

THE BERNARD-GIROUX MARRIAGE CONTRACT OF 1730

A portion of the first page of the contract is included in this writing. The 1730 document is almost illegible (hand-writing problems); by comparison the 1750 contract is quite precise – these reflect the kinds of documents paleographers encounter in doing genealogy research. (side-to-side copies on following pages).

These are the civil contracts which accompanied the following and separate religious banns. As I transcribed Jean-Marc's notes, I was struck by something which should have been obvious earlier: these contracts assumed prior or future marriages. Multiple marriages were common due to early death of one spouse or the other.

TRANSLATION from a copy of the microfilm of the original of Notarial Contract dated 22 Jan 1730 passed before Notary Noel Duprac: (This is transcribed without paragraphing, exactly as it appeared in the original.)

"Before us Notary of the Seigniories of Beauport Notre Dame des Anges St Gabriel et Villery undersigned residing at the said Beauport and witnesses named hereunder were present in their person Pierre Bernard son of late Mathurin Bernard and Marie Amiotte his father and mother hereby present and of his consent; Marie Genevieve Giroux daughter of Raphael and Marie Magdeleine Vachon here father and mother. Answering for this part the said and present Raphael Giroux father for the said Genevieve Giroux the future wife she in her own name on the other part; said parties of their own free will and choice, in the presence of their relatives and friends for one part and the other; and witnesses on the part of the said Pierre Bernard future husband presently of Beauport Equerry Lord Deschesnaux and of ?_ Philippe Damour Equerry Lord Lamorandierre Lieutenant for the King's Navy in this country. And of Mr. Francoys Morganne Equerry Mr. de Lavaltrie of the said Beauport for the said purpose assembled to represent the said Pierre Bernard future husband on the part of the said Marie Genevieve Giroux future wife, of her father Raphael Giroux of Paul Derinville her brother-in-law and of Mr. Michel Chevalier Chevallier her first cousin, of Mr. Germain Maillou her brother-in-law of the future wife. Were made the following marriage treaties and vows to wit the said Pierre Bernard and Marie Genevieve Giroux future wife have promised and are promising to take each other by name and law of marriage and the said marriage to follow and be formalized before our mother the Holy Catholic Apostolic and Roman church as soon as possible to be one and in community of ownership of all possessions, furniture, buildings and others acquired in their joint estate and even from their own departure from the customs the future spouses in regards with the above article without nevertheless be held liable for the debts mortgage really incurred by the other part and created before their marriage if and as chosen will be paid and acquitted by himself or herself from whom they came about and from them and in favor of the future marriage and to accord session before the future spouses with their possessions and rights belonging to them that have or that will fall due and in contemplation of what the future groom has already given and will give the

said future wife of the customary dowery or the amount of one thousand pounds of precise dowery with care given that it goes to the inheritance of the said future wife as soon as the dowery will have been given and the possessions of the future husband of which taken charged and mortgaged the inheritance of the furniture will be equal and reciprocal; and same was established to be in the amount of five hundred pounds to be to the benefit of the survivor from the joint estate from an auction or in cash to the choice of the survivor; the future joint estate is dissolved to renew such understanding what she will be able to justify she actually brought in with the said future husband the clothes and linen that she made use of with the dowery and inheritance as established above and all things that inheritance donation or other ways without her having to pay any debt mortgage of their joint estate in codicil either she be obligated or sentenced in which case she will be mortgaged against the possessions of the said future husband which will have been decided upon, charged and mortgaged and the future husband the clothes linen and trousseau jointly known of the future wife as it was also accorded between relatives and of friends promising obliging and renouncing. And done and passed at the said Beauport in the home of Paul de Renville in the afternoon of this twenty second day of January one thousand seven hundred and thirty in the presence of the said relatives and friends and of Pierre Maillous and Germain Marcoux witnesses residing in the said place who have together with Mr. Duchesnaud, Mr. Damour and Mr. Lavalleyrie and us Notary signed as required after the reading and as required by the ordinance.

J.C. De Beauport (paraphe)
Damour (paraphe)
Germain Maillou (paraphe)
DeLaValtrie ___ (paraphe)
Germain Marcoux (paraphe)
Noel duprac Notaire (paraphe)

COMMENTS ON THE ABOVE CONTRACT BY JEAN-MARC CHARRON DECEMBER 1994

"This is the marriage contract between Pierre Bernard, a "first arrival" and Genevieve Giroux, almost two weeks before their actual marriage on 5 Feb 1730 at Beauport...

If this is not a military marriage I'll eat my hat! I can see the colourful military uniform, carefully decked out for this ceremonial occasion, new feathers in the hat, loose at the knee high boots shined and polished, swords shining and hitting everything on sight as if on purpose to make them resonate with authority; and the radiant ladies with their long and bouffant dresses, all muffled up in their winter fur garments. From home in everyone's best horse-drawn cariole to the unheated little church and then to the main hall of the large military camp hall where then everyone revealed themselves in all their glorious suits and dresses....

