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WHO IS THE HEIR OF THE DUCHY OF
BRITTANY?

HENRY JENNER

*N'oun na da Vreiz na da Montfort, n'oun nemet servicher d'an
Itroun Vari.*—SALAUN FOLGOAT.¹

IT is with much diffidence and with many apologies to the Bretons that I, though I only belong by birth to the nation which is more nearly related to them than any other, presume to attempt an answer to this question. Possibly my conclusions are not new to them, though to me they undoubtedly are new. Certainly much that is contained in this paper can only be mere commonplace to them. The conclusions are sufficiently startling, but I must disclaim at once any political *arrière pensée*, which is not my business in the affairs of another nation. All I claim to do is to state what I believe to be an unquestionable genealogical fact, and to give my reasons for the belief. I do not know, nor, if I did, is it for me to say whether it has any bearings beyond the quartering of coats-of-arms.

Brittany was once an independent state, and its independence differed materially from that of all the other states, with the possible exception of Navarre, which were ultimately united into one kingdom, but were virtually independent at a time when '*omnis Gallia*' was divided into a good many more than '*tres partes*' and 'France' was only a geographical expression, or was applied to a comparatively small country. When Armorica was practically derelict, it was settled by emigrants from Great Britain, who preserved their own Celtic speech and imposed it, instead of broken-down Latin, upon whatever 'fragments of forgotten peoples' they found there. They were governed by rulers of their own race, not by Frankish nobles upon

¹ I am neither for Blois nor for Montfort ; I am but a servant of the Lady Mary.—SALAUN OF FOLGOAT.

whom fiefs had been conferred by Merovingian or Carolingian kings. The Kings of France from time to time attempted to annex the country. They held it for a while in the eighth and ninth centuries. It was freed by Nominoe. The Normans ravaged it and more or less subdued it, till the '*chas a bel bro*' (dogs of a far land) were driven away by Alan al Louarn. Over and over again France or England tried to make it French or English, but stubborn Armorica remained '*bepred Breiz*' (always Breton) until the marriage of the Duchess Anne to two successive French kings and of her elder daughter to a third united the two crowns *de facto* until the fall of the French monarchy, and, if Anne was the legitimate duchess, *de jure* also, at least until a king arose, Henry of Navarre, who succeeded to France in accordance with the Salic Law of absolute male succession, but was not in any way the genealogical representative of the Dukes of Brittany.

A separation under such circumstances is not without precedent. When the crowns of France and Navarre had been united by the marriage of Philip iv. and Joan of Navarre, they continued united until, on the death of Charles iv., the male line of Philip and Joan became extinct. Then Philip of Valois, who was not descended from the House of Navarre, inherited France under the Salic Law, while Navarre, in which succession by or through a female was not barred, went to Joan, daughter of Louis x., the senior female heir. The two crowns were not united again until Henry, King of Navarre, succeeded to France in right of his paternal descent.

When George, Elector of Hanover, became King of Great Britain in 1714, by virtue of an Act which, whether validly or not, excluded Roman Catholics from the crown, no change was made in the laws of succession except the importation of a religious disqualification. Thus it was that on the death of William iv. in 1837, the crowns which had been united for a hundred and twenty-three years were disunited again. This was a stronger case than those

of Navarre and Brittany, for Ernest, Duke of Cumberland, was quite as much a descendant of three out of the five Hanoverian kings as Victoria was, and under almost any rule of succession but the British and Portuguese would have succeeded to the joined crowns, whereas Henry iv. of France was not a descendant of the House of Brittany any more than Philip of Valois was a descendant of that of Navarre. Thus it is seen that the right of Henry iv. to the Duchy of Brittany is not at all obvious, and must depend upon the validity of a settlement made by Francis I., King of France, widower of Claude, daughter of Duchess Anne, in or about 1532, and an alleged resignation of rights to the French king by the heirs of the House of Penthièvre. As a rule such settlements and resignations are valueless as against future heirs, but on the political validity of these particular arrangements I am not qualified to express any opinion. To *genealogy*, and that is what I am discussing, they can make no sort of difference.

