

**The key to the scabinal archives of Liège (1409-1797): an
opportunity for new perspectives in the History of Liège¹**

By Johan Voets (Johan.Voets@ulg.ac.be)

University of Liège

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The research program I am working on and I am going to present here² is aimed at creating a computer database that will make wider access possible to one of the most important archive fund in regard to Liège: *Les registres aux oeuvres des échevins de la Souveraine Justice*³. These archives contain a large amount of relevant information concerning the city of Liège and its principality in the late Middle Ages and in Modern Times. Moreover, it constitutes one of the main accounts of the organisation of this city's urban fabric (by urban fabric I mean among others the division into plots and the dividing up of the population or social classes on the city territory). However, it will be shown that this rich collection was often ignored by historians because of its tricky use. The difficulties

¹ I want to thank Mr. Alain Marchandisse and Mrs. Geneviève Coura who gave their approval for me to present their researches and Mr. François Lejeune who helped me to translate this text into English.

² This paper is based on a previous communication which presented this research program : COURA (G.) & DENOËL (S.), *La clé des archives des Échevins de la Souveraine justice de Liège : élaboration et utilisation d'un outil informatique*, in *Actes du colloque Archaeologia Mediaevalis Gand 17-18 mars 2006*, Gand, 2006, pp. 35-37.

³ Archives de l'État à Liège, Échevins de Liège, *Œuvres*.

encountered, as well as the absence⁴, for some eras (like the 15th century), of several categories of sources traditionally used in some types of studies (demographic study ...), as the censuses taken on the occasion of property or personal taxes⁵, have obviously influenced the “cité ardente” ’s historiography. Indisputably, the nature of the available archive material is one of the decisive elements that explain why Liège has not been much studied, compared to other Benelux cities, whose urban history has generally aroused the researchers’ interest⁶ (this interest has the last few years notably been aroused by projects such as *City and Society in the Low Countries*⁷). Of course I have to mention Etienne Hélin’s works, most of which are related to the post 16th century eras⁸. Nevertheless, the major historical works dealing with the urban fabric of Liège are not numerous and, for the most part, relatively old⁹. A topic such as for example the rebuilding of the city in the 15th and 16th century, following its destruction in 1468 by the troops of Charles the Bold, Duke of Burgundy, deserves to be deeply re-examined.

My talk will start with a description of the archives, followed by the description of the database and will end with a quick overview of the current and future research prospects which are made possible thanks to the program, with the presentation of a concrete example.

⁴ VRANCKEN-PIRSON (I.), *Démographie liégeoise du XV^e siècle*, in *Bulletin de statistique*, 1951, t. 37, pp. 599-600.

⁵ HUBERT (E.), *Sources et méthodes pour l'évaluation de la population des villes au Moyen Âge*, in NICOLET (C.), ILBERT (R.), & DEPAULE (J.-C.), *Mégapoles méditerranéennes. Géographie urbaine rétrospective*, Paris, 2000, pp. 660-684.

⁶ About this topic: STABEL (P.), *De stad in de middeleeuwse Nederlanden. Enkele opvallende tendensen in het recente onderzoek*, in *Stadsgeschiedenis*, 2006-1, pp. 69-78.

⁷ <http://www.cityandsociety.be/index.php>.

⁸ The most important : HÉLIN (E.), *La démographie de Liège aux XVII^e et XVIII^e siècles*, Bruxelles, 1963 ; HÉLIN (E.), *Le paysage urbain de Liège avant la révolution industrielle*, Liège, 1963 ; HÉLIN (E.), *La population des paroisses liégeoises aux XVII^e et XVIII^e siècles*, Liège, 1959.

⁹ The most important : GOBERT (T.), *Liège à travers les ages. Les rues de Liège*, Nouvelle édition du texte original de 1924-1929 augmentée de nombreuses reproductions de documents choisis par Marie-Georges Nicolas, Bruxelles, 1975-1977, 11 vol. ; LAHAYE (L.), *Les paroisses de Liège*, in *Bulletin de l'Institut archéologique liégeois*, 1921, t. 46, pp. 1-208. ; PIRSON (I.), *Contribution à l'étude critique de la destruction et de la reconstruction de Liège en 1468*, mémoire de licence en Histoire, Université de Liège, Liège, 1946-1947 ; PONCELET, (E.), *Les domaines urbains de Liège*, Liège, 1947. Other more general works give some information on this subject: KURTH (G.), *La cité de Liège au Moyen Age*, Bruxelles, 1909-1910, 4 t. ; LEJEUNE (J.), *La Principauté de Liège*, 4^e éd., Liège, 1996. Some more recent works concentrate on very specific subjects: DENOËL (S.), *Les fortifications notgériennes de la cité de Liège. Nouvelle approche contextuelle et critique des sources*, in *Bulletin de l'Institut archéologique liégeois*, 2005, t. 112, pp. 5-101 ; DENOËL (S.), *Les remparts de la cité de Liège : de la fixation du second réseau urbain à la fin du XV^e siècle*, in *Bulletin de l'Institut archéologique liégeois*, 2007, t. 113, pp. 63-87 ; WOOS (E.), *Le quartier d'Outre-meuse à Liège, genèse d'un territoire urbain*, in *Bulletin de la Société royale « Le Vieux-Liège »*, 1997, t. 13, pp. 649-656 ; WOOS (E.), *Le quartier d'Outre-meuse à Liège. Genèse et évolution topographique d'un territoire urbain*, in *Annuaire d'Histoire liégeoise*, 1996-1997, t. XXVIII, n° 52, pp. 1-165 ; ...

