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Notions of Privacy at Early Modern European Courts

Reassessing the Public/Private Divide, 1400–1800

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9. Private Justice or Ducal Power? Testing the Strength of Public Authority and Dynastic Loyalty among Transnational Nobles at the Court of the Duke of Lorraine

Jonathan Spangler

Abstract

This chapter uses the case study of the duchy of Lorraine during the reign of Duke Léopold (1679–1729) to investigate the effects of the transnational identities of high-ranking nobles in Europe's small states. In his efforts to rebuild his state after decades of French occupation and to establish a public sphere, Léopold successfully attracted the high nobility back to his court and re-established a degree of loyalty to his dynasty. However, private interests and established ties to other states and other dynasties gave the high nobility of Lorraine a more independent identity; these interests and ties proved to be strong counter-forces to the task of state-building.

Keywords: nobility, state-building, identity, jurisdictional borders, personal influence

During the Carnival season of 1725, a fight broke out on a small street in the old town of Nancy in Lorraine. The domestic servants of one nobleman had thrown insults (and even manure) at the domestic servants of a rival nobleman until officials of the Duke of Lorraine arrived and arrested them. Shortly after this, one of the noblemen, the Comte de Madruce, travelled to this same street in Nancy from the ducal court at Lunéville, and entered the kitchens of the house where his rival, the Marquis d'Heudicourt, lived. When

he encountered Heudicourt, the argument escalated to physical violence, and two servants were killed. Heudicourt's account, which was presented to the duke during the subsequent trial, claims that Madruche had come to his house prepared to fight, wearing armour and accompanied by five armed men. Madruche's version counters that he was wearing ordinary clothes, and that he came to Nancy only to defend his aged mother, whose servants were being attacked. Both men produced witnesses of the highest rank to defend their versions of the story.¹

The complication in this affair was that the mother of Madruche, the Marquise de Balestrin, was in fact sharing a residence with the Marquis d'Heudicourt. They were cousins by marriage and had divided their local mutual inheritance between them by means of a private settlement.² The Duke of Lorraine attempted to use formal legal intervention to resolve the conflict by obliging Madruche to pay Heudicourt for damages and requiring Heudicourt to pay the elderly Balestrin money with which to find another place to live.³ This story has another angle that makes it worth examination when we consider conflicts between the exercise of princely authority in public and the expectations of the high-ranking nobles to be able to exercise private justice. This particular incident was exacerbated by the fact that the nobles in question had only tenuous loyalty to the Duke of Lorraine; they were members of a transnational nobility whose lands and privileges extended across numerous jurisdictions.⁴ The importance of transnational identities in public and private justice can be seen from a letter written by one of the chief counsellors of Duke Léopold of Lorraine (1679–1729), Monsieur Lefebvre, who suggests that the duke should treat the Comte de Madruche with caution, since he is from “one of the most illustrious families of Italy, a branch of which are actually sovereign, and on his mother's side one of the most ancient of your estates.”⁵ Further investigation reveals

1 Archives départementales de Meurthe et Moselle, Nancy [hereafter M&M], 3 F 320, no. 30, Memoir to the Duke of Lorraine from the Comte de Madruche on the circumstances between himself and the Marquis d'Heudicourt (undated, but c. 1725); no. 32, Memoir on the same, from the Marquis d'Heudicourt.

2 M&M, 13 J 279, plan for reconciliation between the Marquis d'Heudicourt and the Marquise de Balestrin regarding division of their properties in Italy and Lorraine (c. 1712).

3 M&M, 13 J 114, no. 147, Extract of Registers, secretariat of the Maréchaussée of Lorraine & Barrois, 29 March 1725. See also the Factum produced by the Marquise de Balestrin [sic] relating to the case: Bibliothèque nationale de France, Fm 5201.

4 This chapter originated in a workshop at the University of Strasbourg, “Personnalisation et privatisation du pouvoir à l'époque moderne: pour une comparaison européenne du pouvoir local de la noblesse (XV^e–XVIII^e siècle)”, 13 June 2014.

5 M&M, 3 F 320, no. 31, letter from Lefebvre to the duke, 29 March 1725.

that the names presented in the documents relating to this incident are misleading. In fact, “Madruche” is Madruzzo, the leading noble family of the Trentino, the subalpine province northeast of Milan, while “Balestrin” is Del Carretto di Balestrino, one of the oldest names in Piedmont and Liguria, whose sovereign territories dated back to the dismemberment of the Carolingian empire in northern Italy during the tenth century.⁶ Mother and son were also claimants to the lucrative succession of the House of Challant in the Val d’Aosta and the sovereign principality of Valangin in the Swiss Confederation.⁷ But one further name should be added to this already complex network of European noble houses. This name lurks within the reference Lefebvre makes to “one of the most ancient of your estates”, which refers to Mme de Balestrin’s birth name: Lenoncourt. Indeed, it was the Hôtel de Lenoncourt where the brawl took place in the spring of 1725.⁸ The Lenoncourt estates were amongst the most lucrative in the duchy.

