Of course there must have been some of these among the parlementaires: like Pelet d'Anglade, who paid by court order in 1791 one debt of nearly 2000["] which had been outstanding since 1768⁵. But this, like most cases, was not out of inability to pay, so much as a certain fecklessness towards creditors. Parlementaire debts, in short, were not the result of inability to manage affairs, nor were they usually overwhelming. They were part of the normal financial structure of society, and an indication, if of anything, that money was safely invested in the most reliable and solid of all propositions - real estate. Certainly, it was this which represented the greatest capital in fortunes, and was the source of most income.

1. Larboust, p.92.

2. See above, p.255-6

3. A.N. W400 (927) Tribunal Révolutionnaire. Forced loan declaration

4. A.M. Fonds Révolutionnaire G 16 f.43 Forced loan declaration

5. A.D. 2E 221(Titres de famille: Pelet d'Anglade)

15 - Marriage and the Transmission of Property

The central act in the life of the magistrate, as a man of property, was his marriage contract. In combination with his father's contract, and will if he left one, it regulated his share in the family succession. It also laid down, in greater or less detail, how he was to transmit his share to his own children, to be born of the marriage. He might supplement it later in life with a will, but from the moment of marriage the unborn children acquired certain minimum rights on his estate which could not be abrogated. Thus the contract of marriage, while it tied the individual's hands somewhat over the disposal of his property, guaranteed it to the family as a whole; and in the last analysis, property was the key to a family's social position and that of its members.

The fundamental act regulating successions, then, was not the will. All men of property who married had contracts, but many did not make wills. Partly this must have been owing to a reluctance to face the unpleasant prospect of death before it seemed necessary. Most of the wills that have come to light seem to have been made on the deathbed, and those who died suddenly did not even have this opportunity. Also, for the present purpose the number of possible wills restricts itself to the number of deaths occurring between 1775 and 1790, which is not the case with marriage contracts. So, against

81 marriage contracts, we have only 14 wills, though 36 parlementaires died during this period. However, the fundamental reason for the paucity of wills remains the relative unimportance of the will in successions.

Successions were regulated in the Bordelais before the Revolution by the custom of Bordeaux, certain royal ordonnances, and, in the rare instances where the custom and the ordonnances were both silent, by Roman Law. Nearly all parlementaires married under the custom, on which their own court was the supreme authority. Only three of their contracts admitted the custom of Paris, the most widespread in the kingdom, and two of these were actually signed in Paris. The custom of Bordeaux classed marriage as a société d'acquêts - that is, an arrangement whereby all goods acquired during the marriage were held equally and in common, and entailed upon the children to be born of the marriage, if any.¹ All our contracts except one stipulated such a société, and the exception specifically renounced it.² Nevertheless marriage as a legal contract was subject to a régime dotal, by which extensive rights were assured to the partners

1. See E. Audubert, Le Régime Dotal d'après la Coutume et la Juris-prudence du Parlement de Bordeaux (These Droit, Paris 1918) ch.1.

2. A.D. 2E 2325 (Titres de famille:Poissac) Contract Poissac/Dupuy 6 sept. 1769.

over their personal goods acquired outside the marriage. Most important of all in this respect, the dowry of the wife was adjudged inalienable; treated, whatever its form, as real estate; and guaranteed by the husband on all his goods. If the husband predeceased the wife, she had the usufruct of all his goods until she had assured herself the complete repayment of her dowry; this was known as the droit de rétention.¹ The custom of the Bordeaux, in fact, went to extreme lengths to protect the wife in the event of the husband's premature death. She was assured her bagues et joyaux - her jewels, everyday clothes and mourning attire. Some agencement or gain de nocces was nearly always stipulated; this was a lump sum accruing to the surviving partner on the death of the other. All this was, however, entailed upon the children. Finally, contracts sometimes (though by no means always) stipulated a douaire, usually an annual payment for life to a widow out of her husband's estate. All these things represented cas dotaux, so all were subject to the droit de rétention. Add to this the right of the wife, if widowed, to the usufruct of the totality of the acquêts of the marriage, and we see that a widow had a complete stanglehold on the goods of the family into which she had married, and it was usually impossible for her children to touch more than a

1. Audubert, op. cit., p.56; and article 52 of the custom of Bordeaux in Lamoignon, Coûtumes du Ressort du Parlement de Guienne, t.1, ps. 309 - 313.

proportion of them until after her death. The most spectacular example of this, already mentioned, is that of *Enige* and his nonagenarian mother.¹

At the drawing up of the contract, both parties were endowed by their parents, or their representatives. If they were over 25, they sometimes endowed themselves, especially if their parents were dead. The apports (goods brought to the marriage) of women were all considered dotal, unless, as sometimes happened, a certain proportion of them were set specifically aside as paraphernal.² Generally the value of their dowries was specifically stated in cash, if only to take the fullest advantage of the legal protection they were entitled to. The following is the statistic:

<u>Dowries of 81 parlementaire wives</u> ³	
Unascertainable	20
Under 20,000"	0
Under 30,000"	1
Under 40,000"	3

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1. See above, p. 287.
 2. e.g. the Foissac/Dupuy contract, cited on p.291, where the wife reserved all such goods. Partial reservations were made in the contracts Dumas de Laroque/Caila, A.D. 38 24,996 (Arun) 1 sept. 1779; Lalande/Valesse, A.D. 38 21,716 (Maugan) 13 mars 1782; Bienassis/Jacquet; A.D. 38 21,579 (Barbarie) 18 nov. 1769; Sarthe/Reluxe, A.D. 38 12,152 (Treysac) 11 sept. 1747.
 3. It would be interesting and useful to compare these figures with those of Cordelais society as a whole, to set them in context. Unfortunately, the one attempt that has been made at an overall survey, H. Dravasa, 'Les classes sociales au XVIIIe siècle à Bordeaux d'après les contrats de mariage', Revue juridique et économique du Sud-Ouest - série économique, (1963) No. 4 ps. 961-1012, is totally inadequate in samples, methods, and definitions. The future thesis of P. J. L. Poussou should be far more reliable.

40,000"-60,000"	8
60,000"-80,000"	14
80,000"-100,000"	11
100,000"-125,000"	13
125,000"-150,000"	1
150,000"-175,000"	4
175,000"-200,000"	1
200,000"-400,000"	5
	<u>81</u>

The majority, as we see, fell between 40,000" and 125,000". If we put such figures beside those that we have for the wealth of parlementaires, recalling that most fortunes seem to have ranged between 100,000" and 400,000"¹, we see what a heavy burden the total claims of a widow might impose on a family estate. However, her dowry was not all that she could claim. As a widow she was entitled to her agencement, and only five contracts out of 81 were without provision for one. In 50 cases it amounted to 6,000", and in 19 cases to more, though never more than 12,000" in contracts signed in Bordeaux. As a general rule, the bigger the dowry, the bigger the agencement. Moreover, husbands usually added at the time of marriage a lump sum, equivalent in value to the agencement, to their wife's bagues et joyaux, though these ornaments themselves were seldom assessed. Finally, in 48 out of 81 cases, there was a douaire to pay the widow annually, though it was only over 2,000" p.a. in 10 cases.

1. See above, p. 279.

Occasionally women, especially if they were without brothers, were merely named their parents' heirs, and no cash value was set upon their expectations. With men, this happened in the majority of cases. Most parlementaires were eldest sons,¹ and the most popular way among parents of endowing them was either to give them the expectation of a fixed proportion of their goods, or to make them their general heirs, that is to say, heirs to all that was not specifically or automatically left to others, known as the particular heirs. This happened in 50% of the cases, and it is impossible to set a value on the man's apports in them. In 24 cases there is not so much as a mention of apports on the man's side, though we cannot doubt that there were some. However, there was no means, except by an arbitrary estimate, of assessing the value of a man's expectations until they actually came into his hands, after the deduction of his brothers' and sisters' portions, on the death of his parents. Nearly all male endowments were for the future, even those on which a sum was set. They represented in fact a sort of entail, as is shown by the fact that in certain cases parents reserved to themselves free disposal of goods up to a specified amount, as well as the life usufruct of the whole donation. However, there are only four cases of the long entail (substitution) by which specific properties were

1. See above, p. 50.

assigned in advance over several generations to specific future persons. Such male portions as were clearly defined in cash terms were usually the large ones. The largest was that of councillor F.J. Chaperon de Terrefort, at 450,000¹. Close behind came those of the Pelet brothers², and Saige, all at 400,000³. Most of the others were between 100,000" and 200,000".

In addition is the constitutions received by both sides, young couples usually went to lodge with the parents of one or the other for the first years of married life, and the parents usually assured them a small pension, of a few thousand livres, for their expenses. All this was usually spelt out in the contract, and provisions were always made for raising the value of the pension if or when the couple chose to leave or set up house on their own. Such arrangements were inevitable, since constitutions were hardly ever paid over at once, entirely. Usually a small portion was paid in cash, and often not to the new husband, but to his father. Periods were agreed in the contract for the payment of the rest, and only in a minority of cases was full payment envisaged before the death of the parents. This was

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1. A.D. 3E 17,577 (Perrens) 10 mai 1764. (1st marriage)
 2. A.D. 3E 24,864 (Despiet) 7 juin 1741 (J.J.Pelet); A.D. 3E 24,385 (Faugas) 14 mars 1754 (J. Pelet d'Anglade)
 3. A.D. 3E 5,551 (Duprat; initially sous seing privé, No. 997. 12 mai 1764, deposited 19 décembre 1764.

the origin of the most important sort of debt under which parlementaires laboured.¹ Circumstances made such debts practically inevitable. Marriage constitutions represented the apportionment of a total heredity, and as we have seen, parlementaire property was in real estate, not cash or movables. Only with a guarantee of maintenance for life, and only usually at the charge of paying all debts, did parents sign all their property away to their children within their lifetime;² only, in fact, when circumstances were exceptional. In the case of daughters, the normal practice was to give some of the dowry in cash on account, at once or over a long specified period, and promise the real estate at death. Interest on the value of the expectation would be paid annually to the husband. Sometimes lodging and a pension were deemed interest. It was only in the richer marriages that daughters were given the usufruct of the real-estate portion of their dowry, when that real estate did not represent the total of the parents' immobilier. In the case of sons, the resignation of the usufruct of some real estate, along with the office they occupied in the parlement (usually bought by the father in the first instance) was more common; husbands in public office

1. See too above, p. 282.

2. e.g. the case of the father of H. de Basterot. Contract in A.D. 36 21.715 (Rauzon) 30 oct. 1781 (2nd marriage).

needed some estate to sustain themselves and their position, for we must remember that owing to the fairly late age of marriage and the early age of entry into the parliament, most were already in office when they married.¹ Nevertheless even here parents retained life usufruct of most of their sons' portions. The result of all this was that marriage portions, on both sides were seldom paid off in the lifetime of the parents, and couples were normally well advanced in years before they enjoyed the full rights assured them by their contract of marriage.

Each parent endowed their child separately. Contracts setting a value on portions normally stipulated how much came from the father and how much from the mother. In most, though not all cases, the father's contribution was larger. Similarly, when only mere proportions of goods were stipulated, those of the father and the mother were stated separately, and were often not the same. Marriage contracts often proved the occasion for childless relatives, maiden aunts, or those in religion, to dispose of their own property in favour of young nephews, nieces, or cousins. For example, P.L.de Raymond, a native of Saint-Domingue, owed all his property in the Bordelais to the dispositions of an aunt at the time of his

1. See next page.

marriage.¹ J. de Raymond de Lalonde received 150,000 from his uncle alone, not to mention his parents's hereditary.²

Such dispositions could be the source of great confusion when the moment of succession came. Things became even more complicated, and strict accounting even more necessary, when there were second marriages. These, especially when the first wife died young, were quite common. Sixteen at least of the magistrates were married twice in their lives. The second time, they were often far from young, but then, parlementaires were sometimes quite old by modern standards when they married for the first time. Only one was under 20. 35 were in their 20s, 47 were in their 30s, and 10 were over 40. Wives tended to be a good deal younger, though it is impossible to draw up any abundant statistics about them. Probably few were as young as the bride of councillor P.L. de Raymond, who was only 12½, and who bore a child at 14.³ Nevertheless most first wives who lived locally seem to have been under 20 at the time of marriage, so that a large disparity in age between spouses must have been quite common. Raymond was thus 12 or 13 years older than his wife. Councillor L.J. Demons, who took a Vertmamon daughter for his second wife, was 21 years older

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1. Etude de Me. Jondrau. Bordeaux. (Chalu) 7 février 1783.
 2. A.N. 3E 21.716 (Rauzan) 13 avril 1782.
 3. Lamontaigne, Chronique, 1783. p.137.

than her.¹

They seldom married for love. Marriage was primarily a business arrangement, designed to perpetuate the family and maintain or increase the level of its fortune. As a result of the prevailing law of inheritance, to guarantee the rights of children in the father's succession was, ultimately, to guarantee the decimation of the family property. What prevented this was dowries: in each generation new property entered the family through marriages, and the effect was to prevent or at least retard the steady diminution of the eldest son's portion from generation to generation. The choice of a wife was therefore mainly important for the family fortune; though equally, the choice of a wife could affect or determine one's social position in the eyes of others. Nevertheless the system did not lead to an inordinate number of unhappy or unfortunate marriages, for they were not embarked upon lightly.

'Independamment de ce que le public en pensera...' wrote Dumas de Fonbrauge to his sister-in-law, 'observez tes démarches dans une affaire qui, une fois consommée, sera sans retour. méfies toi de l'Impatience que te donne le séjour du Couvent.'² Il arrive trop souvent que ce motif prépare des repentirs...

1. Ibid. 1770, p. 126.

2. A.D. 8) 480 (Fonds Ligot) Dumas to Mlle. Rodet-Dubrois, 23 juillet 1770.

Long negotiations, and not always successful ones, were needed before the contract would be signed. Often they broke down.

'J'avois été très affligé, Monsieur, 'wrote the maréchal de Richelieu to councillor J. M. Dalmonse, 'lorsque j'avois vu échouer la négociation du mariage de Mademoiselle votre fille avec son cousin, toute les apparences, et convenances paroissant convenir au succès de cest événement'

Of course there were some later breakdowns. In 1767 the younger Dudon, procureur-général, and his wife separated.² She had only been 15 when they married, and even at that age, had shown some spirit.³ He was a libertine, and they hated each other. Nor was he the only libertine among the parlementaires. Of councillor de Richon's three children, two were illegitimate, though at least he married their mother eventually. The younger Le Berthon also had an equivocal reputation.⁴ Councillor M. de Louézie in 1782 was involved in a scandal with a prostitute so remarkable that the story even reached Paris.⁵ Councillor de Basterot had an illegitimate daughter after the death of his first wife, in the late 1770s.⁶ Most famous of all

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1. Letter of 11 janvier 1771. Printed in Arch. Hist. D. Gironde t.26 (1888-9) No.LVI p.213.
 2. Bib. Mun. Bx. Ms 713 (Série 1) (V) Tablettes de Bernadou, t.1, p.128 29 décembre 1767.
 3. Bib. Mun. Bx. MS 1201 (Correspondence Dupressy) boîte 5. 25 avril 1776
 4. Ibid. MS 713, Tablettes de Bernadou, p.272, 4 mai 1767.
 5. Machaumont, t.20, p.153. 3 avril 1782.
 6. Basterot, Souvenirs d'Enfance, p.18

perhaps for his incontinence was president de Gasco. It was no coincidence that he was the close friend of Richelieu, perhaps the most famous of all 18th century French rakes. He was reputed to be the father of A.N.Valdec de Lessart, who subsequently became the collaborator of Necker and a minister under the Revolution.¹ The concern which he showed over the latter's career in his letters to Richelieu makes the rumour seem all the more probable. However Gasco, like several of the other loose-living magistrates, was a bachelor, and so betrayed no marriage. What he and they did betray was the tradition that magistrates should set a moral example to the society of which they were judges. There probably never had been a time when every single magistrate could have been expected to live up to this tradition, but there probably never had been a time when it was easier not to, than the 18th century.

It was not so easy for wives to lead an abandoned life. Nevertheless Bernadou implies that the younger Duden's wife was as immoral as her husband was, though until they separated they tried to keep up appearances.² When in 1778 councillor P.H.Dumas de Laroque had his second wife locked up as mad, she had such a reputation as

1. See biographical footnote, above, p.235.
 2. Bib. Mun. Bx. Tablettes, t.1. p.128.

to suggest that it was for other reasons.¹ It was also suggested that the beautiful wife of councillor J. Tailorier (who later married the famous Duval d'Aprémesnil) bought him his office in the parlement by selling her favours.² However, all these cases must be colourful exceptions to a rule of uneventful, faithful, married life among the parlementaires, devoted to bringing up children to prolong the life of the family.

How big were parlementaire families? This is a subject in which it is hard to be accurate, because it is impossible in many cases to be sure that exhaustive evidence has been found. Records of children who died young, and who therefore neither married nor participated in their parents' succession, are particularly elusive. Nevertheless it has been possible to put together fairly reliable figures for 94 marriages. At least 13 more were childless. However the complications do not end here. Because of the Revolution, many magistrates never had the opportunity to live out a normal life span. We cannot tell how many of these young married parlementaires who were executed, or who fled during the Revolution, might have had children in other circumstances, or might merely have had more.

1. Ibid. p. 166.

2. Chamfort, Maximes, Pensées, & Anecdotes (Editions 10:18, Paris 1963) p. 162-3.

It is wiser, therefore, in searching for names about parlementaire families, to confine enquiries to older magistrates, those who were no longer alive or who were fifty or over in 1790; it seems reasonable to assume that most of these had had such children as they were going to have by 1790, either because they were past passion or were dead. This leaves a sample of 65, of whom 7 were childless. The full list is as follows.

Children of 65 parlementaire families

<u>Number of children</u>	<u>Number of families</u>
10	0
9	2
8	3
7	3
6	2
5	8
4	12
3	11
2	5
1	10
0	<u>7</u>
	65

From this it emerges, that the average parlementaire who married had four children. It is impossible to say if this is more or less than the average for the earlier part of the century. But among the nobility of Toulouse, whose average family in the decades 1760-90 has been estimated at 3.33 children, the size decreased over the century;¹ it would not be surprising if it had done so at Bordeaux

1. Forster, Nobility of Toulouse, pp. 129-30.

as well.

Not all survived. Still births, sickly children, or deaths from disease at tender ages were not uncommon; as a result they were looked upon with a lightness which seems at first surprising.

'Nous avons appris,' councillor Buroy wrote to his friend Lamontaigne, ' que M et mde de Basterot venoient de perdre le seul garcon qu'ils eussent: c'est un mal qui n'est pas, pour eux, sans remède...'

Much worse was for the wife to die in childbirth, as did the first wives of both Pichard and Basterot. Nevertheless when all hazards and exceptional circumstances had been taken into account, a normal parlementaire family could expect to have three or four children to provide for and, ultimately, to perpetuate itself. Depending on what sex they were, whether they married or not, and whom they married, the succession settlement would be more, or less complicated.

The law of succession in the Bordelais was the Roman Law one of inexorable division.² If there were four or less children, one third of the parental goods had to be divided equally between them.

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1. Bib. Mun. Ex. MS 1696 (2) (Fonds Lamontaigne) No. 48 Buroy to Lamontaigne, 30 janvier 1755.
 2. Lamoignon, Coutumes, t.1 p.345; Denisart, Collection de Décisions Nouvelles, t.3, ps. 96-7.

If there were five or more children, the divisible proportion rose to a half. The portion owing from such a division was known as the légitime. As to the rest of their goods, parents were free to dispose of them as they liked. The children had no automatic advantage in theory. In practice, marriage contracts entailed most property upon the children, and usually the eldest child, by creating him or her the general heir. There was no alternative if the property, which was the basis of a family's social position, was to be maintained.

We have noted the rarity of wills. We may go on to wonder why they were made at all if the marriage contracts of children disposed so effectively of family property. There were circumstances which marriage contracts could not cover, however. Wills usually gave directions for the funeral, for masses, pious works, and aias in memory. They usually stipulated also small bequests in lump sums or annuities to household servants. None of these things were in place in marriage contracts. When men did not marry, or had no children for some other reason, a will also assumed a new importance in the transmission of property. Perhaps most important was the fact that sometimes there were unmarried children to deal with. If no will was made, the law took care of them automatically by assigning them légitimes. But frequently parents wished to augment légitimes. The most detailed wills were those made when children were below marriageable age, for they laid down different arrangements according

to whether they subsequently married or not. Finally, a will was sometimes used to impose on certain properties a longer and more specific entail, (substitution) than was provided for by the marriage contract. Wills, in short, were a vehicle for refining the broad principles of the law to suit specific cases, but they could not alter these broad principles. The most a testator could threaten in the event of his or her will being contested, was the automatic reduction of the dissatisfied legatee to his or her 'légitime telle que de droit'.

After the signing of the marriage contract, therefore, the most crucial moment in the transferring of a family's property from one generation to the next, was the death of the last surviving parent. Then it was that a generation's accounts were settled, and some sort of inventory was usually made. It was a very complex process.

A useful example is that of the Maignol family.¹ Jean-Baptiste Maignol, (1694-1774) procurateur-général of the cour des aides, married Rose David. She died in 1754, but not before she had borne him four children - Etienne, Alexis-Etienne, René, and André. The first two became councillors at the parlement, and the second of them died in

1. A.D.2E 1935 (Titres de famille: Maignol) contains the inventory after death.

1772.¹ The father did not die until 1774, and when he did an inventory of his goods was drawn up. It took two years to complete, and was divided into several different categories to facilitate the final division of property.

