Chapter 6

Points of Transferral: Mademoiselle de Guise’s Will and the Transferability of Dynastic Identity

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The lure of the grand heiress has provided rich storylines for countless myths and dramas, from the ancient Greek legend of Atalanta to the tragic opera *Turandot*. Royal fathers steered the fates of their daughters by imposing trials of strength or wit to determine worthiness of potential heirs. In stories such as these we learn little about dynastic identity. What traits of the bride’s family are perpetuated once the successful suitor has taken over her father’s throne? Is dynastic identity transferable?

History provides very real examples of spectacular heiresses being pursued by ambitious men and can illuminate us further by the outcomes of such matches. Sometimes these were negotiated by parents or other surviving family members, with or without the participation of the heiress, while in other cases the heiress was a widow, and thus operating at a more independent level. Such is the case of the well-known ‘Monkey Duchess’, Elizabeth Cavendish, heiress of properties from both her father, the duke of Newcastle, and more significantly of her late husband, the duke of Albemarle (Christopher Monck, hence her nickname). Displaying a tinge of madness, she declared she would re-marry none but a crowned head, and was duly wooed by the earl of Montagu in 1690, who posed as the emperor of China.1 The outcome was that the Albemarle name and identity was lost, as its fortunes served to forge a new dynastic identity by elevating the Montagu family to the rank

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of duke (1705). In this case, a mentally impaired heiress was no more successful than her fictional counterparts in transferring her dynastic identity intact.

But can we find counter-examples? Could princely or aristocratic heiresses in the early modern world exercise agency in selecting their own heirs or in controlling the passage of dynastic identity from one lineage to another? What factors enabled them to do so, and what factors limited their choices and actions? This chapter will examine one of the greatest heiresses of seventeenth-century France, Marie de Lorraine, Mlle de Guise (1615–1688), who was presented with an opportunity to preserve her family’s name and reputation as she came to the end of her life. The last member of her family, she had never married, and as a woman in her seventies, was unlikely to re-start a dynasty through marriage. She was thus faced with the option, like a Roman emperor, to choose her successor based on a set of criteria that was important to her, and which we can identify as a Guisard dynastic identity. I will argue that the twin poles of this identity, foreign princely status and Catholic orthodoxy, both helped and hindered Mlle de Guise’s attempts to secure the transferral of her family’s ‘property’ (physical and ideological) to the most suitable heir. In the end, Mlle de Guise was unsuccessful, in large part due to the incompatibility of her dynastic ideals with Louisquatorzian notions of a centralised absolutist state, one that was ‘French’, or even ‘national’, with no room for non-royal princes who were by definition ‘trans-national’. As we will see, Mlle de Guise’s bar was set too high. Yet her case is valuable in demonstrating that female agency was at least a possibility; it is thus useful to begin with a brief survey to identify other women with similar opportunities in this period.

**What’s in a Name? Heiresses and Dynastic Preservation Strategies**

The central issue Marie de Lorraine grappled with was survival of a name and its ‘renown’, more than merely material concerns such as estates, buildings and movable wealth. Such things came and went, but a name endured. This was neither a new concept in the 1680s, nor would it cease to be an issue for aristocrats for centuries to come. A standard strategy since the middle ages had been to give the name (and arms and properties) of an heiress’s defunct family to a second son: for example, the House of Laval endured from the thirteenth century
as a cadet branch of the Montmorency. This strategy remained a European standard, even at the highest levels, the most famous example being that of Maria Theresa of Austria and Francis Stephen of Lorraine: in this case the senior princes took the name Habsburg (or ‘Austria’), while ‘Lorraine’ was retained by the cadet line established in Tuscany.

Some noble families in early modern France relied on another strategy: they kept the heiress within the dynasty by marrying her across lines of cousinage, often niece to uncle. In the eighteenth century, the grandest court families of Montmorency, Rohan and La Tour d’Auvergne employed this strategy, almost to exclusion of any other; they had more than estates and a name to preserve – they had ducal and princely rank to guard, with relevant fiscal and honorific privileges. In contrast, nobles of lesser rank sometimes defied their blood relatives and natural heirs, aiming for something bigger: to preserve the name within a different lineage, one with ducal or princely status. This can be seen in the actions of the heiresses of the families of Albret-Pons or Montlaur-Maubec with regard to the House of Lorraine. In both cases, the family names were preserved not in surnames, but in titles given to younger sons (and exalted; for example, ‘prince de Pons’, though no real principality existed). This strategy was not always successful. The last Gouffier duc de Rouannais defied the hopes of his collateral cousins by becoming a monk in 1667, and selling his duchy – as well as his sister – to the comte de la Feuillade d’Aubusson, with the idea that he would take

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3 Other name preservation strategies existed in early modern Europe, including more ‘agglutinative’ systems such as those used in Britain or Iberia, where surnames were simply added rather than lost, in increasingly long chains: Temple-Nugent-Grenville-Chandos-Brydges in eighteenth-century England, and today’s Duquesa de Alba in Spain, personally representing four leading dynasties: Álvarez de Toledo, Silva, FitzJames-Stuart and Colón de Portugal.

the Rouannais title. But the Count rose quickly in favour at court and as a military commander, and became known as the maréchal-duc de la Feuillade, the Gouffier and Rouannais names being lost.

But were any of these instances demonstrably cases of female agency? Did any of the heiresses have a say in their use as ‘points of transferral’? In some cases, it seems certain: Antoinette de Pons (d. 1632), was heiress of her son from her first marriage, and transferred his duchy of La Rocheboyon to a son from her second marriage. An attempt was made by Charlotte de la Marck, sovereign duchesse de Bouillon and princesse de Sedan, who chose her own husband (Henri de La Tour), but died in 1594 in childbirth. Nevertheless, her husband used his significant political credit at the French court and with the Protestant princely hierarchy to transfer her inheritance to his children by a second marriage (significantly, to Elisabeth of Nassau), despite the protests of Charlotte’s natural heirs in the La Marck family.