Why are this fight and the names attached to it significant in the examination of ducal power and private justice? Partly, the incident helps us see the interconnectedness and conflicts between overlapping and competing early modern jurisdictions, particularly in frontier zones such as the Duchy of Lorraine, the Swiss Cantons, and Savoy-Piedmont. For example, although the Marchesa di Balestrino (Christine-Maurice de Lenoncourt, d. c. 1725) and her son, the Conte di Madruzzo (Domenico Donato del Carretto, 1685–1736) had been removed from the Challant succession by a judicial decree of the Duchy of Savoy in Turin in June 1696, a contrary judgement by a French court in Metz, later that same year, granted the same succession to Antoine, Marquis de Lenoncourt (d. 1709), whose heiress married the Marquis d’Heudicourt.⁹ Simultaneously, according to the Lorraine records, there was a lawsuit pending in Savoy also involving the Del Carretto di Balestrino family and concerning the pursuit of different Lenoncourt heirs, another family with

6 Genealogical material for this chapter comes from Père Anselme de Sainte-Marie, *Histoire généalogique et chronologique de la maison royale de France, des pairs, grands officiers de la couronne et de la maison du roy [...]*, 9 vols. (Paris, 1726–33), vol. 2, 52–69 (Lenoncourt); vol. 8, 822–24 (Sublet d’Heudicourt); Pompeo Litta, *Famiglie celebri di Italia* (Milan: n. p., 1819–84), Madruzzo di Trento (1841) and Saluzzo (1873), which includes the junior branches known as Del Carretto.

7 M&M, 13 J 278. On the Challant family, see Matthew Vester, *Transregional Lordship and the Italian Renaissance: René de Challant, 1504–1565* (Amsterdam: Amsterdam University Press, 2020).

8 The Hôtel de Lenoncourt was (and is) located in the rue de la Charité, just off the main square of the old town, not far from the ducal palace. Frédéric Maguin, *Les plus beaux hôtels particuliers de la Ville-Vieille de Nancy* (Nancy: Editions Koidneuf, 2008), 38.

9 M&M, 13 J 278; 13 J 272. See also M&M, 13 J 96, where Madame de Balestrin presents herself to the Duke of Savoy as the rightful heiress, 1693.

divergent French and Italian forms of their name (de Carail / di Caraglio).¹⁰ The language of the ducal judgments has a touch of pleading: the court asks “M de Madruzze” to accept the terms of the sentence of 1725 “if he would desire to obey the wishes of His Royal Highness [the duke]”, and “enjoins the lords d’Heudicourt and Madruzze to conform to the ordinances of His Royal Highness and to live in peace, union and concord together.” However, the latter request is followed by a threat of financial penalty if the noblemen do not follow the duke’s decision.¹¹ Such lawsuits, and the wording of the surviving documents, demonstrate the ongoing problem in trying to create a ‘public sphere’ as part of early modern state-building despite persistent demands of high-ranking nobles to be able to exercise their own private justice.¹² This problem is especially pertinent for a small state like Lorraine, which had ambiguous borders and a high-ranking nobility with a long history of relative independence from ducal authority.¹³

The local noble family at the centre of these lawsuits, Lenoncourt, was a family whom Duke Léopold particularly needed to keep amongst his chief supporters; they were one of the largest landowning families in the duchy, especially in the area around the capital, Nancy. For centuries, they had held many of the leading public positions within the twin duchies of Lorraine and Bar as bailiffs, marshals, and governors, but they were also crucial to the smooth running of the more private sphere of the ducal court and regularly dominated the major household offices. In fact, Lenoncourts from multiple branches held nearly all the key posts in the early years of Léopold’s restored reign, including the Grand Chambellan, the Grand Écuyer, the *dame d’atour* of the duchess, Governess of the Ducal Children, and, later, the posts of Premier Gentilhomme de la Chambre and Maître de la Garderobe.¹⁴ Holding one of the most intimate positions within the ducal household, the Governess of the Ducal Children was Marie-Françoise de Lenoncourt (d. 1709), one of the main Lenoncourt co-heirs and wife of the Marquis d’Heudicourt.

10 M&M, 1 F 230, no. 15, lawsuit for the succession of François d’Havard de Senantes, a prominent French commander in Savoyard service. This case was still pending as late as the 1780s.

11 M&M, 13 J 114, f. 3.

12 For recent case studies regarding the importance of the court and private links between princes and nobles for developing a public sphere, see Liesbeth Geevers and Harald Gustafsson (eds.), *Dynasty and State Formation* (Amsterdam: Amsterdam University Press, 2023).

13 Anne Motta, *Noblesse et pouvoir princier dans la Lorraine ducal: 1624–1737* (Paris: Garnier, 2015).

14 See Henri Lepage, “Les offices des Duchés de Lorraine et de Bar et la maison des ducs de Lorraine”, *Mémoires de la Société d’archéologie lorraine*, 2:11 (1869): 350–51, 370; M. de Bermann, *Dissertation historique sur l’ancienne chevalerie et la noblesse de Lorraine* (Nancy: Haener, 1763), 196, 199.

In contrast to his wife, Heudicourt, like Madruce and Balestrin, could be described in Lorraine terms as an outlander. Denis Sublet (c. 1653–?) was the fifth son of a minor nobleman, who was originally from Normandy and who had risen in the ranks of the nobility as part of the Parisian *noblesse de robe*. But his family was close to both Louis XIV and Louis XV—with two generations of Grand Louvetiers (Wolf-Hunters) de France, one of the most intimate of all court offices in a monarchy obsessed with hunting— and so had significant private influence at the French court. This influence would have been useful for the Duke of Lorraine in re-establishing the independence of his state after the Treaty of Rijswijk in 1697. Denis Sublet d'Heudicourt had himself served in the French military administration that occupied Lorraine and Bar during the 1670s–90s. In particular, he had been appointed bailiff of the town of Epinal in 1685, and his income was sufficient to pay off the sizeable Lenoncourt debts in order to claim his wife's inheritance in the region.¹⁵ The marquis was thus someone whose friendship the Duke of Lorraine needed to cultivate, and Léopold used his private connections to nobles like the Lenoncourts and Heudicourts, who became senior officers in his household, to influence perceptions of his public authority—notably, the authority of his gendarmes in the streets of his capital city of Nancy. This chapter will examine the complex task that confronted Duke Léopold in rebuilding the public sphere of an early modern state, using the private conflict involving the Lenoncourt family as a case study.

