

**In Search of the
gentilshommes campagnards:
Noble Diversity and Social
Structure in Burgundy, 1682-1789**



Susan Carr



*St Andrews Studies in French
History and Culture*



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by
SUSAN CARR

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PUBLISHED BY THE
CENTRE FOR FRENCH HISTORY AND CULTURE
OF THE UNIVERSITY OF ST ANDREWS

School of History, University of St Andrews,
St Andrews, United Kingdom

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First published 2017

Printed in the United Kingdom at the University of St Andrews

ISBN 978-1-907548-14-7 paperback

ISBN 978-1-907548-15-4 e-book

Front cover: Edouard Dupont, *Paysan et gentilhomme* (19th century).
Bibliothèque Nationale de France (RC_A_93123, Département des
Estampes et de la Photographie, BNF Banque d'images).

For Amy and Alf

Contents

	<i>Note on the Appendix</i>	page	ii
	<i>List of abbreviations</i>		iii
	<i>List of figures</i>		iii
	<i>Notes on the author</i>		iv
	<i>Acknowledgements</i>		iv
	Preface		v
	Introduction		1
1	Burgundy at the turn of the eighteenth century: the noble world		13
2	The condition of the Burgundian noble population in the late seventeenth century and first half of the eighteenth century		26
3	Defining the Burgundian <i>gentilhomme campagnard</i>		52
4	The robe <i>gentilhomme</i>		83
5	1789: noble numbers, noble views, noble demands		113
	Conclusion		131
	<i>Bibliography</i>		137
	<i>Index</i>		147

Notes on the Appendix:

Recorded Burgundian nobles and *gentilshommes*, 1682-1789

The Appendix to this publication is published in electronic form only and can be found alongside the e-book files for this publication on the website of the University of St Andrews. The key to the Appendix is as follows:-

- KEY: NOBLE / *SEIGNEURIE* / CLASSIFICATION / LISTING
- A *Convocation du ban et arrière-ban*, 1691-96
- B1 *Capitation: gentilshommes et autres possédans fief*, 1697
- B2 *Capitation: officiers militaires de la Chambre des Comptes*, 1697
- B3 *Capitation: officiers du Parlement de Dijon, titulaires et veterans*, 1701
- B4 *Capitation: officiers militaires du Parlement de Dijon, titulaires et veterans*, 1701
- B5 *Capitation: officiers des estats*, 1701
- C Ferrand's survey of Burgundian *seigneurs* and fief-holders, c. 1698
- D Noblemen convoked to the Estates of Burgundy, 1682 onwards, including new nobles admitted to the *chambre de la noblesse*
- E Antoine Garreau's survey of Burgundian landowners, 1734
- F Voting assemblies: *gentilshommes* and nobles convoked, 1789
- G Noble office-holders of the *Chancellerie* and *Parlement de Bourgogne*
- H Noble office-holders of the *Chambre des Comptes* of Dijon
- I Noble office-holders of the Estates of Burgundy

List of abbreviations

ADCO	Archives départementales De la Côte d’Or, Dijon
BMD	Bibliothèque Municipale de Dijon

List of figures

2.1	<i>Ban et arrière-ban</i> , Bourgogne and Bresse, 1691-92	<i>page</i>	29
2.2	<i>Arrière-ban</i> , Dijon, 1693-96		31
2.3	Ferrand’s survey of Burgundian landowners, 1697-99		34-5
2.4	Burgundian <i>capitation</i> , 1695-97 and 1701		39-40
2.5	Garreau’s survey: breakdown of landowners, 1734		45
2.6	Numbers of nobles in attendance at the meetings of the <i>chambre de la noblesse</i> of the Estates of Burgundy		47
5.1	Noblemen convoked to the Burgundian voting assemblies, 1789		114
5.2	Ferrand’s survey, 1697; Garreau’s survey, 1734; Voting Assemblies, 1789		115
5.3	Burgundian noble population type by percentage: 1697, 1734, 1789		118

Notes on the author

Susan Carr is Executive Secretary of the Royal Historical Society. She is also the author of ‘Whatever happened to the *gentilshommes campagnards*?’: Counting Nobles in Burgundy, c. 1682-1701’ in *Annales de Bourgogne* 86:4 (octobre-décembre 2014).

Acknowledgements

My thanks must above all go to Julian Swann for first introducing me to the subject of the *gentilshommes campagnards* while I was a Masters student, and for guiding me towards the largely unresearched minor Burgundian nobility and the wealth of material in the Burgundian archives of the Côte d’Or, wherein lay the foundation stones of my doctoral thesis, and this volume. I benefitted immensely from his authoritative knowledge of Burgundy and its noble population and governing structures, and from his continued interest in and encouragement of my research over the last twenty years, not to mention his critical reading of the early drafts of this volume. My other thanks go to the circle of French historians who have helped me with specialist subject advice, and with whom I have enjoyed many a dinner and lively discussion over the years – Joël Félix, Jérôme Loiseau, Colin Jones, Roger Mettam – and, of course, Guy Rowlands who has patiently guided the development of this book.

As my entire original research was conducted in Dijon I would like to commend the friendly and knowledgeable staff of the Dijon archives who were happy to guide me around the archive catalogues and on occasion even helped me decipher some wretched scrap of a nobleman’s illegible handwriting.

Preface

The fate of the French nobility in the last century of the ancien régime continues to interest historians, and over the years has given rise to numerous theories and conjecture concerning their history. The decline of the aristocratic population and its apparently diminishing influence in French social and political life have been extensively researched, together with contributing factors such as royal absolutism, governmental centralisation of functions that were traditional noble activity, and venal ennoblement. These are significant themes, yet when focussing on the aristocracy we are dealing with a comparatively small percentage of the noble population – the sword and robe elites. The majority of the noble population was minor and predominantly rural, and of these rural populations, relatively few have been researched making it quite difficult to build up an accurate overall picture of the fate of the minor nobility during the social and economic changes of the late seventeenth and eighteenth centuries. The provincial gentry were affected to a much greater extent than the aristocracy by noble poverty, by government centralisation of the seigneurial system which questioned not only their role in rural society but also their value to the French state, and by the effects of two centuries of venal ennoblement, which reshaped their traditional social hierarchy and spheres of activity. Notions of what it meant to be ‘noble’ and how the older military nobility of the provinces validated its existence alongside a professional robe population must be considered in the context of the so-called ‘aristocratic reaction’ of the late eighteenth century and the parallel rash of ‘seigneurial reaction’ which stirred up feelings of distrust between noble landowners and their tenantry and fuelled the fire of future social unrest, and ultimately a revolution. This study of the *gentilshommes campagnards* of Burgundy re-examines these themes within the context of the Burgundian nobility, a hitherto under-researched noble population, and challenges the concept of a population in decline, whether numerically or in terms of declining influence and value to rural society and to the state. Evidence will show that the minor Burgundian noble population, far from being a spent anachronistic force, continued to evolve, to re-evaluate itself and to adapt in the face of the far-reaching social developments of the eighteenth century.

Introduction

Who were the *gentilshommes campagnards* of Burgundy? A collection of largely under-researched family papers and official records from the Archives Départementales de la Côte d'Or, dating from between 1682 (the re-convocation of the Estates of Burgundy) and 1789 (the Revolution and end of the old order) provides a unique opportunity to assess the condition of the Burgundian noble population, whilst simultaneously considering trends and themes already identified in other studies, such as noble poverty, venal ennoblement and the rise and decline of sectors of the noble population. This time-frame encompasses major issues affecting the old order of nobility: the introduction of the *capitation* tax, the aftermath of the investigations into 'false' nobility, the effect of the War of the Spanish Succession on the noble military order and its financial and social capacity, the economic crises of the early eighteenth century, aristocratic and seigneurial reaction in the years preceding the Revolution, and the abandonment of the old order. Whilst the fate of the higher nobility is fairly well documented during this period, that of the mass of the minor second estate is patchy and under-investigated. To date there is no overall, let alone regional assessment of its actual numbers, save for a few specialist studies of provincial noble populations, yet it is accepted that there was an unrecorded 'hidden' population of rural gentlemen who never appeared in any official records. An analysis of the methodology of composition of official records and surveys of the noble population of Burgundy can therefore help not only to identify the missing nobles of the second estate, but also to determine the usefulness of official records when attempting to establish the size of noble populations – all issues which have only been touched on by other historians. This can consequently open up new lines of approach when addressing questions concerning the condition of minor landowning nobility in the late seventeenth and eighteenth centuries, and noble attitudes towards notions of honour and service to the state. Once identified, the cultural and social diversity of the constituent noble populations may then be considered in relation to major historical themes: the displacement of the older population of *gentilshommes campagnards* by a rising population of *anoblis*, the alienation of the minor landed nobility from the elites, the reality of noble poverty, and other long-debated themes like the existence or otherwise of

aristocratic and seigneurial reaction and the decline of the traditional world of the *gentilshommes campagnards*. All merit a re-examination. The Burgundian records, such as the *ban et arrière-ban*, *capitation* and *vingtième* rolls, and two population surveys by the provincial *intendant* Antoine Ferrand (late seventeenth century) and Antoine Garreau (1734), when compared with the convocation rolls for the provincial estates and the voting assemblies of the Estates General in 1789, will enable such an investigation. Taken together with documentary evidence from the noble families of the region, the condition of the minor Burgundian noble population will emerge, and the reality of their situation become clearer.

The traditional image of the *gentilhomme campagnard* is of an insignificant military gentleman of ancient lineage with little fortune and few social connections, owning a modest *seigneurie*, isolated from the Parisian and court nobilities and the changing social and political situation of eighteenth-century France. His traditional noble world had been encroached upon by a newer population of wealthy robe nobility and *anoblis*, and his areas of jurisdiction and influence infringed upon by *intendants* and local state officials; his traditional reserve of posts in the army and navy had gradually been eroded by the purchase of commissions for the sons of wealthy robe and *anobli* families. As a result, the old rural sword noble had become an obsolete character in provincial society – or had he?

The classic work of Alexis de Tocqueville, *L'Ancien Régime et la Révolution*, which first identified these themes in 1856, suggested that the encroachment of the state into the administrative affairs of local communities had upset the natural balance of provincial life.¹ The impoverishment of the *gentilhommerie* was by no means a recent phenomenon, part of the gradual erosion of the noble power base within the national 'constitution' through the effects of venality and *roturier* ennoblement,² but the negative stereotypical image of the provincial gentleman, the *hobereau* who hid away in his château with no other

¹ Alexis De Tocqueville, *L'Ancien Régime*, ed. by G.W. Headlam (Oxford, 1969).

² Roger Mettam, 'The French Nobility, 1615-1710', in H.M. Scott (ed.), *The European Nobilities in the 17th and 18th Centuries. Vol. 1. Western Europe* (London, 1995), pp. 118-36, provides a considered examination of the *robe/épée/roturier* antagonisms in the later seventeenth and early eighteenth century. Whilst it does not focus particularly on the minor provincial nobilities, the situation between the greater nobles can easily be translated to the lower levels of noble society.

occupation but to amass money that he could spend in town during the winter, consequently developed.³ Later nineteenth and early twentieth century works all highlight the increasing impoverishment of the minor provincial nobility and the social divide emerging between the major and minor members of the second estate nobles during the eighteenth century.⁴ Minor provincial nobles, in particular the old military caste, remained ‘devoted to the rural life. They were hunters, preachers, owners of their cultures, surviving in isolation in their castles’.⁵ And through these studies the negative image of the *hobereau* prevailed until well into the mid-twentieth century in works by Pierre Goubert.⁶

Guy Chaussinand-Nogaret was the first to re-evaluate themes originally introduced by Tocqueville, Taine and Carré, such as the alienation of the provincial nobility from the court, division between major and minor noble groups, and the exclusion of the sons of the petty provincial nobility from the avenue of advancement through military service.⁷ Some provincial noble groups were apparently disadvantaged by a lack of education and wider cultural stimulation, and displayed an unrealistic notion of their own worth in terms of family honour and merit,

³ Tocqueville, *L’Ancien Régime*, p. 128.

⁴ See Albert Babeau, *La Vie rurale dans l’ancienne France* (Paris, 1883); Hippolyte Taine, *Les Origines de la France contemporaine: l’Ancien Régime* (Paris, 1888); Henri Carré, *La France sous Louis XV, 1723-1774* (Paris, 1901) and *Noblesse de la France et l’opinion publique au XVIIIe siècle* (Paris, 1920).

⁵ Carré, *Noblesse*, p. 94: ‘on peut opposer la vie sobre et besogneuse des nobles de Rouergue, du Limousin, du Berry et de la Bretagne [...] ils étaient sans influence, et, hors de leur province, ils ne jouissaient que d’une mince considération. Un peu partout, dans le royaume, les “hobereaux” étaient pauvres [...] dans la nécessité de vivre.’

⁶ Pierre Goubert, *Beauvais et le Beauvaisis de 1600 à 1730* (Paris, 1960); *L’Ancien Régime* (Paris, 1960), published in English as *The Ancien Regime. French Society, 1600-1750* (London, 1969); *La Vie quotidienne des paysans français au XVIIe siècle* (Paris, 1982). Goubert did not actually identify rural nobles as being either sword or robe but his descriptions of their cultural values suggest an older nobility with military origins – the sword.

⁷ Guy Chaussinand-Nogaret, *La Noblesse au XVIIIe siècle. De la féodalité aux Lumières* (Paris, 1972), p.69: Such a person ‘ne peut espérer ni carrière civile ni carrière militaire, sauf à s’engager dans la troupe, dans les emplois subalternes de la ferme générale, se faire collecteur des tailles, ou vivre sur sa pauvre terre, cultivant soi-même les quelques “charrues” qui entourent la maison familiale qui n’est souvent qu’une mauvaise bâtisse à demi délabrée.’

although both earlier and later studies of regional noble communities have challenged this. The notion too of factionalism was picked up in Jean Meyer's later study of the early modern French nobility, which returned to the original issues of tax and the cultural differences between the various noble groups within the second estate, particularly between rich and poor, court and country, and which also revisited the question of noble identity and venality.⁸ More recently Jay Smith has considered the establishment of a nobility based on merit or service to the crown rather than on lineage and military service, looking at the reasons behind the demise of the old sword nobility and the concurrent rise in the population of *anoblis* and the robe due to the continuing practice of venality. Returning to the themes discussed by, amongst others, Tocqueville, Taine and Carré before him, he concluded that wealth and its ability to 'buy' nobility was one of the root causes of the decline of the old provincial noble culture.⁹ Jean Gallet also considered this theme and both historians identified the destructive effect of venal ennoblement and the intrusive presence of the *intendant* in rural noble communities.¹⁰ Provincial *gentilshommes* are portrayed as

⁸ Jean Meyer, *La Noblesse française à l'époque moderne (XVIe-XVIIIe siècles)* (Paris, 1991), p. 117. '[...] la noblesse se trouve en une infinité de divisions: divisions provinciales, différences profondes de statut, opposition virulente entre noblesse de Cour et noblesses provinciales, querelle attisée de l'extérieur comme de l'intérieur entre noblesse de "race" ou "d'épée" et "noblesse de robe" et anoblis [...] la question de l'égalité fiscale l'atteint de plein fouet. D'abord parce que cette égalité la touche dans l'une de ses définitions d'identité: le paiement d'impôts roturiers étigine de roture. Ensuite parce que cette égalité devant l'impôt met en cause la survie de toute une frange des noblesses provinciales'.

⁹ Jay Smith, *The Culture of Merit: Nobility, Royal Service and the Making of Absolute Monarchy in France, 1600-1789* (Ann Arbor, Mich., 1996); and *Nobility Reimagined. The Patriotic Nation in Eighteenth-Century France* (Ithaca, N.Y., 2005), p. 96. He cited Mirabeau's concerns about the nature of noble worth that 'Louis XIV, as well as other kings, had permitted "services to be measured by their weight in gold" [...] Kings had failed to see that "once money enters a nation, bringing corruption in its wake, all distinctions based on honour are ordinarily debased".'

¹⁰ Jean Gallet, *Seigneurs et paysans en France, 1600-1793* (Rennes, 1999), p.197, also considered this problem in the light of the sales of land by older provincial nobles to newer *anoblis*: 'la noblesse d'épée, à court d'argent a laissé des seigneuries à des membres de la noblesse d'office, plus riche'. Gallet concluded that money was 'buying' nobility in the provinces by means of the acquisition of *seigneuries* and fiefs which sometimes implied a limited measure of nobility in the person of the purchaser.

anachronisms in the eighteenth century noble world, yet a few impressive studies of provincial noble communities have shed light on the diversity of reactions of the second estate to the difficulties and social crises they encountered in the eighteenth century, challenging the theory that the older provincial noble communities passively declined.

With the exception of Pierre de Vaissière's seminal 1903 work on the minor provincial nobility, and later works by Jonathan Dewald, Jean Meyer and James Wood, few studies have addressed the condition of the rural *gentilshommes*.¹¹ The earliest work, Pierre de Vaissière's study, first addressed the subject of the alienation of the minor provincial gentry which had started as far back as the sixteenth century, asserting that the provincial sword, whose culture was rooted in the land, positively disdained the dishonesty of elite noble court life and also that of the urban merchant classes.¹² As a consequence of the reconstitution of the French army in the seventeenth century into a standing armed force and the added rigidity of service regulations, pressure was apparently put on the older sword noble population, which could no longer divide its time between military service and its estates, to make a choice 'either to remain on the land and give up a career of arms', or to persist with the military life which was their prime means of service to the state.¹³ Vaissière seriously challenged the image of the *hobereau*, yet it was not until the 1960s that studies of provincial noble populations picked up his argument again and began to understand the very diverse nature of the noble condition. When we attempt to define nobility, it becomes clear that provincial noble communities were as varied in composition as they were interesting, and some positively challenge the idea of the old-style land-rich and cash-poor military nobleman. Indeed Toulousain nobles offer us an example of an

¹¹ Jonathan Dewald, *Pont-St-Pierre, 1398-1789. Lordship, Community and Capitalism in Early Modern France* (Berkeley, Calif., 1987) re-assessed the situation of the provincial seigneurial domain (which naturally encompassed the minor sword nobility) and will be considered later in this chapter. Jean Meyer's *La Noblesse bretonne au XVIIIe siècle* (Paris, 1966) and James Wood's *The Nobility of the Élection of Bayeux, 1463-1666: Continuity through Change* (Princeton, N.J., 1980) also addressed the situation of the rural nobility with particular reference to the sword nobility.

¹² Pierre de la Vaissière, *Gentilshommes campagnards de l'ancienne France* (Paris, 1903), p. 9.

¹³ *Ibid.*, p. 247.

older military population with a robe and municipal nobility.¹⁴ Local *seigneurs* had fought off the intrusion of state officials by administering their estates personally, enforcing their seigneurial rights and blocking the advance of large-scale rent farmers. They were modern nobles who dealt directly with brokers and merchants, lending to the crown, to fellow nobles and even to bourgeois artisans and merchants at profitable rates of interest. This commercial approach to the administration of its resources and revenues, and frequent appropriations and exchange of land, together with a (one might say bourgeois) sense of moderation and economy in all matters, is something more usually associated with an educated robe nobility, yet Robert Forster points out that contrary to myth, the region's sword nobles, generally more rural than urban, were not lacking in qualities of cultural stimulation and education, and embraced these modern notions of estate management.¹⁵

The Breton nobility had similarly adapted to the economic and social pressures of the eighteenth century, and at the same time addressed the problem of noble poverty by a system of *noblesse dormante*, which enabled a noble to abandon his noble condition and take up financial or commercial activity to restore his fortunes, thus legally avoiding *dérogéance*, even if this meant that his noble quality was put into doubt.¹⁶ Like the Toulousain, it was resourceful and open minded. James Collins, raising the question of how to define the identity of the Breton nobility, suggested that whilst the old 'warrior' or military nobility remained the dominant force in rural society, it had intermarried with other elite sub-groups so frequently over the years that many families were no longer completely either robe or sword.¹⁷ This goes some way towards explaining why these older military families in both Toulouse and Brittany do not appear to fit the image of ignorant rustic degenerates. All the same, when considering Meyer's impoverished noble families, it is apparent that both sword and robe families suffered from financial decline.

These problems of identifying and assessing the condition of

¹⁴ Robert Forster, *The Nobility of Toulouse in the Eighteenth Century. A Social and Economic Study* (Baltimore, Md., 1960).

¹⁵ *Ibid.*, pp. 169-70. Forster here cited the 'mythical' *hobereaux*, not as a term of ridicule as Pierre Goubert did, but as a general description of the community of provincial sword nobles.

¹⁶ Identified in Jean Meyer's *La Noblesse bretonne*.

¹⁷ James Collins, *Classes, Estates and Order in early modern Brittany* (Cambridge, 1994).

nobility are well analysed for Bayeux, which had a fairly static number of noble families throughout the entire period, although only around half of them could trace their ancestry back to pre-1560 origins, entitling them to be called *noblesse de race*.¹⁸ Constant additions of newcomers during the following two centuries topped up the balance via *anoblissement*.¹⁹ While it could be argued that the assimilation of the third estate into the nobility inevitably meant that the old nobility had been forcefully and inevitably displaced by *anoblis*, James Wood showed that this was a continuous process that had been going on since the fifteenth century. Ennoblement of office holders was not a threat to the old nobility and in fact many old nobles had previously been office-holders, and furthermore many new nobles were quick to shake off their former occupations and to adopt the manners and values of the older noble culture. Most interestingly, longevity of lineage and preoccupation with military life and valour were not the most important factors which defined the Bayeux nobility.²⁰ Older Bayeux noble families had certainly provided their share of *militaires*, yet more than half of the noble population had scarcely been active or had never served in the military at all. By contrast, newer nobles had adopted military careers, thus making it clear that the military was not the preserve of the older established nobility. In 1666 the known number of military noble households constituted only thirty-seven percent of the total noble population. Newer nobles apparently were probably more militarily active than older families, with wealth cited as the single most important determining factor since the majority of serving sword nobles in the military came from the wealthiest families. Perhaps as few as twenty percent of the poorer sword nobles ever served, the majority of them coming from old established families whose poverty excluded them from full participation in the more traditional noble occupations.²¹ Clearly the traditional pre-suppositions concerning the rural nobility could not be

¹⁸ Wood, *Nobility*.

¹⁹ Jean-Marie Constant, 'L'Enquête de noblesse de 1667 et les seigneurs de Beauce', *Revue d'histoire moderne et contemporaine* 21 (1974), pp. 548-66, discovered a similar pattern in the 1667 examination of the state of the noble population of Beauce. The examination of 'false' nobles uncovered less than thirty percent of noble families which could claim longevity of lineage and continued military service to a pre-1560 date. Of the total of eighty-seven *justices* held by minor nobles, just over sixty percent of these *seigneurs* were 'new' nobles.

²⁰ Wood, *Nobility*, pp. 72-3.

²¹ *Ibid.*, pp. 95-7.

applied to Bayeux either.²² Wood's more realistic picture of how the new noble society had developed, blurring the traditional cultural demarcation between old and new nobility, sword and robe, is significant.²³ Continuous assimilation of new nobles who adopted the traditional values of the old meant that there was little obvious antagonism between families whatever their origin. The only significant division was between rich and poor, and in the context of the eighteenth century moreover, the matter of wealth and what it could achieve for the nobility may have seriously divided this community of old and new nobles. Even if the *anoblis* adopted the culture of the older established (predominantly sword) nobles, they were the beneficiaries of venal practices.

Just as it is not clear how to define the cultural identities of the noble populations of Toulouse, Brittany and Bayeux, the micro-picture presented by a noble population of just four major households in Pont-St-Pierre in Normandy is equally confusing. Only one family had pre-1400 origins, the other three having registered nobility in the late sixteenth and early seventeenth centuries. All were previously urban but had relocated to the countryside, reflecting a broader trend of ennoblement of other families in the region. Yet, urban *anoblis* were not simply robe and had ancestors who had served in the military and also had connections via marriage to robe families in the Rouen *Parlement*. Here too the same issue of relative wealth is significant: the Rouen *capitation* survey recorded that between twenty-five and forty percent of the noble population were close to poverty and between eight and fourteen percent existed below a level of income that could sustain the appearance of noble living.²⁴ As in Bayeux

²² Ibid., p. 158.

²³ This appears to support Franklin Ford's theories expounded in *Robe and Sword. The Regrouping of the Aristocracy after Louis XIV* (Cambridge, Mass., 1953), in which he assessed previously overlooked aspects of the situation of the minor provincial nobility such as their exclusion from the lucrative marriage markets, whereby they might have been able to augment and shore up failing inheritances and diminishing family fortunes. As for the *hobereau*, Ford pointed out that it was, at the time, an unacknowledged idealistic image formed by other sections of the great nobility, and it was not until literary satirists such as Molière and Marivaux printed their own version of the image that the *hobereau* became an official 'genre' and entered into historical fact. This is also borne out by the research of James Collins in Brittany: *Classes*.

²⁴ Dewald, *Pont-St-Pierre*, pp. 98-9. Dewald suggested that an income of less than a few hundred *livres* denoted impoverishment, and a further indication was the absence of servants which were '[...] a more public indication of reduced

and Brittany, noble poverty was not a new phenomenon, and as early as 1635, the call-up for the Rouen feudal *ban* revealed that almost twenty percent of those nobles who presented themselves had been unable to supply either a horse or arms.²⁵

The question of rural noble poverty is indeed an ever present theme in studies of provincial noble populations, and is a significant factor when assessing the condition of an evolving noble population. Michel Figeac's study of the nobility of Guyenne compared the situation of rural noble distress to that described by Nassiet in Brittany, noting the threadbare interiors of minor noble residences and the exterior delapidation of the house and lands which were barely distinguishable from the residences of better-off peasants.²⁶ In Guyenne, the poor minor nobility were in danger of losing any semblance of 'noble living' and the cadets of noble households, once deprived of all the symbols associated with seigneurial authority, risked losing their nobility.²⁷ The situation in Aquitaine that Figeac also described was not dissimilar to that of Guyenne.²⁸ In the late eighteenth century, the population of minor nobles constituted around eighty percent of the region's total and were overwhelmingly rural 'hobereaux', who had 'not had the chance of sufficient disposable income to attempt a Parisian adventure, and were not drawn to robe careers. There was elsewhere a whole nobility used to a provincial way of life [... and for whom] the military vocation was uppermost.'²⁹ Levels of wealth and varying modes of occupation of the noble groups in the *généralité* were uneven at best, with some nobles very comfortably circumstanced, engaging in wholesale commerce,

circumstances. About half of all nobles in each election employed only one servant and many had no servants at all'. More than one historian has attempted to define the level at which noble impoverishment commenced.

²⁵ Michel Nassiet, *Noblesse et pauvreté. La petite noblesse en Bretagne, XVe-XVIIe siècle* (Mayenne, 1993), p. 107, attributed the beginnings of noble poverty to the closing years of the sixteenth century, reaching a peak in the mid-seventeenth century when inflation and the ruinous costs of maintaining armed militias during the Fronde wars began to devalue seigneurial capital and incomes. The bourgeoisie had profited from this situation.

²⁶ Michel Figeac, *La Douceur des Lumières. Noblesse et art de vivre en Guyenne au XVIIIe siècle* (Paris, 2001).

²⁷ *Ibid.*, p. 260.

²⁸ Michael Figeac, *L'Automne des gentilshommes: noblesse d'Aquitaine, noblesse française au siècle des Lumières* (Paris, 2002).

²⁹ *Ibid.*, p. 77.

manufacturing and banking, or indeed developing *châteaux viticoles*, whilst their poorer rural neighbours vegetated alongside them.³⁰

Provence in the eighteenth century provides further evidence of the difficulty of determining noble identity.³¹ Of the known population of 750 noble families, none were of ancient extraction (only 108 families could date their ancestry to pre-1550, with thirty-three claiming feudal title and fifty-four being *anobli par charge*). The rest were families ennobled *par usurpation, par acquisition d'un fief, par fonction militaire* or *par charge ou lettre*. There are noticeable correlations here with Normandy and Toulouse, where the provincial noble population was composed primarily of robe and *anoblis* (with a minority of sword families), most of fairly recent lineage. It appears to have been equally hard to distinguish between sword and robe in Provence as it was elsewhere. Cubells suggested that anyone not of the robe but who held a commission in the military should be classed as sword, but this is unnecessarily simplistic, since the military in the eighteenth century comprised both sword, robe and *anoblis* who had purchased commissions.³² Admission to the Estates by virtue of being in possession of a fief is an equally dubious yardstick to employ when determining noble condition. A new noble would have measured his worth in terms of his purchase of, for example, a fief and title, whereas an established *gentilhomme campagnard* would have cited his birth, ancestry and his reputation, regardless of whether or not his family still owned a fief.³³ Even the nobility of the period questioned the nature of 'noble' quality,

³⁰ Ibid., p. 223.

³¹ Monique Cubells, *La Noblesse provençale du milieu du XVIIe siècle à la Révolution* (Aix-en-Provence, 2002).

³² James Wood had already commented on this aspect of the military identity with reference to the *ban et arrière-ban* in his work on Bayeux. The Bayeux nobility of the late seventeenth century comprised an equally indeterminate mix of new and old nobles, of sword, robe and *anoblis*, and in this light Cubells' method is unrealistic when determining whether a noble is sword simply because he does not appear to belong to the robe.

³³ Cubells, *La Noblesse provençale*, p. 288. The minor non-fief-owning sword nobles protested openly at their exclusion from the assemblies of the provincial Estates of 1789 in a memorandum entitled 'Observations par les nobles non possédant fiefs de Provence': 'Quand nous n'aurions pas des titres aussi précis, ne nous resterait-pas la raison, qui dit que la naissance constitue la noblesse et que l'ordre de la noblesse n'est que l'agrégation de tous les nobles'.

and the Burgundian nobility was not immune to such sensibilities.³⁴ There is evidence from more than one Burgundian source as to how nobility was perceived, judged or valued, from the *intendant* Antoine Ferrand's survey of the late seventeenth-century noble population to the aristocratic reaction of the elites in the late eighteenth century, and of course the voices of the *gentilshommes campagnards* which will be considered in context in the course of this study. Cubell's work, however, does raise the important question of how nobility should be defined not only by the observer but also in practice by the nobility themselves.

The regional studies highlight many of the aspects of the condition of the minor nobility in the last century of the *ancien régime*, and force us to ask pertinent questions. Was the plight of the poorer *gentilshommes* due to mismanagement of their estates, lack of education and alienation from elite noble society and sources of preferment and patronage? Or was it, on the other hand, the result of state encroachment on their traditional honorific rights and privileges, plus venality of office-holding which had enabled *anoblis* to supplant the old rural families in provincial society? Are derisive attitudes towards the provincial nobility merited, and consequently were the poorer nobility, the *hobereaux*, no longer a valuable force in provincial life? Or did the *gentilshommes campagnards* continue to be valued and respected figures both by their tenants and the communities they supported? It is evident from studies undertaken to date that there were adaptable provincial noble communities which coped successfully and sometimes ingeniously with the challenges – social, economic and cultural – of the late seventeenth and early eighteenth centuries: poverty, venal ennoblement, state absolutism and intrusion into

³⁴ *Ibid.*, pp. 302-3: 'le second ordre provençale à la veille de la Révolution est fortement divisé [...] les propriétaires de seigneuries veulent bien renoncer entre eux à toute préséance au grand dam des gentilshommes titrés. Mais ils refusent d'admettre dans le corps de la noblesse les nobles non seigneurs en se fondant sur le principe de la propriété des biens nobles.' Benoît Defauconpret, *Les Preuves de la Noblesse au XVIIIe siècle. La Réaction aristocratique* (Paris, 1999), p. 55, observed during the course of the eighteenth century 'une poussée indéniable à l'encontre des roturiers, mais ce n'est qu'un aspect d'un mouvement plus vaste; l'exclusion joue aussi à l'intérieur même de la noblesse. Les gentilshommes paraissent en effet de plus en plus sensibles à la pureté de leur ordre, et hostiles à certaines fractions, jugées de qualité douteuse'. This attitude and policy prevailed in all areas of noble preserve – the Estates, the military, the judiciary.

areas once the preserve of the nobility, questions of identity, and perceived value to the state and society. What, then, was the condition of the minor Burgundian nobility during this period? Did its numbers significantly decline or not, and how can we uncover and evaluate its size? Is the diversity of minor noble communities, so evident in other studies, replicated in Burgundy? Was there a dominant noble culture, whether sword or robe, and did this change over the period depending on numerical predominance of any noble group? Was noble poverty a real and significant problem in Burgundy and did this affect how nobility was perceived in minor Burgundian noble culture? In short, how did the Burgundian nobility define itself, and how successfully did it adapt culturally, economically and practically to the challenges that faced the old noble order?

1 Burgundy at the turn of the eighteenth century: the noble world

Eighteenth-century Burgundy was a medium-sized province. Its core was a duchy comprising twelve principal *bailliages*: Autun, Avallon, Auxois, Beaune, Arnay-le-Duc, Dijon, Chalon-sur-Saône, Montcenis, Châtillon-sur-Seine, Nuits-Saint-Georges, Saint-Jean-de-Losne and Saulieu. Together with the five *comtés* (Auxerre, Auxonne, Bar-sur-Seine, Charolles, Mâcon), plus three *pays adjacents* (Bresse, Bugey and Gex), these formed part of the *généralité* of Dijon. Burgundy retained a measure of self-government as a *pays d'états* (like Brittany and Languedoc) with its Estates General administering all but the *pays adjacents*. The presence of a powerful Estates with a *chambre de la noblesse* presided over by the regional governor the prince of Condé, who personally wielded considerable political power and patronage throughout the region, enabled the Burgundian nobility to maintain some measure of independence in managing its own internal affairs. Although subject to the presence of the *intendant* as elsewhere in France, Burgundy also had its own *Parlement* and *Chambre des comptes*, both at Dijon, two powerful institutions which competed with the Estates in establishing administrative dominance in the region and keeping central state intervention to a minimum. However, none of these three institutions held complete dominance over the entire region, for the Estates and the *Parlement* controlled the duchy and *pays adjacents* but not the *comtés*, which were subject to the *Parlement* and *Cour des Aides* of Paris. As far as a study of the Burgundian nobility is concerned, the constitution of these three competing institutions – the Dijon *Parlement* and *Chambre des comptes*, and the provincial Estates – is particularly significant when one considers the noble families who populated them.¹

¹ Julian Swann, *Provincial Power and Absolute Monarchy. The Estates General of Burgundy, 1661-1790* (Cambridge, 2003), pp. 27-8, noted that the *Parlement* of Dijon could claim noble families among its officers whose ancestry dated back to the fifteenth century, yet the families who populated the *Chambre des comptes* and the Estates could claim much longer ancestry (both robe and sword families respectively) dating back to the fourteenth century and earlier. In terms of

With the exception of the predominantly urban population of the *bailliage* of Dijon (home to the *Parlement*), the Burgundian population and culture was overwhelmingly rural. As in other provinces there were a considerable number of robe and *anobli* families due to the region's *Parlement* and *Chancellerie*, but the rural culture of Burgundy of course was dominated by the presence of a high number of military families and *gentilshommes campagnards*.²

Alexandre Thomas' *Une Province sous Louis XIV. La Situation politique et administrative de la Bourgogne de 1661 à 1715* (Dijon, 1844) was the first serious study of *ancien régime* Burgundy and it remains a valuable source today. Like his contemporaries Tocqueville and Taine, Thomas elaborated on the theme of the supposed decline of the old rural noble population in the face of the increasing centralisation of the administration of the province, and also considered the alienation of the lesser nobility from its traditional right of administration of rural justice.³ He concluded, as they did, that this was possibly due to the presence of the *intendant*, a common situation in most provincial noble communities regardless of whether they were inhabitants of a *pays d'états* or a *pays d'élections*. This theme was also picked up on by both Charles Arbassier and Hilton Root who addressed the unpopularity of the Burgundian *intendant* and his use of *subdélégués*, which resulted in periodic minor anarchy as the nobility and other privileged individuals attempted to avoid their intrusive presence and interrogations.⁴

If these were some basic themes, it is necessary to try to establish a reasonable idea of the size of the Burgundian noble population and its

competition for dominance in the province, there was in theory plenty of scope for animosity between and within the robe and sword elites.

² Swann, *Provincial Power*, p. 33, stated that 'the second estate in Burgundy was not as numerous as its Breton counterpart, but there is some evidence that a substantial body of *hobereaux* did exist, living in genteel obscurity and often poverty'.

³ By 'lesser' nobility Thomas was most likely referring to the minor rural nobility, comprising both sword, robe and *anoblis*, since he also mentions their exclusion from the *chambre de la noblesse* of the Estates, which admitted only established noble families whose noble credentials had been verified (and of course robe nobles who had retired from office).

⁴ Charles Arbassier, *L'Absolutisme en Bourgogne. L'Intendant Bouchu et son action financière d'après sa correspondance inédite, 1667-1671* (Paris, 1922); and Hilton Root, *Peasants and King in Burgundy. Agrarian Foundations of French Absolutism* (Berkeley, Calif., 1987).

identifiable noble groups, something that has been addressed by both Gaston Roupnel and more recently, Christine Lamarre.⁵ Roupnel claimed that the Burgundian noble population counted 2,542 noble families, of whom approximately half were sword, thirty percent robe, and the remaining twenty percent were military nobles of indistinct origin.⁶ He pointed out that the urban noble population had grown substantially as the numbers of the older rural feudal nobility had declined (although many of these urban nobles were originally landed proprietors before they rose to prominence in the Dijon *Parlement*), and suggested that the older feudal nobility had been partly displaced by urban *anoblis* and venal *parlementaires* who by this time had approximately 190-200 *seigneuries* in neighbouring *bailliages* and in Dijon, compared to forty-seven held by sword nobles.⁷ This theme of purchase of land by newer nobles which had caused the decline in fortunes of the older rural sword population, a rather simplistic view, is, moreover, based on examination of unreliable or unknown sources, and there is no attempt to examine the condition of the rural *gentilshommes* in a broader context or even to fully explain the reasons for the apparent decline in their numbers.

Christine Lamarre's study of the *intendant* Amelot de Chaillou's survey of the Burgundian population in 1786 provides a figure of 1,106,217 inhabitants of all social types in the Dijon region, but does not distinguish between nobles and non-nobles, although in her later work on small urban town communities she recorded that in 1788, among the 199 noble families 'The most numerous are the *écuyers* (30%), the *chevaliers de Saint Louis* (20%) [...] it is a measure of the importance of the military nobility in these small towns.'⁸ Titled nobles represent 36 *feux*, most of them in Sémur and Châtillon-sur-Seine. The most depleted groups are the *chevaliers*, the *seigneurs*, and the *secrétaires du Roi* or sons of *secrétaires*

⁵ Gaston Roupnel, *La Ville et la campagne au XVIIe siècle. Étude sur les populations du pays dijonnaise* (Paris, 1922); Christine Lamarre, 'La Population de la Bourgogne à la fin du XVIIIe siècle à travers le dénombrement Amelot (1786)', *Annales de Bourgogne* 55 (1983), pp. 65-99.

⁶ Roupnel, *La Ville*, p. 127, cited 1,184 members of the clergy, 685 robe, 573 military and 100 *chefs de ménage de qualité noble*, of whom none were subject to the *taille* and therefore either noble or privileged. It is not immediately clear where he took these figures from (possibly from the lists for the *capitation* for 1695-97 and 1701) but this question will be examined more closely in chapter two.

⁷ *Ibid.*, p. 211.

⁸ Lamarre, 'La Population', pp. 325-6.

du Roi.⁹ She describes the most dominant trait of these petty nobles as their military character, and a certain modesty of behaviour: some were in debt and exercised rigorous economy in their estates and property. Some of them did not hold a title, but even so were far from being reduced to beggary. Even if Lamarre's conclusions cannot be considered definitively exact, her meticulous research contrasts sharply with Roupnel's assertion that the older military nobility no longer constituted a significant percentage of the urban noble population.¹⁰

How, then, did these people relate to the monarchy? Hilton Root addressed the theme of encroaching state centralisation from the end of the seventeenth century and its effect on the role of the *seigneur*, arguing that it was during the reign of Louis XIV that Burgundian *seigneurs* found their traditional areas of influence being encroached upon by the royal administration.¹¹ By introducing edicts to limit the extent of the *seigneur's* jurisdiction in financial and tax-related village affairs, the crown in the person of the *intendant* had virtually replaced the *seigneur* as the lynchpin of rural community affairs.¹² The final attempt at establishing state absolutism under the Sun King came in 1702 with the introduction of the venal office of *syndic perpétuel*, a crown agency which replaced the village *syndic* in all collective village affairs, effectively challenging the role of the *seigneur*. However, the Burgundian Estates countered the crown's intervention by purchasing *en bloc* all the individual offices of *syndic*, thus placing itself as a barrier between the crown and the rural population (it offered the crown a *don gratuit* to obviate the need for crown agents to intrude in local tax assessment and collection). This did not mean, however, that the role of the *intendant* ceased to have

⁹ In Christine Lamarre, *Petites Villes et fait urbain en France au XVIIIe siècle. Le Cas bourguignon* (Dijon, 1993), pp. 324-8.

