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Chapter 8

Women of high and medium-ranking officers in the Ile-de-France between the seventeenth and eighteenth centuries: what economic agency?

Claire Chatelain

Abstract

Between the first half of the seventeenth and the eighteenth centuries, female agency was modified thanks to new juridical practices. In the sixteenth century, Parisian customary practices were favourable to women, especially to wives of officeholders. They could enjoy a wealthy lifestyle during their marriage: in addition to their dowry, they could also receive a part of their family's inheritance and upon their husband's predecease, childless widows could share the community of assets. This fostered a strong economic collaboration between collateral relatives. Such collaboration was progressively modified in parallel to the transformation of the rules of inheritance, which became increasingly unequal, and based on birth order and gender. A micro-historical approach helps us further understand why marital separations seemed to increase and why women requested them. A specific case of marital separation in the Pommereu family, which unravelled between 1704 and 1709, elucidates some of the characteristics of this transformation in women rights. Absence of community of assets, atypical clauses in marriage contracts, differences in the interpretations and in the uses of domestic economy: all of these factors led to a new definition of female property. Judicial debates and court decisions together with transformations in the practices of domestic economies enhanced female agency, which was also based on new competences, especially those pertaining to the financial milieu, as clarified by the case of a widow, Mrs John, whose activities as administrator of the Pommereu household were instrumental in consolidating this family's financial situation.

In order to speak of female *agency* we should, in good historical fashion, take into account not merely legal texts written by jurists in the eighteenth century, since these elucidate just the provisions of private law. Instead, it is necessary to follow a different approach, so as to understand the actions of individuals, to delineate their capacity to act, whether on their own or in a group, in and *on* the social and economic context in which they lived and developed their (social and cultural) practices. These aspects can be understood if we consider legal disputes, since these sources manifest this capacity to act in its legislative contradiction (Boltanski 1990; Chateauraynaud 2011). The judicial pleadings written by the lawyers of the parties and used in civil justice teem with information, aimed at supporting the contradictory versions of the facts in dispute. Any attempt at interpreting it is perilous and forces us to go back to the normative texts (treatises and compilations of laws), whose content, nuances and inflections may then be better understood. Such a contextualization brings out the breath and the social acuity of the debates encapsulated in the pleadings: by comparing them with the acts of the practice (notarial acts), it is possible not merely to consider these actors as individuals whose main interest lay in the nature of the transactions, but to define their acting capacity.

This study focuses on the area under the jurisdiction of the Custom of Paris (*Coutume de Paris*, the customals of civil law) – whose essential characteristics will be considered in this introduction – which established the hierarchical rights of individuals between the sixteenth and the mid-seventeenth centuries. Dowered women were not excluded from customary succession, which was relatively egalitarian (for non-noble patrimonies), even if, as we shall see, it included a slight birthright, or *preciput* (that is, a portion of an inheritance which was given to one of the heirs and that was over and above the equal share transmitted to the other co-heirs). This study deals with specific urban social groups: the great officers of justice and finance (noble magistrates of sovereign courts, holders of important financial offices that could give the right to a title of nobility) and the so-called middle officers (prosecutors of courts of justice or notaries, who were not nobles). These were close to the financial circles and to the great military officers (promoted by a *brevet*) who, from the second half of the seventeenth century onwards, often came from the same lineages as the officers of justice and finance. The traditional opposition between the ‘Robe’ (symbolizing since the fifteenth century the officers of justice and finance) and the ‘Sword’ (an attribute of medieval warriors) had been thus erased. These social categories owed their social identity to

venal or non-venal offices they had acquired or received from the king. Ostensibly, these offices were held by men; but it is women and wives that will be taken into account here. It should be remembered that very often the families that obtained the great offices on the threshold of the seventeenth century had managed to climb the social scale thanks to the exercise of trade during the early sixteenth century. By receiving the status of *bourgeois* of Paris, these individuals, who aimed at an intergenerational social ascent, or simply at corporate notability, often managed to access elective municipal offices during the sixteenth century. In those cases in which these individuals managed to continue their social ascent, they or their descendants would purchase offices of justice and finance – venal, and transmissible since 1604 – and this in a social milieu in which practices of patrimonial transmission were governed by customary rules and took place within the kin group, by means of matrimonial alliances and through succession.