This example brings us closer to the case of Mlle de Guise, by highlighting that a significant impetus for these alliances was in the transfer of princely status. The most notable examples of this in the seventeenth century are the Grimaldis of Monaco, the Rohan-Chabot and the Montmorency-Luxembourg. In each case, the aspiring suitor hoped to gain not just a name and property, but princely rank and the privileges that went with it. In some cases they succeeded: Jacques Goyon de Matignon successfully transformed himself in 1731 into SAS Prince Jacques I of Monaco. In other instances they were only partly successful: François-Henri de Montmorency-Bouteville married the heiress of a prince étranger family, Madeleine-Charlotte, duchesse de Luxembourg; her duchy-peergate was re-erected for him in 1661. But her efforts to have their sons recognised as princely – potentially as sovereigns of

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5 Perhaps she had greater flexibility in her actions as a former royal mistress (of Henri IV).
6 Charlotte did have a son who lived long enough to make his father at least the co-heir, legally. See Simon Hodson, “Politics of the Frontier: Henri IV, the Maréchal-Duc De Bouillon and the Sovereignty of Sedan”, *French History* 19, no. 4 (2005). The La Marckks continued to call themselves dukes of Bouillon until 1652, when they too became extinct, leaving a daughter who took the name (and claims) to the House of Eschallard de la Boulaye.
Luxembourg itself – fell upon deaf ears. Similarly the marriage of Henri Chabot to Marguerite, duchesse de Rohan, enabled him to acquire her duchy in 1648, but the subsequent Rohan-Chabot heirs were not recognised as princes, unlike their ‘true’ Rohan cousins of Soubise and Guéméné. Again, we must ask, how much say did these heiresses have in these manoeuvres? Saint-Simon claims that Marguerite de Rohan, the greatest heiress of the mid-century, made a love match of her own choosing, despite opposition to Chabot being a Catholic. In contrast, in the case of the Grimaldis, Saint-Simon indicates that while the heiress Louise-Hyppolite was confined in a convent in Aix, matters were arranged by her father, the prince of Monaco, the groom’s uncle, the maréchal de Matignon, and the bride’s maternal grandfather, Louis de Lorraine, comte d’Armagnac. After 15 years of waiting in an unhappy marriage, the Princess only reigned in Monaco for 306 days before following her father to the grave after a bout of smallpox in 1731. Her husband succeeded her as prince of Monaco, taking her name and arms, and her dynastic identity.

Any survey of the major princely (but non-royal) heiresses in this period in France must include the two heiresses of the House of Savoy-Nemours (who spurned offers from the House of Lorraine to marry the duke of Savoy and the king of Portugal), as well as their aunt by marriage, the duchesse de Nemours. Marie-Anne d’Orléans (1625–1707), duchesse de Nemours, became, as a widow, sole heiress of the House of Longueville. Her attempts to donate her sovereign principality of Neuchâtel in the 1690s to her bastard cousin, the chevalier de Soissons, led her into significant entanglements with the French legal system and

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the foreign policy aims of Louis XIV. Her case leads us back to similar attempts to manage her own succession by Mlle de Guise.

**Seeking an Appropriate Heir ‘who will bear the name Guise’**

The Très Haute and Très Puissante Princesse, Son Altesse Marie de Lorraine, duchesse de Guise, princesse de Joinville, duchesse de Joyeuse, comtesse de Montrésor, dame de Marchais et Liesse, and so on, died on March 3 1688, in her Hôtel de Guise in Paris. She was the last of her house, guardian of its treasures and its legacies since the death of her great-nephew, François-Joseph, in 1675. Her emblem printed on contemporary portraits aptly demonstrated her status, the last tree standing in a now empty forest. At 73, she was still a maiden – at least officially – having been variously promised to princes and nobles including the king of Poland and the duc de Beaufort since she was a young girl. But her family’s great wealth and dominant political position repeatedly prevented any union, particularly as Marie came of age in the waning years of princely rebellion and political instability. Not flashy and heroically popular like her male Guise forebears – most notably her brother, the last fully adult duc de Guise – she instead seems to have inherited her mother’s sense of duty, piety and fiscal responsibility. Like her mother, Henriette-Catherine de Joyeuse

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11 Sarah Hanley, “The Family, the State, and the Law in Seventeenth- and Eighteenth-Century France: The Political Ideology of Male Right versus an Early Theory of Natural Rights”, *The Journal of Modern History* 78, no. 2 (2006). This otherwise excellent article suffers from serious misconceptions about sovereignty, underpinning much of the argument with notions that France somehow had juridical rights over Neuchâtel, an Imperial fief (today in Switzerland).

12 The Latin *inscriptio*, ‘succisas dat coniectare superstes’ can be translated as ‘the survivor lets us imagine those who were cut down’, but *coniectare* can also imply ‘gather together’: Mlle de Guise collected the remnants of both the Guise properties and their qualities as princes. It is interesting to note in the context of this chapter that the object of this sentence is feminine, referring no doubt to *arbores*, ‘trees’, but also, perhaps to Mlle de Guise’s female predecessors. My thanks to Professor Alison Adams and Dr Gavin Kelly for help with this translation.

13 A thorough biography of Mlle de Guise emerges from the writings of Patricia Ranum, notably her “Mademoiselle de Guise, ou les défis de la quenouille”, *XVIIe siècle* 144 (1984); and *Portraits Around Marc-Antoine Charpentier* (Baltimore: Dux Femina Facti, 2004). In both works, Ranum presents evidence for a secret marriage to Mlle de Guise’s friend and agent, the comte de Montrésor.
(d. 1656), she had common sense and managerial skills so lacking in her infamously foolhardy brother, Duke Henri II.⁴ Even before Henri’s death in 1664, Marie had taken over the family finances from her mother, as seen in her significant efforts to reduce the Guise debts, and guardianship of the Duke’s heirs.⁵

[Insert figure 6.1 here in – engraving]

Figure 6.1 Marie de Lorraine, duchesse de Guise, princesse de Joinville. Engraving by Antoine Masson (1684), after a painting by Pierre Mignard. Collection of the author.