First, the total estate at the time of the father's death had to be assessed; then the total of the acquêts of his marriage at the time of his wife's death. These were set against the debts of their society, and found to be outbalanced by them, though this was only a retrospective device. By the eldest son's marriage contract of 8 September 1753,² $\frac{1}{3}$ of the goods of both parents were entailed upon him, and these too had to be separately inventoried, in their 1753 state, burdens and all, so that this third could be apportioned. It emerged that he was entitled to 52,121" 10s. 3d on the maternal side, and 54,593" 7s 9d on the paternal. But this was not all: next, the extant goods of the father at the marriage of his second son, on 14 August 1757, had to be estimated. By this contract he had been left a quarter, which came to 40,945" 0s 10d. In addition his mother left him $\frac{1}{3}$ of the $\frac{2}{3}$ of her goods not left to his elder brother. However, he predeceased his father, so these portions went straight

1. Details from O'Neilvy, Mobilitaire de Guienne, t.1, pp.45-7
2. A.D. 30 15, 180 (Treyssac) 1753, No.1112.

to be divided on similar principles between his two surviving children, one of whom subsequently joined the parlement. The two younger brothers simply received their légitimes in paternal goods, and each of the undisposed $\frac{2}{3}$ of their maternal goods. And so the estate was split up. The father left 401,585¹ 8s 7d in all; the eldest son, the embodiment of the family's tradition, was left after the division with 155,176² 18s, and the others with far less; such was the effect of a law of division. Was, then, the Maignol family fated to decline as its fortune was diminished? Not necessarily, for the new head of the family had married Françoise Foucques who, as the daughter of a rich merchant, must have brought him a substantial dowry.¹ In this way, with properties in a constant flux, families maintained their position in the teeth of the law. Only childlessness was a total disaster - and it was in fact this which spelt the end for this senior branch of the Maignol family.

Of course childless marriages posed totally different problems. They could mean the extinction of a family name, or the passing of seniority to a collateral branch. In such cases, there was still a légitime of the obligatory third, which went to the nearest relatives,² but $\frac{2}{3}$ of goods were disposable at will. J.M. de Montolier de Crissac owed his whole fortune, including his office in the parlement, to

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1. No details are given, however, in their marriage contract.
 2. Lamoignon, Coutumes, t.1, p.547.

his distant cousin, councillor P.de Montolier de Griseac, whose marriage had only borne one daughter who died young.¹ The reign of Louis XVI saw the extinction of the Hagueneaus. Councillor P.de Hagueneau, who died in 1778, married but childless, had himself been heir to $\frac{2}{3}$ of the goods of his brother, councillor Jean-Joseph de Hagueneau, who died in 1771, also married but childless.² The family goods were divided, according to Pierre's will, among his wife's family, of which the chevalier d'honneur P.F.de Brach was head, and the families of his cousins, Desnanots, Duden, and Guyonnet, all parlementaire families.³ Hardly less unfortunate were marriages which only bore daughters. With these, unless they were able to marry relatives, extinction of the family name was automatic. So, late in the 18th century, the Verthamon family absorbed the Caupos, the Leliande the Dalesme, the Le Berthon the Pontac, all through marriages. J.F.A.M.de Lacolonie, the last doyen of the parlement, had four daughters. The eldest, whom he constituted in

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1. Lamontaigne, Chronique, ps. 127-8, Nov. 1770; Will in A.D. 38 5.562 (Duprat) Sealed 15 juin 1770, opened 18 nov. 1770.
 2. Will of Jean-Joseph in A.D. 38 24.268 (Lavau) Sealed 27 mai 1762, opened 12 dec. 1771; Pierre's in A.D. 38 21.290 (Petit, notary at Vayres) Sealed 3 Jan, 1772, opened 6 mars 1778.
 3. A.D. 38 5.591 (Duprat) 1778 No.593. Partage de famille.

at law (especially the dotal ones) were more sacrosanct, and in amount were usually bigger than the others. Parlementaire families were very litigious, and their biggest cases were always over dowries and légitimes. Throughout the 1780s the granddaughter of councillor L.G.de Brivazac was suing her uncle, councillor J.B.G.de Brivazac, over his assessment of the estate of the deceased magistrate, and consequently the amount of her portion.¹ The same family was still engaged, in 1791, in a case with the family of Loville which had begun over a legacy in 1731.² In 1788 the two parlementaire families of Baritault and Domenge settled out of court by a payment of 100,000³ from the former to the latter, a case over a 17th century dowry payment which had been going on since 1710.³ Such cases were complicated even further when there had been two marriages. After the father of the Pelet brothers eloped with and married his housekeeper in 1760, his sons sued him and obtained a division of all his goods as they were at the death of his first wife, their mother.⁴ Similarly in 1775-77 president de Lavie's two half-sisters, daughters of his father's first marriage, sued him over alleged sharp-practice with

1. Factum in A.N., cited above, p.238.

2. A.D. 2E 450 (Titres de famille:Brivazac).

3. A.D. 2E 147 (Titres de famille:Baritault).

4. Cavignac, Jean Pellet, t.2, ps.319-325.

respect to their father's will.¹ We have seen, also, that part of councillor de Basterot's trouble, which led him down the road to bankruptcy, was his difficulty in obtaining payment of the large dowries of his two wives.²

None of this litigious passion should surprise us. The exacting of every penny to which one was entitled was a matter of the first importance to everyone. For younger brothers, légitimes alone stood between them and poverty. For heads of families, faced with the inevitability of a division in their wealth, the assurance of dowries, past, present, or future, was important to repair the loss and thus keep up the family's position. Above all, the general heir, the continuer of the family's tradition, must be well endowed. Normally, though not necessarily, the eldest son, he would get the main fiefs and estates, and of course the family office. One function of wills was to stress this last provision especially. Pierre Lajaunye, doyen of the cour des aides, revoked all his childrens' legacies except légitimes, if the costs of succession seemed likely to impoverish his son Antoine, councillor at the parlement:

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1. A.N. factums: B $\frac{6}{15}$ ff. 292-345. Also Bib. Mun. Ex. MS 1201 (Correspondence Duplessy) boîte 4. 2 avril 1775.
 2. See above, pp. 251 and 286.

'attendu qu'en ce dernier Cas il ne seroit impossible de Leur donner au dela de Leurs Legitimes, Sans Réduire La fortune qu'il Est Necessaire que Je Laisse à mon héritier... pour le mettre a meme de Soutenir avec décence La dignite de sa charge qui Est faite pour honorer la famille...'¹

For councillor Montalier de Grissac, one object of leaving his fortune to his young relation was to equip him to enter the parliament.² President J.E. de Bienassis begged his wife to procure for his son 'mon état au un état équivalent au mien'.³ Councillor L.G. de Brivazac entailed his fief of Lassale upon his heirs who should take the robe.⁴ Finally there was councillor J.F.X. de Filhot, whose will has already been cited,⁵ who wished his younger as well as his elder son to enter the parlement and actually stipulated a larger legacy if he did so. For among the parlementaires wealth and office were complementary. The first led to the second, the second dignified the first. And in a society where the physical manifestation of a family's wealth was, out of the nature of the law, constantly changing, representation in the parlement provided a visible focus of stability.

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1. A.D. 3E 24,455 (Troupenat) Sealed 22 fev. 1786; opened 21 jan 1789.
 2. Will, loc.cit.sup., p.205n.
 3. A.D. 3E 26,622 (Banchereau) Sealed 2 juil. 1789; opened by me, 7 sep. 1965.
 4. A.D. 3E 13,066 (Cheyron) Codicil of 31 dec. 1777.
 5. See above, p. 52.

16 - Style and Scale of Life

Parlementaires were mainly city men who lived off the country. This was the basic fact in their pattern of life. The city was their social and professional centre; the country was the storehouse of their fortune. They had to divide their time between the two. The strict calendar of the judicial year did not allow this to be done satisfactorily. It did not leave enough time for the country; and so in fact the rentree of Martinmas was usually ignored except for form's sake, and the vacation begun early in September normally lasted until Epiphany.¹ A good third of the year at least was spent, therefore, out of town. If money was short owing to unfavourable circumstances in the wine trade, they might spend even longer away:

'J'ay été excessivement surprise' wrote Tourny in 1744, pleading against increased taxation for parlementaires, 'de l'air mal aisé que j'ay vu cet hiver dans Bordeaux à tout ce qui n'est point commercant, et cela en un temps ou le gout du plaisir a coutume de deguiser le mauvais état de la fortune.

L'Opera quoique nouvellement établi et assez bon, a presque toujours été desert; point de jeux, point de bals, point d'ass-emblées. point de soupers...'²

Most people, he said, stayed in the country until well into January. However, it remains true that normally most of the year was spent in the city.

1. See above, p. 102-3

2. A.D. C3214. Quoted in A. Nicolai, Au bon vieux temps, p. 3. Tourny to Orry, 27 mars 1744.

Most parlementaires lived in town on an extremely comfortable scale. Life centred around the hôtel, the family residence. We have already had occasion to review the most spectacular of these.¹ Some of the newer ones were designed by one of the first architects of the day, Victor Louis. Others, no less tasteful, were the work of distinguished local men like Laclotte and Lhôte. New parlementaire hôtels might sometimes have been equalled, but they seldom were outshone, by those merchants. Their houses were a visible symbol of their social pre-eminence.

There were several patterns for hôtels. Oldest was that of the building around three sides of a courtyard, the fourth side consisting of a screen with a gate. The 17th century hôtel de Paty, rue du Loup (1634-43), was an old example of this type, as was the 17th century hôtel de Rasac, rue du Mirail. The hotel Le Berthon (1741-7) in the same street, was an 18th century example, as was the hôtel de Latresne, (1766) rue Judaique. The hôtel de Lalande (1779), rue Bouffard, elaborated on this theme by extending the screen to form a broad U-shaped courtyard. In all cases, the screen was penetrated by an impressive porte cochère. In the 18th century however, other patterns also became popular. Houses like the hôtel Saige (1775-79), Fosses du Chapeau rouge, the hôtel de Lamolère (1777-80) rue Esprit des Lois, or the hôtel de Castelnau (after 1780) rue Judaique Saint Seurin, enclosed their courtyards completely, at

1. See above, ps. 242-5

least to outward view, and the porte cochère merely dominated the ground floor approach.

The interiors were well endowed with rooms.¹ All had large dining rooms and most had libraries. Most also had at least one large salon. Such rooms were seldom on the ground floor, which was usually given over to kitchens, storage space, and servants' quarters. The head of the household's bedroom would usually be on the first floor. The second floor, if there was one, was usually given over to bedrooms for children and domestics. In addition there would be attics and store rooms, cellars, and sometimes coach-houses. Saige, in his huge house, even had a private art gallery, though this was an exceptional feature.² In short, parlementaires lived spaciously. Sometimes their houses were so ample in size that they leased parts of them off, as did Saige and Gobineau.³

The corollary of space was servants. All parlementaires without exception kept servants. The capitation roll of 1767, the fullest and most accurate found, enumerates 368 servants on whom parlement-aïres were paying tax, an average of between three and

1. What follows is the result of soundings made in A.D. series Q (Revolutionary inventories of Biens nationaux): Q 902 (Basterot) Q 908 (Cazeaux) Q 914 (Fonbrauge) Q 915 (Dussault) Q 916 (Fauquier, Filhot) Q 925 (Lamolère) Q 926 (Lassime, Laroze) Q 928 (Loyac) Q 930 (Meslon) Q 932 (Paty) Q 934 (Pichard) Q 936 (Reignac, Ruat).
2. Brouillard, 'Le Pillage de l'Hotel Saige,' p.62.
3. See above, p. 241

four each.¹ Of these, 98 were employed by presidents and chevaliers d'honneur, and 140 by the councillors of the grand'chambre.

According to the same roll, the full complement of the cour des aides only employed 81 servants altogether. Moreover there is reason to believe that the rolls underestimated the number; there are, for instance, far too few cooks enumerated for the number to be credible. The biggest household was that of the first president who paid 54" a year for 8 servants. By 1775 his assessment had gone up to 69"², so we may assume that his domestic staff increased.

In 1767 the procureur-général also employed eight servants, but but their functions were less specialised, so he paid less. His household too had grown by 1775. On the eve of his execution in 1793 the ex-avocat-général Saige was employing 12 domestics.³

Mostly these servants were cooks, valets and hommes de chambre, and above all, valets de chambre. Only presidents and richer councillors employed porters, coachmen, or other special servants. In this respect as in many others those with colonial links introduced an exotic note; four parlementaires had negro slaves serving them in France.⁴ Finally, not included on the rolls of the capitation domestique, were secretaries, employed by most of the presidents

1. A.D. C 2781

2. A.D. C 2696

3. Brouillard, loc. cit., p.50.

4. A.D. C238, C3669, C4457. The magistrates in question were presidents Daugeard and Maurice de Bentout, and councillors Prunes and Lamolère.

and the parquet. Councillor J.S.de Laroze had one, too, but in his capacity as lieutenant-général of the sénéchaussée. The most famous of such secretaries, viewed in retrospect, was Vergniaud, who was employed in the early 1780s by Dupaty. At the end of the old regime the secretaries of the first president and the procureur-général had the reputation of influential and corrupt manipulators, a fact not neglected by anti-parlementaire pamphleteers in 1789.¹ It seems at any rate clear that they were extremely important, more important than we can easily estimate, to their employers.

The magistrates' large, well-staffed houses, were equally impressively furnished, as revolutionary and other inventories reveal. They were furnished in expensive woods like walnut, cherry, and mahogany. Upholstery of chairs, ottomans and bergères was invariably in silk or satin; crimson, yellow, and green, often embroidered with flowers, were the favourite colours. Beds too were usually sumptuously decked. All dining rooms had large dining tables, for anything between eight and twenty diners, and each had a large ceramic stove to serve as a hotplate. As wall-decoration, tapestries and mirrors seem to have been preferred to pictures; nevertheless many did have pictures, and above all sets of small framed prints. Some had whole sets of family portraits. Le Berthon, Dudon, J.C. Daugeard and J.S.de Laroze are all known to

1. Bib. Mun. Bx. Ms 713 (serie 2) Spicilege de Bernadau, t.39. Les Parlemens à tous les diables (non., but according to Bernadau by the avocat Marie de Saint-Georges), annotated by Bernadau.

have had their portraits painted under Louis XVI, three of them by the Fleming Lonsing, who spent several years in Bordeaux.¹ Saige was reputed to have several Vernets,² and he and several other parlementaires had copies of great works of painting and sculpture; J.M. Dussault for instance had what passed for a Raphael.³ Figurines in biscuit de Sevres were also common as ornaments. Most houses in addition had at least one highly valued clock.

The magistrates were also equipped lavishly with the necessities of everyday life. They kept truly prodigious amounts of linen. They had an enormous amount of crockery, and often, like the merchants described by Arthur Young, were in a position to dine off plate. The Brivanac silverware was estimated in the 1780s to be worth between 21,000" and 25,000".⁴ That of the Castelnau family in 1774 was worth 6900".⁵ The Gourgue brothers divided the silverware of their family between them in 1753, and estimated its value to be nearly 17,000".⁶ The Saige plate was famous throughout the town.⁷ Such sums equalled the entire value

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1. See Meandre de Lapouyade, Un Maître Flamand à Bordeaux - Lonsing 1739-99 (Paris 1911), which contains reproductions of the portraits of Le Berthon and Laroze. That of Dudon is lost.
 2. Brouillard, loc. cit. p.53.
 3. A.D. G 915
 4. Factum in A. M. cited above, p.238
 5. A.D. 2E 565.
 6. A.D. 2E 1405.
 7. Brouillard, p.52-3.

of the rest of the furnishings of several normal parlementaire houses. The Brivazac mobilier was estimated in the same inventory as the silver above mentioned, to be worth 26,021". The mobilier of the several Maignol properties in 1774 amounted to 28,083" 16s 6d.¹ That of the three Ragueneau houses in 1773 came to 28,600",² and so we could go on.

Nor did the parlementaires restrain themselves on clothing. Admittedly traditions of magistral sobriety in matters of dress were far from dead. The overwhelming preponderance of black clothes among those inventoried allows of no other conclusion. On the other hand, what they lost in colour they made up in texture, and black suits in silk, satin, and velvet abounded. They all had some more colourful clothes, too, notably waistcoats, in equally expensive materials. In Richard's cabinet was found a pink suit embroidered in cloth of gold and silver, and trimmed with pearls.³ And everybody, of course, possessed several robes de palais, both red and black, to be worn while attending the parlement.

Clothes lead us from interior luxury to outward appearances. Houses and dress were one thing, and transport was another. Parlementaires seldom went any great distance on foot. The poorer among them normally had their own private sedan chairs; the richer

1. A.D. 2E 1933

2. A.D. 3E 5.591

3. A.D. 4 934.

had their own coaches. All the presidents had them, and usually they employed special coachmen to drive them. Laige had a berlin, a cabriolet, and a chaise de poste.¹ Councillor L.de Paty du Rayet had four carriages,² councillor L.de Loyac had two,³ Richard had two,⁴ councillor J.M. Dussault had a coach and a sedan chair,⁵ and so on. There can be no doubt that such carriages, and the scale on which they were decorated, were accounted symbols of great prestige and social superiority. President J.C.de Lavie, father of president P.M.A.de Lavie, was alleged to go everywhere on foot so as not to humiliate those without coaches.⁶ On the other hand they were a practical as well as a social necessity for those who divided their time so much between town and country.

Such was the scale of a parlementaire's town life; generous and comfortable, with all the conveniences that money could buy. They did not live extravagantly, for their pockets, but they did not live frugally, either. Their office demanded a certain style of life, a fact which, as wills show, they were well aware of. Of course, some lived on a more moderate scale than others. Councillor J.J.de Laliman, for instance, owned the house he lived in, but him-

1. Brouillard, p.50.

2. A.D. Q 932.

3. A.D. Q 928.

4. A.D. Q 934.

5. A.D. Q915.

6. Grellet-Dumazeau, La société bordelaise sous Louis XV, p.249.

self only lived in one furnished room, leasing the rest off, presumably.¹ Probably others, especially conseillers clerics and other bachelors without presidential responsibilities, also lived quite simply. But for those with wives and families the responsibilities and expenses were greater, for so was the expectation.

It is often claimed that the social round in Bordeaux was dominated by the great merchants.² This has, however, yet to be proved, and it is clear that la Robe, dominated and led by the parlementaires, played a social role at least equal to that of the merchants. They were to be seen at all the places where the great armateurs entertained themselves, and at several, like the governor's residence, where they did not. The great centre of social mixing was Bardineau, a pleasure garden of the Vauxhall type. Here the richest and most distinguished citizens of Bordeaux were to be seen, and at the time of Laureou it was regularly patronised even by the first president de Gasco and Richelieu himself. Here there was food, music, and above all, gambling. Gambling in 18th century Bordeaux was furious and well-organised, and no class of society was exempt. Moral harangues by the Marechal de Bouchy and raids on the tripots by the jurats and the guet did little to restrict it.³ The number of gaming tables inventoried in parlementaire

1. A.D. Q 925.

2. Brace, Bordeaux and the Gironde, p.9.

3. See J. Bencazar, 'Les Jeux de Hasard à Bordeaux (1701-1789)' Rev. Philomat. Bx. (1905) pp. 193-215.

houses suggests that it was common enough among them at home, and so also probably in public places, where there was always the refuge of a mask. Gascq was reported to have made 80,000" at Picquet in 1756.¹ The exile of the parlement to Libourne in 1787-88 seems to have increased the gambling activities of the magistrates because there was so little else to do.²

In addition to Bardineau, there was the theatre. Victor Louis' grand'théâtre, opened in 1780, was the most magnificent in France, and maintained companies of comedy, tragedy, opera, comic opera, and a corps de ballet.³ It could afford the most expensive Parisian performers. There was also the variétés amusantes, which though far less sumptuous than the grand'théâtre had been conceived in the extravagant days of Richelieu, in the 1760s, and in 1760 he had formed a société d'actionnaires to guide and profit from the project. Among its members were merchants, noblemen, and two présidents à mortier.⁴ The theatrical tastes of the Bordelais were light - comedies and comic operas were far more

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1. Leroux, Etude Critique, p.247. The reference is to a 'président de G****', which could only be Gascq, in the context.
 2. Bib. Mun. Bx. Ms. 713 (Série 1) (V) Tablettes de Bernadau, 24 décembre 1787.
 3. See P. Courteault, La Révolution et les Théâtres à Bordeaux d'après des documents inédits (Paris, 1926) Ch.1. passim.
 4. Maupassant, Abraham Gradis, p.152 n.

frequently performed than tragedies, Diderotish dramas, or ballets. This trend grew more pronounced as the century went on, and music played an ever-increasing part in the entertainments mounted. In this cultural atmosphere the parlementaires must have participated, although positive evidence is hard to find. Only in the case of Beaumarchais' 'Le Mariage de Figaro', did they take a public attitude, when in 1785 the court forbade its performance 'comme une comedie contraire aux moeurs, aux loix, a la religion, & comme devant etre proscrire de tout theatre police'.¹ This ban lasted until March 1789, after which time the court considered it unwise to try to stem the tide of 'patriotic' pieces which engulfed the Bordeaux theatres. But even this ban seems a curious aberration; the play's predecessor 'Le Barbier de Séville', was given untrammelled 80 times in Bordeaux between 1775 and 1787;² several parlementaires had works by Beaumarchais in their libraries, and some of them knew him personally from his stay in Bordeaux in the early 1780s. Naturally when, as on 20th October 1788 at its triumphal rentrée, the theatre audience sang 'Vive Henri IV!' in the parlement's honour, it could only be flattered at the role that the theatre played in local life.³

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1. Bachaumont, t.29, p.155, 3 aout 1785; F. Bernadau. Annales Politiques Littéraires et Statistiques de Bordeaux (Bordeaux 1803) p.253.
 2. D. Mornet, Les Origines Intellectuelles de la Révolution Française (1715-1787) (Paris 1933) p.296.
 3. Courteault, op. cit. p.20

Leisure time could also be passed as a member of one of the city's many societies, but these will be considered separately. Doubtless most spare time in the city was spent merely dining and entertaining. This of course could have its professional use, and much negotiation and political bargaining must have gone on over the dining table. Bernadau noted in 1788 the report from Libourne that: 'M de Richard tient tous les jours une table de 25 couverts pour ses Confrères desquels il feint de se rapprocher.'¹ Mme. Duplessy picked up most of her gossip at Richard's, where she was a frequent guest. All presidents, and indeed councillors, who like Richard were ambitious, must have spent much time entertaining. For the first president and the procureur-général it was a routine part of their business.