The daughters and sisters of these great officers from recently promoted lineages often entered into *hypogamic* marriages, but this policy of alliances was important to preserve the influence, wealth and authority of the lineage through the circulation of male offices in parallel with female dowries (Chatelain 2008). A portion of the dowry, equal to two thirds of the amount, was submitted to community property regime. This practice provided the necessary credit to purchase these offices: among the urban elites, this property regime constituted a ‘structure of accumulation’ of the household, allowing the families to acquire and then transfer immovables that carried titles of nobility, such as offices and seigneuries, that enabled the holders to easily obtain loans. (Descimon 2009).

Thanks to the community of assets, managed by the husband, the couple was integrated into the economy of the kin group in which this type of immovable property, that capitalized the fortunes of these new nobles, circulated. Some of these assets, such as rents, were ‘fictitious assets’ that were incorporated into the property to be shared between heirs. Thanks to the customary practice of semi-egalitarian inheritance between co-heirs (which, as stated, in case of the so-called noble assets, included a slight birthright in favour of the first-born male), the circulation of the assets in question extended to the family of the paternal *as well as* maternal lineage: it included the collaterals (siblings and cousins) and, by degrees, also concerned their relatives by marriage, at least until the first half of the seventeenth century. This process of integration by kinship to the dominant groups was also perpetuated by means of repeated matrimonial alliances with kins. However, as early as the second third

of the seventeenth century there was a tendency to imitate the (non-egalitarian) practices of transmission of the aristocracy, and consequently to concentrate those assets that endowed dignity or carried a title of nobility and to transfer them along the male line as if these embodied the noble nature of these bloodlines (Derouet 1997; Descimon and Haddad 2010; Descimon 2012; Haddad 2014). The hierarchal differences among first degree cousins increased at the same time. (Delille 2001; Johnson and Sabeau 2016). *Inter vivos* donations and testamentary bequests (which were exceptions to the customary practices concerning wills) were the legal tools that were used to place joint heirs in hierarchical order.

Until then, the almost egalitarian sharing out of assets among brothers and sisters had fostered a strong economic collaboration among siblings. This cooperation was based in particular on the efforts of wives and mothers to maintain horizontal solidarities concretely, by actually managing resources. These women displayed real economic skills, being able to manage resources much before entering widowhood. From this perspective, it has become customary to contrast Paris with Normandy, where wives were excluded from inheriting an equal portion of the family patrimony along with their brothers, which predisposed to the fragmentation of non-noble landholdings (Viret 2013), or with the Florentine case, where women were excluded from the succession of agnates. (Chabot 1998).

As a consequence, practices of succession became increasingly unequal and differentiated according to birth order and gender, a fact which resulted in changes in the social relations within these Parisian kin groups. Among the elite of office holders, one of the major legal features of these changes was the affirmation of the natural rights of each individual (Cerutti 1995), and the contemporaneous development of distinctive ethical relationships (that is to say, linked to one's specific status and profession) that helped to distance or, conversely, to bring the relatives closer, depending on the nature of their profession and interests.

To begin with, I shall briefly describe the legal and economic changes that took place in the so-called 'Nobility of the Robe'. This 'Nobility of Service', fostered by the transmission of offices, was also integrated into the 'Nobility of the Sword' and the business community (including sons who were military officers and relatives by marriage who were financiers). A case of legal marital separation at the end of the reign of Louis XIV, which was the subject of a micro-historical study, shows the importance of female *agency* and clarifies

that at the heart of marital disputes lay the changes in the economic status of women in the husband's lineage. Lastly, we will see how female chains of agency within the kin group (of the patronymic lineage) were formed and manifested, and contributed to the transformation of the women's role within their family.