¹⁰ Swann, *Provincial Power*, p. 30, pointed out that despite the generous estimates of numbers of urban inhabitants cited by Lamarre, the population of Burgundy was still 'overwhelmingly rural, with four out of five Burgundians living in the countryside'.

¹¹ Root, *Peasants and King*, p. 49.

¹² *Ibid.*, p. 30: 'In 1691 an edict assigned to the *intendant* the right to review and to verify all communal accounts, a function previously exercised by seigneurial officers. In April 1695 the *intendant* gained the right to approve and supervise the renovation of churches, presbyteries and cemeteries [...] the only important power he lacked was the authority to prevent the *seigneur's* convoking of and surveillance over village assembly meetings. Clearly the monarchy was moving in that direction'.

importance in the general administration of the region, or that the *seigneur* re-assumed his traditional place in rural affairs. Root pointed out the presence of the lawyers who encouraged the peasantry to dispute seigneurial rights, effectively challenging not only the traditional role of the rural nobility but also questioning their honour and dignity and worth to the state. According to him it was these lawyers in tandem with the intervention of the *intendant* who played a significant part in contributing to the decline of traditional rural noble culture.¹³ This is a powerful claim about the relationship of the nobility to the peasantry below them and the monarchy above, and the issue of seigneurial reaction in relation to these developments will be considered later in this study.

What, though, of the alienation of the minor nobility from the Burgundian elites? Julian Swann has written extensively on the inner workings of the Estates of Burgundy. Under the governorship of successive princes of Condé, the *élus* who were drawn exclusively from a small circle of aristocrats from the Condé circle dominated the functioning of the Burgundian Estates, dealing and negotiating with the crown over successive *règlements* and tax impositions. Whilst their machinations kept the excesses of absolutism at bay, and enabled the tax burden on the region to be limited to less than 1,000,000 *livres* annually for almost a century, the benefits of this intervention were felt for the most part only by the elites who dominated the *chambre de la noblesse* of the Estates. In fact many of these managed to avoid paying any direct tax, in addition to enjoying the preferments and privileges of being part of the elite patronage network of the Condés. However, the mass of minor nobles did not enjoy the benefits of this arrangement. Furthermore, the continued exclusion of many minor rural nobles from the *chambre de la noblesse*, owing to their landless state or inability to provide proofs of nobility, was in direct contrast to the growing number of (former) *anoblis* and *parlementaires*, who by the eighteenth century, following retirement from office and with the pre-requisite quarters of nobility under their belt, were becoming eligible to attend the meetings of the Estates.¹⁴ In the wake of Colbert's independent investigations into false nobles in the 1660s, an edict of 1679 had excluded nobles who did not possess the rights of fief-holding or administration of local justice from the *chambre de la noblesse* of the

¹³ *Ibid.*, pp. 193-6.

¹⁴ Alexandre Thomas, *Une Province sous Louis XIV. La Situation politique et administrative de la Bourgogne de 1661 à 1715, d'après les manuscrits inédits du temps* (Dijon, 1844), pp. 65-6.

Estates and also excluded landed nobility who could not prove at least the required four quarters of nobility of the second order.¹⁵ This proved prejudicial not only to the fortunes of nobles of recent lineage but also to old landed minor (and often impoverished) nobles who had out of financial necessity been forced to sell their land and consequently lost some of their traditional landed rights. Some could not afford to pay the *franc-fief* charge, although it presented no problem to wealthy *anoblis* who would willingly pay this on acquisition of land which validated their newly acquired noble status.¹⁶ According to Thomas, the old rural landholding nobility found themselves in an untenable situation when the government edicts which were supposed to defend their noble status against the pretensions of newer and false nobles had resulted in their exclusion from their traditional privileges (tenure of fief, rights of local justice, etc.) since they could no longer afford to sustain them.

This separation of noble groups within the second order and the disparity between those who could and could not be considered truly 'noble' raises issues of noble identity and noble poverty, which affected so many aspects of traditional noble life in the provinces. For the older sword nobility, the call to the *ban et arrière-ban*, the ancient feudal reserve, once their special preserve, had become a costly exercise beyond the capability of the modest *seigneur*. Whilst remaining on this reserve list was an indication of noble status, such recognition was dearly bought, as rural *seigneurs* would not voluntarily leave their modest châteaux to spend several years' income in just one campaign, and the poor gentlemen fulfilled their military service obligations unwillingly.¹⁷ Jean Richard's 1978 study, *Histoire de la Bourgogne*, although not elaborating greatly on Burgundian noble culture, did address the matter of noble 'service' and poverty. Nobles who had fought for the king during the Fronde were now

¹⁵ Arbassier, *L'Absolutisme*, p. 80, also mentioned the edicts of 8 February 1661, 22 March 1666 and 10 March 1667, which opened the door to investigations into 'la recherche et punition des usurpateurs des titres de noblesse'. The latter edict 'disposa surtout qu'il serait fait un catalogue contenant les noms, surnoms et armes et demeures des véritables gentilshommes pour être enregistré dans chaque baillage'. The intrusive survey, whilst safeguarding the genuine nobility from the pretensions of false nobles, also involved the drafting in of the detested *subdélégués* to check noble qualifications, which would have further irritated the noble population.

¹⁶ Thomas, *Une Province*, pp. 102-4.

¹⁷ *Ibid.*, p. 169. The question of the *arrière-ban* in Burgundy is examined in chapter two.

crushed by debt, and the *gentilshommes* were unable to raise the finance to buy a company in the royal army. During the eighteenth century many former captains retired crippled with rheumatism to their lands without ever having been able to attain a major military rank.¹⁸ Unlike the Breton nobles who enjoyed the privilege of temporary status of *noblesse dormante*, or the Toulousain nobles who managed to engage in commercial activity without inviting *dérogéance*, the impoverished Burgundian noble had few opportunities to augment his purse.¹⁹ Whilst some of his wealthier fellow nobles had the option of contracting a *mésalliance* – one of the few options open to the sword class – with the daughter of a rich robe house, the average *gentilhomme* could not do so.²⁰ Richard mentioned the influence of Physiocratic ideals among the *seigneurs* who were interested in agricultural innovation or in establishing the numerous *châteaux viticoles*, such as the Saulx-Tavanes (major sword) and the Petit (major robe) families, *seigneurs* of Arc-sur-Tille and Bresse. The subsequent enclosures of land in the late eighteenth century which these measures entailed was a complete break from established rural practices and community farming practices of poor *laboureurs* (the equivalent in England of yeoman), but these were major families who had the land and financial means to act thus and consequently to profit from the new practices. For the minor nobility, however, such practices would have been alien.

The rural culture of *ancien régime* Burgundy and the relationship between *seigneur* and peasant was most effectively revealed by Pierre de Saint-Jacob, who saw rural life as a harmonious combining of the rule of the *seigneur* and the village collectives, with the *seigneur* as the foremost inhabitant of the community.²¹ Addressing themes already introduced by Tocqueville, Taine and Vaissière, he did not concern himself with the noble origins of the *seigneur*, nor did he set out either to defend him (à la

¹⁸ Pierre Quarré and Jean Richard, 'Campagnes et villes de Bourgogne sous l'Ancien Régime' in Jean Richard (ed.), *Histoire de la Bourgogne* (Toulouse, 1978), pp. 240-1.

¹⁹ The introduction of pensions from the Estates to help these nobles took off during the latter half of the eighteenth century. The effect of its application is examined in chapters three and four.

²⁰ Quarré and Richard 'Campagnes', p. 241. One example would be 'une Brulart épousant un Saulx-Tavannes, lui permet de redorer son blason.'

²¹ Pierre de Saint-Jacob, *Les Paysans de la Bourgogne du nord au dernier siècle de l'ancien régime* (Paris, 1960), pp. 79-81.

Vaissière) or to castigate him unnecessarily (à la Goubert). He did, however, identify several factors which had contributed to the diminution of the authority of the *seigneur*: the fiscal policies of *contrôleur-général* Colbert and chief minister Fleury; state imposition in the form of excessive taxation on the rural tenant, particularly during times of war; complex issues of rights of seigneurial justice; and lastly the enrichment of the *fermiers*, merchants and professional classes whose extensive purchase of fiefs and *seigneuries* irrevocably changed the face of the rural economy. During the first half of the eighteenth century the migration of the now-urbanised bourgeoisie back to the rural communities they had previously abandoned, and the consequent appropriation of land, was detrimental to traditional rural society as wealthy *anoblis* also set about re-affirming their newly acquired 'seigneurial rights' with gusto in order to profit from their forests, forges and ovens, and rents and dues from their tenants. Some major noble landowners acted likewise, but Saint-Jacob made no mention of any involvement of the minor nobles in this practice.

This widening gap between the minor nobility and the Burgundian elite, and its distancing from sources of preferment or patronage, began in the seventeenth century, exacerbated by ever increasing burdens of taxation which fell hardest on poorer nobles. A succession of wars from the turn of the eighteenth century, especially the Nine Years' War which had seen the introduction of the *capitation* and the War of the Spanish Succession that had brought on the imposition of the *dixième*, was followed by low grain prices, lack of circulating money and a move towards financial speculation in the economy, the latter not favoured by the majority of the new nobility. As the eighteenth century went on, things did not necessarily get any easier, and a number of pressures ought to be mentioned at this stage. The government programme of new road building between 1745 and 1760 encouraged 'new' men to enter the region and a spate of land sales ensued, which profited the bourgeoisie and merchants. Fluctuating good and bad harvests of both grain and vineyards between 1762 and 1770 then created economic hardship for minor landowners. Undoubtedly the influx of 'aggressive' landlords, perhaps enlivened by the sense of 'individualism' encouraged by the Physiocratic ideal, gave rise to the image of the tyrannical *seigneur* against whom the peasant revolted at the end of the period. What seems obvious from Saint-Jacob's study is that the 'seigneurial reaction' of the eighteenth century was the end result of a growing conflict between the old seigneurial system – of mutual exchange of labour for the protection of the *seigneur* – and a new individualistic approach to rural land

management, which combined capitalistic venture with exploitation of property (here the property included its tenants). The spate of land enclosures in the 1770s, driven by more individualistic *seigneurs* who attempted to gain the maximum profit from their woods, forests and fields, is evidence of the extreme to which the economic crises of the first half of the century had eventually driven new and old *seigneurs*. Whatever the case, Saint-Jacob blamed it on the ‘appearance of the “new man” [...] the wealth of new men throws the old economy into disarray [...] the new men deal the last blow to the old seigneurial system [...] in search of profit the traditional customs are lost [...] It is against nature.’²²

Jeremy Hayhoe’s work on the Burgundian seigneurial world is most enlightening on this major theme in French rural history under the Ancien Regime.²³ He saw the biggest contributory factor to the intensification of seigneurial activity in the mid- to late eighteenth century as the crackdown by lords and seigneurial judges on abuses of forest use and pasturage in seigneurial forest and field. This was not purely a case of aggressive reaffirmation of seigneurial rights and dues by the new (formerly urban) landowners and their land agents to support their new lordly lifestyle and status, or by major landowners such as the Saulx-Tavannes who needed the revenue from landholdings to support their lifestyle and political ambitions at court. It was a matter of good economic sense for those lords who had seen the three-fold increase in the price of wood outstripping the price of grain to clamp down on their tenants’ abuse of the vast forested estates in northern Burgundy, and close off these valuable resources. Some of those who were absent from their estates for the greater part of the year employed land agents and judicial officers to protect their interests or leased their land to *fermiers*. Hayhoe’s examination of the seigneurial courts of the eighteenth century established that these *fermiers* and the *seigneurs* were enforcing seigneurial authority with equal vigour, with the *fermiers* and other land agents being the motivating force behind the increased litigation. Having been somewhat neglectful from at least the turn of the eighteenth century, landowners simply became more attentive to their estates, and used the courts to protect their revenue streams. The authority and rights of the *seigneur* – formerly for the most part benign and non-litigious – just became more

²² Ibid., pp. 568-9.

²³ Jeremy Hayhoe, *Enlightened Feudalism. Seigneurial Justice and Village Society in eighteenth-century rural Burgundy* (Rochester, N.Y., and Woodbridge, 2008).

visible as the *seigneurs* availed themselves of an efficient and cheap justice system to pursue their tenants more intensively in the economic climate of the eighteenth century. Hayhoe echoes, however, Saint-Jacob's view that noble landowners in general were merely trying to cover the costs of land management which had been set in disarray during the economic crises earlier in the century. The *fermiers* and agents whom they employed to do this were the real culprits behind the seigneurial 'reaction' and were responsible for bringing a bourgeois, agrarian capitalism to the region, which was at odds with the traditional rural noble culture of land management.

William Doyle called this seigneurial reaction a 'new chapter' in a century-old struggle by nobles to reaffirm their seigneurial rights and dues in the face both of royal administrative policies designed to deprive them of undocumented rights, and the peasantry which had whittled away their rights in times of lax vigilance.²⁴ It was not an act driven by a landlord's greed or desire to abuse the peasantry, but whether this attitude prevailed generally amongst the nobility and is evidence of a serious 'seigneurial reaction' in Burgundy is questionable. James Farr picked up again on the growing dominance of the robe nobility, which had established itself since the mid-sixteenth century in the region and particularly in Dijon as a rural elite.²⁵ The evidence of their behaviour points to both a stricter approach to tenants and peasants – and earlier than expected – and to a more legalistic approach to seigneurial justice that in fact seemed to favour peasants in some respects. Farr asserted, as does Jeremy Hayhoe, that the robe and *parlementaire* families were the major landowners in the Dijon area, and had through networks of marital alliances, colonisation of religious establishments, loans, gifts and *rentes* ensured that a number of families such as the Brulart, Bouhier, Desbarres, Baillet, Joly, Gagne, Sayve and Berbisey dominated the political, financial and social landscape. Robe landowners played a significant part in the mid-seventeenth century agricultural restoration of the countryside, effectively re-feudalizing the countryside more efficiently than their sword contemporaries. Venal offices such as the presidencies and councillorships in the *Parlement* and the *Chancellerie* had, from the late sixteenth century, enabled numbers of robe officers to flourish. The accompanying financial

²⁴ William Doyle, 'Was there an aristocratic Reaction in pre-revolutionary France?', *Past and Present* 57 (1972), pp. 97-122.

²⁵ James Farr, *Authority and Sexuality in Early Modern Burgundy (1550-1730)* (Oxford and New York, 1995), p. 26.

gain from office gave them the wherewithal to purchase land and establish numerical dominance in the region. Most *parlementaire* landowners held seigneurial rights of high justice which were central to their personal understanding of authority and provincial privilege, and it was these judicial elites in the *Parlement* of Dijon who were effective in bringing about reform of the seigneurial justice system through the course of the eighteenth century. Hayhoe has demonstrated that they passed legislation in the mid-eighteenth century to ensure that seigneurial judges did not cut corners in the administration of justice, something that proved detrimental to peasant litigants yet financially beneficial for lordly complainants. Yet, from the 1760s the Burgundian Estates began to work on reform of the seigneurial justice system in tandem with the *Parlement*, to make the system fairer to both litigants and complainants and more cost effective. If this was indeed seigneurial reaction then it was sanctioned by both the Estates and *Parlement*, rather than driven by greedy and selfish landlords.

What, then, of intra-noble tensions that were arising from the period around 1700? Julian Swann noted the struggle for pre-eminence between the robe and sword elites and outlined the longevity of families of both groups, such as the Damas, Thianges and Vienne (sword) and the Bouhier, Berbisey, Fyot and Gagne (robe), all ennobled either in the sixteenth century or earlier, who dominated both the Estates and the *Parlement*.²⁶ Whilst the major sword nobility were becoming increasingly absent from their estates (returning only periodically to attend meetings of the Estates), the robe elites had steadily augmented their landed estates whilst simultaneously building up influence in the *Parlement* and the *Chambre des comptes*. The one factor common to both sword and robe was that certain members were eligible to sit in the *chambre de la noblesse* of the Estates.²⁷ Intermarriage between robe and old sword families had somewhat obscured the origins of family lines, particularly as they progressed into the eighteenth century, which makes it increasingly difficult to determine whether a family could or even should be termed either sword or robe nobility.²⁸ Nevertheless, one quite important subject

²⁶ Swann, *Provincial Power*, pp. 98-9.

²⁷ Both groups had to show possession of a fief or *seigneurie* and produce evidence of four quarters of nobility, but the robe had to have retired from office before they were considered gentlemanly enough to gain admittance to the *chambre de la noblesse*.

²⁸ Swann, *Provincial Power*, p. 32. As in other provinces, the intermingling of families through marriage, occupation of office and ennoblement makes it difficult

brought to light in this work, and one not fully addressed in other studies of the provincial nobility (except for Thomas' study in 1844), is the alienation of the minor nobility (both sword and robe families) from the circle of influence enjoyed by the noble elites, including *anoblis* families. The 'reaction' of the elites to the growing numbers of *anoblis* in their midst led to a number of *règlements* restricting the admission of newer nobles into the *chambre de la noblesse* of the Estates.²⁹ The downside of these policies was the automatic exclusion of any noble not in possession of a fief or *seigneurie* with a justice (regardless of his lineage and noble pedigree), which affected not only the minor sword *gentilshommes* but also some of the minor robe families, contributing to discord and division between the minor and major nobility.³⁰ All this raises the massive question of how noble quality should be determined.

It is apparent from the examination of other provincial noble populations as well as those of Burgundy that identifying members of the minor nobility as either robe or sword becomes increasingly difficult in the eighteenth century. Various factors need to be taken into account: intermarriage between the families (daughters of robe nobles contracting alliances with sons of old sword families) and changes in occupation between the two cultures (sons of robe nobles purchasing military commissions) being obvious examples. A number of families had ancestors with feet in both the military and judicial camps which raises the question of whether they should continue to be identified as either robe or sword in any sense. Among the major noble families the cultural divide is quite distinct when one considers the lives and careers of judicial families, such as the Bouhier, Espiard, Joly or Coeurderoy (*Parlement*) and contrasts them with the major sword families of the *chambre de la*

to determine any social profile, more so when attempting to ascertain whether a noble family is robe or sword. Methods of examination and classification of the Burgundian noble groups will be examined more closely in chapter two.

²⁹ *Ibid.*, pp. 68-9, cited successive rulings of 1679, 1688, 1727 and 1769 which dictated that candidates must provide a minimum of four degrees of nobility and 100 years of unbroken membership of the second estate. This consequently eliminated many newer *anoblis* and some sons of the robe as candidates. A final *règlement* of 1778 reduced membership to those practising the profession of arms and to robe judges who had resigned or sold their office.

³⁰ The identity of some of the families who would have been affected is revealed in chapter two.

noblesse of the Estates, such as the Damas, Vienne or Thyard-Bissy. By contrast, the minor noble population of rural Burgundy, both sword and robe, shared a common outward status as *seigneurs* or *gentilshommes campagnards*, and impoverishment and alienation from the *chambre de la noblesse* of the Estates were not only an affront to the dignity of both groups but also called into question the very notion of their noble identity, whether acquired by a life of military service or via judicial office. The matter of any perceived difference in culture between die-hard sword families and established robe families is one of the key themes of this study. How did it play out in practice?

2 The condition of the Burgundian noble population in the late seventeenth century and the first half of the eighteenth century

The fate of the minor provincial nobility, the *gentilshommes campagnards*, has, since Pierre de la Vaissière's seminal work on the French country gentlemen in 1903, received little attention.¹ Yet, more recent studies of regional noble populations have begun to address the question of a supposed decline in the numbers of petty nobles,² and it is now possible due to a number of surviving Burgundian records to draw conclusions about this hitherto elusive noble group and to test the reliability of late seventeenth and early eighteenth century records in assessing the size of the minor noble population. It is also possible to attempt to establish a contemporary definition of the *gentilhomme campagnard*.

Jérôme Loiseau has already shed light on the condition of the Burgundian nobility in the seventeenth century, considering its constituent populations and their relationship to the *chambre de la noblesse* of the Estates of Burgundy.³ In his examinations of the noble membership of the governing body and patterns of attendance of the sessions of the Estates, he also considered the effects of the investigations by Colbert and the *intendant* Bouchu into nobility attending the sessions of the Estates, and he raised anew questions of noble identity, together with the problem of

¹ Pierre de la Vaissière, *Gentilshommes campagnards de l'ancienne France* (Paris, 1903).

² These studies include Jean Meyer, *La Noblesse bretonne au XVIIIe siècle* (Paris, 1966), and Pierre Nassiet, *Noblesse et pauvreté. La petite noblesse en Bretagne, XVe-XVIIe siècle* (Mayenne, 1993); and two later studies by Michel Figeac: *La Douceur des Lumières. Noblesse et art de vivre en Guyenne au XVIIIe siècle* (Paris, 2001), and *L'Automne des gentilshommes: noblesse d'Aquitaine, noblesse française au siècle des Lumières* (Paris, 2002).

³ Jérôme Loiseau, *L'Ordre et la dette. Les Gentilshommes des États de Bourgogne et la prétension absolutiste, d'Henri IV à Louis XIV, 1603-1715*, Thèse pour obtenir le grade de Docteur de l'Université de Bourgogne (Dijon, 2008).

representation of the body of minor provincial nobility who were either unable or ineligible to attend the sessions of the *chambre*. His research has taken advantage of the records of the Estates, tax records, and in particular the *intendant* Ferrand's survey of Burgundian notables to produce a picture of the second estate in the seventeenth century. This present volume takes the search on into the eighteenth century, testing the reliability of other tax records and surveys and considering definitions of the population of both sword and robe *gentilshommes* to identify not only the officially recorded population but also the 'missing' noble population of the region. The Appendix, linked to this volume (in e-book form only), is an original collective index of the recorded major and minor families and their individual members for the period, drawn from a variety of official records such as the capitation of 1695, the *ban et arrière-ban* of 1682-96, the sessions of the Estates of Burgundy in 1682-1789, records of the Burgundian *Parlement* and the *Chambre des comptes*, as well as from contemporary surveys from the late seventeenth and eighteenth centuries of the land-owning population of the region. It provides an overview, both genealogical and geographical by region, of these families and their individual members, and attempts to provide a unique and near-comprehensive index of the recorded noble population for the period.⁴ The methodology involved in the compilation of this index will add to the general understanding of how the various contemporary official records should be approached and interpreted, particularly when using them to assess the size of noble populations and to determine the nature of that nobility. This particular volume will, however, skirt over a lot of the details that can be found in the Appendix in order to present a much clearer picture of the Burgundian country nobility, starting with a gathering that apparently took place in the same year that Louis XIV moved his court to Versailles.

⁴ John Dunne, 'The French Nobility and the Revolution: towards a virtual Solution to two age-old Problems', *French History* 17 (2003), pp. 96-107, also addressed the methodology and problems of estimating the noble population. I will re-examine his methods and findings along with my own in the use of tax records and archives of the Estates of Burgundy and other sources when constructing the catalogue and determining the size of the Burgundian noble population.

THE MEETING OF FIEF-OWNERS, 1682

Abraham de Thésut, the prince of Condé's *intendant*, reported that in 1682 a meeting was convened by the marquis de Thianges to discuss the *droits de mutation* and the *franc-fief* which had not been levied since 1660. The marquis' patronage encouraged an unprecedented number of fief-owners from Burgundy, Bresse and Bugey to assemble. According to de Thésut, '2459 gentilshommes assistèrent à l'assemblée'.⁵ This is an extraordinarily high number of landowners, particularly when we consider that the average number of verified noblemen or *gentilshommes* attending the Estates between 1682 and 1715 was eighty-five, and only seventy-five between 1718 and 1784.⁶ Even taking into account that not all fief-owners who attended this assembly were of sufficient noble quality to be convoked to the *chambre de la noblesse* of the Estates, and that a high level of absenteeism existed at these assemblies, it must be concluded that many landowners (probably minor impoverished nobility) never appeared on any of the official lists and surveys. This undocumented meeting tantalisingly suggests that a substantial number of *hobereaux* were at large in the Burgundian countryside. Who were they? Were they major or minor noblemen and indeed of what class of noblemen? Where are we to find them, let alone determine their noble quality or identity?

THE BAN ET ARRIÈRE-BAN, 1691-96

When searching for the *gentilshommes campagnards* the rolls for the *ban et arrière-ban* are a logical place to start.⁷ The renewal of the conscription

⁵ Katia Béguin, *Les Princes de Condé. Rebelles, courtisans et mécènes dans la France du Grand Siècle* (Seysssel, 1999), p. 319.

⁶ Julian Swann, *Provincial Power and Absolute Monarchy. The Estates General of Burgundy, 1661-1790* (Cambridge, 2003), pp. 64-7, also estimated that only a third of those eligible regularly attended the Estates. He suggested that the provincial administration had lost touch with the provincial *gentilshommes*, and the latter were denied access to positions of influence, which were the preserve of the prince of Condé's clientèle, a group which included many wealthy provincial recipients of his patronage. When looked at in this light, it is highly likely that we will discover very few of the minor provincial nobles, particularly sword families, on the lists of the Estates.

⁷ André Corvisier, *Armies and Societies in Europe, 1494-1789* (London, 1976), p. 27, stated that 'in France in 1636 [...] the general arrière-ban excluded the masses,

calls from the crown to supplement the ranks of men eligible to serve the obligatory forty days of military duty during the period of the Nine Years' War (1688-97) naturally fell upon the provincial sword nobility, owners of fiefs and rural *seigneurs* with military service or connections. For the years 1691 and 1692 (figure 2.1), the muster for the Burgundian *généralité* recorded:

‘Convocation du Ban et Arrière-ban Bourgogne et Bresse, 1691’		‘Repartition pour l’arrière-ban 1692’	
<i>Bailliage</i>	Number of nobles	<i>Bailliage</i>	Number of nobles
Charolles	14	Dijon	40
Langres	28	Auxerre	18
Dijon	42	Bourbon Lancy	3
		Auxois	22
		Autun	25
		Charolles	20
		Bar-sur-Seine	5
		Chalon	18
		Bugey	18
		Châtillon	16
		Mâcon	16
		Gex	4
		Bresse	25
TOTAL	84	TOTAL	230

Figure 2.1. *Ban et arrière-ban*, Bourgogne and Bresse, 1691-92.

The call of 1691 only recorded returns for three *bailliages*. That for 1692 covered a greater area of the *généralité* and although they show low returns, it is probable that members of many of the Burgundian sword families were already on active military service or had been included in

who had no military structure [...] the arrière-ban was still limited to the nobility, or to owners of *fiefs* whenever they were not already in service’. However, this already suggests that the lists for the *ban et arrière-ban* would include sword nobles and others who had purchased fiefs.

the previous call-up, since few of them appear in both musters.⁸ Some nobles were unable to equip themselves for service in a manner befitting their noble status, particularly true if required to serve in a cavalry capacity where the costs of providing not only campaign equipment and supplies but also a horse were beyond their means.⁹ As a result, many simply ignored the summons and did not appear. Interestingly, in 1691 (with the exception of the Dijon *bailliage*), every noble was listed as a *seigneur* or owner of a fief and described as a *gentilhomme*.¹⁰ Those returned for Dijon appeared under the *arrière-ban* rather than the *ban*, suggesting that they were recruited from amongst the robe and *anoblis*, and a number of robe families such as the Desbarres, Dagenscourt and Petit are cited, although none as *seigneur* or fief-owner.¹¹ For 1693-96 only the returns of the *arrière-ban* for Dijon remain (see Figure 2.2), with a maximum of forty predominantly robe gentlemen recorded annually as ‘gentilshommes declares indignes et dechus de la qualite de Nobles.’¹² The muster does not explain this citation and it is certainly odd considering that some of them had already appeared on the earlier musters *without* being declared insufficiently noble. Had they, despite declaring a noble office and a fief, transgressed Séguier’s edicts seeking out those

⁸ Swann, *Provincial Power*, p. 69.

⁹ David Parrott, *Richelieu’s Army. War, Government and Society in France, 1624-1642* (Cambridge, 2001), p. 63, suggested that ‘it was assumed that noble fief-holders, not already in arms [...] would consider themselves honour-bound to appear with full military equipment and, as befitted their noble rank, mounted. But [...] impoverished lesser nobles were reluctant to equip themselves adequately [...] or unable to provide an expensive horse for service [...] many simply ignored the summons.’

¹⁰ ADCO MS C3600: ‘Convocation du ban et arrièreban en Bourgogne et Bresse, 1691, Estat des Gentilshommes du Bailliage de Charolles et du Bailliage de Langres.’ Complete listings for all those included in the *ban et arrière-ban* are contained in Appendix One.

¹¹ James Wood, *The Nobility of the Élection of Bayeux, 1463-1666. Continuity through Change* (Princeton, N.J., 1980), p. 73. Wood noted that officeholders in the *élection* of Bayeux were exempted from serving in the *ban* musters. This may have also been the case in Burgundy.

¹² ADCO MS C3600: ‘Convocation du ban et arrière-ban pour Dijon 1693’. The robe nobles appear to have had to declare their noble status or rather wish it to be known, as opposed to the sword nobles listed in earlier calls for the *ban* of Bresse and Langres 1691, who simply appeared listed by name and status of *seigneur*, and with their landholding also noted.

acquiring fiefs (which conferred noble privileges and eligibility to serve in the *arrière-ban*) without official ennoblement by office?¹³ Or as younger sons (*cadets*) of robe officers had they infringed Colbert’s rulings concerning the inheritance of office, making them ineligible to serve in the *arrière-ban*?¹⁴ There is no way of determining this. Even so, those robe ‘gentlemen’ listed were eager to serve in person, if necessary, or to serve ‘with assistance’.

YEAR	serve in person	serve in person with assistance	substitute a gentleman	not stated
1693	10	8	7	13
1694	20		12	
1695	31		8	
1696	26		11	

Fig. 2.2. *Arrière-ban*, Dijon, 1693-96.

Landholding wives of robe nobles, such as Madame de Listenois, the marquise d’Arcelot, Madame d’Agencourt-Saint Martin, and some female sword nobles, such as the Demoiselles Dagen-court Coraboeuf, supplied a gentleman to serve in their place, and the marquisat de la Perrière recruited Monsieur Clemendo, an old army captain, to serve in its stead.¹⁵ So some information about these nobles can be gleaned, but ultimately,

¹³ François Isambert (ed.), *Recueil Général des anciennes lois françaises, depuis l’an 240 jusqu’à la révolution de 1789, tome XVII, 14 mai 1643-19 août 1661* (Paris, 1829), pp. 335-6: ‘Édit qui permet aux roturiers de posséder des fiefs et autres biens nobles sans payer de droits’ (Chambre Souveraine des francs-fiefs, novembre 1654).

¹⁴ Pierre Clement (ed.), *Lettres, instructions et mémoires de Colbert* (Paris, 1888-89), vol. IV, pp. 27-43. Colbert’s ‘lettre aux intendants, Saint Germain, 30 avril 1666’: Colbert asked the *intendants* to verify the proofs of nobility of all nobles declaring themselves exempt from taxes ‘[...] à l’égard de ceux qui ont esté anoblis ou dont l’anoblissement a commencé par celuy de leurs pères ou ancestres[...]’.

¹⁵ The pre-requisites for being mustered for the *ban et arrière-ban* were only that one had to be the owner or part-owner of a fief and provide sufficient evidence of noble quality. This would probably explain why the muster was called on these female fief-owners, who obviously could not serve in person and supplied substitutes in their place. The muster does not appear to be gender-specific.

what do these records really tell us about the nobles recorded on them?

The returns for Dijon show that the robe had readily adopted the military culture of their sword peers and were wealthy enough to sustain the burden of military campaign costs.¹⁶ Yet the records of the Burgundian *ban* are incomplete and insufficiently detailed, preventing any examination of the sword military's involvement in the *ban* or an estimation of their numbers. James Wood, when assessing the returns for the *ban* for Bayeux for the last quarter of the sixteenth century, suggested that the *ban* musters identified all male heads of families and fief-holders who were already militarily active and could serve under the *ban* or who, if not willing to serve, were content to contribute financially to the crown treasury.¹⁷ Applying his theory that between one-fifth and one-quarter of the noble population was capable of service in any one year to what remains of the Burgundian *ban* would produce figures of between 336 and 410 nobles (i.e. $82 \times 4 = 336$; $82 \times 5 = 410$) for the *ban*, and 920-1,150 (i.e. $230 \times 4 = 920$; $230 \times 5 = 1,150$) sword and robe nobles for the 1692 *arrière-ban* muster. This would include nobles who Wood suggested did not appear on the muster roll but contributed financially to the *ban*. However, this would be purely speculative and the incomplete records hinder any detailed examination. The *ban et arrière-ban* for 1691 does reveal the presence of minor nobles (predominantly sword) who appear in no other place in the Burgundian records. In connection with this, John Lynn argued that by the middle of the seventeenth century, the *arrière-ban* was composed of hardly anyone but ruined petty nobility or *hobereaux*.¹⁸

¹⁶ Guy Rowlands, *The Dynastic State and the Army under Louis XIV. Royal Service and Private Interest, 1661-1701* (Cambridge, 2002), p. 155, observed that 'for scions of robe noble houses, military positions became increasingly sought after as a way of acquiring acceptance in noble society and adding lustre to an otherwise undistinguished family [...] the second half of Louis XIV's reign saw a remarkable coalescence of rich commoners, *robins* and sword nobility around traditional martial values'. This would certainly explain why the robe were keen to appear on the musters, whether they actually served or not.

¹⁷ Wood, *Nobility*, pp. 82-5.

¹⁸ John Lynn, *Giant of the Grand Siècle. The French Army, 1610-1715* (Cambridge, 1997), p. 370, suggested that 'owing to the fact that the *ban* was so rarely called, that capable young men were employed already as officers in the king's army, and that nobles could be excused by paying money, the *arrière-ban* was composed of hardly anyone but ruined petty nobles [...] the nobility objected to the *ban* and *arrière-ban* because it threatened to become wholly fiscal, a kind of

The evidence from Burgundy seems to confirm this theory since no major sword nobles were recorded.¹⁹ A complete record of the *ban et arrière-ban* would have included all the minor military families, even for the *bailliage* of Dijon which records only robe landowners, due to the location of the *Parlement*. But most importantly the musters show that there was a social and cultural fusion between sword and robe nobility at the base provincial level, which is a general trend – already echoed by historians of other regional noble populations – of a more traditional and older sword noble population in the process of assimilating robe nobles into its military ranks, and of the willingness of some recent *anoblis* to assume aspects of this traditional noble identity.²⁰

FERRAND'S SURVEY OF THE BURGUNDIAN NOBLE POPULATION

To establish a broader picture of the size and nature of the Burgundian nobility, and to seek out the missing population of *gentilshommes*, we can turn to the late seventeenth century survey conducted by the *intendant* Antoine Ferrand. This survey which identified the noteworthy individuals and landowners of the duchy of Burgundy, undertaken between 1697 and 1699 ‘pour l’instruction de Mgr le Duc de Bourgogne par les milieux chargés de son éducation [...] puisqu’il fallait “présenter” la France à quelqu’un qui se préparait à exercer le “métier de Roi”’, is a particularly valuable document because of the precise details it contains about the families of the province, noting the origins and current condition of the individual nobles and their *terres* and *seigneuries*.²¹ Ferrand and his

tax on the nobility’. This was also the opinion of David Parrott (*Richelieu’s Army*, p. 64).

¹⁹ ADCO 3F: Lettres de Claude de Thyard. One of the major Burgundian sword nobles, Claude Thyard Bissy was on active service during this period and is not mentioned in the *ban*. Logically if he did not appear then neither did many other military nobles and *gentilshommes* such as the Damas, Vienne, Jancourt, Le Bascle and Villars-la-Faye.

²⁰ The notion of ‘sword’ identity is examined in greater detail in chapter three.

²¹ Daniel Ligou (ed.), *L’Intendance de la Bourgogne à la fin du XVIIe siècle* (Paris, 1998), p. 127. According to Daniel Ligou, it only recorded resident Burgundian nobles and recent *anoblis*, and not landowners from outside Burgundy. Nor were the estates of the Condé, Conti or Colbert recorded since they were

officials concluded that the majority of the 468 families identified were military or sword (the majority of the major robe were absent from the survey).²² Among these were 245 sword, twenty-one families of the robe with military connections, and twenty robe officials, plus 160 other families who were most likely poor *gentilshommes* or simple fief-holders. The survey, broken down in a table on this and the next page, accounts for 706 individuals across the *généralité*, including both the *pays d'états* and the *pays d'élections*:²³

<i>Bailliage</i>	Origins:	Sword	Robe	Unknown	Total
Dijon et Nuits (DIJON)		15	21	2	38
Beaune (DIJON)		10	3	1	14
Auxonne (DIJON)		6			6
Autun (AUTUNOIS)		25	8	5	38
Bourbon Lancy (AUTUNOIS)		7	2	4	13
Montcenis (AUTUNOIS)			7	2	9
Semur-en-Brionnois (BRIONNAIS)		2			2
Chalons (CHALONNAIS)		37	9	5	51
Auxois (AUXOIS)		27	15	2	44
Avalon (AUXOIS)		15	3	1	19
Arnay-le-duc (AUXOIS)		9	4	1	14
Saulieu (AUXOIS)		17	6		23

(continued on next page)

mostly absent from the region. For these reasons those families listed form a substantial record of provincial nobles for the period.

²² *Ibid.*, pp. 129-31. Ligou also accounted for thirty-seven families who owned more than one estate in the province and are cited twice. This brings the total number of families cited down to 431 rather than 468.

²³ Bresse, Gex, Bugey, Valromey and Mâcon were *pays adjacents* (although Mâcon had its own Estates), and were directly subject to the authority of the *intendant* for the purposes of taxation (i.e. the *capitation*). All the other *bailliages* and *pays d'états* were subject primarily to the governing Estates of Burgundy.

<i>Bailliage</i>	Origins:	Sword	Robe	Unknown	Total
Châtillon (PAYS DE LA MONTAGNE)		20	12	1	33
Auxerre (AUXERROIS)		43	14	2	59
Charollois (CHAROLAIS)		37	7	9	53
Bar-sur-Seine		16	2		18
Bresse		65	20	21	106
Bugey		43	31	15	89
Gex (PAYS DE GEX)		17	1	2	20
Mâcon		41	7	9	57

Figure 2.3. Ferrand's survey of Burgundian landowners, 1697-99.

Broken down by percentage of the total population, the figures for individuals appear thus: sword 459 (65%); robe (in office) 125 (18%); robe gentlemen 40 (6%); unknown origin 82 (11%). The sword or military nobles are identifiable either as members of a known sword family,²⁴ or serving military,²⁵ *gentilshommes*,²⁶ families of ancient lineage,²⁷ or *gentilshommes* of the *chambre de la noblesse*.²⁸ The robe were serving

²⁴ For example, Louis de Saulx, marquis de Tavannes et Mirabel, *seigneur* of Saulx and Lamarche, 'illustre famille'.

²⁵ For example, Louis de Gare de Lucinge, *seigneur* of la Motte in Bresse, 'long temps capitaine au regiment de Conty, fils est capitaine au regiment de Thoy, famille connue depuis 1100'.

²⁶ The description of *gentilhomme* is primarily used to denote old sword nobles (not necessarily acknowledged by the Estates) such as Jean de Courroy, living at La Motte in Saulieu 'gentilhomme, aucune seigneurie'. It was not used to describe a robe noble who is always accompanied by a description of his profession.

²⁷ Where a family was noted as having ancient lineage, Ferrand took care to note where the nobility was of the robe. The longevity of lineage in these cases presupposes ennoblement by the sword, for example Monsieur Deschalon, *seigneur* of Hyenas in Bugey 'reconnu pour gentilhomme, noblesse remonte a 1481, entra aux États en 1666'.