In February 1686, feeling old age begin to wear her down, Mlle de Guise called together her lawyers and notaries to the Hôtel de Guise, and created two documents, a will and a donation. Through these two documents, she attempted to create a legal web that would enable her succession to pass intact to the heir of her choosing, thus bypassing her natural heirs who were not members of the House of Lorraine. But Marie’s quest to cultivate an appropriate heir precedes her actions of 1686 by several decades. Since the early 1660s, she had groomed her under-aged nephew, Louis-Joseph, as Guisard heir. Again following in the footsteps of her pious and sensible mother by firmly associating herself with the dévot cause at court, she obtained the support of the Queen Mother and the Queen, undoubtedly crucial in obtaining a bride of the highest rank (if not of the best health) in 1667: Isabel d’Orléans, Mlle d’Alençon, a first cousin of Louis XIV and also half-Lorraine.⁶ These royal links further ensured that when Louis-Joseph died in 1671, Marie was named regent of his infant son, François-Joseph – instead of the boy’s mother – and was assisted by one of the ablest men in

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⁴ The 1648 Neapolitan adventure of Henri II, duc de Guise (an attempt to replace Spanish rule with his own), is the focus of a new collection of essays, edited by this author, Jessica Munns and Penny Richards, Aspiration, Representation and Memory: The Guise in Europe, 1506–1688 (Ashgate, 2015), which includes a chapter by this author on Guise’s relationship with his mother, Henriette-Catherine de Joyeuse.

⁵ Archives Nationales de France (henceforth ANF), R4* 1060, ‘Succession de Guise: Recueil des pièces concernant la succession’ (Série R, Papiers des princes, Apanage d’Orléans).

⁶ Her parents were Gaston de France, duc d’Orléans, and Marguerite de Lorraine.
France, Jean-Baptiste Colbert. Marie planned for this child to grow up as more than a glorious Guisard prince, a semi-royal prince, as reflected in the name he went by: duc d’Alençon. A duke four times over (Alençon, Guise, Angoulême and Joyeuse), half-Lorraine, half-Bourbon, with a huge fortune, he would enjoy his own private chapel, a personal composer and orchestra to rival the King’s, and a legacy of popularity with the people of Paris that still, after nearly a hundred years, slightly un-nerved the Crown. When the child died in March 1675, Mlle de Guise was in despair.

Marie therefore examined her family tree for heirs among her cousins in the House of Lorraine resident in France. As she says in her donation of 1686, the lands of the House of Guise had for centuries been held by younger sons of the House of Lorraine, and should therefore continue to do so, ‘both for the justice and the glory of that house’. The next-in-line senior male member of her family was Charles III, duc d’Elbeuf, but Mlle de Guise never seems to have considered him – the reason for which I have yet to uncover. Perhaps she was wary of his reputation as a former Frondeur; this was 30 years in the past, but Marie would have been aware of Louis XIV’s long memory when it came to the Frondes. Perhaps she disliked him personally, for his marital choice of a recently converted ‘heretic’, Elisabeth de La Tour d’Auvergne. But this too was in the past, as the Duchess had died in 1680, and the

17 Bibliothèque Nationale de France (henceforth BNF), Clairambault 1204, fols 179–222; Joly de Fleury 120, fol. 216.

18 Strictly speaking, she was not the last member of her branch of the family, as her cousin, Henriette, abbess of Jouarre, outlived her by six years, but as a professed nun, she was legally ‘dead’ to the world, and thus incapable of claims to the succession. Of the two Guise widows living in 1675, one was an imbecile locked away in her château, the other a royal princess who, although she continued to bear the name ‘Mme de Guise’, retained her own separate identity as a Petite-Fille de France. See Jonathan Spangler, “Benefit or Burden? Elite Widows in Seventeenth-Century France”, Proceedings of the Annual Meeting of the Western Society for French History 31 (2003).

Duke had re-married, more appropriately, the daughter of a prominent dévot couple, the duc and duchesse de Navailles. Nevertheless, Mlle de Guise may have felt that his heir, Henri d’Elbeuf, retained a taint from his formerly Huguenot mother and was unsuitable to bear the name Guise. Or perhaps she felt that, as Elbeuf already had a duchy-peerage of his own, dynastic strategy would suggest that she pass her properties to a younger son; the Guise had indeed employed this strategy several times in previous generations, with the duchy-peerages of Aumale, Mayenne and Chevreuse.

In the early 1680s therefore, she looked to the duc d’Elbeuf’s younger brother’s son, the prince d’Harcourt. Alphonse de Lorraine was establishing himself as a soldier, had royal blood (as a great-grandson of Henri IV and Gabrielle d’Estrées), and had large estates adjoining Mlle de Guise’s duchy of Joyeuse in Languedoc. His wife was a dévot, close to the emerging power at Versailles, the King’s secret wife, Mme de Maintenon. Harcourt’s sister, Marie-Anne-Françoise, had recently succeeded Mlle de Guise’s own sister as abbess of the traditionally Guise-held abbey of Montmartre.20 This seemed ideal, so in 1684 or ’85, Mlle de Guise settled a transaction with the prince and princesse d’Harcourt selling them the duchy of Guise in return for some of the Guise debts being paid (by the Prince’s mother’s significant treasury).21 But the transaction was never completed – though at least one property, Roquelaure in the Rhône valley, was exchanged – and the records are unclear why. Some funds were transferred, but the Duchy was not sold, and the name Harcourt disappears from Mlle de Guise’s will and donation made the following year. An inventory done after the death