Michelle Bernard obtained legal separation from her husband, the former *intendant* of Champagne Jean Baptiste de Pommereu, at the end of the legal action for the separation 'as to property' and 'from bed and board' that she had initiated between 1704 and 1709, by appealing to the courts of the Parliament of Paris, the main sovereign court of the kingdom. The lawsuit opposed an 'heiress' whose hefty dowry (300,000 Lt) had been given to her by her maternal step-grandfather, who had been a financier close to Colbert († 1683) (Dessert 1986; Chatelain 2010). Colbert, one of the principal ministers of Louis XIV, had introduced changes in the legislation that had altered the 'economy of the office', giving a decisive blow to the financial equilibrium and social status of the noble families formed to serve the monarchy in the sixteenth century.

Structural changes in the domestic economy of the urban elites during the second half of the seventeenth century: towards an increased gentrification of social roles.

Several historians have discussed the thesis on the decline of the nobility of the Office (Beik 2004). The edict issued by Colbert in 1665, which fixed the price of offices, was in any case a financial catastrophe since offices which had been bought at high price during the seventeenth century, and for which individuals often incurred heavy debts, had lost their value. Moreover, the obligation to deposit the office's finances to the *Trésor des parties casuelles* weighed on the coffers of the families who wished to acquire one (Descimon 2006).

This policy served to finance, at least in part, the war economy of Louis XIV, and was based on expedients that often constituted real innovations in the field of financial techniques (Bayard, Félix and Hamon 2000; Béguin 2012; 2015). A fundamental aspect of this policy was the emphasis on medium-term loans on the capitals of elite families.

Endogamy progressed in parallel to these changes in the constitution and make up of private fortunes. Marriages took place within the same socio-professional milieu, renewing alliances within the kin groups. At the same time, however, we can observe exogamic

marriages directed towards the financial milieu in particular (which is the social group Marie Michelle Bernard came from).

The embarrassment of the aristocracy in regard to this financial dependence is evident in the development of the negative literary image of the financiers, money-handlers close to power, but often related to the middle nobility, (Dessert 1984; Lilti 2005). We can conclude that matrimonial alliances formally unified the elites, but this does not imply real integration or a sense of cohesion.

The importance of the community of assets has already been emphasized: it gave couples a real capacity for social dynamism, going hand in hand with a corporatist practice of kinship. The structure of the exchange of assets *through* marriage was modified, along with that of transmission: during the seventeenth century, the portion of the wife's property which was devolved to the community of assets tended to decrease to one-third, while the amount held by women increased (2/3 of the dowry, according to the new law). At the end of the seventeenth century, the *lieutenant-general* Le Camus went so far as to say that the absence of a community of assets, which had been the privilege of noble women since the fifteenth century, had become the norm among Parisian elites.

This form of *protection of female property vis-à-vis the husband's creditors* made it possible to avoid mortgaging the wife's assets, even for couples who had married into a community of assets regime, in case of indebtedness of the husband, was normally guaranteed thanks to the *bénéfice d'émolument* (or 'benefit of emolument', a special clause, aimed at safeguarding the wife's property, that enabled women to take over their husband's assets) (Timbal 1976). But legal experts reflected on how to circumvent this right, marking in this way the tendency to question the immutability of matrimonial agreements (i.e. the impossibility of recasting the provisions of the marriage contract during an ongoing marriage) (Villiers, 1976). Notarial contracts bear witness to this, for example in the multiplication of special clauses in marriage contracts concerning the solidarity of wives in case the husband incurred any debts.¹

At the same time, the patriarchal power of the head of the lineage was manifested by a much more unequal practices of succession based on *demographic restriction*. By referring to Roman law, a sole heir was appointed by means of a universal legacy (which also concerned

goods bought during marriage under a community of assets regime), who was also liable to receive the heavy burden of redistributing to others the rents destined for their maintenance. Girls and younger male siblings were allotted the minimum share by law (the so-called *légitime*): effective solidarities and collaterals were thus severely undermined and this evolution generated numerous lawsuits for an increase in 'legitimate' dowries (Chatelain 2010).