²⁸ Admission to the *chambre de la noblesse* was only open to robe nobility who had retired from professional office. At this point they were considered 'gentlemen' in the traditional manner of their sword contemporaries.

judiciary in the *Parlement* or the *Chancellerie*,²⁹ or members of established robe families,³⁰ or branches of robe families (where no other affiliation or profession was stated).³¹ The robe *cadets*, holders of military commissions, were also pinpointed in Ferrand's descriptions.³² The 'unknown' were nobles of whom there was no recorded origin and no current condition identified, such as Pierre de Romassin of Chalons 'escuyer, bonne noblesse,' and recent *anoblis* such as Guillaume de Courtancière, *seigneur* of Vicendere in Châtillon, 'père anobli par la mairie de Nantes.'³³

Even allowing for the absent major robe and sword families already identified by Ligou, and certainly many minor *hobereaux*, the survey pointed to the preponderance of sword nobles and a military culture encompassing both sword and robe across the *généralité*. Furthermore, it is clear that Ferrand recorded all those men who were of particular note and significance to the young duc de Bourgogne: nobles and *gentilshommes*, regardless of wealth, ownership of land or recognition of noble condition by the *chambre de la noblesse*. He recorded many who were *gentilshommes simplement* without a fief, and those who were mere *écuyer*.³⁴ If these were all men whom the *duc* should take note of then it contradicts the *chambre de la noblesse*'s 'legal' definition of a *gentilhomme*, and places more emphasis on how these men were perceived

²⁹ For example, Bénigne de Carey, *seigneur* of Magny in Dijon 'Conseiller au Parlement de Dijon'.

³⁰ Individuals descended from or related to a known robe family, such as the Sieur Berthelot, *seigneur* of Bellefond in Charolais 'son père était conseiller au presidial, son fils est secretaire du roi'.

³¹ For example, Henry Rémond of Etrochey 'ayeuls étaient conseillers au parlement', and Joseph Rémond of Thorey 'meme famille du precedent', and also Daniel Rémond of Etrochey 'de la même famille', and Joseph Rémond of Musseau 'de la même famille'.

³² Such as Monsieur Desbarres, *seigneur* de Cussigny in Dijon, 'famille originaire de Robe, lui est capitaine de cheveaux'.

³³ This could denote *noblesse de cloche*, someone ennobled by civil office but who still might be considered as robe.

³⁴ The older dictionary definition of an *écuyer* is a horseman, akin to an English squire, and would seem to indicate sword cavalrymen in particular (as distinct from *chevalier* which by this period was an honorary noble title). I conclude that it referred to military *gentilshommes*, retired from active military service. Ferrand described many of the unidentifiable characters in this way, which certainly suggests that they were the elusive *hobereaux*.

by their peers and not the *chambre de la noblesse* of the Estates of Burgundy.

The minor nobles in Ferrand's survey formed distinct groups, depending on their origins and profession. Approximately 274 families had a head of household and/or one or more sons still serving in the military, and 215 were retired from military service and living quietly on their estates. Sixty-four of the robe families owning estates had a head of household still serving in the judiciary, and a further twenty-six were presumably retired and living as *gentilshommes*. Any imagined decline of the sword population or the military culture at the turn of the eighteenth century is pretty much negated by the fact that more than half of the heads of robe households had taken advantage of venality in the military to advance their sons' careers in the army. Most of the thirty-four *anoblis* had recently purchased a fief, one-third had purchased a commission in the army,³⁵ whilst the rest had remained simple *écuyers*.³⁶ James Collins had observed, in Brittany, the general fusion of sword and robe cultures that Ferrand's survey hints at,³⁷ and in the *élection* of Bayeux in the mid-

³⁵ There was no specific reference to the capacity in which these *anoblis* served in the military other than 'fils sert' or 'a servi' or 'sert dans les troupes'. We are most likely looking at infantry companies where some measure of venality (some of it permitted, some of it illicit and unofficial) still prevailed. Guy Rowlands, *Dynastic State*, pp. 168-71, noted that Louis XIV had tried to regulate the prices of commissions to make them more affordable for the minor nobility. Competition for positions between established military families and the newer robe and ennobled families pushed these prices even higher at times.

³⁶ Ligou has already noted that the major robe and sword families were for the most part absent from the survey.

³⁷ James Collins, *Classes, Estates and Order in early modern Brittany* (Cambridge, 1994), pp. 90-1, suggested that it is to some extent futile to assess rural noble populations in terms of the robe-sword divide. In terms of the landed élites, he estimated that more than fifty percent of the robe landowners were in fact descended from old military families, and whilst the old 'warrior' nobility remained the dominant force in rural society (Brittany was a *pays d'états*), the Breton nobility had intermarried so frequently over the years that many families had both robe and sword members. Notwithstanding this, Donna Bohanan ('The Sword as the Robe in Seventeenth-Century Provence and Brittany', in Mack P. Holt (ed.), *Society and Institutions in Early Modern France* (Athens, Ga., and London, 1991), pp. 51-62) surmised that the sword-robe fusion in Brittany was unusual for the provinces. Rather than older (sword) families being overtaken by the new (robe) by the mid-seventeenth century, numbers of both groups remained equal, the reason being that sword families had moved into positions of authority

seventeenth century James Wood too saw a comparable development of the fusing of the two noble cultures.³⁸ Jonathan Dewald's description of the rural community of Pont-St-Pierre suggested too that the movement of previously urban *anoblis* into the countryside indicated that 'all shared ownership of the *épée* even if they had ancestors and connections via marriage to the robe nobility of the Rouen *Parlement*.'³⁹

In Burgundy, then, Ferrand's survey has revealed a sizeable population of noblemen, landowners and *gentilshommes* who were not recognized by the Estates, but even this does not provide a complete record of the population of minor gentlemen. Where else might we look for them?

TAXING THE NOBILITY: THE *CAPITATION*

The *capitation* of 1695 was the first direct tax to include the nobility and historians continue to debate the usefulness of this fiscal record when examining noble populations. François Bluche and Jean-François Solnon felt that the importance of the rolls had been dismissed as a merely fiscal record of the noble population with nothing else to offer, and argued instead that it could equally be used to show a social hierarchy of the French state.⁴⁰ Roger Mettam argued more convincingly that this 'hierarchy' in no way reflected the views of the nobility of the time, and questioned the assumption of some institutional historians who have seen the *capitation* as a useful tool with which to examine the nobility in terms

in the *Parlement*. This is explained by the fact that the Breton *Parlement* and Estates had since the fifteenth century been almost institutionally intertwined and interchangeable. Even if Collins is right to be cautious about robe-sword divides, the fact remains that this form of categorisation was a reference point for contemporary efforts to make sense of the composition of the French nobility.

³⁸ Wood, *Nobility*, pp. 74-82. The goal of the *anoblis* was not, however, to join the rural squirearchy but to adopt the rural way of life that was characteristic of older gentlemen's families. As rural landowners or *seigneurs* they would have automatically been drawn into the military obligations incumbent on fief holders such as the *ban et arrière-ban*.

³⁹ Jonathan Dewald, *Pont-St-Pierre, 1398-1789. Lordship, Community and Capitalism in Early Modern France* (Berkeley, Calif., 1987), pp. 95-115.

⁴⁰ François Bluche and Jean-François Solnon (eds), *La véritable hiérarchie sociale de l'ancienne France. Le Tarif de la première capitation (1695)* (Geneva, 1983), p. 18.

of their wealth or usefulness to the state.⁴¹ It is generally acknowledged that a proportion of the sword noble population were not assessed on the basis of actual revenues, as opposed to the robe who were taxed on the value of their offices and were consequently easier to trace. But do the *capitation* rolls record precise numbers of nobles and, if not, do the ways in which nobles were assessed for the *capitation* explain why some of them were absent from the rolls? The 1695 edict stated that those nobles holding office would only be assessed on the basis of their declared revenues, presumably *rentes*, *vignes* or any other income from their landholdings.⁴² Similarly assessed were a large number of ‘privileged’ persons whose nobility is not confirmed.⁴³ The rate and nature of calculation, according to Bluche and Solnon, varied from class to class of the *capitation*. The complete record of the first Burgundian *capitation* compiled by Ferrand’s officers and based, it has been presumed, on the findings of his report for the duc de Bourgogne, is summarily represented in the table below, following its key:⁴⁴

KEY:	A	Rolle de la Capitation des Gentilhommes at autres possédans fief (1697)
	B	Rolle de la Capitation sur plusieurs Officiers militaires de la Chambre des Comptes (1697)
	C	Rolle de la Capitation sur Messieurs les officiers du Parlement de Dijon, titulaires et veterans (1697-1701)
	D	Rolle de la Capitation sur les Privilégiés de la Province de Bourgogne (1701)
	E	Rolle de la Capitation sur les officiers des estats (1701)

⁴¹ Roger Mettam, *Power and Faction in Louis XIV’s France* (Oxford, 1988), p. 287.

⁴² Robe nobles of the *Parlement* and those classified as *noblesse de plume* or officers of the *Chambre des comptes* by Bluche and Solnon.

⁴³ Presumably members of the third estate in the *capitation* of the ‘privilegiés de la province de Bourgogne’.

⁴⁴ ADCO MS C5599: *Capitation 1695-1701*, 1701.

<i>Classe</i>	A	B	C	D	E
I					
II					
III		3			
IV	1		1		
V		1	7	2	
VI	1	3	2	1	19
VII	10	7	2		
VIII			44	1	3
IX		26	34	6	1
X	50		7		
XI			18	8	41
XII	1		10	6	47
XIII	6		27	22	12
XIV			2	1	4
XV	30		2	7	28
XVI	4		12	18	82
XVII	10		9	16	47
XVIII	5			35	45
XIX	44		15	35	9
XX	9			22	40
XXI					71
XXII			6	3	45

Figure 2.4. Burgundian *capitation*, 1695-97 and 1701.

The nobility of the Dijon *Parlement* numbering 198 persons appeared predominantly in classes 4 to 16, including for example, Monsieur Bailla ‘premier president’ (class 4) and ‘president à mortier’ de Mucie (class 12). In the lower classes were the officers of the *Parlement*,⁴⁵ and the mass of officers of the Estates, including *receveurs des bailliages* (class 6) and officials of the *bailliages*, *chancelleries* and *présidiaux*, such

⁴⁵ For example, ‘secretaire du roi’ Monsieur De Serrey (class 17) and ‘huissier’ Monsieur Morisot (class 19).

as Monsieur Massenot ‘président et lieutenant’ and Monsieur Soussellieu ‘procureur du Roi’ (class 12). Many of these officers also listed their children, widows and household servants.⁴⁶ Most officers fell into classes 14 to 22.

So where did the provincial *gentilshommes* figure in the general scheme of the Burgundian *capitation*? In the roll of the ‘gentilshommes et autres possédans fief’, the majority appeared in class 10, the wealthier *seigneurs* and major sword families – for example, Madame Lamarque Tavannes and the children of the dame de Choiseul. Fewer than fifty appear in classes 15-16, while the majority of the *petits gentilshommes* are in classes 19-20, such as the damoiselle Morin ‘fille majeure sans fief,’ and Monsieur Lantieu ‘sans fief, capitaine de dragons,’⁴⁷ and the sieur François Le Belin ‘ancien capitaine au régiment d’Anjou.’ These were the *hobereaux*: impoverished heirs and widows of defunct noble lines, poorer army captains, and miscellaneous landless nobles falling into obscurity and *dérogéance*. However, the sword did not have the monopoly on obscure landless, impoverished nobility: roughly half of these *hobereaux* at the bottom of the pile are nobles of *cadet* branches of robe houses, such as Messieurs Desbarres, Fleutelot and Richard. Surprisingly, some of these robe *gentilshommes* and other senior robe nobles appear on the roll of ‘privilegies de la Province de Bourgogne,’ although only because they were not subject to the *taille*. By way of contrast, the *capitation sur plusieurs officiers militaires de la Chambre des Comptes* included the wealthiest and most influential of the sword and robe nobles, who appeared in classes 3, 5, 7 and 9 exclusively. The *officiers militaires* referred to were honorary positions within the *Chambre des comptes* and held by major sword nobles: the comte d’Amanzé, and comte de Tavannes and Madame d’Antraguez (class 3). Overall, the *gentilshommes campagnards* are represented in the upper, middle and lower echelons of the *capitation*.

All this notwithstanding, the *capitation* is a misleading source, both in terms of fiscal evidence and in recording nobles, owing to the

⁴⁶ For example, the ‘enfants du premier mariage du Monsieur Chauveau conseiller’ and ‘la veuve du Sieur Lebrun conseiller’.

⁴⁷ It is odd that some landless sons and daughters of nobles appeared on the list of gentlemen *possédant fief*. Was this classification a reference to the head of the family who *did* own a fief? This is difficult to prove since their immediate parent or head of family is not obviously present in this list or in any other. It is only one possible explanation for these strange entries.

ways in which both sword and robe are assessed and classified. As a record of the noble population of Burgundy at the end of the seventeenth century it is of little value, containing too few entries for the mass of minor gentry who were certainly around during this period, and evidently some gentlemen have been erroneously classified and assessed. Whilst providing complete entries for the *Parlement*, the *Chambre des comptes* and the *officiers des états* (all venal offices which were easily recorded), there were noticeable absences from the rolls, particularly that of the *gentilshommes possédant fiefs et châteaux*,⁴⁸ where many more military nobles should have appeared in classes 10-15 and especially in classes 19-22.⁴⁹ Many of the poorer nobles, the *hobereaux*, are also conspicuously absent. Most revealing is the fact that Julian Swann noted how after 1782 the numbers of poor nobles on the rolls rose dramatically when offers of financial assistance or pensions from the *capitation* funds were restricted to those registering for the *capitation*.⁵⁰ This feasibly explains the dearth of *petite noblesse* earlier on the roll of the *gentilshommes*: these men could not afford to be taxed and therefore did not present themselves. Michel Figeac, looking at the *capitation* for Aquitaine, observed the predominance of the robe whose numbers were approximately twice those of the sword, noting also that the middling and minor nobility represented around eighty percent of the total.⁵¹ The Burgundian *capitation* reflects a similar situation. Excluding the roll of the 'privilegiez de la province', eighty-two percent of the minor nobles fell into or below class 10, on or below the point at which a noble would be considered 'impoverished'.⁵²

⁴⁸ This may be explained by the fact that Ferrand's original survey, made presumably for the purposes of the *capitation*, excluded some of the major nobles who did not reside permanently in the province. The Vienne family, like the Condé and Conti, is absent from the list since family members were resident at Court for the majority of the year and had lands outside Burgundy.

⁴⁹ Ferrand identified many of them in his survey of the *bailliages* conducted at around the same period as the *capitation*, yet few appeared in the rolls.

⁵⁰ Swann, *Provincial Power*, pp. 69-71.

⁵¹ Figeac, *L'Automne*, pp. 76-7.

⁵² This is admittedly a subject open to debate. Jonathan Dewald, *The Formation of a Provincial Nobility. The Magistrates of the Parlement of Rouen, 1499-1610* (Princeton, N.J., 1980), pp. 113-61, concluded that an income of 700-800 *livres* would have placed a noble of either robe or sword gentry class in the category of 'poorer' nobility (equating to class 20). However, rising prices of office and rising costs of maintaining an estate would have necessitated a much higher income to maintain a similar level of noble living, hence the threshold at which a noble was

Most of these were officers of the *Parlement* or the *Chambre des comptes*.

The *capitation* can only make rather generalized social and fiscal comparisons between noble groups, and it certainly does not represent a 'true social hierarchy of old France' (to use Bluche and Solnon's phrase). It can neither reliably provide accurate numbers of nobles and privileged persons in any one region,⁵³ nor should it be used to illustrate or define notions of 'nobility', whether that nobility was purchased by office or based on the three 'tests of *noblesse*' as historians have argued.⁵⁴ Furthermore, the methods of calculating and imposing the tax itself were, according to Michael Kwass, quite arbitrary and differed from region to region, and between *pays d'états* and *pays d'élections*, making the *capitation* a very unreliable source from which to draw accurate fiscal information.⁵⁵

One curious feature of the *capitation* rolls lies in the fact that they were supposed to have been based on Ferrand's survey, yet a comparison with the entries in the *capitation* shows that only seventeen nobles recorded by Ferrand appear in the rolls, thirteen of them in the roll of *gentilshommes possédant fief*, one in the roll of *officiers militaires de la Chambre des Comptes*, one in the roll of *officiers militaires du Parlement*

considered to be impoverished would equate to Bluche and Solnon's class 15. Michel Figeac estimated that in Aquitaine the level at which impoverishment started was class 17 (*L'Automne*, p.82), while Jean Meyer, looking at Brittany, felt that it started at some point between classes 16 and 19: 'Un Problème mal posé: la noblesse pauvre. L'Exemple breton au XVIIe siècle', *Revue d'histoire moderne et contemporaine* 18 (1971), pp. 161-88. The minimum level of income considered sufficient to maintain a semblance of noble living was 500 *livres* annually, equating to classes 18-20 on Bluche and Solnon's scale, although Pierre Goubert (*The Ancien Regime. French Society, 1600-1750*, p. 177), argued that 300-500 *livres* annually was 'hardly destitution'.

⁵³ Michael Kwass, *Privilege and the Politics of Taxation in Eighteenth Century France: Liberté, égalité, fraternité* (Cambridge, 2000), pp. 69-70, also pondered the use of the *capitation* as a window onto French society, concluding that 'it was, after all, designed for the purpose of raising revenue and not for portraying the social order and when looked at in this light [...] the tariff is no more trustworthy as a document of fiscal history than it is of social history'.

⁵⁴ Mettam, *Power and Faction*, pp. 72-6. The three tests were 'military origins and continuing valour, great antiquity of lineage, and inherited nobility'. Mettam argued that when these tests were applied to the robe they were found wanting on all counts.

⁵⁵ Kwass, *Privilege*, pp. 70-80.

de Dijon, and the remaining two in the roll of *officiers des états*.⁵⁶ These seventeen constitute barely two percent of the noble population recorded by Ferrand, which begs the question of the actual source of information on which the *capitation* was based. This figure is incomprehensibly low, and suggests that Ferrand's officers must have used other sources of information on which to base the compilation of the *capitation* rolls, sources which remain elusive. Ultimately, therefore, the Burgundian *capitation* cannot be relied upon to provide a head-count of the nobility of the region. Having examined both the advantages and shortcomings of the *capitation* as a tool for identifying and assessing the provincial Burgundian noble population, there is one further source to consider: the last major survey of landowners made in the mid-eighteenth century by Antoine Garreau.

GARREAU'S LAND SURVEY OF BURGUNDY, 1734

Antoine Garreau's survey of the fiefs and *seigneuries* of the entire province of eighteenth-century Burgundy provided a much fuller picture of the number of landowners, and, as with Ferrand's survey, appeared to record the majority of the noble landowning class, both robe and sword, although unfortunately it recorded only the name of the landowner and title where known, plus the name and location of the *seigneurie* or fief.⁵⁷ Little is known about Garreau, or the reasons behind this survey, but its composition and breakdown into land-owning types of the first estate (church) and the second estate of robe and sword nobles suggests that it might have been a survey for tax purposes or possibly an evaluation of *terriers*. As a *procureur* of the Dijon *Parlement* he may have been providing this information for the *intendant*. Garreau did record where a landowner was of the robe class or where land was owned by religious houses, but provided no biographical information on any of the other landowners, which makes classification of noble grouping particularly difficult. A summary breakdown of the make-up of the constituent social

⁵⁶ Including the following families: Amanzé, Bataille, Berbis, Blondeau, Bretagne, Chambre, Cirey, Frasans, Joly, du Marche, Millotet, du Montet, Rémond, Riollet and Saumaise.

⁵⁷ Antoine Garreau, *Description du gouvernement de Bourgogne, suivant ses principales divisions temporelles, ecclésiastiques, militaires et civiles* (2nd edn, Dijon, 1734).

groups is shown below:

<i>Bailliage</i>	Sword	Robe	Religious chapters	Unknown origin	Total
Pays de Montagne	18	20	6	27	71
Dijonnais et Nuits	38	97	16	40	191
Auxerrois	7	1	1	9	18
Auxois	66	75	27	46	214
Autunois	23	13	1	35	72
Chalonnais	26	54	16	38	134
Charollois	22	15	1	15	53
Bar-sur-Seine	2		1	11	14
Bugey	11	12	2	42	67
Bresse	12	10	5	44	71
Gex		2	2	2	6
Mâconnais	13	10	9	33	65
Total	238 (25%)	309 (31%)	87 (9%)	342 (35%)	976

Figure 2.5. Garreau's survey: breakdown of landowners, 1734.

In this survey the most extensive land holdings belonged to the major sword, but, as in other regions, the robe nobility towards the middle of the eighteenth century had increased its share of the land holdings across the entire region *vis-à-vis* the sword nobility. Compared to Ferrand's survey approximately forty years earlier, where the sword nobility appeared as the dominant noble group, Garreau's survey suggests an almost equal division of land holdings between the two groups: nevertheless, the high percentage of landowners whose origins cannot be identified leaves an element of doubt. What is fairly clear when comparing Ferrand's and Garreau's surveys is that very few of the minor nobles appeared in both. There could be a number of reasons for this, such as sales of land between nobles, purchase of old land holdings by *anoblis*, sales of land by now extinct families (as many nobles, particularly the

sword, had been engaged in the numerous military actions in the intervening years, possibly accounting for the deaths of fathers and sons), or transfers of land as marriage settlements. The Burgundian province, as elsewhere in France, suffered economically from the bad harvests and famines that plagued the country around 1692-99 (in some regions as early as autumn 1691) and again from 1709 to 1714. Undoubtedly for some minor landowners, this would have caused economic hardship, disrupting trade in grain and wine with a subsequent diminution of income from their land and tenants. It is likely some of the poorer nobles may have been forced to sell land to survive, which could explain the slump in the number of sword landowners in Garreau's survey. Even so, these hypotheses are hard to quantify. Given the additional problem of how nobles were registered on these surveys – some by family name; some by both family name, title and name of *seigneurie*; others by only the ubiquitous *sieur de* – it is almost impossible to provide anything approaching a detailed or accurate list of nobles of whatever denomination. The *potential* total of *individual* nobles listed, excluding the religious chapters, is approximately 829: 209 sword, 285 robe, 335 unidentified. So, none of the obvious official records of landowning nobility in Burgundy can individually or collectively identify the total noble population at any given point in the period. Can the convocation lists of the *chambre de la noblesse* of the Estates of Burgundy provide any clarity here?

THE MEETINGS OF THE *CHAMBRE DE LA NOBLESSE* OF THE ESTATES OF BURGUNDY, 1682-1784

Admittance to the *chambre de la noblesse* of the Estates of Burgundy was, after a tightening of the regulations in 1679, granted to nobles who owned a *fief* and could provide proofs of four quarters of nobility,⁵⁸ including both sword and robe noblemen, now all considered *gentilshommes*.⁵⁹ The

⁵⁸ See Julian Swann, 'War and Finance in Burgundy in the Reign of Louis XIV, 1661-1715', in M. Ormrod, M. Bonney and R. Bonney (eds), *Crises, Revolutions and Self-Sustained Growth. Essays in European Fiscal History, 1130-1830* (Stamford, 1999), pp. 294-322.

⁵⁹ Swann, *Provincial Power*, p. 64, noted that any robe nobles (normally excluded from the Estates on account of their holding judicial office) were required to be certificated by a commissioner of the *chambre de la noblesse* confirming that they were of sufficient noble quality and not just 'gentlemen'.

fusion of these two groups is particularly noticeable in Burgundy, considering that thirty to fifty percent of all nobles convoked originated from branches of established robe families.⁶⁰

YEAR	Number of nobles	YEAR	Number of nobles	YEAR	Number of nobles
1682	145	1721	70	1760	48 ⁶¹
1685	100	1727	68	1763	82
1688	115	1730	70	1766	118
1691	82	1736	80	1769	110
1697	75	1739	82	1772	61
1703	82	1742	68	1775	81
1706	81	1745	50	1778	79
1709	83	1748	48	1781	70
1712	74	1751	59	1784	60
1715	84	1754	105		
1718	70	1757	49		

Figure 2.6. Numbers of nobles in attendance at the meetings of the *chambre de la noblesse* of the Estates of Burgundy.⁶²

⁶⁰ Franklin Ford, in *Robe and Sword. The Regrouping of the French Aristocracy after Louis XIV* (Cambridge, Mass., 1953), first raised the notion of fusion which historians in subsequent years have come to accept more as a fact than a hypothesis. Mathieu Marraud's description of the Parisian nobility of the eighteenth century (*La Noblesse de Paris au XVIIIe siècle* (Paris, 2000), pp. 539-42) noted that in the melting pot of emigrant nobles from all over France the one common uniting factor was the reason *why* they had come to Paris, usually to seek out a position in the army, *Parlement* or other crown office, rather than *how* they had come to be where they were. However, 'tandis que l'un consacre ses forces à la défense des valeurs traditionnelles, l'autre développe progressivement un système économique et hiérarchique contraire. Une observation minutieuse de la noblesse parisienne ouvre constamment sur cette dichotomie [...] elle atténue les distinctions entre les groupes'. We can only infer that both sword and robe continued to live in parallel universes even in Paris. He did suggest the decline of traditional noble (i.e. sword) culture was predominantly a rural phenomenon.

⁶¹ BMD MS116K, fols 1-6: 'Rolle des lettres du roi pour la convocation des états assignés au 15 Novembre, 1760', citing 247 nobles convoked. Swann, *Provincial Power*, p. 66, states that as a general rule, only a third of those eligible to attend ever bothered or were even able to turn up, as is obvious from the number cited as attending the session of the Estates. In 1760 fewer than 20 percent attended.

Unfortunately, any expectations of finding a complete (official) record of *gentilshommes* are confounded by the many inconsistencies in the lists cited by Beaune and d'Arbaumont, and this problem is particularly evident when considering the number of nobles cited for the year 1682.⁶³ Of 396 nobles cited, 151 had provided proofs prior to 1682, a further 238 entry proofs were certified after the regulation of 1679 and seven nobles were admitted after the closure of the 1682 list. Julian Swann, however, has identified 247 nobles who had met the requirements for entry to the Estates of 1682, yet says that less than 200 of them attended, concurring with the numbers of nobles which Beaune and d'Arbaumont cited who were listed before the *règlement* of 1679.⁶⁴ The higher total figure is more reflective of the list of nobles who were convoked to attend, rather than those who actually did, and proves that neither the lists of those convoked nor the lists of those who apparently attended the sessions in any way reflect the total numbers of *petite noblesse* for the region. Overall, these were low numbers, even allowing for high rates of absenteeism among the provincial nobility. Clearly the convocation lists of the *chambre* cannot be used to provide an accurate number of *gentilshommes* for the region. Jérôme Loiseau, who has also investigated the original manuscript sources, attested to the incomplete records cited by Beaune and d'Arbaumont for the year 1682 by comparing the records of the 1682 session of the Estates with Ferrand's lists of 1697, to prove that there were around 468 heads of house at this time and thus significantly more attendees than are accounted for in these records.⁶⁵ Furthermore, Swann's analysis and explanation of the low attendance figures of the sessions of the Estates is even more convincing, with more weight added by Loiseau's argument that, based on Ferrand's survey, there were many more nobles in the province who never attended the sessions of the Estates for whatever reason: either their proofs of

⁶² The numbers are Julian Swann's, quoted in *Provincial Power*, p. 65, based on ADCO MS C 3018-C 3022.

⁶³ Henri Beaune and Jules d'Arbaumont, *La Noblesse aux Etats de Bourgogne 1350 à 1789* (Dijon, 1864).

⁶⁴ Swann, *Provincial Power*, p.64.

⁶⁵ Jérôme Loiseau, *L'Ordre et la dette. Les Gentilshommes des Etats de Bourgogne et la prétension absolutiste, d'Henri IV à Louis XIV, 1603-1715*, Thèse pour obtenir le grade de Docteur de l'Université de Bourgogne (Dijon, 2008), p. 34.

eligibility were not verified, or they were not able to afford the expense of attending the Estates, or perhaps were simply not interested in attending if they felt that they had no influence in decisions made there.⁶⁶ Their absence may also have been due, as Loiseau suggested, to the fact that the Estates were frequently held in the spring coinciding with the *saison de guerre*.⁶⁷

There is therefore no single tax roll, military muster or survey of land and nobles that can provide a realistic number of nobles at any fixed point. The problems encountered with the Burgundian records correspond with what historians have experienced elsewhere: noticeable absences of known and established families and individuals; difficulties in identifying families and putting them in their correct context or social grouping; erratic recording of nobles, sometimes by family name or title, or by land; the impossibility of reconciling one record with another due to variances in the original purpose of the record; and the methodology behind recording nobles who appear on it. This is especially so with regard to the *ban et arrière-ban* and the *capitation* where the dearth of military and other minor nobles is explicable. As to the convocation lists of the *chambre de la noblesse*, these show inconsistencies in the records of those convoked and those who actually attended.

Were the hundreds of minor sword and robe gentlemen who do not appear in any of these official records just wilfully absent, for reasons already explained, or were they officially discounted for want of noble quality? This is an important issue and one which was debated widely at the time as the number of *anoblis* continued to rise from the mid-seventeenth century. Did the 'official' definition of the *gentilhomme*, determined by the criteria for admission to the *chambre de la noblesse* of the Estates, take precedence over recognisable noble quality irrespective of wealth, landownership and official proofs? The prince of Condé's *intendant* Abraham de Thésut and the provincial *intendant* Antoine

⁶⁶ Swann, *Provincial Power*, pp. 65-6, suggested that the low attendance at the sessions of the Estates could be accounted for by the constant warfare after 1688 (preventing military nobles from attending), by the possible detachment of the Estates from the lives of the provincial gentlemen, and also as a result of the relative poverty of many of the latter which prevented them not only from attending but also from becoming part of the Condé clientèle that had a major role in the administration of the Estates.

⁶⁷ Loiseau, 'L'Ordre', p. 36.

Ferrand certainly appear to have ignored official definitions of *gentilshommes* as dictated by the Estates, and their accommodating view of the minor nobility certainly acknowledges a far larger and more widely-defined population of *gentilshommes campagnards*, as opposed to the small clique of wealthy noblemen sitting in the Estates courteously entitled *gentilshommes*.

What else, then, can be concluded? The general trend emerging in the examination of all the extant official records for Burgundy is that the recorded sword population of older military families and gentlemen landowners appears to be in decline. Various contributory factors can be identified: impoverishment leading to abandonment of lands and consequent *dérogéance*; loss of traditional privileges and authority in the rural community; and lack of career opportunities in the military (again due to lack of money). However, the decline in numbers is only evident in the official lists for the *ban et arrière-ban* (for example) where a noticeable lack of sword nobles was recorded due to the fact that many of them may well have been on active service at the time of the muster; and in those records for the *capitation* where the majority of those listed, even amongst the ‘gentilshommes de la province,’ were from the robe nobility. Furthermore, it is not only those nobles who were included in the lists, but also those who were not who must be taken into account and the *capitation* especially is a case in question. The fiscal records tell a completely different story to the land surveys carried out by Ferrand and Garreau. When these land surveys are examined it is evident that at the turn of the eighteenth century the sword population was still the dominant force in the rural landscape in terms of landownership, and even by the mid-eighteenth century still constituted around a third of the landowning population. When these figures are compared with the numbers of nobles convoked to the *chambre de la noblesse* of the Estates of Burgundy in 1682, the proportional representation is roughly the same.

By amalgamating the various records of the *ban et arrière-ban*, the *capitation*, Ferrand’s survey, Garreau’s survey, the records of the convocations of the Estates for the overall period 1682-1784, plus the records of the officers of the *Parlement*, the *Chancellerie*, and the *Chambre des comptes* (in order to identify the robe nobility holding office),⁶⁸ some 1,772 separate families can be identified with either a

⁶⁸ Élisabeth de la Cuisine, *Le Parlement de Bourgogne depuis son origine jusqu’à sa chute* (Dijon, 1857); André Bourée, *La Chancellerie près le Parlement de Bourgogne de 1476 à 1790. Avec les noms, généalogies, armoiries de ses officiers*,

single or multiple listing during the period 1682 to 1789. Of these, there are 3,684 identifiable individual persons.⁶⁹ It is worth noting that of these 1,772 families, 621 (thirty-five percent) are known robe, either from the *Parlement* or the *Chambre des comptes*, or officers of the *bailliages*; 709 (forty percent) are sword, and 442 (twenty-five percent) of unidentified origin. Altogether, of the total number of 3,684 individuals listed, 1,608 (forty-three percent) are members of sword families, 1,526 (forty-one percent) are of the robe, and the remaining 550 (sixteen percent) are unidentified.

Extrapolating from these figures any pattern of change over time is hard, but some indications can nevertheless still be given. Of the 460 military families identified by Jérôme Loiseau in the records of the Estates in the seventeenth century, 147 of these are not listed again in any official records after 1715: this is an *official* decline of almost a third of their number.⁷⁰ All the same, this may well not be an accurate reflection of the state of the population of *gentilshommes*, particularly if we consider the unrecorded population hinted at by Abraham de Thésut in 1682.

The major problem encountered when examining any of these records is determining the type of nobility, and particularly so when considering the convocation lists of those eligible to attend the meetings of the *chambre de la noblesse*, where both sword and robe families, all now officially classed as *gentilshommes*, were recorded. Did this mean that the hundreds of nobles who do not appear on either the *capitation* rolls or the convocation lists of the *chambre*, particularly impoverished gentlemen who could not afford to be registered for taxation, or those who did not own a fief or a *seigneurie*, should not be considered to be of ‘noble quality’? We can generate a more informed opinion by considering the reality of the noble condition in Burgundy from the point of view of the nobles themselves and the documentary evidence which they left behind them. Let us define the Burgundian *gentilhomme campagnard*.

suivi d'un supplément sur les secretaires du roi près le parlement de Bourgogne (Dijon, 1927); Jules d'Arbaumont, *Armorial de la Chambre des Comptes de Dijon* (Dijon, 1881).

⁶⁹ See the Appendix, compiled from surveys, tax rolls, muster rolls and additional catalogues, which forms a near comprehensive catalogue of recorded noble Burgundian families for the period 1682 to 1789.

⁷⁰ Loiseau, ‘L’Ordre’: see Volume 2 appendix.

3 Defining the Burgundian *gentilhomme campagnard*

The *gentilshommes campagnards* of Burgundy came in varied and interesting forms – high and low nobility, wealthy and poor, active soldiers and rural *seigneurs*. The major sword nobles, whose gentlemanly status was recognised by the Estates of Burgundy, are easily identified in tax rolls and the convocation lists of the *chambre de la noblesse*, and have been well documented in archival records. However, it is evident that another population – of minor nobles, retired *militaires*, rural *gentilshommes*, impoverished widows, sons and daughters of declining noble family lines – continued to live quietly in the obscurity of the Burgundian provinces. These families were for the most part not recognised by the *chambre de la noblesse*, did not put themselves forward for taxation, and existed quietly on what remained of their landed incomes: families like the de la Pressure, du Moulin, de Martinécourt, du Ban de la Feuillé and Rouvray.

What unites them is that they were all traditional, military nobility, with members who were or had been on active military service, and were for the most part landowners of varying degrees. Yet why were the heads of some households recognised as gentlemen and some not? Was it purely a matter of long lineage, coupled with military career and the funds to finance it that made them typical sword noblemen? Or was it more a question of culture, moral outlook or an old fashioned sense of honour that bound them as a class of noblemen?

Let us look at an example of a military family: the Gemeaux, a cadet branch of the de Martinécourt family, who despite their prolonged military tradition, appeared nowhere in any of the listings of owners of fiefs or *seigneuries*, nor in the *ban et arrière-ban*.¹ Assuming that the

¹ ADCO 1F De Martinécourt, fol. 509: Généalogie de la famille Gemeaux. The earliest record of the family was the ennoblement of Guillaume de Gemeaux by Duke Robert in 1305. His cousin Claude de Martinécourt from Jussey joined Duke Philippe le Hardi and his son on holy crusade in 1395 and for his efforts was subsequently awarded the *bailliage* of Amont. Claude's own son Antoine was at the battle of Morat in 1476 and his grandson Martin was a *guidon* to King Charles VIII in 1483. Subsequent members of the de Martinécourt all continued in the

military branch of the family had either failed to present themselves for the *capitation* or that they no longer held land by the end of the seventeenth century, or even that the family line had died out, they were typical of numerous families such as the de Dravant of Toutry in the *bailliage* of Auxois,² the de Gare de Lucinge in the *bailliage* of Bresse,³ the Saint-Phal in the *bailliage* of Châtillon de la Montagne,⁴ or the de Sivignon in the *bailliage* of Charolais.⁵ All had ancestors who had served in the military and derived their noble title from the fourteenth or fifteenth century or earlier, and all possessed a fief or *seigneurie*, yet none of these families appeared on the *capitation* rolls nor on any land surveys after 1730. Neither did any of them attend sessions of the *chambre de la noblesse*, nor feature on the *procès verbal* of 1789. Yet they fit the profile of what historians would today recognise as sword nobles. There were numerous old military families still around in the eighteenth century, major families including the Jaucourt in the *bailliages* of Auxois, Avalon

military life: Honoré de Martinécourt, a *guidon* to Francis I, was at the battle of Pavia in 1525; Simon de Martinécourt, captain, was injured at the battle of Fontaine-Française in 1576 and subsequently made *maréchal des logis de la cornette blanche* in 1595 by Henri IV. His son Denis de Martinécourt was also captain of Gemeaux. The last of the military Gemeaux was Honoré de Martinécourt, *seigneur* of la Feuillé, *capitaine et enseigne* in the regiment of Gaston, duc d'Orléans. It was noted that 'il est qualifié noble' in 1616. These records show at least four generations of the military line of the Gemeaux branch. Yet despite their ancient lineage and obvious nobility, there was no mention of this family in any of the official listings until 1701, when the widow of Gilles de Martinécourt was listed in the *capitation* among the 'officiers militaires du Parlement de Dijon, titulaires et vétérans'.

² Daniel Ligou, *L'Intendance de Bourgogne à la fin du XVIIe siècle: édition critique du mémoire pour l'instruction du duc de Bourgogne/Antoine Francois Ferrand* (Paris, 1998), p. 335. Ferrand described them in his survey as 'ancienne famille mais non riche'.

³ *Ibid.*, p. 508. Ferrand described them as 'longtemps capitaine dans le regiment de Conty, son fils est capitaine dans le regiment de Thoy [...] la maison est Lucinge, très ancienne dont il y a eu des personnes illustres'.

⁴ *Ibid.*, pp. 387-8. According to Ferrand they were the 'plus ancienne famille de Bourgogne cité en 1693', several members of which served in the military.

⁵ *Ibid.*, p. 432. Ferrand stated that the current sieur de Champenay was an infantry captain whose family line stemmed from 1300 and that all of his ancestors 'a servi'.

and Saulieu,⁶ the Villers de la Faye in Arnay-le-Duc and Saulieu,⁷ and the Saint Belin in Châtillon de la Montagne,⁸ the Croisier in Saulieu,⁹ and of course the most well known of the Burgundian noble families: the Saulx-Tavanes who held the *seigneurie* of Arc-sur-Tille, the *comté* of Tilchâtel and the barony of Lux.¹⁰ So what sustained the lifestyle and guaranteed the noble status of these remaining sword families? The answer lies in three things: ownership of land, military service and lineage.

SWORD NOBLES AND THE LAND

Records of the estates of the major Burgundian families are not difficult to find. There are plenty of descriptions of what we would easily recognise as a typical *domaine seigneurial* like that belonging to Simon d'Athenarre, with its château of four courtyards and outer buildings surrounded by ditches, a servants' house, a *vignée*, stables, a grange tower, oven, grain store and the outward symbol of noble culture: the dovecote.¹¹ His estate at Villers encompassed 108 tenant farmers, and that of Magny forty-one tenants including labourers, vine cultivators and even a *serjeant de la justice*. Militarily active, the family appeared on every land survey during the period, and were present at every session of the *chambre de la noblesse*. The *vingtièmes* for Villers-la-Faye for the period 1768-83

⁶ Ibid., pp. 334, 353 and 371. Ferrand described the Jaucourt of Auxois as 'chevalier, famille tres ancienne qui possede terre depuis trois cent ans' and the Jaucourt of Avalon as 'lieutenant colonel du régiment de Guitaud'. Joachin de Jaucourt in Saulieu is 'très ancienne noblesse d'epée, officier de cavallerie'.