The Salic Law did not apply to Brittany, but there, as in almost every non-Salic constitution, except in England after the accession of Henry II. in 1154, Scotland after that of Robert I. in 1306, and Portugal after the Council of Lamego in 1148, male agnates, brothers, nephews, or even those more distant, often succeeded in preference to daughters, who frequently only came in when there were no male agnates of reasonable proximity. No doubt this, when all descended from the original 'purchaser' (as the laws of Real Property would say), was quite as consistent as the succession of all the sons before all the daughters instead of that of all children in order of seniority irrespective of sex; and it had its value, like the Salic rule, in days when the principal duty of a king was to lead his army to battle. But, unlike the Salic Law, and its opposite as understood in Britain and Portugal, about which there can be no mistake, it constantly led to disputed successions, with or without bloodshed—generally *with*—and rival claimants tended to become puppets in the hands of greater powers who had

axes of their own to grind. Also, as time and civilisation went on and war-lords could perform the fighting part of their duty by deputy, the natural right of a daughter to succeed to her father, failing sons, got more and more to be recognised, though even now, as instance the true foundation of the claim of Don Carlos to the throne of Spain, its recognition is not everywhere complete. It was the conflict of the two ideas of succession that was at the bottom of the great dynastic struggle of Blois and Montfort. Daughters had succeeded to their fathers in Brittany before, with or without opposition, though it generally happened that their sons or husbands reigned instead of them. In this case the question was the less simple one, whether, on the death of John III. in 1341, his nephew, John of Montfort, son of his half-brother John, or his niece, Joan, daughter of his whole brother Guy of Penthièvre (or her husband Charles of Blois in her right), should succeed him. Guy was the elder brother, but the 'male agnate' theory came in, and after a long and very important war, John of Montfort eventually got the best of it. Yet one would have said at first sight that the right was on the other side, and that the descendants of Joan were the rightful line. This does not necessarily follow, for the exact succession was not sufficiently settled in those days, and the dispute resembles so closely the leading case of Bruce *versus* Balliol some fifty years earlier, that unless one is prepared to support the rights of the descendants of Balliol to the Scottish throne one cannot consistently dogmatise in favour of those of Joan of Penthièvre. But whether the Blois side were right or the Montfort, there can be no doubt that the true Heir of Line of the Dukes of Brittany must descend from one or the other of the two claimants. There are no others possible.

John of Montfort had a son, *John V.* (1399-1442), who was succeeded by his eldest son, *Francis I.* (1442-1450), who left a daughter *Margaret*, a child of only seven or eight. She did not succeed, if at all, until after her uncle, *Peter II.*

(1450-1457), and her great-uncle, Arthur III. (1457-1458), had both reigned. Meanwhile she had married the next heir, Francis, son of Richard of Étampes, third son of John IV. Margaret died childless in 1469, and Francis II. married again. By his second wife he had a daughter, the renowned Duchess Anne. Anne was recognised as her father's heir in 1486, and succeeded him at his death in 1488. There were no male agnates to oppose her right, and she was undoubtedly Heiress of Line of the House of Montfort, and, saving the rights of the House of Penthièvre, whatever they may have been, Heiress of Line of Noinoe and the ancient kings.

The first question now is: *Who is the Heir of Duchess Anne?* This is not difficult to answer. Anne married, first, Maximilian of Austria, afterwards Emperor. This was only a betrothal by proxy, and nobody, not even the parties themselves, took any notice of it; second, Charles VIII., King of France, by whom she had no children; third, Louis XII., King of France, by whom she had two daughters, Claude and Renée. Renée, the younger of the two, married Hercules II. of Ferrara, and her daughter Anne married Francis of Lorraine, Duke of Guise. Her succession passed through the House of Bourbon-Conti to that of Orleans, so that if the line of the elder sister had failed, the Duke of Orleans, who claims the French crown, might have had a real right to the genealogical heirship of the House of Brittany. The line of another daughter of Renée passed through the House of La Rovere to that of Medici, and ended with the last Medici Grand-Duke of Tuscany in 1737. But the line of the elder daughter, Claude, has not failed. She married Francis I., King of France, and had a son, Henry II., who succeeded to her rights in Brittany and to his father's in France. She also had two other sons, Francis and Charles, who both died without issue, and two daughters, Magdalen, who married James V. of Scotland and died childless, and Margaret, who married Emmanuel Philibert, Duke of Savoy. Henry II.'s three sons, Francis II.,