Against the egalitarian spirit of custom, the Roman law of succession was brought into question so as to justify the fact that women's assets were put in trusteeship. At the same time, however, this could also serve to justify their emancipation.

The dispute over the rights of the wife

In his dissertation on marital separation, Giacomo Francini postulated an increase in the procedures for the separation 'as to property' and 'from bed and board' at the courts of second instance and appeal of Paris (Francini 1998). This hypothesis is consistent with that of the increase in requests for separation 'as to property' by families of Parisian merchants during the eighteenth century and issued by the court of the Chatêlet which have been studied by Laurence Croq. The procedure allowed the bankruptcy of the spouse to be endorsed, by means of the dissolution of the community of assets if the spouses gave their consent. In spite of the possibility to make this agreement, during the eighteenth century, the community of assets was less and less taken up, no more than married life (Croq 2009).

From the end of the reign of Louis XIV, a number of resounding cases of separations 'as to property' and 'from bed and board' fuelled court reporting and aroused the passionate interest of polite society in Paris. Thanks to the publication of *factums* (judicial pleadings exposing the facts and the pleas of the parties) and through the pens of lawyers these judicial cases reflected the tensions between the litigant couples, while at the same time they testified to the existence of centrifugal tendencies within the marriages involving individuals from specific social categories. A careful analysis of these trials makes it possible to identify trends left in the shadow of historiography, as they seem to be in contradiction with the Civil Code that contributed to the reinforcement of the trusteeship on women in the nineteenth century.

During the dispute in the adversarial proceedings that constituted the separation of the Pommereu couple, different interpretations of the *use of domestic economy* and of the

underlying customary arrangements, were put forward. This specific procedural duel must be considered seriously since it puts into question the current interpretation of private law. The focus of the judicial argument was the opponent's *economic means*. The holders of different and incomplete rights faced each other: Madame accused Monsieur of having obliged her to make donations from the 2/3 part of her property to their two eldest sons, with a substitution clause that passed ownership to the surviving brother should one of them die, while the other three children were allotted only the legitim (an inheritance equal to 1/5 of the 'réserve coutumière', which was equivalent to the overall assets, after deducting the benefit of the eldest, for intestate noble estates). The question of the constitution of this future heritage, with its many legal aspects, was the subject of the judicial debate which was extended to *more general principles*, that is to say, to those legal principles and social expectations that established how estates had to be portioned out. In general, during the adversarial procedure, the parties confronted each other *au possessoire*, that is by claiming the right to use an asset, whose property (as opposed to its use) was much more difficult to claim *au pétitoire*. This latter type of recourse, has been defined by the jurist Denisart as 'the action by which the fund or the property of a thing is demanded: it is said in opposition to possessory (*au possessoire*), where it is only a matter of possession.' (Denisart 1771: 517, article 'pétitoire'). The difference between ownership of the goodwill of a company and that of the walls of the shop in which it operates is still based on a similar distinction.

But in fact, as we shall see, the claim of the property *au pétitoire* was implicit in the trial in question, even if it could not be explicitly enunciated as such. It is, in essence, the very fabric of law, which was contributing to changing social norms.

Marie Michelle Bernard, wife of Pommereu had accused her husband of *dissolving the community of assets and forcing her to renounce it at the same time to take full possession of her dowry. Thus she had lost the payment on her alienated property, and the revenues deriving from it.* (Olivier-Martin 1914). In other words, she would not be able to claim any share of the part of her dowry that was submitted under the community of assets. From this point of view, the settlement of the lawsuit surreptitiously reversed this state of affairs: it allowed her to recover a large sum, declared guaranteed by justice on the sale of an asset belonging to her spouse (his office as *maître des requêtes*). In the final transaction, the wife agreed to allow her husband to keep a part of the common property which was 9% higher than her own, because the husband was responsible for the upbringing of the children.²

But he only received a third of it!³ All the arguments of Mrs de Pommereu's lawyers to legitimize her legal victory established her as the legal owner of her dowry.