⁷ Ibid., pp. 364 and 371. Ferrand stated that Jean Louis de Villers-la-Faye in Arnay-le-Duc 'entra aux États en 1697' and Jean Eustache de Villers-la-Faye in Saulieu 'a longtemps servi'.

⁸ Ibid., p. 388. According to Ferrand they were a 'très ancienne famille, le père était élu de la noblesse, ses ayeuls étaient capitaines de cent chevaux d'armes'.

⁹ Ibid., p. 373. Philibert de Croisier was of 'très ancienne famille d'epée, a longtemps servi et a plusieurs blessures', according to Ferrand's notes.

¹⁰ Robert Forster, *The House of Saulx-Tavanes. Versailles and Burgundy 1700-1830* (Baltimore, Md., and London, 1971), pp. 55-60, gives these as the three main *domaines* of the family who were for the most part resident in Paris during this period.

¹¹ ADCO E 2133 Villers: 'Dénombrement de la baronnie de Villers-la-Faye, Aloxe, Magny et Perard' (no date, 18th century). The d'Athenarres were more commonly known as the Villers-la-Faye.

showed a revenue stream of 2,000-6,000 *livres* produced annually from its farms and vineyards. The records of the Damas who had a major estate and château at Agey show even more extensive property and land holdings.¹² Yet in contrast to the luxury of these estates can be found typical examples of the condition of lesser families who did not possess the means to maintain their estates in such style. The inspection of François de Riollès' fief of Riollan and Malain in 1789 showed an estate in severe decline, its cellars, barns, dovecote and gardens left to rot, its private family chapel the only extant symbol of a former noble lifestyle.¹³ On the other hand, a minor Burgundian *militaire*, the chevalier François de la Pressure, *seigneur* of Courcelles, *capitaine major de cavallerie au Regiment du Roy*, boasted a slightly larger château on his small estate in the Pays de Montagne, a modest dwelling of four upper and three ground floor chambers, although there was no dovecote, no oven, nor any suggestion of tenants, farms or vineyards.¹⁴ All the same, such a property

¹² Françoise Vignier, *Dictionnaire des Châteaux de France, Bourgogne et Nivernais* (<http://www.chateau-fort-manoir-chateau.eu/chateaux-cote-do-chateau-a-agey>), accessed on 21 November 2010. The château, now in private ownership, was taken over by the Damas family in 1714, who undertook developments to the grounds and gardens. Françoise Vignier noted that the principal wing of the house was given to servants' quarters, stables, an orangery, an impressive dovecote, and a collection of rare plants. ADCO E 855 Fuligny-Damas: 'Agey. Plan des restaurations du château' (no date, 18th century). François Aubert de La Chesnaye des Bois, *Dictionnaire de la Noblesse...* (3rd edn, Paris, 1863-76), Vol. 7, p. 124, identifies the duc de Damas as Jean de Fuligny-Damas, whose grandfather Nicolas Fuligny married Marie de Damas in the mid-seventeenth century and acquired the Damas name. Jean died in 1761 at Agey aged eighty-five.

¹³ ADCO E 649 Croisier, 2 mai 1789: 'Visite et Reconnoissance des Batimens et fonds en terres labourables du cy dessans fief de Riolllet au d. Malain'. S. Lenepot, the author, was a shopkeeper from Malain acting as a caretaker. Michel Figeac, *Châteaux et vie quotidienne de la noblesse, de la Renaissance à la douceur des Lumières* (Paris, 2003), p. 84, suggests that such poor dwellings were typical of poorer *gentilshommes*, hiding signs of financial distress behind the semblance of a noble property.

¹⁴ ADCO E379 Chastenev-Lanty: 'Inventaire des biens meubles délaissés au château de Corcelles-les-Rangs, lors de décès de François, chevalier, ecuyer, seigneur de Pressure 1693'. His marriage to Louise Berthault had produced children, of whom one son, Louis, rose gradually through the military ranks: *cornette* in the regiment of Sienne in 1703, lieutenant in the regiment of Duret in 1706, lieutenant-colonel in the regiment of Chevreux in 1737, full colonel of the regiment of Brancan in 1739. He was admitted to the order of Saint Louis in 1744,

denoted a standard of living not much different to that of a relatively prosperous peasant, who ‘ordinarily possessed a house of one or two rooms, a hayloft, and a cellar, plus perhaps a barn or a stable’, although ‘his house was more often composed of two rooms: a bedroom with one or two beds and a kitchen.’¹⁵ As a serving *militaire* the chevalier may not have been an active *seigneur*, possibly spending little time on his estate. As he was also financing the military career of his son, money would have been tight and accounted for elsewhere, leaving little for investment in his property and land.

Naturally, where income permitted, the *gentilhomme campagnard* actively maintained his estate befitting his status as a nobleman. Joseph Delphine Hyacinthe de Conygham, a lieutenant of infantry in the duc de Bourbon’s regiment, held an interest in three estates in the years 1761-79: the *terre* and *seigneuries* of Avirey and Lusigny and the fief of Montauble, in addition to the *domaine des maisons* of all three places.¹⁶ Although absent on military duties for the most part, he appears to have maintained his châteaux at Avirey and Montauble. Between 1772 and 1773 there was evidence of various repairs to these properties at a cost of over 2,000 *livres*, a not inconsiderable sum.¹⁷

Whilst these descriptions of *maisons seigneuriales*, châteaux and estates are only a small sample of noble properties in the late seventeenth and early eighteenth centuries, they do highlight certain general conceptions of the lifestyle of *gentilshommes campagnards*, identified in other regions.¹⁸ A provincial nobleman’s estate ranged greatly in size, condition and income level. Whether it was the dilapidated fief of Riollan

receiving a pension of 1,000 *livres*. A further pension of 1,000 *livres* was awarded to him as brigadier of cavalry in 1745.

¹⁵ Stephen Reinhardt, *Justice in the Sarladais, 1770-1790* (Baton Rouge, La. and London, 1991) p. 22.

¹⁶ ADCO E 635 Conygham: ‘Comptes rendus par Madame de Frazans à M. Conygham, Lieutenant au régiment de Bourbon, recettes et dépenses particulières, années 1761 à 1779’.

¹⁷ Repairs to his properties, surrounding lands, re-stocking a dovecote, planting of new vineyards, planting of rows of poplars, costs of harvest labour, and bottling costs of the grape harvest.

¹⁸ See Michel Figeac, *L’Automne des gentilshommes: noblesse d’Aquitaine, noblesse française au siècle des Lumières* (Paris, 2002) and *La Douceur des Lumières: noblesse et art de vivre en Guyenne au XVIIIe siècle* (Bordeaux, 2001). Also, Jonathan Dewald *Pont-St-Pierre 1398-1879: Lordship, Community and Capitalism in early modern France* (Berkeley, Calif., 1987).

with its ruined gardens and stables, the modest château of the chevalier de Pressure in the Pays de Montagne or the grand château of the Damas, all represent the varied lifestyles of the rural noble world. Grand or modest, in good or poor condition, drawing large or modest income from industry, farming, agriculture or rents, they all retained symbols of the nobleman's prerogative: *étables*, *écuries*, *greniers*, *colombiers*, *caves*, *fours*, the private chapel on the Riollan estate, the bakery, the cloistered walk and the cultivated gardens belonging to the Damas estate at Agey. The Villers-la-Faye and the Jaucourt families still retained the rights of justice at Magny and Moulins, though others lacked such privileges. The income derived from the produce of these estates varied from as little as 1,000 *livres* to 15,000 *livres*, depending on the amount of land owned and cultivated, the number of tenants paying rent, or the ingenuity of the noble landowner in establishing industry on his land (naturally not of a kind which might denigrate his noble identity and status) such as the 'fabrique de Magny' belonging to the Villers-la-Faye.¹⁹

Ownership and development of land and property were the main concerns of the Burgundian *gentilhomme campagnard*. Yet while these were the outward symbols of the rural sword gentleman's noble status, the interior conditions of their properties are equally revealing. The inventory of the chevalier François de Pressure's property at Courcelles prepared after his death in 1692,²⁰ is certainly indicative of a rural nobleman of reduced means.²¹ Most noticeable was the basic nature of the

¹⁹ These incomes were typical of those recorded by other sword families in other *bailliages*, such as those identified by Regine Robin in Semur-en-Auxois in 1789, ranging from 2,300 *livres* annually at Fain-les-Montbaud (belonging to a branch of the Damas family), 7,500 *livres* collected by M. Duprat de Barbançon, baron of Corcelles-les-Semur, to as much as 12,000 *livres* from the domain of Torcy alone belonging to the comte de Guitaud: see Robin, *La Société française en 1789: Semur-en-Auxois* (Paris, 1970), pp. 128-35.

²⁰ ADCO E 378 Chastenev-Lanty: 'Inventaire des biens et effets mobiliers au Chateau et maison seigneuriale [...] delaissés par le mort de Messire François Chevallier, Ecuire, Capitaine Major de Cavallerie au Regiment du Roy, 9 septembre 1692'.

²¹ ADCO C 5599: 'Rolle de la capitation sur les gentilshommes et autres possedans fief 1697.' A *major de cavalerie* appears in Class 18, just above the lowest rungs where we find 'gentilhomme sans fief ni château'. This would certainly indicate that the chevalier de Pressure, had he presented himself for the *capitation*, would have been taxed on an income or value of his military

furnishings:²² rural wooden furniture, a couple of tapestries, a casement clock, whose combined value at inventory was no more than 150 *livres*.²³ His personal effects were valued at no more than eighty *livres*. There was no evidence of any cultural interests, not even a bible which was one of the most common possessions of the noble household. His main interests lay solely in the military life, and when on one of his infrequent visits to his estates, he probably concentrated on the more vigorous outdoor pursuits of hunting rather than educational or domestic activities. Only two items in the chevalier's inventory suggested a semblance of refinement, the 'paire de grandes armoires de boie de noyer' and the 'paire de petites armoires de boie de noyer', which implies that he maintained a degree of privacy in his storage of clothing and personal items.²⁴ We do know that he entertained, owing to the inventory listing of at least twelve chairs, from 'fauteuiles de boie de chêne à la vieille mode' to simple 'chaises de boie [sic]' and four wooden tables, two large and two small. According to Daniel Roche, this furnishing arrangement facilitated socialising, entertaining or meetings, or personal repose (reading for example). However, in the absence of any books, writing implements, or dining accoutrements, it can only be assumed that the chevalier's cultural

commission to the sum of twenty *livres* which was indicative of an annual income of not much more than 500 *livres*.

²² Michel Figeac's study of the nobility of Guyenne (*La Douceur*, pp. 81-5) commented particularly on the *châteaux des hobereaux*: 'L'intérieur de ces petits châteaux ruraux et de ces maisons nobles est naturellement marqué par une simplicité rustique [...] nous avons remarqué une écrasante prépondérance du noyer qui reste réelle avec des nuances selon la région'. He also suggested that rural nobles such as de Pressure might also have read Louis Niger's 1709 volume *Nouvelle maison rustique*, which was a 'véritable breviaire du gentilhomme campagnard'. If it was read and practised in Guyenne there is no reason why it may not have been adopted by the Burgundian nobles. The description of de Pressure's interior furnishings and the model of his house certainly reflect Niger's maxims, whether consciously or not.

²³ Examples include: 'chaise de commodité de bois', 'quatre fauteils de bois', 'matelat de bois', 'deux tableaux de bois', and 'deux chaises livré de bois'.

²⁴ Daniel Roche, *A History of Everyday Things. The Birth of Consumption in France, 1600-1800* (Cambridge, 2000), p. 88, suggested that by the late seventeenth century the wardrobe had begun, in provincial areas, to surpass the traditional chest as a more useful and private furnishing item. A chest of drawers was the ultimate in refinement around this time.

and social activity was limited in the extreme, and what we might expect of the image of a rural *gentilhomme*.²⁵

The inventory of personal and domestic effects, compiled by Jacques L'Abbé, bourgeois, for Jacques de Chargère, lieutenant of grenadiers, contained 966 *livres*' worth of the same provincial wooden tables and chairs, although these were more decorative: a 'grande Table des Bois de Chesne et grittier', six 'chaises couvertes de pailles', 'une table pliante en ovale', and grander storage items such as 'une grande armoire des Bois de Noyer et Chesne à Deux Battans', 'un Petit dressoir de Bois de Chesne' and 'une cassette Couverte de cuir garnie des Petits [c]loux, En forme de Baux.'²⁶ De Chargère had less furniture than de Pressure and was more inclined towards the acquisition of dining accoutrements and decorative items, such as a 'buffet, non fermeture' in which he had stored table forks, and bread and crockery items. He also possessed chandeliers, lamps and a collection of tableware consisting of 'trois Plats de fayance et une douzaine d'assiettes et quinze pieces de potterrie'. His dinner guests would have been impressed by his 'deux douzaine de serviettes neuves de toile ouvragée, vingt autres Serviettes de differentes toilles [...] deux grandes Nappes ouvragées'. Yet, this lieutenant of grenadiers also had shabbier pieces, possibly inherited items which had depreciated with age and not been replaced. A mere lieutenant would not necessarily have had the income or inclination to replenish old furnishings and would have exercised frugality.²⁷ Unlike the chevalier, he maintained a more refined personal wardrobe, two of them in fact, one for winter and the other for the summer.²⁸ The costs of his military apparel, which he would have worn for the majority of the time, would not have

²⁵ Ibid., pp. 189-91.

²⁶ ADCO E 366 Chanlecy: 'Partage des biens indivis entre les consorts Angely et les héritiers de Jacques de Chargère. 1770-1774'.

²⁷ ADCO C 5599: 'Rolle de la capitation sur les gentilshommes et autres possedans fief'. A lieutenant appeared almost in the lowest classification of the Burgundian *capitation* in class 20, suggesting a meagre income from his fief or the value of his commission.

²⁸ Ibid.: 'six cravattes de Mousseline', 'un habit verte et culotte de drap gris [...] et deux chapeaux [...] un petit habit de cotonne, culotte de meme, Veste de toile [...] cinq Paires de Bas de Laine et trois pour L'Ete'. The lieutenant's limited choice of practical colours and materials, such as woollen stockings, cotton trousers and jackets in green and grey, is not far removed from the choice of the baron de Schomberg, a provincial noble mentioned by Daniel Roche: *Culture of Clothing. Dress and Fashion in the Ancien Regime* (Cambridge, 1994), pp. 198-9.

left much spare income with which to maintain a private, civilian wardrobe. However, as a nobleman, he does seem to have been imbued with the need to keep up standards in his personal appearance.²⁹ Not unusually, even the wealthiest provincial gentlemen kept shabby accoutrements among more expensive luxury items.³⁰ The chevalier de Pressure's meagre household possessions merely mirrored *in micro* the habits of his wealthier provincial contemporaries.

Frugality was reflected at varying levels in the provincial military noble culture, and with little evidence of indoor cultural or educational pursuits it is easy to assume that the provincial sword nobleman's activities would be limited to the traditional areas of land management, hunting and of course the military life. Looking at Ferrand's survey, the 'who's who' of late seventeenth-century Burgundian land-owning society, it is clear that the majority of the minor sword population were likewise occupied. Yet the *capitation* rolls of 1701 suggest that a significant number were financially embarrassed and would not have been able to afford a military commission, nor would they have had sufficient income to maintain their households let alone develop their properties and land. So what were their interests otherwise? Unlike the Jaucourt house where the comte de Jaucourt kept a handsomely furnished library, the minor gentleman, given a basic education and the obligations of the military life, had little leisure time to engage in extensive reading or written

²⁹ Roche, *Culture of Clothing*, p. 126, noted that many provincial nobles wore cotton clothing and very few, even if they were part of the Court, wore luxury clothing outside of this milieu. The average rural noble maintained a wardrobe of only around 10 staple clothing items.

³⁰ ADCO E 992 Jaucourt: 'Dossiers relatifs à la suite de la liquidation de la succession de Charles de Jaucourt. 1783'. This is the inventory of contents of the château of Arconcey, inhabited by a major noble, Damoiselle Félicité de Jaucourt, eldest daughter of Agathe de Jaucourt and André de Bataille, *chevalier* and captain commanding the Dauphin's Regiment of Cavalry. The inventory taken in 1785, while sparse, showed a limited collection of exotic and luxury items, with evidence of a private library and a salon and *argenterie*. Even the Jaucourt, for all their comparative opulence, still hung on to poorer items of furnishings in the manner of Jacques de Chargère. In the Jaucourt inventory were also examples of 'deux mauvais chandeliers', 'treize mauvais couteaux de table', 'un mauvais rideau d'indienne bleue', 'cinq douzaines de mauvaises serviettes de toile', 'une table a jouer garnie d'une mauvais tapis', and listed (somewhat bizarrely) among the 'pots de chambre de fayance' was a 'fauteuil de paille'.

correspondence.³¹ The lack of books found in lesser noble households is not unusual considering the financial restraints on these noblemen which left little income to fritter away on paper and books which were expensive items. However, the rural sword were not uneducated, as Jonathan Dewald has indicated. Certainly, educational practices were distinctly different for robe and sword, and Dewald argued that: ‘The education [...] for the military nobleman was explicitly civic and unspecialized, designed to prepare the young nobleman for a role in public life, in contrast to the future magistrate, who ought ideally never to leave the structured cultural world of the college and university.’³² The disparity between a sword and robe education would, however, be best considered in the light of the difference in preparing for the more physically active life of a military noble and the cloistered cultural life of a public official.

The identity of the rural *gentilhomme campagnard*, his environment, his domestic set-up, his relationship with the rural world and his cultural aspirations, needs to be considered alongside that of the active military noble, and their fortunes and the challenges which faced them in the eighteenth century should be examined in terms of how they framed their identity.

THE *NOBLESSE D'ÉPÉE*: POVERTY AND QUESTIONS OF IDENTITY

The continuing value of and indeed the need for a military nobility and its notions of honour through service contrasted with the need to recognise the newer robe nobility, which supported and in some cases derived its origins from the commercial world and had its own equally honourable and patriotic culture. These matters were considered in depth by

³¹ Marie-Claire Grassi, ‘Un Révélateur de l’éducation au XVIIIe siècle: expressions de la vie affective et correspondance intimes’, *Revue d’histoire moderne et contemporaine* 28 (1981), pp. 174-84, talked of the more intimate style of correspondence, from the pens of males and females, in the provincial noble sphere as an indication of a certain type of education during the latter half of the eighteenth century. However, I have seen nothing that suggests that this art was particularly familiar to the rural nobility of Burgundy; at least there is little remaining evidence of it.

³² Jonathan Dewald, *Aristocratic Experience and the Origins of Modern Culture. France 1570-1715* (Berkeley, Calif., and London, 1993), pp. 83-5.

contemporary commentators such as the chevalier d'Arc in his *La Noblesse militaire, opposée à la noblesse commerçante. Ou le patriote français*, and the abbé Coyer in his *La Noblesse commerçante*, both written in 1756.³³ How though, did the military nobles see themselves in the context of the changing values of the eighteenth century?

The convocation of the *ban et arrière-ban* in 1691 fell naturally on the shoulders of the *gentilshommes campagnards*, the old military families who at this time held the majority of the fiefs and *seigneuries*, but additionally on a number of robe families who were also fief-holders.³⁴ The Burgundian sword population that remained in the provinces registered for this call on their honour and service to the king, yet there were some for whom this was too heavy a burden. One gentleman, Daniel de Briezac, sent a letter via Monsieur du Bouthillon, a legal adviser to Argouges, the *intendant* of Burgundy and Bresse. An old gentleman of seventy, he claimed to be crippled by age and the injuries he had received from a lifetime of military service to the Crown, and could no longer serve and fulfil his military obligations as a landowner and committed sword noble. Supported by his two daughters who were eking out a meagre existence from their land at Molleron, he said he was equally unable to pay the fee which would have exempted him from his obligation as other wealthier bourgeois and robe landowners had done.³⁵ Argouges writing to Bouthillon cited several similarly situated gentlemen who claimed that they were unable to fulfill their obligations. Having served in the previous year and being financially constrained as a result of having neglected their estates during this time, they were unable to find the funds necessary to equip themselves and their retainers for further military service.

Poverty had begun to afflict the provincial sword nobility since at least the mid-seventeenth century and proved even more problematic in the eighteenth century. These gentlemen had been brought up in the

³³ See the assessments presented in Jay Smith, *Nobility Reimagined. The Patriotic Nation in Eighteenth-Century France* (Ithaca, N.Y., and London, 2005), pp. 104-42, and in Edmond Dziembowski, *Gabriel-François Coyer, Jacob-Nicolas Moreau: Écrits sur le patriotisme, l'esprit public et la propagande au milieu du XVIIIe siècle* (La Rochelle, 1997), pp. 41-53.

³⁴ ADCO C 3599: 'Lettres patentes du Roy. Pour la Convocation du Ban et Arriereban en Bourgogne et Bresse'.

³⁵ ADCO C 3599: 'Lettres patentes du Roy, Pour la Convocation du Ban et Arriereban en Bourgogne et Bresse 1691'. See the section on the *ban et arrière-ban* in Chapter Two.

tradition of landowning and military service yet increasing impoverishment meant that they could no longer meet the costs of equipping themselves for war. If they could not fulfil their military obligations, what then was the purpose of the sword nobility? Nobles such as Edme François de Dravant ('ancienne famille mais non riche'), the sieur d'Availly ('gentilhomme a beaucoup d'enfants et peu de biens') of Charolais and Ferevol de Vaugrigneux Turgon ('pauvre gentilhomme, aucun fief') of Bresse were just some of the men who were affected. In the *intendant* Ferrand's survey, there were plenty of other old military families clinging to their fiefs and *seigneuries* but unable to function any longer in the traditional manner of *noblesse d'épée*. De Briezac's sentiments were typical of the impoverished military nobles who had spent their life in the military, ruined their health, and were now isolated from any circles of influence or patronage and obliged to pay fees to the Crown in order to be exempted from what was now a financial burden to them.³⁶ These men felt that there were others who morally should bear the burden of financing the state, either the bourgeois landowners or other 'stay at home' nobles who tried to evade military service. This sense of separation from the *anoblis* and other noble groups is expressed in letters addressed to the Burgundian Estates when the *capitation* was levied in 1701.³⁷ Such complaints addressed to the *élus* included one from Henry Louis de la C[urne], *seigneur* of Thielley in Chalon who complained that 'il a esté imposé en qualité de roturier a la capitation [...] à la somme de neuf livres huit sols quoy qu'il soit gentilhomme [...] qu'il a ailleurs esté imposé dans la rolle de la capitation de la meme année de la noblesse de Chalonnaix en qualité de gentilhomme possedans fief'. Another, from B[rieur] Carbonnet, the *seigneur* of la Motte du Bois, complained of the same sum being imposed on him, despite the fact that he had no tenants and no vineyard from which to draw income. Why was he therefore included among the rolls for nobility whilst living unmarried with his

³⁶ André Corvisier, *Armies and Societies in Europe, 1494-1789* (London, 1976), p. 82, agreed that 'after a campaign gentlemen went home to their estates [...] war wounds or death were a part of the "blood tax" which exempted them from other charges [...] after the sixteenth century noblemen who were found in the armies were increasingly those without property'. De Briezac certainly seemed to hold this view, and was equally lacking in property and income. However, those of captain rank and above – at least one-third of the officer corps – were generally able to draw upon some family assets and wealth.

³⁷ ADCO C 5578: 'États du Duché de Bourgogne'.

mother and some domestic servants, and (in his words) working the land himself ‘par ses mains et ses domestiques’?

The same indignation at being taxed and made indebted to the state was also present in the records of appeals against the charge for the *franc-fief* in 1694 and 1697. A typical example is Phyllypes Dubionard, *seigneur* of Villorbeine [sic], who complained: ‘J’avois esté taxé [...] le prix de la valeur duc. fief dont il n’y avoit pas pour quinze cens livres de biens nobles [...] estoit gentilhomme en qualité à porter fief sans payer les droits.’³⁸ To support his complaint he provided a history of his royal noble connections dating from the reign of Henry IV, and of noble marriages and connections to the *maréchaux de France*. Eighty years later, even a major noble, the comte d’Argenteuil, brigadier in the king’s armies and *seigneur* of Beaurepaire, Courcelles, Monthiot and other fiefs and estates, complained to the *élus* of the Estates that the sum of 250 *livres* he had been charged for the *vingtième* on his properties (suggesting an estimated income from the produce of his estates of around 5,000 *livres* – not exactly an insignificant income) was far too high, ‘ce qui ne peut estre qu’une meprise veu le peus de revenus de ces terres qui étoit déjà taxé au dela valeur des années dernières.’³⁹ Despite his supposed wealth he was legitimately claiming that the land was over-valued and claiming restitution due to financial pressures. These nobles felt that the affront to their noble dignity far outweighed any shame created by poverty.

The evidence provided by the *Rolle de la Capitation sur les gentilshommes et autres possédans fief* (1697) of seventy-three financially struggling nobles, of whom thirty-two were landless, including widows, younger daughters, sons and retired *militaires*, is only the tip of the iceberg, since it is clear that there many more who did not even present themselves for the *capitation*, either because they could not afford to pay the tax or simply did not want to. It was not until the mid-1760s that the descendants of the numerous unrecorded nobles came forward, when the Estates began to award pensions and financial awards to those nobles in financial distress.⁴⁰ The lists of pensions awarded from 1769 record members of the old military families coming forward to receive awards from the Estates, such as Monsieur de Digoine, Monsieur de Frazans, the

³⁸ ADCO C 3559: ‘Franc-fief 1694’.

³⁹ ADCO E 1085 Le Bascle: ‘Letter close de convocation de M. Le Bascle d’Argenteuil aux États de Bourgogne, 1775’.

⁴⁰ These nobles could only claim a pension if they registered for the *capitation*.

chevalier de Ligny and the sieur Bretagne.⁴¹ The mid-1770s saw more *militaires* claiming destitution, such as M. le comte de Chastenev, who was awarded 1,000 *livres* annually for life, and M. de Frazans described as a ‘bon gentilhomme, cher [chevalier] de l’ordre Royal Militaire de Saint Louis’, also awarded a life pension of 1,000 *livres*. Those receiving lesser but not insignificant sums included M. de Ligny the elder, captain of royal grenadiers, M. le chevalier de la Jarrie and M. Dormy, chevalier de Saint Louis and captain of grenadiers from Autun.⁴² Not only *militaires* were awarded pensions but also the unmarried daughters of nobles, such as Charlotte Dumouchet, Jeanne Marie de Grain de Saint Marsault, the daughters of Jacques de Champrenault,⁴³ and the daughter of Claude de Beaurepaire, captain of grenadiers, all of whom were awarded individually 300 *livres*. Indeed, as late as 1781 a pension was awarded to a retired army captain, Monsieur d’Alleans et Villeheu, to support himself, his wife and four children.⁴⁴

The reasons why these nobles were awarded pensions can be seen in the requests put before the *chambre de la noblesse*.⁴⁵ Typical examples of these are: ‘requete de Françoise Roulot, veuve de M. Guillaume, Escuyer, demeurant a Messange, d’obtenir secours pour subvenir au soutien d’une famille noble qui est tombée dans une extreme pauvreté’; and ‘requete de Sieur Charles du Saussois, natif de Bourgogne, chevalier de l’Ordre Royale Militaire de Saint Louis, veut gratification à raison d’une maladie scorbutique dont il est attaqué’. By 1787 many requests for pensions came from indigent noblewomen, such as the dames de Deligny, de Frasans and Tavant, and a Sieur Chapon ‘gentilhomme, âgé de 16 ans, orphelin’, whose extreme youth and circumstances were enough to secure him a pension of 600 *livres* annually for three years.⁴⁶ Not only were these

⁴¹ ADCO C. art 3022: ‘Decrets des États de Bourgogne. Pensions’. All were awarded between 300 and 600 *livres*.

⁴² A relative of the Jaucourt, one of the oldest and wealthiest of the sword families. He is awarded a further pension of 300 *livres* three years later in 1778.

⁴³ One of them, Anne de Champrenault, was awarded a further pension of 600 *livres* three years later in 1778.

⁴⁴ ADCO C. 3023: ‘Proces verbale des Decrets des États de Bourgogne du dit jour seize mai 1781’.

⁴⁵ ADCO C 3047: ‘Carnets de la Noblesse des années 1781 et 1784’.

⁴⁶ ADCO C 3048: ‘Carnet de la Noblesse. Etat de la capitation de la noblesse au mois de janvier 1787’. The dame Tavant’s husband was a gentleman in the *chambre de la noblesse*, but nevertheless she was still claiming a pension in her own right, despite her husband’s position.

gentilshommes (and indeed *gentiles femmes*) awarded pensions to relieve poverty but also to alleviate distress caused by long term illness. Others were awarded pensions ‘faute de fonds’.⁴⁷

Not all indigent nobles were content to apply solely to the Estates for pensions; indeed some applied via their noble patrons to higher institutions. Charlotte Françoise du Mouchet, the daughter of a nobleman living in Treuil, applied via the comte de Damas d’Anlecy and the comte de Talleyrand in April 1772 to the Cardinal de la Roche Aymon, *grand aumônier de France*, for a pension.⁴⁸ The comte de Damas intervened with the Cardinal to ensure that her noble titles, details of baptism etc. were (as she put it) ‘en bonne forme, que j’avois déjà gagniez beaucoup de rangs et que je devois esperer d’entrer bientôt en jouissance’. She had also in June of 1784 approached an ‘homme de confiance’ to intervene on her behalf and check on the progress of her application. By 1791 she had received no news and was ready to refer her case to the National Assembly to get restitution of what she perceived was her rightful due. By this time her indigence was extreme:

je la supplie [...] de vouloir bien en reconnoitre [...] sur les registres du grand aumonier concernant les pensions, et de me faire rendre justice; en me provenant le payement, de ce qui pouvoit me revenir, dont jay le plus extreme besoin, etant chargée du soin, de leducation d’un fils, a qui son pere na rien laissee, a peine puis je, luy donner du pain, et pour luy en fournir jay été force de contracter des dettes dont ma delicatesse et ma probité souffrent singulierement, quel prix n’aura pas pour mon coeur, le service important de me mettre a portée dy faire honneur.

Clearly, even in the midst of the Revolution, old sword nobles still felt compelled to profess their noble credentials and sense of noble honour, and to believe that their plight warranted restitution. We might wonder why, in the aftermath of the events of 1789, and in the midst of the

⁴⁷ An old military man, the marquis de Belin, and the widow of George Louis de Frazans de Sainte Romain, ‘ancien capitaine d’infanterie’, were each awarded 600 *livres*.

⁴⁸ ADCO E 727 Du Mouchet: ‘Pension de 300 livres accordée par la Chambre de Noblesse des États de Bourgogne à Charlotte-Françoise du Mouchet’. Charlotte du Mouchet had been awarded a pension by the Estates from the *fonds du capitacion* in 1771 of 300 *livres* to be allotted in six-monthly portions, but it does not seem to have been enough to satisfy her needs.

arguments surrounding nobility and traditions of honour – whether inherited or assumed – any noble would want to bring the attention of the National Assembly to themselves over such matters. However, as Jay Smith has argued, the focus of anti-noble resentment was not aimed specifically at provincial sword nobles, and arguments for and against hereditary privilege and the rights of the minor nobility were coming from both the second and third estates during this period with no ultimate resolution yet in sight.⁴⁹ Patrice Higonnet points out that the Third Estate at this time continued to be deferential to the rights of individual nobles, and in fact the bourgeoisie were keen to work with rural nobles in establishing a constitution (although not urban nobles who represented the venality and corruptive nature of the nobility). The National Assembly for its part was slow to purge the constitution of nobility and at this juncture would not have dismissed altogether cases such as Charlotte du Mouchet.⁵⁰

In addition to older retired *militaires* and their dependents, serving soldiers were also being awarded grants of money, some being given as military pensions. In 1788 several awards were made to the elder sons of families whose military careers had been cut short by injury.⁵¹ Charity, though, might begin at home. Occasionally, nobles would make a bequest of land or property (not part of their inheritance) to a brother, son or nephew in the military to help them out. In 1731 Hugues Henry de Villers-la-Faye, *chevalier*, living in his château on his estate at Rousset and the minor son and *heritier* following the death of his parents, made his elder brother Pierre de Villers-la-Faye the beneficiary of the estate management of Rousset. Why Pierre was not the immediate beneficiary of the estate of Rousset is not explained, but Hugues Henry nevertheless wished him to profit from the running of the estate. Before his death,

⁴⁹ See Smith, *Nobility Reimagined*, pp. 247-57.

⁵⁰ Patrice Higonnet, *Class, Ideology and the Rights of Nobles during the French Revolution* (Oxford, 1981), pp. 70-5.

⁵¹ ADCO C 3631: 'Invalides militaires, 1781'. Unfortunately this list cited only the names and place of origin of the supplicants and a brief mention of injury in the service. There was no indication of their or their family's financial situation. These included Jean-François de Rochefort, a captain in the Royal Artillery corps, from Avallon, who was awarded 139 *livres*, and Antoine de Baufrrière, lieutenant, from Charolles, awarded 360 *livres*. A thirteen-year-old soldier, sieur Alexis Lambert de la Colombière from Châtillon-sur-Seine, serving in the *gendarmérie*, was awarded 108 *livres*.

Hugues Henry made further bequests to his nephew (Pierre's son) Marie-Madeleine *dit* Simon de Villers-la-Faye of 'tous ce qu'il me reste de propre à moi appartenans, comme les meubles de ma chambre et tout ce qu'elle renferme [dans un] secrétaire commode de bois, les effets qui s'y trouveront lors de ma mort.'⁵² The only condition he specified was that his nephew should ensure he (Hugues Henry) was shaved by a barber before his body rotted and that a local labourer be paid 100 *livres*, secreted in his room, to lay him out and provide a coffin.

Clearly land and, less directly, money were important factors together with military service when defining the identity of the older rural sword noblemen, whose families took their names from the estates they managed, and equally clearly poverty became a pressing problem for some of them. Threatened by the pretensions of *anoblis* to land and fortune, these *gentilshommes* were quick to point the finger at others whom they felt did not merit the title of gentleman or nobleman. Daniel de Briezac resented being called to serve in the *ban* (despite the fact that this was a duty incumbent on fief-owning nobility such as himself), for which he had been called regardless of his age, infirmity and previous long military service. Being also unable to raise sufficient funds to pay the exemption fee he was bitter at the fact that other landowners (those who would have been called to the *arrière-ban* such as the *anoblis* and some robe nobles) could afford to keep both their newly acquired noble dignity and to pay for exemption from service. He accused them of being 'casanier' (stay-at-home).

Accusations of false nobility could be particularly painful to families. The *seigneur* of Thielley remonstrated at being taxed in the *capitation* 'en qualité de roturier'. Pierre François Le Bascle, *seigneur* and baron of Moulins and a lieutenant-colonel of dragoons, was accused in 1698 of falsifying (or rather that his father Louis Le Bascle had falsified) the family's noble credentials during *contrôleur général* Pontchartrain's investigations into false claims of nobility in 1696.⁵³ He was declared a

⁵² ADCO 37F Villers-la-Faye: 'Requête de Hugues Henry de Villers-la-Faye, 20 mars 1787'.

⁵³ ADCO E 1084 Le Bascle: 'Arrêt du Conseil d'État du Roy qui ordonne l'exécution de la Declaration du present mois contre les usurpateurs de Noblesse. Du 4. Septembre 1696'. In particular, the *arrêt* is aimed at 'ceux qui ont continué d'usurper les qualités de Noble-homme, d'Écuyer, de Messire, & de Chevalier [...] dans laquelle recherche ne doivent estre compris les Officiers actuellement employés dans le service militaire de Terre & de mer, qui ne pourront néanmoins

‘roturier’ and fined an additional penalty of 2,000 *livres*. Not only had the fine hurt the family’s pockets but more than that it had slighted their family name and dignity. Pierre Le Bascle vehemently protested this injustice instigated by Monsieur Marchand, the King’s agent, and referred it to the *intendant* Ferrand. On his producing yet again his noble credentials and genealogical proofs, the accusation of *usurpation de noblesse* was quashed in May 1700 and Marchand, a bourgeois of Paris, was forced to apologise.

Dignity, family honour and social precedence were therefore important considerations for the nobility, and when these were threatened or impugned by officials or other nobles antagonism and sometimes violence ensued. Le Bascle limited his indignation to a written protest but other sword nobles were not so reserved. Although there had been a gradual assimilation of the robe nobility into Burgundian noble society, there is evidence of resentment amongst some of the older minor sword nobles towards these newcomers in their midst. Stuart Carroll has provided plenty of examples from the sixteenth and seventeenth centuries of acts of mild to extreme violence among nobles, which were perpetrated interestingly enough in churches, and mostly involved arguments over seating arrangements.⁵⁴ The *banc* on which a noble family was entitled to sit was determined sometimes by the fief to which it was attached, and depending on how close it was to the altar, it also signified a family’s social standing and precedence.⁵⁵ A violent incident occurred in the environs of Dijon in 1766 between Jacques-Marguerite Ancemot, *lieutenant civil en la Chancellerie de Bourgogne* and *assesseur Criminel et premier Conseiller aux Bailliage et Siège Présidial de Dijon*, and his neighbour Jean-François-César de Valoux, *chevalier de l’ordre royal et militaire de Saint Louis* and an old captain of infantry.⁵⁶ Valoux was charged with having made the gravest of insults to a royal judge in the church of Fontaine-Française where, in full view of the congregation ‘il est permis a son Justiciable de le prendre au collet, de l’exciter à sortir, de lui mettre le poing sous le menton, de le menacer de coups de baton et de

s’en prévaloir à l’avenir, ny se servir de ladite surseance comme d’un titre de Noblesse[...]’.

⁵⁴ Stuart Carroll, *Blood and Violence in Early Modern France* (Oxford, 2006).

⁵⁵ *Ibid.*, p. 73.

⁵⁶ ADCO E 34 Ancemot: ‘Mémoire judiciaire de Jacques-Marguerite Ancemot, lieutenant-civil en la chancellerie de Dijon contre le sieur de Valoux et réponse de ce dernier. Imprimés 1768’.

le traiter avec le mépris le plus outrageant'. Once outside the church, Valoux had threatened Ancemot with physical violence, announcing 'viens donc dans la Corvée, ou dis moi où tu veus te trouver; je veux que la garde de mon épée te serve d'emplâtre, ou de moins te couper les oreilles.' The dispute arose when Ancemot, a robe noble, had purchased the property adjacent to Valoux. Valoux felt his dignity was threatened, in particular by the fact that the upper windows of Ancemot's house overlooked Valoux's land allowing Ancemot to literally 'look down' on him. Valoux frequently fired off his gun on the occasions that Ancemot looked out of his own windows, and encouraged his servants to harass members of Ancemot's family from behind the safety of the wall separating the two properties, even accusing Ancemot of stealing his poultry. Valoux's antagonism towards Ancemot spilled over in church when the newcomer Ancemot proceeded to take his place on the Valoux family's *banc* (which was shared by the two families). Valoux, according to the records, owned the greater part of the *banc* and he vehemently protested the intrusion on his noble right of precedence, stating 'qu'il trouvoit fort hardi d'oser concourir avec lui pour une place qui lui étoit due par préférence, étant plus ancien dans le lieu et plus qualifié que lui, qui n'y étoit rien.' Although such violence seems to have been rare in the eighteenth century, this incident is an example of ingrained sword resentment against robe, based on a perceived affront to Valoux's social precedence and family lineage and his total lack of respect for Ancemot's noble rights and his status as a judge. This lack of respect was particularly noticeable in the use of the informal 'tu' and not 'vous' in his threatening verbal tirades, not to mention that fact that the incident took place in full view of the congregation of other nobles, servants and in sight of God in his place of worship!⁵⁷

The *gentilshommes campagnards* drew their noble identity not only from the land they owned and managed and their privileges in churches but also, and more crucially, from the military service of their ancestors, themselves and that of their sons. The inherited honour and dignity of ancestors is an ever-present factor when considering the culture of the sword nobility. Victorine de Chasteney's memoirs were filled with references to the old noblemen of her province, which included her family members, often poor but exhibiting the dignity of their ancestors and their

⁵⁷ In the samples of inter-noble correspondence I have read, the use of the polite form of address was universal.

cultural heritage, such as ‘le comte de Saint-Georges, frère puiné de mon grand-père [...] homme de haut stature [...] brave à se faire distinguer, adroit à tous les exercices, il servit avec honneur [...] il ne voulut jamais plier devant la faveur [...] il quitta le service [...] couvert de blessures multipliés et accablé de rhumatismes gagnés avec gloire’.⁵⁸ She mentioned too ‘le comte de Chasteney-Rompré, cousin et parrain de mon père, ancien gentilhomme campagnard, alors âgé, mais d’une noble figure’.⁵⁹ She also made the point quite clearly that these provincial nobles of the military order did not take kindly to the court nobles, nor to some of their peers who sat alongside them in the Estates of Burgundy:

Les gentilshommes, les nobles de province y formaient un parti contre ce qu’ils nommaient les gens de cour et parurent leur porter une haine plus forte [...] même parmi les hommes d’anciennes maisons, on voyait la passion se prononcer contre les hommes de cour [...] sur deux cent quatre vingt députés qu’eut effectivement la noblesse [...] il ne se trouvait pas, je crois, cent cinquante hommes de qualité.⁶⁰

The growing resentment of the lesser provincial sword nobility towards newer nobles of the robe, and towards the very wealthy nobility of the province who kept a foot in the Estates in addition to their stays at court, is particularly evident here. We can also note the alienation from the upper and elite noble society summed up in a general sense that these men, whose honour did not necessarily stem from military service but from the *Parlement* and inherited wealth, were not considered gentlemen by their provincial peers. Regardless of their having provided their proofs of nobility to qualify for entry to the *chambre de noblesse* they did not display gentlemanly qualities or dignity. Victorine de Chastenay recounted an incident of an old provincial gentleman being harassed by a robe noble of the *Parlement* who tried to impugn his family’s honour and dignity:

Dans le canton il y avait un vieillard, homme d’un nom très ancien, M. de Saint-Blin; il était fort peu riche, il vivait infirme et retiré, mais jouissait à toute heure de sa haute naissance [...] M. de Vesvrotte vint le menacer de lui faire enlever ce titre d’homme

⁵⁸ *Mémoires de Madame de Chasteney, 1771-1815*, ed. by Raymond Trousson (Paris, 1896), p.3.