Charles IX., and Henry III. reigned successively over France and Brittany and left no children, the last dying in 1589. Then it was that the crown of France went, under the Salic Law, to Henry of Bourbon, King of Navarre, whose nearest male ancestor in common with Henry III. was St. Louis IX. (1226-1270). But the line of Anne and Claude was not yet extinct. Henry II. had also three daughters, Elizabeth, who married Philip II. of Spain, and died in 1568, leaving two daughters: Claude, who married Charles II., Duke of Lorraine; and Margaret, who married Henry IV. of France, and had no children. On the death of Henry III., the Heir of Line of the Duchess Anne was certainly Isabel, elder daughter of Elizabeth, Queen of Spain. She married Albert of Austria, and died childless in 1633. Her sister, Catherine, had died in 1597, but she had married Charles Emmanuel I., Duke of Savoy, who through his mother, Margaret, daughter of Francis I. of France, was also descended from Anne of Brittany. Her son Victor Amadeus I. succeeded to his aunt, Isabel of Spain, as heir of the Duchess Anne, and was succeeded in 1637 by his eldest son Francis, who died unmarried in 1638. The second son, Charles Emmanuel II., succeeded, and died in 1675. Then follows a line of Dukes of Savoy and Kings of Sardinia: Victor Amadeus II. (1675-1732), who was the first King of Sardinia and by his marriage with Anne Maria of Orleans, daughter of Henrietta, daughter of our Charles I., brought the eventual heirship of the House of Stuart into his family; Charles Emmanuel III. (1730-1773); Victor Amadeus III. (1773-1796); Charles Emmanuel IV. (1796-1819), who died childless and was succeeded by his next brother, Victor Emmanuel I. On the death of Victor Emmanuel I., in 1824, it is possible that his brother, Charles Felix, would have succeeded to the Duchy of Brittany, on the 'male agnate' principle, but as he died without children in 1831, it made no difference. The crown of Sardinia, under strict Salic Law, then passed to the House of Savoy-Carignan, descended from Thomas, second son of Charles Emmanuel I. and

Catherine of Spain, but this was far too distant to apply to Brittany on the 'male agnate' theory. Victor Emmanuel I. left four daughters, the eldest of whom, Mary Beatrice, married Francis IV., Duke of Modena, and to her the Heirship of Line of Brittany undoubtedly passed, either on the death of her father or of her uncle. She, dying in 1840, left two sons, Francis V. of Modena, who succeeded her, and Ferdinand, and two daughters, Theresa, who married Henry V., King of France, and had no children, and Mary Beatrice, who married John of Spain, and was the mother of Don Carlos of Spain. Francis V. of Modena died childless in 1875. His brother Ferdinand was already dead, but he had left a daughter, the Archduchess Maria Theresa, Princess Louis of Bavaria, who is beyond all question the Heiress of Line of Anne of Brittany.

The second question is: *Who is the Heir of Joan of Penthièvre, wife of Charles of Blois?* In tracing out this one must necessarily proceed on strict genealogical lines. It came to much the same result in the case of the descendants of Anne, but since the House of Penthièvre claimed on principles of descent like those of Britain, it is unquestionable that the 'male agnate' theory cannot apply to them. They cannot have it both ways. But again it makes no difference. Guy of Penthièvre, second son of Arthur II., as we have seen, left a daughter, Joan, whose husband, Charles of Blois, disputed the Duchy with John of Montfort, son of the third son of Arthur II. She had two sons, John and Henry, and two daughters, Margaret and Mary. Henry died childless; John succeeded to his mother, and died in 1403, leaving, besides daughters, four sons: Oliver, who died without issue in 1433; John, who died, also without issue, in 1454; Charles, who died in 1434, leaving one daughter; and William, who died in 1455 leaving three daughters. Thus ended the male line of Joan of Penthièvre. Of the four great-granddaughters, the heiress was Nicole, daughter of Charles. She married John of Brosse, and died in 1454, leaving a son, also John, and several daughters. This John died in 1502,