21 Spangler, Society of Princes, 227, citing ANF, Minutier Central XCIX, no. 297; and Archives Départementales (henceforth AD), Ardèche, B 115, fol. 154. An entry in Dangeau’s journal for 10 July 1684 notes that ’M le Prince d’Harcourt came to Versailles to inform the King that his treaty with Mlle de Guise, for the duchy of Guise, had been concluded and declared; it is claimed that he purchased it for 3,000,000 livres, of which he would only pay 2,200,000, and that, besides the gift of 800,000 livres which Mlle de Guise makes to him, she gives him also 30,000 livres rente on the City [of Paris]’. Dangeau (Philippe de Courcillon, marquis de), Journal, (eds) E. Soulié et al. (Paris: Firmin Didot frères, 1854–60), 1: 36.
of Mlle de Guise tantalisingly lists a memoir of pieces ‘hidden away’ by Mlle’s archivist Gourdon at the end of 1685. Why did the Harcourts suddenly lose favour? It seems likely that Marie became disgusted by the public scandal of a lawsuit involving the Prince in adultery, not with a common serving wench, but with the wife of a prominent royal counsellor and finance officer. Harcourt would leave France altogether in 1688 to seek military employment elsewhere.

We can see from the above that Mlle de Guise was developing a list of criteria for the ‘appropriate’ Guise heir. He was to be a member of the House of Lorraine, preferably with royal blood, whose estates would augment the Guise estates in a coherent block, someone with no taint of scandal or links with families with a Huguenot past, and not offensive politically to Louis XIV. But a further criterion that becomes apparent is the desire for an heir who might revive the Guise legacy of princely glory in the defence of the Holy Mother Catholic Church.

By moving her finger one rung down the Guisard family tree, to the son of Elbeuf’s youngest brother, Mlle de Guise found a good choice. Charles de Lorraine, prince de Commercy, was also already beginning to show great promise as a military commander and a Catholic hero, albeit on the plains of Hungary in Habsburg service not as a servant of the Bourbons. Like his cousin Harcourt, he also shared the blood of Henri IV and possessed large estates in Champagne adjoining Mlle de Guise’s principal seat at Joinville.

Commercy also represented a link back to the senior sovereign branch of the House of Lorraine, and, as will become clear, this mattered a great deal to Mlle de Guise in her deliberations. His father had been an able general and advisor to Duke Charles IV of Lorraine

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22 ANF, R4*1056, “Inventaire après le décès de Mlle de Guise en 1688”, item 146.

23 BNF, Collection Morel de Thoisy, vol. 95. Catherine le Breton was the wife of Nicolas de Chanterais, Sieur Dormoy, king’s counsellor and comptroller of the regiment of the Royal Guard. Harcourt was at first anonymous in the court documents of 1685, since his identity and rank would force the case to be moved from the civil court of Paris to the Parlement. But by summer 1686, Harcourt was fully named and shamed.

24 For Commercy, see Spangler, Society of Princes, 245–8.
in the 1660s–70s, and his mother was the Duke’s own illegitimate daughter. In 1686 Commericy was serving in Vienna as a Generalfeldwachtmeister under the command of the new duke of Lorraine, Charles V, the hero of the siege-defence of Vienna in 1683; he had left France in frustration in 1684 after being passed over for a regiment by Louis XIV, along with a fellow prince étranger and cousin, Prince Eugene of Savoy.25 But although Mlle de Guise would make a significant donation to Commericy in 1686, she would not name him as her heir.

We can see the growing admiration of Mlle de Guise for her distant cousin, the head of her house, Duke Charles V of Lorraine, in the wording of her testament of February 1686. Here she notes that in a previous act, she had donated a relic of the True Cross to the Abbey of Saint-Mihiel in Lorraine, where many of her kin were buried. Now she enhances that gift with a huge annual rente of 1,000 livres, with the intention of ‘re-thanking God for the victories which He has given to the Christian armies under the conduct of SAS Msgr le Duc de Lorraine in the last war against the Turks, and to obtain for all the princes of our house the perseverance in the Catholic religion, and the grace to augment in them the zeal for maintaining it’.26 It is this attachment that convinces her to make one final leap in her decision: her proper heir will be a son of the Duke himself. Amongst her significant legacies and donations to charities (schools, hospitals, convents) and domestic servants in both Paris and the provinces – totalling 624,000 livres in donations and 51,000 in pensions, or about 1.1 million livres capital – the last pension named in her will specifies the princely sum of 12,000 écus (35,000 livres), per year for a younger son of the Duke of Lorraine, ‘who will bear the name Guise’.27

26 Testament of 6 February 1686, British Library (henceforth BL), Sloane, 2885, 80. There are also copies of this testament in Paris, Nancy and Vienna.
27 BL, Sloane 2885, 82.
But it was in the donation of 1 February 1686 that Mlle de Guise chose to be more explicit. In this document she donates not just a pension, but her entire paternal estates to an un-named son of the Duke of Lorraine – at the time, there were three, all under the age of ten: Leopold, Charles and Joseph – who will not have already been ear-marked for an ecclesiastical career, who will take the name and arms of Guise, and who will come to live in the Hôtel de Guise.²⁸ This donation includes the crown jewels of the patrimony, the duchy of Guise in Picardy and the principality of Joinville in Champagne, plus her major financial holdings: the rentes on the Cinq Grosses Fermes and on the Hôtel de Ville in Paris, valued at over 1.1 million livres.²⁹ She states that she does this, since, on reflection of all God has willed she accumulate, it is what she should do (‘que nous avons crû en devoir faire’). It is significant to note that this was a repeat of the donations in 1506 of the same properties, Guise and Joinville, to Marie’s ancestor, Claude de Lorraine, the younger son of Duke René II, and for the same expressed reasons.³⁰ Here another important aspect of the dynastic identity of the House of Lorraine is recalled: defenders of the Catholic faith. Mlle de Guise, in her collections of portraits, precious objects and sacred relics, materially had ‘gathered together’ (as in the words of her personal emblem) the memories of her Guise forebears, the champions of the Catholic League during the Wars of Religion; martyrs for the Faith in the assassinations of 1563 and 1588.³¹ But even more broadly, the House of Lorraine maintained its identity as leaders of the defence of the faith from the earliest days of the Reformation, for

²⁸ Donation of 1 February 1686, ANF, R³ 117, 1.
²⁹ “Estimations from 1697 inventory”, ANF, R³ 117, 77.
example, against the Lutheran peasant armies (the ‘Rustauds’) in 1525. Other images displayed in the Hôtel de Guise alluded to the even older associations of the House of Lorraine with the Crusader hero, Godfrey de Bouillon, the chronicler Jean de Joinville and the Kingdom of Jerusalem, both in its physical and spiritual forms.