Duke Léopold was in a difficult position trying to rebuild his state from the ashes of a semi-sovereign duchy that had been mostly destroyed across nearly 70 years of war and occupation.¹⁶ According to Charles Lipp, like many early modern state builders, the Duke of Lorraine used the technique of promoting new nobles (*anoblis*) in his government. These men were thus more loyal to him and to his dynasty than they were to the duchy itself; they were “new men” who were educated and financially savvy.¹⁷ This technique works well from the viewpoint of the *anoblis*, and it fits in with contemporaneous thinking about state-building more generally; debasing the ancient self-interested nobility and then promoting a new, dynasty-centred

¹⁵ M&M, 13J 140.

¹⁶ For a good overview in English, see William Monter, *A Bewitched Duchy: Lorraine and Its Dukes, 1477–1736* (Geneva: Droz, 2007). See also Phil McCluskey, *Absolute Monarchy on the Frontiers: Louis XIV's Military Occupations of Lorraine and Savoy* (Manchester: Manchester University Press, 2013).

¹⁷ Charles Lipp, *Noble State Strategies in an Early Modern Small State: The Mahuet of Lorraine* (Rochester: University of Rochester Press, 2011).

(or state-centred) nobility was a common strategy. Lipp even points out that because of the destruction of the old independent noble institutions of Lorraine earlier in the century by the occupying French—notably the Assizes, a self-regulating noble tribunal, almost entirely outside the jurisdiction of the duke—Duke Léopold was actually in a better position to exercise absolutism than had been his counterpart, the archetypal absolutist, Louis XIV.¹⁸ The Sun King had still had to contend with provincial estates and lingering grandee power in the provinces and amongst the great court office-holders.¹⁹ However, Lipp's suggestion does not take into account the parallel development that took place in Lorraine across the seventeenth century and that affected the traditional, high-ranking nobility more than the *anoblis*: a significantly increased cosmopolitanism or transnationalism. By the time Léopold attempted to rebuild his duchy, most of the higher nobility had developed close ties to Paris, Vienna, or Brussels, or to all three. In many instances, this intensifying transnationalism benefitted the ruling dynasty and indeed was encouraged by the dukes themselves. However, it also revealed that Lorraine was not viable as a modern state conceived along “nationalist” lines, in a pre-figuring of the similar tensions within the Austrian Empire a century and a half later. With the destruction of the Assizes, the high-ranking nobility lost their private, autonomous authority, that is, their ability to regulate their affairs without the interference of the duke (or “the state”), and they turned to places outside the duchy, for opportunities to flex their political, social, and economic muscle.²⁰

What are the opposing forces at work here, both drawing the political forces of the duchy together and pulling the duchy apart? To return to the example of the Lenoncourts, they were a family rooted in Lorraine for

18 Lipp, *Noble State Strategies*, 122–23; Guy Cabourdin, *Encyclopédie illustrée de la Lorraine: les temps modernes*, 2 vols (Nancy: Presses universitaires de Nancy, 1991), vol. 1, 20.

19 There is a wide-ranging historiography on the limits of French absolutism, from Roger Mettamm, *Power and Faction in Louis XIV's France* (Oxford: Blackwell, 1988) to Julian Swann, *Provincial Power and Absolute Monarchy: The Estates General of Burgundy, 1661–1790* (Cambridge: Cambridge University Press, 2003), to my own work on the enduring power of the “princes étrangers,” *The Society of Princes: The Lorraine-Guise and the Conservation of Power and Wealth in Seventeenth-Century France* (Farnham: Ashgate, 2009), and, more specifically, “Holders of the Keys: The Grand Chamberlain, the Grand Equerry and Monopolies of Access at the Early Modern French Court”, in *The Key to Power? The Culture of Access in Early Modern Courts, 1400–1700*, eds. Dries Raeymaekers and Sebastiaan Derks (Leiden: Brill, 2016), 155–77.

20 Anne Motta, “Le pouvoir princier délocalisé: errances de la noblesse lorraine et sentiment national au XVIIIe siècle”, in *Adel und Nation in der Neuzeit: Hierarchie, Egalität und Loyalität 16.–20. Jahrhundert*, eds. Martin Wrede and Laurent Bourquin (Ostfildern: Thorbecke Verlag, 2017), 193–207 (on the Assizes specifically, 196–97).

as long as the ducal family itself; their written family histories asserted that they had been in fact an offshoot of the ruling dynasty during the eleventh century.²¹ They were one of four families called at the time the “Grands Chevaux”, and while they had served the ducal family in the public sphere—in military and political capacities— across several centuries, they also maintained private dynastic interests of their own.²² For instance, there had been two significant Lenoncourt prelates active in French, not Lorraine, affairs during the sixteenth century, both of whom were cardinals.²³ Their dynastic interests only increased, by necessity, in the seventeenth century, when the displacement and exile of the ducal family meant that Lorraine grandees had to seek princely patronage elsewhere. Lenoncourt sons served in foreign armies (French, Spanish, and imperial) and solidified their position through foreign marriages, including a 1621 marriage to a Madruzzo from northern Italy, a family equally renowned for its cardinals in the sixteenth century, and a 1677 marriage to a member of the occupying French forces (Heudicourt). In the latter marriage contract, the father of the bride, the Marquis de Lenoncourt, states clearly that he had been awarded claims to the Madruzzo succession by the French *parlement* in Metz.²⁴ When Duke Léopold then attempted to regulate the lawsuit over the succession of the Lenoncourts in Lorraine, he thus found himself entangled with the much larger succession lawsuits being thrashed out in Savoyard courts in Turin, French jurisdictions in Paris and Metz, and in the Swiss cantons of Neuchâtel and Bern. Madame de Balestrin could virtually do what she liked in Lorraine because she could rely on the semi-sovereign status of her husband’s micro-principality of Balestrino in Liguria and her own claims to the sovereign Swiss principality of Valangin.²⁵ Indeed, Heudicourt’s version

21 There are a variety of genealogies, printed and manuscript, in the collection Lenoncourt-Heudicourt in M&M, 13 J 1–18.