⁵⁹ *Ibid.*, p. 26.

⁶⁰ *Ibid.*, p. 77.

de nom, dont il était si fier. Le vieux seigneur ne répondit qu'en lui proposant le combat.⁶¹

Like César de Valoux, the old man's response to the affront to his dignity was to offer to fight the offending robe noble. What actually resulted from this altercation was not recorded by Madame de Chasteney, but it gives a further example of the attitude of the old military nobility towards the newer robe community in their midst. They may have been poor but they were rich in a sense of dignity, and were determined to defend it.

POVERTY AND THE MILITARY: A QUESTION OF COMPATIBILITY

In Ferrand's survey in 1697, just over half of the 443 sword landowners were either themselves still serving in the military or had sons in the various services. Ten had sons who were *capitaines de vaisseaux* and *enseignes de vaisseaux*, while the rest held positions in various regiments throughout France: regimental captains, cavalry captains, lieutenants, *cornettes* and other grades. A fifth of the landowners were retired *militaires* or were the non-serving landowning sons of old military families, and Ferrand's surveyor had noticed an abundance of noble ancestors who had served. However, little is known about the third of the sword nobles listed, who, other than that they held fiefs or *seigneuries*, were *gentilshommes* or were impoverished and/or landless.⁶² They were hardly likely to have been serving military – certainly not captains or above – since considerable sums, usually far exceeding the incomes of more modest sword landowners, were necessary to obtain such positions for the sons of these families.⁶³ Even if a commission could be purchased,

⁶¹ Ibid., p. 82.

⁶² This is rather odd when we consider that Ferrand's survey was of *landowning* nobility. I cannot account for these inclusions in the survey.

⁶³ ADCO E 990 Jaucourt: 'Commission de capitaine dans le régiment de Souvré pour le capitaine Le Jarrie, 1738'. Louis Charles de Jaucourt had to spend 13,760 *livres* to obtain a company in the *régiment de dragons d'Orléans* in order to place his eldest son. The Jaucourt were one of the wealthier sword families and could afford it, but an average *gentilhomme* with a modest income of less than 3,000 *livres* certainly could not.

the cost of supplying uniforms (and subventions) for one's son would have been a considerable drain on a modest *gentilhomme's* income.⁶⁴

These problems were not new. The correspondence of Louis Le Bascle, marquis d'Argenteuil on military service in 1766 reveals that he desperately tried to help one of his junior officers, a sieur des Fosses who had served fifteen years in the king's *logis des gardes du corps* and almost secured a transfer to the position of *maréchal des logis* in the *gardes du corps* of the comte de Provence, but:

pour accélérer Son avancement [... il] ose réclamer [...] une pension de 200 livres comme une preuve qu'il a servi avec honneur dans la compagnie du Prince. Il connaît trop son cœur et Sa justice pour ne pas espérer cette grâce d'autant plus qu'il a perdu, il y a quelques années, un oncle garde de corps du roy qui ayant quitté le Corps jouissait de 1,200 livres de pension [...] il n'osa par discrétion solliciter aucune portion de cette pension [...] a cause de peu de service qu'il avoit [...] cependant il existe dans le Corps et dans la compagnie du Prince, de Neveux ou parents plus éloignés qui ont obtenu partie des pensions de leurs parents, quoique moins anciens de Service [...] que le Suppliquant ne l'étoit.⁶⁵

Argenteuil, in conjunction with other officers of the *gardes du corps*, writing on behalf of the man, felt obliged to point out that des Fosses had served many more years and benefited less financially than newer recruits to the service and that it was only just that the pension awarded to his uncle, which was never drawn upon, should rightly be allotted to the nephew, in order that des Fosses would not be disadvantaged in comparison with his wealthier fellow officers.

⁶⁴ Roche, *La Culture*, p. 222, cited a *règlement* of 1 October 1776 which detailed the numerous items of apparel necessary for a serving officer in the military: '3 chemises, 2 cols de basin blanc, 2 culottes, 2 paires de souliers, 3 paires de guêtres, 2 paires de bas, 2 mouchoir, 1 boucle de col, 1 paire de boucles de souliers, 2 paires de boucles de jarretières, 1 sac à poudre et sa houppie, 1 peigne à retaper, 1 brosse à cuivre, 1 pinceau, 1 brosse à habits, 1 peigne à dégraser, 1 tire boucheon, 1 tire-bourre, 1 épinglette, 1 tour nevil, du fil, des aiguilles, 1 vieux drap, du vieux ligne'. The cost of providing the minimum of such clothing items and grooming accoutrements would have been in excess of 300 *livres* and proved to be a considerable continuous expense since they would have to be regularly replaced.

⁶⁵ ADCO E1085 Le Bascle: 'Mémoires, instructions sur le service des gardes du corps, rédigés et recueillis par Edme-Charles Le Bascle, marquis d'Argenteuil, exempt des gardes du corps'.

The opportunity problems for young provincial gentlemen in the military is highlighted in a letter written by Claude de Thyard Bissy in 1682 to Monsieur Charuet at Versailles, indicating his concerns and announcing his intentions to facilitate the creation of a ‘corps des gentilshommes’ in his infantry company, which would help financially disadvantaged provincial nobles to support their sons’ military careers.⁶⁶ In 1685 he had written to Louvois complaining about the restrictive furloughs permitted to cavalry and dragoon officers, which he felt gave them no opportunity to see to their personal needs, such as renewing equipment and uniform.⁶⁷ Concern for the honour of regimental officers, the preservation of their reputations and furtherance of their careers was not uncommon in senior military sword officers who often made it their business to help young disadvantaged officers who were finding it increasingly difficult to establish career opportunities in the military. The difficulties faced by the sword nobility, mostly on account of meagre fortunes, when trying to forge careers in the military were finally recognised by the government in 1751 with the establishment of the *École Militaire*. Concern at the lack of opportunities for educating the sons of the minor nobility to prepare them for a career in the military led to the Crown attempting to help the sons of the poor nobility, after they had provided proof of four quarters of nobility, with an education and a specialisation in the arts of war.⁶⁸

The extant record of the Burgundian noble families who applied for places at the *École Militaire* between 1751 and 1789 is intriguing.⁶⁹ The thirty-seven families who were listed, each applying to send between one and three sons, represented a wide spectrum of Burgundian noble society. Major sword families (the Damas, Villers and a cousin of the

⁶⁶ ADCO 3F art 19. Thyard: ‘Lettre de Claude de Thyard à M. Charuet à Versailles, 26 mai 1682’. Claude V de Thyard, comte de Bissy, baron de Pierre, *seigneur de Fley*, Lieutenant-général, chevalier des ordres du Roi, Governor of Lorraine, was on campaign in the lower Rhine during the Nine Years’ War between 1688 and 1697: ADCO 3F art 21 Thyard: ‘Lettres de Claude Thyard Bissy à monsieur le Marquis de Barbezieux et monsieur de St. Rouerge’.

⁶⁷ ADCO 3F art 18 Thyard: ‘Lettre de 5 mars 1685 à Louvois’.

⁶⁸ ‘Édit de création de l’École Militaire, janvier 1751’, in Roger Chartier, Marie-Madeleine Compère and Dominique Julia (eds), *L’Éducation en France du XVIe au XVIIIe Siècle* (Paris, 1976), p. 217.

⁶⁹ ADCO 1F 565: ‘Élèves admis à l’École Militaire sous les règnes de Louis XV et de Louis XVI’.

Condé) and lesser families (the Rouvray, du Mesnil, Montigny, Magnieu, Flavigny, Fontenay, Varennes and Vaux) applied.⁷⁰ All were old families and probably the few who were able to provide the required evidence of a long lineage.⁷¹ Certainly none of the minor sword families are included on this list. Unfortunately, for those who are included the list does not give an indication of any dates or even of the circumstances of their families. Noticeably, the presence on it of sons of robe noble houses, although only twelve robe families as opposed to thirty-seven sword, indicates the increasing admission to the *chambre de la noblesse* of the Estates of Burgundy of landowning robe nobles in the first half of the eighteenth century. It is also indicative that the robe, despite having equally illustrious lineages, also suffered financial embarrassment. Nevertheless, it has been shown that the *École*, despite its stated aims of providing an education for the sons of impoverished military families, ended up by admitting the sons of the wealthy and of well-connected noble families. This is certainly true in the Burgundian lists which recorded the sons of the major robe and sword families.

The problems of the amount of personal wealth that many *militaires* were obliged to lay out to support their regiments and recruit new officers were finally seriously addressed by the duc de Choiseul's reforms of the military in 1763. Choiseul set about centralizing the administration of the army, whose organisational principles (notably financial autonomy that hit captains' pockets) had hitherto burdened regimental captains and commanders, re-ordering the composition of the army in such a way as to ensure that wealth would no longer be the driving force for advancement in the military.⁷² The comte de Saint-

⁷⁰ There are no dates of entry and none of the boys are named nor their ages recorded. There are also no accompanying proofs of nobility, military lineage or financial means.

⁷¹ Rafe Blaufarb, *The French Army, 1750-1820. Careers, Talent, Merit* (Manchester, 2002), pp. 20-2, noted that despite the *École Militaire's* intended aims of helping the sons of poorer military families to obtain the training and education necessary to pursue a career in the army, its practical effects were negligible. Some families were disadvantaged by not having an ancestor who had recently served, even if their genealogical qualifications were adequate.

⁷² Émile Léonard, *L'Armée et ses problèmes au XVIII^e siècle* (Paris, 1958), p.175, cited examples of the malpractice that the situation had created, such as 'le colonel au regiment de Piémont recevait pour ses lieutenants toutes sortes de gens, pourvu qu'ils eussent de l'argent et que tous les emplois dont il disposait se vendaient comme viande de boucherie'. See also Blaufarb, *French Army*, p. 25.

Germain's ordinance of 25 March 1776, which ensured that colonelcies and captaincies would henceforth be subject to a twenty-five percent reduction in price each time the office changed hands, drove the costs of posts down to as little as twenty-five percent of their earlier purchase price by 1786.⁷³ Together with the restrictions placed on entry into the military by the 1781 Ségur reforms, this should have eased the problems of the minor provincial sword nobles trying to make their way in the military, but in the case of some of the Burgundian families it does not seem to have made much of a difference. The prices of commissions such as a cavalry captaincy as late as 1786, as cited by Blaufarb and Doyle, were still in the region of 5,000-10,000 *livres* and far beyond the reach of an average minor provincial noble with an annual income of only 1,000-4,000 *livres*.⁷⁴

There was much criticism in the later eighteenth century from the middling and minor nobility directed against the ennobled sons of financiers purchasing military positions, particularly during the economic crises of 1769-70 when bad harvests and the subsequent increasing poverty among the rural nobles, both sword and robe, highlighted the ease and luxury of the rich elites.⁷⁵ The Ségur reform of the recruitment of officers of 1781, which had been intended to prevent the dilettante sons of court families and wealthy *robins* purchasing commissions without the military training, experience or background, actually backfired on the sons of middling and petty nobility. They found themselves further alienated from the aristocratic elites who dominated the military, and excluded from avenues of advancement, whether for lack of lengthy genealogical proofs, of financial stability and of the wherewithal to purchase a commission (even at what were reduced rates by now), or indeed because they were unable to furnish sufficient evidence of recent personal military training or

⁷³ William Doyle, *Venality. The Sale of Offices in Eighteenth-Century France* (Oxford, 1996), pp. 64 and 217. The purchase price of a regiment of dragoons came down from around 100,000 *livres* to as little as 25,000-50,000 *livres*; a cavalry regiment from 60,000 *livres* to 15,000-30,000; an infantry regiment from 40,000 *livres* to between 10,000 and 20,000. Doyle suggests a cavalry company could cost as little as 5,000 *livres*, a company of dragoons as little as 3,500 *livres*.

⁷⁴ Blaufarb, *French Army*, p. 28.

⁷⁵ John Shovlin, *The Political Economy of Virtue. Luxury, Patriotism and the Origins of the French Revolution* (Ithaca, N.Y., and London, 2006), pp. 38-44.

service.⁷⁶ Consequently, in 1788 the *Conseil de Guerre* established a two-track promotion scheme to major combat command which was meant to enable lesser nobles to advance in the military, further to the detriment of inexperienced courtiers, thus imposing an alien professional army model outside the traditional realm of military nobles. But the military hierarchy continued to be undermined by the court connections of generals, hampering the system still further by a reward system of military rank for officers lacking sufficient military experience.⁷⁷ Minor provincial nobles were even further disadvantaged by this, particularly as major *militaires* over the course of the mid- to late eighteenth century seem to have felt less and less obligation to help minor *gentilshommes* in advancing their careers. The conspicuous consumption of the elites and their abuse of privilege in creating a wealth- and connection-based military enclave served only to further the gulf between the lesser and great nobility as the century began to draw to a close. The economic crises and a succession of bad harvests between 1769 and 1788 and the ensuing reversal of fortunes of lesser rural noble landowners only served to highlight the material disparity with the rich elites. Yet these antagonisms appeared to have been cast aside when the Revolution threatened the very existence of the nobility, and lesser nobles were seen to unite with the great nobles they purported to despise in a common, united front against non-nobles and robe parvenus.

SECURING THE FUTURES OF THE NEXT GENERATION; SONS AND DAUGHTERS

So what were the choices remaining to families who had more than one son to advance in the military or to marry off, or daughters to marry off, particularly when a family's main inheritance was centred on the eldest son (or the daughter where there were no male offspring)? Poorer families would have had little or no chance of improving the situation of younger sons and daughters if the funds and connections were lacking, hence the

⁷⁶ See David Bien's *Caste, Class and Profession in Old Regime France: the French Army and the Ségur Reform of 1781* (St Andrews, 2010) for the full examination of the ramifications of this significant reform act.

⁷⁷ Guy Rowlands, 'The *Maison Militaire du Roi* and the Disintegration of the Old Regime', in Julian Swann and Joël Félix (eds), *The Crisis of the Absolute Monarchy. France from Old Regime to Revolution* (Oxford, 2013), pp. 245-73.

number of applications to the Estates for pensions to support unmarried daughters and sons of such families. Voluntary celibacy was an option that seems to have been solely for the sons and daughters of the wealthiest and oldest families, for entering a convent required the family to pay an annual pension and supply proofs of nobility that many of the minor nobles and *hobereaux* could not furnish. Similarly, placing a younger son into the religious life required wealth, ancient lineage and connections. There are a few examples of younger sons becoming *chevaliers de Malte* but these were young men from only the major Burgundian families.⁷⁸ In any case, in the eighteenth century the practice was becoming less popular. Unmarriageable or unmarried daughters likewise had the option of entering a convent only if their families satisfied the stiff financial and noble criteria (an option closed to families of the average *gentilhomme campagnard*, whose proofs of lineage, quarters of nobility and financial means would not have been sufficient). Lack of dowries in the average rural noble household would also have been detrimental to procuring a lucrative or honourable marriage alliance or entry into a convent.

However, marriage was not the only way of securing a comfortable future for the daughters of the nobility. Some of the more enterprising among them, either through necessity or the good fortune of connections, do seem to have held positions and occupations outside the purely domestic domain. The dame Hyacinthe de Frasans corresponded regularly with her brother-in-law Joseph de Conygham, a lieutenant in the *régiment de Bourbon infanterie* between 1753 and 1773, whilst he was away on campaign.⁷⁹ She and her mother-in-law the dame de [B]aserne had acted as governess to Conygham's two children after the death of Conygham's father in Brest in 1753, and her husband was elected as *curateur* in 1764.⁸⁰ Madame de Frasans regularly reported to Conygham about the affairs and revenues of his estate of Avirey, being responsible

⁷⁸ ADCO E1085 Le Bascle: 'Claude-François Le Bascle, chevalier de Malte, 1675, Claude-Jean Bascle, chevalier de Malte, 1674, Louis Le Bascle, ordre de Malte, 1680'. The younger son of François de Conygham, Pierre de Conygham became a chevalier in 1648; three of Charles Le Bascle's sons became chevaliers in 1674, 1675 and 1680 respectively.

⁷⁹ ADCO E 635 Conygham: 'Compte rendu par Mme. de Frasans à M. de Conygham, Lieutenant au régiment de Bourbon, Infanterie'.

⁸⁰ He was previously elected as *tuteur* to the remaining Conygham child after the death of the elder child in 1757, replacing his sister-in-law Madame Conygham in 1758.

for communications and payments to lawyers on various matters concerning, among other things, the release of payments from Conygham's capital to his second wife Madame Andras. In 1762 she claimed a pension of over 400 *livres* from Conygham for her services, which was not a bad income for a woman and indeed any noble in an age when entire noble families were subsisting on annual incomes of 1,000 *livres* or less.⁸¹ By 1767 she also appears to have been active in the affairs of the Conygham minors, doing anything from purchasing a 'grammaire' to be used in the classroom to ordering 'toile' for clothing, and also in the arrangement of a dowry for Madame Andras on Conygham's behalf. Madame de Fransas was not a rarity, for the expectation incumbent in the marriage contract of being able to manage a noble household would have required noblewomen to have a good level of understanding of the law and financial matters. She may probably have had a tutor like Victorine de Chastenay did, who taught history, grammar and geography.⁸² Whatever the reality of her education was, it enabled her to handle legal and land management affairs as well as to conduct correspondence. Certainly it must have been more than basic literacy, writing and some of the social graces such as embroidery, dancing, comportment and the like. Alternatively, finances permitting, she, like others, may have received a convent education. However, a low income would have precluded this option for a large number of the daughters of poorer provincial sword families. There is little evidence of this course of education being employed by less wealthy Burgundian sword families.

The Burgundian *gentilhomme campagnard* had two identities: the *seigneur* and the *militaire*. The *seigneurs* enjoyed varying levels of success: some were able to maintain large functioning estates, drawing rent and other forms of income from numerous landholdings and tenants, from the produce of their own farms, sales of the rights to farm their woodlands and fisheries and even from a 'factory' such as the one at Magny. The wealthier among them were able to maintain their estates, improving and adding to the structures of their *maison seigneuriale* or château, cultivating private gardens and investing in agricultural innovations on their land or that of their tenants. Others were the classic *hobereaux*, some landless, some living in dilapidated châteaux, with no

⁸¹ The calculations of tax in the *capitation* rolls indicates that the declared incomes of some nobles in classes 18 to 22 would not have exceeded this figure.

⁸² *Mémoires de Madame de Chasteney*, p. 35.

tenants to provide a rental income, some working the land themselves with only a handful of domestics or an unmarried daughter or son to assist them. The importance and significance of the land in establishing and maintaining the identity of the rural French nobility was observed even as early as the mid-fifteenth century by non-French humanists and social commentators.⁸³ The comments of some of these *gentilshommes* in the correspondence pertaining to the rolls of the *capitation*, the *franc-fief* and the *ban et arrière-ban* show that they had a strong perception of their noble identity as landowners and held firm opinions about their non-sword landowning neighbours. In the descriptions of their estates there is evidence of outward displays of their noble status such as cultivated gardens, the dovecote, the *seigneur's* oven and mill, the communal press and some private family chapels. Inventories of their houses reveal the taste of the provincial sword noble, ranging from the basic and rather rustic household to the more refined and worldly. Some of these nobles, both men and women, had been formally educated, although financial solvency seems to have been the enabling factor in whether or not a noble son, and especially a daughter, received any form of education. The recorded instances of this are very few.

However, the various land and tax surveys provide sufficient evidence of the continued existence of another category of noble: the *militaire*, sometimes a variant on the *seigneur*, sometimes a different kind of man. Here again, there is reason to suppose that by the late seventeenth century, wealth was the underlying enabling factor which determined whether a noble was able to fulfil his noble duty and engage in the military life, sustaining the costs of campaigning, uniform and kit, a horse, supplying the needs of soldiers under his command and maintaining his estate during his absence. The rolls of the *ban et arrière-ban* and the *capitation* suggest that the fortunes of many of the *gentilshommes* were diminishing, preventing some from fulfilling their military obligations or

⁸³ Poggio Bracciolini, 'On Nobility', in A. Rabil (ed.), *Knowledge, Goodness and Power. The Debate over Nobility among Quattrocento Italian Humanists* (Binghamton, N.Y., 1991) pp. 69-70. Bracciolini was a Florentine humanist engaged in analysis of lost classical texts, writing in 1440 to Landriani, the Bishop of Como. He argued that [...] 'there is one norm for nobility in France. Nobles dwell on their farms and estates, fleeing the cities which they consider too boorish and unrefined for noble habitation [...] for the French, farms and groves are more useful in the pursuit of nobility than leisure or business carried on in cities. The inhabitants of farms regarded by us as semi-rustic, the French extol as noble'.

presenting themselves for taxation. The numbers of *ex-militaires* receiving pensions from the Estates, whether they were *invalides* or *seigneurs*, and applying in profusion for ordinary pensions in the late eighteenth century are evidence enough of a nobility striving to keep its identity, dignity and sense of honour rather than fall into *dérogéance*.

There is a general sense that the priorities of the minor Burgundian sword nobles lay principally in the preservation of their noble honour, whether this lay in the acknowledgement of the inherited honour and the noble dignity derived from the past military service of their ancestors, or indeed their own services to the crown. The upkeep of their estates was more an outward display of seigneurial authority and dignity which justified their noble status. Although increasingly as the eighteenth century progressed, wealth became the sole factor necessary to maintain this outward display and to finance themselves or their sons in a military career, the wealthier and more worldly of the old sword families seem to have been somewhat frugal in the upkeep of their domestic interiors and did not retain an excess of either personal items or extensive wardrobes in the manner of the newer elements of the Parisian nobility.⁸⁴ Mathieu Marraud explained the attitude of the provincial nobility towards ostentatious displays of wealth:

la condamnation du faste urbain transite donc, chez quelques-uns par le procès intenté à l'or bourgeois. Ce dernier avilit la prétendue simplicité de mœurs que prône encore la vieille noblesse [...] le rejet de la munificence cache très souvent une incapacité à l'atteindre. En réalité, dès lors qu'un noble admet le danger que représente pour lui l'ostentation affichée par la nouvelle noblesse, c'est là pour lui une façon d'admettre que l'argent et la dépense participent désormais à la définition des statuts.

They saw no nobility in obvious outward displays of wealth: for the minor Burgundian sword noble, nobility lay in honourable, military service to the king, respect for his own ancestors and his position as a landowner, even if

⁸⁴ Mathieu Marraud, *La Noblesse de Paris au XVIIIe siècle* (Paris, 2000) pp. 118-34. Marraud noted that even many of the wealthy and even some princely noble households took care to rein in expenditure: rather than leasing or purchasing an entire *hôtel*, they were more likely to rent a couple of floors of a residence for part of the year for between 1,000 and 2,000 *livres*, returning to their estates in the summer. The overriding cause of this parsimony was that most simply could not afford to cut a dash in Parisian society.

a humble one. John Shovlin echoes Marraud's assessment of the attitude of the provincial nobleman towards the urban nobles' conspicuous displays of wealth.⁸⁵ A provincial Burgundian *seigneur* would have been hostile to luxury, and to the world of trade and commerce which presented stiff competition to his frugal, and barely maintained outward appearance of gentlemanly condition.

Yet despite a degree of outward defiance, by the mid-eighteenth century the number of recorded sword nobles had diminished as those of the robe and the *anoblis* rose. Many of the latter were nobles born of the office-holding judiciary, whose fortunes and power were derived from the practice of the law, and who had emerged to some extent from the merchant and professional classes, whom the sword would have classed as bourgeois. The presence of the Burgundian *Parlement* and continued practice of venality since the late sixteenth century ensured a constant and increasing robe population, which had begun to infiltrate both the rural and military worlds of the sword nobility in greater numbers since the mid-seventeenth century, adopting on the surface the values and culture of the older sword population as it encroached more and more on the traditional rural world of the *gentilhomme campagnard*. Did this newer robe noble population, however, completely immerse itself in the gentlemanly lifestyle and culture born of another era, or did it remain at heart a robe culture with its own sense of honour, bourgeois values and a culture of merit borne of education and money? Was the culture of the robe nobility more able to cope with the challenges – financial, social and economical – that the eighteenth century threw at it? The next chapter will examine the footprint of the robe nobility in eighteenth century Burgundian society.

⁸⁵ Shovlin, *Political Economy*, pp. 28-44.

4 The robe *gentilhomme*

Who were the robe *gentilshommes* and where did they come from? How did they equate their position in the noble order with the older sword population and were there really any differences between these two cultures of ‘nobility’? Much has been written about the culture of the robe nobility,¹ and there is a considerable historiography on the condition of the Burgundian robe, the *Parlement* and the *Chancellerie*.² Franklin Ford argued for a fusion of high robe and sword nobility in early modern France and commented on the robe’s struggle for precedence in terms of power and influence during the reign of Louis XV, but whether or not this fusion was reflected in the minor nobility of the provinces remains to be considered.³ The number of robe nobles increased quite substantially in the seventeenth century in the wake of the proliferation of venal offices in the *Parlement* and the *Chancellerie*. André Bourrée placed the origins of the robe nobility in rich bourgeois who purchased these offices which conferred ‘noblesse graduelle’ on the holder, provided that both father and son each served twenty years in turn in the same office.⁴ The *Chancellerie* in particular was an escape route from the bourgeoisie to nobility, with the greatest number of ennobling offices created in the Dijon *Chancellerie* at

¹ Jonathan Dewald, *The Formation of a Provincial Nobility. The Magistrates of the Parlement of Rouen, 1499-1610* (Princeton, N.J., 1980); Robert Forster, *The Nobility of Toulouse in the Eighteenth Century. A Social and Economic Study* (Baltimore, Md., 1960); Mathieu Marraud, *La Noblesse de Paris au XVIIIe siècle* (Paris, 2000); Gail Bossenga, *The Politics of Privilege. Old Regime and Revolution in Lille* (Cambridge, 1991); Clarisse Coulomb, *Les Pères de la Patrie. La Société parlementaire en Dauphiné au temps des Lumières* (Grenoble, 2006).

² Albert Colombet, *Les Parlementaires bourguignons à la fin du XVIIIe siècle* (Dijon, 1937); André Bourrée, *La Chancellerie près le Parlement de Bourgogne de 1476 à 1790* (Dijon, 1927); Jules d’Arbaumont, *Armorial de la Chambre des Comptes de Dijon* (Dijon, 1881); Élisabeth de la Cuisine, *Le Parlement de Bourgogne depuis son origine jusqu’à sa chute* (Dijon, 1857); David Bien, ‘Manufacturing Nobles: the Chancelleries in France to 1789’, *Journal of Modern History* 61 (1989), pp. 445-86.

³ Franklin Ford, *Robe and Sword. The Regrouping of the French Aristocracy after Louis XIV* (Harvard, 1953).

⁴ Bourrée, *La Chancellerie*, pp. 48-9.

the end of the seventeenth century. Whilst they produced little financial profit for the post-holders, they did bestow exemption from taxes and a step from lower to higher levels in service to the state and, if one was lucky, legitimate ennoblement at the end of it. The social advantages that the post brought were worth the high purchase price for a would-be 'gentilhomme'. All this notwithstanding, in the early modern French noble world purchase of land, with or without title, and being accepted by one's noble peers (the sword landowning elite) was key to full social acceptance.⁵ This process had begun as far back as the fifteenth century, while Dijon became a magnet for the judicial families after 1550.⁶

IDENTIFYING THE *ROBINS*

So, a substantial number of robe *gentilshommes* established themselves in Burgundy, some of whom gained admittance to the *chambre de la noblesse* of the province's Estates, though this was far from easy. By 1679, as Julian Swann noted:

the simple title of gentleman would no longer suffice, and only those possessing a fief in the province would be admitted to the chamber. Nobles of the robe continued to be excluded, and those wishing to secure entry needed to supply proofs for verification by a commissioner of the chamber, who would issue a certificate confirming that they are gentlemen of the quality required and not simply noblemen.⁷

Regulations governing entry continued to tighten as the eighteenth century progressed and the *chambre de la noblesse* of the Estates attempted to check the admittance of the recently ennobled to its ranks. These regulations became encapsulated in a requirement that a candidate had to 'produce proofs on a specially printed form of at least four degrees of nobility, and of at least 100 years of unbroken membership of the second estate [...] entrance to the chamber was theoretically reserved for gentlemen practising the profession of arms [...] a polite way of excluding

⁵ *Ibid.*, p. 448.

⁶ James Farr, *Authority and Sexuality in Early Modern Burgundy (1550-1730)* (Oxford, 1995), pp. 26-8.

⁷ Julian Swann, *Provincial Power and Absolute Monarchy. The Estates General of Burgundy, 1661-1790* (Cambridge, 2003), p. 64.

those holding a judicial office.⁸ If a judge or high robe official wished to gain admittance to the chamber, it was not simply enough to own a fief; he had to resign from office too and be seen to live in the manner of a gentleman. Only the wealthiest of the robe judges of the Dijon *Parlement*, and the officials of the *Chancellerie* and the *Chambre des comptes*, could satisfy these requirements.

The meeting of the Burgundian Estates of 1682 recorded 231 nobles whose eligibility to enter the chamber was confirmed,⁹ of whom seventy-five are members of recognisable high robe families, such as the Saint-Martin,¹⁰ Morisot,¹¹ Bernard,¹² Berbis,¹³ Brulart,¹⁴ Massol¹⁵ and the Bretagne,¹⁶ in established senior positions in the *Parlement* and the *Chambre des comptes*. Almost a century later at the Estates of 1760 the grandsons of the Berbis and Bernard, and other families such as the Drouas and the Dubois, were convoked to attend. At this meeting fifty-

⁸ *Ibid.*, p. 68.

⁹ Henri Beaune and Jules d'Arbaumont (eds), *La Noblesse aux États de Bourgogne de 1350 à 1789* (Dijon, 1864), pp. 46-8: 'Liste des Gentilshommes qui ont été reconnus avoir les qualités nécessaires pour entrer en la Chambre de la noblesse, suivant le règlement du 18 aout 1679'.

¹⁰ *Ibid.*, p. 290. Charles de Saint-Martin, *seigneur* of Agencourt and his son Antoine. The Saint-Martin entered the Estates in the early seventeenth century and had origins dating back to the fifteenth century.

¹¹ *Ibid.*, pp. 249-50. Antoine Morisot, *seigneur* of Taniot; Jean-François Morisot, *seigneur* of des Brosses; Antoine Morisot, *seigneur* of Cheuges.

¹² *Ibid.*, p. 128. Marie-Beaune Bernard de Montessus, *seigneur* of Bellevre et Soirans; Guy and Phillipe Bernard de Montessus, *co-seigneurs* of Rully; and Claude Bernard de Montessus, *seigneur* of Bellefond. The Bernard family entered the Estates in 1658.

¹³ *Ibid.*, p. 126. Jacques de Berbis, *seigneur* of Longecourt; Jean-Baptiste Berbis des Maillys, *seigneur* of la Serve and Auxe; Bénigne Berbis, *seigneur* of Esbarres; Jean Berbis, *seigneur* of Molaise-sur-la-Seille, *écuyer et chevalier d'honneur de la Chambre des Comptes*; Philippe de Berbis, *seigneur* of Vesvrottes. The Berbis entered the Estates in 1645.

¹⁴ *Ibid.*, pp. 142-3. Nicolas Brulart, *commandeur* of Arlot; Denis Brulart, *commandeur* of Normier and Pont-Aubert.

¹⁵ *Ibid.*, p. 236. Guillaume Massol, *seigneur* of Serville; Jean-Baptiste Massol, *seigneur* of Colonge. The Massol entered the Estates in 1677.

¹⁶ *Ibid.*, p. 141. Antoine Bretagne, *seigneur* of Marcilly; Jules-Pierre de Bretagne, *seigneur* in part of La Borde; François Bretagne, *seigneur* of Orain. The Bretagne entered the Estates in 1671.

eight of the 247 nobles convoked were of robe origin.¹⁷ The voting assemblies of 1789 recorded the presence of a mere 116 who were members of high robe families, including those from the Bernard, Berbis, Bouhier, Bretagne, Cannabelin, Drouas, Fyot, Joly, Macheco, Massol, Quarré, Richard and Rigoley.

The relatively small number of nobles from a narrow pool of robe families convoked to meetings of the *chambre de la noblesse* from the late seventeenth century is in some way explained by André Bourrée who states that edicts conferring nobility on members of the *Parlement* and the *Chambre des comptes* were only registered officially in 1649 and 1650 respectively, and subsequently revoked in 1669 and 1715.¹⁸ Prior to this office-holders had been granted *noblesse graduelle*.¹⁹ Officers of the *Chancellerie* especially, even if they held the title of *écuyer*, were considered to be only of recent date and as a ‘race apart’ by fellow nobles of more ancient lineage. None of the major robe families, despite ownership of a fief, gained admittance to the *chambre de la noblesse* until after 1650: the Bretagne in 1671, the Joly in 1677, the Fevret in 1679; Jacques Marlon, a president of the *Chambre des comptes*, never entered the *chambre de la noblesse* although his son was recognised as a gentleman and entered in 1703. Prominent robe families furnished proofs of eligibility in 1679 in order finally to enter the *chambre* at the session of 1682.²⁰ These included Guy, Philippe and Claude Bernard de Montessus; Nicolas Brulart (recent president of the *Parlement* and now *commandeur* of Arlot);²¹ Antoine and Jean Morisot; Jean Joly; Jacques, Jean-Baptiste and Jean Berbis; Jean-Baptiste and Guillaume Massol; Pierre Quarré; François and Jean-Baptiste de Bretagne; Jean-Baptiste de La Mare; Bénigne Jacquot; and Jean Richard.²²

¹⁷ BMD MS 116K: List of nobles present at the meeting of the Estates of Burgundy, 1760.

¹⁸ Bourée, *La Chancellerie*, p. 49.

¹⁹ This established that both father and son had to exercise twenty years in office before the nobility conferred by that office could be established.

²⁰ Beaune and d’Arbaumont, *La Noblesse*, pp. 46-8.

²¹ The old spelling was Arlod, but the modern spelling is used in this book.

²² Jérôme Loiseau, ‘Much ado about nothing? The *intendant*, the *gentilshommes* and the Investigations into Nobility in Burgundy (1664-1670)’, *French History* 22 (2008), pp. 275-94, mentioned that a third of the Burgundian noble families were authorized to attend the Estates whilst their nobility was being ratified between 1602 and 1715, following the *intendant* Bouchu’s examinations of usurpers of nobility. Obviously these robe families (and numerous sword families also) were

As a fief owner, a gentleman also had to furnish four quarters of unbroken nobility before being convoked. Equally with the sword, some robe families had relatively recent origins. The older branch of the Bretagne family for example first emerged in the person of Claude de Bretagne, a councillor in the *Parlement* (1555), but did not gain admittance to the Estates until 1671.²³ The younger branch of the Joly family in the person of Antoine Joly de Pontailler emerged between 1543 and 1577 with three sons of the family engaged as *châtelain et receveur pour le Roi en la Chatellenie royale de Pontailler* (François Joly was the *contrôleur* in 1577).²⁴ However, some families who first emerged a century earlier, such as the Fyot,²⁵ the Fevret,²⁶ and the Bernard,²⁷ finally

in the final stages of investigation and proved to be legitimate by the time the ruling of 1679 was ratified in 1682.

²³ Bourée, *La Chancellerie*, pp. 197-200 and p. 339. Antoine de Bretagne, grandson of Claude, became baron of Loisy in 1669 and entered the Estates in 1671. His father Claude was a *conseiller* in the *Parlement* in 1602. A younger branch of the family, *seigneurs* of Orain, included Charles Gabriel de Bretagne and his son François, both *receveur général des finances* in the *Chancellerie*. This branch died with the death of François in 1694.

²⁴ *Ibid.*, pp.197-200 and pp. 162-74.

²⁵ *Ibid.*, pp. 74-6. The younger Fyot de la Marche branch received its *lettres de noblesse* in 1594, for François Fyot, *seigneur* of Arbois, whose son Jean was a *conseiller* in the *Parlement* in 1596. His son Philippe, *seigneur* of la Marche, was a president of the *Parlement* in 1637. The last cited descendant of this family, Claude Philibert, was by this time marquis of la Marche in 1762. Jean Fyot was the *secrétaire* of Charles the Bold, Duke of Burgundy, in 1468: the family produced a succession of *conseillers* and *trésoriers de France* and a *capitaine* in the *régiment de Luynes*.

²⁶ *Ibid.*, pp. 337-8. Antoine Fevret de Saint-Mesmin was descended from Jacques Fevret, councillor in the *Parlement* in 1589, and Charles Fevret, *secrétaire du Roi* in 1630. Their descendants included François Fevret, *seigneur* of Saint-Mesmin (fl. c. 1730), and finally his son Bénigne-Charles who was among the list of deputies to the Estates General of 1789. Of a younger branch of the Fevret, Charles Fevret, *seigneur* of Verrey-sous-Drée, entered the Estates in 1688. The Fevret family descended from Claude Fevret, a *licencié-ès-lois* from Semur-en-Auxois in 1383, produced a succession of councillors in the *parlements* of Burgundy and Metz, a *secrétaire du Roi*, two *grands baillis d'épée*, a *commandant des troupes du Roi* and a *maréchal de camp des armées du Roi*, finally entering the Estates in 1679.

²⁷ Beaune and d'Arbaumont, *La Noblesse*, p. 128. The Bernard de Montessus dated their origins back to 1420. Philippe Bernard de Montessus of the Rully branch was

entered the *chambre de la noblesse* during the seventeenth century. On top of these, there are other families whose ancient nobility, going back much further than other robe families, is noted in Ferrand's survey: these include Pierre Petit, *seigneur* of Broin [sic Broing] (Dijon) from a 'vieille famille anoblie par Philippe le Bon en 1459'; Joseph Ignace Tardy, *seigneur* of Bellière (of Bourg-en-Bresse) and councillor of the *présidial* court of Bourg, ennobled in 1437; and a Monsieur de Mornieu de Grandmont (Bugey), descended from a *conseiller au présidial* of Lyon and a family ennobled in the fifteenth century.²⁸

Those robe nobles regarded as 'gentlemen' included not only members of the most important families of the upper ranks of the Dijon *Parlement* and the *Chambre des comptes*, but also minor nobles who already held fiefs and other land in the region. Some of these can be seen in the extant muster for the *arrière-ban* between 1691 and 1696,²⁹ such as Monsieur d'A[r]celot,³⁰ and Monsieur Tabourot,³¹ who both appeared in the Dijon muster in 1691, and Monsieur Bourrée,³² and Monsieur

a member of the *maison du Roi* in 1569. Another family of equally early origins is the Bernard who emerged in the person of Jean Bernard (of the Trouhans branch), a clerk of the *auditeurs aux causes d'appels de Beaune* and judge of the barony of Lux in 1437. The Bernard family entered the *chambre de la noblesse* in 1626 (the descendants of Etienne Bernard, *lieutenant-général* of the *bailliage* of Chalon).