leaving a son, René, and four daughters. The only son of René, John, died without issue in 1564, and Charlotte, daughter of René, who married Francis II. of Luxemburg, became his heiress. She had an elder son, Charles, who had died childless in 1553, and a second son, Sebastian, who died in 1569, leaving an only daughter, Mary, who married Philip of Lorraine, Duke of Mercœur. Her daughter Frances married Cæsar, Duke of Vendôme, natural son of Henry IV. Frances had two sons, both of whom died before her, Francis without issue in 1669 and Louis in 1668, and a daughter, Elizabeth. Louis had two sons, Louis Joseph, who died in 1712, and Philip, who died in 1719, both without issue. The daughter, Elizabeth, married Charles Amadeus of Savoy, Duke of Nemours, and left a daughter, Mary, who married Charles Emmanuel II., Duke of Savoy. Their son, Victor Amadeus II., united in his own person the heirship of line of both Blois and Montfort, and from him the combined inheritance descended, as already detailed, to his present representative, the Archduchess Maria Theresa of Modena, consort of Prince Louis of Bavaria, who is beyond all question the Heiress of Line of Joan of Penthièvre.

Thus it is that whether one holds by Blois or by Montfort, and whether one traces according to the ordinary rules of genealogy or admits the claims of proximate male agnates before female heirs, the result is the same, namely, that the Heiress of Line of the ancient Ducal House of Brittany can be no other than her Royal Highness Princess Maria Theresa of Modena, Princess Louis of Bavaria. Another Salaun might say, '*Mi a zo da Vleiz ha da Vontfort ho daou*' [I am for both Blois and Montfort], and leave the rest of his sentence unchanged.

It is interesting to note that, going by genealogy, not by Acts of Settlement, the same exalted lady is also, through her descent from Charles I., as is well known, Heiress of Line of the House of Stuart, and therefore of Tudor and Plantagenet, of Rollo, of Alfred and Cerdic, and of the ancient Scottish and Pictish and perhaps Irish and British Royal

Houses. It is a wonderful pedigree that includes the heirship of all Celtia, with Saxondom and Normandy thrown in !

THE MACNEILLS OF ARGYLLSHIRE

REV. A. MACLEAN SINCLAIR

GILLEOIN NA TUAIGHE, progenitor of the Macleans, had three sons, Gilchrist or Cristin, Gillebride and Gillise. Gillemoire Maclean, a grandson of Gilleoin, and probably a son of Gilchrist, held lands in the county of Perth in 1296. As the district of Lorn belonged to the county of Perth in 1296, and as the Macleans had their early home in Lorn, it may be regarded as a fact that Gillemoire lived in Lorn. John Mac Molmari appears on record in 1354. He was one of the principal followers of Macdougall of Lorn and had a son old enough to be given as a hostage. As Molmairi or Maolmoire and Gillemoire are the same name, it is probable that the John who was to give his son as a hostage was the son of Gillemoire Maclean. At the same time it is possible that he was not a Maclean at all ; he may have been a Macdougall.

Gillise, youngest son of Gillean of the Battle-axe, settled in Kintyre. Malcolm, his son, appears there as a landlord in 1296. Malcolm married Reena, daughter of Donald, son of Eric Mac Kennedy, Lord of Carrick, and had by her Donald, Neil, and John Dubh. Lachlan Mor, progenitor of the Maclachlans, married a sister of Donald's wife and had by her Patrick, his successor. In the Skene MS. the name of Malcolm Maclean's father-in-law is given as Gamail, but Gamail is a misreading for Domnall.

Donald Maclean, eldest son of Malcolm, was married and had four children, Gillise or Malise, John, Beatrice, and Effreta. Neil, the second son of Malcolm, was married and had two sons, Dermid and Malcolm. John Dubh, the third son of Malcolm, married, apparently, a daughter of