22 Henri Lepage, “Les grands et les petits chevaux de Lorraine”, *Journal de la Société d’archéologie de Lorraine*, (1876), 172–91. The others were Haraucourt, Lignéville, and Du Châtelet.

23 Robert, bishop of Châlons, cardinal in 1538 (d. 1561) and Philippe, cardinal in 1586 (d. 1592). An earlier Robert de Lenoncourt was archbishop of Reims, the highest post in the French church (d. 1532).

24 M&M 13 J 467.

25 On the fascinating topic of micro-principalities in northern Italy, see Blythe Alice Raviola, “The Imperial System in Early Modern Northern Italy: A Web of Dukedoms, Fiefs and Enclaves along the Po”, in *The Holy Roman Empire, 1495–1806: A European Perspective*, eds. R. J. W. Evans and Peter H. Wilson (Leiden: Brill, 2012), 217–36; Blythe Alice Raviola, “Sabaudian Spaces and Territories: Piedmont as a Composite State (Ecclesiastical Enclaves, Fiefs, Boundaries)”, in *Sabaudian Studies: Political Culture, Dynasty, and Territory (1400–1700)*, ed. Matthew Vester (University Park, PA: Pennsylvania State University Press, 2013), 278–297. For a study that focuses on how these tiny states influenced (or hindered) the growth of absolutism in places

of the story asserted that his elderly cousin, annoyed by the sluggishness of the ducal judiciary process, threatened to bring men from Italy “who would execute her orders better”, in attacking her rival’s house.²⁶

Surviving documents from the period provide several other examples of lawsuits that likewise reveal how the traditional noble families of Lorraine were increasingly connected to powerful families outside the duchy, undermining its usefulness as an independent polity. At about the same time as the Madruzzo-Heudicourt case, for example, Charlotte d’Haussonville, from another of Lorraine’s oldest noble families, was pursuing her cousins for a large inheritance in Flanders, the fortune of the great sixteenth-century Spanish financier, Juan Lopez Gallo—whose last direct descendants had perished in Bruges in the 1690s.²⁷ By the 1720s, a cousin who took the name “Comte Lopez Gallo” was appealing to the Duke of Lorraine for support, clearly making use of his personal relationship with the sovereign. He was the Duke’s Chamberlain and Premier Écuyer, and his wife was a Lignéville, another of the four *Grands Chevaux*, and also a *dame d’atours* of the duchess. In addition, she was the sister of the Duke’s long-term mistress. It is clear, though hardly surprising, that private court and household connections were crucial in sorting out public and official justice.

It is important to note that both of these lawsuits—for the Madruzzo properties in Italy and for the Lopez Gallo properties in Flanders—involved a claimant from still another Italian noble family who were now based in Lorraine: the Torniello of Lombardy. The Marquis de Gerbéviller, Anne-Joseph de Tornielle (d. 1737), was one of the largest landowners in Lorraine, a counsellor of state, bailiff of Barrois, and Premier Gentilhomme de la Chambre.²⁸ His ancestor, the first in the family to move from Lombardy to Lorraine, had been both the Grand Maître de l’Hôtel and Chef des Finances of Duke Charles III at the beginning of the seventeenth century. This earlier Gerbéviller had thus been considered of great importance by the occupying forces of France: he had intimate, private connections to the dukes, and was consulted on

like Savoy or Lorraine, see Paul Delsalle and André Ferrer (eds.), *Les enclaves territoriales aux temps modernes, XVIe–XVIIIe siècles* (Besançon: Presses universitaires franc-comtoises, 2000).

26 M&M, 3 F 320, no. 32.

27 The papers concerning the Lopez-Gallo succession are also in M&M, 3 F 320. See nos. 37 and 38, judgements from the Parlement of Metz in December 1671 and January 1672.

28 Louis Moréri, *Le grand dictionnaire historique*, 8 vols. (Amsterdam: Brunel, 1740), vol. 8, 169. See the report of the French intendant Desmarets de Vaubourg, which details the landholdings and political power of the Lorraine nobility in 1697, “Mémoire concernant les états du duché de Lorraine”, in Marie-José Laperche-Fournel, *L’intendance de Lorraine et Barrois à la fin du XVIIe siècle* (Paris: CTHS, 2006), 207, 212.

matters of local policy or invoked as a mediator between the king of France and the exiled duke of Lorraine during the French occupation.²⁹