²⁸ These are random examples and none of them appear in the lists of those entering the Estates in 1682.

²⁹ ADCO C 3600: 'Convocation du Ban et Arriereban en Bourgogne et Bresse, 1691'; 'Estat des Gentilshommes qui doivent composer l'arriereban du baillage de Dijon, 1691, 1692, 1693, 1604, 1605, 1696'.

³⁰ The Arcelot are mentioned in the *capitation* roll of 1695 of 'gentilshommes et autres possedans fief': they were Antoine, *conseiller maître* of the *Chambre des comptes* (1697), and Bénigne, *secrétaire du roi* (1672). They were *seigneurs* of Dracy-les-Vitiaux but not recorded as having been admitted to the Estates.

³¹ The Tabourot were present at the meeting of the Estates in 1682 and are listed in Ferrand's land survey and the *capitation* roll of 1695 of 'gentilshommes et autres possedans fief', and were *conseiller maître* and *secrétaire du roi* of the *Chambre des comptes* and the *Chancellerie* respectively. See Beaune and d'Arbaumont, *La Noblesse*, p. 301. The family was of ancient lineage, descended from Antoine Tabourot, grandson of Jean, who had been *secrétaire* of Charles, comte de Charolais (c. 1400). The family divided in 1500 into two branches of Saint-Apollinaire and Véronnes: the *seigneur* of Saint-Apollinaire entered the Estates in 1668 and that of Véronnes in 1671.

³² Bourrée was listed in the *capitation* roll of 1695 of 'gentilshommes et autres possedans fief' and members of the family are listed as *conseiller correcteur* and

Blondeau de Bussey,³³ both in the muster for 1694. Although they were fief-owners and had other land these families, including those who had venal nobility from their office, were not all considered eligible to sit in the *chambre de la noblesse*.

The *arrière-ban* certainly included a broad spectrum of the robe landowners: old *parlementaire* families with lineages stretching back to the early fifteenth century such as the Berbis, Desbarres and the Richard, and also more recent families such as the Le Belin, Espiard and La Loge who originated courtesy of venal positions in the *Chambre des comptes* and the *Chancellerie*. For the most part, the robe landowners were willing to serve ‘en personne’ or ‘en personne aide,’ which reflected either an attempt to enhance their standing as a *gentilhomme* in the eyes of both their robe and sword contemporaries (here we are looking at a *gentilhomme* in the military sense) or because they did not wish to pay for an exemption. Equally, the fief could have been owned by an elder or younger son of a serving robe official who was therefore eligible for the call up and financed by the family to do so, perhaps in the hope of furthering a future military career. One such example was ‘Monsieur la Mare, fils de Monsieur le Conseiller de la Mare’, a younger son of this *parlementaire* family: his elder brother would have been due to inherit the position of *conseiller* on his father’s retirement so the younger would be able to serve in the *arrière-ban*.³⁴

Of the 170 robe nobles listed on the *arrière-ban* rolls during this five-year period, only twenty-four indicated that they would ‘[fournir] un gentilhomme,’ such as the abbé Sayve and the abbé Folin, almost certainly

secrétaire du roi of the *Chambre des comptes* and the *Chancellerie* respectively. The Bourrée were descended from Oudot Bourrée, born 1433. See Bourré, *La Chancellerie*, pp. 101-4, and Beaune and d’Arbaumont, *La Noblesse*, p. 137. The Beaune branch of the family established by Antide, great-great-grandson of Oudot, held the barony and *marquisat* of Corberon in 1697. His son Daniel finally entered the Estates in 1727.

³³ The Blondeau were listed in Ferrand’s survey and the *capitation* roll of 1695 of ‘gentilshommes et autres possédans fief’. See Bourrée, *La Chancellerie*, pp. 69-70. Jean Blondeau, *seigneur* of Sivry, Vesvres and Tintry, was *conseiller* in the *Parlement*, then *garde des sceaux* of the *Chancellerie* (c. 1581). Two branches of the family descended from his sons Melchior and Dimanche in various posts in the *Parlement* and the *Chancellerie*; Dimanche’s descendants survived the Revolution. The family was not recorded as having entered the Estates.

³⁴ ADCO C3600: ‘Estat des Gentilshommes qui doivent composer l’arriereban du bailliage de Dijon’.

younger sons of robe nobles who had entered the church and who could not be expected to serve; and Monsieur Despres *avocat*, who was represented ‘par un gentilhomme’, wives or widows of robe landowners such as Madame la marquise d’Arcelot and Madame Berbis de Martray ‘a cause de la seigneurie de Villay’; and Monsieur de Richard *puiné*, son of an officer in the *Chambre des comptes* who was possibly too young to serve. Others such as Monsieur de Bretagne de Nansoutil were older men and could not physically fulfil the requirements of the service.³⁵

Turning to another major source, the variety of robe nobles listed in the ‘Rolle de la capitation sur les gentilshommes at autres possédans fief’ is interesting and intriguing, if we take the *Rolle* at face value and assume that these *robins* were retired from office.³⁶ Monsieur Berbis, baron of Esbarres (Class 7) and Messieurs de Bretagne and another Berbis (Class 10) were admitted to the *chambre de la noblesse* of the Estates in 1682 and so definitely were retired from office. Guillaume Mori[z]ot, *avocat* (Class 16), is definitely an *autres possédant fief* – a working *robin*. However, it is difficult to define the status of the daughter of Monsieur Bourree (Class 10) and the robe widows and their children, such as the widow of Monsieur Filsjean, who appear among a preponderance of minor robe figures in the lower classes. Should these be considered ‘gentilshommes’ by nature of their being the dependants of robe gentlemen? Or are they among the ‘autres’? Women would not be considered ‘gentilshommes’, even if their husbands or fathers were – and a functionary such as Morizot was obviously not a gentleman: all are classified as ‘autres possédant fief’, which proves to be an open and extremely vague category. Furthermore, when we consider those robe individuals included among the lower ranks recorded as ‘sans fief’ or ‘ny

³⁵ It is interesting to note that these last three landowners who opted not to serve in 1693 were included in a list of ‘40 gentilshommes déclarés indignes et dechus de la qualité de Nobles’. The list included representatives from some of the major robe families: Berbis, Millotet, Joly, Richard and Milliere. Some of them appeared in the next roll call in 1694 without this notice. There is no official explanation for their apparent unworthiness to be classed as nobles in 1693. It can only be surmised that it may have been the result of a failure to produce sufficient proofs of nobility, although this does not seem to have been a prerequisite for being eligible for the *arrière-ban*.

³⁶ ADCO C 5599: ‘Rolle de la capitation sur Messieurs les officiers du Parlement de Dijon, titulaires et veterans’, 1697 and 1701 – *robins* still in office would have been recorded here.

terre’, we have to ask why they were included at all if they were neither ‘gentilshommes’ nor ‘autres possédant fief’.³⁷

When compared with the sword, this is roughly what one might expect to find in terms of different income groups within the robe nobility. However, what is unexpected is the number of robe families represented in the lower ranks of the *capitation*, in classes 18-22. Of the fifty-four nobles recorded here thirty-one (over fifty percent) were from the robe, including a large number of children of some of the major families, such as a niece of Monsieur Col[on]in, the elder and younger sons of Monsieur Monin, the nephew of Monsieur Petit (the uncle was listed alongside the nephew) and more widows such as Madame Morisot, and the estranged wife of the sieur Bourrée. Equally numerous were robe ‘gentilshommes’, such as Messieurs Desbarres, Filzjean, Fleutelot, Bourrée, De la Loge, Richard, Petit, Blondeau, Colin and Berbis de Mailly, all of whom were recorded as ‘sans fief’ or ‘sans fief ny terre’. Sword nobles appearing here would have been considered *hobereaux*, so this raises a barely considered question: was there also such a thing as a robe *hobereau*?

Like their sword peers, it is possible that many of these children of the minor robe families were lacking sufficient dowries for marriage or the financing to sustain a lucrative career in the judicial, administrative or military worlds. The widows had severely reduced incomes and not even a productive fief bringing in rental or other income. Some of the men, it can be assumed, were retired from office with neither sufficient pension nor rental-productive fief. In these circumstances they differed little from their sword contemporaries in the lowest classes of the *capitation*, whose lack of land or other sources of revenue had reduced them to the technical status of *hobereaux*. Christine Lamarre asserted that those who appeared here were from the most financially disadvantaged groups among both the robe and sword: the ‘chevaliers, [...] *seigneurs*, et [...] secrétaires du Roi ou fils de secrétaires du Roi’.³⁸ Most of these lived a life of frugal restraint,

³⁷ Exactly who the ‘autres possédant fief’ were meant to be is not indicated in the *capitation* rolls. Possibly nobles whose credentials were not sufficient to be classed as *gentilhomme*, or other landowners whose fief conferred some form of honorific title which was not necessarily noble.

³⁸ Christine Lamarre, *Petites villes et fait urbain en France au XVIIe siècle. Le Cas bourguignon* (Dijon, 1993), p. 125. Michel Nassiet’s study of the Breton nobility estimates that the lowest paid urban robe office would have brought in an income of between 800-1,000 *livres*. Jean Meyer on the same region puts it at around 2,000 *livres*.

and survived on incomes of between 1,200 and 8,000 *livres* per year. At the lower end of the scale an income of 1,000 *livres* or less per year would have verged on what some historians have considered to be the income of a *hobereau*. William Doyle put their situation in a realistic context when he suggested that ‘some 60 percent of the nobility had revenues of less than 4,000 *livres*, which dictated a modest, frugal life-style [... while] perhaps 20 percent enjoyed less than 1,000 *livres*, which put them on a par with modestly off peasants.’³⁹ Doyle’s comments applied equally to the robe as to the sword, and when taken in conjunction with Lamarre’s figures, the existence of robe *hobereaux* is less unexpected. Saint-Jacob’s evidence of the parity of peasant incomes with that of the *gentilshommes* at the lowest end of the *capitation* scales goes some way to illustrate just how hard up these men were, somewhat at odds with the usual image of the wealthier robe noblemen.⁴⁰ De la Cuisine stated that by 1665 the prices of offices in the Dijon *Parlement* offering venal ennoblement were elevated: a *président à mortier* at 120,000 *livres*, *président aux Requêtes* at 80,000 *livres*, an *avocat général* at 52,000 *livres*, a *conseiller clerk* at 52,000 *livres* or a *procureur général* at 120,000 *livres*.⁴¹ An office of *conseiller* would set one back around 30,000 *livres*,⁴² whereas lesser positions in the judiciary could be purchased for around 1,000 *livres*.⁴³ Only personal wealth could sustain the costs of office, since the income from offices in the *Parlement*, the *Chambre des comptes* or the *Chancellerie*, in the forms of *gages* or *épices*, would not have been enough to sustain a noble lifestyle in keeping with their position. Colombet estimated that a *substitut* (the aide to a *procureur général*) could only

³⁹ William Doyle, *Origins of the French Revolution* (2nd edn, Oxford, 1988), p. 124.

⁴⁰ Pierre de Saint-Jacob, *Les Paysans de la Bourgogne* (Paris, 1960), p. 458.

⁴¹ Cuisine, *Le Parlement*, p. 68.

⁴² Colombet, *Les Parlementaires*, pp. 39-42. William Doyle, *Officers, Nobles and Revolutionaries: Essays on Eighteenth Century France* (London, 1995), pp. 75-80, recorded similar prices in Bordeaux at the turn of the eighteenth century: ‘[...] in 1698 [...] an office of *président à mortier* had just been sold for 72,000 *livres*. Offices of counsellor [...] were hardly reaching 25,000 *livres* [...] in 1710 [...] only 20,000 *livres*’. While prices were falling under Louis XIV, by the end of the eighteenth century prices of counsellor had risen again to as much as 45,000 *livres*, that of *secrétaire du roi* to 116,000 *livres*.

⁴³ Michel Nassiet cited this figure for Brittany, for positions such as *sénéchal*, *notaire*, *greffier*, *officiers seigneuriaux*. Probably similar purchase prices existed in Burgundy.

bring in around 466 *livres* annually and a *conseiller* around 1,800 *livres* on average.⁴⁴ The most substantial income was to be gained from ownership of land, particularly for the wealthiest of the robe families.⁴⁵ The *capitation* returns for 1697 and 1701 certainly agree with this interpretation when the classification of the various office holders is considered.⁴⁶

Ferrand's survey, in particular for Dijon, bears this out, showing that half of the thirty-eight major landowners were robe: these included for example Richard Valon ('ancien conseiller au Parlement de Dijon') and M. Desbarres ('famille originaire de robe'), although he was serving as a *capitaine de chevaux* in the cavalry regiment of the comte de Châtillon.⁴⁷ Consecutive generations of old robe families held posts in the *Parlement* and the *Chambre des comptes*, and there were plenty of robe landowners either currently in office or descended from office-holders or from other positions in the third estate, for example M. Humblot 'anobli par charge de secrétaire du Roy en 1627 (Beaune)' and Pierre Emanuel Calamard 'escuyer, fils d'un Secrétaire du Roi en la Chancellerie près le Parlement de Bourgogne.'⁴⁸ Most were either *conseiller* or *secrétaire du roi*, which supports David Bien's theory that the post of *secrétaire du roi* was proving a successful staging post for an ascent into the second estate. Of 161 robe families listed in the survey, seventy were sons or nephews of a

⁴⁴ Colombet, *Les Parlementaires*, p. 68.

⁴⁵ *Ibid.*, p. 282.

⁴⁶ ADCO C 5599: 'Rolle de la capitation sur Messieurs les officiers du Parlement de Dijon, titulaires et veterans', 1697 and 1701. The highest class was that of the first president of the *parlement* (class 4), followed by the presidents (class 5), *conseiller et maitre* (class 8), *présidents à mortier* (class 12), *conseillers* (class 16), the *secrétaires du roi* and *présidents et trésoriers de France* (class 17). Other positions at the lower end of the scale such as *huissier des parlements* came in at class 19 (paying five *livres* in 1697).

⁴⁷ Also Jacques de Berbis 'chevalier d'honneur au Chambre des Comptes', Benigne de Cirey 'conseiller au Parlement de Dijon', and Jean Baptiste de Cirey 'famille anoblie en 1503, descendus d'un maire', Philippe de la Marre 'conseiller au parlement de Dijon, famille anoblie en 1585', and a Monsieur Morisot, one of several Morisot holding charges in the *Parlement*.

⁴⁸ Also Edme Bernard 'conseiller au Parlement, famille peu ancienne mais tres riche' (Auxois); the sieur de Gondais 'anobli par un charge de secrétaire du roi depuis vingt-cinq ans' (Auxerre); the sieur Desbois 'bourgeois anobli en 1645, pere était Secrétaire du Roi' (Charolais); M. Gallien 'conseiller du Roi, gentilhomme' (Bugey).

conseiller or *secrétaire du roi*, and other post-holders in the *Parlement* and the *Chancellerie*, and of these, thirty-two were serving in the military as captains or other similar rank, while the rest were simply landowners or ‘gentilshommes.’⁴⁹ This supports Farr’s analysis that the Burgundian robe began to make serious inroads into the traditional territory of the sword landowning elite in the sixteenth and seventeenth centuries and thereby to adopt ‘many of the traditional characteristics of the French nobility, specifically possession of land.’ (See below on the robe and land.)⁵⁰ For some families the acquisition of large landholdings would have been an easy source of both financial revenue and a means of establishing political power by means of close alliances with other families, not to mention providing the means of financing the careers of their sons, either by purchasing lucrative posts in the *Parlement* or establishing them in the military. The latter career was not only a popular choice for numerous younger sons, but it also brought the robe much closer to mirroring the traditional noble culture of their sword contemporaries.

THE ROBE AND THE MILITARY

In his survey of 1697, the *intendant* Antoine Ferrand listed sixteen families of the robe who had purchased commissions for sons in the military. Apart from the ten whom he mentioned had simply ‘servi’, six of these young men were the son of a *secrétaire du roi*, and all occupied captaincies such as *capitaine de grenadiers*, *capitaine en pied*, *capitaine d’infanterie*, *capitaine de chevaux*. Purchasing the venal position of *secrétaire du roi* was a popular and accessible step from the third to the second estate, and for anyone who could afford it the next phase on the route out of the bourgeois milieu would be to purchase a military position for a younger son. Although these sixteen families represent a mere three percent of the overall number of families listed in the survey, they are approximately forty percent of the robe contingent, showing the popularity of the military and the growing scale of intrusion into the military sphere of the older (sword) nobility.

⁴⁹ Ferrand described the remaining thirty-eight offspring as merely *filis* with no office so it must be presumed they were *seigneurs* and thus fitting the general perception of *gentilhomme*.

⁵⁰ Farr, *Authority and Sexuality*, p. 26.

The military continued to be an important outlet for the sons of the high robe families throughout the eighteenth century. Georges-Marie de Massol, himself a veteran, had already placed his younger son François-Gaspard de Massol de Vergy in the army, and judging by his extended title, he had also purchased a *seigneurie* for him in the mid-eighteenth century.⁵¹ The young Massol's bills, at over 440 *livres* for a two-month period meant that Massol was furnishing his son with almost 3,000 *livres* annually to maintain his personal appearance and provide lodgings.⁵² Robe *militaires*, like their sword contemporaries, had standards to maintain, and were also keen to promote and financially underwrite military careers for fellow robe nobles.⁵³ A letter in 1771 from Monsieur Payan de la Tour to his benefactors (unknown) presses them to expedite the furnishing of the 6,000 *livres* necessary for the upkeep of his commission before it is put in jeopardy through lack of funds.⁵⁴ However, not all robe families could finance such lucrative careers for their sons, if the list of pupils put forward for admission to the *École Royale Militaire* is to be believed.⁵⁵ The robe families listed were major robe nobility of the *Parlement* and the *Chambre des comptes*, who established their gentlemanly credentials in the early to mid-seventeenth century.⁵⁶ Yet it is

⁵¹ Beaune and d'Arbaumont, *La Noblesse*, p. 236. The Massol had entered the Estates in 1677. They had originally held the post of president of the *Chambre des comptes, conseiller* in the *Parlement*, and subsequently boasted a *lieutenant général* and *maréchal des camps et armées*.

⁵² BMD MS 1820 PF. Vol. 1, fol. 184: 'Correspondance de la famille de Massol, 1741-1755'.

⁵³ BMD MS 1820 PF. Vol. 1, fol. 21: 'Correspondance de la famille de Massol, 1741-1755'. Massol senior was also in the process of attempting to secure another military commission. In a letter of April 1741 he assured the the abbé de Valaveille that the recipient of the commission would guarantee a pension and the correct military kit and family funding for the position.

⁵⁴ BMD MS AUT 14821: 'Lettre de Monsieur Payan de la Tour, officier dans le regiment de Lyonnais, Valenciennes le 27 aout 1771'.

⁵⁵ ADCO 1F, fol. 565: 'Elèves admis à l'École Militaire sous les regnes de Louis XV et de Louis XVI'.

⁵⁶ The Berbis, de Longuecourt, de Rancey, Bernard, Fyot de la Marche de Dracy, [Bouhier] de Lantenay, de Longuecombe, de Thoy, Saint Martin, Quarré d'Aligny, Richard de Beligny. See Beaune and d'Arbaumont, *La Noblesse*, pp. 134, 271-7. There is little evidence in any of these families' genealogies of more than one generation engaging in the military. The Trouhans and Sassenay branches of the Bernard list recorded one *militaire* each in the eighteenth century; the Bouhier de

unlikely that any of them were so financially pressed that they could only afford to put their sons in a military career through the auspices of the *École*. Rafe Blaufarb has argued that the entry criteria, rather than helping the sons of disadvantaged military families, actually worked against the most impoverished whom it was considered were beyond help from the state. They were considered so poor that they would never have been able to maintain the costs of a military career and the condition of a *gentilhomme*.⁵⁷

However, if, as David Bien suggests, the *École's* founding principles 'arguing in the end for the narrowly military education [...] demanded strict exclusion of church and robe',⁵⁸ and the state was determined to root out all but the most traditional sword families from admission, it would simultaneously have ensured that no robe families appeared on its admission list. Possibly, as Robert Laulan hinted, there were frequent cases of admittance of students whose families had supplied erroneous statements about their financial circumstances, military credentials etc. on their entry forms which went unchecked by the admissions panel, although it is hard to believe that these high robe families could have easily evaded detection.⁵⁹ However, Laulan also talks of the 'repartition de ses élèves dans les dix collèges de province élevés au rang d'écoles militaires. Le collège de la Flèche fut rétablie comme à son origine afin de servir à l'éducation de cent gentilshommes pauvres, pour la magistrature et l'église': there is the remote possibility that some of these robe families were admitted around the time of the dispersal of students to the provincial centres under this aegis. However, as the Dijon list provides no dates of admission for any of the families it is impossible to provide any definitive explanation of why these families appear on the list. What is

Lantenay a *commandeur de Malte* and a *brigadier aux armées du Roi*. These hardly constitute a hereditary military sensibility. As for the other families, there is no record of anything other than ancestors in the *Chambre des comptes* or the *Parlement*. Only one family, the Quarré d'Aligny, had a known military involvement – one ancestor serving in the Dutch Wars of the 1670s, and a colonel of the *milice* regiment of Burgundy in 1688.

⁵⁷ Rafe Blaufarb, *The French Army 1750-1820. Careers, Talent, Merit* (Manchester, 2002), pp. 20-4.

⁵⁸ David Bien, 'The Army in the French Enlightenment: Reform, Reaction and Revolution', *Past and Present*, 84-85 (1979), p. 82.

⁵⁹ Robert Laulan, 'Pourquoi et comment on entrain à l'École Royale Militaire de Paris', *Revue d'histoire moderne et contemporaine* 2 (1955), pp. 141-59.

clear, though, is that the army was something of a sought-after profession for at least some scions of the robe.

ROBE CULTURE: FROM BOURGEOIS TO *GENTILHOMME*

François Bluche, writing about the Parisian robe, noted that:

‘La Robe’ est un terme vague. Le mot parfois, est confondue avec “noblesse de robe”. En réalité, la noblesse de robe est l’ensemble des familles anoblies par office de judicature ou de finance [...] surtout, la robe comprend non seulement les titulaires d’offices à privilèges, mais aussi les petits officiers et la bourgeoisie des avocats et procureurs.⁶⁰

When considered in these terms, typical Burgundian examples of the progress of three robe families rising from the Third Estate and by degrees establishing themselves among the ranks of the second estate are provided by the Masson, the Perrault and the De La Mare.⁶¹ The Masson descended from Olivier Masson ‘marchand à Chalon’ around 1600. His son Philippe ‘avocat à Chalon’ married Claudine Jehannin (daughter of Claude Jehannin, officer in the *Chambre des comptes*) in 1621. Of their three children, one son (Philippe) was a *lieutenant au bailliage de Chalon*. Philippe’s marriage to Françoise Chatot in 1693 produced seven children and it is at this point that we can see how far they had risen in terms of social standing, wealth and membership of the second estate. One of their sons, Philippe Masson de Gendrier, purchased or inherited the estate of Gendrier and married Marie-Anne de Mucie, the daughter of the *parlementaire* François de Mucie. Two of his sisters entered convents. One, Claudine, was a ‘jacobine à Chalon’, the other, Françoise, a ‘visitandine’ (visiting tutor) which indicates that the family was sufficiently wealthy to place them as younger daughters with a dowry into convents. The family line merged in 1741 with another *parlementaire* family, the Pérard, through the marriage in 1741 of Philippe’s daughter Eléonore-Françoise with Jean Pérard-Floriet, the last in the line of another family risen from the third estate, the Perrault.⁶²

⁶⁰ François Bluche, *Les Magistrats du Parlement de Paris au XVIII^e siècle* (Paris, 1986), p. 91.

⁶¹ ADCO 44F Fonds du Parc. Masson.

⁶² ADCO 44F Fonds du Parc. Perrault.

The Perrault family advanced higher and more quickly than the Masson. The first mentioned was Claude Perrault, *lieutenant général en la gruerie* of Chalon, who married Marguerite Baillet from another robe family holding office in the *Chambre des comptes* in the early seventeenth century. Of Claude's two sons, one, Abraham Perrault, purchased a post of *conseiller du roi* in Chalon, with his son Jean rising to a position of *conseiller des commandements* of the Prince of Condé, governor of Burgundy. The other son, Blaise, was a *greffier* in the *Chancellerie* of Chalon, and produced a grandson Guillaume, who rose to become *conseiller secret des commandements* in the Condé household, subsequently acquiring the post of *grand maître des Eaux et Forêts* (his sister Marie-Anne married François de Mucie). As to the de La Mare, one of the major robe dynasties, a younger (fourth) branch descended from Étienne de La Mare, mayor of Beaune,⁶³ in the mid-seventeenth century. His marriage to Madeleine d'Achey produced eight children. Étienne's wealth and position at this stage enabled him to enter the second estate, and secure for one son, Jean-Baptiste I, the *seigneurie* of Aluze. A second son, Flocel, was able to purchase a lieutenancy in the régiment of Navarre; his younger son and namesake Étienne became an orator; his brother Pierre became *chanoine* in Beaune; and a fourth son, Léonard, was recorded as simple *écuyer*. All three families (related by marriage) followed a similar path from third estate to second, emerging in the early seventeenth century from positions as *maire* or *greffier*, with their male heirs purchasing valuable posts in the Condé household, acquiring a lieutenancy in the army, buying the post of *conseiller*, or establishing themselves in the hierarchies of the land as *seigneur* and *écuyer*.

As far as the daughters of the robe were concerned, their futures were, thanks to the wealth of their families, probably more assured than their sword contemporaries. In the de La Mare family,⁶⁴ of ten daughters born to four generations of the family, four were married into other robe houses, three remained spinsters, and a further three entered convents.⁶⁵ Philippe III de La Mare placed his two daughters in a convent in the early eighteenth century, whilst three of their cousins became nuns: Jeanne and

⁶³ ADCO 44F Fonds du Parc. De La Mare (4ème branche).

⁶⁴ ADCO 44F Fonds du Parc. Du Parc.

⁶⁵ ADCO 44F Fonds du Parc. Nicolas du Parc's great-great-great-granddaughter Amélie entered a convent in around 1820 where she remained for over twenty five years until her death. Her great aunt Catherine was a *visitandine* and her great-great-aunt Suzanne du Parc was also a *religieuse*.

Barbe de La Mare were Carmelites, and Barbe's sister, another Jeanne, became an Ursuline at around the same period.⁶⁶ The frequency of the occurrence in even this small group of families can only suggest that the practice was firmly established in the robe culture, finances permitting, and perhaps more so than in the sword families where the finance necessary to provide dowries to a convent was less often available. Similarly the ability to procure suitable marriages for their daughters was more easily achieved within the circle of robe families, particularly those still professionally engaged in the *Parlement* and *Chambre des comptes*.

The middle to high robe nobility, thanks to its wealth, was able to secure lucrative marriage alliances, thus establishing their own clannish allegiances. Chaussinand-Nogaret mentioned the politicisation of marriage alliances at the court and in the higher echelons of the robe nobility, and at a provincial level the Burgundian robe families were particularly endogamous in their contracted alliances.⁶⁷ There are plenty of examples of a small number of families closely interconnected by marriage, as illustrated by the Masson-Perrault-De La Mare connection.⁶⁸ Guy Rowlands has suggested that the endogamous marriage practices of the robe, prolific in the sixteenth and seventeenth centuries, had begun to diversify as the seventeenth century drew to a close.⁶⁹ Newer families had begun to target colonels in the marriage markets and provided large dowries for their daughters, and he hinted that even minor old families were not averse to this practice, finances permitting. However, alliances between robe and sword were scarce, even among the robe and sword elites, and almost non-existent among the minor nobility of either robe or

⁶⁶ ADCO 44F Fonds du Parc. Du Parc and De La Mare.

⁶⁷ Guy Chaussinand-Nogaret, *La Noblesse au XVIIIe siècle. De la féodalité aux Lumières* (Paris, 1976), p. 169 cites examples of high robe families purchasing their way into illustrious marriage alliances in order to hide their less-illustrious pasts, particularly at court. This smacks of political manoeuvring if nothing else.

⁶⁸ This replicates the pattern identified by William Doyle, *The Parlement of Bordeaux and the End of the Old Regime, 1771-1790* (London, 1974), pp. 15-16. He remarked that 'intermarriage among parlementaire families was one of the oldest and most dominant characteristics of the society that revolved around the parlement [...] the result [...] was to bind the magistrates together in a web of cousinhood [...] magistrates drew their wives from the nobility of the second rank, the resident nobility; matches were between equals in esteem'.

⁶⁹ Guy Rowlands, *The Dynastic State and the Army under Louis XIV. Royal Service and Private Interest, 1661-1701* (Cambridge, 2002), p. 249. Rowlands was thinking mainly of the upper robe nobility.

sword. At that level, *robins* would have to have sloughed off their earlier characteristics for such marriages to happen.

ROBE ATTITUDES TO THE LAND

James Collins stressed the importance of land acquisition in establishing noble credentials in the rural noble hierarchy:

At the top of the rural hierarchy stood the estate owners [...] Many wealthy landowners held a mixture of *seigneuries* and *sieuries* but social climbers usually owned only the latter [...] Urban elites often used the purchase of rural estates as part of their process of social climbing [...] powerful robe nobility families often owned estates (even *seigneuries*) that rivalled those of everyone but the richest sword nobles.⁷⁰

This is certainly the experience of the robe families working their way out of the third estate in Burgundy. Ferrand's survey showed robe families who were not only landowners of estates and *seigneuries*, but who had established, for good measure, their sons in the military and also as landowners.⁷¹ Numerous robe families, having purchased *seigneuries* and *sieuries*, subsequently acquired the noble titles of *marquis*, *vicomte*, *baron*, *chevalier* or *écuyer*, which, whilst not meriting particular attention in terms of a place in the noble hierarchy of the second estate, nevertheless conferred nobility that was, after all, the ultimate goal of these families.⁷² This provided them with the essential traditional noble identity and showed that they had established their families on a par with their sword peers and were now accepted as 'gentilshommes'. In Garreau's survey of landowners in 1734, the robe held 362 out of 926 *seigneuries* (approximately forty percent) as opposed to 237 (twenty-six percent) owned by sword nobles. The remaining 327 (thirty-six percent) were

⁷⁰ James Collins, *The State in early modern France* (1st edn, Cambridge, 1995), pp. 40-2.

⁷¹ Such as Jules César de Vilotte, *seigneur* of Richemont de Vilotte and captain in the *régiment de Picardie infanterie* from the *bailliage* of Auxerre, and M. de Thésut, *seigneur* of Saumont ('branche militaire de ce famille est capitaine de vaisseaux'). Out of the 162 robe families listed in Ferrand's survey, thirty-one had sons serving in the military, both army and navy, and six family heads were themselves serving or had served.

⁷² Collins, *The State*, p. 38.

owned by religious houses and *roturiers*. The majority of robe landowners listed in Ferrand's and Garreau's surveys were neither the wealthiest nor the highest-ranking nobles. Some were the sons of officials in the *Parlement* and the *Chancellerie* holding the title of *seigneur* as a gift from a wealthy father or uncle, thus establishing themselves and their family in the noble social hierarchy. But were they typical provincial *seigneurs*, that is to say, did they fit the image of the traditional older minor sword gentry?

Robert Forster suggested that provincial robe landowners were certainly not the dull, downtrodden, sword-clanking relics of the past and, whilst he was referring to the Toulousain robe, it can certainly also be said of the Burgundian robe nobility, whose attitudes to land ownership and shrewd management were a prerequisite for successful seigneurship.⁷³ Indeed, some of them were masters of inventory and missed no opportunity in realizing their assets, whether these were rents from tenant farmers, income from harvests or the myriad other long-established and traditional feudal dues. Some like Monsieur Morot, *seigneur* of Gressigny, received feudal rents and loans to an annual sum of a mere 500 *livres* in 1770-71, yet his outgoings for that year do not appear to have exceeded 332 *livres*, including the costs of the grape harvest on his Dijon estate: wages for the grape harvesters, bottling and costs of export, and the costs of his wheat harvesting in Bretigny.⁷⁴ He also appears to have been supporting his sister financially, paying the expenses of her vine cultivators on an estate at Gevrey, making part-payment of her *vingtième* as well as his own, and making her a donation of thirty *livres* in her own right. He donated funds to the costs of repairs to local religious houses and maintained his tenants' properties. However, if the (unsigned) note of a former tenant is anything to go by, Morot was in the process of descending into financial ruin, not as a result of financial profligacy, but possibly as a result of over-generosity in the form of loans to his tenants and donations to the Church. The tenant who purchased a property from Morot noted that

⁷³ Robert Forster, 'The Provincial Noble: a Reappraisal', *American Historical Review* 68 (1962-63), p. 683.

⁷⁴ ADCO E 1423 Morelet: 'M. Morot de Gressigny, mars 1770-octobre 1771. Mémoires et comptes de M. Devoyo, conseiller au Parlement, avec M. Morot de Gressigny, son beau-frère'.

‘C’est assurément un excellent pere et on auroit le plus grand tort de dire que ses générosités le ruinent [...].’⁷⁵

A very typical example of a rural robe *seigneur*, Jean Baptiste de La Mare held the *seigneurie* of Aluze in Beaune in 1740.⁷⁶ His modest *maison seigneuriale* in the village of Chassey was augmented by a farmhouse and fifty-four *journals de terre* and forty *ouvrées de vigne* at Grand Verney and La Ruelle. He boasted the outward symbols of his success in the form of a dovecote and the rights of a *banc* in the church. When he purchased the estate of Aluze in 1722 the description of the rights and ownership of the *seigneurie* included a ‘maison seigneuriale, colombier et comportent droits tenant d’un long à l’église dud. aluze.’ His duties toward his tenants included ‘une poule du feu annuellement à chaque habitant dud. Aluze.’⁷⁷ At his death in 1740, the inventory of the estate of Aluze noted a total annual expenditure of 7,670 *livres* on *rentes*, and the wages of his tenants and essential purchases.⁷⁸ The *dixième* for his estate at Aluze varied between eight and forty-three *livres* which in itself does not suggest a high yield or return on his land.⁷⁹ In the *capitation des gentilshommes et autres possédans fief* (1701), the estate registered a tax of 120 *livres*, suggesting that the estate was productively yielding an income of around 1,500 *livres* if we estimate that the tax rate was one-sixteenth of income.⁸⁰ In the mid-eighteenth century the *seigneur* of Aluze was a gentleman of modest means, maintaining the condition of a rural gentleman.

Not all robe *seigneurs* permanently inhabited a *maison seigneuriale* or a château, unless retired from public life and settled down to the condition of a *gentilhomme campagnard*. Nevertheless, many of the more affluent robe *seigneurs* were still sitting in the *Parlement* or the *Chancellerie* and drawing their *gages*. The main focus of their culture was

⁷⁵ ADCO E 1423 Morelet: unsigned note from a former tenant of Morot de Gressigny, following purchase of property from de Gressigny.

⁷⁶ ADCO 44F, fol. 451. De La Mare: ‘Déclaration de l’etat d’Aluze’.

⁷⁷ ADCO 44F, fol. 452. De La Mare: ‘Reprise du fief d’Aluze 1722’.

⁷⁸ ADCO 44F, fol. 432. De La Mare: ‘Déclaration des biens de l’etat d’Aluze’.

⁷⁹ ADCO 44F, fol. 431. De La Mare: ‘Dixième pour Aluze’.

⁸⁰ This is a speculative calculation. The actual rate at which the tax was levied varies from region to region and from tax group to tax group and is notoriously difficult to gauge, but it was sufficient to suggest an income of over 1,500 *livres*.

conducted in the grand *hôtels* of Dijon.⁸¹ Many recently ennobled bourgeoisie purchased rural estates with a *maison seigneuriale* and the justice that went with it, immediately establishing their authority, and resurrecting the collection of lapsed seigneurial dues and re-invoking their feudal rights. Burgundy was not immune to this phenomenon. Jeremy Hayhoe commented that among the registers of the Dijon *Parlement* were numerous requests from lords to resurrect gallows on their newly acquired estates: ‘these requests always came when a new lord acquired a *seigneurie* and the old *seigneur* had let these symbols fall into disrepair.’⁸² Although this is an extreme example of an attempt to re-establish old feudal rights, some robe nobles issued new ‘declarations of rights’ on estates that they had recently purchased, although these tended mostly to be resurrections of the rights to collect lapsed, long-forgotten seigneurial dues from their tenants.⁸³ This practice was merely characteristic of the robe nature, symptomatic of a very personal interest in the development of their landholdings.

When Charles Guillaume Philibert Bouillet d’Arlot acquired the *seigneurie* of Chevanay in 1784, which a century earlier had been the property of François de Menoux, *chevalier* and marquis of Chernisey, a sword noble, he issued an ‘arrêt’ with a series of twenty-nine articles strenuously invoking his rights of seigneurial justice.⁸⁴ Fines for minor offences would be invoked at the rate of fourteen *sous tournois* (other offences would be fined at seven *sous*). His *procureur d’office* would be able to ‘agir contre tous délinquens [...] soit par ajournement simple et à peine de prise de Corps et incarceration de leur personne [...] soit pour

⁸¹ Typical of these *hôtels* are the one built for Étienne Couerderoy, president of the *Parlement* in the late seventeenth century; the *hôtel de Frasans*, built for Jean Guillaume (who married the heiress Michelle de Frasans) in 1621; and the adjacent *hôtels* of the Legouz de Gerland (built for Charles Legouz de Gerland, Master of the Dauphin’s Robe, c. 1690) and the Bouhier de Sauvigny (built for Jean Bouhier, president of the *Parlement*, c. 1640).

⁸² Jeremy Hayhoe, ‘Neighbours before the Court: Crime, Village Communities and Seigneurial Justice in northern Burgundy, 1750-1790’, *French History* 17 (2003), pp. 127-48.

⁸³ Bluche, *Les Magistrats*, p. 147. François Bluche echoed this view, stating that the Parisian *parlementaires* ‘paraissaient très attachés à leurs droits seigneuriaux, utiles ou honorifiques [...] cette révision elle-même, caractéristique des dernières années de l’ancien régime, est entreprise depuis longtemps’.

⁸⁴ ADCO 8F Truchis: ‘Déclaration de droits de Charles Guillaume Philibert Bouillet d’Arlot, chevalier, conseiller du Roy. 1784’.

adjudication d'amende arbitraire, confirmation de corps et de biens, exercer et faire excercer tous actes de justice comme vrai Seigneur en toute justice haute moyenne et basse.' Even the appointment of a curate of the church on the estate was subject to his approval. D'Arlet demanded his honorific rights in the church be preserved, in particular 'son siege dans le Choeur de l'église, du côté de l'évange ce qui est la place ordinaire des Seigneurs de Chevanay et nulles autres personnes nont droit d'en mettre dans le dit Choeur.' The renewed declaration of rights issued by d'Arlet was almost a carbon copy of that issued by François de Menoux in 1696, except that d'Arlet had inserted a new set of minor fines for transgressions and other offences which were to be enforced by his officers and legal agents. De Menoux, however, had not been so assiduous in harassing his tenants with petty fines, nor had he used a team of agents or *fermiers* to enforce his rights. It would not be fair to generalise on d'Arlet's meticulousness in enforcing his rights in this manner, but it would seem that he did not enjoy the close contact with his tenants that de Menoux obviously had. Some of the newer robe landowners, particularly in the eighteenth century, did not have the closer personal interaction and connection with their tenants that the older sword and robe gentlemen established in the previous century, and to some extent viewed their tenants as a commodity to be regulated by rights and dues, rather than as an integral part of the rural world they now inhabited. Flexing newly acquired seigneurial authority may have been a robe reaction to the recent enforcement by the Estates of Burgundy of stricter regulations concerning provision of proofs of nobility in order to be admitted to the *chambre de la noblesse* of the Estates. Perhaps d'Arlet felt that he had something to prove and did so by enforcing his authority as *seigneur*.⁸⁵

Whatever the case, d'Arlet had adopted the lifestyle of the rural *gentilhomme campagnard*. The description of the estate and *maison seigneuriale* of Chevanay is typical of the genre: generously built, with

⁸⁵ This practice of renewal of seigneurial rights by newer and old noble landlords has been witnessed in other studies: Dewald, *Pont-St-Pierre*, pp. 142-55, cited examples in Normandy from the sixteenth century onwards, increasing in the latter half of the eighteenth century. William Doyle, 'Was there an Aristocratic Reaction in Pre-revolutionary France?' in *Officers, Nobles and Revolutionaries: Essays on Eighteenth Century France* (London, 1995), pp. 49-74, saw the practice generally throughout France as the result of the employment of over-zealous agents acting on behalf of new *seigneurs* in reviving and exercising legal rights which had fallen into disuse.

stables, an orchard, mill, barn, *pressoir* and the dovecote. D'Arlot purchased his rural idyll a mere five years before the Revolution which was eventually to destroy the noble culture and lifestyle he had so assiduously strived to adopt. Whether or not he got to enjoy the fruits of his labours is not known.