Country life was much quieter, though its style was not necessarily less comfortable. Many parlementaires built or rebuilt their chateaux in the late 18th century. President J.A.H. Daugeard de Virazel from 1779 employed Victor Louis to build him a new château at Virazel in the Agenais, at the cost of 198,000".² In a fine arts exhibition of 1787 were shown plans of the progress of the work being done on the country estates of the councillors de Navarre, at Ambès, and de Lamolère, at Floirac.³ The families

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1. Bib. Mun. Bx. MS 713 (Serie 1) (V) Tablettes de Bernadau, p.177 24 février 1788.
 2. Marionneau, Victor Louis, ps. 437-8
 3. C. Marionneau, Les Salons Bordelais ou Expositions des Beaux Arts à Bordeaux au XVIIIe siècle (1771-1787) (Bordeaux 1883)

of Piss, Lavie, Saige, Laboyrie, Conilh, Maurice de Bentout, Loyac, Ruat, and doubtless several others, all built new châteaux or repaired old ones in the course of the 18th century;¹ this actively makes a contrast with Toulouse.² In any case few Bordeaux parlementaires lived regularly in gothic châteaux like that of Montesquieu at La Brede. Only that of councillor C. de Sauvat de Pommiers at Agassac came into this class. Most country châteaux dated back in substance to the 17th century.

The inventories leave the impression that the country houses were not so elaborately furnished as those in the town. This even seemed to apply to those favourite retreats to which parlementaires returned again and again. There was less expensive wood, less silk and satin, fewer mirrors, more badly worn articles. Nevertheless the difference was merely one of scale and not of style. The same sort of furnishings were to be found in country and town alike. The chief difference with country houses is that they often had their own chapels. Nevertheless country mobilier was always estimated more highly than that of the town, because it included all the implements of agriculture; in the Bordelais this was especially important because of the size and value of the vaisseaux vinaires - presses, cuves, and barrels.

In the country estate supervision, especially in September

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1. Guillon, Les Châteaux Historiques...de la Gironde, 4v., passim.
 2. Forster, Nobility of Toulouse, p.171.

and October with the vendanges, was the equivalent to the life of the Palais in the town - it was the main activity. To an extent, even, the pastimes were the same too. Fêtes champêtres were held, and masked balls which went on all night. In February 1755 the haut monde of the Garonne valley converged on Bazas:

'Le bal commença a 10 heures du soir et ne finit qu'a 5 du matin pendant tout ce temps, la sale fut pleine de masques de tout sexe, et tres proprement vetus. a 5 heures du matin le bal fut converti en un concert, dont les voix, les instrumens, et la musique ne laissoient rien a desirer dans ce genre...'

The next day:

'les hommes allerent a la chasse, et les Dames se retirent chés elles pour s'occuper a relever par le secours de l'art les graces qu'elles tiennent de la nature, et se preparer a un ba (sic) qu'il ya eu cette nuit...'¹

Hunting, here mentioned, was another popular country pastime, and the participation in it of parlementaires is well attested by the hunting coats and horns found among their belongings at the Revolution. The landes were particularly well suited for such pursuits.

Nevertheless the pace of life was slower in the country, so slow that boredom was often not far away. Only a few days after the festival mentioned above, Duroy could write to Lamontaigne:

'Madam Duroy est...tres enrhumée, ce qui, joint à son etat a si prodigieusement augmente son degout que nous sommes surpris

1. Bib. Mun. Ex. MS 1696 (Fonds Lamontaigne) 2, No. 50.
Duroy to Lamontaigne, 10 février 1755.

comment elle peut vivre, il ni a que le
 someil et le piquet qui puissent la
 soutenir. Mr. de Lansac, Mr de filhot
 et elle ont toujours les cartes a` la main,
 sans ce secours nous trouverions le careme
 bien long...¹

This is hardly surprising. It was now nearly March and the family had been in the country since September. They had overstayed their time.

The richer parlementaires, however, had a further diversion from the old round of town and country. They could and did travel further afield. A patent summer attraction for polite society all over the south-west of France were the spas of the Pyrenees, in particular Bagneres. There were many examples of Bordeaux parlementaires going to take the waters. But apart from the medicinal value of such visits, they doubtless provided opportunities for meeting other parlementaires, from Pau, Toulouse, or even further afield, and discussing mutual problems. The attractions of the cool mountain spas were such as to take some magistrates off in August, before the judicial year ended, so that sittings of the court tended to peter out rather than end punctiliously.

Those who were even richer, also went to Paris, either on business or on pleasure. Among the parlementaires, these were a sort of élite, the group to which, in his day, Montesquieu had belonged. Under Louis XVI and in the years immediately preceding his reign, most presidents came into this class. Gascq and Fichard

1. Ibid. No. 51, same to same, 21 février 1755.

went very regularly, the first president scarcely less often. Dupaty spent the last four years of his life there, and Gascq spent his last exiled years there with his friend Richelieu. Dupaty found his wife in Paris, Richard found both his, and it was there that Gascq had at least one of his mistresses. None of them, except, in a sense, Dupaty, aspired there to the social and intellectual eminence that Montesquieu had enjoyed. They went there to sample the pleasures of the capital on the one hand, and to see their political patrons on the other. When a magistrate was in trouble with his colleagues, his natural reflex was to leave for Versailles to press his case with a higher authority in person. Ambitious men, too, liked to keep themselves in the eye of the government. The government itself was not appreciative of such considerations; the professional place and the political value of the parlementaires was in their province, not at Versailles or in Paris. Many a time on arrival, parlementaires were told brusquely to return, as many of the appellers and counter-appellers found in the conflicts after 1775. An entry in the letter book of Bertin, then minister of the provinces, reads for 1772:

'M de Richard m'écrit que sa femme est guérie de son inoculation; qu'il ira faire sa cour au ministre à Fontainebleau et prendre ses ordres.'

To which Bertin, drily:

'a Repondu qu'il étoit bien aise de l'heureux succès de l'inoculation de sa femme; qu'il pouvoit se dispenser d'aller à Font. bleau à moins qu'il n'y ait d'autres

affaires.¹

Nevertheless Paris and Versailles, or wherever the Court was, were magnets which the greater magistrates found it difficult to resist for long; so some of them at least passed their lives on a wider stage than the province of Guienne.

Yet Guienne was their home. Gascq and Dupaty, dying in Paris, died exiles, driven out by their colleagues. Most returned, for the favours they solicited centrally, were still usually local ones. Their social and political pre-eminence was on a local, not a national scale. At home, they were an élite, and they lived like an élite; in stylish comfort, in a manner which only merchants in Bordeaux could equal. The wealth of the merchants has often distracted attention from the parlementaires. Certainly the magistrates were not, at Bordeaux, a group living more luxuriously than all the other citizens, as were the parlementaires of Rennes, Dijon, Grenoble, or Toulouse. Men like Bonnaffe outshone all the parlementaires in the luxury of their lives; many lesser merchants equalled them. In the state which he kept, a parlementaire was merely one more rich man. But the state he kept cannot be seen in isolation. For a parlementaire it was a corollary of being, not just rich, but a nobleman and a magistrate set over the destinies of two million people. This, the merchants could not equal, for all the money in les Isles.

1. A.N. E 3701 Inventaire des Lettres de Lectin, 1772-3.

17 - Intellectual Activities

Parlementaires were educated in their earliest years by private tutors, at home or near home. The will of councillor Louis Desmoulins de Masperier left very precise instructions about the education of his only son Rene by his grandmother:

'Je demande de sa pieté de saisir Les premiers temps qu'il sera susceptible de quelque connoissance pour luy faire connoitra dieu Et ses premieres obligations envers Luy, laissant a sa Sagesse d'augmenter La force De ses instructions a mesure que celles L'esprit paroitroient le permettre; je la prie de luy donner Ces petites Lecons En forme d'amusement Et avec toute la Douceur que peut Luy inspeirer sa bonté naturelle quand il aura atteint l'age de sept ans, ma mere aura La bonté de luy donner un gouverneur d'un mérite reconnu; de moeurs sur toutes choses irréprochables d'un caractère Doux, et qui aye des lumieres...'¹

Such a tutor was to have a princely 2400⁰⁰ a year and his food. After such a grounding, around the age of twelve the future parlementaire would be sent off to some school.

Until 1762 the two main schools in Bordeaux were the municipal Collège de Guyenne, whose most famous pupil had been Montaigne, and the Collège de la Madeleine, which was run by the Jesuits. The former was much decayed in the 18th century, but the Jesuits appear to have maintained their standards. Perhaps the majority of the older parlementaires, those who were over 20 in

1. A.D. 3E 17.596 (Perrens) sealed 14 juin 1765: opened 4 nov. 1776. His wife, nee de Nort, had committed suicide in 1765.

1762, received their education from the Bordeaux Jesuits. This cannot be absolutely definite. The only evidence available consists of a register of pupils which ends in the academic year 1730-31,¹ and the programme for an academic festival in 1745.² These reveal eleven pupils who certainly went on to be parlementaires under Louis XVI, and two more who probably did. Among them were the first president Le Berthon, the two successive doyens Dussault and La Colonie, the lieutenant-général de Laroze, and several notable councillors like J.A. Leblanc de Mauvezin and J.A. de Coursol. But it seems certain that others too were educated at this college, as the names of several of their brothers and fathers appear on the lists. After 1762, however, when the parlement (ironically enough) expelled the Jesuits from its ressort like all the others, the Collège de la Madeleine was no longer available.

Even early in the century, however, by no means all future parlementaires were educated in Bordeaux. Several families had a tradition of sending their sons to the Oratorian college of Juilly, near Paris. When Montesquieu was there in 1700 there were Loyacs Laboyries there.³ Some of the Verthamons certainly went there.⁴

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1. A.D. Sér. H (Fonds non classes) Registres des Jesuites. No.2 'Liber status Classium Collegii Burdigalensis Societatis Jesu ab an 1644'.
 2. A.M. GG 936 (Fonds Ancien) 'Collège de la Madeleine'.
 3. R. Shackleton, Montesquieu, p.5
 4. A.D. 3J E35 Bill for academic half 1764-5.

Councillor G.R.de Filhot de Marans, and so doubtless his elder brother the president, was a pupil at Juilly.¹ So was councillor J.B.R.de Navarre.² Doubtless the archives of the college would reveal more. Similarly with the great college of Louis-le-Grand, where Dumas de Fonbrauge and probably others was educated among the élite of the Paris robe, still then under the Jesuits.³ Probably some others were scattered among other Parisian institutions, like Dupaty, at the collège de Beauvais.⁴

It seems therefore safe to say that the majority of the older parlementaires, those who were, say, over 40 in 1790, were educated by the Jesuits. The parlement which expelled the Society, as in Paris, Grenoble, Rennes, and doubtless elsewhere, was predominantly educated by the society. The full course of Jesuit education at Bordeaux took seven years and gave the most thorough grounding in the classics. After three preparatory years pupils moved by years through the humanistae, the rhetoires, the logici, and the physici. Oratorian education appears to have been rather more varied than that of the Jesuits, with a wider range of

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1. A.D. 3E 5.594 (Duprat 1778 No.904) Will cited above, p.52.
 2. X.Védère, Catalogue des Manuscrits des Archives Municipales de Bordeaux (Bordeaux 1938) p.91.
 3. A.D. 8J 480 (Titres de famille:Dumans de Fonbrauge); Bluche p.245. I was unable to gain access to either of these two institutions, as they were closed at the time when I was pursuing my research in Paris.
 4. R.Deloyant 'Les Dupaty' Annales de L'Académie de La Rochelle (1856) p.30.

subjects,¹ but the fare upon which all young aristocrats of 18th century France were brought up was basically one of religion and the classics.

We have already looked at the quality of the university education of the parlementaires which, apart from the special cases of the conseillers clerics who sometimes held doctorates in theology, was usually exclusively legal, and almost uniformly poor.² What intellectual attitudes the parlementaires preserved from their education, therefore, they preserved from school. The early age of entry into the parlement seems to preclude the possibility of the Grand Tour in most cases.

How far did their religious education affect the outlook and intellectual attitudes of the parlementaires? It is clear at once that most of them were conventionally religious. There were no protestants among them, by definition, though one or two had recent ancestors or relatives of protestant extraction. Parlementaires were pillars of their parish churches, both in town and country. They occupied the most honorable pews, they were syndics of the fabric, they made donations to parish funds. Most of their wills began with endowments of requiem masses for their souls, and many left funds to be distributed, at the discretion of curés, to the poor of the various parishes with which the testator had conn-

1. Chackleton, op. cit. p.6-7

2. see above, p.66-7.

ections. Most stipulated, in a spirit of Christian humility, the minimum of pomp at the funeral, though they must have known that such dispositions would be ignored. Thus the first president A.F.B. Le Berthon, who died in 1766; he can hardly seriously have expected the parlementaires not to give him all the honours normally received by one of their dead chiefs, and they duly called out all the corporate bodies of the city to form his cortège.¹ In fact the life of the parlement was full of masses, religious feasts and holidays, regular or occasional, in which the magistrates were expected to participate. Doubtless many of them did it from appearance only, or just out of routine. However, there is no doubt that there were some genuine dévots in the ranks of the parlements. None went so far as J.B.F. de Carrière, conseiller honoraire from 1766, who, when a widower late in life, took Holy Orders.² But councillors de Navarre and de Fauquier, for instance, were considered so subservient to their confessors that when, as restants, they refused to return to the palais in March 1775, Mouchy tried to bring them back by pressure exerted from this direction.³ There must have been others too who, while not susceptible to this sort of pressure, took their religion as seriously.

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1. A.M. MS 308 Collection Verthamon; Registeres secrets du Parlement, t.50, p.385. 11 aout 1766.
 2. Grellet-Dumazeau, Le Société Bordelaise sous Louis XV, ps. 160-61.
 3. Bib. Mun. Ex MS 1201 (Correspondance Duplessy) boîte 4, 26 mars 1775.

At any rate, the parlementaires played an important role in the para-religious organisations which flourished in 18th century Bordeaux. As early as 1742 the intendant Boucher had written to the government:

'Il s'est introduit icy une espèce de société sous le titre de la confrairie des Francs-maçons qui prend beaucoup de faveur ...La Nouveauté qui plaît infiniment en ce pais cy a determine nombre d'honêtes gens a entrer dans cette confrairie, meme des officiers du Parlement...'¹

It seems impossible to say how many masonic lodges there were in 18th century Bordeaux. Bernadau, a contemporary, gives 22 in 1788, 'sans compter les affiliées, les partagées et les bâtardes!'² A later writer, with access to the archives of the Bordeaux Grand Orient lodges, found evidence of 16, though probably not all survived.³ The earliest dated from 1732, and despite the early attempts of the intendant Boucher and the government to suppress it, masonry flourished, and there were parlementaire free-masons from the start, with the ex-president Montesquieu among the earliest of them.⁴ Of those who were parlementaires under Louis XVI, 23 belonged to lodges which were affiliated or became affiliated to

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1. Boucher to Amelot, 23 juillet 1742. Printed in Arch. Hist. D.Gironde, t.26 (1888-9) No. XLV11, ps.202-5.
 2. Bib. Mun. Bx. Ms 713 (Série 1) (V) Tablettes de Bernadau, p.240 25 juin 1788.
 3. Abbe Brun, 'L'abbé J.F.Lapauze, vén. de la L. Ang., O. de Bordeaux, curé de Bonzac et Galgon, archipretre de Fronsac, au diocèse de Bordeaux (Bordeaux 1903) ps.82-3
 4. Shackleton, Montesquieu, ps.172-4.

the Grand Orient.¹ Of these, 17 belonged to the Loge Française Blue Ecossaise, 4 to the Loge de l'Harmonie, and 2, to the Loge de l'Amitié. Outside these three lodges, there were no parlementaires, for after all, masonic equality was not opposed to the maintenance of social barriers. As the younger Dudon, Vénérable de la Loge de l'Amitié, wrote in 1785, opposing the formation of a new lodge:

'...tous ces soi-disant maçons sont des Ouvriers, la plupart aux gages des négocians de l'état desquels ils se sont revetus. ...ce seroit avilir, aneantir, ou au moins humilier l'art Royal, que d'admettre de pareils sujets dans le sein de la maçonnerie, dont le privilège, de l'Égalité deviendrait un abus bien dangereux, si sous ce prétexte on admettait indifféremment tous les états.'²

Masonry was then for equality, but equality between equals. The members of the Bordeaux lodges in the 18th century were local notables - noblemen, officers of justice, lawyers and merchants.

Even then, it is clear that certain lodges had more social prestige than others. The Française Blue Ecossaise, to which most parlementaires belonged, was the most aristocratic. In 1778 it had 67 members, including the first president and two présidents à mortier (Verthamon and Gourgue), and avocat-général (Dupaty), one president in the requêtes (Bienassis), and 13 councillors. Also

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1. B.N. Fonds F.M.: F.M.¹ 110, and F.M.² 170-178 contain the archives of all the Grand Orient lodges of Bordeaux
 2. B.N. F.M.² 174 La Famille Unie des Bons Accords; letter of 1785.

members were the Duc de Duras, Victor Louis the architect, several officers of subordinate lawcourts and 25 merchants.¹ Here was a striking instance of mixing between the nobility and the world of commerce. L'Harmonie was by contrast far smaller and almost exclusively legal. It had about 20 members, mostly avocats like the locally famous Garat or Polverel; but we also find four parlementaires, among whom was Poissac. Before coming to Bordeaux he had already been a freemason in Tulle.² L'Amitié was large, full mostly of merchants and sea-captains, but with a sprinkling of other notables, such as the Comte de Fumel, two presidents at the cour des aides, and from the parlement, Basterot and the younger Dudon.³ Except in the Française Blue Ecossaise, where they were too numerous all to have the chance, parlementaires usually all became officers of their lodges fairly quickly.

What importance can we attach to the fact that parlementaires were freemasons? There can be little doubt that masonry promoted a certain amount of social and professional mixing. At Bordeaux parlementaire participation was among the strongest of all parlements, after Toulouse and possibly Paris,⁴ which may have helped to link them more closely with the commercial world which, numerically,

1. B.N. F.M.² 174 Loge Française Blue Ecossaise.

2. B.N. F.M.² 176 R.^o. L.^o. de L'Harmonie; Bib. Mun. Bx. Ms 847 R. Française, procès-verbal des séances, 1773-76.

3. B.N. F.M.² 170 Loge de L'Amitié.

4. L. Amiable, La Franc-Maçonnerie et la Magistrature en France à la veille de la Révolution (Aix 1894) ps. 29-30.

dominated the great lodges. It may also have helped to promote a certain amount of contact with other towns. The list of lodges in correspondance with L'Harmonie, is long and impressive, but what the real importance of such correspondance was is hard to assess.¹ Freemasonry was surely at its most useful by affording travelling parlementaires an entry into local society wherever they went. Thus with Poissac when he came to Bordeaux; similarly with Dupaty, when he went to Paris. There, he became one of the greatest luminaries of the most famous lodge in France, the Neuf Soeurs, whose members supported his various legal crusades just before his death.² Here at any rate was masonic philanthropy at work. But the clearest role played by Bordeaux masonry was political. There is no doubt that the freemasons were responsible for organising the triumphal welcome given to the returning exiles of the parlement in 1775. All the sources attest this.³ They built triumphal arches, grandstands, and pavillions. They gave banquets and held Te Deums. The members of the Française made Le Berthon their Vénérable Perpétuel d'Honneur. In 1788 they were still holding an annual banquet in memory of the occasion.⁴ It seems probable there-

1. Bib. Mun. Bx. Ms 847.

2. See Amiable, op. cit., p.33ff.

3. See Bib. Mun. Bx. MSS 1201 (Correspondance Duplessy) boîte 4, 24 février 1775; A.M. Fonds Delpit 134 'Leberthon'; E.de Biran, 'Lettre relative au Rétablissement du Parlement de Bordeaux, en 1775' Bull. de la Société Historique et Archéologique du Périgord (1908) pp. 224-7

4. Bib. Mun. Bx. Ms 713 (Serie 1) (V) Tablettes de Bernadau, p.240 25 juin 1788.

fore that they also had a hand in the celebrations for the returns of 1786 and 1788, and that masonic organisation was a powerful vehicle for promoting the popularity of the parlement.

Freemasonry was however the only mystical cult. In November 1783 Cagliostro arrived in Bordeaux, where he spent eleven months moving in the best society and selling his health cures. The freemasons feted him and doubtless his mystic seances were attended by some parlementaires.¹ About the same time, a sect of Mesmerians was also flourishing. In 1785 they were concerted into a society calling itself L'Harmonie de Guienne by Duval D'Eprenesnil, Parisian parlementaire and freemason, who was a regular visitor to Bordeaux.² Among its members were five parlementaires, some of whom were certainly also freemasons, and its leading syndic was the Abbe de Poulouzat, conseiller cleric, and fondé de pouvoirs de Mesmer.³ Indeed the participation of conseillers clerics⁴ in such societies illustrates an important fact - that no clear antithesis could be drawn in the 18th century between masonry or other such mystic cults, and the Roman religion. Certainly papal bulls roundly condemned them, but individuals clearly did not feel them incompatible.

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1. E.Lanoire, 'Cagliostro a Bordeaux', Rev. Philomat. Bx. (1931) pp. 49-61.
 2. Bernadau, Annales de Bordeaux, p.254. Oct . 1785.
 3. Lanoire, loc. cit., ps. 56-7.
 4. The Abbé Doudinot de la Boissière was also a freemason.

