

Eighteenth-Century Matrimonial Strategies and Emigration to the Americas

The House of Berrio in La Bastide Clairence*

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In a 1983 lecture at the Sorbonne entitled “History and Ethnology,” Claude Lévi-Strauss offered an example of the connection between these two disciplines based on his work on “house-based societies,” in which he compared eleventh-century Japan, the Fiji Islands, and medieval Europe.¹ In his earlier work, Lévi-Strauss categorized kinship systems by using combinations of binary opposites, such as patrilineal/matrilineal and exogamous/endogamous. However, close examination of how “houses” such as the great European houses of the pre-modern period were transmitted across generations reveals that both men and women could inherit. It also demonstrates that alliances between families at times involved closely-related families but could also be established between families that were only distantly related. According to Lévi-Strauss, the “house” is a social unit distinct from the family because it does not necessarily correspond to agnatic lineage and may “occasionally even lack any biological basis.” Instead of constituting a transgenerational

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1. Claude Lévi-Strauss, “Histoire et ethnologie,” *Annales ESC* 38, no. 6 (1983): 1217-31.

biological bond, a “house” represents “a material and spiritual heritage that incorporates dignity, origins, kinship, names and symbols, position, power, and wealth.”² As Timothy Jenkins observes in his recent book, Pierre Bourdieu’s studies of peasant society in the Béarn region of France, collected in the 2002 volume *Le Bal des célibataires* (*The Bachelors’ Ball*, published in English in 2008), address an issue that, while seemingly unrelated, is highly relevant to this question.³ Bourdieu analyzed the traditional organization of Bearnese agricultural estates into “houses,” concluding that celibacy among heirs was symptomatic of a poor fit between the modern world and peasant customs governing alliance and succession. Bourdieu’s studies also echo the work of Frédéric Le Play, who invented the “Pyrenean stem-family,” a concept that emerged from his fieldwork in Cauterets in 1856.⁴ Le Play distinguished the “stem-family” from two other broad systems of family organization, the “patriarchal family” and the “unstable family.” One of the principal characteristics of the “stem-family” was its emphasis on the preservation and transfer of the “house,” a process protected by customs that included the stipulation that a single descendant of each generation be designated sole heir. According to Le Play, the “stem-family” and its related hereditary customs existed in a range of European regions, including Scandinavia, Holstein, Bavaria, Tyrol, northern Italy, and the French and Spanish Pyrenees. Le Play interpreted the constitution of the feudal order—the cardinal rule of which was the integral transfer of fiefdoms—as evidence that the seignorial class had adopted the “stem-family” model.

Some scholars have pursued the work of Bourdieu and Le Play by focusing on the relationship between house-based societies and patterns of emigration. Because of the rule requiring the integral transfer of assets and property, one sibling—in theory, the eldest—inherited everything, and the remaining descendants were obliged to make do with more meager resources. Under the Old Regime, these customs yielded figures such as the young Gascon nobleman (*cadet de Gascogne*), popularized by Alexandre Dumas and Edmond Rostand, as well as others like the less well-known figure of the younger son of a Norman noble family (*cadet de Normandie*). A young Gascon nobleman would leave his native country to seek his fortune elsewhere, in France, Europe, or, beginning in the late seventeenth century, in the “American islands” (primarily in Saint-Domingue, as Jacques de Cauna has shown).⁵ Although this pattern of emigration has been noted, its causes have rarely been explored in any depth in previous scholarship. In Bourdieu’s work, emigration to the Americas—which was massive in the Béarn region beginning in the latter half of the nineteenth century—is framed as a necessity among younger

2. *Ibid.*, 1224.

3. Timothy Jenkins, *The Life of Property: House, Family and Inheritance in Béarn, South-West France* (New York: Berghahn Books, 2010).

4. Frédéric Le Play, *Les ouvriers européens. Étude sur les travaux, la vie domestique et la condition morale des populations ouvrières de l’Europe*, vol. 4, *Les ouvriers de l’Occident* (Tours: Mame, 1855; repr. 1877-1879), 445-510.

5. Jacques de Cauna, *L’Eldorado des Aquitains. Gascons, Basques et Béarnais aux Îles d’Amérique, XVII^e-XVIII^e siècles* (Biarritz: Atlantica, 1998), 23-50.

siblings who risked poverty: “There were many departures in the lean years between 1884 and 1892.”⁶ According to Marie-Pierre Arrizabalaga, however, Basque emigration in the nineteenth century showed little correlation with economic cycles.⁷ Furthermore, as Adrián Blázquez has argued, emigration required relatively significant resources and was therefore not an available option for the very poor.⁸ It is possible that the correlation between primogeniture and the emigration of younger siblings provides false evidence. Jérôme Viret has observed that hereditary customs in the Perche region of France, which experienced a wave of migration toward Canada in the seventeenth century, were indeed relatively egalitarian.⁹ In any case, although younger siblings represented a high proportion of Basque and Bearnese emigrants, emigration represented only one option among many, and the reasons behind the decision to emigrate merit further investigation.

Historical anthropology like that presented by Lévi-Strauss in his 1983 lecture can contribute to an understanding of the factors surrounding the decision to migrate. To illustrate what might have been the matrimonial strategies of the nobility under the Old Regime from the perspective of those who conceived and regulated them, Lévi-Strauss quoted Saint-Simon’s *Mémoires*, notably his remarks concerning his own marriage. In his conclusion, he also proposed that a better understanding of the concept of the “house” could be achieved by closely examining sources long considered suspect by historians, such as the Gotha Almanach and the d’Hozier genealogies, suggesting that such studies could provide a natural complement to the use of parish records and notarial archives in historical scholarship.¹⁰

The present study—a case study of the emigration patterns among members of an eighteenth-century family who belonged to the lesser nobility from the French Basque country to Saint-Domingue—is conducted in this spirit. The alliance strategies of this particular house over several generations will be examined, revealing the options available to elder and younger siblings and attempting to explain the reasons behind emigration decisions from the emigrants’ own points of view. In-depth investigation enabled me to gather a good deal of documentation regarding this family’s history in both the Basque country and Saint-Domingue.

6. Pierre Bourdieu, *The Bachelors’ Ball: The Crisis of Peasant Society in Béarn*, trans. Richard Nice (Chicago: University of Chicago Press, 2008), p. 25, note 16.

7. Marie-Pierre Arrizabalaga, “Family Structures, Inheritance Practices and Migration Networks in the Basses-Pyrénées in the Nineteenth Century: Sare” (PhD diss., University of California, 1994); Arrizabalaga, “Famille, succession, émigration au Pays basque au XIX^e siècle. Étude des pratiques héréditaires et des comportements migratoires au sein des familles basques” (PhD diss., EHESS, 1998).

8. Adrián Blázquez, ed., *L’émigration basco-béarnaise aux Amériques au XIX^e siècle. Regards interdisciplinaires* (Orthez: Éd. Gascogne, 2006), 21.

9. Jérôme-Luther Viret, “Coutumes et migrations vers la Nouvelle France : position du problème,” in *Madeleine de La Peltrie et les pionnières de la Nouvelle-France*, ed. Jean-Marie Constant (Le Mans/Caen: LHAMANS, Université du Mans/CRHQ, Université de Caen, 2004), 83-89.

10. Lévi-Strauss, “Histoire et ethnologie,” 1231.

While the obvious advantage of studying a noble family is the greater abundance of documents, as Lévi-Strauss suggested, “the clever matrimonial combinations conceived by Blanche of Castile” closely resembled “those that peasant families continued to build until well into the nineteenth century.”¹¹ This parallelism between the matrimonial practices of noble “houses” and peasant families may authorize a degree of generalization, since they shared similar strategies.

Divorce, Navarre-Style

La Bastide Clairence is a village with a population of approximately one thousand inhabitants in the department of the Atlantic Pyrenees. The present-day economy of the area is based primarily on agriculture and tourism, and the village, which belongs to an association called “Les plus beaux villages de France” (France’s Most Beautiful Villages), currently includes a number of sixteenth- and seventeenth-century half-timbered houses. At the time of the Old Regime, however, La Bastide Clairence was not a mere village, but was one of the five chartered *villes* or towns of the Lower Navarre region that enjoyed privileges dating from its founding in 1312 by Louis I, who ruled Navarre before his coronation as Louis X, King of France. Navarre, a small trans-Pyrenean kingdom that was independent until its southern portion was annexed by Spain in 1512, possessed no coastal territory and thus lacked direct maritime access. La Bastide Clairence is only twenty-five kilometers from the ocean and is connected to the port city of Bayonne by a small tributary of the Adour River. From the point of view of Pamplona, the capital of Navarre, the town’s location offered distinct military and commercial advantages that enabled the kingdom’s northern reaches to be defended while providing a link to the ocean. Until 1512, when the capital was transferred to Pau following Spanish annexation, La Bastide Clairence was dependent on the capital of Navarre in Pamplona. When Henri III of Navarre was crowned King Henry IV of France in 1589, La Bastide Clairence became a *de facto* part of France. In 1620, Louis XIII announced the incorporation of Navarre into the French crown lands. Until 1789, however, Navarrese legal authorities contended that the incorporation was illegal because it had not been approved by the Estates-General of Navarre. Consequently, they continued to assert that the kingdom of Navarre was a separate legal entity from the kingdom of France. It was only in 1789 that the citizens of La Bastide Clairence, caught up in the enthusiasm of the Revolution, formally approved the town’s incorporation into the Kingdom of France.¹²

In March 1763, an unusual ruling by the Parliament of Navarre, located in Pau, was conveyed to the *jurats* (town officials) of La Bastide Clairence. Two months earlier, Sieur Matthieu de Lamerenx and his wife, Dame Anne de Marmont, had

11. Ibid.

12. Pierre Dufourcq, “La Bastide Clairence à la veille et au début de la période révolutionnaire, 1780-1790,” *Revue d’histoire de Bayonne, du Pays basque et du Bas-Adour* 146 (1990): 161-200.

appealed to the Parliament to arbitrate in a disagreement involving their household property and assets. Because the couple—who had been married under the regime of separation of property—was deeply in debt, they found themselves compelled to sell some of their land. Anne de Marmont wanted to sell her husband's lands, and he wanted to sell land belonging to her. While the Parliament authorized the principle of the sale, it declined to rule on the details, ordering that a tribunal of *proches* (family members and neighbors of the spouses) should decide which properties and how many of them would be sold.¹³

Anne de Marmont's family had resided in La Bastide Clairence for several generations. Her grandfather, Jean de Marmont (1652-1718), was a younger son of a noble family from Orthez in Béarn, who had married an heiress from La Bastide Clairence. He also purchased the position of "perpetual mayor" of the town in 1693, benefitting from the royal edict of August 1692 regarding the purchase of municipal offices. Furthermore, in keeping with the absolute cognatic primogeniture dictated by Navarrese custom, Anne de Marmont had become the sole proprietor of the family seat, Berrio, and its attendant lands following her father's death in 1739, while her two younger brothers and sister were left only the "legitime," a modest inheritance assigned to the remaining heirs.