To justify this claim on her assets, during the proceedings the wife clearly stated how she planned to portion out her property: she wished to assign an equal part of her fortune to each one of her children, when they were settled, giving each one of them the share they deserved. Her choice encapsulated a rather bizarre commixture of the egalitarian principle reflected in the customary rules, and the unequal spirit of Roman law (which favoured an individualized inheritance) through the practice of the universal legacy: this was already a first step towards the claim of the full property and free disposition of an asset. The argument justified this desire (to count on a future not yet fully realized), since as a mother she possessed the competence to judge her children's merits. This competence was ancient: strong in her rights, the widowed mother of a potentially continuing community, was traditionally the one who principally took care of her children, and who provided the necessary funds for them to settle once they had become young adults. In this case this ability was emphasized, since the mother *did not take into account the father's decision* and relied on her own abilities on the one hand, and her own experience on the other, to discern the merits of her offspring and the share of the maternal patrimony they would inherit in the near future. From a social history perspective, these assertions trigger a certain number of questions and assumptions, which are anchored in the analysis of the context of this case. Other studies in countries under Roman law outside France, have already led to important discussions among historians about the time variation of the margin of action allowed by law and customary practices for what concerns the transmission of patrimonies of wives and mothers (e.g. Chabot 1998).

At any rate, the arguments put forward by Marie Michelle Bernard's lawyers pointed to a real ambition in terms of transfer: this form of female ownership of the dowry, justified by specific competences, was claimed by men on behalf of their female clients. The defence lawyer used sophisticated rhetorical techniques in a new procedural format to give public consistency to his client as an individual who was forcefully claiming her rights.

This trial for matrimonial separation and the type of claim that it supported repeated itself in this lineage from generation to generation in exogamic unions. A marriage in which both spouses came from the same professional and social background, as was that of the

father of the separated *intendant*, Robert Auguste Pommereu, who in 1654 married Agnès Lesné, gave an opposite result. The husband and wife had made mutual donation of their share of the community of assets and the wife logically became the executor of the husband's will. In the previous generation, a case of separation 'as to property' and 'from bed and board' – which created a family precedent – had seen Francois de Pommereu obtain in 1652 judicial separation from his second wife, Denise de Bordeaux, a well-known woman of letters member of the *Précieuses* movement, and the daughter of a rich financier, who had different political views from her husband's (Chatelain 2010).

The chains of female agency

F. Olivier-Martin noted that the *excessive control of the husband [on domestic economy] entailed 'the additional intervention of the king and justice'*. For him, *'the intervention of the courts [was] dissolving these family communities'*, that is, the balance and cohesion of kin groups composed of co-lineages and relatives by marriage who previously intervened to redress the balance of matrimonial exchanges and relations between related groups (Olivier-Martin 1914).

Moreover, the day-to-day management of these large households had become very complex, and was getting increasingly burdensome for their owners, so much so that they required the skills of businessmen who were also sometimes, as in Pommereu's case, women. It was mainly through their activity that the family's unity was maintained concretely, despite the centrifugal tendencies described above, which were manifested by increased competition among brothers, brothers-in-law, cousins, husbands and wives.

The case of Suzanne Roberge († 1735) is a good example of this unifying female agency. The daughter of an alderman from Paris, she came from a branch of a family of winegrowers who later became merchants of gloves and perfumes in Paris. Through their financial activities the Roberges enjoyed a vigorous social ascent. They had five daughters, all married off to law practitioners, auxiliaries of banking and finance; these girls had also been provided with substantial dowries if we consider their social background, receiving 20,000 *livres* each. Their brother, Jean-Baptiste acquired the post of *Trésorier receveur général et alternatif* of the rents of the *Hotel de Ville* (1679-1737) and became very rich (Claeys 2009).⁴ Suzanne, soon widowed by a fish merchant and with a dower added to her own dowry, remarried in 1675 to a Champenois, Claude Johin, secretary to the Councillor of

