

**TRANSLATIONS AND REPRINTS
FROM THE ORIGINAL, SOURCES
OF EUROPEAN HISTORY. VOL. IV,
TYPICAL CAHIERS OF 1789, NO. 5**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649264858

Translations and Reprints from the original, sources of European history. Vol. IV, Typical Cahiers of 1789, No. 5 by Merrick Whitcomb

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VOL. IV. TYPICAL CAHIERS OF 1789. No. 5

TABLE OF CONTENTS.

	PAGE
I. CAHIER OF CLERGY, BAILLIAGE OF BLOIS,	2
II. CAHIER OF NOBILITY, BAILLIAGE OF BLOIS,	8
III. CAHIER OF THIRD ESTATE, BAILLIAGE OF VERSAILLES,	24

INTRODUCTORY NOTE.

It has been the effort of the editor to present, as nearly as possible, a complete cahier of each of the three orders. It is in the study of a single cahier that the trend of pre-revolutionary thought and aspiration may best be recognized. From this as a starting-point the student may proceed to acquaint himself with the variations of criticism and suggestion afforded by a comparison of many cahiers. Something of this kind has already been done by Mr. E. J. Lowell, in his *Eve of the French Revolution*, chapters XXI and XXII.

In selecting typical cahiers for presentation, an effort has been made to avoid the cahiers of localities whose conditions were exceptional. Such cahiers are for the most part filled with grievances and demands of a purely local nature. For this and other reasons two cahiers of Blois have been selected. The cahier of the Third Estate of Blois, however, was rejected. This document has shared a fate common to many of the cahiers of the Third Estate. The local cahiers of the smaller political divisions of the bailliage of Blois have fallen into the hands of lawyers, who have assembled and combined them with an eye single to their own desires and interests, reducing all other considerations to the simplest terms. The cahier of Versailles seems to have been somewhat more fortunate.

The cahiers of the Nobility are the most interesting. They are original compositions, drawn up by men of the highest intelligence and patriotism, men not devoid of sympathy with the intellectual movements of their time, and thoroughly alive to the necessity of reorganization. The clergy were less susceptible to the influences of the time, and their cahiers are more self-conscious. The method of assembling the local cahiers of the Third Estate resulted in a loss of vigor and personality. The ingenuousness and local coloring, which give the original cahiers an exceptional interest, are lost in the necessary process of condensation.

In the following text a French word here and there has been retained, mainly for the reason that no brief English equivalent has suggested itself. These terms may be found explained for the most part in Mr. Lowell's book, cited above; and for a wider discussion the student may consult Chéruel: *Dictionnaire historique des institutions, mœurs et coutumes de la France*, or to better purpose, *La Grande Encyclopdie*.

I. CAHIER,

Containing the grievances of the order of the clergy of the bailliage of Blois and of the secondary bailliage of Romorantin.

Archives Parlementaires, Vol. II, pp. 373-378.

FIRST DIVISION.

Religion.

[This division, which relates almost exclusively to the affairs of the French church, has been omitted as being of relatively small importance to the general student. It is worthy of note, however, that Art. 1-3 deplore the extension of religious liberty to non-catholics and the growing freedom of the press.]

SECOND DIVISION.

Constitution.

The clergy of the *bailliage* of Blois have never believed that the constitution needed reform. Nothing is wanting to assure the welfare of king and people except that the present constitution should be religiously and inviolably observed.

The constitutional principles concerning which no doubt can be entertained are:

1. That France is a true monarchy, where a single man rules and is ruled by law alone.

2. That the general laws of the kingdom may be enacted only with the consent of the king and the nation. If the king proposes a law, the nation accepts or rejects it; if the nation demands a law, it is for the king to consent or to reject it; but in either case it is the king alone who upholds the law in his name and attends to its execution.

3. That in France we recognize as king him to whom the crown belongs by hereditary right according to the Salic law.

4. That we recognize the nation in the States General, composed of the three orders of the kingdom, which are the clergy, the nobility and the third estate.