Anne de Marmont's husband, Matthieu de Lamerenx, was the eldest scion of a family from a nearby town and had been named universal heir by his father in 1749 and by his mother in 1755. Upon his father's death in 1750, he assumed ownership of the *salle* (i.e., noble house) of Uhart Juson, near Saint-Palais in Aïcirits, which was approximately thirty kilometers from La Bastide Clairence. After Matthieu de Lamerenx and Anne de Marmont married in 1741, the couple settled in the Berrio house in La Bastide Clairence. Notarial documents designated them as the *sieur et dame de Berrio*. Legally, Anne de Marmont was sole proprietor of the Berrio house: she had inherited the Berrio house two years before the marriage, when she was only fifteen. At the time, Jean de Marmont, her uncle and the vicar of La Bastide Clairence, had been named administrator of the estate. When he died in 1751, Matthieu de Lamerenx became the administrator—but not the owner—of his wife's estate.

During the twenty years that the couple resided together in La Bastide Clairence, Anne bore seven children, and Matthieu de Lamerenx participated in the town government after being elected *jurat* in the 1740s. Around 1760, the family left La Bastide and took up residence on the Lamerenx estate in Aïcirits. A severe disagreement erupted between the two spouses around this time, prompting Anne to leave Aïcirits and return to Berrio. By the time the tribunal assigned to arbitrate their dispute was created in 1763, the spouses were barely on speaking terms, a boon for historians since their dispute was recorded in a series of separate depositions. The transcripts of their depositions preserved in the municipal archives of La Bastide Clairence make it possible to see beyond the legal language

13. FF2 (1763), Archives municipales de La Bastide Clairence (hereafter "AMLBC"), La Bastide Clairence.

used by the clerk of court and hear the spouses' "voices," especially when one converts the reported speech contained in the records into direct discourse (which is not always even necessary, because the clerk occasionally made mistakes and reported what was said directly).

In the first deposition, Matthieu described the "sad situation" of his and Dame Anne de Marmont's properties and the urgency of selling land to settle their debts. He also asserted that while his wife's estate in La Bastide was "commoner" property, the Lamerenx estate in Aïcirits was "noble property."¹⁴ Lamerenx used this distinction to justify selling his wife's lands, with the understanding that he would then owe the amount of the proceeds of the sale to his wife. His concern with preserving noble property stems from a legal peculiarity of Lower Navarre and Béarn that defined nobility as "real," meaning that merely owning an asset considered to be noble provided access to a noble seat in the Estates-General of Navarre. Indeed, this was how the Lamerenx family, bourgeois from Oloron, had initially acquired their noble title a century earlier. In 1663, Isaac Lamerenx, a lawyer with the Parliament of Navarre, had purchased the noble house of Précilhon, near Oloron, which his son Jean later exchanged for a second noble house, the *salle* of Uhart Juson in Aïcirits, along with its attendant lands.¹⁵ Under the house-based system of the period, it was therefore possible to assume the name, properties, and coat-of-arms of a family with whom one had no blood ties. Conversely, however, shedding one's noble assets could be interpreted as relinquishing noble status.

In response to her husband's deposition, Anne de Marmont acknowledged "that it is only too true that the state of her affairs and those of Sieur Matthieu de Lamerenx was extremely sad, which was public knowledge." She added that their problems coincided with the moment her husband became administrator of her estate: he "appropriated money and livestock for himself," "refusing to provide what his family needed." Not only did he use his wife's properties "as if master," "but he also cut wood and made other degradations from which only he profited." Anne de Marmont provided two principal reasons for rejecting the solution that her husband recommended. First, her husband's debts were so extensive that even the sale of all of her properties would not cover them. Second, because the spouses were married under the regime of separation of property, any proceeds from the sale of her lands that were applied to pay his debts would constitute a loan by the wife to her husband. This loan could never be reimbursed, however, because the "estate of Sieur Matthieu de Lamerenx was explicitly dowried in the marriage contract between his mother and father."¹⁶ Indeed, as the historian Anne Zink has demonstrated, "whereas in Roman law a dowry lasted for only as long as the marriage, in the Pyrenees, dowried status was transferred to the offspring of the marriage, meaning that the marriage was assumed to last as long as there

14. Ibid.

15. Chérin 115-2381 (Lamerens file) and Nouveau d'Hozier 201-4482 (Lamerenx file), Bibliothèque nationale de France (hereafter "BNF"), Paris.

16. FF2 (1763), AMLBC, La Bastide Clairence.

were descendants.”¹⁷ As a result, the dowry was transmitted to the succeeding generation and retained its inalienable character. In other words, because Lamerenx had inherited property from his parents on the explicit condition that it be transferred to his own children, he was not free to dispose of it.

The integral transgenerational transfer of a house, made possible by an array of legal mechanisms, was widespread in the Basque country, Béarn, and certain parts of Bigorre. Bourdieu, who conducted research in Béarn in the 1960s, noted that this practice was in the process of disappearing and reflected “traditional peasant society.”¹⁸ Le Play, who described the practice in Bigorre in 1856, expressed concern about its imminent disappearance, which he considered a necessary outcome of the egalitarianism of the Civil Code regarding matters of succession. On the other hand, Jenkins’s book, which is based on fieldwork conducted in Béarn thirty years after Bourdieu, emphasizes the persistence of the practice. The “house” represented a living trust that was transferred to a single member of each generation. A distinction was made between *biens propres* (entailed property) and *biens acquis* (assets acquired through the industry of the master of the house). After an asset had been owned for three generations, it was considered entailed and became inalienable. The master of the house had the right to dispose only of *biens acquis*, meaning property that he had earned, and was therefore not the full owner of the *biens propres*, which belonged to subsequent generations.

This system existed elsewhere in Europe. In England, it was termed “fee tail,” and, beginning in 1505, it also governed the great noble and bourgeois fortunes in Castile under the name *mayorazgo*. Introduced in France under the First Empire and called *majorat*, it helped to protect great fortunes from the “redistributive” influence of the Civil Code. (Ultimately abolished in 1848, the practice of *majorat* is a central plot feature of Balzac’s novella *The Marriage Contract*). A quote from Karl Marx, cited by Bourdieu in his article on Bearnese matrimonial strategies, succinctly encapsulates the essence of the system: “The beneficiary of the entail, the eldest son, belongs to the land. The land inherits him.”¹⁹ The particularity of the practice in the Pyrenees was that *majorat* was effectively the default system. Primogeniture was a key element of the system, but a single, overarching imperative determined the range of possible local interpretations: the integral transfer of entailed property and assets to the next generation. In Lower Navarre and Lavedan (valleys above the town of Lourdes), this meant absolute cognatic primogeniture, in which the first-born child—son or daughter—was the sole heir. In Béarn, the heir was preferably a boy, but in the absence of a male heir, the eldest daughter could inherit, the crucial question being the intact transfer of the “house.” According to Bourdieu, primogeniture “is but the expression in genealogical terms of the absolute priority given to the principle of impartible inheritance.”²⁰

17. Anne Zink, *L'héritier de la maison. Géographie coutumière du Sud-Ouest de la France sous l'Ancien Régime* (Paris: Éd. de l'EHESS, 1993), 219.

18. Bourdieu, *The Bachelors' Ball*, 11.

19. Karl Marx cited by Bourdieu, *The Bachelors' Ball*, 133.

20. Bourdieu, *The Bachelors' Ball*, 141 (author’s own translation).

Anne de Marmont asserted before the judges that her husband's claims were illegitimate, arguing that she "should be able to enjoy the property that she inherited peacefully," the Berrio house. She did, however, consent to the sale of some of her assets for one specific reason: to finance the journey of Jean-Pierre de Lamerenx, her eldest son, to Saint-Domingue, where he would join an uncle who had already settled there as a coffee planter. Since this was considered a mutual expense, she was prepared to furnish half of the necessary funds while her husband would be responsible for the other half.

Her husband's response was that he had already financed her youngest brother's travels to Saint-Domingue, advancing "a sum of two thousand *livres* in clothing and *pacotille* [trade goods to be resold to finance resettlement costs in the colonies]." He considered the argument that dowried inherited property could not be sold to be "imaginary." His wife replied that the livestock sold to finance her younger brother's passage to the colonies had belonged to the Berrio house. The most important point was that if the Berrio house were sold to clear the debts of the Lamerenx house, only one house would remain. If Anne de Marmont's property were to be "entirely dismantled, sold, and merged" with the Lamerenx estate, Anne de Marmont "would find herself, if that were to occur, with no property and no assistance." She repeated that she "resisted the sale of her assets in order to confound them with the Lamerenx estate."

Lamerenx replied, "less to criticize his wife's conduct than to inform us, the members of the commission and the *proches*, of the sad situation of the family," that his wife had used and misused his assets. "She sold my grain in my absence," the clerk recorded, neglecting to transpose the statement into reported speech. His wife retorted that she "had had to use that year's crop, and even to divest herself of certain items of furniture, to provide for her own and her eldest son's subsistence. If Sieur Matthieu de Lamerenx had behaved as a husband and a father, she would not have been obliged to resort to such extremes." She reiterated that her husband's assets were, like her own, inalienable, "with respect to the dowries for which they were responsible and which amounted to 18,000 *livres*" (probably a reference to her brothers and sisters' dowries, which were promised but remained unpaid). Anne concluded by rejecting the distinction between noble and non-noble property that formed the basis of her husband's arguments: "Regardless of whether or not the property of Sieur Matthieu de Lamerenx is noble, its quality does not at all diminish that of the lady in question, who cherishes her property, even if it is rural, as much and even more than that of Sieur Matthieu because by owning it she will live peacefully and according to her own design."²¹

Today these words sound like a vigorous assertion of autonomy. Indeed, full, non-gendered primogeniture is often presented today as the expression of a kind of Pyrenean proto-feminism.²² Furthermore, Anne de Marmont expresses herself in subjective terms, which are all the more striking when re-transposed into direct

21. FF2 (1763), AMLBC, La Bastide Clairence.

22. Isaure Gratacos, *Femmes pyrénéennes. Un statut social exceptionnel en Europe* (Toulouse: Privat, 2008).

speech: Regardless of the reputation of my husband's property and my property, mine is dear to me, and it is the guarantee of my independence. However, Anne de Marmont's "individualism" could also be interpreted as the manifestation of the corporate interests represented by the Berrio house. In Bourdieu's words, "Identifying the interests of the designated head of the family with those of the patrimony is a more effective way of establishing his identification with the patrimony than the application of any expressly stated and explicit norm."²³ In other words, Anne de Marmont's individual interest in simply being able to "live peacefully" was the strongest guarantee of the continuity of the Berrio house.