The scabinal archive fund

Liège is, from the 10th century on, the capital of a “principauté épiscopale” of the Holy Empire, which will be surviving until the end of the Ancient Regime, landlocked in the Southern Netherlands¹⁰. The bishop, guarantor of justice on his territory, will progressively set up different justice courts, called the “échevinages”. The most important is of course the one of Liège, which was first mentioned at the beginning of the 12th century¹¹. It was at the same time competent in civil courts and criminal courts. We shall here confine ourselves to the civil role of this institution whose province initially stretched over the “franchise”, in other words “Liège and some nearby localities¹²”, and in appeal over “all the civil cases judged by subordinate courts submitted to Liège’s custom¹³”. The court of Liège notably acted as a property court, recording the contracts (sales, exchanges, bequests, mortgages...) related to real property which are within its province¹⁴. All the collected proceedings make up among other the collection of the *registres aux oeuvres des échevins de la Souveraine Justice*. We almost possess the whole series of these register books from 1409 to 1797¹⁵.

However, the recorded documents were classified into a chronological order which was more or less respected. The absence of any property tax in Liège made the setting up of tables or houses directory useless¹⁶. Therefore, the only method to find information in this huge database, 1750 volumes, each containing in average about 350 folios, is going through it page after page. This fact has obviously complicated the use of the scabinal archive fund by

¹⁰ About History of Liège : DEMOULIN (B.) et KUPPER (J.-L.), *Histoire de la principauté de Liège, de l’an mille à la Révolution*, Toulouse, 2002 ; HARSIN (P.), *Études critiques sur l’histoire de la principauté de Liège 1477-1795*, Liège, 1955-1959, 3 t. ; *Histoire de Liège*, sous la direction de J. Stiennon, Toulouse, 1991 ; LEJEUNE (J.), *La Principauté de Liège*, 4^e éd., Liège, 1996.

¹¹ DE BORMAN (C.), *Les échevins de la Souveraine Justice de Liège*, Liège, 1892-1899, 2 t. ; HANSOTTE (G.), *Les institutions politiques et judiciaires de la principauté de Liège*, Bruxelles, 1987, pp. 170-173.

¹² « Liège et quelques localités voisines » (HANSOTTE (G.), *Les institutions politiques et judiciaires de la principauté de Liège*, p. 170).

¹³ « (...) toutes les affaires civiles jugées par des cours subalternes soumises à la coutume de Liège » (HANSOTTE (G.), *Les institutions politiques et judiciaires de la principauté de Liège*, p. 171).

¹⁴ « Sa juridiction gracieuse s’étend à l’enregistrement de tous les actes relatifs aux meubles et immeubles sur lesquels elle détient sa juridiction contentieuse (...) » (HANSOTTE (G.), *Les institutions politiques et judiciaires de la principauté de Liège*, p. 171). That is to say notably the properties situated in the “franchise” (except the feudal building) or in the province of a subordinate court.

¹⁵ *Inventaire des archives des Échevins de Liège*, Archives de l’État à Liège, Liège, 1981. The destruction of the archives prior to 1409 was ordered by the “Sentence de Lille” (24 October 1408), following the defeat inflicted by the Burgundians to the troops of Liège during the battle of Othée. A part of the register books from after 1409 have been damaged by a fire, caused by the 1944 bombings. About destruction of the archives see: YANS (M.), *Pasicrisie des échevins de Liège*, 3 fasc., in *Mémorial des archives détruites en 1944*, II, Publication extraordinaire de l’Institut archéologique liégeois, Liège, 1948-1950.