Although the confusion of multinational jurisdictions made state-building difficult, we know that Duke Léopold's court was highly cosmopolitan by design.³⁰ This idea makes a great deal of sense: Léopold had been partly raised in Vienna by his Habsburg mother and his uncle and namesake, Emperor Leopold I. His exiled dynasty's damaged prestige was revived, gloriously, by his father's military skill in the defence of Vienna and the subsequent liberation of Hungary from the Turks.³¹ When he re-established his government in 1698 after the Treaty of Rijswijk, Léopold's chief advisors were a mix of Lorrainers (Le Bègue), Germans (Pfäferschneider), and various other nationalities, notably the Earl of Carlingford, an Irish émigré.³² His court was known for its blending of French and imperial influences in architecture, music, etiquette, and ritual.³³ He encouraged the careers of members of his Bourbon wife's French household, and welcomed former servants of the dynasty from his father's court in Innsbruck, notably Italians like the Counts Ferraris, Spada, and Lunati-Visconti. These courtiers can all be said to have been loyal to the dynasty more than to any physical place, in a transnational, Habsburgian way. They were supplemented and supported by a large number of newly ennobled servants of the dynasty, like the Mahuet or Hoffelize, and by artists, engineers, and scholars, both native Lorrainers and those attracted from abroad, such as the composer Henri Desmarest and the architect Germain Boffrand, both from France, or the theatre designer Francesco Galli da Bibiena, an Italian highly in favour at the court of Vienna.³⁴ All of these men were loyal to the duke himself

29 McCluskey, *Absolute Monarchy on the Frontiers*, 127.

30 See Anne Motta (ed.), *Échanges, passages et transferts à la cour du duc Léopold (1698–1729)* (Rennes: Presses universitaires de Rennes, 2017); Jérémy Filet, "Jacobitism on the Grand Tour? The Duchy of Lorraine and the 1715 Jacobite Rebellion in the Writings about Displacement (1697–1736)" (PhD diss., Manchester Metropolitan University, 2021), part 2.

31 Ferenc Tóth and Alain Petiot, "Un héros chevaleresque et chrétien: le prince Charles de Lorraine à la bataille de Saint-Gotthard (1664)", *Le pays lorrain* 97:3 (September 2016): 255–64.

32 Francis Taafe, 3rd earl of Carlingford (d. 1704) was essentially the prime minister of Lorraine. See Jérémy Filet, "The Networks of Francis Taafe, 3rd Earl of Carlingford and Irish Jacobite Émigrés in the Duchy of Lorraine", *Eighteenth-Century Ireland* 36:1 (2021): 27–47.

33 Eric Hassler, "Définir et élaborer l'étiquette: les réflexions du duc Léopold de Lorraine (1679–1729) sur la mise en place d'un nouveau cérémonial de cour au début du XVIII^e siècle", *Bulletin du Centre de recherche du château de Versailles* (2016), DOI: 10.4000/crcv.13706.

34 Laurent Versini, "Lunéville au temps des lumières: les mécénats de Léopold et de Stanislas", in *Lunéville: fastes du Versailles lorrain*, ed. Jacques Charles-Gaffiot (Paris: Carpentier, 2003), 139–43.

or his dynasty, but if their personal or private needs were not being met, they could, and did, move on to search for princely patronage elsewhere.

Another prominent Lorraine noble house, the Beauvau, provides a further example of this transnationalism. Originally from Anjou, they had initially followed the Angevin dukes to Provence and Sicily and had then settled in Lorraine through service to the last Angevin duke, René d'Anjou, who became duke of Lorraine (r. 1430–80).³⁵ The Beauvau were powerful servants of the dukes in the early seventeenth century and stood by them when they went into exile in the 1630s, under Duke Charles IV (r. 1624–75). Henri II, Marquis de Beauvau (1610–84), left a compelling memoir, which was a history of Charles IV's reign but which, unlike many noble memoirs of the period, was not merely a hagiography of his ducal patron; he was instead sharply critical. Henri II blamed the duke for many of the calamities that had devastated Lorraine. Notably, he attributed the failures of ducal government to the duke's preference for satisfying his own private desires rather than the needs of the state.³⁶ As the son of a published historian and an educator himself (see below), Henri II was likely aware of the medieval topos that the archetype of a tyrant is a ruler who pursues his own interests and sets aside those of the common good.³⁷ He also lamented the failure of the ducal regime to provide a consistent source of patronage for the high-ranking nobility of Lorraine, especially for court offices, so that they were forced to enter the service of foreign sovereigns, as he himself did. Many, such as the Lenoncourts, accommodated themselves to the occupying regime of Louis XIV, some joined the French military, and others continued to serve Duke Charles IV.³⁸ Henri II entered the service of the Elector of Bavaria, where he became tutor to the elector's heir. Nevertheless, when the ducal

35 Jonathan Spangler, "Transferring Affections: Princes, Favourites and the Peripatetic Houses of Lorraine and Beauvau as Trans-Regional Families", in *Internationale Geschichte in Theorie und Praxis: Traditionen und Perspektiven*, eds. Barbara Haider-Wilson, Wolfgang Mueller, and William D. Godsey (Vienna: Österreichische Akademie der Wissenschaften, 2016), 635–63.

36 Henri II, Marquis de Beauvau, *Mémoires du Marquis de Beauvau pour servir à l'histoire de Charles IV, duc de Lorraine et de Bar* (Cologne: Pierre Marteau, 1687), 88. The text was published just after the Marquis's death, by a fictional publishing house that allowed it to avoid the censors (likely in Paris). It was immediately popular, as is evidenced by the numerous subsequent editions in 1688, 1689, 1690, and 1691.

37 See Hélène Merlin-Kajman, "'Privé' and 'Particulier' (and Other Words) in Seventeenth-Century France", in *Early Modern Privacy*, eds. Michaël Green, Lars Cyril Nørgaard and Mette Birkedal Bruun (Leiden: Brill, 2021), 79–104.

38 See M&M, 13 J 92, letters of Louis XIV, 24 October 1658, delaying procedures for all the lawsuits of Henri de Lenoncourt for the duration of his service as colonel of the Lorraine cavalry in French service, and 13 J 93, nomination by Charles IV of Antoine de Lenoncourt as his Master of the Horse, 2 May 1664.

family was restored in 1698, the high nobility returned in droves and, as we have seen, were among the chief supporters of the regime.³⁹ Rather than a hindrance, their multinational connections were helpful to Duke Léopold in maintaining his precarious diplomatic balance between France and the Holy Roman Empire. They supported young Léopold in his reorganisation of the state, his attempts to limit the power of the church, and his establishment of a glittering court in a new ducal palace at Lunéville. They were not happy, however, with his refusal to re-establish the Assizes or restore their previous autonomy.