After the depositions had been recorded, the tribunal withdrew to deliberate, but the case before them was so difficult that they were unable to agree on a solution. Because of this impasse, they proposed appointing a single mediator, Arnaud de Bordus Darrieux, a local gentleman known for his wisdom, a decision that was accepted by both spouses. After consulting two lawyers, and in accordance with the mediator's opinion, the members of the tribunal finally expressed their views on a number of points. The Lamerenx properties and assets, like those of Anne de Marmont, were dowried and therefore, in theory, inalienable. Notwithstanding its inalienable status, however, they ruled that the Marmont property would be sold at auction, with 1,200 livres from the proceeds of the sale set aside to outfit the couple's elder son and finance his voyage to Saint-Domingue. After settling the Marmont debt in full, the remaining balance would be applied to the Lamerenx debts. Since the marriage, 13,500 livres of Marmont assets had been spent, of which the Berrio house was entitled to half based on repossession rights. The final clause commanded Anne de Marmont to either return to the conjugal home or be cloistered in a convent.

We are of the opinion that Dame Anne de Lamerenx should join Sieur Matthieu her husband to make their habitation in the Lamerenx house to live there according to the rules of reason and good sense, the aforementioned Sieur Matthieu having suitable regards for the aforementioned Lady. And if they are unable to bear each other's company, we are of the opinion that Dame Anne be placed in the convent Sainte-Marie d'Oloron in Béarn to remain cloistered there until it please God to inspire her to rejoin her husband Sieur Matthieu and her family, without whom she can under no pretext leave the convent.²⁴

For as long as she resided in the convent, Anne de Marmont would receive a pension of 300 livres per year, to be funded by the proceeds of a gristmill belonging to her husband. If he failed to pay the pension, she would have the right to seize the mill and arrange for it to be managed. At first glance, the decision appears to side with the husband, but there was in fact an attempt to reconcile the interests of the two houses. The inalienable character of both houses was confirmed (putting the husband in the wrong on this point). However, this rule was immediately violated: the Berrio house was to be sold, because preserving one of the houses

23. Bourdieu, *The Bachelors' Ball*, 145.

24. FF2 (1763), AMLBC, La Bastide Clairence.

was preferable to losing both. Financing the eldest son's emigration to Saint-Domingue was given priority over all other considerations. A right to repossession was also acknowledged. Since the marriage, Matthieu de Lamerenx had sold 13,500 livres in his wife's assets to underwrite household expenditures. He would be required to return half of this sum to his wife or to her brothers and sisters if the couple were to die without heirs. According to the *proches*, the most important point was not to decide in favor of one party or the other but, because both houses were imperiled, to focus instead on preserving at least one of them.

*The motives that determined our consent to the sale of the Marmont property, in order to procure the liquidation of the debts of the aforementioned house and those of the Lamerenx property, have as their sole purpose the preservation of the latter, which we look upon as the inalienable property of the children of Sieur Matthieu and Dame de Lamerenx.*²⁵

In violation of the principle of integral transfer, the ruling recommended selling the Berrio house, but it ultimately did so in the name of this very same principle. The most important interests were always those of the heirs. The tribunal concluded by confirming the inalienable character of entailed property and forbidding the Lamerenx couple from "undertaking any debt, mortgaging, or alienating the aforementioned assets without the permission of justice."²⁶

The clause that commanded the wife to return to the conjugal home or be confined to a convent appears to be a brutal affirmation of the patriarchal order, which raises the question of whether or not the ruling was enforced. In fact, Anne de Marmont claimed to be ill when she was summoned to hear the sentence read. Matthieu de Lamerenx and the members of the tribunal traveled to the Berrio house. The transcript of the encounter concludes as follows:

*At one o'clock in the afternoon on December 15, 1763, the aforementioned commissioner and proches, assisted by Sieur Matthieu de Lamerenx, having transported ourselves to the Berrio house, proceeded with the publication of the opinion of the aforementioned proches in the presence of Sieur Matthieu and Dame de Lamerenx, to which judgment Sieur Matthieu stated that he acquiesced. The aforementioned Lady stated that she did not at all acquiesce and refused to sign when called upon to do so both by the said commissioner and the proches.*²⁷

Anne de Marmont, judging the decision unjust and fully aware of her rights, refused to sign. The arbitration ruling was not compulsory, and the affair was redirected to the Parliament of Navarre, which immediately ruled on one point, in agreement with both parties: a meadow belonging to the Berrio house would be sold to enable the eldest son to travel to Saint-Domingue. Anne de Marmont continued to reside in La Bastide Clairence as owner of the Berrio house and its tenant farms until

25. Ibid.

26. Ibid.

27. Ibid.

her death in 1781. Matthieu de Lamerenx withdrew to his property in Aïcirits, where he died in 1783.

In the transcript of the dispute, the husband and wife accused each other of profligacy and carelessness, but Anne de Marmont had further reasons for complaint. Her husband had several children out of wedlock with peasant women in Aïcirits, a fact not mentioned in the transcripts or minutes of the tribunal. A modern-day interpretation would suggest a psychological explanation for the quarrel: a woman decides to separate from her unfaithful, indifferent, or careless husband. However, the deeper reasons for the dispute lie elsewhere. Indeed, there were only four possible matrimonial combinations according to Pyrenean customs: an heir married a younger sister; an heiress married a younger brother; a younger brother married a younger sister; or an heir married an heiress. The first two cases were preferable in terms of perpetuating the “house.” In both instances, the younger brother or sister provided a dowry and remained subordinate to the heir or heiress (both men and women could be dowried). Following a common expression in eighteenth-century notarial documents, a younger brother who married the heiress of X house became the “adventitious master of X,” with only his wife retaining the right to be called “Mistress of X.” Marriages involving a younger sibling on both sides were unimportant from this perspective because few assets or properties were at stake: according to a Bearnese expression quoted by Bourdieu, such marriages were labeled “a marriage between hunger and thirst.”²⁸

The situation most widely considered problematic and to be avoided whenever possible was marriage between heirs. According to Eugène Cordier, a legal historian who studied Pyrenean customs in the 1850s, marriages between heirs met with universal disapproval. Cordier related an anecdote concerning an arranged marriage between heirs in the province of Soule in which “neither of the two spouses wanted to leave their own house to go to the other’s house.” Similarly, in Saint-Jean-Pied-de-Port in Lower Navarre, peasants were “convinced that the marriage of an heir and an heiress could only bring misfortune to both spouses.”²⁹ A century later, Bourdieu observed a similar situation in Béarn in which two great families were united by marriage, and the two heirs continued living on their own estates, causing a neighbor to remark that “one wonders when they ever got together to produce children.” Bourdieu contended that the disapproval of marriage between two elder children was always expressed in the same manner: “Take the case of Tr., who married the Da. girl. He keeps going back and forth between the two places. He is always on the road, he is everywhere, and he is never at home. The master should be there.”³⁰

The quasi-prohibition of marriage between heirs had undoubtedly evolved over time. Although few surviving notarial records from earlier periods exist, marriage between heirs did occur among sovereign houses and the upper nobility.

28. Bourdieu, *The Bachelors’ Ball*, p. 155, note 34.

29. Eugène Cordier, *Le droit de famille aux Pyrénées. Barège, Lavedan, Béarn et Pays basque* (Paris: A. Durand, 1859), 49.

30. Bourdieu, *The Bachelors’ Ball*, p. 152, note 29.

When Pamplona was conquered in 1512, Navarre was governed by a king and a queen, Jean d'Albret and Catherine of Navarre, both of whom were heirs. The couple who conquered them, Ferdinand of Aragon and Isabella of Castile, were also a royal heir and heiress. As Michel Nassiet has observed, in this system, "property that had until that point belonged to two distinct lines was joined in a single, cumulative property. This option allowed territorial growth and a concentration of income or fiscal potential. From one generation to the next, ambitions tended to increase." Nassiet calls this strategy the "hot option." Conversely, "the matrilineal transfer of the name and coat-of-arms created a new dynasty that replaced the extinguished line for ownership of the same estate. The territory did not increase, and the balance of power did not change. In the face of random demographic changes, this strategy sought to regulate the matching of lineages with property and principalities." Nassiet calls this strategy the "cold option, because its purpose was identical reproduction."³¹ In Pyrenean communities, the "cold option" was the norm, its objective being to ensure the continuity of each house by forbidding one house to absorb another and forestalling the possibility of creating a new house.

In the Marmont-Lamerenx dispute, mutual accusations of profligacy and carelessness were not the essential point. For Anne de Marmont, her husband's greatest failing was that he had treated the assets of the Berrio house "as if master" because they were assets that he administered but which he did not own. Similarly, Matthieu de Lamerenx complained that his wife sold crops belonging to the Lamerenx house as if they were her own property. Marriage between heirs inevitably created conflict about the management of the house between husband and wife, whereas in marriages between heirs and younger siblings, the younger sibling was subordinate. In marriages between heirs, the collision between two sovereignties yielded inherently unstable situations. In the words of Lévi-Strauss, house-based societies are characterized by situations in which relationships of superiority and inferiority between individuals or groups "cease to be transitive" because "nothing prevents a position that is superior in certain respects from being inferior in others."³² While the husband was the master of his house and the wife was the mistress of hers, no mechanism existed for deciding in favor of one house or the other in the event of a clash. The choice of a residence had a simultaneously practical and symbolic value in terms of the exercise of domestic power. For the first twenty years of their marriage, Matthieu de Lamerenx's primary residence was La Bastide Clairence, where all of his legitimate children were born, but he also often made prolonged visits to his property in Aïcirits (which explains his numerous illegitimate offspring). During that time, the wife was symbolically superior because her husband lived "at her house." Conflict erupted in 1760 when the family moved to Aïcirits. Anne de Marmont appears to have quickly found the new living situation intolerable, leaving her husband to go "home" in 1763.

31. Michel Nassiet, "Parenté et successions dynastiques aux 14^e et 15^e siècles," *Annales HSS* 50, no. 3 (1995): 640-41.

32. Lévi-Strauss, "Histoire et ethnologie," 1225.

Their opposition even extended to the burial places of family members: one of the couple's young children, who died in La Bastide Clairence in 1757, was exhumed and buried in Aïcirits three years later. The conflict had long remained latent, erupting only after the death in 1751 of Anne de Marmont's uncle, who administered the Berrio house, and the death of Matthieu de Lamerenx' mother in 1755, which allowed him to take full possession of the Lamerenx house in Aïcirits.