To solidify this support for the glory of her house, Marie de Lorraine refers obliquely in her testament to two other donations made elsewhere: the duchy of Joyeuse (her maternal inheritance) to the prince de Commercy; and the seigneuries of Lambesc and Orgon in Provence to another cousin, Louis de Lorraine, comte d’Armagnac. Armagnac was by 1686 rapidly becoming the de facto head of the House of Lorraine in France, as Master of the Horse and one of Louis XIV’s few identifiable favourites. Either Mlle admired him as a prince of her house acquiring glory at the French court, or, more cunningly, as someone who would defend her donation since he had something to gain from it, since Louis XIV was not likely to look favourably on the donation of two of the grandest fiefs in France (in both size and honours) to a prince being raised at the Imperial court by a Habsburg mother (Archduchess Eleonora Maria, half-sister of the Emperor). With this in mind, ‘for the greatest security and validity of said donation’, Mlle de Guise added one final legal twist to her preparations. The donation names as formal beneficiary not the unnamed prince of Lorraine, but Charles-François de Stainville, comte de Couvonges, who would receive and administer the properties until such time as the prince would be able to come to France to claim them.

The Stainvilles were a typical Franco-Lorraine border family with strategies of divided


34 I have not located these donations entrevifs as they are named in the testament (and referred to even more vaguely in the donation of 1686).

35 For Armagnac, see chapter 3 of Spangler, Society of Princes. His brother, the chevalier de Lorraine, was the well-known favourite of the King’s brother, Philippe, duc d’Orléans.
service: while the elder son had served the king of France as a lieutenant-general, governor of Casale and commander of troops in Catalonia, the younger, Couvonges, served the duke of Lorraine as Grand Chamberlain of his court-in-exile in Innsbruck, and as diplomat and secret agent. With attachments on both sides of the fence, Couvonges therefore was the perfect go-between for Mlle de Guise and her potential heir, a ‘placeholder’ of dynastic identity, the reliable representative of centuries of loyalty. Mlle de Guise underlines this fact, requiring that the heir, once in place, will give a pension to Couvonges, ‘in order that he would be more in a state to sustain the glory of the House of Lorraine in France’. Couvonges, along with Comarcy and her lawyer, Favieres, was also named as an executor of her testament.

By the new year 1688, Mlle de Guise felt her health was worsening and feared for the security of her donation. The duchy of Lorraine had been occupied since 1670, and despite attempts to negotiate a settlement at Nijmegen in 1679, it remained so. As stated above, Louis XIV was unlikely to favour a donation to a sovereign prince being raised in an enemy camp. He had recently rejected an advantageous marriage proposed for a sister of Comarcy, stating that he ‘would not involve himself’ in the affairs of a family which engaged itself in interests contrary to his own. Nevertheless, Marie renewed

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36 The Stainvilles had held significant posts in the duchy of Lorraine since the thirteenth century, and would continue to be prominent in the history of both Lorraine and France well into the eighteenth, notably in a nephew and heir, the Minister Choiseul. Jean-Joseph Expilly, Dictionnaire géographique, historique et politique des Gaules et de la France (1764), 2: 524; F.-A. Aubert de La Chesnaye-Deho and J. Badier (eds), Dictionnaire de la noblesse (Paris: Schlesinger frères, 1863–77), 18: 681–2. The Archives des Affaires Étrangères in Paris holds cartons specifically dedicated to Couvonges: Correspondence politique, Lorraine, vol. 45 (1681–96), as envoy from the duke of Lorraine to France; and vol. 68 (1695–98), as ‘secret agent’.

37 ANF, R3 117, 6.

38 For the most recent research on this topic, see Phil McCluskey, Absolute Monarchy on the Frontiers: Louis XIV’s Military Occupations of Lorraine and Savoy (Manchester: Manchester University Press 2013).

the terms of the donation, 8 January, again before lawyers and notaries,\textsuperscript{40} then revised the testament at the end of February with her first codicil.\textsuperscript{41} This gives the specifics of gifts and pensions for domestics, musicians, lawyers and other servants of her household (about 70 people), adds a few more pious legacies, including a pension for Père La Chaise, to ‘demonstrate her great esteem’ for him (or, more cynically, was this in reality a bribe for someone very close to the King?), and makes two significant additions. The first is to augment by 200,000 livres the previous donation of 100,000 livres each to the sisters of the Prince de Commercy, solidifying her commitment to that particular branch of the family. The second recognises that, as Couvonges and Commercy are no longer in the country (and thus likely to be pursued rather than rewarded by the French judicial system), they should be replaced as executors of her will by the Administrators of the Hôtel-Dieu in Paris. Here too Mlle de Guise was being quite shrewd: she added a large donation of 50,000 livres for the poor of the Hôpital Général, with the condition that this money would not be paid out until after the other pious legacies, thus holding the Administrators hostage until they did her bidding.