Furthermore, the cosmopolitan character of the high nobility and the court also complicated matters. The composite state formed from the twin duchies of Lorraine and Bar was itself multilingual, with a mostly German-speaking population in the northeastern area. Social and legal customs also varied, for example in the fragmented nature of patrimonial land-holding in the duchy; it was after all still legally, if only loosely, part of the Holy Roman Empire, where partible inheritance was dominant, rather than the primogeniture of France. Consequently, many of the most prominent court families sustained mixed loyalties, which could be useful for pursuing private dynastic interests. Lorraine's ecclesiastical connections were cosmopolitan as well. Since one of the primary needs of any important noble family was having access to church benefices for the support of younger sons and daughters, and since all three Lorraine bishoprics (the "Trois Evêchés": Metz, Toul, and Verdun) were by the late seventeenth century fully part of France, these families had to remain on good terms with the French regime.⁴⁰ As many nobles held estates within the temporal lands of these bishoprics, they could ignore ducal justice if it suited them, and appeal their legal cases to French royal justice in the Parlement of Metz or alternatively to the ecclesiastical tribunal in Trier (the metropolitan archdiocese). The bishop of Toul in particular had spiritual jurisdiction over most of Lorraine, including Nancy; appeals for contested marriages, annulments, and other issues thus fell within the purview of a prelate who had been nominated not by the Duke of Lorraine, but by the king of France.⁴¹ Simultaneously, because the convents of Lorraine continued to operate under the much stricter system of entry requirements prevalent

39 M&M, 13 J 97, 98, and 100, documents pertaining to Antoine de Lenoncourt returning to the service of Duke Léopold.

40 The Three Bishoprics were first occupied by France militarily in 1552, then annexed legally under the terms of the Treaty of Westphalia, 1648.

41 Note that the family of one French bishop of Toul, Thiard de Bissy, even managed to scoop up the inheritance of one of the four *Grands Chevaux*, Haraucourt, which, like Lenoncourt, became extinct at this time.

in the Holy Roman Empire, according to which sons and daughters needed completely unblemished noble genealogies (all 16 quarters) to gain admittance, any attempt to integrate the old and new nobilities of Lorraine through intermarriage was stymied.⁴² These two factors connecting ecclesiastical jurisdiction and private dynastic interests—the competing judicial systems and the problems surrounding intermarriage—cannot be overlooked when we consider ducal authority in the early eighteenth century.

The *Grands Chevaux* and the rest of the old nobility of Lorraine thus operated with rules established by centuries of dynastic behaviour that had long linked them to their native ducal family, which itself had historically maintained close connections both east and west, but at the same time increasingly looked outside the duchy to advance their position.⁴³ Some became highly successful transnational families, for example, Bassompierre or Choiseul, whose possession of lands in both Lorraine and France and personal intimacy with dukes and kings alike, made them obvious intermediaries and diplomats. Christophe II, Baron de Bassompierre, was Grand Maître d'Hôtel and Chef des Finances of Duke Charles III of Lorraine and an important peace negotiator between the duke and King Henri IV of France in the 1590s. Of his sons, one was Grand Écuyer de Lorraine and the other a Marshal of France, as well as a surrogate father for the young Louis XIII in some ways.⁴⁴ A century later, the heiress Françoise-Louise de Bassompierre added her family's estates to those of the Choiseul-Stainville family, who were landowners on both sides of the frontier. She was a maid of honour of the Duchess of Lorraine, while her husband was Grand Chamberlain to the duke (François III Etienne) and his ambassador to France; he even retained these positions when the duke was crowned Holy Roman Emperor (Francis I) after 1745. Their youngest son, Jacques-Philippe, was a field marshal in Austria, and the eldest, Etienne-François (clearly named for the duke), moved into French service and became the celebrated Duc de Choiseul, Minister of Foreign Affairs under Louis XV. He was also the mastermind behind the new alliance between France and Austria and the marriage of the Archduchess Marie-Antoinette (both a Habsburg and a "Princess of Lorraine") in 1770.⁴⁵

42 This was especially true for noblewomen. See Michel Parisse and Pierre Heili, eds., *Les chapitres de dames nobles entre France et Empire* (Paris: Editions Messene, 1998).

43 See a recent study of this multidirectional complex of loyalties, a factor in Lorraine state-building as early as the fourteenth century: Christophe Rivière, *Une principauté d'empire face au royaume: le duché de Lorraine sous le règne de Charles II (1390–1431)* (Turnhout: Brepols, 2018).

44 See François de Bassompierre, Marquis de Haroué, *Journal de ma vie: mémoires du maréchal de Bassompierre*, ed. Marquis de Chantérac Audouin, 4 vols. (Paris: Renouard, 1870–77).