Another object of masonry was philanthropy, and that of the Bordeaux freemasons is well attested.¹ Among other organisations which they helped to sustain was the Société Philanthropique, which sprang up in 1786.² It was presided by Le Berthon and Dudon fils, and had nearly 100 members. It pensioned the old, the poor, and the widowed; and in 1786 its secretary, councillor G.de Castelnau d'Auros, published a pamphlet outlining a plan of poor relief for large towns.³ In this society too parlementaires are found co-operating closely with the world of commerce in projects directed towards the public good. Not all improving societies flourished, however, as is shown by the utter failure of all the government's attempts to foster a société d'agriculture.⁴ One reason for the failure of this project was that the parlement, led by certain academicians, resented the prospect of rivalry. For the Academy of Bordeaux was a society of polymaths, of would-be virtuosos, who regarded themselves as qualified to deliberate on anything.⁵ As early as 1755 president de Loret declared that the main concern of the academy should be with what was useful,⁶ and the evolution of

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1. Abbé Brun, L'Abbé J.F. Lapauze, p.86.
 2. Leroux, Etude Critique, p.314.
 3. Bib. Mun. Bx. MS 713 (Série 1) (V) Tablettes de Bernadau, p.282. 11 août 1788.
 4. See above, p.205
 5. See P.Barrière, L'Académie de Bordeaux centre de Culture internationale au XVIIIe siècle (1712-1792) (Paris/Bordeaux 1951)
 6. Ibid., p.86.

the subjects for prizes offered over the century shows a clear evolution from subjects of intellectual interest only, to subjects of utility - agriculture, the problem of the poor, health and sanitation, and suchlike.¹

The academy of Bordeaux was the parlementaire society par excellence. Definitively founded, after several false starts, in 1712, nearly all its members at the start were parlementaires. Gasco, Navarre, Caupos and Le Berthon were all fathers or grand-fathers of parlementaires of Louis XVI. Montesquieu himself was an early ornament. For the first sixty years of its history it was an extremely exclusive body, with only twelve full members and a rather larger body of associates. 24 out of the 48 full members before 1783 were or became parlementaires, and up to 1750, the academy was recruited almost exclusively among magistrates. Only after that did its field of recruitment widen to include certain professional men.² This trend culminated in the reforms of 1781-83, when associate status was abolished, and all academicians were put on an equal footing.³ Nevertheless the academy remained a body of aristocrats and professional men, and there were few merchants.⁴ Nine parlementaires were academicians under Louis XVI:

1. Ibid. ps. 131-4

2. Ibid. ps. 42-6

3. Ibid. p.23

4. Contra the impression given in Brace, Bordeaux and the Gironde, p.10.

they included the procureur-général Dudon, Dupaty (who was also a member of the Academy of La Rochelle) and the learned Lamontaigne, who was the academy's perpetual secretary. Its main activities, besides holding prize competitions, were the holding of public sessions, where the learned might meet and confer, and the sponsoring of a large public library. It also cherished from time to time the idea of sponsoring the publication of a great Histoire de Guienne, though this never came to fruition. Nevertheless 'the academy was filled, from the start, with a very clear spirit of provincial patriotism which never ceased to grow'.¹

To 1783 it was unchallenged as the forum where the intellectual élite of Bordeaux were to be found. However in that year a rival institution made its appearance - the Musée. In 1781 there were founded in Paris two rival musées. Their form was that of societies of amateurs, their object was to organise free public instruction in the sciences and the arts.² From 1776 similar ideas had been mooted in Bordeaux, but it took the Abbe Dupont de Jumeaux, who had lectured on mathematics in Paris, to put life in to the idea when he came to lecture in Bordeaux. In 1782 he circulated the idea to a large number of the notables of Bordeaux, in the worlds of the law, the professions, and commerce, and received many enthusiastic replies. The intendant placed a room

1. Barrière, op. cit., p.35. My translation.

2. Mornet, Les Origines Intellectuelles &c., p.284.

at the disposal of the proposed society and on 10th april 1783 it held a preliminary meeting.¹ Among the parlementaires whose participation was sought from the start were J.B. Chauvet (who was an academician and already a corresponding member of the Musée de Paris), Dupaty, Saige, Raignac, and Prunes-Duvivier.² The intendant was elected president, Dupaty, vice-president (though he excused himself at once) and Chauvet, one of the secretaries. Taking as its motto 'Liberte, Egalite', and as its badge a masonic symbol, the musée met thenceforth regularly until its suppression 1793. It organised lectures, it held public sessions at which the literary or scholarly offerings of its members were read, it subscribed to most of the current journals,³ it gave concerts, and corresponded with other circles in Paris, Toulouse, and the Isles. The somnolent academy was somewhat eclipsed by it in importance, and the volume of support which it attracted.

In its membership, the musée was very different from the academy. It had 150 equal associates, very unlike the small circle of the academy. On the extant lists of those patronising the musée are recorded 226 names, drawn from all sections of leisured

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1. Many of these details come from R. Céleste, 'La Société Philomatique de Bordeaux de 1783 à 1808' Rev. Philomat. Ex. (1897-8) ps. 65-83.
 2. Bib. Mun. Ex. MSS 829 (1) Musée: Correspondance. Letters 12, 21, 33, 47, & 59
 3. A.M. Fonds Delpit 202 'Musée'.

society in Bordeaux.¹ All the great merchants were there - Bonnaffe, Laffon de Ladébat, Maccarthy, Dutasta, Boyer-Fonfrède. So were the famous avocats - Garat, de Seze, Gensonné, Vergniaud. Almost lost in this host of bourgeoisie were a few noblemen and parlementaires. 14 of the latter certainly, and possibly a handful more, had their attendance recorded at one time or another - they included Dupaty, Chauvet, Lamontaigne, Poissac, and several others. Most but not all were freemasons; several were also members of the academy. At the start at least the musée represented, in the words of Vergniaud, 'ce qu'il y a de mieux dans la ville.'² However, it seems that as time went on, and especially after 1785, the attendance of noblemen fell off, and the musée became in every way what it had been, numerically, from the start - a society dominated by avocats and above all merchants.

To estimate the importance of parlementaire participation in all these things is not as straightforward as it may seem at first. Parlementaires dominated the academy, yet were not strong in the musée, though in more force there absolutely. With respect to the numbers of the company, the participation of magistrates in

1. I owe much of the following information to Mlle. M.-Th. Bouyssy, of the Ecole Normale Supérieure, who kindly lent me the notes for a diplôme she is preparing on the Musée. Also Bib. Mun. Bx. MSS 829 (3) Tableaux du Musée.
2. Vatel, Vergniaud, t.1, p.76. Vergniaud to Allaud, 3 mars 1783.

all these societies was the participation of a minority. Moreover the same names, like Dupaty, Laporte-Paulliac and Lamontaigne tended to recur in all or most of them. Most occurred in none. What we might call the intellectuals among the parlementaires seem to have been a small minority.

Yet not all intellectual life was organised into societies. Earlier in the century especially various salons and conversational circles had flourished, at which parlementaires had been the most assiduous attenders. Those of the parlementaire widow Mme. Duplessy and her rival Mme. Desnanots had been the best known.¹ The role of parlementaire women in the public life of the parlementaires cannot be overestimated. Women, by all accounts, had much responsibility for sustaining the bitterness between restants and rentrés after 1775.

'On dit...que Mr de Noaille Passifiera tout;' wrote Mme. Duplessy, 'du Moins parmi hommes, les femmes, c'est different, Elles ne sont pas si faciles a accomoder'.²

She had experience of such things, as her salon had been something of a political centre as well as an intellectual one in the 1750s.³ Around 1760, under the aegis of Richelieu, a dining club la Cabane de Philémon, was set up to discuss all aspects of art and

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1. See Grellet-Dumazeau, La Société Bordelaise sous Louis XV; the activities of Mme. Duplessy are the main subject of this work.
 2. Bib. Mun. Bx. MSS 1201 (Correspondance Duplessy) boîte 4, 5 mars 1775.
 3. Grellet-Dumazeau, p.160.

literature. Again the membership consisted mostly of parlementaires, notably Gascq; we have the word of Jean-Jacques Rousseau that the latter was a very good violinist.¹ However, all these circles flourished before the time of Maupeou, and they seem to have had no successors of note under Louis XVI: the parlementaires were losing their monopoly of intellectual life.

Certainly the last years of the century are not marked by much important scholarly or literary output on the part of the parlementaires. They tended to live on the memory of Montesquieu. There was a certain amount of juristic activity, which we have already surveyed.² Early in the Revolution one parlementaire took to journalism - A.Y.J.B. de Laporte-Paulliac was, for about a month, edition of the Journal de Guienne.³ F. de Lamontaigne published in 1768 a treatise on grammar and pronounciation.⁴ But this was the sum of the parlementaires' literary output, if we except that of Dupaty.

Dupaty was used when very young to having his works printed. This happened with several of his plaidoyers as avocat-général. With his flowery and emotional oratory he had taken the academies of La Rochelle and Bordeaux by storm. He was commended

1. Confessions, 1741. Rousseau tutored Gascq in composition for a time.
2. See above, p. 110 - 111
3. Bib. Mun. Bx. MS 713 (Série 1) (V) Tablettes de Bernadau, p.644-5 21 juin 1789.
4. Barrière, L'Académie de Bordeaux, p.50.

by Voltaire. His speech at the rentrée of 1775 was printed and provoked much satirical comment. But it was not until 1786, when he had left Bordeaux, that he published his first book, or rather, pamphlet, his Lettres sur la procédure criminelle de la France, in which he set out to show that:

'Jamais aucun peuple, excepté ceux ont le malheur de vivre sous le joug infame et adieux de l'inquisition, n'a eu des loix aussi dures et aussi tyranniques que les nôtres. Elles sont plutôt faites pour être la terreur des gens de bien que celle des méchants.'¹

This pamphlet, published anonymously, was timed to coincide with the appearance of the first printed briefs drawn up by Dupaty in favour of the trois roués. This case, and the controversy surrounding it, dominated the judicial life of the capital for two years. Dupaty's ultimately successful efforts to save three convicts from being broken on the wheel would doubtless be remembered with the Calas, Sirven, and La Barre cases as victories of 'enlightened' ideas over the laws of the old regime, had not the political affairs of the late 1780s distracted the attention of historians elsewhere. Then in 1788, Dupaty published his Lettres sur l'Italie, and account of his travels in 1785. Partly they are a description of Italian institutions, especially as we might expect, judicial ones. But they are also a sentimental evocation of the vanished glories of Rome, and full of romantic descriptions of wild and strange places like the catacombs and Vesuvius. They were therefore in the van of

1. Lettres sur la Procédure Criminelle, p.8.

current literary taste, and to show it, they had an immense success over the next 40 years, passing into 28 editions.¹ Dupaty himself, however, did not live to enjoy this success, for he died prematurely in 1788, hardly a month after the first publication. He may have been a poor third to Montesquieu and Montaigne, but he can probably still be ranked immediately after them among the most eminent of the parlementaires of Bordeaux.

If the parlementaires did not write much, what did they read? Did they share or at least know the advanced ideas of their age? It is incredibly difficult to come to a reliable conclusion on this problem. Even where we have inventories of libraries there is no certainty. Did men read the books they owned? All we can safely infer from possession of a certain book is either the intention to read it, or the mere desire to have a fashionable work on the shelves. And even if possession were proof of reading, how far do men's libraries truly reflect their commitment to the intellectual life of their time? How far were old works unsought legacies, and how far deliberately acquired? How far, finally, can a few examples of such personal things as collections of books, yield any useful general conclusions applicable to the group as a whole? These are the problems, some of them defying solution, which beset this enquiry,

Revolutionary inventories survive for the libraries of

1. P. Lelièvre, 'Un Oublié: le Président Dupaty' Annales de l'Académie de La Rochelle (1926-1930)

eleven parlementaires.¹ Partial information is also available on those of two others.² These libraries ranged in size from P.F.de Brach's 3407 - he was a noted bibliophile - or Pichard's 1003, to a few hundred volumes. All the others were well under one thousand, except possibly those of Dupaty and Lamontaigne. One or two libraries had such a pronounced bias in their composition, that they must reflect the preoccupation of their owners. For example, out of Poissac's 196 volumes, 175 were law books, and Poissac was, as we know, the author of a work on the parlement's jurisprudence. Law books naturally figured prominently in parlementaire libraries, though seldom as prominently as this. In those of Bouquier and Fauquier they made up over half. In those of Darche, Basterot, and Pelet d'Anglade they accounted for about one quarter. Pichard's 122, though only just over 10% of his library, were second in quantity only to those of Poissac. However, Basquiat and Lamolere had only a handful, absolutely and relatively. The kernels of all these collections were various editions of the custom of Bordeaux,

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1. Bib. Mun. Bx. MSS 849 (Basquiat, Bouquier) 850 (Poissac) 851 (Paty, Lamolere) 852 (Brach, Montsec de Reignac) 853 (Pelet d'Anglade, Fauquier, Filhot de Chimbaud) 854 (Pichard) 848-9 (Basterot) Inventories under the names of Demons, Dom Carriere, and Dufaure de Lajarte may also relate to parlementaires, but this cannot be certain.
 2. A.D. 3J D1: 1808 Catalogue des Livres provenant de la Bibliothèque de feu M. le President Dupaty; Bib. Mun. Bx. MSS 1696 (Fonds Lamontaigne) 3: 'Pièces diverses relatives à la Bibliothèque de Fr. de Lamontaigne'.

Lapeyrère's local Décisions sommaires du Palais, the Code and the Digest, collections of royal ordonnances, various legal dictionaries and of course numerous commentaries.

Theology and pious works also figured prominently. Perhaps they accounted for half the library of Lamontaigne, though not as much as a quarter in all other cases. In four, the number of religious works did not reach double figures, and in most cases the dates of publication suggest that the books had often been in the family over a long period. What theology there was, therefore, was old. The names of Bossuet, Massillon and Berruyer recurred the most often.

All the libraries were dominated by works on serious topics like law, theology, or history. Fiction and creative literature always made for only a small segment. The basis of the literary section in them all was a collection of the classics, especially the Roman ones. None was without its Virgil, its Horace, or its Ovid. The representatives of stoical Roman virtue, like Cicero and Seneca, were often to be found. Of Roman historians, Caesar, Livy, Tacitus, Suetonius, and Quintus Curtius were all prominent. The only Greek author who recurred regularly was Homer. It is, too, perhaps noteworthy that often the classics were present in translation, sometimes alongside the originals, sometimes not. The greatest achievements of French Classicism of the 17th century were usually to be found also - the plays of Corneille, Racine, and Molière; Boileau on poetry and Malherbe on the French language. Most parlementaires possessed

too some representatives of 18th century literature, like the works of Marivaux, Crébillon, J.B. Rousseau, the Abbé Prévost and Beaumarchais. Nearly all had Laclos' Les Liaisons Dangereuses. Most had the poetical and dramatic works of Voltaire. Most had one or two translations of foreign works, too. Goethe's Werther appears twice. Richardson and Sterne occur several times, and hardly any library was without a copy of Young's Night Thoughts. Stoicism and sensibility, those ill-matched twins so esteemed by the 18th century, seem to have been esteemed too by the parlementaires of Bordeaux.

Utility, too: under this rubric natural science and philosophy went hand in hand. Admittedly scientific works were not outstanding in their number, but most libraries had copies of Buffon's Histoire Naturelle, and the Spectacle de la Nature and the Histoire du Ciel of the Abbe Pluche. Pelet d'Anglade had a number of books on medicine and anatomy. Several had a handful of works on mathematics and geography. Saige,¹ Lamolere, Brach, Montsec de Reignac, Pelet d'Anglade, and Lamontaigne, had copies of the Encyclopédie in full or in part. Pichard, Filhot de Chimbaud, and Dupaty had abridgments or synopses of it.

This leads us on to the 'philosophy' of the 18th century, which was quite well represented. Nearly all the magistrates had the complete works of Montesquieu, whom some of them must have known

 1. Brouillard, 'Le pillage de l'Hôtel Saige' p.58. Saige had a library of about 3000 volumes.

personally. The parlementaires were very conscious of the fact that he had been one of them. Most had some Voltaire, though most often his dramatic or historical works. Jean-Jacques Rousseau was better represented by his Dictionary of Music and Emile, than by the Contrat Social, though Pichard at least had a copy. The great seminal fathers of 18th century thought, Bacon, Hobbes, Locke, and Bayle, all figured occasionally, though only the first recurred often. There were too occasional copies of works by Mably, D'Holbach and D'Alembert. This is enough to justify the conclusion that the advanced thought of the age did not pass the parlementaires by unnoticed; how far they subscribed to it is a question impossible to answer finally, except in the case of total and vocal enthusiasts, like Dupaty.

Many of these works, of course, were prohibited in France, and published, actually or in name, abroad. The entry of illicit books into the port of Bordeaux, and their sale in the privileged precincts of the Bourse, was a constant source of worry to the intendant, who was not much helped¹ in his attempts to track them down, by his local assistants. Most of the parlementaires had at least ten per cent of their libraries in books originating (supposedly or actually) abroad. Some of these had never been prohibited, but works by Voltaire, Raynal, and certain others which they possessed, certainly were. This seems to indicate that they went to some

1. See E. Brives-Cazes, De la Police des Livres en Guyenne 1713-85 (Bordeaux 1883) passim, but especially p.133.

trouble to get them, which in its turn perhaps betrays a real wish to read them.

The factotum of the philosophic 18th century was history, the storehouse of example. The libraries of the magistrates were well stocked with historical works, not only on the ancient world and on France, though admittedly these fields were by far the best covered, but on England (here Hume was the teacher) Eastern Europe (Voltaire on Charles XII and Peter the Great) and countries even further east. Such histories were supplemented by a certain scattering of accounts of travels to the East. Raynal on colonisation occurred in most libraries, though we can only imagine what slave-owning magistrates like Basterot thought of him.

The collections of French history merged into current affaires, by way of memoirs and collections of anecdotes. The magistrates were well provided with works which touched them nearly in this field - the Journal Historique de la Révolution (the Maupeou revolution of course) had its place in most libraries, as did certain other and rarer tracts of those times. The anonymous works of Le Paige were a point of reference for their constitutional ideas. The works of Necker on the finances, and Calonne's attacks on them, were also frequently to be found. Several had treatises on the grain trade, that constant preoccupation of parlementaires. When the greater Revolution came in 1789, some of the parlementaires bought the more important pamphlets born of the ferment. So Pichard and Pelet d'Anglade and Sieyes' Qu'est-ce que le Tiers Etat?

Pichard and Basterot had Saige's Catechisme du Citoyen, a work which the parlement itself had had burned publicly when it first appeared in 1775.¹

Finally, there is in the libraries of the parlementaires a significant local element; it is not large, for not many works relating specifically to the Bordelais were published over the century; however the parlementaires had most of those that were. We have already mentioned the law commentaires, and especially that of the Lamothe brothers (1768). Notably absent from all the lists however is Salviat's late Jurisprudence du Parlement de Bordeaux, of 1787. When Dom Devienne² published his Histoire de Bordeaux in 1771, at least 46 parlementaire families subscribed to it in advance.³ At least 25 subscribed in 1785 to Baurein's Variétés Bordelaises.⁴ It would be interesting to know too how far local sentiment encouraged the sale of the works of Montesquieu (or indeed those of Montaigne) in the Bordelais. These things again underline the deep provincialism of the parlementaires, their local patriotism. They

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1. Bib. Mun. Bx. MS 1201 (Correspondance Duplessy) boîte 4, 15 juin 1775.
 2. Charles-Jean-Baptiste-D'Aubigny Devienne (1723-1792) Benedictine of the Congregation of St. Maur. 1754-71 worked at the Abbey of St. Croix, Bordeaux, on his Histoire de Bordeaux. Left after its hostile reception with only the first part published. Published 1784 & 1787 the Histoire d'Artois.
 3. Histoire de Bordeaux. liste de souscripteurs. Some names are uncertain.
 4. Variétés, t.V. liste de souscripteurs.

were proud of 'la plus belle province du royaume' and its traditions. These traditions were of independence, and the parlementaires never ceased to vaunt the capitulation of 1451 as a sort of charter of their provincial rights. For them too, 'enlightened' or not, history was a storehouse of examples, and it was to history that they appealed in the final crisis of the parlement's life. Had they read their books more objectively, they would have seen that history was often not on their side; but in spirit, they were convinced that it was. This awareness of provincial traditions was the tone of all the local societies too in the 1780s, so in this again the parlement spoke for more than itself. The final crisis of the parlement, and the Bordeaux commune's part in the Federalist movement of 1793 were all of a piece. They were the last kick of Bordeaux' traditional independence. It is a coincidence not without some point that the mayor of Bordeaux in 1793 was Saige, avocat-général at the parlement.

18 - The Parlementaires and the Government : Taxation

'L'on a vue les charges de l'Etat, dont l'acquittement avoit été annoncé dès le commencement du regne du ... Seigneur Roi, s'accroître de jour en jour,' declared the parlement of Bordeaux under Louis XV, 'les impositions passagères devenir perpétuelles, les anciennes considérablement augmenter, & les généreux efforts du Peuple le plus soumis & le plus fidèle devenir impuissant pour acquitter les dettes contractées au nom de l'Etat.'¹

There is certainly no doubt about this rise in the level of taxation throughout the 18th century. Moreover the state was the least patient of creditors. The attitude to taxation of a rich group of men like the parlementaires is therefore very important in understanding them. So is the extent to which they shared the tax-burden, as aristocrats, a subject which has been very obscure until quite recently. The rock on which the old régime foundered was in the first instance a financial one. The final crisis of the old régime was precipitated by debt and the introduction of schemes to reform taxation in order to cope with it. That these moves precipitated a crisis was the result of the attitude of the parlements. How this was so is well-known and clear: why it was so is often still very unclear, and it remains a matter for debate, how far the parlements were acting out of blind reaction or narrow self-interest. A review of the fiscal circumstances of their members might clarify this, at least so far as Bordeaux is concerned.

The least onerous tax paid by the parlementaires was the capit-

1. A.N. C3044 Arrêt d'Enregistrement, 14 avril 1760.

ation. It was a poll-tax payable by social category, and the parlement had a special roll, on which were inscribed practising avocats as well as the magistrates themselves. A lump sum was fixed by the government, but the parlement was allowed to apportion it among its members as it saw fit.¹ It was actually paid by the deduction of each year's amount from the gages of the magistrates. The sums were not large, and hardly varied for decades on end. In the last year of the parlement's life they were as follows:

Capitation of Parlementaires, 1790

First President	1800"
Président à Mortier	540"
Président de Chambre	450"
Others	270"

The capitation rolls are clearly no guide to the income of parlementaires, and plainly the capitation did not fall heavily on the parlementaires. However, under Maupeou, presumably as an additional inducement to join the court, the capitation of the parlementaires was reduced to almost nothing. In 1775 the total sum levied on the parlement was 40,318", whereas in 1774 it had been only 9512".³ Admittedly the parlement Maupeou was only half the

1. Edict of 12 mars 1701.

2. A.M. Fonds Révolutionnaire, G 14 (presumed 1790).

3. A.D. C2737.

size of the old one, but the reduction is still disproportionate. So councillor J. de Filhot de Chimbaud, who sat in the parlement Maupeou, paid 279" in 1770, but only 80" in 1773.¹

The parlementaires also paid capitation on behalf of their servants. However the rolls seem to have borne no consistent accurate assessment of the fluctuating entourage of magistrates, and in any case the tax only came to a few livres per servant, the exact amount depending upon his or her skill, function, or status. Most parlementaires did not pay over 20", except presidents. The highest taxed was the first president, who paid 69" throughout this period.² The sum for the whole parlement only came to 1519" in 1777.³ Nevertheless it was an occasion for conflict: between 1775 and 1778 only 17 parlementaires paid any capitation on their servants.⁴ The magistrates objected to the levying of domestic capitation separately, and demanded that it, too, should be deducted at source from their gages. This happened nowhere else, as the government pointed out,⁵ but the parlementaires were adamant. The cour des aides and the bureau des finances followed their example; and not until the government surrendered in 1781 did they begin to pay again, by way of deduction.