A few days later, 2 March, Mlle de Guise called her notaries to her bedside once more, added a gift and pension for Couvonges, and named a few more charities. She also changed her mind about gifts she had made of a large tapestry and a ceremonial bed to the Duke of Lorraine and a jewel-encrusted wooden model of the House of the Virgin at Loreto to his wife the Duchess.\textsuperscript{42} These were now to be sold like the rest of her movable goods to pay off the Guise debts. The reasoning for this change is not given. But the very next day, she made a third codicil, in which the tapestry and the bed were to be given to Louis XIV \textit{himself}, as a gesture (in her words) to show all of Europe marks of her recognition of his kindnesses, ‘as proof of her zeal and respect’.\textsuperscript{43} She also added still more pensions, gifts to the Jesuits of

\textsuperscript{40} ANF, R\textsuperscript{3} 117, 3.

\textsuperscript{41} BL, Sloane 2885, 85.

\textsuperscript{42} Spangler, “Material Culture at the Guise ‘Court’”, 158–75.

\textsuperscript{43} BL, Sloane 2885, p. 91.
the rue Saint-Antoine in Paris, and another major donation, 100,000 livres to the princesse d’Harcourt (and a discharge for the 40,000 livres the Harcourts still owed her from the partial transaction of 1685). Is this third codicil nothing more than the desperate act of a dying woman, considering that the Jesuits were close to Père La Chaise, and Harcourt was close to Maintenon, the closest intimates of the King himself? It seems too coincidental for these to be anything but calculated gifts to win the favour of Louis XIV. But who else did Mlle de Guise need to worry about challenging her will? Who were the natural heirs she was attempting to bypass?

**Why not let the Succession pass to the Natural Heir?**

In wishing to keep the Guise patrimony together in 1688, Mlle de Guise was in a similar position as her contemporary, King Charles II of Spain, whose vacillations over appointing an heir demonstrate his concerns – or those of his counsellors – for the preservation of his empire and its identity. The legal battle over the Guise Succession was by no means as epic as the War of Spanish Succession, but it did drag on for decades and involved hundreds of litigants, inside France and out.

*Why?* The Guise succession did not simply consist of properties (movable and immovable); it also included intangible honours such as the peerage of the duchy of Guise, with quite tangible privileges such as the right to have lawsuits heard before the Parlement of Paris (as a tribunal of peers) or the King’s Council itself. But, as seen in the Rohan-Chabot and Grimaldi-Matignon marriages, the Guise succession also involved the potential transferral of princely rank, with a further attendant set of privileges, though these were much less clearly defined. Aside from ceremonial privileges such as the right to wear a hat in the company of foreign ambassadors or to sit in the Queen’s presence, the *princes étrangers* enjoyed levels of private access to the monarch and a degree of judicial immunity that were crucial to the maintenance of their dynastic identity.\(^4\) Louis XIV was not keen to have this

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semi-autonomous group of senior aristocrats augmented at his court, as can be seen in his unwillingness to extend princely privileges to the House of Fürstenberg in the 1660s, despite his otherwise favouring them personally.\textsuperscript{45} Princely status was not in question in Mlle de Guise’s donation to the son of the duke of Lorraine, who was a prince by birth; rather it would have established another branch of foreign princes in France, and with a peerage to anchor their position.\textsuperscript{46} We can say clearly then, that Guise dynastic identity was built on the twin pillars of this quasi-independence from the Crown, and a long history of defence of the Catholic Church – an issue currently at the forefront of many minds in France in the 1680s due to Louis XIV’s ongoing quarrels with Pope Innocent XI.\textsuperscript{47} Like Charles II deciding the fate of the Spanish monarchy, Mlle de Guise had no desire to see the Guisard identity subsumed into the identity of her natural heirs. In both cases this was the House of Bourbon.

The paternal heirs of Mlle de Guise were led by the prince de Condé in the name of his wife and her sister. The maternal heirs also put forward a claim in the person of Mlle de Montpensier. Two branches of the House of Bourbon thus laid claim to the Guise succession. The Condé lawyers arrived to take possession of the Hôtel de Guise within hours of Mlle de Guise’s death on 3 March. The deceased’s closest paternal heirs, the sisters Anne-Henriette-Julie, princesse de Condé, and Bénédicte-Henriette, duchess of Hanover, were daughters of Anne-Marie de Gonzague, known as the Princesse Palatine, who had died only four years codified until the reign of Louis XV, when, for example, decrees were issued stating that children of princes étrangers were to be formally received at court as if they were princes of the blood.


\textsuperscript{46} In the perceptive words of Saint-Simon: ‘although a great princely lineage is pretty, cela ne tenoit qu’à une bouton, and there is nothing in France of more true and solid grandeur than a duchy-peerage. The House of Lorraine, to whom true princely status cannot be disputed, has thought thusly even at the height of its power’. \textit{Mémoires}, (ed.) Y. Coirault, 4: 432.

\textsuperscript{47} Joseph Bergin, \textit{Crown, Church and Episcopate under Louis XIV} (Yale: Yale University Press 2004), chapter 7, “A Decade of Crisis”.


previously. She was in turn the daughter of Catherine de Lorraine-Mayenne, duchesse de Nevers, from the branch closest in descent from the Guise.\footnote{48} Why was there no claim put forward by the duc d’Elbeuf, as the next \textit{male} heir of the House of Lorraine? The letters patent for the duchy-peerage of Guise (1528) make it clear that although the duchy was created for ‘heirs and claimants, whether sons or daughters at whatever degree, forever perpetually’, the peerage created at the same time was for males only.\footnote{49} So technically the peerage did pass to Elbeuf, but was redundant as he was himself already a peer, though this is mentioned in none of the vast succession dossiers I have seen. Nor do any of the legal documents generated by this case ask by what right Mlle de Guise had attempted to bypass her natural heirs for her Lorraine cousins in Innsbruck.

