

1924-03-00  
Fr. Bluche, L'Origine des magistrats du Parlement de Paris au XVIIIe siècle (1715-1771). Dictionnaire généalogique. Mém de la fédération des. soc. historique et archéologiques de Paris et de l'Ile-de-France. Tt. V-VI, 1953-1953. Paris, 1956

Introduction gives justification, methods, etc. The author seems to show early great sensitivity to the exact degree of nobility of various magistrates, so that his concern is with the purity of the class at that time. He seems surely to be a noble-lover.

- 12) The problem is to determine the liberal or conservative attitude of the pre-revolutionary Parlement according to its class status. Especially to know "le fondement social de cette opposition privilégiée et à déterminer en premier lieu la situation juridique des magistrats des parlements de France au moment de leur entrée en charge.\*[\*5 Le moment important pour situat juridiquement et socialement les familles parlementaire est l'entrée en charge de leur représentation, puisque, une fois accepté, ce dernier jouit des privilèges personnels de la noblesse.] Were they routuriers, gentilhommes, sons of ennobled, dynasties of the robe in any solid sense? Cites the works of
- 13) Égret in REV HIST & Roton on the Marc d'or to show that positions open to new men more than has been thought. One of main problems using the marc d'or dispensation to judge if an entrant is noble or not is that he may be outright routurier, a pure bourgeois, or of a family on its way to nobility, In a note, the latter case is exemplified by ~~x~~ the de cujus' father having a charge ennobling in the first degree (conseiller in Parlement, zb) but not yet having fulfilled the conditions of 20 years exercise of the office or death in exercise of it; or, of de cujus' father having only ~~the~~ a charge giving gradual nobility, in two degrees, such as trésorier de France in the provinces.
- 15) Mentions his "thèse principale" Les magistrats du parlement de Paris au XVIIIe siècle, 1715, 1771, étude d'histoire sociale, where ideas are given in a synthetic form of the data given in this book. (P. 19 mentions that statistical tables on the data are also to be found in this thesis. No publication data is given.)
- 16) Studies only the degrees of ascendants, not the quarters. The thesis mentioned above has some studies of quarters. Nor are descendants cited. The year 1715 comes from the recovery by Parlement of the right of remonstancance according to the royal declaration of 16 sept 1715. Earlier, the "consolidation morale des privilèges" of transmittable nobility of the first degree, recongnized by the edict of novembre 1690 and declaration of 29 june 1704. The date 1771 is that of the reform of recruitment and nomination to Parlement instituted by Maupeou. Included in the list are officers of Parlment in changes ennobling in the first degree (presidents, conseillers, gens du roi--substituts y compris [suivant la declaration du 29 juin 1704]--greffiers en chef civil et criminel & le premier huissier; also the conseillers d'honneur, lay & clerical. Excludes the secrétaires du roi who operate in or near the court, since they are not magistrates. Excludes the two ecclesiastical honorific counsellors; ducs & peers out too, since the old idea of parlement as a court of peers is ~~xxx~~ dismissed.
- 17) Alphabetically arranged according the family name of the first person of a family to occupy a charge in the period 1715-1771, giving the principle of nobility of that family at the moment of entry into the charge. First, to distinguish transmissible nobility from "privilèges personnels"--a phrase preferred by Bluche since the ancien régime did not use the expression "noblesse personnelle" that one finds in the 19th century--and second whether true nobles or "noblesse inachevée"--instances of the latter being as given in note from page 13, above.
- 18) This summary statement is given: "la justification sommaire, degré par degré, de la situation juridique et sociale des familles ~~xxxx~~ représentatées au Parlement entre 1715 et 1771" Does not use the word "morale along with juridique & soçiale here, as

elsewhere.

- 19) The final designation of degree of nobility--i.e., of ancestral degrees--allows statistical analysis which his main thesis (referred to above) apparently makes.
- 21) The sources. Chérin's Abrégé chronologique & La Roque's Traité de la Noblesse are the fundamental sources. The inquest of 1666 to establish nobility is critical, since its decisions seem to have prevailed no matter their worth. [Any doubt about the validity of judgments of this group is really cavelling, as if nobility is anything but what the ruler declares it is.] There is the problem of amassed privileges and tax exemptions over generations without official declaration of nobility. So, one uses the criteria used by "jurisprudence nobiliaire" in ~~the~~ 18th-century France:
- 22) 1) By degrees or generations, not by quarters. The latter belong to foreign orders, like that of Malta, or of provincial coutumiers anterior to that province's reunion to France. French count by degrees because it is a country "où s'est toujours pratiquée la mésalliance."
- 2) Original acts, not verbal testimony or copies, required as proofs in France in the 18th century.
- 3) The terminology determining nobility in these original acts vary; chevalier, damoiseau, écuyer always signs of nobility; noble homme since the 16th century (except in Normandy) means a routurier; noble preceding the premon is accepted in 18th-century France as meaning noble one in "Flandres, Hainaut, Artois, Franche-Comté, Lyonnais, Bresse, Bugey, Dauphiné, Provence, Languedoc et Roussillon et dans l'étendue des Parlemens de Toulouse, Bordeaux et Pau." Chérin, xxxii.
- 23) Ennobling by charges--municipales [noblesse de cloche], de finance, de robe ou militaires [defined in 1750] are regulated by laws and ordonnances in use under the ancien regime, and can be found in Chérin & La Roque. This can be accomplished in the first degree (e.g., trésorier de France à Paris) or be definitive only the the second degree (e.b., same office in the provinces).
- 24) The problem of when a family enters into the rank of noble of second order. Can be at time of letters of honor or (according to one point of view) of the death in office, when the conditions of the noble status via office seem to have been fulfilled, and the next incumbent who gets the office by hereditary transmission is of the second order. If it is a question of two offices which ennoble ~~making~~ exercised by the same person successively, note that one adds the terms of each to get the 20 years. If he does fulfil the twenty years, he gets letters of honor called de vétérance stating that his nobility goes back to the entering into office twenty years earlier, thus making for a certain aspect of retroactivity in ennobling by changes.
- 25) The category of noble by aggregation of fiefs was allowed from St. Louis to the end of the 15th century. Called "tierce foy", a form of gradual nobility, it was prohibited in the 16th century. The case of nobility by aggregation of offices is also complex. No office ennobled in the first degree in the 15th century, to Bluche's knowledge. Still, in the 18th century ~~xxx~~ dispensation of the marc d'or was given to those whose ancestors filled certain offices of the 15th & 16th centuries which (at least we know) were not ~~not~~ ennobling.