5. That to the king belongs the right of assembling the States General, whenever he considers it necessary.

For the welfare of the kingdom we ask, in common with the whole nation, that this convocation be periodical and fixed, as we particularly

desire, at every five years, except in the case of the next meeting, when the great number of matters to be dealt with makes a less remote period desirable.

6. That the States General should not vote otherwise than by order.

7. That the three orders are equal in power and independent of each other, in such a manner that their unanimous consent is necessary to the expression of the nation's will.

8. That no tax may be laid without the consent of the nation.

9. That every citizen has, under the law, a sacred and inviolable right to personal liberty and the possession of his goods.

We regard *lettres de cachet* as an abuse, contrary to the constitution. Each citizen without distinction ought to be subject to the laws and other rules of justice, and his trial by any special commission whatsoever not permitted.

The expense which the convocation of the States General will entail, through the necessary disturbance of citizens in their residence and vocations, ought to be diminished by a simplification of the forms of procedure.

A consideration of the proportion which ought to be established between the representatives of the higher and the lower clergy moves us to ask of the King that for the future the two divisions of the order shall hold their elections separately, and that in the lower division of the clerical order the forms of election shall be such that no member of the bodies which compose the order may be deprived of the representation which is his due.

The provincial estates or assemblies seem to us to constitute the régime likely to produce the best results in all branches of administration. We beseech the King to give them a legal existence and to organize them with a view to preserving the requisite balance between the interests involved, according to the clergy a number of representatives equal to that of the nobility.

THIRD DIVISION.

Taxes.

After having observed that the clergy have never enjoyed other privileges in the imposition of taxes than those which were anciently common to all orders of the state, the clergy of the bailliage of Blois

declare that for the future they desire to sustain the burden of taxation in common with other subjects of the king. They believe that it will be necessary for the States General, in order to bring within reasonable limits the burden of taxation, which has become excessive, to ascertain accurately the state of finances, together with the amounts of income and expenditure, and that an effort should be made to restrict the expenses of the court and of all departments, in so far as the needs of the state and the splendor of the nation will permit, and to fix the interest upon the state debt at a moderate rate, which is just, since the nation itself guarantees the payment.

To render all ministers and other persons charged with the management of finances responsible with their persons and property for their administration; to confide this administration, in so far as possible, to councils, bureaux and associations, rather than to private individuals who are more easily deceived and seduced; to fix the bases for general and special assessment; to simplify the collection of taxes, and to fix upon wise and patriotic means, which, while assuring the payment into the royal treasury of the last penny due, shall insure protection for the people against those persecutions which are ruinous to the public welfare.

The reforms which we judge most necessary in the matter of taxes, and which we particularly recommend to His Majesty's attention are the following:

1. In the *gabelles* and *aides*, which ought to be suppressed, or replaced, if need be, with a tax less burdensome;
2. In export duties, which we desire to see restricted to the frontier;
3. In registry fees, which have grown to an exorbitant figure. The irregularity of these charges subjects citizens to frequent contentions;
4. It is desirable to lessen the disadvantage under which poor country people labor in securing justice in the matter of over-taxation and malversations, on account of the considerable advances which they have to make in order to bring the matter to an issue;
5. The shifting of certain taxes might bring them to bear upon various articles of luxury and especially upon unnecessary articles of domestic use.

The best interests of the kingdom, which His Majesty will never cease to regard, seem to us to demand the following:

1. That no tax shall be laid without the consent of the nation;
2. That the King shall resume possession of all portions of the do-

main which have been illegally alienated, and even of those portions whose alienation, although accompanied with the forms of law, has nevertheless worked a manifest injury to the royal interests;

3. That the domain shall be declared inalienable for the future;
4. That the collectors of the *centième dernier*, due upon collateral successions, donations, etc., shall be obliged to give notice *gratis* for at least a month before the expiration of the term of payment;
5. That *franc-fiefs* shall be suppressed as useless and burdensome;
6. That the taxes approved by the States General shall be laid for a limited time only, subject to whatever arrangement may be made for the convocation of future States General.

FOURTH DIVISION.

Justice.