State Auguste Robert de Pommereu († 1727), himself known for having been the first *intendant* appointed in Brittany. Once promoted, her second husband also became a lawyer in the Parliament of Brittany. Having once again become a widow and childless, she replaced her husband in the management of the Pommereu household and became the business aide Auguste Robert's widow. Since they were childless, the John spouses had made a mutual donation of their properties and practiced a strong community of assets, in order to guarantee the transfers of property made on behalf of their masters.⁵

Mrs John then entered the service of her mistress' brother-in-law, Jacques Alexandre de Pommereu (who was hardly close to his half-brother Auguste Robert, the powerful state councillor), father of the separated husband. *Gouverneur de la place* in Douai, Jacques Alexandre was close to the Count of Toulouse, bastard of the King. He remained single, because of his position as a younger son and therefore had no spouse as administrator. On the other hand, he remembered being the favourite of his mother, his father's second wife and a *Précieuse* separated from him after the Fronde. He had opted for a military and not a legal-administrative career as he did not have his half-brother's (Auguste Robert) disposition.

As shown in the table below, men normally appointed their wives as will executors, while women appointed their sons:

Table 8.1 Testamentary executors of the Pommereu estate.

But it was Mrs John that the high-ranking officer († 1718) appointed as his testamentary executor under payment of a diamond worth 1500 Lt; his nephew, Jean Baptiste, had done the same... to reward a magistrate and not least, the attorney general of the Parliament of Paris, Joly de Fleury. The settlement of the will executed by John required an enormous amount of work over several years, the *Pommereu heirs* entering – between 1718 and 1721 – many proceedings (concluded) against the will of their uncle. Moreover, during this time, it was necessary to recover the assets, repay the liabilities and clear the accounts in order to portion out the inheritance (1725):

[Suzanne Roberge], who had not only been entrusted with the greater part of the effects of the aforementioned succession but had also received refunds and made several recoveries, in the capacity of receiver on 12/02/1721

presented the accounts before M. Nigot, adviser to the parliament and commissioner of the requests of the palace.⁶

Even though she did not have an office or title, the widow was familiar with the business in progress of the Pommereu family from one end to the other, including the entire chain of relatives. So much so that, for example, she was able to disentangle montages of life annuities or perpetual annuities that the relatives had bought to borrow money from one another, according to complex operations. She had mastered the new techniques of data classification which now permitted the control of a set of rights and titles which the owner himself had only marginally mastered. Indeed, and for this purpose, Roberge collaborated with and employed other personnel, who managed the various funds making up this succession. For example, they carried out *closing sales on movable* properties (silverware, furniture, rents) and then payments to *various accounts* under her signature for partition. The butler, a servant often responsible for the settlement of suppliers (who were also creditors) assisted a former notary from Paris, who had been the notary of the deceased and both disbursed or collected the sums gathered after a number of trials supported by Roberge to defend her former master's will, and for which she availed herself also of the counsel of a prosecutor in Parliament.⁷

Through her work and certainly in connection with her brother Jean Baptiste (probably the godson of Pommereu's son), she helped to restore the family wealth and even to capitalize on it by consolidating perpetuities and life annuities: is it possible that her appointment was a 'pro-feminist' act by Pommereu and not simply a decision stemming from practical considerations, such as the fact that she, being the widow of a secretary of Augustus Robert de Pommereu, knew well the family affairs of his half-brother?

Through his will, which had been annulled by justice, Jacques Alexandre had tried to give each one of his sisters a share equivalent to half of that of a man, specifying for one of them: 'On condition that her husband will let her enjoy it for her maintenance.'⁸ In fact, it was custom in Paris, that legacies from collateral relatives be included in the community of assets. The testator seemed to mistrust the common management of assets that were considered to be of the lineage. He intended also to let this sister take advantage of the bequest and not just to freeze the funds into a trust. Did not Jacques Alexandre thus wish to allow his sisters take an active part in managing their own assets? This aspect is not reflected

in marriage contracts, which merely consolidate the women's personal property to the detriment of the community of assets, without, of course, explaining what part the wives might actually play in their administration.