[insert Figure 6.2 relationship chart]

Figure 6.2 Relationship chart between Mlle de Guise and her close kin: Gonzaga, Palatine, Lorraine (simplified)

A closer analysis of the genealogical records, however, reveals another significant factor in the breaking of the donations of Mlle de Guise: the French law known as Droit d’Aubaine. The two Palatine sisters had a senior agnatic kinsman, higher up in the ranks of natural succession: the duke of Mantua, Carlo Ferdinando Gonzaga. Moreover, the thus far

\footnote{48} The princesse de Condé (1648–1723), and the duchess of Hanover, aka Brunswick-Lüneburg (1652–1730), had they not been Catholic, would have been deemed closer to the Stuart Succession than their aunt, the Electress Sophia. The Duchess was a widow; her late husband, Johann Friedrich (d. 1679), converted to Catholicism in the 1650s and became a devoted francophile, building Herrenhausen in emulation of new buildings at Versailles, to the annoyance of his brothers, including Ernst August, the husband of Sophia. ‘Mme de Hanovre’ returned to France in 1679 and lived with the Condés, then at the Hôtel de Guise during the succession lawsuits. Saint-Simon, \textit{Mémoires}, (ed.) Coirault, 7: 718–20.

\footnote{49} BNF, Ms. Fr. 2758, fol. 195. Mlle de Guise was either not aware of this distinction between the estates and the peerage of the duchy of Guise, or else she considered that she held a \textit{new} peerage, since the death of her great-nephew in 1675. She was, rather incredibly for a woman, referred to as a ‘pair de France’ in formal homage documents from July 1675 (ANF, P 20\textsuperscript{1}, no. 7). Nor did Elbeuf ever claim precedence based on the date of creation of the earlier peerage: 1528, compared to his own of 1581.
childless Duke would have been followed in strict lineal succession by another cousin: none
other than the duchess of Lorraine herself, Archduchess Eleonora Maria, daughter of the
Empress Eleonora Gonzaga. The young Lorraine princes, to whom Mlle de Guise was hoping
to pass both the Guise estates and identity, could thus be counted as her closest natural heirs.50
Droit d’Aubaine would make the donation necessary, however, because Mlle de Guise’s
lawyers knew that this law prevented French estates from passing to persons born outside the
Kingdom, unless they had been specially naturalised by letters patent. Duke Charles V of
Lorraine had been born in Vienna, and although he had been naturalised in the 1650s, his
children, born in Innsbruck and Vienna, had not.51 The reliance on the Droit d’Aubaine
becomes clearer when considering that the two Palatine sisters had another sister (now dead),
who was in fact older; although this eldest sister, Louise-Marie, had been born in Paris, her
son, the prince of Salm, had been born in Aachen and raised alongside the future Emperor
Joseph I in Vienna.52 The duke of Mantua was born in Mantua and Archduchess Elecanora
Maria was born in Regensburg. The natural heirs according to French law were therefore the
Palatine sisters, French-born, and were recognised as such by the Parlement of Paris in an
arrêt of 26 April 1689.53

50 Indeed, this is underlined when in 1708, the succession of the duke of Mantua was contested by the houses of
la paix de Westphalie à la fin de l’Ancien régime (Nancy: Éd. Serpinoise u.a., 1991), chapter 6. The Empress
Eleonora (d. 1686) had supported the exiled Lorraine court financially, as niece
of a former duchess of Lorraine
herself. It is difficult to see how the Guise and the Gonzagas could not have seen themselves as anything but
members of an international ‘society of princes’.

51 Stephane Gaber, Et Charles V arrêta la marche des Turcs ... Un lorrain sauveur de l’occident chrétien (Nancy:
Presses universitaires de Nancy, 1986).

52 No claims were ever put forward by Ludwig Otto, prince of Salm (1674–1738), though he was probably
naturalised at some point to enable him to inherit his family’s sizeable French properties.

53 Arrêt of Parlement printed in ANF, R1 117, 17. For Droit d’Aubaine, see Peter Sahlins, Unnaturally French:
But the primary legal challenge to the will had come from Mlle de Guise’s maternal heir, Anne-Marie-Louise, duchesse de Montpensier (1627–93), better known to posterity as ‘La Grande Mademoiselle’. The two women had been battling in the courts since the 1650s when Montpensier felt she had been cheated of her portion of the Joyeuse succession by yet another complicated will, that of Henriette-Catherine de Joyeuse, Montpensier’s grandmother, and Mlle de Guise’s mother. Here finally was the opportunity Montpensier had been waiting for, in the donation made to the prince de Commercy of the duchy of Joyeuse. Joyeuse was located in Languedoc, in the region of ‘Droit Romain’, a legal code which forbade the transmission of patrimony by donation if there was an obvious heir. The Parlement of Paris agreed, and by the arrêt of April 1689, declared the donation of 1686 null and void. The donations for Commercy, Armagnac and Couvonges were struck down, and Couvonges (in absentia) was condemned to damages, interests and all legal expenses.

Droit d'Aubaine and Droit Romain had thus served as double blows to demolish the donations of Mlle de Guise. But a requête of May 1689, a month after the Parlement’s ruling, brought to light the first of many snags Mlle de Guise’s will had placed in the path of her heirs. Here the comte d’Armagnac made it clear that Lambesc and Orgon were not Guise patrimony but ‘acquisitions’ of Mlle de Guise – through a sleight of hand, in that her mother had redeemed debts on these properties with her own money – so although located in Provence, ‘Pays du Droit Romain’, they were not subject to it. Armagnac certainly was not a foreigner (though ironically his status at court depended on his rank as a prince étranger). His requête was followed shortly by those of other members of the House of Lorraine, the princesse d’Harcourt and Commercy’s sisters, followed by creditors, domestics, and legatees, led by the Hôtel Dieu, the abbess of Montmartre and the bishops of Autun and Toul, claims eventually numbering in the hundreds. Legally the debts had to be paid before the heirs would