As Bourdieu stated, "what was at stake in this open or hidden conflict over the place of residence was, again, the predominance of one or the other lineage and the extinction of a 'house' and its name."³³ In the Marmont-Lamerenx conflict, what Anne de Marmont found unacceptable was "the sale of her assets in order to confound them with the Lamerenx estate"³⁴—in other words, the dissolution of the Berrio house and the name associated with it. According to Bourdieu, "the question of political authority within the family becomes most acute, however, when an eldest son marries an eldest daughter." The case of Pyrenean families, in which "the question of the economic basis of domestic power ... is approached more realistically than in other societies," suggests that the "the sociology of the family, which is so often depicted as based on sentiment, might be no more than a particular case of political sociology."³⁵

The Origins of a Chain of Migrations

In August 1764, Mr. Larradé, the sergeant ordinary and town crier of La Bastide Clairence, assisted by Noël Etchegorry on the drum, announced three times—on August 2, 26, and 30—that the Plaisance meadow belonging to Dame Anne de Marmont would be publicly auctioned, following a ruling by the Parliament of Navarre on July 2, 1764, which stipulated that 1,200 livres of the proceeds of the sale would finance the elder Lamerenx son's voyage to Saint-Domingue. The bidding opened on September 2 with a starting price of 1,200 livres.³⁶ After several bids were placed, Arnaud de Bordus Darrieux (the mediator of the Marmont-Lamerenx dispute the previous year) placed the winning bid of 1,400 livres. Because the sale was the execution of a judicial ruling, the expenses were assigned to the future traveler under the name "Lamerenx elder son," an indication of his status as presumptive heir, and were duly itemized.³⁷

<i>August 13</i>	<i>1 half-beaver hat from Paris</i>	<i>15 livres</i>
	<i>1 black taffeta cravate</i>	<i>3 livres 10 sols</i>
	<i>1 hair cover</i>	<i>2 livres 5 sols</i>

33. Bourdieu, *The Bachelors' Ball*, 152.

34. FF2 (1763) AMLBC, La Bastide Clairence.

35. Bourdieu, *The Bachelors' Ball*, 153.

36. 3E 2413, Campagne, notary of La Bastide Clairence, July 3, 1764, Archives départementales des Pyrénées-Atlantiques (hereafter "ADPA"), Bayonne.

37. Darrieux family papers, held by Mr. Denis Dufourcq of La Bastide Clairence.

<i>September 4</i>	<i>10 yards ½ gros de Tours</i>	<i>49 livres</i>
	<i>6 yards white Florence fabric</i>	<i>28 livres 10 sols</i>
	<i>3 ½ yards ratille</i>	<i>5 livres 12 sols</i>
	<i>2 yards ¼ Elbeuf-style fabric</i>	<i>28 livres 2 sols 6 deniers</i>
	<i>2 yards sergette</i>	<i>2 livres 12 sols</i>
	<i>2 pieces basin de Hollande</i>	<i>42 livres</i>
	<i>13 yards 2/3 ratille</i>	<i>21 livres 17 sols 4 deniers</i>
	<i>36 yards of toile de Troyes</i>	<i>108 livres</i>
	<i>1 dozen embroidered wristbands</i>	<i>4 livres</i>
	<i>3 yards fine batiste</i>	<i>39 livres</i>
	<i>4 pairs embroidered cuffs</i>	<i>31 livres 7 deniers</i>
<i>September 5</i>	<i>2 pairs of white silk stockings from Paris</i>	<i>26 livres</i>
	<i>1 sword and knot from Bellas the younger</i>	<i>18 livres</i>
	<i>1 waist-belt</i>	<i>3 livres</i>
	<i>1 hat with gold braid and plume from Bubaton</i>	<i>25 livres</i>
	<i>1 hair cover with ribbon</i>	<i>2 livres 15 sols</i>
	<i>for the making of a complete suit of gros de Tours</i>	<i>15 livres</i>
	<i>for that of seven jackets</i>	<i>24 livres 10 sols</i>
	<i>for that of a riding coat</i>	<i>5 livres</i>
	<i>for two of the same riding-coat buttons</i>	<i>2 livres</i>
	<i>for an account for supplies and sewing and other work done by Marimaîté</i>	<i>91 livres 10 sols</i>
	<i>to Samuel Louis Nounès Jew for four pairs embroidered cuffs</i>	<i>16 livres</i>
	<i>to Mr. Delanc jeweler for a small and large pair of buckles</i>	<i>24 livres</i>
	<i>to Miss Castaing for six bonnets of knitted cotton</i>	<i>12 livres</i>
<i>September 6</i>	<i>to Clément Etchemendy of La Bastide Clairence</i>	<i>20 livres 8 sols 6 deniers</i>
	<i>to sir Jean Laborde, mattress-maker, for a mattress and pillow</i>	<i>10 livres 10 sols</i>
	<i>to sir Esteben Baundola for three pairs of shoes</i>	<i>13 livres 10 sols</i>
	<i>to Misters Dubroca brothers for a suit of red camelot</i>	<i>92 livres 11 sols 6 deniers</i>
	<i>to Salles shoemaker for another</i>	<i>12 livres</i>
	<i>for minor supplies</i>	<i>51 livres 12 sols</i>
	<i>to Mister Savigny [for passage to Saint-Domingue]</i>	<i>300 livres</i>
	<i>balance due upon boarding</i>	<i>53 livres 17 sols 2 deniers</i>
	<i>Total</i>	<i>1200 livres</i>

300 of the 1,200 livres were spent on travel expenses—*passage en droiture* (i.e., with no stop in Africa to load slaves)³⁸—with the remainder consisting essentially of his

38. See Jacques de Cauna and Marion Graff, *La traite bayonnaise au XVIII^e siècle. Instructions, journal de bord, projets d'armement* (Pau: Éd. Cairn, 2009).

pacotille (fabrics and other trade goods for resale in the colonies) and clothing expenses: jackets, an overcoat, a morning coat, slippers, silk stockings, and sword, all of which would enable the young Lamerenx to honorably assert his status as a gentleman once he arrived in the colonies. There remained 53 livres, 17 sols, and 2 deniers of pocket money. The fabrics included in the *pacotille* were luxury articles, including *gros de Tours* (silk fabric), taffeta from Florence (for lining dresses and hats), cloth from Troyes (for making handkerchiefs), batiste (fine linen cloth), woollen cloth from Elbœuf, and *basin de Hollande* (cotton fabric). Once sold at twice or three times their purchase price, these items could help supply the traveler with the necessary funds to settle in the colony. The ledgers for the port of Bayonne show that “Jean-Pierre Lamerenx, esquire, 22 years old” embarked aboard the snow-brig *La Marianne*, which boarded its passengers on August 23, 1764, in order to sail to Saint-Domingue.³⁹ The ship actually departed in September, carrying five paying passengers and three *engagés* (indentured workers whose passage was paid by a *patron* in Saint-Domingue in exchange for several years’ work). Jean-Pierre was welcomed in Saint-Domingue by Marc-Antoine de Lamerenx, his paternal uncle and the owner of a coffee plantation in Dondon, a mountainous location approximately thirty kilometers south of Cap-Français.

Within a few short years, Jean-Pierre de Lamerenx had managed to purchase his own coffee plantation adjacent to his uncle’s land. By 1829, when his heirs were granted an indemnity by the Haitian government in exchange for Charles X’s recognition of Haitian independence, his estate was valued at 15,275 francs.⁴⁰ In the negotiations with Haiti, it had been estimated that the indemnity covered approximately 10% of the value of the colonists’ real (immovable) property in 1789 (slaves represented nearly the entire value of these assets, despite the fact that according to the Black Code, they were considered movable property). It can thus be estimated that, just prior to the Revolution, Jean-Pierre de Lamerenx’s coffee plantation was worth approximately 150,000 francs and employed around fifty slaves.⁴¹

When he first arrived in Saint-Domingue, however, Jean-Pierre de Lamerenx’s capital, other than the income from selling his *pacotille*, was primarily symbolic. The clothes and sword that he had brought with him from the mainland attested to his social status as a gentleman. He also benefitted from his uncle’s protection, which probably facilitated his acquisition of a concession. His uncle may have also

39. COL F 5B 38-58, Archives nationales d’Outre-mer (hereafter “ANOM”), Aix-en-Provence.

40. *État détaillé des liquidations opérées à l’époque du 1^{er} janvier 1828-1832 et les six premiers mois de 1833, par la Commission chargée de répartir l’indemnité attribuée aux anciens colons de Saint-Domingue, en exécution de la loi du 30 avril 1826 et conformément aux dispositions de l’ordonnance du 9 mai suivant* (Paris: Imprimerie royale, 1828-1833), 6 vols.

41. The indemnity commission set the price of a slave for a coffee plantation at 3,250 francs. See Frédérique Beauvois, “Monnayer l’incalculable? L’indemnité de Saint-Domingue, entre approximations et bricolage,” *Revue historique* 655 (2010): 609-36. On the value of the Nolivos (232,750 livres and 77 slaves) and Dupoy (130,000 livres and 40 slaves) coffee plantations, see de Cauna, *L’Eldorado des Aquitains*, 268-77.

given or lent him the money required for his initial purchase of slaves (a considerably smaller investment for a coffee plantation than for a sugar plantation).⁴² His most significant asset, however, was in all likelihood the dowry of his wife, Françoise Silly, who also came from a family of coffee planters.⁴³

Over the course of approximately twenty years, Jean-Pierre de Lamerenx, whose starting capital was comparatively modest, had made a fortune in America thanks to the considerable profits that slave labor made possible. His father died intestate in 1783, and he returned to the continent in 1786 to settle the succession, remaining in France for nearly two years. According to testimony gathered twenty years later, his return “made a big splash and attracted a number of people who were curious to see him.”⁴⁴ Marc-Antoine, Jean-Pierre’s paternal uncle, was a younger sibling who had moved to Saint-Domingue in 1729. According to the rules of primogeniture, Matthieu de Lamerenx, Jean-Pierre’s father and Marc-Antoine’s elder brother, had inherited the *salle* of Uhart Juson in Aïcirits. It is worth noting that, within the span of a single generation, emigration to Saint-Domingue had ceased to be limited to younger sons.

Before examining Jean-Pierre’s reasons for emigrating, the factors that explain why emigration was even an option for a young gentleman from Lower Navarre in 1764 merit some explanation. The Swedish geographer Torsten Hagerstränd’s research has demonstrated that the most significant factor in determining the flow of migration are earlier migrations. In fact, Hagerstränd found that maps charting Swedish migration in 1945 were nearly identical to those of 1785.⁴⁵ This explains the obligatory emphasis on locating the “first migrant” to whom all members of a multi-generational network are connected. As will be discussed later, Marc-Antoine de Lamerenx, Jean-Pierre’s uncle, was the “first migrant” among the inhabitants of La Bastide Clairence who migrated to Saint-Domingue in the eighteenth century. It is still possible to go further back in the migratory chain and reconstruct the circumstances surrounding his emigration. In 1770, Marc-Antoine, who was seeking to help his son Jean-François join the Light Cavalry of the King’s Guard, was required to prove his nobility. An extensive bureaucratic process was undertaken with the royal genealogists, and Marc-Antoine traveled to the mainland to plead his son’s case in person. Just before his return, he attached

42. Gabriel Debien, “Le plan et les débuts d’une caféière à Saint-Domingue. La plantation ‘La Merveillère’ aux Anses-à-Pitre (1789-1792),” *Revue de la société d’histoire et de géographie d’Haïti* 14, no. 51 (1943): 12-32.