Not all declarations of the rights of the robe *seigneur* with regard to his tenants were so aggressive. Those issued by Jean Drouas, *seigneur* of Vologny, consisted of 131 articles, specifying the nature of justice to be administered, the various harvests, details of pasturage and crops to be sown, plus the usual interdictions of hunting and of selling wine direct to retailers.⁸⁶ His twenty-five tenants and also the priest signed the conditions of the declaration to which they and their extended families agreed to be bound. There was little detail of the petty system of fines that d'Arlot laid down to his tenants. Elsewhere, it could be rather different, however. The tenants of Marcellois were subjected to a strenuous reinforcement of seigneurial rights when Marcellois was acquired in 1787 by M. Violet-la-Faye, and actually stood up and complained that they had never been subjected to this treatment by the previous *seigneur*.⁸⁷ Another *cahier* from Verrey-sous-Drée recorded the actions of a particularly vindictive, money-grabbing *seigneur*, Monsieur Fardel de Daix, a *président des requêtes* from Dijon, who had acquired the estate along with its twenty *taillables* and twelve elderly widows.⁸⁸ He destroyed the *seigneur's* oven, yet continued to charge his tenants the due of two bushels of wheat and two of corn for the firing rights. Tenants had also lost their rights to gather wood and draw water from his woodland and fountain, yet continued to be charged for these facilities which Daix had destroyed.

Whilst there were sympathetic and less sympathetic *seigneurs* of both robe and sword, unsurprisingly all the examples of rigorous enforcement of landlord's rights came from newer robe landlords and occurred with recent acquisitions of estates in the closing years of the *ancien régime*. These men were just reverting to their true nature as officials and administrators, and employing the qualities of their office

⁸⁶ ADCO E 693. Du Ban de La Feuillé: 'Déclaration du domaine. Bail passé par Robert-François-Xavier de Drouas, seigneur de Savigny, Marcilly (1781, 1788, 1829). Déclaration 1785, Vologny'.

⁸⁷ Régine Robin, *La Société française en 1789: Semur-en-Auxois* (Dijon, 1970), p. 303. The *cahier* of Marcellois. De la Faye had obtained the *seigneurie* by *arrêt* from the Dijon *Parlement*.

⁸⁸ *Ibid.*, pp. 383-6.

such as prudence, firmness, order and a passion for justice, and as thoroughly urban new men may not have appreciated the concept of the 'paternal' *seigneur*, nor established any kind of relationship with their tenants other than to treat them as a source of income.⁸⁹ It may even have been a reaction against local officialdom seeking to deprive them of undocumented land rights or simply a continuation of traditional re-affirmation of landlord's rights. William Doyle has suggested that this type of behaviour was no different, and actually less severe, than that which had taken place in Dijon following the Thirty Years War, and that it was a constant necessity to revise *terriers* every thirty years and particularly when property changed hands: if leases were not assessed and outstanding debts collected within a thirty-year period, seigneurial rights collapsed and were lost.⁹⁰ Hilton Root echoes Doyle's theory, asserting that by the eighteenth century, it had become increasingly difficult to determine who was at fault when 'the seigneur's eagerness to reimpose long forgotten dues was matched by the peasantry's willingness to challenge all seigneurial rights and privileges.'⁹¹ Root had taken into account Saint-Jacob's theory that a growing scarcity of available land to small peasant farmers resulting from new seigneurial practices of leasing large tracts of land to a single *fermier* was the reason for the rigorous re-enforcement of seigneurial rights and dues which would ensure that the new landlord's schemes were properly accounted for and legal.⁹² However, Root disagreed with Saint-Jacob's theory that this land-leasing practice was 'physiocratic': there was no idealistic notion of large scale farming practice which might contribute to improved farming methods and agricultural yield, but rather a desire to rationalize seigneurial revenues.

⁸⁹ La Cuisine, *Le Parlement*, pp. 219-21. Saint-Martin's address to the opening of the Burgundian *Parlement* in 1687, 'La politique du parfait magistrat', listed certain attributes: 'la puissance publique d'ordonner et de faire exécuter [...] la justice [...] son propre caractère [...] la prudence d'esprit [...] ferme [...] attaché à l'ordre, constant dans la raison, ami de la justice'. Perhaps these nobles imagined themselves part of this honourable code and were determined to employ it in their dealings with tenants and estate management.

⁹⁰ Doyle, 'Was there an Aristocratic Reaction?', pp. 66-70.

⁹¹ Hilton Root, *Peasant and King in Burgundy. Agrarian Foundations of French Absolutism* (Berkeley, Calif., 1987), pp. 164-83.

⁹² Pierre de Saint-Jacob, *Les Paysans de la Bourgogne du nord au dernier siècle de l'Ancien Régime* (Paris, 1960), p. 432.

Ultimately the rigorous re-enforcement of seigneurial rights in the eighteenth century, which satisfied the greed of ‘new’ landlords and incited local peasant communities to outbreaks of anti-seigneurial violence, was no more than the continuation of centuries of re-affirmation of rights and property. Jeremy Hayhoe suggested that the practice was not specifically typical of either robe or sword.⁹³ But this would not seem to be the case. That it appeared to be prominent among newer robe *seigneurs* can perhaps be accounted for by considering that they came, in large part, from a legal background and were better able to assert their rights than some of their sword counterparts.

THE ROBE *SEIGNEUR*: A FUSION OF ROBE AND SWORD CULTURES?

Ostensibly many robe nobles adopted the culture of their sword peers. They acquired *seigneuries*, placed their sons and heirs in the military and continued on a course of cultured living. Once in retirement they furnished their proofs of nobility and entered the *chambre de la noblesse* of the Estates, cementing their status as gentlemen. However, their path to respectability and social ascension through the second estate encompassed not only the acquisition of the outward marks of nobility but also a particular education. The son of a sword noble would have learned the traditional skills of horsemanship, the military arts, and sometimes no more than a basic knowledge of reading and writing, although depending on wealth and opportunity some of them received instruction in literature, philosophy and the visual arts.⁹⁴ Ideally the education of the eldest son of a sword noble was entirely geared towards the uptake of a military profession, which would allow him to continue the tradition of his ancestors: in the case of a younger son, the option for a military career was not always automatic, depending on both opportunity and availability of financing. The eldest sons of the robe, on the other hand, received a more

⁹³ Jeremy Hayhoe, *Enlightened Feudalism. Seigneurial Justice and Village Society in Eighteenth Century Northern Burgundy* (Rochester, N.Y., 2008), p. 192.

⁹⁴ Roger Mettam, ‘The French Nobility, 1610-1715’, in H.M. Scott (ed.), *The European Nobilities in the 17th and 18th Centuries. Vol. I. Western Europe* (London, 1995), pp. 118-19, 136.

structured education which would serve them in the future exercise of the administration of justice or of the law.⁹⁵

Education and intellectual elitism was encouraged and honed in the robe salons of Dijon, such as the Lantin salon in the seventeenth century and that of the Bouhier in the eighteenth, and was reinforced by the strong sense of identity of the robe and the measure of authority they enjoyed in power-sharing and negotiations with the crown. Ultimately, in Farr's opinion, the robe 'confronted the task of reordering existence [...] a new morality of order and a new order of morality [...] centred on an authoritarian ethic of discipline'.⁹⁶ It was this rigorous application of the law in ordering society that was embodied by the writings of Nicolas Brulart, president of the *Parlement* in the late seventeenth century, which combined the notion of *honnêteté* guided by justice as a prime force in the ideology of the robe elite.⁹⁷ The intellectual elite of the robe, assisted by some sword nobles, was responsible for the establishment of the Dijon Academy, a robe institution dating from 1740 and intended to provide an intellectual forum for the more enlightened among the Burgundian elites, as opposed to the *collèges* which might provide an educational facility for the mass of impoverished gentlemen.⁹⁸ The latter would be tutored by masters paid by the crown,⁹⁹ providing free instruction for gentlemen aged between eight and sixteen 'tant en la connaissance des bonnes lettres qu'en exercice digne de leur naissance'. It was in fact a kind of school of the arts for young gentlemen. A letter written by a Breton *abbé*, François-Hugues Pépin du Montet, in 1752 hinted that the academies were

⁹⁵ In Latin, writing, the law, oratory, history, philosophy and the arts generally.

⁹⁶ James Farr, *Authority and Sexuality in Early Modern Burgundy (1550-1730)* (Oxford, 1995), p. 31.

⁹⁷ *Ibid.*, pp. 19-32. Farr ascribed this ethos and mentality to the *robins* of Burgundy, prominent families such as the Brulart, Bouhier, Baillet, Desbarres and Berbisey. These families had substantial landholdings, were wealthy, educated and through their family networks were closely connected to religious houses and established benefices. With their belief in the 'sanctity' of the law, they promulgated the ideal of the *honnête homme* and saw themselves as the upholders of the social and moral code of the society in which they were an elite – dispensing and advocating justice.

⁹⁸ Marcel Bouchard, *L'Académie de Dijon et le premier discours de Rousseau* (Paris, 1950), p.15.

⁹⁹ Roger Chartier and Dominique Julia, 'Naissance du collège. L'Idéal nobiliaire: l'académie', in Roger Chartier, Marie-Madeleine Compère and Dominique Julia (eds), *L'Éducation en France du XVIe au XVIIIe siècle* (Paris, 1976), pp. 169-71.

necessary to drag provincial gentlemen out of the mire of rural poverty and ignorance, especially in his province where French was not always spoken, arguing that:

quantité de nobles ou un mauvais pain de seigle fait presque toute leur nourriture, la misère et le grand nombre d'enfants les en rend avarés; ils ignorent pour la plus part le francais [...] les emplois les plus vils occupent les pères [...] ils n'ont souvent pas plus d'éducation que leurs enfants, qui vivent dans les campagnes comme des espèces de sauvages, ne s'occupant à rien.¹⁰⁰

Bouchard suggested that there was little evidence that the Dijon Academy was overly distinguished by a serious and studious nobility,¹⁰¹ although the list of Academicians c. 1746 included fourteen high-ranking robe and sword nobles such as the Président de Brosses, Monseigneur Bouhier (bishop of Dijon), Louis-Philippe Joly *chanoine*, Richard de Ruffey (*président germain*), the duc de Saint-Aignan (*commandant* in the province), and Monseigneur de Tavannes (archbishop of Rouen), in addition to numerous robe officials of the *Parlement* and the *Chancellerie*.¹⁰² Its substantial library of 31,652 printed volumes and 2,010 manuscripts, which had been built up by the Bouhier family over three generations through purchases from booksellers, private châteaux and particularly from the Thyard family's collection, was a serious one, reflecting the academic and cultural interests and education of the major sword and robe.¹⁰³ The Academy, whilst pandering to the sensibilities of the elite robe of the cities, is unlikely to have played any part in the lives of the minor rural robe gentlemen. Their priorities, like those of the sword, lay more in upholding the dignity of their rank and establishing their social

¹⁰⁰ Ibid., p. 218.

¹⁰¹ Bouchard, *L'Académie*, p.40.

¹⁰² A. Ronsin (ed.), *Mémoires de l'Académie des Sciences, Arts et Belles Lettres de Dijon, Vol. XCVIII: La Bibliothèque Bouhier. Histoire d'une collection formée du XVIe au XVIIIe siècle par une famille de magistrats bourguignons* (Dijon, 1971).

¹⁰³ Daniel Roche, *Le Siècle des Lumières en province. Académies et académiciens provinciaux, 1680-1789* (Paris, 1978), Vol. I, pp. 51-2, suggested that 'À Dijon, la physique et la médecine concernent tout ce qui regarde la connoissance des corps naturels, la physiologie, la chimie, la botanique, l'anatomie,' showing a comprehensive focus on the humanities which 'réclame l'entrée à l'académie de plus de littératures et de plus d'érudits'.

precedence amongst their rural neighbours, rather than honing their intellectual or educational abilities in the grand salons.

The daily reality of the priorities of the lesser robe gentleman is shown in the case of Jean Loppin, the *seigneur* of La Mare and Masse, who exhibited a seemingly unreasonable excessive religious zeal in his relations with his fellow parishioners and noble peers in the parish of Courcelles.¹⁰⁴ In a case that dragged on from 1721 until 1731, Loppin contested the fact that his family were obliged to share a *banc* in the church, demeaning to his status as *seigneur* since he was only afforded 'second rank' honours in the church and was not allowed to have his own *banc* on the left side of the chapel, nor his own family sepulchre placed nearby as other notable families did. Loppin took the case to court and actually succeeded in having his claims upheld. The *curé* was also indicted since he had claimed that to move Loppin's seating to where he wanted it (close to the front balustrade) would unnecessarily disrupt the church services. Loppin succeeded in establishing his family pew where he felt it would enhance his public authority. All parties within the contested pews would also be called upon separately to receive holy water and would have incense given to them separately in their individual pews. In Loppin's case, the argument was not simply a matter of dictating precedence over the *curé*, but more a matter of making his mark socially and in establishing his credentials and seigneurial authority. Jeremy Hayhoe attested to the fact that the 'symbolic honour [of the *banc seigneurial*] underscored and legitimized the lord's authority by giving him access to the sacred, emphasizing his paternalism', which certainly explains the number of incidents of recorded friction and inter-noble violence committed in and around local parish churches.¹⁰⁵

However, we can contrast Loppin's behaviour with another minor robe *seigneur* who exhibited a more measured and discreet sense of his noble worth and sensitivities, embodied in the person of Jean Baptiste de La Mare. In a letter advising his son on how to succeed in adult life and in his dealings with the aristocracy, it was the theme of 'service', whether to one's fellow robe nobles, to God and the church or to the king, that entered into his advice.¹⁰⁶ De La Mare seemed imbued with that peculiarly

¹⁰⁴ ADCO 44F fol. 470: De La Mare. Contested case of honorific rights in the parish church of Aluze between Jean Loppin, the sieurs Berbis and the dame Creusenault, 1721.

¹⁰⁵ Hayhoe, *Enlightened Feudalism*, p. 47.

¹⁰⁶ ADCO 44F fol. 431. De La Mare: 'Conseils de Monsieur d'Aluze à son fils'.

robe sense of the *honnête homme* when advising him to treat women kindly and civilly but not to become too attached to them and their sensibilities lest it detract from his making his way in the world. He was not to keep bad company nor frequent ‘aucune lieu de debauche, et point de cabaret’, but to choose good companions ‘des doux et des sages’, who did not speak ill of their family. As for his own family he should not forget where he came from and do nothing to shame their good name.

What is more interesting is de La Mare’s advice to his son regarding his duties as a rural *seigneur*:

nous avons une terre voisine des grands seigneurs et d’une abbaie riche, ne vous brouilles jamais avec eux pour quelle cause et pretexte que se soit[,] menages avec vous leurs intendants, officiers et fermiers. Regardez vos domestiques comme vos freres, plaignez de leur sort, vendes le doux et leger par vos bonnes manieres, paiés exactement leurs gages, soulagés les dans leur maladies, aies soin d’eux quand ils seront établies, ne les frapés pas, tacher de les corriger par la douceur. Comme vous etes destiné a demeurer en province, autant que je peux le prévoir, menagés a parus quelque amy de coceu [sic], comme le fils donne du portant avocat au conseil.¹⁰⁷

Monsieur de La Mare combined the virtues of the ‘honnête homme’,¹⁰⁸ the lawyer and the *gentilhomme campagnard* in this piece of advice. Unlike some of the newer *seigneurs* who considered their tenants as little more

¹⁰⁷ Ibid.

¹⁰⁸ Jean-Pierre Dens, *L’Honnête homme et la critique du goût. Esthétique et société au XVIIe siècle* (Lexington, Ky., 1981), pp. 13-27, described the perfect *honnête homme* drawn from the writing of the Chevalier de Meré’s ‘Discours de la vraie honnêteté’ in 1677, which advocated that ‘l’honnête homme n’exerce d’habitude aucune profession [...] les nobles en France [...] affichaient un profond mépris envers ceux qui se livraient à un métier, à part celui des armes qui leur était réservé par droit [...] l’honnête homme se content généralement de son sort. L’essentiel pour lui n’est pas de se hausser au sommet de la pyramide sociale, mais de vivre le plus agréablement possible [...] une haute naissance, où à défaut de la fortune, sont des conditions indispensables pour être honnête’. Dens also cited a later work by Damien Mitton from c. 1680, [‘Pensées sur l’honnêteté et Description de l’honnête homme.’] which stated that ‘L’honnête homme remplit tous les devoirs; il est bon sujet, bon père, bon ami, bon citoyen, bon maître, il est indulgent, humain, secourable, et sensible aux malheurs des autres. Paragon de vertus familiales et civiques, l’honnête homme de Milton revêt un caractère moral et bourgeois qui détonne avec celui qui nous peint Meré’.

than a source of income and appeared to have no personal connection with them or sense of responsibility for their welfare, he encouraged his son to treat them in the manner of a father. His fellow nobles, grander and richer than himself, were to be treated with respect. Respect for the family could be maintained by restricting the possible excesses of youth and tempering any passions he might have for bad and dishonest company. Meré and Mitton's writings are embodied in Monsieur de La Mare's outlook on his own nobility, which suggests that the minor rural robe noble had assimilated so far into the culture of the land as to render himself, at the lower provincial level, almost indistinguishable from his sword peers.

At the lower level of provincial noble society, it is quite clear that both sword and robe nobles are barely distinguishable as *gentilshommes*, or in how they maintained *seigneuries* and relations with their tenants and noble contemporaries. Only among the noble elites are the differences between robe and sword culture evident, whether we are talking of education, advancement of family fortunes through marriage or venal purchase of positions, or more generally of cultural origins. There might have been some consciousness of different origins, especially among the lowest level of robe and sword in the countryside, but it was in 1789 that these nobles came face-to-face much more with the reality of how their contemporaries, both noble and non-noble, perceived their nobility and cultural values. We will therefore consider to what extent aristocratic and seignorial reaction contributed to the breakdown of the old noble orders of the *ancien régime*. The last chapter considers the Burgundian voices in the *cahiers* of 1789.

5 1789: noble numbers, noble views, noble demands

NUMBERS: DECLINE OR RENEWAL?

On the eve of revolution, all the nobility of Burgundy, major and minor sword and robe, fief-holders and *anoblis*, gathered together in their *bailliages* and *sénéchaussées* to be counted and to vote for their choice of deputies to the Estates General. The records of those who did so present an interesting snapshot of the status of the Burgundian nobility at the end of the *ancien regime*, and the following table on the next page shows the returns:¹

¹ Data taken from Henri Beaune and Jules d'Arbaumont (eds), *La Noblesse aux États de Bourgogne de 1350 à 1789* (Dijon, 1864), and from Louis de la Roque and Edouard de Barthélemy (eds), 'Catalogue des gentilshommes de Bourgogne, Bresse, Bugey et Valromey et de la principauté de Dombes', in *Catalogue des Gentilshommes en 1789 et des Familles Anoblies ou Titrées depuis le premier Empire jusqu'à nos Jours, 1806-1866* (Paris, 1886), Vol. 2, pp. 1-48. Both volumes record the same lists from the *procès-verbal* for Burgundy in 1789.

<i>Bailliage</i>	Nobles	<i>Députés</i>	<i>Bailliage</i>	Nobles	<i>Députés</i>
Autun	118	1	Charolles	34	1
Auxerre	131	1	Châtillon sur Seine	73	1
Auxois et Semur	71	1	Dijon	191	2
Bourg en Bresse	132	2	Gex	40	1
Bugey et Valromey	81	1	Mâcon	173	1
Chalon sur Saône (*)	102	2	Dombes	85	1
Totals	1,231 nobles	15 <i>députés</i>	= 1,246 including <i>députés</i>		

Figure 5.1. Noblemen convoked to the Burgundian voting assemblies, 1789.²

When the number of nobles who appeared in more than one *bailliage* (those owning multiple fiefs and *seigneuries*) is taken into account, the actual number of individual Burgundian noblemen officially recorded in 1789 is 1,127. Of this total, 439 (39 percent) were gentlemen of sword origin, 298 (26 percent) of robe origin, and 390 (35 percent) of unidentified origin, but probably poorer nobles,³ many of whom had

² Beaune and Arbaumont, *La Noblesse*, p. 90, cited 97 heads of families who represented ‘d’après les registres de la Chambre des Comptes de Dijon, une liste des familles nobles qui possédaient des fiefs dans le bailliage de Chalon au moment de la Révolution’. Only three nobles were recorded in the *procès-verbal* presented to the Estates General. It is fairly clear that these nobles would have been convoked, since on cross-checking, I have accounted for 28 of them who appeared on other official lists within five years of the date of the Revolution. These are highlighted in the Appendix with an asterisk (*).

³ William Doyle, *Origins of the French Revolution* (2nd edn, Oxford, 1988), p. 152, stated that in 1789 ‘only nobles with full and transmissible nobility received a summons to the electoral assemblies. This excluded several thousand *anoblis*, members of rich and ambitious families who had paid good money to escape from the third estate and now found themselves brusquely pushed back into it’. This would suggest that the 390 families here were the mass of minor sword and robe nobles, the *gentilshommes campagnards*, even *hobereaux*.

avoided the *capitation* and were not recorded as having been admitted to the *chambre de la noblesse* of the Burgundian Estates.

It is interesting to note the contrast between these records (in Figure 5.1) and those of Ferrand's 1697 survey and Garreau's 1734 survey:

Nobles	1697 (Ferrand)	1734 (Garreau)	1789
Autun	60	71	119
Auxerre	59	17	132
Auxois et Semur	102	187	73
Bourg en Bresse	106	66	134
Bugey et Valromey	89	65	82
Chalon sur Saône	51	118	104
Charolles	53	52	35
Châtillon sur Seine	33		74
Dijon	58	175	193
Gex	20	4	41
Mâcon	57	56	174
Dombes			86
Bresse	106	66	
Bugey	89	65	
Bar sur Seine	18	13	
Total	706	889	1,127

Figure 5.2. Ferrand's survey, 1697; Garreau's survey, 1734; Voting Assemblies, 1789.

Between 1700 and 1734, overall numbers of nobles identified in the records increased by twenty-six percent, and between 1734 and 1789 by the same percentage again. In the course of almost a century, it would appear that they increased by over fifty percent. However, the voting assemblies of 1789 were exceptional, based on the records of the

Burgundian Estates and not the surveys of Ferrand and Garreau, the latter compiled on specific agendas.⁴

The robe population, helped in part by continued venality of office and increased purchases of land conferring noble title, had increased dramatically. The sword, on the other hand, showed no significant decline in their number throughout the Burgundian region as a whole. Garreau's survey was not as well annotated as Ferrand's making it difficult to distinguish minor sword from *anoblis*, and the apparent downward turn in the number of sword landowners is due more to the criteria on which his survey was based, since many sword landowners were omitted for reasons still yet unclear.⁵ However, these comparisons indicate that the sword noble population in Burgundy had not suffered the general decline in the eighteenth century that has been identified in other provinces such as Brittany (by Nassiet) and Normandy (by Dewald). Yet, when considering the situation in Aquitaine that Figeac described when analysing the late eighteenth-century *capitation* rolls:

on obtient une fourchette entre 390 et 460 familles, alors que les rôles de capitation de la généralité révèlent en 1777 l'existence de 2134 cotes. La noblesse moyenne et petite tournerait donc autour de 80% du total, constituant l'énorme majorité, le socle silencieux du second ordre[,]⁶

it should be concluded that not all *pays* had declining rural noble populations. It is rather the case that many of the *gentilshommes* were simply not officially recorded in the *capitation* rolls or, in the case of Burgundy, at the Estates.

⁴ Ferrand's survey was conducted with the aim of instructing the duc de Bourgogne of the whereabouts of the most influential families and estates in the region, and Garreau's survey, whilst we cannot establish the rationale behind it, did not record all the nobles of the region.

⁵ Nevertheless, this might also reflect a general decline in noble numbers. William Doyle, *Aristocracy and its Enemies in the Age of Revolution* (Oxford, 2009), pp. 16-17, states that the overall noble population of France declined from a figure of 234,000 in 1700, to around 140,000 by 1789, despite the recruitment of 40,000 nobles through venality. Late marriages and younger sons failing to marry had limited the erosion of family fortunes through division between heirs, but equally suggest that the nobility was failing to reproduce, contributing to the decline in numbers.

⁶ Michael Figeac, *L'Automne des gentilshommes: noblesse d'Aquitaine, noblesse française au siècle des Lumières* (Paris, 2002), p. 77.

Of the families represented in the various assemblies of 1789, there were 32 major sword military,⁷ and 28 old robe *parlementaires*, whose family lines stretched back to a century earlier and beyond.⁸ There were some curious absences in the 1789 rolls, particularly sword families such as the Vienne (the oldest and wealthiest of the sword military), the Fransas (old military family) and the Thyard (major military). No representatives from these families were recorded in the assembly lists: the last representatives were Claude-Joseph de Fransas, an *alcade* (type of syndic) of the Burgundian Estates recorded in 1763, Gaspard Pontus de Thyard recorded being admitted to the Estates of Burgundy in 1769, and Louis-Henri, comte de Vienne at the Estates of 1760, none of whom showed up in further official records. None of these families had disappeared (the Vienne and Thyard had estates outside Burgundy and were present at court for example, and for reasons unknown they were not recorded and did not appear on the lists for the *bailliages*). The majority of those recorded in the lists, both sword and robe, had been admitted to the *chambre de la noblesse* of the Estates of Burgundy between 1740 and 1765, and there were 415 nobles (around 38 percent of the total for 1789) who had never appeared in any official records before 1789.⁹ A further 23 nobles represented families who had been absent from official lists since the *ban et arrière-ban* in 1682, and were not recorded in either the *capitation* rolls or the lists of those admitted to the *chambre de la noblesse* of the Estates of Burgundy in the intervening years. However, this signifies little considering how unsatisfactory and inconsistent the official records have proved to be in recording anything like an accurate reflection of the noble population, or indeed for explaining why so many were not recorded. Whilst the voting assemblies of 1789 provide an interesting

⁷ The Amanzé, Angeville, Argentueil, Assay, du Ban de la Feuillé, Bataille, Catin, Chateney, Choiseuil, Comeau, Conighan, Creancey, Croisier, Cullon, Damas, Drouas, Dubois, du Faur de Pibrac, Foudras, Grammont, Jacquot, Jaucourt, La Baume, La Magdelaine, La Marre, Naturel, Royer, Saint-Belin, Saulx, Scorailles, Touchy, and Villers-la-Faye.

⁸ The Arcelot, Barbier, des Barres, Berbis, Bernard, Bouhier, Bretagne, Brondeault, Burgat, Champeau, Clugny, David, Deschamps, Espiard, Fevret, Filzjan, Fyot, Ganay, Joly, Le Belin, Martin, Massol, Petit, Quarré, Richard, Rigoley, Thésut, and Thomas.

⁹ These nobles were mostly insignificant *seigneurs* and fief-holders, recent *anoblis* whose origins are not attested, save that their proofs had been verified and eligibility to be included in the voting assemblies confirmed.

glimpse of the make-up of the noble population at the end of the *ancien régime*, and prove that the sword appeared to have held its own alongside the robe and newcomers, and although there is a fairly firm sense of a significant influx of new nobles of varying kinds since the seventeenth century, the records are, yet again, ultimately inconclusive due to inconsistencies in the ways in which nobles were recorded and the criteria used for compiling these lists. All the same, figure 5.3 gives a rough sense of the picture derived from the three key sources just considered:

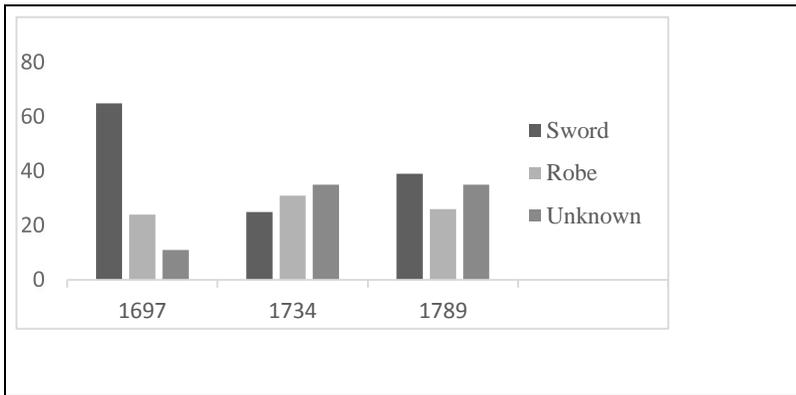


Figure 5.3. Burgundian noble population type by percentage: 1697, 1734, 1789.

THE *CAHIERS*

What is more interesting is to consider the attitude of the Burgundian second estate at this critical juncture to the political situation that was unfolding around them. In his pioneering study of the noble *cahiers*, Guy Chaussinand-Nogaret argued that the nobility, rather than being a block to social, cultural and political innovation as previous historians had painted them, showed ‘the desire not to conserve, but to change, to abolish, to destroy, to replace. This society [...] reproaches [...] despotism, favour, intrigue, irresponsibility, wastage, such are the vices of the regime that the

nobility intended to reform.¹⁰ This suggests that the nobility as a whole, regardless of origins or class, had absorbed many of the ideas of the Enlightenment. At this point they combined their perspectives in the various *cahiers de doléance*.

La Roque and Barthélemy noted that the voice of the provincial nobility differed significantly from that of their Parisian contemporaries: unlike the Court nobility, the provincial nobles, modest and devout, had no ambition other than to obtain military honours (and a few wounds). Their morality was pure and they retained their respectable traditions.¹¹ They are here describing the *gentilhomme campagnard* in its older (sword) form, yet in Burgundy over half the provincial noble population was comprised of robe and recent *anoblis*. So, were the demands put forward by the Burgundian nobility really as rustic and provincial as has been suggested?

A sample of the *cahiers* of the second estate returned for the *bailliages* of Auxerre and Auxois, the comté of Bar-sur-Seine, the *bailliage* of Bugey, the neighbouring *bailliage* of Langres, and the preliminary statements of the *bailliage* of Dijon prior to returning its *cahier*, can be compared with a random sample from the second and third estates from other regions to see how the Burgundians' views concurred with those of the rest of France. Anyone supposing that the Burgundian nobles envisaged the demise of their culture and its privileges would be sorely disappointed. The *cahier* for Auxerre proposed merely streamlining the basis of bestowing nobility, requesting that the Deputies ensure that the Estates General would allow the magistracy of the superior courts and the leaders of the *bailliages* to be granted transmissible nobility by exercise of office for twenty years, and that the officers of the *bailliages* and *présidiaux* be granted nobility in the 'third degree' only.¹² The nobles turned on the notion of venality in the *Parlement*, requesting that the Estates General should abolish this practice, thus ensuring that judicial offices be bestowed only on those 'citoyens qui ont merité par leur travail, leur probité & leur experience, la confiance de la Nation et de leurs

¹⁰ Guy Chassinand-Nogaret, *La Noblesse au XVIIIe siècle. De la féodalité aux Lumières* (Paris, 1976), pp. 194-5.

¹¹ La Roque and Barthélemy, *Catalogue des Gentilshommes en 1789*, Vol. 1, pp. iii-iv.

¹² *Cahier des pétitions de la noblesse du bailliage d'Auxerre et Donzinois, pour servir d'instruction à son Député aux Etats-Generaux de 1789*, Article XXXIX.

compatriotes'.¹³ Yet these seem to have been the only concessions to ensuring that financial abuses of privilege were curbed. In so far as their own culture was concerned, the nobles felt that whilst the privileges of nobility could no longer be acquired 'à prix d'argent ni par charges, autres que celles de judicature [...] les services militaires et autres rendus à l'Etat',¹⁴ the nobility should nonetheless be retained with all its attendant rights and honorific privileges.¹⁵ Furthermore, they requested yet another curb on false nobility, stating that 'toutes personnes prenant la qualité d'Ecuyers, Nobles, Chevaliers, & généralement tous ceux qui prétendent à la Noblesse soient tenus de présenter [...] les titres et preuves en vertu desquels ils prétendent être membres de cette Ordre, au Tribunal [...] composé d'un nombre déterminé de Gentilshommes [...] qui décideront de la vérité et authenticité des titres'.¹⁶ Quite obviously there was a general feeling that the nobility should be a self-governing body, not subject to state intervention and venality. This was certainly at odds with earlier inquests into false nobles, which the monarchy had led, for it was a longstanding principle that ennoblement or ejection from the nobility was a sovereign prerogative of the king.

Clearly, though, the nobility had ceased to trust the monarchy to regulate their composition. Indeed, the perceived debasement of the nobility meant they positively distrusted the crown on this issue and resented the consequences that had flowed from too lax an approach to ennoblement. There was a strong theme emerging in the *cahier* for Auxerre of a return to a nobility derived from honour and service, not money and not necessarily talent. In Article LXXXII this notion can be seen quite clearly when they stated that the nobility 'ne reconnoîtra jamais en France qu'un seul Ordre de Noblesse jouissant des mêmes droits'.

¹³ Ibid., Article LIII.

¹⁴ Ibid., Article LXXXI.

¹⁵ *Cahier de la noblesse de la prevoté et vicomte de Paris, hors des murs (1789)*, pp. 74-9, also advocated that the nobility in renouncing its 'privilèges pécuniaires, elle n'entend compromettre pour cet engagement, ni ses autres propriétés, ni ses droits honorifiques'. The nobility of Poitiers stated that 'sans prééminences, prérogatives, distinctions & propriétés [...] sans noblesse il ne peut avoir de monarchie & sans prééminences & distinctions il ne peut y avoir de noblesse' (*Cahier et instruction de la noblesse de Poitou. Pour ses Représantans aux Etats-Généraux, convoqués à Versailles le 27 Avril 1789*, p. 13).

¹⁶ Coincidentally the Toulousain nobles, who had profited greatly from venality, advocated curbs on false nobility and a renewed commission into abuses of noble titles: *Cahier des doléances de la noblesse de la sénéchaussée de Toulouse, 1789*.

Article LXXXIII was the only one in which any notion of making concessions to the will of the third estate was expressed, when they agreed to ‘leur renonciation à tous privilèges d’impôts sur leurs propriétés’. However, this was swiftly tempered in their demand that the National Assembly should, in return for this concession, ‘donna la reconnaissance des prérogatives du rang d’honneur et de dignité qui doivent appartenir particulièrement à l’Ordre de la Noblesse’. They demanded assurance that the nobility be ‘maintenus dans les privilèges consacrés par la Déclaration du Roi Charles VIII en date de 8 mars 1483’.¹⁷ Article LXXXII revealed the voice of the sword nobility in all its fervour, consolidating the general theme emerging of the reconstitution of the oldest form of nobility, stating robustly:

Le service Militaire étant en quelque façon le seul état convenable à la Noblesse, les Députés demanderont qu’elle soit maintenue dans cette prérogative. Ils demanderont qu’il soit donné au militaire une constitution fixée et adaptée à l’esprit nationale [...] La Noblesse demande qu’il soit rendu un loi qui enjoignent auxdits Chefs, même en punissant, ce qui est quelquefois nécessaire, de ne jamais perdre de vue qu’ils parlent à un Gentilhomme, par conséquent à leur égal.¹⁸

What the nobles were insisting was that the sword nobility, the old *seigneurs* whose noble credentials had emerged from the military, was the sole noble culture which would excite respect from the nation, but as Article LXXXII stipulated, they were demanding that such respect be enshrined in the law of the nation as well as in natural deference. The

¹⁷ The exact terms of this Declaration are not spelt out in the *cahier*, but most likely refer to *lettres patentes* issued by Charles VIII from 1483 to the regional assemblies, where the *baillis*, *sénéchaux*, and other royal judges were ordered to assemble the officers, churchmen, nobles and others in order to set out written statements of the local customs, and put forward their suggestions as to what should be corrected, added, removed and reinterpreted. In the case of Auxerre, the noble representatives took particular care to stipulate the order of precedence of the three estates, and stipulated the rights of justice, inheritance, seigneurial *censives et droits, rentes, eaux, bois et forêts* among other feudal landholding rights. See ‘Les assemblées d’états et la mise en forme du droit. Comparaisons et analyses formelles des coutumes rédigées et réformées d’Auxerre, de Sens et de Touraine’, *Cahiers du Centre de recherches historiques. Revue électronique du CRH*, pp. 1-24 and 52-65 (<https://ccrh.revues.org/1592>).

¹⁸ *Cahier des pétitions de la noblesse du bailliage d’Auxerre*, p. 31.

nobility of Bugey concurred: Article XXXXV of their *cahier* stated vociferously that the military nobility should be preserved, free from the taint of venality and the corruptive influence of the third estate. It read thus:

Les moyens d'acquérir la noblesse soient restreints [...] que l'état militaire continue à demeurer affecté à la noblesse [...] les considerations qui engagent la noblesse à faire cette demande, sont, qu'étant une classe spécialement destinée à la defense de l'état, l'usage lui a interdit toutes les professions lucratives qui pourroient la détourner, & celles sont ainsi devenues le partage exclusif du tiers-état.¹⁹

The nobility of the *bailliage* of Auxois returned a *cahier* whose opinions and demands concurred with that of Auxerre.²⁰ They too felt that venality of office should be ended, and laid down a request for a ruling that both the magistracy and the military should be restricted when positions entailing nobility and privilege were dispensed.²¹ Indeed, potential judicial officers would be required, in Article XXV, to serve five years in the position of *avocat* in the *bailliage* before they could progress to an office. One surprising feature of the Auxois *cahier* is that the nobility, in return for renouncing some of their tax privileges, agreed that in future the nobility should be able to engage in commercial activity without *dérogéance*.²² In the spirit of abbé Coyer, the nobility were adamant that since they would now be subject to more tax impositions, they would need to find a potential source of income, previously denied to

¹⁹ *Cahier de Messieurs de l'Ordre de la Noblesse du Bugey, pour être présenté par M. le Marquis du Clermont Saint-Jean, son Député aux Etats-Généraux de 1789* (1789), pp. 32-3.

²⁰ *Cahier de la noblesse du bailliage d'Auxois (1789)*.

²¹ *Ibid.*, p. 17. Article VIII: 'Le Deputé de la Noblesse d'Auxois demandera aux Etats-Généraux, de supplier sa Majesté de ne plus accorder la Noblesse à prix d'argent: on pourra l'acuérir après trois vétérances ou trois vies, tant pour le Militaire que pour la Magistrature des Cours Souverains'.