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1. A.D. 2E 1213¹³ (Titres de famille: Filhot de Chimbaud) Quittances d'impositions.
 2. A.D. C2696 (1775 & 1777); A.M. loc.cit.sup. (1790)
 3. A.D. C96
 4. A.D. C3171
 5. A.D. C3759 Necker to Intendant, 31 août 1780. Other pieces in A.D. C96.

Without doubt the most important tax paid by the parlementaires was the vingtième. There was no special parlementaire roll for this, though that is not to say that there were no special rolls. There were seven altogether, and parlementaires normally appeared on several all at once - those of the biens-fonds de la noblesse, the maisons de ville, and sometimes the bourgeois de Bordeaux.¹ The vingtième was a land-tax, basically, of one twentieth of net annual yield. It had originated in 1749, within the living memory of most of the parlementaires. Throughout the years 1775-1790, in fact, two vingtièmes were levied, along with four sols pour livre of the first vingtième. Between 1781 and 1786, indeed, three vingtièmes per year were levied, as they had been between 1760 and 1763. What this meant at these times, was that the government laid claim to about one quarter of a man's annual income. Such claims made the French nobility, in theory at least, one of the most highly taxed in Europe.²

In practice, however, the assessment seldom came to one twentieth, so that the amounts levied were seldom as much as they could or should have been. The most detailed and precise vingtième roll of the century, as far as the parlementaires of Bordeaux were concerned, was that of 1755.³ It gave estimates of income and

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1. See M. Marion, Les Impôts directs sous l'Ancien Régime, principalement au XVIIIe siècle (Paris 1909) p.69, n.l.
 2. See, in this context, the excellent and provocative article by B. Sehrens, 'Nobles, Privileges, and Taxes in France at the end of the Ancien Régime', Econ. Hist. Rev. 2nd Ser., XV (1963).
 3. A.D. E 3018. For a critical appraisal and analysis, see above, pp.269-70.

assessments for tax, and the assessments, even taking into account that the estimates were for gross and not net income, can seldom have amounted to one twentieth, but nearly always less. Assuming the estimates to be reliable (which we cannot do with absolute certainty) we can conclude that only when more than one vingtième was in operation was a true twentieth likely to be levied. As the intendant wrote to Turgot in 1775:

'Il est certain ... que le produit actuel de cette imposition n'est pas forcé dans cette généralité; et que les grands propriétaires surtout sont singulièrement ménagés, ainsi en repartissant avec Egallité a proportion dans toute la province, le montant actuel de l'imposition, il en resulteroit un soulagement considerable pour la pluspart des contribuables ... Mais L'embaras est d'etablir cette proportion ... l'on ne peut en effet espérer de parvenir a une juste repartition qu'en obligeant a de nouvelles, Declarations et en ordonnant que ces Declarations seront verifiées par les Controlleurs. Cette double operation ne se peut faire sans porter l'allarme parmi tous les propriétaires, et sans exciter des plaintes et des murmures.'¹

Nor was this all. For the 3000 or so parishes of the généralité there were only ten contrôleurs. Moreover, since farming out estates was comparatively rare in the Bordelais, estate incomes were very hard to assess. This was all the more so when the basis of the income was a crop as unpredictable as wine. The effect of this consideration in particular was unfortunate for the payer as well as the collector. If one year his tax-assessment seemed derisory against his profits, in another when times were bad it might seem overwhelming. Tourny himself had taken up the parlementaire's case

1. A.D. C74 Intendant to Turgot, 11 septembre 1775.

on such an occasion in 1744, when the government had ordered the raising of the assessment for the dixième.¹

The remedy for any injustice resulting from such causes was the décharge. Each year, the government fixed for each généralité a sum out of which the intendant might remit to hard cases a proportion of their tax debt. The discharges might come off the capitation or the vingtième, and were very common. Nevertheless Dupré de Saint-Maur, not one to favour any unjustified tax-evasion, could complain that:

'La somme que je puis y appliquer est si modique pour une Province aussy Vaste, qu'au lieu de vous proposer d'y faire aucun retranchement, j'aurois pour en solliciter l'augmentation, les raisons les plus fortes par les Vicissitudes auxquelles les Contribuables sont Exposés dans un Pays dont le Commerce et les Recoltes de vins font les principales ressources.'²

Parlementaires regularly solicited, and obtained, discharges, either of a part or of the whole of their assessments. They were accorded particularly frequently in the lean years of the late sixties and the early seventies, and after the wine-growing disaster year of 1776. In the latter case, some parlementaires obtained several years' complete discharge. For the vingtième was a tax on net income, and one only had to show extraordinary losses to qualify for a reduction. The archives of the intendants are full of illuminating requests of this sort from the parlementaires.

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1. A.D. C3214 Tourny to Orry, 27 mars 1744. Quoted by Nicolai, Au Bon Vieux Temps; cited above, p.315.
 2. A.D. C253 Dupré de Saint-Maur to Necker, 12 fevrier 1780.

Nor was the vingtième on town houses any more onerous. We have seen that the assessments did not rise throughout the last thirty years of the old regime,¹ although on Arthur Young's testimony rents were rising. None of the assessments, except possibly on newly built houses, came anywhere near one twentieth; yet one only had to prove that property had been vacant to obtain an alleviation of the tax. Theoretically the value of property should have been easy to assess by reference to lease agreements in the public notarial records. However, we have already noticed that most leaseholds were not consigned to public acts, but to private polices.² Perhaps tax-evasion was the reason for this.

Nevertheless the government's indulgence was not limitless. Its processes were slow, but in paying, the contribuables were often slower. In the last resort, the government could confiscate the goods of slow payers. In 1777, after two warnings, the fruits of the Brivazac estates at Birac (Agenais) were impounded until the councillor's vingtièmes were paid. His protests that he was awaiting the outcome of a case at the cour des aides, to determine whether his lands were noble or roturier, were ignored.³ In 1780 certain of president de Pichard's goods were seized at Salles and Belin: he owed his servants' capitation since 1775, the vingtième on his town house since 1776, and the vingtième on his estates

1. See above, p.235-6.

2. See above, p.241.

3. A.D. C302 Brivazac to Intendant, 23 decembre 1778.

since 1777. Affronted, he wrote to the receiver:

'Au reste, Monsieur, moins par rapport à ma Personne qu'en Consideration de mon titre de President à Mortier et de Doyen du grand banc du Parlement de Bordeaux, je me serois flaté que vous auriez eu l'honneteté de m'écrire avant d'en venir à cette Rigueur ... je ne veux rien faire perdre au Roi..'¹

Necker commented drily:

'Les Magistrats doivent l'exemple de l'exactitude à contribuer aux charges de l'Etat, et cet exemple est d'autant plus nécessaire, de leur part, dans votre Generalité, que le Recouvrement y est tres arrieré.'²

There is no doubt that, despite everything tending to mitigate the burden they bore in taxation, the parlementaires considered themselves, and indeed the whole province, overtaxed. Many of them could remember a time when there had been no vingtième, yet they lived to see not one, but two and sometimes three imposed, as well as a raising of the additional number of sols pour livre. Opposition to such increases was the most constant activity of the parlement during the last thirty years of its life. In 1760 it complained that the combined effects of war and taxation were ruining Guienne.³ In 1763, it declared that as long as the first and second vingtièmes lasted, the assessments should not be raised, and that they should not in any case be levied after ten years had passed since the peace.⁴

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1. A.D. C302 Pichard to Mel de Fontenay, 1 er janvier 1780.
 2. Ibid. Necker to Dupré de Saint-Maur, 6 janvier 1780.
 3. A.D. C3044 Arrêt d'enregistrement, 14 avril 1760; attached to edict of February 1760 establishing the third vingtième.
 4. A.D. C3159 Arrêt d'enregistrement, 24 décembre 1763; attached to edict of 21 November 1763.

When in 1769 an edict prolonging the vingtièmes beyond this term was issued, it had to be forcibly registered at Bordeaux, and remonstrances were sent to the king. Nor was the parlement Maupeou any more docile. It sent no less than three sets of remonstrances, in the spring of 1772, against Terray's further prolongation of the vingtièmes, and other tax increases, of November 1771.¹ Vingtièmes, it protested, were supposed to have a limited duration, yet were being endlessly prolonged even after a decade of peace:

'Le terme indefini du premier Vingtième est de la Conséquence la plus allarmante Pour les peuples; un impôt prorogé sans borne se presente à leurs yeux comme stable et Permanent; le second Vingtième prendra successivement la nature du premier, de nouveaux besoins en ameneront un troisième; des estimations arbitraires en augmenteront successivement les Cottités, et vos Sujets ne seront plus que les Colons Partiaire du Patrimoine de leurs ancêtres.'²

When in April the edict was forcibly registered, the parlement protested in the old defiant style, and published its protest. It was the first parlement Maupeou to carry protest to such extremes, and as a result its survival lay in the balance throughout the spring. However, the crisis passed, and the tax was paid.

The next crisis came in 1776, when Dupré de Saint-Maur, who took a particular interest in reforming the tax-structure of the généralité, ordered a general revision of the tax-rolls.³ In 1777

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1. All in A.N. K708: Nos. 53 (18 janvier 1772), 54 (19 février 1772) & 49 (18 mars 1772).
 2. Ibid. No.49 (18 mars 1772).
 3. A.D. C3195 Ordonnance du 9 nov. 1776. See also the summary of the thesis of G. Lassalle, 'L'administration financière de Dupré de Saint-Maur en Guyenne (1776-84)' in positions des Thèses de l'Ecole des Chartes 1949.

an arrêt du conseil also ordered a review of assessments. From the start the cour des aides of Bordeaux struck a hostile attitude, supported in the background by the parlement. Moreover, the inspectors met great resistance from all the proprietors that they tried to investigate. In the bad winter of 1778 the intendant suspended their investigations. When in 1780 he tried to reinstitute them, it proved impossible, as the issue was then bound up with the further prolongation of the vingtième.

'J'ai Effectivement tout lieu de penser qu'il y aura peu de changement dans les Rolles de 1781,' he informed Necker, 'a Raison des Difficultés que les Employés des Vingtièmes ont rencontrées et Principalement par la resistance des Cours a l'Enregistrement pur et simple de l'Edit de prorogation du second Vingtième'.¹

This edict² prolonged the second vingtième from 1780, the date of its expiry, to 1790. The parlement in registering it adopted its 1763 tactic, that is, to register 'à la charge que les quotes actuelles des Vingtièmes ne pourront être augmentées sous quelque prétexte que ce puisse être'.³ It sent remonstrances in August. The government refused to accept this proviso, and the edict was forcibly registered without it, after the parlement had been detained into the vacation to soften its resolve.⁴ What precise arguments the parlement used on this occasion to justify itself is hard

1. A.D. C3618 Dupré de Saint-Maur to Necker, 7 octobre 1780.
2. Edict of February, 1780.
3. A.D. C3044 Arrêt d'enregistrement, 2 mai 1780.
4. A.D. 1B 56 f.115 for this transcription, of 21 sept. 1781.

to say, since it has been impossible to find a copy of these remonstrances; but doubtless its recalcitrance was due in part at least to the aftermath of the 1778 disasters. What is interesting is that when in 1782 the government decided to levy a new third vingtième, to last until three years after the peace, the parlement of Bordeaux, in contrast to those of Grenoble and Besançon, registered it purely and simply, without demur or delay.¹ But then, it is only fair to admit that the parlementaires never wished to stint the crown in time of war; even though wartime, when trade was restricted, was a time when the inhabitants of Bordeaux could afford least of all to pay higher taxes. And there seems little doubt, from the testimony of the intendant himself, that the parlementaires were expressing a reluctance more widespread than their own to see taxes raised. Indeed, in a way they could do little else, whatever their own feelings. As president de Gasco put it in 1772:

'le roi est le maître de faire ce qu'il voudra par voye d' autorité, nous ne pourrons en notre honneur et conscience contribuer a un si grand mal. y consentir seroit nous perdre de reputation nous discrediter au point de ne pouvoir plus être utiles au roi en aucun genre ... la conservation des peuples est notre premier devoir. de quel oeil pourraton regarder des magistrats qui auront voté pour la ruine de l'état ... Si on nous prend le dernier ecu qu'on nous laisse l'honneur'.²

The capitation and the vingtième were the only taxes to which all the parlementaires were subject. However, certain of them even

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1. Ibid. f. 162 vo. Edict of July 1782. Registered 29 August 1782.
 2. Bib. V. Cousin, Papiers Richelieu. Vol. 38, f.121. Gasco to Richelieu, 8 février 1772.

paid the taille, that supremely non-noble tax. This is because some of them owned lands in the one part of the généralité of Bordeaux which was a pays de taille réelle, the élections of Agen and Condom. Here the taille was assessed on a landed, not a personal basis. There were still exemptions, but they were attached to nobility of land, not of person. Several parlementaires held roturier lands in these districts, and so paid taille on them. Among these were president J.A.H. Daugeard de Virazel, and councillors Marbotin, Laliman, and Drouilhet de Sigalas.¹ Probably there were others too, though certainly they must always have constituted a minority of the parlementaires.

Of the other tax-exemptions enjoyed all over France by parlementaires, the franc-salé, which limited the obligations to buy salt from the government monopoly, was of little use to the Bordelais. Guienne was a pays redimé,² where the weight of the monopoly was light, and so privileged status was unimportant. The only government burden therefore of any weight, which the parlementaires escaped entirely and without exception, was the corvée, or forced labour. This was not as parlementaires, but as noblemen. It is perhaps not a coincidence that it was on this issue that the parlement took one of its most extreme stands under Louis XVI. The corvées conflict has already had a monograph devoted to it,³ but one written

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1. A.D. C2981, C3006, C3007. Dispenses du Vingtième Tailleable, 1766-70.
 2. Leroux, Etude Critique, p.106.
 3. Ch. Dartigue-Peyrou, Dupré de Saint-Maur et le Problème des Corvées (Mont de Marsan 1937).

entirely from the intendant's point of view; as a result the parlementaires' attitude has never been properly explained.

An anonymous memoir of 1770¹ posed the problem in these terms:

'Le peu d'avancement du travail des Corvées pour la perfection des Routes et Chemins ouverts dans la Généralité, doit être attribué /en/ partie au grand nombre de prétendus privilégiés, lesquels sous prétexte de places honorifiques ou lucratives qu'ils occupent, refusent journellement de contribuer à l'avancement des travaux et défendent à leurs ouvriers et valets de se rendre sur les Chemins, d'où il s'ensuit que les pauvres misérables habitans de la Campagne se trouvent seuls chargés d'un travail pénible dont profitent presque seuls les plus riches habitans de la province par l'augmentation de la valeur de leurs terres.'¹

In the forefront of this movement were the magistrates of Bordeaux. By an arrêt of 1762 the cour des aides forbade the officers of the corvée to co-opt for it either valets or animals of members of the court or their widows. The parlement followed suit, and so in practice did all the privileged orders - the church, the nobility, and the bourgeois de Bordeaux. The original arrêt was in fact quashed by the conseil d'état in 1767, but for some reason the intendant never published this cassation, and it remained unknown. So Esmangart could write to Trudaine in 1771 that:

'Il n'est pas possible qu'un syndic des corvées commande les gens ou les bestiaux d'un privilégié ... sans s'exposer à être decreté soit par la Cour des Aides, soit par le parlement.'²

He proposed that, in preference to endless conflicts of this sort, the corvée should be abolished and road works financed out of

1. A.D. C3720 Juillet 1770.

2. A.D. C3720 Esmangart to Trudaine, 2 mars 1771.

a moins imposé on the taille. But Trudaine rejected this. Thus the old inefficiency continued, under which in effect half the population of Guienne was exempted from the corvée.¹

In Limousin, however, which was also in the ressort of the parlement of Bordeaux, the intendant Turgot had been operating a similar system to that proposed by Esmengart, though on a smaller scale.² When he came to the contrôle-général in 1774, he resolved to abolish the corvée altogether all over France and replace it with a money payment. This was one of his 'six edicts' which raised such a storm in the parlement of Paris, where it needed to be forcibly registered. In Guienne, nobody even tried to put the edict into operation before it was rescinded, though the parlement observed, in its remonstrances on the wine trade in 1776, that the project would only have meant 'un impôt de plus et des chemins de moins'.³ It was rescinded by the edict of 11th August; but a further edict of 6th September gave all communities the right of compounding for the corvée if they wished, and it was on this authority that the intendant Dupré de Saint-Maur introduced a scheme under which communities were offered the choice of continuing as before, or buying themselves out (rachat) through an addition to the taille.

1. Dartigue-Peyrou, op.cit. ps. 19-24.

2. Dakin, Turgot and the Ancien Régime, p.68.

3. A.N. K708 p.58. Remonstrances of 31 août 1776.

This began a conflict between Dupré and the sovereign courts of Bordeaux which lasted until 1785, and ended with the removal of Dupré from the intendency. The cour des aides began it by forbidding in March 1778, the collection of monies in rachat. When the intendant invoked a cassation from the conseil d'état, the parlement joined in, and there ensued a lengthy war of arrêts, counter-arrêts, and remonstrances.

This is not the place to follow the conflict step by step, but rather for establishing the issues. Clearly it had nothing to do at this stage with the parlementaires personally. Most did not pay the taille and all were exempt from the corvée. However, it was now established de facto that their employees were also exempt from the corvée. Yet these employees were taillables, and even if the communities opted for rachat, they would still have to pay the addition to the taille. They would be compounding for nothing. But even so, why should this worry the parlementaires? For one thing, landlords often paid the taille of their employees or métayers over their heads. This was the case for instance with councillor Darche, whose vineyard accounts we have examined.¹ In this way the employers would in fact have felt the burden of rachat. Quite apart from this, there was a question of principle involved - the taille was the taille and the corvée was the corvée, and the parlementaires felt that they should not be confused in

 1. See above, p. 176 Also Forster, 'Noble wine producers', p.28.

this way. And this led to a question of law - the rachat was a new tax, and new taxes needed to be registered in the parlement, to whom the scheme had certainly not been submitted. Finally, the parlementaires made the claim that the government was not even allowing the communities a free choice over how their roads should be maintained, but was forcing them to opt for rachat by increasing the burden of the corvée en nature.¹ The result of the conflict in the countryside was to bring roadmaking to a standstill.

The conflict had two stages; the second began in 1783 when Dupré devised a special scheme for the pays de taille réelle, which had been hardly touched by his earlier project. Here he ordered rachat to take place, by means of an additional burden on the capitation.² All the old arguments applied in this case too, with the additional one that the privileged payer of the capitation would now be supporting the rachat of a service from which he was in any case exempt. The battle was rejoined with renewed bitterness. The parlement conducted judicial enquiries into alleged abuses in the corvée throughout its ressort, published its findings, and sent remonstrances with 41 pages of pièces justificatives attached.³ Dupré wrote two pamphlets to refute the allegations made in the

1. A.D. E1989 Remonstrances of 26 août 1779.

2. Lettre d'un Subdélégué de la Généralité de Guyenne à Monsieur le Duc de *** , relativement aux corvées (Paris 1784) (Written anonymously by Dupré de Saint-Meur) p.22.

3. Bib. Port Royal, L.P. 828. Remonstrances of 14 May 1784.

printed remonstrances of the parlement.¹ For him, the whole conflict seemed an 'espece de guerre entre les riches et les pauvres'.² Certainly the parlement was not afraid to admit itself a defender of the privileged:

'Il nous est interdit de disposer des droits du Citoyen favorisé par la Loi, quelle que soit cette faveur.'³

But incidentally it was defending the exemption enjoyed by half the inhabitants of the généralité. Moreover, it is by no means clear that the communities themselves saw the benefits of rachat, above those of nature. Of 44 procès-verbaux of the deliberations of certain parishes in the Entre-deux-Mers in 1780, two could not make up their minds, 10 opted for rachat, and 32 for nature.⁴ The parishes of St. Vincent de Paul d'Ambès and Bassens even carried this preference into their cahiers of 1789,⁵ and complained of governmental pressure of exactly the sort that the parlement alleged was brought, found in its enquiries was brought, and which was also found by two commissioners of the council sent to investigate the conflict in 1784-5. These findings were crucial.

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1. The Lettre d'un Subdélégué mentioned on the previous page, and Mémoire important sur l'administration des corvées dans la Généralité de Guyenne et Observations sur les remonstrances du Parlement de Bordeaux du 13 mai 1784 (Paris 1784).
 2. Ibid., p.133.
 3. Remonstrances of 13 mai 1784, p.30.
 4. A.D. C3720.
 5. A.D. Cahiers de Doléances 1789: Sénéchaussées de Bordeaux et Libourne.

As soon as they were made known, the government replaced Dupré de Saint-Maur as intendant, saving his face by making him a conseiller d'état. However, it is perfectly clear that the parlement had won a great victory.

What then had the parlement wanted? At first, doubtless, merely the preservation of the old system, with exemption for their people. But it soon became clear that there was no going back. Reform of the corvées was in the air. Most généralités, as Dupré was quick to point out, were by 1784 operating some form of commutation.¹ So, by the end of the quarrel, the parlementaires were advocating a complete

'Régime nouveau, pour la confection des chemins, marque du sceau de la justice et de l'humanité, épuré dans le creuset d'un enregistrement libre, revêtu de la sanction de la loi'.²

Certainly something needed to be done, for the whole process of roadmaking in the généralité was at a standstill while the conflict lasted, and beyond. Bremontier in 1792 found not a single road which did not urgently need repairs in the region around Bordeaux.³ On 6th November 1786 the parlement got its wish, when the corvée en nature was completely suspended for a trial period of two years throughout France, and in addition to the taille substituted. The parlement of Bordeaux raised no demur. Nor did it

1. Mémoire important, p.5n.

2. Bib. Port Royal, L.P. 828. p.15. Remonstrances of 7 June 1784, p.46.

3. A.D. C3713 'Mémoire sur la situation des grandes Routes et Communications du département de la Gironde...' (My dating).

the next year, when the corvée was abolished; although, owing to its complete refusal to transact business while in exile in Libourne, the edict was not registered until May 1788. By then, the corvée issue had been submerged by greater ones.