43. It has proven impossible to establish with any certainty Françoise Silly’s genealogy. She was clearly the niece of Pierre Silly, who owned a coffee plantation at Marmelade, and it is probable that she was also related to Emmanuel, Brice, Jacques-Philippe, and Joseph Silly, who owned coffee plantations in Marmelade and Dondon: see *État détaillé des liquidations*.

44. 2 J 503, Hyppolite Dabbadie, Justice of the Peace of the Canton of Navarrenx, August 13, 1806, Fonds Batcave, ADPA, Pau.

45. See the summary of Torsten Hagerstrand’s arguments by Paul-André Rosental, *Les sentiers invisibles. Espace, familles et migrations dans la France du XIX^e siècle* (Paris: Éd. de l’EHESS, 1999), 92-106.

a long memorandum to a letter requesting that he be awarded the Saint-Louis Cross⁴⁶ a document that makes it possible to reconstitute his career and the circumstances of his emigration with considerable accuracy. Lamerenx explained that he set sail from the mainland in 1729, “addressed to Mr. de Nolivos, then governor of Petit-Goâve, who chose him as his aide-de-camp in 1732.”⁴⁷ Pierre-Gédéon de Nolivos—the younger son of Gédéon de Nolivos, legal counselor at the Parliament of Navarre, and a naval officer from Sauveterre-de-Béarn—had been posted in Saint-Domingue since 1708.⁴⁸ Marc-Antoine had close ties with the Bearnese court system: his grandfather, Isaac Lamerenx, was a lawyer with the Parliament of Navarre, and his grandfather’s brother-in-law was Jacques-Joseph de Doat, president of the Parliament. In referring his younger son Marc-Antoine to Pierre-Gédéon de Nolivos in 1729, Jean de Lamerenx was appealing to the Bearnese judicial network and calling on professional as well as familial and even religious connections (Protestants bearing biblical forenames who were forcibly converted to Catholicism after the revocation of the Edict of Nantes). Nolivos owed his Saint-Domingue nomination to Charles d’Irumberry de Salaberry, first secretary of the Ministry of the Navy responsible for the Levant. The Irumberry family was originally from Saint-Jean-Pied-de-Port in Lower Navarre and began serving the kings of France after Henry III of Navarre acceded to the French throne. Salaberry was the director of the Levant bureau from 1688 to 1709, a position that oversaw the ports of Toulon and Marseille, the Levant trade, Algiers, Tunis, Tripoli, the consulates of the Barbary Coast (North Africa), the consulates of Italy and Spain, and the “American islands.”⁴⁹ This key post enabled him to facilitate the travel of a large number of Basque and Bearnese officers, who helped populate the colonies. An operation on this scale came under his jurisdiction because the purview of the Levant bureau, from the perspective of the Ministry of the Navy, included commercial, diplomatic, and military matters in addition to emigration, all of which were interconnected and under his sole authority. Private interests were confounded with those of the government, particularly during the early phases of French expansion in the Caribbean, when privateering was especially common. Salaberry participated as a financial partner in the outfitting and arming of several privateer ships in partnership with Louis XIV, who invested in a private capacity.⁵⁰

46. COL E 251, lettre D (“Duhart-Juzon, gentilhomme navarrais”), ANOM, Aix-en-Provence.

47. Ibid.

48. Robert Le Blant, “Un officier béarnais à Saint-Domingue. Pierre-Gédéon I^{er} de Nolivos,” *Revue historique et archéologique du Béarn et du Pays basque* 2^e série, no. 14 (1931): 20-41; de Cauna, *L’Eldorado des Aquitains*, 85-89.

49. Robert La Roque de Roquebrune, “La direction de la Nouvelle-France par le ministère de la Marine,” *Revue d’histoire de l’Amérique française* 6, no. 4 (1953): 475. The office of Ponant, which was directed by La Touche, was responsible for the ports of Bordeaux, Rochefort, Brest, Dunkerque, and Le Havre in addition to the Companies of Senegal, Guinea, and the Eastern Indies, as well as Canada.

50. 2Q1, Archives de la Marine, Toulon. See John Selwyn Bromley, “Les prêts de vaisseaux de la marine française aux corsaires (1688-1713),” in *Les marines de guerres européennes, XVII^e-XVIII^e siècles*, eds. Martine Acerra, José Merino, and Jean Meyer (Paris: Presses de l’université de Paris-Sorbonne, 1985), 82.

Because of the symbolic prestige and economic advantages associated with his status as heir, it might appear surprising that Jean-Pierre decided to join his uncle Marc-Antoine in 1764, an anomaly that makes investigating his story interesting. His “case” violates the general rule. Close examination makes it possible to determine whether the exception confirms the rule or whether the rule should be formulated differently.⁵¹ The record of the dispute between his parents clearly stated that Jean-Pierre wanted to emigrate and that this consideration took precedence over all others in the eyes of the tribunal: “It is essential to facilitate the travel of their eldest son, Jean-Pierre Lamerenx, to the Islands of America, where he shows evidence of wishing to go.”⁵² It is also important to note that helping their eldest son travel to America was the only point on which both spouses agreed. It is possible that the parents believed that the indebtedness of both the Lamerenx and Berrio houses would make it difficult for him to marry the younger daughter of another great house. The system of mutual credits granted between houses appears from this perspective to resemble a pyramid scheme that was on the verge of collapsing. Perhaps Jean-Pierre wanted to escape a system that protected estates by rendering assets inalienable while at the same time condemning the master of the house to be endlessly assailed by creditors. This is precisely what occurred when Matthieu de Lamerenx died in 1783, when a dozen individuals presented themselves demanding that their debts be repaid from the deceased’s inventory of assets.

Because his uncle had invited him, having undoubtedly offered a shining example of a rapid, accessible way of accumulating wealth as well as a generally more advantageous economic situation than he would have as master of the Lamerenx and Berrio houses. Furthermore, leaving did not mean that Jean-Pierre was abandoning his status as presumptive heir to both houses. Rather, he was hedging his bets. Although, as I shall demonstrate, this dual strategy would ultimately prove problematic, at the time of his departure it must have seemed to provide the optimal solution. By emigrating to Saint-Domingue while retaining his status as heir, Jean-Pierre was in fact causing two unrelated logics to enter into conflict. On the one hand, he was placing himself under the protection of his father’s brother, a fellow nobleman who shared the same patronymic surname. Since Marc-Antoine had been dowered and excluded from the Lamerenx house when he left for Saint-Domingue, the connection between Jean-Pierre and Marc-Antoine was of a “parental” nature and independent of the house-based system. On the other hand, Jean-Pierre did not renounce his role as heir as prescribed by Navarrese customs. As Lévi-Strauss remarked, “An individual who is potentially affiliated to numerous groups can keep some affiliations in reserve, lose others, put forward those that he finds most suitable, and better his material situation or social status depending on the circumstances, the place, or the time.”⁵³

51. Jean-Claude Passeron and Jacques Revel, “Penser par cas. Raisonner à partir de singularités,” in *Penser par cas*, eds. Jean-Claude Passeron and Jacques Revel (Paris: Éd. de l’EHESS, 2005), 9-44.

52. FF2 (1763), AMLBC, La Bastide Clairence.

53. Lévi-Strauss, “Histoire et ethnologie,” 1225.

In this respect, the Lamerenx family presented a different definition of their nobility within and outside of Lower Navarre. Within, their status as owners of the *salle* of Uhart Juson in Aïciritz gave them access among the ranks of the nobility to the Estates-General of Navarre. The logic was that of “real” nobility rooted in ownership of a noble property. Outside of Navarre, the family advanced a “filiative” definition of their nobility. Marc-Antoine’s entire argument when he sent his file from Saint-Domingue to the royal genealogists was based on the fact that his eldest brother as well as his father and grandfather were noblemen.⁵⁴ The genealogists greeted the request with skepticism. Marc-Antoine produced a document from the Estates-General of Navarre certifying that the Uhart Juson house had been a noble and illustrious estate since time immemorial. The employee of the royal services made a note in the file that the Lamerenx family had purchased the house in the 1680s and that the family’s nobility was thus anything but immemorial. This observation was based on a “parental,” genealogical view of nobility. In Navarre, however, nobility was founded on property, and it was legitimate to assume the coat-of-arms and name of a house without the slightest blood relationship with the previous owners. In fact, Marc-Antoine’s application represented an attempt to convert “real” nobility based on property into hereditary nobility. The employee, believing that recognizing the Lamerenx family’s nobility would set a dangerous precedent for the king’s monopoly on granting noble rank but also wanting to satisfy the request, recommended that the king publish an ambiguous declaration that could be read as both granting nobility and recognizing it. Ultimately, Jean-Pierre possessed two separate identities, one on each side of the ocean: in Saint-Domingue, he was a Navarrese gentleman, while in Lower Navarre, he was the master of the Lamerenx and Berrio houses.

Emigration and House-Based Societies

One possible question raised by the conflict over inheritance rules concerns what became of the Berrio house after Anne de Marmont’s death in 1781. Following Navarrese customs, the eldest child, Jean-Pierre de Lamerenx, became heir to the house. At the time, he was a coffee planter in Saint-Domingue and, like his uncle Marc-Antoine before him, served as a captain in the colonial militia. In 1786, Jean-Pierre crossed the Atlantic to manage his parents’ succession and to leave three of his children (two sons and a daughter) to be educated in France in the care of a paternal aunt, Ursule de Lamerenx, a widespread practice among colonists in Saint-Domingue. In 1802, having reached majority, both sons returned to join their father, who had by that time settled in Cuba. His daughter Marguerite was married in France in 1806. The Lamerenx succession must have become rather complex because Jean-Pierre requested two six-month extensions of his initial one-year

54. Chérin 115-2381 (Lamerens file) and Nouveau d’Hozier 201-4482 (Lamerenx file), BNF, Paris.

request for leave from the militia.⁵⁵ The notarial archives of the period contain numerous transactions involving Jean-Pierre and the Lamerenx properties. Despite the complexity of these transactions, the records reveal a single strategy. Jean-Pierre sold his mother's properties in La Bastide Clairence and used the proceeds of these sales to pay his father's debts and repurchase properties that had previously belonged to his father in Aïcirit. By merging the two houses and accepting the dissolution of the Berrio house in order to ensure the survival of the Lamerenx house, he thus did what his mother had always refused to do.

