

streitpaar - Verfahren in Ehesachen

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In Teil 4 der Vorschau werden der Beitrag von Claire Chatelain und eine Koproduktion von Margareth Lanzinger, Ellinor Forster, Janine Maegraith, Siglinde Clementi und Christian Hagen vorgestellt:

Ein adeliges Beamtenpaar vor Gericht

Der Einsatz von Kapitalsorten im Eheverfahren zur Trennung von Tisch und Bett am Ende der Regierungszeit von Ludwig XIV.

Claire Chatelain

(in German language)

This paper presents a case study, focused on a trial of separation from bed and goods which occurred between a great magistrate and his wife (who came from a financial officer's family), at the end of the Louis XIV reign. An exceptional documentation (based on summations and other sources, as notarial acts or courts sentences) allowed giving a micro analysis of this historical trial, led in front of the most important court of justice of the French kingdom, the *Parlement de Paris*, which was a secular one. What were the economic grounds of this marital separation? How the procedural followings which lasted five years were shaped? What were the consequences on the couple and their children? This research is interested in the French Old Régime mechanisms of judicial ways to break on kinship relationships especially those in the siblings. It leads to a comparative history in this field.

Konfliktpotenzial und Streitgegenstände im Kontext ehelicher Vermögensregime

**Margareth Lanzinger/Ellinor Forster/Janine Maegraith/
Siglinde Clementi/Christian Hagen**

(in German language)

In early modern times, property and wealth constituted an area with considerable potential for conflict. The initial thesis of this paper is that the causes of discord and dispute depended decisively on the respective marital property and inheritance systems. Because this could give rise to competing interests in different constellations and situations: between siblings, in-laws, parents, step-parents, other relatives or guardians, and not least within marital context. One setting potentially prone to conflict was the end of a marriage. Previously, implications and consequences of widowhood and divorce or legal separation of bed and board were regarded separately. However, the aim of this paper is to bring post-marital property arrangements and stipulations regarding widowhood together with findings on marital conflicts and separations. The question is to what extent property related subjects of dispute differed depending on whether a marriage terminated because of the death of either husband or wife, or because of divorce or legal separation. Property brought in by brides, questions of livelihood, and post-marital presence in the husband's family home have all proven to be relevant aspects in both contexts. The study is situated in late medieval and early modern rural and urban areas of southern Tirol and is based on cases from the court books ("Verfachbücher") and charters for several communities, noble family archives, as well as the consistorial records in the Diocesan archive in Brixen.