Not that, at the time, the conflict had not raised wider issues of its own. One was the whole question of demarcation between the administrative competence of the intendant and that of the parliament. The perpetual problem of evocations to and cassations by the conseil d'état was another. Most important of all was the question of privilege and taxation. The corvée was the only tax that all the parlementaires escaped entirely, and they clearly wished to have nothing to do with it except in the wide context of a national reform. But we cannot see the corvées conflict apart from other tax questions. The seeming attempt to subject them to a new tax came at a time when the vingtième was being prolonged again and even increased. Except in bad years, the burden of taxes upon them was not heavy. They did not even pay the full proportion stipulated by the law. Yet they all paid far more than their fathers or grandfathers had paid, and there seemed no end to the growth of the burden. In the last analysis, moreover, there was nothing a parlement could do to control such increases. In the face of a firm government, they could only protest, and submit. The parlementaires could not restrain the government, and they knew it. By the 1780s, they had to face this fact. It is this which ultimately explains the emergence of the Estates-General as a theme in parlementaire thought; here was an

institution with, they thought, a real restraining power. Half way along this road came Provincial Estates, and it is no coincidence that the parlement of Bordeaux is first found to advocate them in its remonstrances on the corvées.¹ Not only would they

'/mettre/ dans les impositions une repartition juste et proportionnelle qui anéantiroit la Corvée,'

They would also conciliate proprietors by giving them a voice in their own taxation. This is what they did not have, even if they sat in the parlement. This is what the nobility, with the parlementaires as vocal leaders, were pursuing throughout the last decade of the old régime.

1. Compare the demands of the parlement of Grenoble in its memoir to the Contrôleur-Général of May 1776. Egret, Parlement de Dauphiné, t.2, p.126-9.

19 - The Parlementaires and the Government: the Final Crisis

The death-agony of the old régime came in the last six months of the year 1788. It took the form of a rupture between those complementary guardians of political and social stability, the government and the governing class. It did not come suddenly; the crisis had been looming up for some time as the government's financial troubles worsened and the nobility's suspicion of its competence deepened. But the way of consultation, attempted throughout 1787, did not avert the rift: it hastened it, for neither side was prepared to compromise its view of the proper solution to the problems facing the state. Yet the problems could not be solved by a stalemate. It was because of this that the government decided, by drastic judicial reforms, to by-pass the parlements, the spearhead of aristocratic opposition to the government. In these reforms, the parlement of Bordeaux suffered like all the others.

The Lamoignon reforms of May 1788 would have curtailed the power and importance of the parlement of Bordeaux far more drastically than did those of Maupeou. The numbers of the court were to be reduced to 48, by the suppression of the requêtes, the second enquêtes, and all the presidencies except those à mortier. The parlement, like all the others, was to lose its rights of registration and remonstrance, which were to be transferred to the central cour plénière in Paris. Its judicial competence was to be reduced by expanding that of lower courts; four new grands baillages at Bordeaux, Condom, Nax, and Périgueux were to try all civil cases up to the value of 20,000".

Over all this, however, the parlement had had no chance to protest, since it had been put at once into vacation. It had only been able, on 6th May two days beforehand, to condemn in advance anything that might be done subsequently.¹

However regarded, the Lamoignon reforms represented an act of constitutional violence, a hand-to-mouth expedient designed to overcome a particular crisis. The French 18th century constitution was not immutable, but it had forms for changing itself, and in May 1788 the government ignored them. It stepped outside the accepted framework in order to outmanoeuvre its opponents.

It had of course done this before, in 1771; but this time the issues were clearer, the political temperature had been rising longer, the nobility was more united because more outwardly threatened, and the idea of strength through assembly was in the air. The result was that in reaction to the coup of 1788, the government's opponents stepped outside the accepted framework too, all over France. For the first time within memory, without authorisation and therefore illegally, the provincial nobility assembled to protest at the violence done by the administration to constitutional government. The nobility of Bordeaux was no exception.

By 25th June they had completed the draft of a memoir² to the

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1. Arrêté du parlement du 8 mai 1788. Bib. Port Royal, Collection Le Paige 923. The forced transcriptions of the edicts of May are in A.D. 1B 56 & 57, Registres du Parlement.
 2. 'Mémoire adressé au Roi par la noblesse de la Province de Guienne, Gascogne et Périgort, au sujet des opérations ministérielles, du 8 Mai 1788'. Copy in A.S. MSS 225 (Melanges, 1755-1789). Original underlining.

king, objecting to the reforms, which, after two months of circulating for signatures, was sent on 27th August 1788 to various members of the government and the royal family.¹ This memoir condemned the reforms unequivocally as 'un projet destructeur des Loix constitutives de la Monarchie & des privilèges des Provinces,' and was pervaded by a deep suspicion of the government's intentions. The nobility's solution to the crisis in the state had three main points.

First came the restoration of the parlements:

'Ces Corps dont les racines touchent au fondement de la Monarchie sont par leur masse, par leur rang, la fortune et la consistance des Magistrats qui les composent à l'abri de toute séduction, de toute impression étrangère à la Justice...'

The revocation of the reforms was the essential first step. Second came the meeting of the Estates-General, now universally accepted on all sides as a panacea for the state's problems. The nobility emphasised however that the Estates ought to meet 'suivant les formes anciennes', thus showing that they viewed them mainly as a vehicle for the privileged orders. Both these aspirations, though the first more so than the second, could be construed as returns to constitutional rule. But the third was revolutionary: the nobility called for restoration of the Estates-General of Guienne.

The idea begged a thousand questions. Though small areas of the province had once had local estates of their own, and though some, like the pays de Marsan, still had, no such thing as the Estates-General of Guienne had ever existed. It was not really

1. See Lhéritier, La Révolution à Bordeaux, t.1, p.106.

therefore a question of restoration, despite the many involved and spurious antiquarian arguments which were brought to prove that it was, but rather of creation. How then did the nobility envisage the Estates?

Their view is set out in the Projet de Restauration des Etats de Guienne, which appeared in the Autumn. By then, the parlement had been restored, and the Estates-General were promised for January, so the nobility could devote all its energies to the third point of its demands.¹ The proposed Estates-General of the province of Guienne were to represent the généchaussées of Bordeaux, Libourne, Bazas, Castelmoron, Casteljaloux, Agen, Condom, Nérac, Mont-de-Marsan, Périgueux, Bergerac, Sarlat, St. Séver, Bayonne and Labourt, Dax, Tartas, Limoges, Tulle, Brive, Uzerche, St. Yrieux, Martel, Angoumois and Saintonge. This, with the exception of the Angoumois, was an area curiously coterminous with the ressort of the parlement of Bordeaux. It was supposed to represent the area of the old English-ruled Duchy of Guienne, but we cannot doubt that the mere size of the area was the most important thing - size equalled strength in the face of the government:

'L'union de toutes les parties de cette vaste province peut seule la conduire au degré de puissance, de richesse et de bonheur que sa situation et ses moyens lui présentent sans cesse, et dont elle s'empressera, sans doute, de profiter.'²

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1. Bib. Mun. Ex. MS 713 (Série 2) Spicilège de Bernadau, t.4 contains the printed text of the project, among other pamphlets.
 2. Abbé Dardy, 'Documents sur le Projet d'Union de la Marche à la Guyenne, 1788-9', Mémoires de la Société des Sciences Naturelles et Archéologiques de la Creuze (1893-4) p.494, Gombault de Rasc to de la Celle, 20 décembre 1788.

These estates were to meet annually, and be composed of land-owners. They were to be made up of 80 deputies of the clergy, 160 deputies of the nobility, and 240 deputies of the third estate, deliberating and voting by order. Only those resident in the province, not employed by the government, and not holding office at Court, were to be eligible.

As to powers and functions:

'Les Etats veilleront au maintien des droits & privileges de la Guienne, de chaque Ordre, de chaque ville, de chaque Citoyen en particulier & principalement aux prerogatives & privileges des tribunaux.'¹

Consent to general taxation was to come from the national Estates-General, though the provincial estates might also discuss it. The local estates alone might grant taxes of a more local nature, however, and they were to assess all direct taxation in Guienne. In addition, they were to oversee the making of roads and all other public works; vet public accounts, and

'Ils feront, à Sa Majesté, les représentations qu'ils croiront nécessaires; & généralement ils seront chargés de tous les objets qui peuvent concourir au bien de la Province.'

This involved a discussion of all new laws, before the courts registered them.

This project was similar to the many mooted by the nobles throughout the pays d'élection all over France in the latter part of 1788. The effect would have been to make France into a federation

1. A.M. MSS 225, 'Mémoire, &c'.

of large, semi-autonomous provinces, each governed, as pays d'états like Languedoc already were governed, by estates under the domination of local landowners and above all noblemen:

'La noblesse, premier corps intermediaire de l'Etat, non pas pour être le terme entre le Pouvoir du Prince & la faiblesse du peuple, dit notre immortel Compatriote, mais le lien de tous les deux.'¹

This was how the nobility of Guienne saw itself on the eve of the Revolution, and this was how it proposed to fulfil its function.

* * *

All over France, the idea of Estates seemed to emerge full-grown under the stimulus of the revolution of May 1788. But all over France it had deep roots, in fact, going back beyond that date. In Dauphiné, the whole movement had great success; in Guienne, it had none; but in both, it originated not with the protesting nobility, but with the parlement. When this is understood, the whole attitude of the parlement of Bordeaux to the various governmental plans of reform of 1787 and 1788 falls into perspective.

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On 22nd June 1787 the first president and the procureur-général arrived back in Bordeaux from Versailles, where they had participated actively in the Assembly of Notables.² Soon afterwards, the government began to implement Calonne's programme as laid before

1. Ibid.

2. See P. Chevallier (Ed.) Journal de l'Assemblée des Notables de 1787 (Paris 1960) pp. 45, 48, 96, & 107.

that assembly, and now modified by Loménie de Brienne. The first edict to be received for registration by the parlement of Bordeaux was that establishing provincial assemblies to preside over a reformed tax-structure.

The story of the parlement's reaction to this is well-known.¹ It refused to register the edict until the particular rules for the composition of the new assemblies within its ressort were also published; these were anticipated, but not laid out specifically, in the edict. As Le Berthon wrote to the Garde des Sceaux on 26th July:

'Je me fais un devoir de vous informer que ma Compagnie arrêta mercredi dernière d'une voix presque unanime d'adresser au Roi une lettre très respectueuse pour supplier S.M. de vouloir bien faire remettre au Parlement, préalablement à toute délibération sur l'enregistrement de l'Edit portant établissement des assemblées Provinciales, tous les reglemens annoncés par l'art. 6 de cet édit. Ce préalable a paru indispensablement nécessaire pour être invariablement fixé sur les motifs de la Crainte vraie ou mal fondée qu'a fait naitre a peu près dans tous les esprits la formation peut etre trop vague de cet Edit ...'²

A day later, the parlement sent a formal letter to this effect to the king.

The government's reaction was astonishing in its arbitrariness. It sent no reply, but merely instructed the duc d'Ayen in Limoges and the archbishop Champion de Cicé in Bordeaux, to continue the preparations for the meeting of the provincial assemblies of Limousin

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1. See Egret, La Pré-Révolution Française, pp.219-223, and Ihéritier, La Révolution à Bordeaux, t.1, ch.2.
 2. Copy of this letter in A.N. H 1596.

and Guienne, even though the parlement, in whose ressort these provinces were, had not registered the edict. By early August, rumours to this effect had reached the ears of the parlementaires from Limoges, where preparations were further advanced than at Bordeaux. On the 4th, the procureur-général sent a strongly worded note to the lieutenant-général of the sénéchaussée of Limoges, repeating the rumour that an assembly was due to meet in Limoges on the 10th, and warning him that such a meeting would be illegal until the parlement had registered the edict.¹ On the 8th, the parlement passed a formal arrêt, which it sent by express courier to Limoges, forbidding any such assembly until after registration. The authorities in Limoges, as a result, deferred the meeting until they got clearer orders from the government. From Bordeaux, Champion de Cicé wrote that the assembly there, destined for the 28th, ought in view of the circumstances to be put off until September: 'Si je divulgois les ordres que j'ay reçus, je provoquerois de nouvelles vivacités et peutetre un arrêt de deffense.'²

Not until 12th August did the government at last make a move. On that day, an arrêt du conseil was issued, quashing the parlement's arrêt of the 8th; and without even waiting for the parlement's reaction, the government went further and ordered the exile of the

1. Ibid. (copy) Duden to Roulhac, 4 août 1787.

2. Ibid. Champion de Cicé to Villedeuil, 10 août 1787.

court to Libourne.¹ By the end of the month it was established there, and there it stayed until 8th May 1788, when the Lamoignon reforms were introduced. It refused to transact any business, let alone register the edict on provincial assemblies, until its exile should be ended; while the government refused to end the exile until its measures should be registered. The speed, severity, and contempt for forms of the government's action were all remarkable. The assemblies were authorised to proceed despite the lack of registration, and that of Limousin actually convened for a few days at the end of August, though that of Guienne never did. It may well be that the exile to Libourne was seen by the government not so much as a punishment for the court, but rather as a preventive device, to get the parlement out of Bordeaux in order that the assembly could meet there. However, like many parlementaire quarrels, this one soon generated its own momentum, and such initial considerations were forgotten.

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But for the present purpose, the initial considerations remain the most important ones. The question is, what were the initial motives of the parlementaires in their resistance?

First, clearly they did not reject out-of-hand the notion of

1. These orders were signified to the parlementaires individually on 17th August, by lettres de cachet dated the 12th. The magistrates were given two days to move. Individual lettres de cachet of 28th August ordered the parlement to administer justice at Libourne until further notice. - A.M. MSS 1353
(Lettres adressees A Fouquet)

provincial assemblies. If provincial assemblies were to give taxpayers and property owners more voice in their own taxation, then they were welcome. Any moves away from the more-or-less arbitrary assessments made by the intendants were welcome to the parlementaires; and indeed this feeling ran beyond purely fiscal matters. Therefore the principle of representation embodied in the provincial assemblies was not denounced. But:

'... le bien qui peut en résulter dépend des fonctions, des pouvoirs des ces Corps, et de leur organisation. Ces objets ont une telle Connexité avec L'établissement même, que l'on ne peut être fixe sur ses avantages qu'en les considerant Ensemble.'¹

The parlementaires did not want assemblies which would be mere cloaks for the continued arbitrary rule of the intendant, without independent powers of their own. This sort of assembly was in fact broadly the kind which Calonne had envisaged; and Brienne's only differed substantially in the preservation of the orders within them. In fact, the regulations formulated by the government for the provincial assembly of Aquitaine, dated 18th July 1787, justified some of the worst fears of the parlementaires, - or would have done, had they had access to them.²

The first assembly to meet was to be composed entirely of government nominees, half directly, half indirectly, named. Only after three years were there to be elections. Meanwhile, even these

1. A.N. H 1596 Lettre au Roi, du 27 juillet 1787.

2. These regulations are to be found in A.N. H 1605 no.134 ff.

precise regulations did not lay down the exact future role in the government of the intendant, or indeed of the assemblies themselves. As far as the parlementaires were concerned, the edict was 'Moins une loi que le projet d'une loi',¹ with little guarantee that the provincial assemblies would radically change the government of the provinces.

Yet the parlementaires wanted a change. Their attitude to the provincial assemblies was not one of blind reaction. It was merely that they felt their own scheme, long mooted, to be better than the plan offered by the government. The key to their thinking on this is to be found in the remonstrances of 26th August 1779, on the subject of the corvée.² Their proposal was to make the ressort of the parlement of Guienne into a pays d'états.

'La force d'un état vient de l'attachement que chacun a pour l'état, et cet attachement ne peut prendre naissance que dans la propriété. La propriété d'un citoyen dans un bon gouvernement s'étend et se modifie de mille manières; ses lois, sa liberté, ses privilèges, son Roi, sa religion, sa patrie, tout devient un objet de propriété, plus il participe ou concourt à tous ces objets, plus ils sont à lui, et plus ils lui sont chers.

Tout homme qui ne tient à l'état que par son bien n'est point Citoyen, ainsi en changeant tous les pays d'Élection en pays d'états vous étendez en quelque sorte l'existence et les biens de chaque individu, puisque vous étendez ses motifs d'affection, et vous le liez par cela même plus étroitement à l'état, cette administration intérieure à laquelle il participe, ou croit participer, débarrasse le gouvernement des objets de détail et devient un gage assuré de sa fidélité, de son zèle, et de son amour. Sa liberté même est un bien de plus qui l'enchaîne à sa patrie, et qui la lui rend encore plus sacrée.

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1. A.D. 8J 136 (Fonds Bigot) Documents on the exile of the parlement to Libourne. Arrêté du 7 septembre 1787.
 2. A.D. C 1989 contains a copy of these remonstrances, among other pieces on the corvée affair.

Dela, Sire, que d'efforts les provinces d'états ne font elles pas dans ces moments de crise ou les besoins sont plus pressants et les ressources plus rares: que de secours extraordinaires et presque incompréhensibles, ne donnent elles pas au gouvernement dans les tems ou son Credit est entièrement épuisé. C'est alors qu'on sent l'avantage des pays d'états, leur Constitution fait leur force. Comment des pais d'Election pourroient ils dans des tems facheux fournir a l'état en argent, en troupes, en vaisseaux, en munitions; qui s'engageroit au nom de la province dès qu'elle n'auroit point de representants? et qui pourroit accorder mille interets divers, qui tendent tous au bien public, il est vrai, mais qui ne sauroient y concourir puisqu'il n'y a point de centre auquel le voeu général puisse se réunir.'

Such were the views on local government put forward by the parlement under the stimulus of the corvées conflict. That of Grenoble had formulated similar claims in a similar context in 1776. However, these hopes were not forgotten when the conflict ended, and it was clearly the scheme for a pays d'états which the parlementaires in 1787 saw as an alternative to provincial assemblies with uncertain powers. They said as much, in their arrêtés of 18th August¹ and 7th September² 1787. On the latter occasion, the parlement pointed out that in 1779:

'il étoit bien éloigné de demander, pour son Ressort, plusieurs petites Assemblées Provinciales, amorcelées, incohérentes, étrangères les uns aux autres, qui, sous un Ministre inperieux, n'auroient d'autre volonté que celle de quelques Commissaires, choisis par l'administration, & qui pourroient servir à favoriser l'oppression, loin d'en garantir les Peuples ...

... le public pourra soupçonner que le but des Assemblées Provinciales, est de procurer une connoissance exacte des revenus de chaque particulier, & non de diminuer la masse de

1. Copy in A.M. Fonds Delpit 167 'Parlement'.

2. Copy in A.D. 8J 136.

l'impôt, & que l'on se propose plutôt d'imposer les fonds qui paient moins, que de soulager la partie indigente du peuple qui paie trop ...'

This, then, was what the parlementaires of Bordeaux wanted at the end of the old régime - no taxation without representation; strong, regional representation, preferably in the form of estates such as were to be found in Languedoc or in Brittany. Even so, they never explicitly ruled out provincial assemblies satisfactorily constituted. It was the government which always refused publicly to specify exactly how they should be constituted.¹

The drama had more than one act. As far as the parlementaires of Bordeaux were concerned, the months from September 1787 to May 1788 were months of stalemate. It would not be appropriate to go here into the details of the struggle. It consisted of a war of remonstrances and public replies, ineffective military sessions, and, sporadically, attempts to engineer a compromise. As to the provincial assemblies of the ressort, most never even met, and those that did, did so only for a few days and never convened again. The parliament's obstruction was on the whole effective. So was its

1. See, for example, the arrêté of 21 décembre 1787. 'Le parlement désire l'établissement des assemblées provinciales, et ... il Les desire dans les mêmes vues qui animent Ledit Seigneur Roi, pour le bonheur de ses peuples; mais ... Les réglemens, qui doivent former ces assemblées, peuvent seuls garantir que Cet objet sera rempli.' A.N. H 1596. c.f. Lhéritier's strange judgement, op.cit., p.104: 'Le Parlement de Bordeaux fit echouer en 1787 le projet d'Assemblées provinciales, après l'avoir préconisé en 1779.'

cessation of service; during all this time at Libourne, no laws were registered and no cases judged. The affairs of the ressort came to a chaotic standstill; and the Lamoignon reforms, designed to end the chaos, only prolonged it. They also prolonged the agitation for local estates, though as we have seen it was the non-parlementaire nobility who now took this up and transformed the vague parlementaire declarations of principle into a detailed project. The link between the two campaigns, however, seems clear.

Nevertheless, the direct participation of the parlementaires in the noble agitation is not easy to demonstrate. Only 15 of the 390 signature appended to the August memoir can be attributed certainly to parlementaires. A handful more were also possibly those of magistrates. But among the signatories were a host of brothers, sons, and uncles (not to say fathers), and many more with family connections in the parlement. The Bordelais nobility was small and very close-knit. The language of the memoir was that of a remonstrance; the sentiments were flattering towards the parlement; and indeed the ideas which it contained were only an elaboration on what the parlement had already suggested.

When at length the detailed project for restoration appeared, several parlementaires took an active part in trying to secure its acceptance throughout the ressort. Among the most enthusiastic of these was the baron de Gombault de Basac, chevalier d'honneur at the

parlement and friend and neighbour of the first president.¹ He wrote a long (and fruitless) series of letters to the nobles of La Marche. Councillor Voisin de Gartempe co-operated with him in this enterprise.² In Limousin, councillor de Poissac toured around with prodigious energy in an attempt to raise support for the idea of estates.³ In Bordeaux itself the parlement, after a triumphal rentrée late in October, held a joint session with the nobility, apparently prearranged, at which it promised to receive copies of all the various projects and protestations of the nobility, and to keep them alongside the laws of which it was the depository.⁴ Clearly, the parlement remained committed, as long as the agitation lasted, to the idea of estates; and in Bordeaux was closely involved with the movement at every stage.⁵

It is no part of the present purpose to examine why this idea failed to take root and be implemented. The reluctance of nobles

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1. See Dardy, 'Documents sur le projet d'union', loc.cit., passim. Also, for a wider view, J. Plantadis 'L'Agitation autonomiste de Guienne et le mouvement fédéraliste des Girondins en Limousin' (1787-1793) Bulletin de la Société de Lettres, Sciences & Arts de la Corrèze (1908) pp.1-29, (1909) pp.103-126, 467-494. Also (1910).
 2. Dardy, p.488. Gombault to de la Celle, 6 decembre 1788.
 3. A.N. B III 73. Two undated letters of January 1789 from a 'citizen of Tulle' to the intendant of Limoges. (copies)
 4. Bib. Mun. Bx. MSS 713 (Série 1) Tablettes de Bernadau, p.402. 13 novembre 1788.
 5. Lhéritier, op.cit., p.107, seems unduly cautious therefore when he says that 'il est ... possible que la Noblesse de robe ait été pour beaucoup dans la rédaction du factum'.

from outlying districts to co-operate in the project, a minute particularism in these same districts, the overshadowing appeal of the forthcoming Estates-General, and above all the failure to win the support of the third estate: all these played their part. By the Spring of 1789 the elections to the Estates-General absorbed all the orders, and the agitation for provincial estates died away.