As I have demonstrated, according to the rules of Navarrese custom, the heir was not free to dispose of the estate's *biens propres*. In theory, Jean-Pierre was thus not free to sell the Berrio house. The law did provide for a portion of the inheritance to be allocated to younger siblings, however, and on June 16, 1787, Jean-Pierre received a notice from the Parliament of Navarre authorizing him to sell his maternal assets and use the proceeds to pay the legitime to his brothers and sisters.⁵⁶ On September 7, 1787, he sold the Berrio house to a certain François Barbaste, a trader in Saint-Palais, for the sum of 1,650 livres.⁵⁷ Several weeks later, however, Jean-Pierre's younger brother (whose first name was also Jean-Pierre and who had also returned from Saint-Domingue for the succession, unmarried and known under the name the knight of Lamerenx) received the Berrio house in payment of his rights to the legitime, freeing François Barbaste of his obligation to pay for the property.⁵⁸

By a kind of inertia inherent in hereditary customs, the Berrio house, which had nearly been put up for sale so many times, was returned to the family. The records show that the knight of Lamerenx then returned to Saint-Domingue, leaving the house in the hands of renters and making no provision for maintenance. In 1790, the town council of La Bastide Clairence noted that the Berrio house was threatening "to imminently become a ruin and that its fall could harm the inhabitants who are obliged to travel down the street on which this house is located."⁵⁹ The council ordered the owner's proxy to undertake repairs or the house would face demolition. In 1800, the house was rented to a family of hosiers.⁶⁰

The precise scenario of the next generation's inheritance is not entirely clear. It seems that the knight of Lamerenx died relatively young and heirless. Whatever the exact circumstances of the transfer, it was consistent with Navarrese customs, which provided for a "right of return" (or *tournedot*), meaning that the dowry or legitime was returned to the elder branch of the family in the event that there were no descendants. Because the knight of Lamerenx had no offspring, the Berrio house returned to the ownership of his elder brother Jean-Pierre, who had originally

55. COL E 251, ANOM, Aix-en-Provence.

56. B 5022, June 16, 1787, ADPA, Pau.

57. 3E 2472, September 7, 1787, ADPA, Bayonne.

58. 3E 2472, October 26, 1787, ADPA, Bayonne.

59. 1D1-1, September 8, 1790, AMLBC, La Bastide Clairence. The author would like to thank Geneviève Sallaberry for this reference.

60. Census for the year 1800, no call number, AMLBC, La Bastide Clairence.

ceded title to the house in payment of the legitime. Forced to leave Saint-Domingue by the Haitian revolution, Jean-Pierre died in Cuba in 1810, after founding a coffee plantation near the town of Matanzas. When he left for Saint-Domingue in 1788, after managing his parents' succession, Jean-Pierre de Lamerenx had appointed his brother-in-law Jean Casenave, his sister Ursule's husband, administrator of his estate. He continued to follow the management of the family properties, renewing his brother-in-law's term in 1802 and again in 1804. In 1812, however, the Saint-Palais tribunal, noting the owner's absence, appointed Jean-Pierre's daughter Marguerite and her husband Daniel Laborde administrators of the Lamerenx and Berrio houses.⁶¹

In May 1818, Jean-Pierre's eldest son, Charles de Lamerenx, who was born in Saint-Domingue in 1775, arrived in France for the first time in his life after a turbulent existence that had led him from the general staff of Toussaint Louverture, whom he had served as aide-de-camp,⁶² to an extended prison term for piracy in Cuba.⁶³ His sister Marguerite, who had not seen him for thirty years, welcomed Charles warmly. Since the 1812 judgment naming her administrator of the family properties, Marguerite had resided at the Lamerenx house in Aïcirits. As his sister's guest, Charles, armed with a signed document from his mother and the rest of his brothers and sisters (who were living in Cuba), immediately filed a suit against her. The tribunal found that Marguerite had concealed the powers-of-attorney received from her father in 1802 and 1804, and that the declaration of the owner's absence dating from 1812 was therefore null and void because a period of ten years was required to establish an owner's absence. Since the Civil Code was in effect in 1818, the Berrio house along with the remaining Lamerenx properties were considered the joint property of all of the siblings as well as the mother. Ruling in favor of Charles and against his sister Marguerite, the tribunal unseated her and appointed him administrator of the family properties. Everything in the records suggests that he behaved *en maître* (as master), pursuing the same strategy his father had pursued thirty years earlier by selling land that had belonged to his maternal grandmother, Anne de Marmont, to cover debts contracted by Matthieu de Lamerenx, his paternal grandfather. On June 29, 1818, the Berrio house and two of its tenant farms were sold for 4,000 francs to a Bayonne merchant, Jacob Gomès (a descendant of the small Jewish community in La Bastide Clairence).⁶⁴ Five years later, the

61. 3 U 5 190, May 5, 1818, ADPA, Bayonne.

62. Isaac Louverture, "Notes diverses d'Isaac sur la vie de Toussaint-Louverture," in *Histoire de l'expédition des Français à Saint-Domingue, sous le consulat de Napoléon Bonaparte*, by Antoine Marie Thérèse Métral (Paris: Fanjat aîné, 1825), 334; Toussaint Louverture, "Notes intéressantes sur Banica ... L'entrée de Toussaint Louverture à Santo Domingo. Vallée de Constance," ms. NAF 12409, fol. 57, BNF, Paris.

63. Pierre Force, "The House on Bayou Road: Atlantic Creole Networks in the Eighteenth and Nineteenth Centuries," *The Journal of American History* 100, no. 1 (2013).

64. 312 Q35, Charles Lamerenx and his co-inheritors to Jacob Gomès, a sale that was recorded at the Bureau des hypothèques de Bayonne on June 29, 1818, Damborgez, Royal Notary, ADPA, Pau.

house (without the tenant farms) was resold to a hosier whose grandsons all emigrated to Uruguay. The 1818 sale thus signaled the end of the Berrio house as a “house” in terms of Navarrese customs. Indeed, after that date the name Berrio no longer appears in notarial documents or census data, and the house came to be referred to as “Garchot” or “Galan” (after the name of the hosier who owned it) or as *maison du jeu de paume* (in reference to a real tennis court that adjoined the house).

What conclusions can be reached concerning the relationship between hereditary customs in the Pyrenees region and patterns of emigration? In a study of several Basque villages in the nineteenth century, Arrizabalaga contends that absolute cognatic primogeniture, which persisted in regional practices despite the egalitarian impetus of the Civil Code, was the primary cause of emigration. She concurs with the conclusions of Louis Etcheverry,⁶⁵ a legal historian and disciple of Le Play. Arrizabalaga supports her argument with several observations, including the fact that, notwithstanding common beliefs, emigration was not caused by poverty. Nineteenth-century Pyrenean emigrants were the younger children of mid-sized agricultural estates inherited by eldest sons or daughters, and younger siblings used their shares of the inheritance to pay for their passage and establish themselves as farmers and craftsmen in Argentina, Uruguay, or southern Brazil. According to Arrizabalaga, emigration became increasingly democratic with the rise of emigration agencies that provided the necessary funding for the voyage and settling in a new country. Until the 1860s, however, emigration almost exclusively concerned the children of landowners and typically functioned through family networks (for example, when emigrants joined an uncle or cousin already living in America). This model of emigration was what Le Play called “rich emigration,” which he associated with the “stem-family,” as opposed to what he deemed “poor emigration” tied to the “unstable family.”

It is once again useful to return to the “first migrant” by examining the founding role of Marc-Antoine de Lamerenx, who left the mainland for Saint-Domingue in 1729. This was consistent with the inheritance plans laid out by his father in his will, which specified that Jean de Lamerenx had a spouse, five sons, and two daughters. The spouse was to receive 1,500 livres. His son Jacques, a priest, had already received a “clerical title” (a sort of ecclesiastical dowry) of 2,000 livres. This title provided an annual income for life of twenty livres (with the capital to return to the elder branch upon the beneficiary’s death). Based on this very modest income, the testator expected Jacques to be able to “maintain himself and consider himself paid his paternal and maternal legitime, which is all the more reasonable since the testator has expended considerable sums to arrange the promotion of Jacques to the order of the priesthood.” Marc-Antoine, the eldest of the junior siblings and married in Saint-Domingue, was, “with regard to word the testator has received, in a good state of honest fortune, and because of what

65. Louis Etcheverry, “L’émigration des Basses-Pyrénées vers l’Amérique,” *Réforme sociale* 2^e série, no. 1 (1886): 490-514.

it cost to equip him and send him on two voyages, he wants him to accept the sum of 800 livres for all of his rights to the paternal and maternal legitime.”⁶⁶ The two unmarried daughters, Françoise and Ursule, each received 600 livres. One son, Henri, was allotted 400 livres, while the last son, Louis, received nothing. Matthieu, the eldest son, was declared universal heir and received all that was not left to the others. At first glance, there seems to have been a deliberate intention to favor certain younger siblings (Jacques and Marc-Antoine) over the others, who were also treated unequally. In fact, the will specifies that the eldest brother, acting on the counsel of *proches*, would be responsible upon the testator’s death for paying the legitime to Françoise, Ursule, Henri, and Louis, but not to Jacques and Marc-Antoine, who were considered to have already received their allotment and thus had no further rights beyond what was specified in the will.

As Zink and Bernard Derouet have shown, the use of vocabulary derived from Roman law (such as “universal heir” and “rights to the legitime”) can easily lead to confusion.⁶⁷ In Roman law, the entirety of the parents’ assets and properties was subject to inheritance, and each heir received a share. But the Navarrese logic was not that of children’s “rights” over the property owned by the previous generation. The “house” was transmitted to a single heir: in this case, to Matthieu, the eldest son. One revealing fact in this connection is that wills following Navarrese customs never included an evaluation or even a list of the testator’s property and assets. *Biens propres* (entailed property) that belonged outright to the estate were automatically transferred to an heir and therefore did not need to be evaluated or inventoried. As Derouet has observed, inheritance was related more closely to identity than to property: it represented only the moment when the eldest child became the master or mistress of the house, much like royal successions when “*le mort saisit le vif*” (the transfer of sovereignty is instantaneous). It was the parents’ duty, however, to provide for the younger children, and this duty was transferred to the eldest upon the parents’ death. The criterion was not a minimal share of the inheritance, since the “legitime” would have been defined in Roman law. In Navarrese customary law, the “legitime” was defined simply as a sum that was sufficient to allow the younger siblings to establish themselves. Marc-Antoine began his own career with the help of his father, who paid to outfit him and financed his voyage to Saint-Domingue. He went on to make his own fortune. Because he had no need of his parents’ money, he was forced to settle for a very modest share of the paternal and maternal inheritance. A larger share of the inheritance would have been reserved for the remaining younger siblings because they were not yet established.