²² *Ibid.*, p. 22. Article X. The *cahier des vœux et remontrances de l'ordre de la Noblesse des Bailliages de Sens et Villeneuve-le-Roi (1789)* also desired that all noblemen should be able to place their heirs in military officerships or posts in the judicature, and even be given the opportunity of an education in the royal institutions.

them for fear of the laws of *dérogance*.²³ Means of support was therefore an important theme, and the plight of the impoverished nobility, the *hobereaux*, also merited attention in the *cahiers*.²⁴ Several regional noble *cahiers* advocated helping the sons of poor nobles to secure commissions in the military or the *École Militaire* or to be engaged in positions in the *parlements*, or for unmarried daughters to be awarded places in a religious house. An education courtesy of the state was seen as a necessity for these minor nobles.²⁵

Concessions to noble honour and status in return for being newly subjected to taxation were demanded by the nobles of both Auxois and Auxerre, who asked that in each future *Parlement*, *présidial* and *bailliage*

²³ Alan Forrest, *The Revolution in Provincial France, 1789-1799* (Oxford, 1996), p. 59, saw this as a general theme in the demands of the nobility of other provinces, with an equally common demand that ‘the essential character of the aristocracy should be preserved’. There is evidence of a demand for the abolition of the laws of *dérogance* in other *cahiers*: the nobility of Quercy requested that they be permitted to engage in commerce in a similar fashion to the Breton nobles (*Cahier arrêté par l’assemblée de la noblesse de Quercy (1789)*, p. 16.) It was also a point of concern to the Parisian nobility, seen in *Cahier de la noblesse de la prévôté et vicomté de Paris, hors des murs (1789)*, p. 74, and *Cahier des citoyens nobles de la ville de Paris (1789)*, p.8. The nobility of Guienne particularly requested that the rural nobility be allowed to engage in more commercial enterprises without incurring *dérogance*: ‘l’Etat d’un Fermier sage et laborieux est honorable [...] et la Noblesse pauvre pourra être autorisée à prendre des fermes sans déroger [...] nos Deputés demanderont un règlement pour la Noblesse puisse se livrer aux différentes branches du commerce’. See *Observations et cahier des gentilshommes qui ont signé à Bordeaux la déclaration faite à m le Grand Sénéchal de Guienne, le 7 d’Avril 1789 (1789)*, p. 712.

²⁴ *Cahier arrêté par l’assemblée générale de la noblesse de Quercy. Remis à M. Le Duc de Biron (1789)*, p. 16.

²⁵ *Ibid.*: the nobility of Quercy advocated that the provincial Estates ‘soient chargés de constater la pauvreté des gentilshommes auxquels on a accordé des places à Saint-Cyr & à l’École Militaire’, as did the Parisian nobility, and those in Quercy also advocated that the sons and daughters of *gentilshommes* should automatically be awarded places in the *Ecole Militaire* and the convent of Saint-Cyr. The *Cahier des citoyens nobles de la ville de Paris (1789)*, p. 17, advocated that the Estates General ‘fixent leur attention & leur interet sur la Noblesse pauvre, qui a si peu de moyens et ressources pour subsister & pour elever & placer ses enfans’. There seems to have been a general concern among the various noble groups that the *hobereaux* would be disadvantaged by the proposed changes in taxation law.

there should be a *conseiller de robe courte* who would be specifically charged to look after the interests of the *gentilshommes*.²⁶ As such they would not deal with tax collectors but with official receivers.²⁷ In Bar-sur-Seine, the nobility also agreed that a degree of deference should ideally still be applied to the oldest order of nobility – the sword military order. Their *cahier* implied that whilst agreeing to forego the traditional privileges and exemptions of their order, they expected that nobility would no longer be attached to magisterial offices nor to those of *secrétaire du Roi*. Instead,

La Noblesse ne doit s'acquérir que par des services rendus à la Patrie dans la profession des armes [...] on supplie le Roi de vouloir bien maintenir la Noblesse dans le droit exclusif de porter l'épée, comme la marque distinctive qui lui appartient; l'épée étant l'emblème des vertus et du courage; un Gentilhomme ne peut manquer ni à l'un ni à l'autre, sans se rendre indigne de l'être [...] d'ordonner qu'à l'avenir personne ne puisse changer son nom; que chacun porte le sien avec celui du baptême, si ce Gentilhomme n'a pas le droit de porter un titre, soit par l'hérédité de ses pères, soit par les terres qui le lui donnent, ou acquis par faveur du Prince; de même que la défense de porter l'épée retiendra chaque citoyen dans les bornes que son état le prescrit.²⁸

This is also the clearest indication in the records of the Burgundian *cahiers* of an attack by one noble group on another.²⁹ The nobility of Bar-sur-Seine still regarded the robe as an inferior order, not one gained by honour and service to the nation, but one that was purchased by nefarious means. They objected to newcomers purchasing office with attached noble privileges, and purchasing land and estates whose names they adopted to enhance their status.

²⁶ Ibid., p. 24. Article XXIX.

²⁷ Ibid., p. 16. Article VII.

²⁸ *Cahier de la Noblesse du comté de Bar-sur-Seine* (Dijon, 1789), pp. 4-7. The *Cahier de l'Ordre de la Noblesse des Sénéchaussées de Limoges à Saint Yrieux, 1789* also advocated that the office of *secrétaire du Roi* should no longer be a venal post, and indeed that any other posts offering rapid or instant noble title should be abolished.

²⁹ William Doyle, *The Oxford History of the French Revolution* (Oxford, 1989), pp. 99-100, commented that this was not unusual, and that the drawing up of the *cahiers* presented the sword nobility with an excellent opportunity to 'vent the frustrations and resentments of generations'.

Even in this small sample of *cahiers*, it seems clear that the nobility felt that the robe nobility and the *anoblis* embodied all the financial and moral abuses of the noble order, bringing it into disrepute and aggravating relations with the third estate. Did the nobility of the *bailliage* of Dijon, whose membership was predominantly robe, reflect these ideas in their own *cahier*?³⁰ The speech of the *procureur du Roi* on this occasion, prior to writing of the *cahier*, expressed a conciliatory sentiment towards the demands of the third estate, yet still emphasised the virtues of the old military nobility when it stated:

Le Second Ordre de l'Etat en qui le désintéressement et la loyauté sont aussi essentiellement unis que le courage, a déjà prévenu nos espérances, en renonçant volontairement à des privilèges et des exemptions que leur antiquité sembloit avoir consacrés, et que nos Gentilshommes ont méprisés, dès qu'ils ont vu qu'ils étoient nuisibles au bien général. Dans les champs de bataille, jamais la Noblesse française n'a cédé à l'ennemi, elle s'honorera de céder, dans les comices, aux vœux du Prince et de la Patrie.³¹

The deliberations of the nobility on 31 March 1789, whilst reiterating its willingness to embrace the ideals of equality with the third estate in so far as subjecting itself to general taxation, nevertheless felt that in all other matters 'elle croit devoir réserver celles qui tiennent à l'essence d'une Monarchie, qui par cela même qu'elles maintiennent la prééminence des deux premiers Ordres'.³²

In Dijon, home of the *Parlement*, it is striking that the nobility was still couching its language in military terms of battlefields, enemies and glory of the Nation, the language of the sword past, which did not reflect the reality of the predominantly robe nobility of this city. However, it is advisable to be wary of drawing too sharp divisions because the robe nobility were not only still active members of the judiciary, but also sat in the Burgundian Estates together with their sword peers, which goes some

³⁰ 'Extrait du procès-verbal. Dressé à l'assemblée des trois Etats du Dijonnais, Province de Bourgogne, premier Duché & Pairie du Royaume. Composée tant du bailliage principal de Dijon, que des Bailliages de Beaune, Nuits, Auxonne et St. Jean-de-Losne, réunis à Dijon pour le nomination des Députés aux Etats Généraux, indiqués au 27 Avril, et ouverts le 4 Mai, 1789' (Dijon, 1789).

³¹ *Ibid.*, pp. viii.

³² *Ibid.*, pp. xviii-xix.

way to explaining the common ideologies of the value of nobility expressed in this *cahier*.

The choice of Deputies to the Estates General promoted by each *bailliage* reveals much about the general sentiments of the nobility in terms of how they saw themselves and how they wished to present themselves to the wider nation. The choices of Deputies from the second estate were:

Autun	Monsieur de Digoine, marquis du Palais
Auxerre	Monsieur le comte de Moncorps Duchesnoi
Auxois et Semur	Monsieur le marquis d'Argenteuil, maréchal de camp
Bourg en Bresse	Monsieur Garron de la Bévière, chevalier de Saint-Louis
Bugey et Valromey	Monsieur de Cardon, baron de Sandrans
Chalon sur Saône	Monsieur le marquis Bernard de Sassenay
Charolles	Monsieur Burignot de Varenne
Châtillon sur Seine	Monsieur le comte de Chastenev-Lanty
Dijon	Monsieur Le Mulier de Bressev Monsieur le comte de Lévis
Gex	Monsieur de Prez de Crassier, chevalier de Saint-Louis, lieutenant-colonel d'infanterie, grand bailli d'épée
Mâcon	Monsieur le comte de Montrevel, maréchal de camp
Trévoux	Monsieur Vincent de Panette

With the exception of Bernard de Sassenay, Varenne and Vincent de Panette, all were sword nobles, and major ones at that, such as the comte de Chastenev-Lanty, the comte d'Argenteuil, the comte de Montrevel and the comte de Digoine. Even Dijon put forward two sword nobles by common choice. They were all local men, respected in their provincial world and not in any way absentee landowners or frequenters of

court circles. Alan Forrest noted that this was a general provincial trend, with all three estates choosing men known to them who had proved their popular worth and could be trusted to defend provincial interests.³³ More than this however, Forrest saw a nationwide distrust of members of the robe, with the provinces choosing representatives from the ‘*noblesse de sang*, the scions of the most distinguished families of provincial France [...] indeed if any one section of the nobility played a more prominent part than any other it was the military aristocracy, those who had made careers as army officers.’³⁴ William Doyle, expanding Forrest’s theme, saw that:

Nobles in general voted for their betters and rejected their inferiors. No commoners were elected, and only a small percentage from families ennobled within living memory [...] the great losers were the robe nobility, who for most of the preceding century had been the order’s only spokesmen, and kept the wheels of government turning too. Sword nobles had always looked down on them, even as they envied them their power.³⁵

This idea is illustrated in the *cahier* for Langres, the only one of these samples written collectively by all three estates. Its Article IX stated: Votre Majesté peut opérer la suppression [...] des anoblissemens que l’on a attachés à des charges [...] L’idée de noblesse présente à l’esprit ou un héritage précieux transmis avec le sang, ou une récompense glorieuse de travaux utiles à la patrie, c’est une illustration que l’on a reçue de ses ayeux, ou obtenue par ses services.³⁶

It was felt that venality was detrimental to all three orders and injurious to the reputation of those members of the third estate since ‘awarding honour to money’ corrupted their character.³⁷ The robe nobility were therefore at this point seen as members of a corrupt administration under the *ancien régime*, whereas the sword were considered true nobility who could be trusted to look after the interests of their own class.

How, though, were the Burgundian nobles viewed by others? The sentiments of anti-nobilism and anti-seigneurialism expressed by writers

³³ Alan Forrest, *Paris, the Provinces and the French Revolution* (Oxford, 2004), p. 49.

³⁴ *Ibid.*

³⁵ Doyle, *Aristocracy*, p. 193.

³⁶ *Cayer commun des trois ordres du Bailliage de Langres (1789)*, p. 48.

³⁷ *Ibid.*, p. 50.

like Nicholas Bergasse and abbé Sieyès amongst others are well known.³⁸ Yet in reality, the opinions expressed in the *cahier* of the third estate of the *bailliage* of Dijon,³⁹ and that of the *bailliage* of Auxerre,⁴⁰ do not reflect their sentiments.⁴¹ Among their demands for equal representation with the two noble orders and equality of taxation,⁴² there was a sense that they shared some common sentiments with the military nobility, also objecting to venality of office and the purchasing of nobility, particularly in the magistracy.⁴³ However, it appears to show only a measure of respect for, rather than solidarity with, the older noble culture. As the inhabitants of Dijon wrote:

Nous respectons cette Noblesse antique dont l'origine est la vertu; nous la respectons dans les descendans de ces Héros qui ont si bien mérité de la nation, sur-tout lorsqu'elle s'y trouve accompagnée des grandes qualités qui en ont été la force; nous honorons encore la Noblesse postérieurement acquise en

³⁸ Nicholas Bergasse, *Observations sur le préjugé de la noblesse héréditaire* (London, 1788); Abbé Sieyès, *Qu'est ce que le Tiers-Etat?* ([Paris], 1789).

³⁹ *Cahier du Tiers-Etat du ressort du Bailliage de Dijon, siège principal* (Dijon, 1789).

⁴⁰ *Requête du Tiers-Etat de la ville d'Auxerre au Roi sur la formation des prochains Etats Généraux* (Auxerre, 1789).

⁴¹ John Markoff, *The Abolition of Feudalism. Peasants, Lords and Legislators in the French Revolution* (University Park, Pa., 1996), pp. 154-8. Markoff's analysis of *cahiers* of the third estate revealed that the percentages of discussions concerning seigneurial rights and honorific rights of the nobility were negligible: under half of the total number of *cahiers* expressed specific grievances and the grievances cited had more to do with the church and the clergy's involvement with a lord's honorific rights than with the *seigneur* himself. More attention was given to discussion and grievances on taxation matters than to seigneurial rights. Roger Chartier, *Cultural Origins of the French Revolution* (Durham, N.C., 1991), pp. 142-4, commented particularly on the struggles of rural communities in Burgundy against the *seigneurs* and enforced continuance of traditional seigneurial rights, aided by lawyers taking on specific cases of anti-seigneurial grievance to attack the foundations of seigneurialism. Whilst this might have led to an element of politicisation in the rural peasant communities, the *cahiers* do not wholly reflect third estate resentment of traditional provincial seigneurial practice.

⁴² Beatrice Hyslop, *A Guide to the General Cahiers of 1789 with the texts of unedited cahiers* (New York, 1936), pp. 90-3, noted that 'the most widely expressed single idea was equal liability for taxation (or the contrary)'.

⁴³ *Requête du Tiers-Etat de la ville d'Auxerre*, p. 7, Article X; and p. 38, Article XX.

récompense de services rendus à l'état [...] les nobles, en reconnaissance des fiefs ou des bénéfices militaires [...] étaient obligés à un service militaire, personnel et gratuit, très-onéreux en lui-même.⁴⁴

The sentiments of the Dijon third estate are mirrored in this particular issue of venality by other third estate *cahiers* throughout France. The *cahier* of Nivernois called for an end to venality of nobility and the abolition in particular of venality in the judiciary.⁴⁵ The *cahier* of the Rouen third estate demanded the same thing.⁴⁶ Whilst their appreciation of the past sacrifices of the sword was tempered with the comments that this noble culture was now an anachronism and its exemption from taxation an onerous burden on the third estate, they seemed to express an appreciation of the military nobility and its virtues which in other times and different circumstances would have ensured the continued respect of their third estate neighbours. This was something that the robe noble, in offices created and stipended by the state and purchased by men of means but not necessarily virtue, could not enjoy.

The effect of the aristocratic reaction in the military, convincingly argued by David Bien, in addition to the reaction of the high nobility in the *chambre de la noblesse* in further restricting admission to those of questionable noble quality in the closing decades of the *ancien régime* do appear to have had a bearing on the options voiced in the Burgundian *cahiers*.⁴⁷ The establishment of a purely military caste of nobility, to the exclusion of venal nobles (as the robe were considered to be), seems to have been the fundamental aim of those compiling the *cahiers*, reflected in the varying shades of opinion from both the second and third estates. Bien suggests that the *grande bourgeoisie*, responsible for the compilation of the *cahiers* of the third estate was ostensibly noble to a certain degree. It would certainly explain why there was little inclination to abolish the order of nobility, and why there appears to be so much support for

⁴⁴ Ibid., pp. 12-14.

⁴⁵ *Cahier de la chambre du Tiers-Etat du Bailliage royal de Nivernois, a Saint-Pierre-le-Moutier (1789)*. Articles XXXVIII and XL.

⁴⁶ *Cahier des doléances, remontrances et instructions de l'Assemblée du Tiers-Etat de la ville de Rouen, destinés à être portés aux Etats-Généraux en 1789 (1789)*, Article XXXVIII.

⁴⁷ David Bien, *Caste, Class and Profession in Old Regime France: the French Army and the Ségur Reform of 1781* (St Andrews, 2010), p. 96.

retaining a nobility free from venal and corrupt influences, embodied in the old military noble class. The seigneurial reaction of the 1770s and 1780s, driven as we have seen mostly by the newer robe and *anoblis* landowners, must also have played its part in polarizing the opinions of the Third Estate who were the victims of the most aggressive applications of the revaluations of the *terriers* curtailing their rights and practices. A combination of both the 'noble' aspirations of the *grande bourgeoisie* and the conservative attitude of the *haute noblesse* would appear to be the driving force behind the general desire to prevent the abuses of the 'new' nobility whose culture was neither wholly noble nor completely bourgeois. The collective opinions of both the nobility and the third estate all point to the fact that there was little respect for the robe nobility who had engineered their way into positions of power in French society through venality. Unlike the respect shown to the older sword population who had merited their honorific status through service to the king in the military, the robe were disdained for having purchased it and were associated with corrupt practices, both financial and in some respects moral, to the detriment of the sword. In the provinces at least, the close connections between the *gentilshommes campagnards* and the third estate promoted trust and a certain respect between both parties which the robe, for all its efforts to adopt this traditional culture, had never fully enjoyed. If this did not apply to the older, more established robe noble families, it most certainly did to those who had risen in the course of the eighteenth century.

Conclusion

Between 1682 and 1789, the last century of the *ancien régime*, the condition of the minor Burgundian noble population underwent a gradual change from a society of provincial military families, with an emerging judicial population of newer robe, to a mélange of both military and magisterial elites, with a large population of *gentilshommes campagnards*. The growth of the class of robe nobles was not, however, a recent phenomenon. As in other parts of France, Toulouse and Bayeux being two such examples, the robe had begun to rise from its bourgeois roots as early as the sixteenth century, its numbers gradually burgeoning as venality of office in the sixteenth and seventeenth centuries opened up new paths into the nobility for those with the financial means to acquire and sustain this status and lifestyle. From as early as the mid-seventeenth century, the more successful robe families had begun to join their sword contemporaries in the *chambre de la noblesse* of the Estates of Burgundy, equal in terms not only of wealth but of long lineages, proving their four quarters of nobility, and thereby assuming the status of *gentilhomme*.

An analysis of official records and surveys has shown that at the turn of the eighteenth century, the sword constituted the majority of landowning families in Burgundy at over 60 percent of the official landed population, with the robe owning less than 5 percent of the fiefs and estates of the region; yet by the early 1730s, the numbers of sword families owning land appeared to have begun to decline (recorded at around 25 percent to the robe's 31 percent), for the first time being (if only marginally) exceeded by the robe, most particularly in and around the Dijonnais. Yet these landowners were for the most part drawn from among the wealthier and more successful sword and robe nobility. In both Ferrand's survey and Garreau's survey, there were around 30 percent of landowners whose class origins could not be ascertained with any certainty: less illustrious families of noble origins both sword and robe, plus most likely *anoblis* whose noble status was neither confirmed nor accepted by their peers. Overall, this suggests, in the case of official records at least, an apparent decline in the numbers of sword families in the official records of around 50 percent in the space of less than forty years. By comparison, the number of robe landowners had more than tripled in the same period. Interestingly, the percentage of the landowning population whose origins could not be identified remained roughly the

same, suggesting a fairly constant population of minor landowners of equal status, whether this was defined in terms of wealth or perception of nobility or class status.

However, this assessment of apparent decline must be tempered with the fact that for the most part it is based on the numbers of nobles recorded in the official rolls. It makes no allowance for the numbers of provincial gentlemen who never appeared in the various surveys and tax records of the period. These *hobereaux*, with or without land, and strikingly not only of the sword but also from the robe, did exist. Some were recorded in the *capitation* rolls of the ‘gentilshommes de la province’ in 1697; many more came forward from 1760 onwards when the Estates began to award pensions to those in financial distress who presented themselves for the *capitation*; others are present in the correspondence accompanying the muster for the *ban et arrière-ban* and in the lists of the *invalides*, retired and injured military men who were awarded special pensions by the Estates. Exactly how many of these noblemen there were cannot be accurately calculated, yet there are good grounds for believing that their numbers were substantial. Since the official records cannot be relied on to give accurate numbers of nobles at any point during the period in Burgundy then it stands to reason that the figures cited for the noble communities of other regions must equally be treated cautiously.

Historians are forced to consider whether these *hobereaux* could really be considered to be *gentilshommes*. After all, the traditional definition of a *gentilhomme campagnard* was a minor provincial noble whose nobility derived from military service to the crown, who owned a fief or *seigneurie* and drew sufficient revenue from his land-holdings to maintain the semblance of noble living. Unable to engage in any form of trade for fear of *dérogéance*, the gentleman/noble had to be beyond reproach and his lineage unbroken over 100 years in order to be recognised among his peers and enter the *chambre de la noblesse* of the Estates of Burgundy. Many did not enter the *chambre*. The *capitation* of 1697 recognised several minor noblemen who were ‘sans fief ny terre’, and whose estimated incomes fell well below what would have been necessary in order to maintain the semblance of a noble lifestyle: class 19 where they appeared, or any class below this level denoted an income well under 500 *livres* per annum, yet to sustain such a lifestyle would have necessitated an income of around 1,000 *livres*. The *ban et arrière-ban* recognised these men simply by virtue of their holding a mere fief, but it was obvious that some of them could not afford the 200 *livres* necessary to absent themselves from the muster and appoint a substitute to replace

them, let alone afford the costs of equipping themselves or a retainer for service. Even some of the more recent robe nobles could not afford to sustain the lifestyle despite having emerged from the ranks of the bourgeoisie and the salaried positions of the *Parlement* and the *Chambre des comptes*. These nobles too were recorded in the lower classes of the *capitation*, and the question that has to be asked is: why, despite their supposed financial advantages, were they technically *hobereaux*? The Estates of Burgundy did not recognise landless nobles and refused them admittance to the *chambre de la noblesse* even if they had the required four quarters of unbroken nobility. Such impoverished nobles were not considered to be *gentilshommes* of sufficient standing for such an honour. When the *chambre de la noblesse* tightened the conditions for entry even further in the late seventeenth century and ‘reacted’ again towards the end of the eighteenth century, presumably with the intention of stemming the flow of increasing numbers of the newly ennobled into its ranks, it not only ensured the exclusion of the less illustrious elements of the robe, but also inadvertently hit at the impoverished sword nobles who could not afford to verify their proofs of nobility or had no fief, further forcing them back into the obscurity of rural life. Here we are seeing the same sort of elitism at provincial level as is evident in the French Court from the 1730s onwards.

In Burgundy, as elsewhere in France, maintaining a noble lifestyle and placing one’s heirs in a suitable occupation or career cost money and quite often more than the average provincial nobleman had at his disposal: the security of a private personal fortune or substantial income from landholdings were the characteristics of only the high sword and robe nobility. However, it is evident as early as the mid-sixteenth century that the lifestyle was becoming harder to sustain. The majority of the Burgundian second estate were minor sword and robe of average means, living modestly from the returns of a small estate and regularly maintaining a military commission, many of them not particularly blessed with the means necessary for the semblance of noble living. It was the question of money and generating income that particularly disadvantaged the older population of provincial sword nobles: increasing poverty compounded by dearth of patronage and influence in the Estates. Consequently the newer robe nobles profited from their misfortune. With family fortunes built up from their former bourgeois occupations, the more successful among them could afford to purchase not only land, but also nobility in the form of offices in the *Parlement* and the *Chambre des comptes*, which could be passed to successive generations. They could

also buy their way into the military in the form of commissions for their sons, to the detriment of the sword who increasingly struggled to raise the money required to sustain a military career. Looked at in this light, it is clear why the numbers of provincial sword nobles appeared to fall as those of the robe rose.

However, the earlier official lists, recording diminishing numbers of sword nobles between the end of the seventeenth century and the mid-eighteenth century, must be tempered with the lists of those recorded at the voting assemblies of 1789, the latter throwing into doubt the notion of a numerically declining sword population. These lists suggested that in numerical terms the sword population was no smaller, and in fact comparable to, the number recorded at the beginning of the eighteenth century by the *intendant* Ferrand, with a significant number of noblemen entering the *chambre de la noblesse* of the Burgundian Estates in the mid-eighteenth century. The apparent 're-population' of the sword nobility also ensured that the culture of the *gentilhomme campagnard* survived and indeed thrived to the extent that, by 1789, it appeared to be the dominant culture of the nobility as a whole, and in the eyes of the third estate was the only noble caste whose presence and values could be supported in a reformed society.

There is sufficient evidence to show that the culture of gentlemen farmers and noble landlords remained a constant feature of Burgundian noble life, and showed no signs of diminishing as the Revolution approached. Sword nobles continued to cling to it, adhering to its principles of honour, military associations and lineage, even though they sometimes faced the risk of and were drawn into a state of poverty inconsistent with their status as the social superiors of the third estate. The robe nobility, whilst equally proud of their culture of service to the judiciary, unfailingly adopted the culture of the country gentleman in all of its aspects, purchasing land and titles to bolster the nobility of their positions in the *Parlement* and the *Chambre des comptes*. As provincial gentlemen they aped their sword neighbours. We have seen that they were no less assiduous in the maintenance and development of their châteaux and *maison seigneuriales*, their estates and fiefs, vineyards and all other manner of seigneurial business, and on occasions were over-zealous in the establishment of their seigneurial status and newly acquired lordly authority. This reactive seigneurialism on occasion provoked the indignation and protest of their tenants and peasant workers, and contributed to the level of anti-noble resentment expressed in the *cahiers* of 1789.

Disputes between older sword gentlemen and their more recently ennobled robe neighbours emanated from feelings of resentment at the perceived displacement of the older noble population in terms of authority and esteem and on occasion, their being obliged to share precedence in local society. However, these were examples of petty small-scale resentment, resulting in isolated incidences of violence and verbal insults between noble neighbours. If there was indeed any reaction to the encroachment of the robe upon the sword world, it was higher up in the noble hierarchy, manifested in the reaction of the elites in the tightening of regulations and checks on the noble credentials of those newer (robe) nobles wishing to gain admittance to the *chambre de la noblesse* of the Estates of Burgundy, first in 1679 and then at periodic intervals in the eighteenth century. Although in principle an 'aristocratic' reaction, these periodic checks affected all manner of families, sword and robe, wealthy and poor alike. Even long-established families could be caught out if they were unable to supply the required documentary evidence requested by the *chambre*. If anything these checks seemed to be aiming at regulating the population levels of the *chambre* rather than prejudicing the causes of either robe or sword interests.

The eighteenth century in Burgundy was merely the last phase of a provincial noble culture that had been evolving since the fifteenth century. The culture of the *gentilhomme campagnard* was born in the great age of the military noble, but it was, in retrospect, never a culture that could be sustained in its traditional form except by the wealthiest of its proponents, and inevitably the poorest military families fell victim to the economic crises of the intervening years, their fortunes dwindling, the costs of military campaigning rising along with the costs of maintaining property and estates, not to mention changes in personal fortunes and lack of access to sources of preferment and patronage. It was a way of life and an essential part of the rural social order that needed to develop and change if it was to survive. The change came not in the practice of this particular culture but in the visible origins and identity of those who perpetrated it. It was the sword which gave it its identity and the robe which augmented its numbers as a good proportion of its sword proponents fell victim to the times. In the eyes of the Burgundian Estates, the status of *gentilhomme* applied to sword and robe nobles alike provided that they fulfilled the conditions of entry to its *chambre de la noblesse*. It had recognised that as successive generations of robe nobles had achieved the required four quarters of unbroken nobility it could no longer prevent them from entering the Estates, provided that they also resigned from

judicial office. The robe happily adopted the lifestyle and culture of the *gentilhomme*, and the fusion of robe and sword cultures is evident in the lower ranks of the second estate, perhaps more so than amongst the elites, where a sense of noble solidarity began to break down in the heat of the aristocratic reaction of both the military and the Burgundian Estates. The minor noble *seigneurs*, whether old sword families or newer robe, were, for the most part, barely distinguishable by the eighteenth century. Far from significantly declining, the evidence of the Burgundian archives points to a stable and continually renewing community of *gentilshommes campagnards* of both the sword and the robe, and of a gentlemanly noble culture which thrived right up until the eve of the Revolution.

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Index

- absolutism, royal 16
academies 108-9
Achey, Madeleine d' 98
Agencourt Saint-Martin, Madame d' 31
Alleans et Villeheu, Monsieur de 65
Amanzé, comté de 41
Ancemot, Jacques Marguerite 69-70
Andras, Madame 79
Antraguez, Madame d' 41
Arcelot, Madame la marquise de 31
Arcelot, Monsieur d' 88
Argenteuil, comte de 64
Argenteuil, marquis d' 73, 126
 see also Le Bascle, Louis
aristocratic reaction 24, 84-5
Arlot, Charles Guillaume Philibert d' 103-5
assemblies, voting 81, 113
Athenarre, Simon d' 54
Availly, sieur d' 63
- Baillet, family 22
Baillet, Marguerite 98
Bailla, Monsieur 40
Ban de la Feuillé, du, family 52
Ban et arrière-ban, 18, 28-33, 62-3, 68, 88-90
[B]aserne, dame de 78
Beaurepaire, Claude de 65
Berbis, family 85, 89
Berbis, Jacques 86
Berbis, Jean 86
Berbis, Jean-Baptiste 86
Berbis de Mailly, Monsieur 91
Berbis de Martray, Madame 90
Berbisey, family 22, 23
Bernard, Claude-Henry-Étienne, marquis de Sassenay 126
Bernard, family 85, 86-7
Bernard de Montessus, Claude 86
Bernard de Montessus, Guy 86
Bernard de Montessus, Philippe 86
Blondeau de Bussy, Monsieur 88, 91
Bouhier, family 22-4, 86, 108, 109
Bouhier de Lantenay, Claude, bishop of Dijon 109
Bourrée, Monsieur 81, 90-1
Bretagne, Claude de 87
Bretagne, family 85
Bretagne, François 86
Bretagne, Jean-Baptiste 86
Bretagne, sieur 65
Bretagne de Nansoutil, Monsieur de 90
Briézac, Daniel de 62-3, 65
Brosses, Charles de, *président of the Dijon Parlement* 109
Brulart, family 22, 85
Brulart, Nicolas, *premier président of the Dijon Parlement* 86, 108
- Burgundy
 economy 20-1, 77
 harvests 20-1, 77
 pays adjacents 13-14
 pays d'états 13-14
Burignot de Varenne, Monsieur 126
- cahiers de doléances*
 of Burgundy 113-30
 of the nobility of Auxerre 119-22, 128
 of the nobility of Auxois 122
 of the nobility of Bar-sur-Seine 124
 of the nobility of Bugey 122
 of the nobility of Dijon 125-6, 128
 of the nobility of Nivernois 129
 of the nobility of Rouen 129

- of the Third Estate 128-9
- of the three estates of Langres 127
- Calamard, Pierre Emanuel 93
- Cannabelin, family 86
- Carbonnet, Brieur 63
- Cardon, Monsieur de 126
- Champrenault, Jacques de 65
- Chapon, sieur 65
- Chargère, Jacques de 59-60
- Chastenev, comte de 65
- Chastenev, Victorine de 70-1, 79
- Chastenev Lanty, comte de 71, 126
- Chatot, Françoise 97
- Choiseul, dame de 41
- Clemendo, Monsieur 31
- Clermont Mont-Saint-Jean, marquis de 126
- Coeurduroy, family 24
- Colbert, reforms of Jean-Baptiste, *contrôleur général des finances* 17, 20, 26, 30
- Colin, Monsieur 91
- Condé, princes of, governors of Burgundy 13, 17
- Conygham, Joseph de 56, 78
- Coste, marquis de la 126
- Courtancière, Guillaume de 36
- Coyer, abbé 62
- Croisier, family 54
- C[urne], Henry Louis de la 63

- Dagencourt Coraboeuf, demoiselles 31
- Damas, family 23-5, 30, 55, 57, 74
- Damas d'Anlecy, comte de 66
- Deligny, dame de 65
- députés* of the national Estates General (1789) 126
- Desbarres, family 22, 30
- Desbarres, Monsieur 41, 89, 93
- Digoine, Monsieur de 64, 126
- Dijon
 - Academy of 108-9
 - Chambre des comptes* of 13, 17, 41-3, 93, 96
 - Chancellerie* of 14, 83-4, 86, 89
 - Parlement* of 13, 40, 83-4, 86, 93, 125
 - Sécrétaires du Roi* 15-16, 91-3, 124
 - substitués* 92
- Dormy, Monsieur 65
- Dravant, family 85-6
- Dravant, Edme François de 63
- Drouas, family 85-6
- Drouas, Jean 105
- Dubionard, Phyllipes 64
- Dubois, family 85
- Du Mouchet, Charlotte 65-6

- École militaire* (Paris) 74-5, 96-7, 123
- Espiard, family 24, 89
- Estates of Burgundy
 - administration 13
 - centralisation 13-14, 16-17
 - Chambre de la noblesse* 11, 17, 23-7, 36, 46-8, 71, 85-9
 - convocation rolls 85-8
 - pensions 42, 64-8, 81
 - syndics* 16
 - subdélégués* 14
- Fardel de Daix, Monsieur 105
- Fevret, family 86-7
- Filzjean, Monsieur 91
- Flavigny, family 75
- Fleutelot, family 41
- Fleutelot, Monsieur 91
- Folin, abbé 89
- Fontenev, family 75
- Fosses, sieur des 73
- Frasans, Claude-Joseph de 114
- Frasans, dame de 65
- Frasans, family 117
- Frasans, Hyacinthe de 78-9
- Frazans [Frasans], Monsieur de 64-

- Fyot, family 23, 86-7
- Gagne, family 22-3
- Gare de Lucinge, family 53
- Garreau, Antoine, land survey by 44-6
- Garron de la Bévière, Monsieur du 126
- Gemeaux, family 52
- Grain de Saint Marsault, Jeanne Marie de 65
- honnête homme*, ideal of 111
- Humblot, Monsieur 93
- intendants* 5, 16-17
- Argouges, Florent d' 62
- Amelot de Chaillou, Antoine-Léon 15
- Bouchu, Claude 26
- Ferrand, Antoine, survey by 33-7, 43, 49-50, 92-3
- Thésut, Abraham, marquis de, *intendant* of the princes of Condé 28, 49
- meeting of *fief* owners 28
- Jacquot, Bénigne 86
- Jarrie, Monsieur le chevalier de la 65
- Jaucourt, family 53, 57, 60
- Jehannin, Claude 97
- Joly, family 22, 24, 86
- Joly, François 87
- Joly, Jean 86
- Joly, Louis-Philippe 109
- Joly de Pontailler, Antoine 87
- La Loge, family 89
- La Loge, Monsieur de 89
- Lamarque Tavannes, madame 41
- Lantieu, Monsieur 41
- Lantin, family 108
- Le Bascle, Louis 68, 73-4
- Le Bascle, Pierre François 68-9
- Le Belin, family 89
- Le Belin, François 41
- Le Mulier de Bressey, Monsieur 126
- Lévis, comte de 126
- Ligny, Monsieur de 65
- Listenois, Madame de 31
- Loppin, Jean 110
- Macheco, family 86
- Magnieu, family 75
- Mare, De La, family 85, 98-9
- Mare, Barbe De La 99
- Mare, Etienne De La 85, 98
- Mare, Flocel De La 98
- Mare, Jean-Baptiste De La 86, 98, 102, 110-12
- Mare, Jeanne De La 98-9
- Mare, Leonard De La 98
- Mare, Philippe III De La 98
- Mare, Pierre De La 98
- Marlon, Jacques 86
- Martinécourt, family 52
- Massenot, Monsieur 41
- Massol, family 85-6
- Massol, Georges-Marie de 95
- Massol, Guillaume 86
- Massol, Jean-Baptiste 86
- Massol de Vergy, François-Gaspard de 95
- Masson, Claudine 97
- Masson, Eléonor-Françoise 97
- Masson, family 97
- Masson, Françoise 97
- Masson, Olivier 97
- Masson, Philippe 97
- Masson de Gendrier, Philippe 97
- Menoux, François de 103-4
- Mesnil, du, family 75
- Moncorps Duchesnoi, comte de 126
- Monin, Monsieur 91
- Montet, François-Hugues Pepin du, abbé 108-9
- Montigny, family 75

- Montrevel, Florent-Alexandre-Melchior de La Baume, comte de 126
- Morin, demoiselle de 41
- Morisot, Antoine 86
- Morisot, family 85
- Morisot, Jean 86
- Morisot, Madame 91
- Mornieu de Grandmont, Monsieur 88
- Morot, Monsieur 101
- Moulin, du family 52
- Mucie, Monsieur de 40
- Mucie, Anne-Marie de 97
- Mucie, François de 97
- Nobility
- alienation 3-4, 6, 16-17, 20, 23-4, 71-2, 76-8
 - anoblis* 8, 45, 68
 - anti-nobilism 127-8
 - Bayeux 7 -8
 - commerce 6, 10, 19, 122
 - de race* 7
 - dérogéance* 6, 19, 122
 - education 4, 61, 79, 107-8
 - false nobility 17, 68-9, 120
 - gentilshommes* 5-6, 14, 26, 40, 44-7, 57, 70-1, 76-8, 118-19, 124
 - hobereaux* 3, 6, 9-10, 28, 32, 42, 74, 79, 87, 123-4
 - marriage 23, 72, 99-100, 124
 - militaires* 7-8, 37, 63-4, 72, 81
 - price of commissions 72-6
 - noblesse dormante* 6, 19
 - numbers 15, 27-9, 32-7, 43-6, 50-1, 81, 109-13
 - poverty 9-11, 62-6, 72-4, 87
 - provinces
 - Aquitaine 9
 - Brittany 6, 10
 - Guyenne 10
 - Normandy 9
 - Provence 10-11
 - relations, inter-noble 23
 - robe
 - culture 98, 107-11
 - land ownership 94, 100-7
 - marriage 99
 - militaires* 94-6
 - revenue 92-3, 102
 - sword
 - culture 54-60, 79-81
 - land ownership 54-7, 79-80
 - revenue 55, 57, 64, 76, 79
 - Toulouse 5-6, 8, 10, 19, 101, 120, 131
 - violence 69-70
- Perard, family 97
- Perard-Floriet, Jean 97
- Perrault, Abraham 97
- Perrault, Blaise 98
- Perrault, Claude 98
- Perrault, family 98
- Perrault, Guillaume 98
- Petit, family 19, 30
- Petit, Monsieur 91
- Petit, Pierre 88
- Pontchartrain, Louis de, *contrôleur général des finances*, investigations into false nobility 68
- Pressure, de la, family 52
- Pressure, François de la 55-8, 60
- Prez de Crassier, Monsieur de 126
- Quarré, family 86
- Quarré, Pierre 86
- Richard, family 41, 86, 89
- Richard, Jean 86
- Richard, Monsieur de 41, 90
- Richard de Ruffey, Monsieur 109
- Rigoley, family 86
- Riolles, François de 55
- Romassin, Pierre de 36
- Rouen, archbishop of, *see* Saulx-Tavannes

Roulot, Françoise 65
Rouvray, family 52, 75

Saint-Aignan, Paul-Louis de
 Beauvilliers, duc de 109

Saint Belin, family 54
Saint-Blin, Monsieur de 71
Saint-Martin, family 83
Saint-Phal, family 53
salons 108
Saulx-Tavannes, family 19, 21, 54
 see also Tavannes
Saulx-Tavannes, Nicolas de,
 archbishop of Rouen 109
Saussois, Charles du 65
Sayve, abbé 89
Sayve, family 22
Séguier, reforms of nobility by
 Chancellor Pierre de 30-1
Séguir military reforms (1781) 76-7
seigneurial justice 19-23, 57, 102-4
seigneurial reaction 17, 20-3
Sivignon, family 53
Soussellieu, Monsieur 41

Tabourot, Monsieur 88
Tardy, Joseph Ignace 88
Tavannes, comté de 41; *see also*
 Saulx-Tavannes
Tavant, dame de 65
Taxation, 17, 122
 capitation 20, 38-44, 59, 64-5,
 90-1
 dixième 20
 don gratuit 16
 franc-fief 18, 28, 64
 vingtième 54, 64
Thésut, family 28, 49, 100
Thianges, family 23
Thianges, marquis de 28
Thielley, *seigneur* de 68
Thyard, Gaspard Pontus de 117
Thyard Bissy, Claude de 74-5
Thyard Bissy, family 25, 117

Valon, Richard 93
Valoux, Jean-François-César 69-70
Varennnes, family 75
Vaugrigneux Turgon, Ferevol de 63
Vaux, family 75
Venality 7, 22-3, 83, 119-20, 122-4,
 127-8
 price of offices 92-3
Vienne, family 23-4, 117
Vienne, Louis-Henri, comte de 117
Villers, family 74
Villers de la Faye, family 54, 57
Villers de la Faye, Hugues Henry
 67-8
Villers de la Faye, Pierre 67-8
Villers de la Faye, Simon 68
Vincent de Panette, Monsieur 126
Violet-la-Faye, Monsieur 105