What we must do is to see the significance of this agitation while it lasted. At the time, the nobles of Guienne looked across to Dauphiné, where a similar movement achieved some measure of success, and were reluctant to believe that the same could not be done at home. It seems very possible that the parlement, when in 1779 it first called for local representation, was also consciously following the example of the parlement of Dauphiné of 1776. And it seems equally clear that in both places the nobility took its cue from the parlement, where its social, intellectual and political leaders lay; even if, when the crucial moment came, they put the issue more clearly than ever the parlementaires alone had done. The parlementaires, however, had done all the painful groundwork.

For, despite all the foregoing, it was only slowly and painfully that the parlementaires had come to feel that there was something unsatisfactory in their position, and in that of those for whom virtually they spoke - all nobles and landowners. Nor did their dissatisfaction have clear and simple origins; for we have seen that the life of a parlementaire had many frustrations. All this complicated matters, and prevented them coming with any ease to a definite

assessment of the problems of their position, and of solutions to these problems. The aim of this thesis has been to illustrate what the position and the problems were.

The parlementaires of Bordeaux, and indeed those of every town with a parlement except for Paris, constituted the core of the local governing class. Extraordinary circumstances at Bordeaux made them not absolutely the richest men in the district, but they still were among the largest holders of the most honorable form of wealth, land. In prestige, such wealth easily outbalanced that from trade. To wealth was added the prestige of nobility. And to wealth and prestige, membership of the parlement not only brought its increment in kind, but also conferred a tangible power over others which no simple nobleman outside the Versailles circle could equal. The very fact that, since the time of Louis XIV, great noblemen had had to be at Versailles, had only served to throw the local power of parlementaires into greater relief. They replaced the cream that the king had skimmed. And, as milk is poor stuff without cream, so the old régime province of Guienne, from Limoges to Bayonne, could not be governed without them.

What increased their local power was that they were themselves local men. They were mostly born, married, and buried in the Bordelais. They knew, and were related to, all the other local notables. They made their living under very singular local economic conditions; and of course the ambit in which their power could be exercised was a local one. Nor was it easy for individuals who wished to, to go out-

side. Thus, saving a general allegiance to the king, the main focus of their loyalties was to the province of Guienne. It was natural, therefore, that they should only interest themselves in the local aspect of problems which might exist on a national scale. Indeed, as magistrates with the right of remonstrance, their duties were limited to this. But it was equally natural that such solutions to their province's problems as they envisaged, should also be purely local ones.

The result of such circumstances under Louis XVI was the call for local estates which we have analysed in this chapter. The problem to which they were the parlementaires' solution was, to the government, purely fiscal - the need for more money. But to those rich landowners whom the government's taxes affected most nearly, the matter was not so straightforward. Certainly they did not wish the king to go begging, nor did they begrudge him what they paid. But as the pressure of taxation increased throughout the 18th century, the rich nobleman, whose burden increased proportionately more than that of anybody else, sought some guarantee that his money was being responsibly demanded and responsibly spent. Around this issue, all the dissatisfactions of the nobility eventually coalesced. Increasingly, the only way of obtaining a guarantee came to appear to be some machinery of consent. Under Louis XVI, even the government saw this, and hence the schemes of Turgot, Necker, and Calonne for the setting up of provincial assemblies. Parlementaires, of course, were more aware than anybody that the government of France was not responsible

government, in view of their own failure to restrain on the grand scale the increases of government taxation. It is no wonder then, that most of them¹ joined wholeheartedly in, - indeed, led - the movement for effective provincial representation, despite the possibility that such representation might ultimately diminish their own importance. Their strong identification with the interests of their locality ensured that they had the support of the other notables there in their campaign. But there was no point in the mere appearance of representation. It had to be genuine or it was worthless.

This was the essence of the parlement's position in the crisis of 1787-88, and it is understandable enough, when we understand the position in society occupied by the parlementaires. In this context, they were merely a group of hoblomen with a greater opportunity than others for publicly expressing their views. The idea of estates, both national and local, was designed to enable the nobility to continue in its role as the governing class, in changed fiscal circumstances. Its parlementaire advocates were not to know, in the Autumn of 1788, that far from this, the advent of responsible government would break them and their power for ever.

1. We cannot, of course, safely say that the parlementaires were unanimous or united on the details of this. In the summer of 1787 Le Berthon declared that the parlement's refusal to register the edict on provincial assemblies was 'almost unanimous'. It seems certain at least that the more notable and vocal parlementaires, like Poissac, favoured the idea actively, and that it was they who carried the majority.

Postscript - The Fate of the Parlementaires

The last demonstration of the social importance and local political stature of the parlementaires came in the spring of 1789, at the time of the elections to the Estates-General. From the start, they made a determined effort to play a dominant role.

'Je ne dois pas vous taire, ' wrote Dupérier de Larsan, the grand-sénéchal of Guienne who presided over the elections, to the minister of the province, 'que le Parlement a cessé ses fonctions, pendant tout le temps qu'a duré l'Assemblée Générale des trois ordres, et que tous les Membres de ce Corps, à la réserve d'un très petit nombre, n'ont pas manqué une Assemblée.'

Nor was it merely in the estate of the nobility that the parlementaires were influential. Councillor J.S. de Laroze, in his capacity as lieutenant-général of the sénéchaussée, presided over the third estate and quarreled with Dupérier. As to the making of the cahiers:

'Je suis instruit que le Parlement y préside, si ce n'est pas publiquement c'est du moins en secret, et mon Lieutenant a l'attention de porter chaque jour chez Mr le President de Pichard les Cahiers du Tiers Etat.'

And the deputies of the nobility, were, so Dupérier claimed:

'déjà désignés dans le public sous le nom de Députés du Parlement'.¹

This impression was so widespread that after the elections, Pichard felt obliged to write to the Garde des Sceaux,

'pour éviter ce que des Méchants esprits pourront dire sur l'influence qu'avoit le parlement dans les assembles. il n'y avoit guerre plus de 40 à 50 magistrats qui les ayent suivies...'²

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1. A.N. B III 34 p.244 ff. Dupérier de Larsan to Laurent de Villedeuil, 28 mars 1789.
 2. Ibid., p.225. Pichard to Garde des Sceaux, 11 avril 1789.

Certainly it was easy enough to get an opposite impression, especially from the meetings of the estate of nobility. Of the twelve commissioners appointed to draw up the nobles' cahier, two were parlementaires and six were sons, brothers, or other relatives of magistrates.¹ The first president was the first deputy to be elected, by 226 votes out of 374. The fourth was president de Lavie; the third was the chevalier de Verthamon, younger brother of the président à mortier of that name. Of the four noble deputies of Bordeaux, only the vicomte de Ségur-Cabanac had no close links with the parlement.² Pichard in his letter to the Garde des Sceaux had tried nevertheless to play down the magistrates' role. Lavie had not appeared at the parlement for ten years, he explained (with some exaggeration); and what were 40 or 50 votes for the first president amid a total of 374? But he did not mention the number of fathers, sons, brothers, and other relatives of parlementaires who voted. It seems clear that, until the end, the parlementaires dominated the nobility of Bordeaux.

Even away from the city, parlementaires were important in the elections. In his native sénéchaussée of Tulle, councillor A. de Lafagerdie de Saint-Germain was elected secretary of the order of the nobility, and councillor de Poissac was elected their deputy to the Estates-General, in preference to the duc d'Ayen.³ In the sénéchaussée

1. Ibid., p.423. Procès-verbal of 23 mars 1789.

2. Ibid., ps.437-449.

3. A.N. B III 73. See too A. Brette, Recueil de documents relatifs à la Convocation des Etats-Généraux de 1789 (Paris, 1915) t.III, p.576.

of Bazas, councillor G. de Castelnau d'Auros was elected secretary of the order, and C.A. de Pils, conseiller honoraire, was elected as the nobles' deputy; as grand-sénéchal of the Bazadais, he had also presided over the assembly. Most remarkable of all, in Mont-de-Marsan, councillor F. Perez d'Artassan was elected first deputy for the third estate.¹

None of the parlementaires elected to the Estates-General, however, made much impression on the national scene.² All except Le Berthon and Lavie seem to have voted consistently on the right. Pils, Poissac, and Perez all left the National Assembly before the end of 1789. Even when, in the spring of 1790, president J.C. Daugeard, who presided the final chambre des vacations of the parlement, was called to the bar of the Assembly to explain the controversial behaviour of the parlement with respect to the wording of certain arrêts, his two colleagues left in the Assembly said nothing in his defence.³

Not many of the parlementaires emigrated during the Revolution. Positive evidence has only come to light about ten, though it has been asserted that there were over twenty of them.⁴ There was Basterot,

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1. A.N. B III 91, p.279. Lieutenant-Général of the sénéchaussée of Mont-de-Marsan to Garde des Sceaux, 23 avril 1789.
 2. Information from entries in A. Robert, E. Bourloton, & G. Cougny, Dictionnaire des Parlementaires Français, 5v. (Paris, 1891).
 3. Réimpression de l'ancien Moniteur, t.III, ps. 505, 526, 528, 529. t.IV, ps.76-7. See too H. Carré, La Fin des Parlements (Paris, 1912) ps.185-197.
 4. Carré, La Fin des Parlements, p.274.

who went to Ireland in 1791 to get payment of his debts, but did not return.¹ There was G. de Castelnau d'Auros, who went as far as Russia, where he served the émigré duc de Richelieu and the Tzar Paul I.² The others usually went to Spain or Italy. E. de Meslon, conseiller clerc, was actually deported as a nonjuring priest.³ Most of those who emigrated, however, usually returned before the fall of Napoleon. Others, if they did not emigrate, left the region of Bordeaux to live in obscurity elsewhere. The first president, Pichard, and several others went to Paris, which still did not prevent certain of them from losing their heads during the Terror. And those who were away from Bordeaux for any length of time, even though not emigrating, usually had their lands confiscated on the assumption that they had emigrated.

Few parlementaires attained or aspired to public office during the Revolution. J.B. Voisin de Gartempe sat in 1791-2 in the Legislative Assembly.⁴ M. de Loménie was found in 1792 presiding the local lawcourt at Marmande (Lot-et-Garonne).⁵ J. de Chalup remained almost constantly employed as a judge in various courts throughout the Revolution, even under the Terror.⁶ Above all in fame, there was Saige,

1. See above, p.287

2. E. Féret, Statistique Générale du Département de la Gironde, 3v. (Bordeaux, 1874-1889) t.3 Biographie, p.125.

3. A.D. Q 930 Inventaire des Meubles de Meslon.

4. See the entry under his name in Robert, &c. Dictionnaire des Parlementaires Français.

5. A.D. 4L 110 Tax request of 1792.

6. A.N. BB⁶ 56.

who in 1791 became mayor of Bordeaux and in that capacity led the city in the summer of 1793 in the Federalist Revolt.

Of those parlementaires who perished in the Terror, most did so in the aftermath of this revolt, when a military commission was set up to purge Bordeaux of disloyal elements.¹ This accounted for 25 of the 28 Bordeaux parlementaires who died on the scaffold; Richard, J.J. Maurice de Sentout, and E.H. Latouche-Gautier were executed in Paris. In Bordeaux, Saige was the first to go, within two days of the establishment of the commission in Bordeaux. On 22 Messidor, Year II, a fournée of nine parlementaires appeared before the commission, all to be condemned. Former parlementaires, the représentant en mission Lacombe told one of them, had to prove that they would have been torn apart in the event of a restoration of aristocracy, if they now wished to avoid the scaffold.² Among those who died were the ex-procureur-général Dudon the younger, the ex-avocats-généraux Dufaure de Lajarte and Lalande, the ex-presidents de Rolland and de Filhot, and the ex-deputy de Piis. Of those who were arraigned, only ex-president de Lavie was acquitted.³

The Terror saw the execution of more ex-members of the parlement of Bordeaux, numerically, than any other except those of Toulouse and Paris; proportionally, only the parlementaires of Toulouse suffered

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1. See Boshéron des Portes, t.2, p.451-457, and A. Vivie, Histoire de la Terreur à Bordeaux, 2v. (Bordeaux, 1877) passim, but especially t.2, p.339.
 2. Vivie, loc.cit.
 3. See above, p.155

more.¹ In addition to those who were condemned, at least 27 more of the ex-parlementaires suffered imprisonment as suspects in the course of the Year II.² So only half of the parlementaires passed through the most violent phase of the Revolution untouched by its political justice. This in itself was surely a retrospective measure of the importance of the parlementaires in the society of pre-revolutionary Bordeaux.

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After this, the ex-parlementaires disappear from view for nearly 20 years. The only one of whom we hear anything is Lavie, who under the Directory was elected to the Council of Five Hundred. However, he achieved nothing remarkable there, and died on his estates in 1801. It is only therefore in 1811 that we rediscover the ex-parlementaires who still survive. In that year, Napoleon decided upon a widespread reform of the judicial structure and the personnel of the higher courts in France. He wished to give them a greater element of continuity with pre-revolutionary institutions, and to this end decided to draft into them as many suitable ex-members of the old sovereign courts as could be found. He therefore instructed prefects to seek out men, and supply details of their age, their present occupations, the state of their fortunes, and their likely capacity as judges. The list drawn up by the prefect of the Gironde survives, and though

1. Carré, La Fin des Parlements, pp. 277-8

2. A.M. MSS 350-357 Dictionnaire des Arrestations by Aurélien Vivie.

it contains certain errors and omissions, is still very valuable.¹

The prefect found ten ex-members of the cour des aides and 31 ex-parlementaires still living to his knowledge, though at least six more certainly survived.² Nearly all were by now over 50, many a good deal over. Three were described as rich, 13 had fortunes which were honnête and the resources of the others were described as mediocre or poor. Ex-president G.J. de Cazeaux was noted as having squandered an immense fortune on dubious business ventures, which was correct; in 1816 he was in litigation against 47 of his creditors.³ Ex-councillors Chauvet and Dubergier de Favars had also become merchants, but they had now moved to Paris, so there was no information on the state of their fortunes.

As regards occupations, most of the ex-parlementaires were gentlemen of leisure. L. Duluc, J.F.L.A. de Marbotin and G.R. de Filhot de Marans were members of the conseil général of the department. The Abbé E. de Meslon had survived his deportation and was now a canon of Bordeaux. A Lajaunye was mayor of Langoiran, and P.J.B. Lynch had been mayor of Bordeaux itself since 1808 and was a count of the Empire. J. de Malet and J.F.L.A. de Marbotin also held imperial titles, as barons of the Empire. The object of this enquiry was of course to find

1. A.N. BB⁵ 73. 'Etat des Anciens Membres du Parlement, de la Cour des Aides de Bordeaux', 24 février 1811.

2. 33 were listed, but 3 of those named as parlementaires were in fact only their brothers or their sons.

3. A.M. factums 1X
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likely magistrates, and it revealed that J. de Chalup and A. de Lafagerdie de Saint-Germain already were members of courts of appeal. So, had the prefect known it, was J.B. Voisin de Garetempe. The one-time Abbé de Poulouzat was living as an avocat at Limoges.

How far did the government act on the information thus received? At least 11 of these ex-parlementaires were considered as candidates for office in the new imperial courts. P.J. Douenge and J.J. de Boucaud refused to join that of Bordeaux. The ex-councillors Marbotin, Chalup, and Malet, however, accepted. Voisin de Garetempe became the first president of that of Metz; Lajaunye became a councillor at that of Angers, and later, Bordeaux. Between this time and the fall of Napoleon P.F.M. de Spens and J.L.F.M.M.J. Maurice de Sentout also joined the court at Bordeaux.¹

However, the fall of Napoleon and the Restoration of the Bourbons marked a crisis for these ex-parlementaires. Lynch made a substantial contribution to the Bourbon cause in 1814 when, as its mayor, he delivered Bordeaux into the hands of the English armies advancing from Spain. Napoleon swore never to forgive him, but Louis XVIII rewarded him with a peerage. None of the others, however, could be sure of automatic Bourbon gratitude, as the position of all of them holding judicial office came under review in the light of their political record during the hundred days. At Bordeaux, sixteen of the 30 councillors of the Cour Royale (erstwhile Cour Impériale) were dismissed

1. A.N. BB⁶ 56

by the new government, including the ex-parlementaire Lajaunye. All the others, however, kept their offices, and J.F.L.A. de Marbotin became first president. Among the new members replacing the dismissed sixteen were the ex-parlementaires J. de Lamouroux and G. Bouquier.¹

Others, too, got subsequent social and professional preferment. Chalup in 1818 became first president of the court at Angers. Voisin de Gartempe in 1819 became a councillor at the Cour de Cassation in Paris. He also served as a deputy between 1815 and 1824, and 1827 and 1834, at which date he joined Lynch as a peer of France. G.R. de Filhot de Marans also served as a deputy in the year 1815-16. Castelneau d'Auros returned from Russia and was rewarded for his loyalty there to the duc de Richelieu with a marquisate.

The government of Louis XVIII was therefore very generous to the survivors of his brother's parlement of Bordeaux. In spite of the Revolution, those ex-magistrates who survived long enough, usually ended their careers as much men of social consequence as when they had begun them, under the old regime. Most were still financially comfortable. Those who remained in the Bordelais still occupied prominent positions of public trust. Genealogies even show that inter-marriage among ex-parlementaire families remained common. But now there were far fewer of them, in the Bordelais or anywhere else. The Revolution had destroyed many families and scattered others, so that parlementaire traditions were only preserved in the Bordelais by a

1. A.N. BB⁶ 56

small proportion of the families who had made up parlementaire circles before 1790. And of course the members even of these diminished all the time. When ex-councillor Lajaunye wrote to the government in 1831,¹ still pathetically seeking judicial office after yet another revolution he was already 80 years old, and all but a handful of his former colleagues were dead.

1. A.N. BB⁶ 56 Lajaunye to Minister of Justice, 18 avril 1831.

Appendix 1Alphabetical List of the Parlementaires of Bordeaux1775-1790

This list gives surnames, Christian names, and details (where necessary) of the career of each magistrate within the parlement. Each name is followed by four dates, which are, respectively, those of birth, entry into the parlement, end of career in the parlement, and (where this is known) death.

Barbeguière, Hyacinthe-Louis conseiller clerc	1730-1759-1788-18
Baritault, Jean-Joseph-François-Godefroy de conseiller	1706-1730-1779-1779
Baritault, Jean de conseiller, son of above.	1747-1767-1790-1794
Barret, Jean-Baptiste-Luc greffier-en-chef	1709-1743-1780-1780
Barret, Pierre-Jean-Baptiste-Marie conseiller, son of above.	1747-1767-1790-18
Basquiat de Mugriet, Joseph de conseiller	1728-1762-1785-
Basquiat de Mugriet, Alexis-Marie-Joseph conseiller, son of above.	1764-1785-1790-18
Basterot, Barthélémy de conseiller	1743-1771-1790-1822
Bergeron, François-Jacques-Marie de conseiller	1760-1780-1790-18

Bienassis, Jean-Etienne de president aux requetes	1731-1766-1790-
Biré, Jean-Joseph de Conseiller aux requêtes, 1768; enquêtes, 1775.	1747-1768-1790-18
Boucaud, Jacques-Joseph de conseiller	1744-1765-1790-1814
Bouquier, Gabriel conseiller aux requêtes, 1769; enquêtes, 1776.	1741-1769-1790-1828
Brach, Pierre-François de chevalier d'honneur	1738-1768-1789-1789
Brane, Joseph-Hector de conseiller	1746-1780-1790-18
Brivazac, Jean-Baptiste-Guillaume-Léonard de conseiller	1729-1755-1790-1791
Cajus, Pierre-Nicolas conseiller aux requêtes	1739-1766-1790-
Carrière, Jean-Antoine-Elisabeth-Pic de conseiller aux requêtes	1750-1778-1790-18
Caseaux, Pierre-Emmanuel de conseiller, 1740; président à mortier, 1755.	1716-1740-1778-1778
Caseaux, Guillaume-Joseph de conseiller, 1784; président à mortier 1785; son of above.	1758-1784-1790-18

Castelnau d'Essenault, Léonard-Antoine de conseiller	1742-1763-1790-
Castelnau d'Auros, Gabriel de conseiller	1757-1780-1790-1826
Chalup, Joachim de conseiller	1757-1783-1790-1825
Chanseaulme de Fonroze, Elie-Jean conseiller	1739-1767-1790-1794
Chaperon de Terrefort, François-Joseph de conseiller	1734-1759-1790-1794
Chauvet, Jean Baptiste conseiller	1755-1779-1790-18
Conilh, Jean-Antoine-François de conseiller	1704-1730-1775-1775
Conilh, Pierre-Guillaume de conseiller, son of above.	1743-1769-1788-1788
Cursol, Joseph-Antoine de conseiller	1713-1734-1785-1785
Dalen, Romain conseiller	1739-1760-1776-
Dalphonse, Jean-Baptiste conseiller	1709-1754-1777-1779

Darblade de Séailles, Auguste-Jean-Bertrand conseiller	1757-1784-1790-
Darche, Jean-Luc conseiller	1731-1751-1790-
Darche de la Salle, François-Benoît conseiller	1723-1744-1790-1792
Daugeard, Jean-Charles président à mortier	1725-1768-1790-
Daugeard de Virazel, Jacques-Armand-Henri président à mortier	1736-1769-1790-179
Degères de Loupes, Pierre conseiller	1737-1762-1790-18
Delpech, André greffier-en-chef	1751-1783-1790-18
Delpy de la Roche, Jean-Louis-Henri conseiller	1734-1757-1786-
Demons de Saint-Paully, Léonard-Joseph conseiller	1736-1758-1776-178
Desmoulins de Maspérier, René conseiller	1763-1783-1790-
Desnanots, Jean-Baptiste-Daniel conseiller	1725-1749-1779-