A notable hierarchy was implicit in the manner in which the younger siblings established themselves, one that roughly corresponded to the birth order. The eldest child, Matthieu, inherited the house. Marc-Antoine, the second son, emigrated to Saint-Domingue, a choice that must have seemed preferable to the army

66. 3E 2436, July 22, 1749, ADPA, Bayonne.

67. Zink, *L’héritier de la maison*; Bernard Derouet, “Les pratiques familiales, le droit et la construction des différences (15^e-19^e siècles),” *Annales HSS* 52, no. 2 (1997): 369-91.

or clergy in 1729. The third son, Jacques, became a priest. The fourth, Henri, became an employee of the state agency that regulated tobacco and, in 1755, married the (commoner) heiress of an agricultural estate with whom he had numerous children. The fifth son, Louis, became an officer in a regiment based in Bayonne before leaving for Saint-Domingue in 1755 to join his brother Marc-Antoine and eventually dying with no heirs. The two daughters, Françoise and Ursule, remained unmarried and lived until their deaths in the Lamerenx house in Aïcirits, whose master was their elder brother Matthieu. Under the house-based system, an unmarried child continued to be identified with the house and remained under the protection of his or her parents and, later, the heir. In their implicit hierarchy, the trajectories of the Lamerenx siblings represented, in descending order, the range of available options at the time: inheritance, emigration, the priesthood, marriage to an heiress, a military career, or remaining single while residing in the familial house.

It is tempting to generalize about the relationship between certain types of hereditary customs and particular emigration patterns and practices. Le Play drew a parallel between younger sons in Gascony and Normandy, suggesting that Norman emigration to Canada in the seventeenth century could be explained by unequal rules governing inheritance.⁶⁸ In fact, the Caux region (the only part of Normandy that possessed truly inegalitarian hereditary practices) experienced a wave of migration to Canada and Saint-Domingue in the eighteenth century.⁶⁹ It is worth mentioning in passing that Alexandre Dumas, who invented one of the most famous Gascon younger sons (*cadets de Gascogne*), d'Artagnan, was himself the grandson of a gentleman from the Pays de Caux who emigrated to Saint-Domingue. But there is a certain level of generality at which such similarities become insignificant. For example, discussions of German emigration to America in the nineteenth century typically emphasize instead the relationship between emigration and hereditary egalitarianism, with the idea that the excessive subdivision of agricultural properties contributed to emigration. According to Simone Wegge, however, emigration was even more widespread in regions with higher levels of hereditary inequality.⁷⁰

Indeed, as Derouet has demonstrated, framing the problem solely in terms of hereditary equality or inequality obscures the most important point. In Roman law, all of the properties were subject to inheritance, and the legator could share them as he saw fit, on the condition that no share fell below a minimum threshold. Under the prevailing customs of western France, the goal was to “preserve properties within the family.” As a result, property was automatically transferred—with no possibility for the legator to appoint a privileged successor—to the entire next generation of the family group. Derouet observes that the automatic nature of

68. Frédéric Le Play, *L'organisation du travail, selon la coutume des ateliers et la loi du Décalogue* (Tours: A. Mame et fils, 1870), 465-74.

69. Leslie Choquette, *Frenchmen Into Peasants: Modernity and Tradition in the Peopling of French Canada* (Cambridge: Harvard University Press, 1997).

70. Simone Wegge, “Migration Decisions in Mid-Nineteenth-Century Germany,” *The Journal of Economic History* 58, no. 2 (1998): 532-35.

inheritance was also a fundamental characteristic of Pyrenean house-based societies but with one major difference: instead of being transferred to the entire next generation, properties were inherited by a single successor in such a way as to ensure that “the same logic is ultimately used in the service of the property itself and not of a group of relatives.”⁷¹ Derouet adds that a common characteristic of these custom-based systems was the exclusion of dowried children. Children who received a particular sum to allow them to establish themselves elsewhere were excluded from the inheritance, which was reserved for “true” heirs, meaning those who had remained at home. In this sense, dowried children were no longer considered members of the “family.” This partly confirms Jérôme Viret’s observations about emigration from the Perche region to Canada in the seventeenth century. Because the Perche was a region with egalitarian customs, Viret notes that emigrants did not leave because they were “left out” of the inheritance. Instead, these were “discharging migrations” through which emigrants who had received funding to settle elsewhere voluntarily opted out of the family unit. In the case of the “first migrant,” Marc-Antoine de Lamerenx, as a younger brother, he clearly did not leave for the colonies because he had been left nothing. On the contrary, he left because he received a sum that allowed him to establish a life for himself elsewhere. His father financed two trips, the first in 1729 and the second in 1741, just prior to his marriage in Saint-Domingue to Elisabeth Le Jeune, the daughter of colonial settlers. When he returned to Saint-Domingue in 1741, Marc-Antoine probably took some *pacotille* with him, the sale of which would have provided an adequate, albeit modest, sum that enabled him to marry.

As Zink has shown, dowries played a critical role in the Pyrenean house-based system. The heir to the house endowed the younger son or daughter, who would become an “adventitious” master or mistress of another house. The dowry was rarely paid in cash and was instead settled through a credit extended to the “receiving” house by the “emitting” house. The situation was complicated by the fact that the receiving house was required to reimburse the dowry to the emitting house in the event of a childless marriage. The guarantee for this “right of return” took the form of a mortgage on the receiving house’s property. Consequently, “dowries of sisters, brothers, uncles, and aunts that were agreed upon but unpaid were added to both the legitimes that were never set and the adventitious dowries of extinguished branches of the family that the house was obliged to pay.” This led to an ambiguous or paradoxical situation in which these mortgages simultaneously threatened the integrity of the house “because these are privileged debts for which one could be compelled to sell one’s lands” and guaranteed its integrity, since no house would benefit from forcing another house to sell its lands, which could trigger a chain of sales and cause the entire system to collapse. According to Zink, “these mortgages and long delays represent a kind of fiduciary circulation; on the one hand, they enabled younger siblings to establish themselves, not independently of any consideration of fortune, but without regard to cash flow.

71. Derouet, “Les pratiques familiales,” 378.

Because it could commit itself over very long periods of time, the original house gradually freed itself of debt by devoting its annual profits in cash or livestock ... or, better yet, it was freed when a new marriage occurred or the return of a dowry triggered a new marriage or a substitution in the chain of credits.” This was thus a credit-based system—meaning it was based on deferred payments that “rendered both useless and impossible the alienation of land and, based on legitimes that might appear to present the greatest danger to the houses’ integrity, constituted the most important guarantors of such integrity by contributing, in addition to bans and limitations, to the security of an entire system.”⁷²

Seen from this perspective, emigration played an ambiguous role in the circulation of dowries. From Jean de Lamerenx’s point of view, his younger son’s emigration to Saint-Domingue must have appeared advantageous for several reasons. In theory, Marc-Antoine should have married a noble heiress. However, that would have meant providing a dowry for him that matched the new wife’s fortune. Jean de Lamerenx must have calculated that such a significant dowry, even if not paid up front, would represent too great an expense for the house. He instead preferred to finance his younger son’s travel costs, while the costs of the second trip were covered by the dowry received when Matthieu, his eldest son, was married. Indeed, Marc-Antoine’s second voyage in 1741 coincided with Matthieu’s marriage: the younger son was thus established on the strength of the dowry the eldest received when he married. Similarly, Louis sailed for Saint-Domingue in 1755, two weeks after he served as a witness at his brother Henri’s wedding. It is safe to conclude from this coincidence that their elder brother had paid their legitime a few months earlier in order to settle the inheritance of his father, who had died in 1750. Financing the voyage of a younger sibling was far less expensive than paying a dowry, and the younger sibling who made a fortune in America would need nothing at the time of inheritance. However, dowrying an emigrant upset the credit system in two ways. First, the travel costs and start-up funds needed to establish oneself in the colonies had to be paid in cash, which could require the sale of land. Second, the emigrant’s “dowry” evaded the reciprocal credit system between houses and became the property of its receiver, who invested it “in the islands.” It was therefore not available to pay to the in-laws of the younger son, whose marriage under the condition of a right of return would entail reimbursement to the emitting house in the event of a childless marriage.

This article has shown that, according to Zink’s analysis, the system of dowry circulation allowed younger children to become established “on credit.” She adds that, unlike other regions of France, the particularity of the Pyrenees “did not reside in the fact that only a single child of the house was married off, nor in a concern for keeping the family estate intact.” Under the Old Regime in France—despite the great variety of egalitarian and inegalitarian hereditary practices, customs, or written laws—the concern with the estate’s integrity was constant. In Zink’s view,

the uniqueness of the Pyrenees region was “the impossibility that the younger brother settle near the paternal household once he was married.” In this sense, “the spirit of Pyrenean customs is the non-multiplication of houses.”⁷³ Lands not privately owned by an individual house were moors or pastures collectively owned by the houses, and no new house could be established in these common areas. A younger son who wanted to settle, even if he had sufficient funds, could acquire neither the lands of an existing house nor any part of the pastures that belonged to the community of houses. In theory, the only options available to a younger brother were either to remain single or marry an heiress, since “there is no other place to which one can take one’s legitime and make one’s living outside the house system.”⁷⁴

Emigration constituted a solution that made it possible to earn one’s living outside the house system. The legitime that Marc-Antoine took with him to Saint-Domingue eluded the fiduciary circulation of dowries. In the next generation, the eldest son, Jean-Pierre Lamerenx, chose to join his uncle Marc-Antoine in Saint-Domingue instead of marrying a younger daughter from the region who would have brought a dowry with her. The pressing need to equip their eldest son accentuated the conflict between Jean-Pierre’s parents to the point that it became a crisis centered on the use of household assets. The crisis required legal intervention, and its outcome brought about the gradual dismantling of the Berrio house. Seen from this perspective, emigration was simultaneously a consequence of the system and a phenomenon that contradicted its spirit, since the heirs themselves left, and the departures of younger children or heirs led to land sales that made real-estate markets more liquid while contributing to the potential recomposing of the houses. Such a turn of events resembles what Nassiet called the “hot option.”⁷⁵ While the house-based system attempted to maintain the status quo—meaning maintaining the estates without growth—, the emigration of Jean-Pierre Lamerenx, heir of Berrio and Uhart Juson, was undoubtedly consistent with the logic of increasing the houses’ property. Jean-Pierre’s choice and that of the previous generation were thus contiguous, since, in violation of custom, two houses had been united. A coffee plantation in Saint-Domingue was now added to the Berrio and Lamerenx houses of Lower Navarre, which had been joined by marriage.

Derouet refers to the relative weight of criteria related to “blood ties” and “residency” in customs governing succession.⁷⁶ He demonstrates that, in house-based systems, the place of residence counted far more than blood ties when it came to ensuring the legitimacy of an inheritance. The new master of the house was legitimate because he or she was born in the house, had always known it, and had learned to manage both the house and the various relationships between the

73. *Ibid.*, 269.