For the purpose of securing a reform of the principal abuses in the administration of justice we very humbly present to His Majesty what appears to us of first importance:

1. To divide the too extensive jurisdiction of the sovereign courts;
2. To complete the number of judges in each *bailliage*, in order that sessions may be held with greater regularity;
3. To suppress all judges of exceptional courts;
4. To suppress all seigniorial courts in cases where a justice and necessary officials have not been retained and salaried by the *seigneurs*;
5. To authorize vassals to refuse the jurisdiction of their *seigneurs* in suits against the said *seigneurs*;
6. To establish in the principal rural places justices of the peace for the trial of minor cases;
7. To prevent excessive and illegal charges before judges and magistrates;
8. To ordain that these charges shall not be imposed except with the consent of that portion of the nation over which these judges and magistrates are to be placed;
9. To simplify the forms of justice by reducing costs, by accelerating procedure and by suppressing judges' fees;
10. To reform the civil and criminal codes and to diminish the number of customary codes which prevail in various parts of the kingdom, in order to hasten the day, if possible, when there shall be but one national code;

To ordain that authorization shall not be given by the bureau of mortgages until two months after the notice of foreclosure, which notice shall be given at the close of the parish mass, as well at the place where the property is situated, as at the residence of the vendor, and that the bailiff be compelled to obtain the signatures of two residents of each parish upon his proof of service;

11. To abolish the offices of appraiser, vendor of chattels, receivers of consignment etc., as involving useless costs.

FIFTH DIVISION.

Nobility, the chase, etc.

The nobility ought to be assured of their prerogatives and distinctions in the state, and we very humbly beseech His Majesty to grant these only as a reward for services rendered to our native land.

The King is moreover entreated to take into consideration:

1. The great number of serious abuses which the right of the chase entails upon agriculturists, and the annoyances caused them by game-keepers;
2. The evils which result from the right of open warren;
3. The importance of the regulations concerning pigeon-houses, which have almost ceased to be observed;
4. The injustice of depriving the inhabitants of lands adjacent to forests, as has been done in many localities, of the right of pasture, and other rights, which have been accorded them on various accounts.

SIXTH DIVISION.

Commerce.

We beseech His Majesty:

1. To take the most effectual means of preventing bankruptcies;
2. To fix a term, after which prisoners for debt may recover their liberty;
3. To interest himself in ameliorating the condition of negroes in the colonies.

Impressed as we are with the great influence of public education upon the religion, morals and prosperity of the state, we beseech His Majesty to favor it with all his power. We desire:

1. That public instruction shall be absolutely gratuitous, as well in the universities as in the provincial schools;

2. That the provincial *collèges* shall be entrusted by preference to the corporations of the regular clergy;

3. That many corporations of the regular clergy, which at present are not occupied with the instruction of youth, shall apply themselves to this work, and thereby render themselves more useful to the state;

4. That in towns too small to support a *collège* there shall be at least one or more masters, according to the importance of the place, who shall be able to teach the principles of Latinity or the humanities, and that their salaries shall be sufficient to allow of absolutely gratuitous instruction;

5. That this instruction shall be under the supervision of the parish priests and municipal officers;

6. That each candidate seeking permission to teach shall be obliged to produce proofs of correct life and habits, and give evidence of his capacity in an examination before the principal and professors of the nearest *collège*.

7. That masters of schools shall not employ as assistants persons from other localities, unless such persons shall have pursued the same vocation for at least two years in the place where they have studied, and shall be furnished with references and recognized as competent by means of an examination, as above indicated;

That, for the purpose of facilitating the education of girls, communities of religious women, whatever may be their institution, shall be obliged to open free public schools for girls under the supervision of the parish priests.

We beseech His Majesty that after the examination, which shall be made in the States General of the *cahiers* of the various *bailliages* of the kingdom, this work shall be made public by means of the press, both for the satisfaction of constituents and for the honor of the deputies.

(*This document, recorded in the clerk's office of the bailliage of Blois is signed: Abbé Ponthève, President.* Then follow the signatures of 53 parish priests, 14 priors, 8 canons, 8 priests, 3 deans, 3 abbots, 3 curates, one chaplain, one friar, one deacon and 27 persons unclassified.)