Moreover, in the *factums* of her first mistress' daughter-in-law, Mrs Johin was considered a close associate of Jacques Alexandre who exercised a mediating capacity in her bosses' family: Marie Michelle Bernard was able to solicit her to loosen up a little the heavy tutelage exerted on her by her in-laws so as to let her go to the waters of Bourbons, and to find a doctor thanks to her support:

I am asking the Governor of Douay uncle of M de Pommereu to confirm that I had not the honour to ask him to hire the lady Johin, who has long been attached to Madame de Pommereu ... to come with me [from Chalons] to Bourbon.⁹

Indeed, the deceased Claude Johin had been close to the financial circles active in Champagne, to relatives by marriage of Marie Michelle Bernard's family who were at the service of the aristocrats in charge of the civil and military government of this same region. It seems that the service rendered to his clientele was a prerequisite for the entry of Jean-Baptiste de Pommereu as *intendant* in this generality. Suzanne Roberge, a sort of domestic *intendant*, but also a broker in this network, had become indispensable to the effective maintenance of the family's unity. At the same time, she knew the secrets of the economy of the Pommereu 'household' (intended here as a sort of domestic enterprise bound by all kinds of transactions to its relatives and collaterals), much better than the governor himself. This is clearly shown by his will: the military officer felt that the management of property and family affairs only partly fell under his competence.

This case study testifies to the different ways through which the role of women developed, thanks to the profound changes in the structure of domestic economies and the solidarities of kinship that had once supported them in the social context to which they belonged. On the threshold of the eighteenth century, they could exercise substantial agency, which was enhanced both as a consequence of the new social and legal dynamics of the transfer of assets reserved for women but also because of the development of technical skills which made these women more specialized administrators, who through their experience were able to contribute to this change in the 'gender regime'. It was also thanks to the

profound divergences within families on the uses of the dowry that the affirmation of female property rights emerged in court. These social changes were articulated around the intensive reorganization of the private/public categories and the modification of gendered actions. We may ask ourselves whether the transformation in the status and/or function of women's dowries depends on the fact that these funds constituted a variable for controlling the economy of the lineage and its perpetuation or if, as it seems with this case study, it ultimately offered them a way out, through the quest for a more adequate status in terms of mobility and empowerment.

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¹ Archives Nationales [hereafter AN], Minutier Central [hereafter MC], LI-623, 10/02/1686, *Contrat de mariage de Jean-Baptiste Roberge et Christine Grondeau*, is a good example of those clauses that went beyond the usual exemptions to customary rules that were followed in Paris, specifically authorized because contracts of civil union were considered favourable acts.

² AN, MC LXXXVIII-386- 19/09/1709, *Réunion de l’assemblée de famille Pommereu*.

³ AN, MC LXXXVIII-604, 02/08/1747, *Liquidation et partage de la succession de M.M.B*

⁴ For information on the marriage agreements of the Roberge siblings, see Claeys (2009). AN, X/165, 17/02/1675, CM Claude Johin and Suzanne Roberge (dowry of 22 000 livres).

⁵ AN, Y/240, F^o 312, 17/05/1681. *Donation mutuelle de Claude Johin, bourgeois de Paris et de son épouse Suzanne Roberge*

⁶ AN, MC LXXXVIII-491, 25/05/1725, *Partage de succession de Jacques Alexandre de Pommereu, gouverneur de Douai*

⁷ AN, LXXXVIII/456, 3/12/1718, *Inventaire après décès de Jacques Alexandre de Pommereu.*

⁸ AN, MC MC LXXXVIII-456, 15/09/1718, *Expédition et procès-verbal du testament olographe de JA de Pommereu.*

⁹ BnF, DB 532, *Dossier Pommereu*, F° 69, Factum 'Réponse de Mme de Pommereu'.