74. *Ibid.*, 262.

75. Nassiet, “Parenté et successions dynastiques,” 640.

76. Bernard Derouet, “Territoire et parenté. Pour une mise en perspective de la communauté rurale et des formes de reproduction familiale,” *Annales HSS* 50, no. 3 (1995): 645-86.

house and the community. Traditionally, the eldest sibling satisfied these criteria, leading to a convergence of absolute cognatic primogeniture and the residency rule. But the emigration of the eldest child opened a gap in the system. When his father died in 1783, Jean-Pierre de Lamerenx “automatically” became master of the Lamerenx house. Eight days later, his sister Ursule commissioned a complete inventory of the house, arguing that she had had no news of her two brothers who had emigrated to the islands several years earlier and that she was intended to inherit the house in the event of their death or disappearance.⁷⁷ It was only after the eldest sibling arrived three years later that the inheritance was decided in favor of Jean-Pierre. The next generation faced almost the same problem when Marguerite, Jean-Pierre’s daughter who was born in Saint-Domingue but raised in France since 1786, was appointed administrator of the Lamerenx house by judicial decision in 1812. Only in 1818 did her elder brother, Charles, take possession of the house after filing a suit against her immediately upon arriving from America. Under the house-based system, the eldest shared governance of the house with his parents (*co-seigneurie*) once he or she was married. If the heir was in America, the house remained in the hands of aging parents who were sometimes not entirely capable of managing it. When they died, the master’s place remained empty. When Jean-Pierre’s father Matthieu died, the inventory of the house revealed the poor condition of the buildings and the inadequate maintenance of the wooded land, trellised grape plantations, and orchards, all of which were described as “almost devastated.”⁷⁸ Emigration created a clash between the criteria of both blood ties—expressed through primogeniture—and residency.

American Uncles/Algerian Uncles

In 1900, a guidebook offering advice to potential emigrants to Algeria was published in Algiers, with a chapter entitled “What You Can Do With 6,000 Francs.” Emphasizing that it was a mistake to hope to make a fortune without start-up capital, the book voiced pity for those “unhappy souls who, based on erroneous information, or who are motivated by their adventurous spirit, had left their countries without a centime or with few resources, hoping to make a fortune, or at least live comfortably, solely through their labor.” The warning concluded on the following note: “Although the legend of the rich American uncle has sometimes been true, the legend of the uncle from Africa does not exist.”⁷⁹ The legend of the American uncle originated not in emigration to the United States, but in the sugar and coffee fortunes made in Saint-Domingue. One of the earliest examples of this legend was a play written by Eugène Scribe entitled *L’oncle d’Amérique*,

77. 3E 2468, March 18, 1783, ADPA, Bayonne.

78. Ibid.

79. *Almanach de l’Algérie : petite encyclopédie populaire de l’Algérie* (Algiers: Charles Zamith, 1900), 73.

which was performed for the first time in Paris on March 14, 1826. It relates the story of a young girl who wants to get married but has no dowry. Her suitor persuades a coachman to pretend to be her uncle from America, claiming to be a plantation owner, a status giving him rights to the celebrated indemnity that the Haitian government paid in exchange for Charles X's recognition of Haitian independence. In the following excerpt, the impostor, named Bonnichon, introduces himself to the young woman whose uncle he claims to be.

BONNICHON:

Yes, my lovely child. I am a landowner in America, in Saint-Domingue. It's far away, isn't it? You can't get there by post coaches.

To the tune of "Foursome"

Among the most honest traders,

I am famous there for my plantations

I have fields there, houses, and negroes

Around two millions' worth.

LOUISE:

Eh, what? Blacks?

BONNICHON:

A magnificent product!

Hey, but the color makes no difference, my child:

Whether it came from Europe or America,

Money is always white.⁸⁰

This excerpt shows that, in 1826, "America" was still identified with Saint-Domingue and that the connection between fortunes made in America and slavery remained perfectly clear: the metaphorical syllepsis ("money is always white") unites in a single word the literal meaning (the white color of money) and the figurative sense (the white color of the race). By considering the itineraries of the individuals studied in this article, one can see both how the legend of the American uncle took shape and how uncles from America describing wealth—past, real, or imaginary—might have elicited both admiration and derision. Jean-Pierre Lamerenx set sail for Saint-Domingue to join his uncle in America, Marc-Antoine, with 1,200 livres in his pocket, which were the proceeds of the sale of a meadow belonging to his mother. Twenty years later, his coffee plantation was worth 150,000 livres. This was a spectacular return on his investment, which was due to the high profit margins made possible by slave labor. As I have demonstrated, Jean-Pierre Lamerenx's return to the mainland in 1786 titillated people's imaginations so much that they were still referring to it twenty years later. The truth is that the warning offered

80. Eugène Scribe, *L'oncle d'Amérique, comédie-vaudeville* (Paris: Baudoin frères, Pollet et Barba, 1828), 32.

by the *Almanach de l'Algérie* to prospective immigrants to Algeria about African uncles was also true of American uncles. Jean-Pierre Lamerenx would not have made a fortune without the initial capital that the sale of a portion of his family's property made possible. Similarly, his uncle, Marc-Antoine, most probably benefited from his parents' financial support, which was made possible by the dowry they received when his eldest brother married.

This study has primarily investigated the fate of a single family belonging to the lower nobility, whose broader relevance with regard to Pyrenean houses, of which only a minority were noble, is somewhat limited. However, it appears that under the Pyrenean house-based system, while differences between nobles and commoners were important in some circumstances, they have little bearing on the questions examined here. The possession of a *salle* ensured access to the Estates-General of Navarre among the nobility. In other ways, though, there was considerable equality regarding how each community was governed. The same customs that regulated inheritance applied to both noble and non-noble houses. The Berrio house was not a noble one, although, in terms of "blood ties," Anne de Marmont, who was Berrio's mistress, was noble because of her father, Bernard de Marmont (1686-1739). Her status within the community of La Bastide Clairence, however, was based on her position as "lady of the Berrio house." Ascending the lineage of the *sieurs et dames* of Berrio reveals that the house's alliances were at times local and at other times distant, sometimes involving noble families and sometimes involving commoners. Anne de Marmont's mother, Anne de Moirie, was the daughter of a Bayonne trader (a distant commoner alliance). Her paternal grandfather, Jean de Marmont, was the younger son of a noble Bearnese house (a distant alliance with a noble) who had married the heiress to the Berrio house, Marie de Lombart, herself a member of a commoner family that had resided in La Bastide Clairence for several generations (Jean de Lombart, Anne de Marmont's great-grandfather and the royal prosecutor of La Bastide Clairence, was amongst those who drafted the document that codified the customs of Navarre in 1632). Symbolic prestige was tied less to nobility in the sense of lineage than it was to the role of master or mistress of the Berrio house, transmitted through either men or women and through either local or distant alliances, in accordance with Lévi-Strauss's definition of "house-based societies."

Arrizabalaga's study of Basque hereditary customs and emigration patterns in the nineteenth century reveals striking continuity of practices between the period discussed here and the period following the introduction of the Civil Code. Indeed, there is little to distinguish the inegalitarian eighteenth century from the ostensibly more egalitarian nineteenth century. In the eighteenth century, integral transfer was softened by the legitime. In the nineteenth century, the Civil Code was applied in a way that guaranteed quasi-integral inheritance. Similar goals were pursued under both legal systems. Under the Old Regime, emigrants were dowried children who used their legitime to finance their travels and settle in America. In the nineteenth century, at least until about 1860, emigrants were typically the children of large and mid-sized landowners who used their inheritances for the same purposes. As was the case under the Old Regime, a single heir inherited

the house in the nineteenth century because the Civil Code was flexible enough to allow unequal partition of estates. As was also the case under the Old Regime, emigration flowed through family networks, meaning that it too was unevenly distributed. The highest emigration rates were from villages with the oldest traditions of emigration—in other words, from villages whose “first emigrant” had left several generations earlier. The principal difference between the Civil Code era and the Old Regime arose when the eldest child emigrated, a relatively common occurrence that led the house, instead of having no master, to be immediately assigned to a younger brother or sister. Arrizabalaga considers this a “progressive” process of change.⁸¹ Under the house-based system, however, “primogeniture” was simply a means of pursuing one primary objective: the integral transfer of the house. Naming a younger sibling master or mistress allowed for the perpetuation of the system by adapting to the realities of emigration, which affected eldest and younger siblings alike.

There was thus a very real connection between Pyrenean houses and emigration, but the nature of the link was less intuitive than it would appear. Strictly speaking, emigration was not the result of unequally distributed estates. It was originally just one option among others for dowried children who were excluded from sharing in the inheritance. The appeal of this particular option for both parents and children increased over time. For parents, equipping a younger son for Saint-Domingue was less expensive than providing a dowry that would allow him to marry an heiress. From the younger sons’ standpoint, while becoming a priest, a military officer, or an employee would procure a stable income, bringing even the most modest initial funds to the islands offered such a significant return on one’s investment that even the eldest children sought to emigrate. It should also be added that, despite the remarkable structural continuities between eighteenth- and nineteenth-century emigration, the memory of emigration to Saint-Domingue has vanished from popular imagination, while the idea of departing for South America remains fresh today. The memory of Saint-Domingue did, however, remain vivid into the 1820s, as did awareness of the connection between slavery and the fortunes made in America. It now seems as though subsequent patterns involving emigration to South America effaced the memory of emigration to the Caribbean (few emigrants went to Algeria). Only images like the “American uncle,” of which the original meaning has been lost, persist as reminders of these earlier waves of emigration.

Having successfully deposed Marguerite as administrator of the family estate, Charles Lamerenx proved to be a mediocre master of the Lamerenx house. In 1828, his brothers and sisters, all of whom—with the exception of Marguerite—were by that time living in Cuba, revoked the agreement naming him administrator and reappointed Marguerite. By then, the Lamerenx family had developed a trans-Atlantic network based on joint ownership that was entirely foreign to the house system: the Lamerenxes of Cuba were co-owners of the Lamerenx house in France,

81. Arrizabalaga, “Famille, succession, émigration,” 198-224.

while the French Lamerenxes owned shares in the Lamerenx coffee plantation in Cuba.⁸² Charles sold his share to his sister Marguerite and married a young, illiterate peasant woman, Madeleine Biscay. He wrote to the Minister of the Interior stating that he was unable to support himself and requesting the financial assistance guaranteed to refugees from Saint-Domingue by the law of 1799. He was granted an annual assistance of 300 francs, which was later increased to 360 francs in light of the petitioner's advanced age. Charles had three children with Madeleine and died in Arette in 1854 at the age of 79. A few months before his death, his eldest son Jean-Pierre had boarded the *François et Théodore* at Bordeaux and set sail for Havana, where he met and married his first cousin Rosa de Lamerens Pérez, settling in Cuba.

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