45 Anselme, *Histoire généalogique*, vol. 7, 464–69 (Bassompierre), vol. 9b, 245–51 (Choiseul).

Bassompierre and Choiseul, despite their links to Paris and Vienna, remained firmly devoted to the ducal family of Lorraine. Other transnational families were much less reliably loyal to Lorraine, partly because they had sufficient power to develop their own foreign policies. A memoir written for Louis XIV during the occupation of Lorraine in the 1690s refers to members of these families simply as the “hauts hommes” who took precedence at court and public events in Lorraine, even over the *Grands Chevaux*.⁴⁶ The “hauts hommes” included the Prince of Salm, whose sovereign principality straddled the Vosges mountains between Alsace and Lorraine and whose family held offices and military commands both in the duchy and at the Habsburg court in Vienna. Other similar families with properties in this liminal zone were the princes of Leiningen (or “Linanges” in French) in their county of Dachsburg and the “Comtes Sauvage du Rhin” (the Wild- und Rheingrafen in German), who held several large, allodial imperial fiefs enclaved inside Lorraine: the lordships of Mörchingen and Püttlingen. Aristocratic families based mostly in the Southern Netherlands also maintained significant landholdings, and thus influence, in Lorraine: the Prince de Ligne, who was heir to the Marquis de Moÿ, from a cadet branch of the house of Lorraine, and who in this period was pressing claims for 1.5 million *francs barrois* (about half a million *livres tournois*) against the duke;⁴⁷ or the Duc de Croÿ-Havr , who, as a Catholic co-ruler of the “Baronnie Souverain” of F n trange (Finstingen to its German-speaking residents), had to appeal to the Duke of Lorraine for assistance in suppressing the other co-barons’ constructions of Protestant chapels within the barony.⁴⁸ In this instance, the Duke of Lorraine was acting both as a sovereign prince regulating public justice and as a private lord since he too held a portion of the shares of lordship into which this estate was divided.

The ducal archives in Nancy are full of lawsuits concerning these noble families, usually involving overlapping or competing jurisdictions. Duke L opold got on with all of these “hauts hommes” as best he could, but

46 Desmarest de Vaubourg, “M moire concernant les  tats du duch  de Lorraine”, 263. The genuineness of this distinction between “hauts hommes” and the “ancienne chevalerie” was debated by nineteenth-century historians of Lorraine (see editor’s notes of this source, 263, fns 500 and 501).

47 M&M, 3 F 289, no. 44.

48 Jean Gallet, *Le bon plaisir du baron de F n trange* (Nancy: Presses universitaires de Nancy, 1990), 49–57. See also Jonathan Spangler, “Les usages des petites souverain t s dans la construction de l’identit  aristocratique” and Nette Claeys and Violet Soen, “Les Cro -Havr  entre Lorraine et Pays-Bas”, in *Noblesses transr gionales: les Cro  et les fronti res pendant les guerres de religion*, eds. Violet Soen and Yves Junot (Turnhout: Brepols, 2021), 55–68, 333–53.

as they considered themselves mostly his equals—both Salm and Croÿ were, for example, his relatives—rather than his subjects, his claims to public authority could be significantly diminished by them. He thus had to maintain his position primarily through personal relationships; this technique is clearly seen in his voluminous private correspondence.⁴⁹ The danger posed by these men was not new. In the 1660s, Duke Charles IV had competed with the claims for autonomy of one local noble family, the counts of Aspremont, whose assertions of sovereignty stretched back to the mid-fourteenth century.⁵⁰ He even went so far as to marry an Aspremont daughter and heiress, in spite of the loud complaints of his courtiers about such a *mésalliance*. Indeed, the problem of overlapping jurisdictions did not vanish after the king of France became the sovereign of Lorraine after 1766. The mixed loyalties and privileged claims of these “hauts hommes”, the so-called “princes possessionés”, continued to cause friction between France and the Holy Roman Empire, and would in fact become the spark that ignited the wars against Revolutionary France in 1792.⁵¹

In the long term, we might argue that Duke Léopold's efforts at public state-building failed, at least where the high-ranking noble families were concerned. None of them fought for Lorraine's independence during the final annexation of the duchy to France in 1737 or objected strongly as Léopold's son, Duke François III, departed for Tuscany to become its grand duke. But on a dynastic level, or one centred around private and personal connections, we could argue that Léopold successfully forged durable bonds that transcended local politics or the concept of a public sphere. Indeed, some members of the nobility, old and new, emigrated with the ducal family to Florence and then on to Vienna, as did a significant number of artisans, artists, soldiers, and other courtiers.⁵² The extent of a noble family's loyalty, however, varied. Many of the *anoblis* and merchant families that had been patronised through

49 Much of Léopold's correspondence can be found in M&M, Série 3F, “Fonds de Vienne.”

50 See Dom Calmet, *Histoire ecclésiastique et civile de Lorraine* (Nancy, 1730), vol. 1, cols. ccxvii–ccxx; numerous pieces relating to litigation with the House of Aspremont in M&M, 3 F 252.

51 Stephen A. Lazer, *State Formation in Early Modern Alsace, 1648–1789* (Rochester: University of Rochester Press, 2019), 177–78.

52 Alain Petiot, “Entre France et l'Autriche: le cas des lorrains sous la Révolution et l'Empire (1789–1815)”, *Le pays lorrain* 95:2 (June 2014): 131–38; Alain Petiot, *Au service des Habsbourg: officiers, ingénieurs, savants et artistes lorrains en Autriche* (Paris: Messene, 2000); Renate Zedinger, “Les lorrains à la cour de Vienne: innovations culturelles, économiques et scientifiques (1745–65)”, *Lotharingia* 9 (1999): 121–36; Renate Zedinger and Wolfgang Schmale (eds.), *Franz Stephan von Lothringen und sein Kreis / L'Empereur François I^{er} et le réseau lorrain / L'imperatore Francesco I e il circolo lorenese* (Bochum: Winkler Verlag, 2009).