I have a few of those "late arrivals" and they all turned out to be military people. The more we go back in time, the more the easily uncovered history gets interesting. There are less and less people around so the individuals living in those early years ended up with numerous descendants to dig up history and write about them;

First a word about Duprac's penmanship! At first it looked bad enough that I left it alone for some days before attacking it. I still get the jitters when I first take a look at these contracts. When I took my paleography course we worked with the really tough ones and I'm always leery of getting one of those. On a scale of 0 to 10 (from easy to hard) this one rates a 5...I studied with some 8s and 9s and I pray that I don't end up with a tough one. But as hard as they may be, it is always possible to transcribe them... Regarding this one, there is one word that stumped me (for now) and it is at the beginning of line 18, just before the name Philippe Damour. It looks like an abbreviated title. At the wedding of this Philippe Damours/Delamorandiere in Quebec on the 12 Feb 1722 to the widow M.-Madeleine Menage, he is referred to as "Officier dans les Troupes" (Officer in the Troups) and is the son of Mr. Mathieu D'Amours, "Councillor in the Superior Council of Quebec". So I figure that the title I cannot make out for the time being would be a military rank or other high ranking civilian title;

THE ESSENTIALS

[Here JMC makes reference by line. As I have included only part of the first page, most of the lines are not included in the document reprinted on a preceding page.]

5 – Pierre Bernard, future groom. I'm disappointed not to see his occupation or his place of origin. At least we have the name of his parent. This is the first marriage contract of a first arrival that I see so I suppose it is normal for the notary to leave this to the church. The church records usually enters this information...

6 – The late Mathurin Bernard, father of the future groom, who by all evidence never came to North America.

7 – Marie Amiotte, the mother of the future groom; same as her now late husband she would be European;

8 – Marie-Genevieve Giroux, future bride. Born 15 Sep 1707 at Beauport, 13th of 13 children.

9 – Raphael Giroux, father of the future bride. Born 21 July 1656 at Quebec, second of twelve children.

17 – Lord Deschesnaux, Equerry, also a witness. This military man first marries at Quebec on 12 Feb 1722 with M.-Madeleine Menage. He remarries on 29 Mar 1728 with M.-Louise Duchanay(Duchesnau)/Juchereau; a check of these marriages should reveal interesting data; Does the name and title of lines 18, 19 and part of 20 belong to this Philippe Damour? Perhaps, because at his marriage at Quebec on 12 Feb 1722 he is identified as Philippe Damours/Delamorandiere, "Officier dans les troupes". Son of

the late Mathieu D'Amours, Councillor for the Superior Council of Quebec and of the late Marie Marsolet, marrying M.-Madelein Menage, widow of the late Pierre Gauvereau;

20 – Francoys Morganne, Equerry and Sieur de la Valletrie, also a witness. I think we are dealing here with the well documented "Noble" family Margane de Lavaltrie. Seraphin Margane, Sieur de Lavaltrie had a long and illustrious military career, having held high ranks in various regiments. Originally from the Paris, France area, he marries at Quebec on 12 Aug 1668 Louise Bissot and they have 11 children. The following of note: Charles-Seraphin dies at Onontague, at 24 years of age, killed by the Iroquois; Francois-Marie sieur de Batilly dies at 32 in the very very sad events at Deerfield, Massachusetts; Pierre-Paul Sieur Desforets becomes seigneur de Lavaltrie; many of the girls marry military men; and perhaps the following is of interest to us: Francois born 27 Nov 1685. This Francois Margane sieur de Lavaltrie marries Angelique Guyon at Beauport on 9 May 1712 and they have but one child Louis-Francois sieur de Batizy born 28 Jan 1713 at Beauport. So in this 1720, I think we are dealing with this Francois Margane sieur de Lavaltrie M Angelique Guyon.;

25 – Paul Derinville, brother-in-law of the future bride. Paul de Rainville marries Marguerite Giroux, M.-Genevieve's sister, in 1715. As stated on page 3, it is at Paul Derainville's residence that this act was drawn.

25 – Michel Chevalier, first cousin of the future bride. One possible Michel Chevalier of note would be Michel Chevalier who marries at Beauport on 10 Jan 1695 Charlotte Parent and have 17 children. Two of the girls marry a Mailloux;

26 – Germain Maillou, a brother-in-law of the future bride. Germain Mailloux marries at Beauport on 25 Apr 1724 M.-Madeleine Giroux, sister of M.-Genevieve Giroux the future bride;

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13 – Pierre Mailloux, a witness. This Pierre Mailloux is "Capitaine de Milice" (Militia captain), a very important and powerful man in the community. On the 5 Feb 1719, at Beauport, he marries Louise Vachon;

14 – Germain Marcoux, a witness. He signs the contract. On the 13 Sep 1730 at Quebec, he marries Genevieve Marchand, widow of Claude Carpentier (1718)

Signatures:

The first one is J.C. De Beauport. I racked my brain until now of who this might be. But I just saw in the last three lines that Sieur Duchesnaux, Sieur Damour and Sieur Lavalletrye sign. As we see the signature of the last two, I suppose the J.C. De Beauport is this Sieur Ducesnaux. The J. C. would be his initials and signing "J. C. De Beauport" would indicate that he is the seigneur? That's powerful stuff!"