55 ANF, R 3 117, 17.
receive anything, and the largest debts, with dowager privilege of preferred payment, were the dowry pensions of Mme de Guise (Isabel d’Orléans, 40,000 livres) and Mme de Joyeuse (Françoise-Marie de Valois-Angoulême, 15,000 livres). There was also a claim put forward for a third dowager pension, for the late Honorine de GrimbBerghes, jilted bride of Duke Henri II, duc de Guise, which was pursued endlessly (and ultimately fruitlessly) by her nephew the prince de Berghes. These huge debts and legacies would block the heirs for several years in legal wrangling, aided by the fact that the prince de Commercy was condemned as a traitor in 1690. The power of the heirs, maternal and paternal, was strengthened significantly in spring 1693, when La Grande Mademoiselle died and was succeeded by her heir, the King’s own brother, Monsieur (Philippe, duc d’Orléans). By 1701, most everything was settled: Joinville passed to Monsieur (a paternal property being used to satisfy maternal debts), Guise to the Condés, and, surprisingly, the duchy of Joyeuse was granted to the heirs of the prince de Commercy: his sisters.

Was the Guise name and identity lost? The son of the princesse de Condé was indeed re-created duc de Guise in 1704, but none of his successors used this title in court parlance (instead they continued to go by traditional Bourbon names: Enghien, Clermont, La Marche), and on the whole the Guise estates were submerged within the fortunes of the House of Bourbon-Condé. The Hôtel de Guise was sold during the litigation to the princes of Rohan, who rebuilt it into what we see today as the Archives Nationales. The jewel in the Guise crown, the château of Joinville in Champagne, fared much worse. It was abandoned, and

56 Succession documents collected in ANF, R1 117, with further detail in R4 *1060, and the archives of the House of Orléans, 300 AP I, cartons 97 to 107.
57 Anselme, Histoire généalogique, 3: 483.
demolished and sold for scrap by the House of Orléans in the later eighteenth century. But as a postscript, we can add that in the nineteenth century, the now royal House of Orléans did assign the title prince de Joinville to a younger son. The Orléans also inherited the estates of the House of Condé in 1830, and the pretender to the French throne in the 1930s was – rather ironically from the point of view of purported Guisard ambitions during the Wars of Religion – known as the duc de Guise.

Mlle de Guise’s vision was picked up by her successors in other ways. From 1698, the newly restored duke of Lorraine, Léopold, indicated his desire to re-establish the prominence of the cadet branches of his dynasty: ‘during the thirty years of his rule, Léopold displayed an active sentiment of familial solidarity … whether they were established in France, in Germany or elsewhere, he called to them, invited them to his court, and procured offices, benefices and distinctions for them’. He promoted the careers of his cousins, first the prince de Commercy, whose principality bordered Lorraine (but who was killed in Italy in 1702), then the prince d’Harcourt, to whom the Duke sold several fiefs in Lorraine which he erected into a principality under the name ‘Guise’. This new ‘prince de Guise’ never became a major actor in eighteenth-century France, and his line became extinct in 1747. By then the dukes of Lorraine themselves had left the region, first to Tuscany in 1737, then to Vienna where they transformed themselves into Habsburgs.

Nevertheless, one branch of the House of Lorraine did survive in France beyond the 1740s, and continued to enjoy the privileges of princes étrangers (and indeed continued to be

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61 Prince François d’Orléans (1818–1900).
62 Prince Jean d’Orléans (1874–1940).
63 Zoltan Harsany, La Cour de Léopold, duc de Lorraine et de Bar (Nancy: Idoux, 1939), 117.
referred to as ‘Guisards’): the descendants of the comte d’Armagnac. As a way of referring to their kinship to Mlle de Guise and her illustrious forebears, some of them assumed the title ‘prince de Lambesc’, for the property in Provence willed to them by Mlle de Guise in 1686. Lambesc is a small town, but in terms of dynastic identity it represented a great deal to the Lorraine princes. It was a reminder, however faint, that their ancestors had claimed the vast Angevin empire ruled by ‘le bon roi’ René I, king of Sicily and Jerusalem (both in name only), duke of Lorraine and sovereign count of Provence. Mlle de Guise’s father, Duke Charles, had been governor of Provence in the 1620s, and in a distant echo of this inheritance, the prince de Marsan (Camille-Louis de Lorraine) was named one of the last royal governors of Provence in 1770.65

This last transferral brings us to a final point, that dynastic identity consisted of more than simply individual desires, or even those of families or clans. At its broadest conceptualisation, the ‘House of Guise’ embodied also its domestics – well known to historians of the family – and indeed its lawyers, creditors, suppliers, clients and tenants. There is no clearer illustration of this than a tiny reference to a transaction, lost among the hundreds of pages of the Guise Succession documents, by which Mlle de Guise, in taking over the affairs of her late brother in 1664, made a contract with the inhabitants of Lambesc and Orgon. She promised that if she sold her properties there (as her brother had been planning to do), she would only sell them to a Lorraine prince, ‘because they had been ruled by that family for so many centuries’. In return, the townspeople would renounce debts they were owed.66 She honoured this promise, and the name Lambesc, not Guise, was in fact the very last one held by the last of the Lorraine princes in France, in a place of honour at Versailles as Master of the Horse and kinsman of the queen, Marie-Antoinette.67

66 ANF, R4* 1060.
Mlle de Guise was not a typical heiress. She was of the highest, semi-sovereign rank, and was far too old to be considered for marriage. She was not a widow and she had no immediate kin to place restrictions on her legal actions. The succession strategies of Marie de Lorraine nevertheless usefully demonstrate that, although her attempts ultimately failed, opportunities at least did arise for aristocratic women to express their dynastic identities independently of men. Her failure, as with those of the duchesse de Nemours or the duchesse de Luxembourg, and the successes of the duchesse de Rohan or the princesse de Monaco, illustrate the ongoing struggle of aristocratic women in a patriarchal world; a world increasingly dominated by centralising, even ‘nationalising’ states; a world in which semi-autonomous trans-national princely families, or families whose power derived from confessional divisions, would struggle to maintain their place.