Domenge de Pic de Blais, Claude-Ange conseiller	1703-1749-1788-1788
Domenge de Pic de Blais, Pierre-Joseph conseiller, son of above.	1748-1780-1790-18
Doudinot de la Boissière, François conseiller clerc	1746-1776-1790-
Drouilhet de Sigalas, Charles-Ignace conseiller	1709-1737-1780-1780
Dubarry, Jean-Baptiste conseiller	1730-1762-1790-179
Dubergier de Favars, Jean-Clément conseiller	1717-1737-1780-1780
Dubergier de Favars, Raymond-Jean-Antoine conseiller, son of above.	1763-1784-1790-18
Dudon, Pierre-Jules avocat-général, 1739; procureur-général, 1764.	1718-1739-1790-1800
Dudon, Jean-Baptiste-Pierre-Jules procureur-general en survivance avec exercice, son of above.	1750-1783-1790-1793
Dufaure de Lajarte, Elie-Louis conseiller, 1778; avocat-général, 1779.	1754-1778-1790-1794
Duluc, Laurent conseiller	1729-1755-1790-18

Dumas de Fonbrauge, Jacques-François-Joseph conseiller	1734-1765-1790-1794
Dumas de Laroque, Pierre-Henri conseiller	1736-1766-1790-1794
Dupaty, Charles-Marguerite-Jean-Baptiste-Mercier avocat-général, 1768; président à mortier, 1780.	1746-1768-1788-1788
Durand, Aubin-Felix conseiller clerc	1743-1788-1790-18
Durand de Naujac, Pierre-André conseiller aux requêtes, 1753; enquêtes, 1758.	1722-1753-1780-1780
Duroy, Jean conseiller	1723-1746-1778-1788
Dussault, Jean conseiller; doyen.	1700-1721-1780-1781
Dussault, Jean Maurice conseiller, son of above.	1729-1756-1790-1794
Duval, Pierre-François conseiller	1746-1768-1790-
Duval, Jean-Luc-Joseph conseiller	1764-1786-1790-1794
Fauquier, Jean-Baptiste de conseiller	1714-1738-1790-1793

Féger, Joseph conseiller clerc	1725-1755-1789-1789
Féger, Jean-Baptiste greffier-en-chef, nephew of above.	1740-1768-1777-1777
Filhot de Chimbaud, Jean-François de conseiller aux requêtes, 1758; enquêtes, 1761.	1719-1758-1775-1775
Filhot de Chimbaud, Joseph de conseiller, son of above.	1763-1783-1789-1789
Filhot, Gabriel-Barthélémy-Romain de conseiller, 1769; président aux enquêtes, 1789.	1746-1769-1790-1794
Filhot de Marans, Gabriel-Romain de conseiller, brother of above.	1753-1779-1790-18
Fonteneil, Jean de conseiller	1717-1749-1778-1782
Garat, Jean de conseiller	1719-1764-1785-1785
Gascq, Antoine-Alexandre de conseiller, 1730; président à mortier, 1739.	1712-1730-1779-1781
Gaufreteau, Guillaume de conseiller	1761-1785-1790-
Geneste de Malromé, Marc-Alexandre conseiller clerc	1721-1743-1790-1802

Gobineau, Thibaud-Joseph de conseiller	1722-1768-1790-1796
Gombault de Rasac, Joseph de chevalier d'honneur	1723-1748-1790-
Gourgue, Laurent-Marc-Antoine de conseiller, 1738; président à mortier, 1753.	1717-1738-1779-1779
Gourgue, Michel-Joseph de conseiller, 1739; président aux enquêtes, 1760 brother of above.	1718-1739-1790-18
Guillaume, Louis-Joseph de conseiller	1764-1787-1790-
Jaucen de Poissac, Etienne-François-Charles de conseiller	1733-1760-1790-
Labat de Savignac, Pierre-François-Ignace de conseiller	1713-1736-1781-1781
Labat de Savignac, Hyacinthe-Marie-Servidie de conseiller, son of above.	1750-1776-1790-18
Laboyrie, Pierre-Joseph de conseiller	1753-1777-1790-
La Colonie, Jean-François-Aymard-Martin de conseiller, doyen.	1706-1733-1790-17
Lafagerdie de Saint-Germain, Antoine de conseiller	1757-1781-1790-18

Lafargue de Laroque, Jean-Armand greffier-en-chef	1742-1777-1783-1783
Lafargue, Louis-Armand greffier-en chef, brother of above.	1732-1787-1790-1820
Lagubat, Thomas-Martiens de conseiller	1742-1776-1790-
Lajaunye, Antoine conseiller	1751-1782-1790-18
Lalande, Pierre de Raymond de conseiller	1727-1747-1778-
Lalande, Jean de Raymond de conseiller, 1779; avocat-général, 1780, son of above.	1756-1779-1790-1794
Laliman, Jean-Joseph de conseiller aux requêtes, 1763; enquêtes, 1768.	1740-1763-1790-1794
Lamolère, Jean-Baptiste de conseiller	1734-1759-1783-1808
Lamontaigne, François de conseiller	1724-1746-1784-1812
Lamoureux de Parempuyre, Joseph de conseiller	1753-1776-1790-18
Laporte-Paulliac, Armand-Yves-Jean-Baptiste de conseiller	1754-1776-1790-1794

Laroze, Joseph-Sébastien de conseiller	1715-1756-1784-179
Laroze de Fonbrune, Gabriel-Marie-Anne-Joseph de conseiller, son of above.	1757-1784-1790-18
Lasalle, Jean-Martin de conseiller	1730-1768-1790-
Lascombes, Jean-François de conseiller	1735-1763-1783(?)-
Lassine, Louis-Jacques conseiller aux requêtes	1751-1785-1790-1794
Latouche-Gautier, Etienne-Hyacinthe de conseiller aux requêtes	1747-1777-1790-1792
Lavie, Paul-Marie-Arnaud de conseiller, 1768; président à mortier, 1768.	1747-1768-1790-1801
Le Berthon, André-Jacques-Hyacinthe conseiller, 1733; président aux enquêtes, 1736; président à mortier, 1748; premier président 1766.	1713-1733-1790-1800
Le Berthon, Andre-François-Benoît-Elisabeth conseiller, 1777; président à mortier, 1779; son of above.	1751-1777-1790-1792
Leblanc de Mauvezin, Jean-Antoine conseiller	1706-1731-1779-1779
Leblanc de Mauvezin, Jean-Joseph-Timothée conseiller, son of above.	1756-1777-1790-

Leblanc de Mauvezin, Jean-Louis-Alexandre conseiller, brother of above.	1760-1783-1790-
Leydet, Joseph-François-Hubert conseiller aux requêtes	1733-1764-1785-
Loménie, Martial de conseiller aux requêtes	1747-1777-1790-
Loret, Jean-Paul de conseiller, 1728; président aux enquêtes, 1738.	1708-1728-1790-1791
Lorman, Jean-Baptiste-Valentin conseiller aux requêtes	1724-1760-1782-
Lorman, Jean-Gérard conseiller aux requêtes	1756-1783-1790-
Loyac, Laurent de conseiller	1734-1757-1790-1794
Lynch, Pierre-Jean-Baptiste conseiller, 1771; président aux enquêtes, 1783.	1749-1771-1790-1835
Maignol, Etienne conseiller	1723-1752-1775-179
Maignol, René conseiller, nephew of above.	1763-1786-1790-1800
Malet, Jean de conseiller	1753-1788-1790-1849

Marbotin de Conteneuil, Jean-François-Laurent-Amédée de conseiller	1748-1768-1790-1824
Marbotin, Jean-François de conseiller	1728-1749-1790-1794(?)
Maurice de Sentout, Jean-Jacques conseiller aux requêtes, 1759; président aux requêtes, 1764.	1725-1759-1790-179
Maurice de Sentout, Jacques-Léger-François-Magdeleine-Marie-Joseph conseiller, son of above.	1767-1789-1790-18
Meslon, Antoine de conseiller clerc	1720-1755-1775-1778
Meslon, Eléazar de conseiller clerc, nephew of above.	1750-1776-1790-18
Meslon, Jean-André de conseiller, brother of above.	1748-1768-1790-1794
Minvielle, André-Joseph de conseiller	1744-1765-1790-18
Montalier de Grissac, Joseph-Marie de conseiller	1739-1768-1790-18
Montforton, Guillaume de conseiller clerc	1699-1750-1775-1780
Montsec de Reignac, Arnaud-François-Bernard-Martin de conseiller	1747-1776-1790-1794

Moreau de Montcheuil, Nicolas-Martin conseiller	1744-1770-1790-18
Mothes, Louis-Joseph de conseiller	1743-1779-1790-
Navarre, Jean-Baptiste-Raymond de conseiller	1732-1752-1790-
Paty du Rayet, Léonard de conseiller	1732-1757-1790-1794
Pelet, Jean-Jacques conseiller	1717-1740-1788-1788
Pelet d'Anglade, Jacques conseiller, brother of above.	1723-1743-1790-1793
Perez d'Artassan, François conseiller	1722-1764-1790-1798
Peyronnet, Louis-Elie conseiller	1760-1782-1790-1792
Pichard, Nicolas-Pierre de Avocat-général, 1755; président à mortier, 1760.	1734-1755-1790-1794
Pichard, François-Nicolas-Pierre de conseiller, son of above.	1764-1786-1790-
Pis, Charles-Antoine de conseiller	1742-1763-1776-1794

Pocquet de Lillotte de Puilhéry, Louis-Claude conseiller	1721-1757-1776-1800
Prunes Duvivier, Alexis-Jacques-Mathieu conseiller	1742-1763-1790-179
Ragueneau, Pierre de conseiller	1717-1748-1778-1778
Raignac, Gaston-Jean-Baptiste-Joseph de conseiller	1750-1770-1790-1794
Raymond de Sallegourde, Gabriel de conseiller	1711-1737-1786-1786
Raymond, Pierre-Louis de conseiller	1754-1786-1790-
Reculès de Poulouzat, Pierre-Martial conseiller clerc	1746-1776-1790-18
Richon, Philippe de conseiller	1723-1753-1782-1794
Roche de Lamothe, Bernard conseiller aux requêtes	1722-1768-1790-
Rolland, Jean-François de conseiller, 1763; président aux enquêtes, 1766.	1725-1763-1783-1794
Ruat de Buch, François-Amanieu de conseiller	1742-1763-1790-1803

Saige, François-Armand avocat-général	1734-1760-1778-1793
Sauvat de Pommiers, Charles conseiller	1755-1787-1790-18
Souc de Flancher, Annet-François de conseiller clerc	1716-1759-1775-
Spens d'Estignols de Lancre, Pierre-François-Joseph de conseiller, 1742; président à mortier, 1755.	1721-1742-1777-1777
Spens d'Estignols de Lancre, Pierre-François-Mathieu de conseiller, 1777; président à mortier, 1778.	1757-1777-1790-1818
Taffard, Jean-Baptiste conseiller	1743-1764-1777-1786
Thilorier, Jacques conseiller	1742-1765-1776-1783
Verthamon d'Ambloy, Martial-François de conseiller, 1739; président aux enquêtes, 1761.	1719-1739-1787-1787
Verthamon d'Ambloy, Jean-Baptiste-Maurice de président à mortier, son of above.	1746-1770-1790-1809
Voisin de Gartempe, Jean-Baptiste conseiller	1759-1785-1790-1840

Appendix 2

List of Members of the Parlement Maupeou at Bordeaux

(Names underlined indicate members not previously parlementaires)

Premier Irésident

A.A. de Gasco

Présidents

N.F. de Pichard

J. Duroy

J. de Bacalan¹

J.M. Gussault

Conseillers-présidents

J.P. de Loret

J.F. de Rolland²

Conseillers Clercs

M.A. Geneste de Malromé

G. de Montforton

A. de Meslon³

H.L. Barbeguière

J. de Laborde de Pachère⁴

-
1. Joseph de Bacalan (17 -1750-1773-1773) 1748 professor of French Law at the University of Bordeaux; 1750 conseiller au parlement; 1771 president in the parlement Maupeou; died in office. Succeeded by J.F. de Rolland.
 2. Succeeded J. de Bacalan as full president in 1773; succeeded as conseiller-président by J.F. de Lascombes. Returned in the restored parlement of 1775 to his old office of president in the enquêtes.
 3. Resigned, 1773; succeeded 1774 by J. de Laborde de Pachère. Returned in the restored parlement of 1775 to his old office of conseiller clerc.
 4. Jean de Laborde de Pachère (17 -1774-1775-) Priest. Succeeded A. de Meslon, who resigned in 1773.

Conseillers Laïcs

J.J.F.G. de Baritault
 J. de Baritault
 P.J.B.M. Barret
 J.J. de Boucaud
 P.N. Cajus
 L.A. de Castelnau¹
 E.J. Chanceaulme de Fonroze
 F.J. Chaperon de Terrefort
 J.A. de Cursol²
 F.J. Dalbessard³
 J.B. Dalphonse
 J.L.H. Delpy de la Roche
 C.A. Domenge de Pic de Blais
 C.I. Drouilhet de Sigalas
A.J. Drouilhet de Sigalas⁴
 J.B. Dubarry
 J.C. Dubergier de Favars
 J.F.J. Dumas de Fonbrauge
 J. Dussault, Doyen

-
1. Resigned, 1772. Succeeded by B.J.C.R. de Gascq. Returned in the restored parlement of 1775 to his old office of conseiller.
 2. Resigned, 1773. Succeeded by G.H.C. de Goyon d'Arzac. Returned in the restored parlement of 1775 to his old office of conseiller.
 3. François-Jacques Dalbessard (17 -1757-17 -) Son of F.J. Dalbessard, president of the enquêtes, lieutenant-général au séné-chaussée (to 1748) and professor of law at the University of Bordeaux. This son of his is very mysterious: it is possible that he was in the parlement after 1775, though I have not listed him in appendix 1. Certainly he did not sell his office until 1782, to A. Lajaunye.
 4. André-Joseph Drouilhet de Sigalas (1741-1772-1775-) Son of C.I. Drouilhet de Sigalas, conseiller. Succeeded A.B. Maignol de Mataplane, who died in 1772. Object of quarrels in 1775-6; see above, pp.26 & .

P.A. Durand de Naujac
 J. Filhot de Chimbaud
 J. de Fauquier
 J. de Fonteneil
 J. de Garat
B.J.C.A. de Gascoq¹
J.B. de Gascoq²
G.A.C. de Goyon d'Arzac³
 J.J. de Laliman
 J.S. de Laroze
P.M. de Laroze⁴
 F. de Lamontaigne
 J.F. de Lascombes⁵
 J.B.V. Lorman
 A.E. Maignol⁶
 E. Maignol
 J.F. de Marbotin

-
1. Blaise-Jean-Charles-Alexandre de Gascoq (1747-1772-1775-) Son of Charles de Gascoq, écuyer; a distant cousin of A.A. de Gascoq, first president of the parlement Maupeou. Succeeded L.A. de Castelnau, who had resigned.
 2. Jean-Baptiste de Gascoq (1752-1773-1775-) Brother of above. Succeeded J.F. de Lascombes, promoted president in 1773.
 3. Guillaume-Henri-Charles de Goyon d'Arzac (17 -1773-1775-) Son of C. de Goyon d'Arzac, écuyer. Succeeded J.A. de Coursol, who resigned in 1773.
 4. Phillippe-Marie de Laroze (17 -1771-1775-1799) Eldest son of councillor J.S. de Laroze. Object of quarrels in 1775-6; see above, pp.26 & 50. Became president at the cour des aides, 1779. Succeeded J.F. de Rolland as conseiller-président on the latter's promotion to full president, 1773. Succeeded by J.B. de Gascoq. Returned in the restored parlement of 1775 to his old office of conseiller.
 6. Alexis-Etienne Maignol de Metaplane (1725-1764-1772-1772) Elder brother of councillor E. Maignol, who later became procureur-général of the cour des aides. Died in office; succeeded by A.J. Drouilhet de Sigalas.

A.J. de Minvielle
J.M. de Montalier de Grissac
N.M. Moresau de Montcheuil
J.B.R. de Navarre
J.J. Pelet
F.A. Ruat de Buch
J.B. Taffard

Procureur-Général

P.J. Dudon

Avocats-Généraux

J.A. Saige

J.B.P.J. Ludon

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B (Cours et Juridictions)

This series is for the most part unclassified.

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1B (registres du parlement)	42-58
7B (fonds des négociants)	1633, 1564, 1645, 1652 1700, 1746, 2013.

C (administration)

5, 23, 36, 48, 53, 54, 74, 96, 97, 128, 211, 238, 302, 303, 313, 352, 453, 891, 952, 1332, 1333, 1335, 1336, 1357, 1439, 1509-12, 1551, 1953, 1976, 1982, 1983, 1989, 1991, 2010, 2352, 2357, 2369, 2437, 2484, 2597, 2602, 2657, 2667, 2668, 2696, 2737, 2748, 2778, 2781, 2830, 2831, 2872, 2888, 2889, 2890, 2907, 2908, 2918, 2924, 2933, 2934, 2981, 2983, 3006-7, 3018, 3019, 3031, 3034, 3035, 3036, 3039-42, 3044, 3055, 3056, 3159, 3170, 3171, 3195, 3331, 3376, 3383, 3437, 3451, 3452, 3459, 3548, 3603, 3604, 3613, 3622, 3623, 3629-31, 3656, 3666, 3669, 3672, 3675, 3688, 3713, 3714, 3717, 3718, 3720, 3730, 3732, 3745, 3759, 3765, 3783, 3796, 4012, 4014, 4016, 4040, 4057, 4066-70, 4076-78, 4192, 4232, 4236, 4259, 4264, 4265, 4266, 4457, 4460, 4473, 4519, 4572-79, 4675, 4702, 4769, 4771, 4785, 4865, 4905-911.

E (seigneuries, communes, familles)

E (Notaires; terriers)	10, 577, 579, 930, 960.
2E (Titres de Famille)	37 (Amanieu de Ruat) 63-5 (Darche)

- 147 (Baritault)
- 168 (Basquiat)
- 236 (Bergeron)
- 295 (Biré)
- 450 (Brivazac)
- 563-6 (Castelnau)
- 854 (Delpy)
- 890 (Desnanots)
- 926 (Domenge)
- 1006 (Dudon)
- 1012-13 (Dufaure-Lajarte)
- 1089-91 (Duval)
- 1212-13 (Filhot de Chimbaud)
- 1308 (Gascq)
- 1384 (Gobineau)
- 1405 (Gourgue)
- 1654 (Lagubat)
- 1686 (Lamolère)
- 1763 (Lascombes)
- 1810 (Le Berthon)
- 1811 (Leblanc de Mauvezin)
- 1896 (Loyac)
- 1933 (Maignol)
- 1968 (Marbotin)
- 2056 (Meslon)
- 2081 (Minvielle)
- 2151 (Navarre)
- 2221-24 (Pelet d'Anglade)
- 2285 (Pichard)
- 2325 (Poissac)
- 2408 (Raymond de Sallegourde)
- 2421 (Raignac)
- 2537 (Saige)

3E (minutes notariales)

The precise numbers of each bundle would be far too numerous and complex to give here, for many documents were used, but few bundles contained more than one or two useful documents among hundreds. The names of the notaries alone will therefore be given.

<u>At Bordeaux</u>	Banchereau	Guy <u>père</u>
	Barbaret	Hazera
	Baron	Lacoste
	Bouan	Laville
	Brun	Morin
	Cheyron	Perrens
	Despiet	Rauzan
	Dugarry	Rideau
	Duprat	Sejourne
	Faugas	Troupenat
	Gatellet	

At Blanquefort Berninet

Notarial records relating to <u>seigneuries</u> :	3E 20.926
	23.308
	14.784
	12.664

Répertoire Numérique No.100 (2v.), covering 3E 12675-12694:

'Cessions d'Offices: Minutes Notariales retirées des fonds en exécution du décret du 9 brumaire An II, portant suppression des offices XVII-XVIIIe siècles. - Inventaire alphabétique par noms de personnes & de lieux suivi d'une table des matières.'

H (Clergé régulier; unclassified)

Registres de Jésuites, No.2

J (Dons et acquisitions)

1J 287, 311, 324

3J D1

7J 83-4 (same as 2E 168)

115-127 (same as 2E 1213)

8J (Fonds Bigot) 67, 136, 230, 479, 480, 481, 482

9J (Fonds Saint-Saud) 19, 67, 73, 339

L (Révolution)

4L (contributions) 109-117, 140, 194

Q (domaines)

402, 900-41, 1008-12, 1296-1300, 1309

Tables A 376 (Testaments contrôlés, 1769-1788)

Bx 1-6 (Tableaux des Contrats de Mariage, 1730-1792)

o

Bx 2 & Bx 1/3 1-3 (Tableaux des Acquereurs &
M&N M&N Vendeurs, 1769-91)

Z (cartes et plans)

11x 817 & 817 bis, 1357

Etats-Généraux, 1789

2 dossiers.

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Fonds Ancien

DD (travaux publics) 31, 34

FF (justice) 5a, 5b, 5c, 6, 7

GG (instruction publique; état civil)

155, 160, 326, 331, 332, 418, 430,

456, 496, 504, 645, 668, 693, 695,
811, 812, 813, 816, 820, 836

HH (Commerce) 64

Fonds Revolutionnaire

G (contributions; administrations financières)

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20, 21, 27.

Fonds Baurein (Inventaire de la Jurade)

Carton 11 - 23 (parlement)

Fonds Albert Mengeot (the Restoration at Bordeaux)

Dossier 46

Fonds Alain d'Anglade (genealogy)

Dossiers 18, 24, 28, 35, 49, 54, 56, 86

Fonds Jules Delpit (Mélanges historiques)

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Barret v. Boubée

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Succession Lavie

 $\frac{B - 6}{15}$

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 $\frac{B - 6}{12}$

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E (personnel individuel)	18
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I am also grateful to the Marquis Du Paty de Clam, who was kind enough to show me all his family papers relative to president Dupaty; and to Me. Jondrau (cours de Verdun, Bordeaux) who allowed me access to the minutes of the notary Chalu, which are still in his keeping.

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