public institutions of government, justice, and finance by Léopold in his capital of Nancy had become closely entwined with the much larger urban commercial centre of the region, Metz, and its French Parlement, military garrison and financial organisations, and thus to the *robe* noble families of France. While some of the higher-ranking nobility followed the ducal family and served in key leadership positions in the Grand Duchy of Tuscany—like Beauvau and Richécourt (viceroy and head of finance, respectively)—most of these soon returned to Lorraine. A small number persisted in their loyalty and emigrated to Vienna with the ducal family after 1745, transforming their identities as the dynasty shifted to become “Habsburg-Lorraine”. The noble family closest to the dukes, the Lignévilles, remained steadfastly loyal and were rewarded. All of the daughters, for example, were given the Habsburg Order of the Sternkreuz, and one of them, Thérèse-Angélique, was appointed chief lady of the court of the Abbess of Mons (Anne-Charlotte de Lorraine, the emperor’s sister), heading up her households in Brussels and Vienna.⁵³ Except for the Lignévilles, however, such durable loyalty was mostly limited to the nobles who had most recently arrived in Lorraine, for example, Count Ferraris, who became an imperial Field Marshal and vice-president of the Hofkriegsrat.⁵⁴ Much later, and demonstrating the remarkably long-lasting power of this dynastic, rather than territorial, connection, Count Taaffe, a descendant of Duke Léopold’s First Minister, the Irishman Francis Taaffe, Earl of Carlingford, served as Prime Minister of Austria from 1879 to 1893.⁵⁵ Other Lorraine names prominent in Habsburg service in the nineteenth century, such as Ficquelmont or Mensdorff-Pouilly (both Ministers of Foreign Affairs), had other connections tying them to regions of the former Holy Roman Empire that were close to Lorraine, notably lands in the Saarland and in Luxembourg.

Yet personal connections between princes and nobles had their limits, and for the most part, Lorraine’s noble families did not emigrate to Vienna. They had more to gain from maintaining their local privileges, notably private access to the prince at the small but influential court of Stanislas Leszczinski, the former king of Poland-Lithuania and the Duke of Lorraine

53 Petiot, *Au service des Habsbourg*, 323; Pierre Heili, *Anne-Charlotte de Lorraine (1714–1773), abbesse de Remiremont et de Mons: une princesse européenne au siècle des lumières* (Remiremont: Gérard Louis, 1996), 113.

54 William D. Godsey, “La Société Était au Fond Légitimiste’: Émigrés, Aristocracy, and the Court at Vienna, 1789–1848”, *European History Quarterly* 35:1 (January 2005): 63–95, esp. 77.

55 The history of the long relationship between the houses of Lorraine and Taaffe is detailed in Karl, Graf Taaffe, *Memoirs of the Family of Taaffe* (Vienna: M. Auer, 1856), with useful printed primary sources.

after 1737. Even some of the families closest to Duke Léopold swiftly moved into Stanislas Leszczinski's service, for example the Beauvau siblings, who served Leszczinski and his wife in various capacities, including ladies-in-waiting and Grand Maître de l'Hôtel; one was even Stanislas's mistress.⁵⁶ The Beauvau family was thus ideally placed within the social sphere of Stanislas's daughter, Marie Leszczyńska, queen of France, when they needed to shift their loyalties to the court of Versailles following the death of Stanislas in 1766. Their mutable loyalty is especially striking given the favours they had received from Léopold: a marquisate, large estates, and even the very rare (and costly) title of Prince of the Empire (1722). But because they now were *grande*s of the first order, they no longer needed ducal patronage. In a similar fashion, the Comte d'Haussonville, from the old Lorraine nobility, served as Grand Louvetier for King Stanislas in Lorraine and then translated his post into the corresponding office for his son, Grand Louvetier of France, under Louis XV.⁵⁷ Several Lorraine nobles, like Choiseul and Du Châtelet, were lured to Versailles with awards of offices and titles (dukedom for both). The middling ranks of the nobility, those who remained in Nancy, were disappointed however, when the promised retention of a degree of self-rule, agreed in the Treaty of 1735, was denied and Lorraine became a French province just like any other. But the transnational nobles, the "hauts hommes" with a long history of maintaining their own private affairs, continued to do so, and most simply left Lorraine altogether, for instance Croÿ, Salm, and Madruzzo.

By the end of the reign of Duke Léopold of Lorraine in 1729, the Count of Madruzzo—Domenico Donato del Carretto—had succeeded his father as Marchese di Balestrino, married a daughter of a Genoese patrician, Angela Negrone, and returned to the Ligurian coast to tend his affairs and raise his children at the court of the King of Sardinia in Turin. Denis Sublet d'Heudicourt remained in Lorraine and tended the Hôtel de Lenoncourt in Nancy and the Lenoncourt lands for his children, who continued his late wife's lineage into the modern era. His youngest grandson, Philippe-Gaspard, Comte de Lenoncourt, moved to Florence, where he established his family at the court of the "Lorena" grand dukes of Tuscany. These transnational families had enough independent connections that they were free to move around Europe, placing family members where they could best serve individual ambitions or the needs of the dynasty as a whole. Thus, in a small

56 Spangler, "Transferring Affections", 659–60.

57 François-Alexandre Aubert de La Chesnaye-Desbois and Jacques Badier (eds.), *Dictionnaire de la noblesse, contenant les généalogies, l'histoire et la chronologie des familles nobles de France*, 19 vols. (Paris: Schlesinger, 1863–77), vol. 5, cols. 932–33.

state like Lorraine, a prince could establish public justice and could make use of private connections with the nobles who served in his household to maintain order in his court and in his capital city, but he lacked the authority of a major sovereign to command his nobles' loyalty. The eighteenth century would see a further disintegration of the system whereby private justice could be carried out by the higher-ranking nobility, who could no longer get away with brawling in the streets, as small states like Lorraine were absorbed by the greater powers of Europe.

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