¹⁶ On the other hand some tables with names do exist in the *registres aux Embrevures*, register books which take up the records of the acts that are retranscribed in the *registres aux Oeuvres*. However, the series is incomplete and it is difficult to use it. For example, the widows are classified at the letter L: “La veuve de” ... (Archives de l’État à Liège, *Échevins de Liège, Embrevures*).

the researchers, who therefore often ignored it. Eager to solve the problem, the originators of the project I am presently going to detail, have decided to create a computer file mentioning some information on all the deeds contained in these *registres aux oeuvres*.

The computer encoding of the *registres aux oeuvres*

This research program was originally initiated by the “Service de l'Archéologie du Service Public de Wallonie en province de Liège”, eager to understand better the birth and the evolution of the buildings it is studying within the framework of the “Certificats de Patrimoine” (compulsory process for any town planning permission concerning a listed monument)¹⁷. Financed by the FRFC (“Fond de la Recherche Fondamentale Collective”) since 2004, the program is actually supported by the local department and the “Département des Sciences historiques de l'Université de Liège”¹⁸.

The construction of the computer database¹⁹ (using the software *File Maker Pro*) will be achieved through the systematic and complete reading of the deeds. Several pieces of information are recorded: the register book and folio's number, the legibility condition, the date, the legal nature, as well as the parties involved (names of persons, family relationships, social status, domicile), the possible representatives (persons, guilds, religious institutions) and the estates in question (localisation, place names mentioned, “joindants” or joint ownerships, signs). At the same time, toponymic and anthroponomic identifications are being carried out.

This file allows to do simple or combined researches which can be related to different topics: a surname, a place name, a specific house... The results give the researcher all the deeds in which the selected terms are mentioned. They obviously do not rule out the necessity to go back to the source, the document in itself, to check all the elements that have voluntarily been neglected during the encoding²⁰.

¹⁷ The archeological studies and, by extension, the historical studies, were registered in the management of the patrimony certificates.

¹⁸ Initially supported by the “Service de l'Archéologie” of the “Service Public de Wallonie” (called at the time Ministère de la Région wallonne) in the province of Liège, the “Département des Sciences historiques” from the University of Liège and the “Archives Générales du Royaume” (A.G.R.), it has been co-sponsored since the withdrawal of the A.G.R. by the Regional department and the university department.

¹⁹ A part of this database (regarding the 15th century register books and the first register books from the 16th century) can already be consulted online on the A.G.R.'s website (<http://arch.arch.be/>).

²⁰ Such as the names mentioned in the deeds but not concerned by the legal transaction.

Presently, the database contains more than 32.000 analysed deed forms, extending approximately over the time period 1409-1518 and the encoding work is being pursued. In this connection, it is interesting to note that the number of contracts entered before the “échevins” increases over time: the 16th century counts 300 register books, whereas the 15th counts 56 register books²¹.

Research prospects

The information recorded in the database opens up many research prospects in relation to the city and country landscape, but also other investigation fields. These research prospects are among others related to the institutional (organization of the scabinal court), demographic (dividing up of the population on the city territory), social (dividing up of the social classes on the city territory) History of Liège. I am presently going to introduce some works that have used the database.

And so, the file has already been used within the framework of prosopographical studies, more particularly by the *Société royale des Bibliophiles liégeois* which is carrying out a monograph²² on the “commissaires de la Cité²³”.

Having said that, it has above all allowed the researchers to study the urban fabric of Liège. The whole 15th and early 16th century being encoded, it can already be used to have a better comprehension of the rebuilding process that followed the “cité ardente” ’s destruction in 1468, about which much still remains to be written²⁴. This event, which took place within the framework of the struggles between Liège and Burgundy in the 15th century, caused the disappearing of most developed sites within the city walls and in the suburbs: two thirds of the developed sites seem to have been destroyed by the fire²⁵. Mr. Alain Marchandise, co-instigator of the FRFC project described in this paper, has recently used the database during a lecture at the University of Cergy-Pontoise on *Les Lendemains des guerres burgondo-*

²¹ *Inventaire des archives des Échevins de Liège.*

²² DE MOFFARTS D’HOUCHEENÉE (Baron S.), *Les commissaires de la cité de Liège*, t. 1, 1424-1511, avec le concours de Christian Dawans et du chevalier Le Pas de Sécheval, Introduction historique d’Alain Marchandise, *Société royale des Bibliophiles liégeois*, 2005. The second volume is to be published.

²³ The “commissaires de la Cité” are established by the “Régiment de Heinberg” (1424). Their mission is above all to designate each year the 32 persons who have to elect the “Bourgmestres” of Liège.

²⁴ MARCHANDISSE (A.), VRANCKEN-PIRSON (I.) & KUPPER (J.-L.), *La destruction de la ville de Liège et sa reconstruction*, in *Destruction et reconstruction de villes, du Moyen Âge à nos jours, Actes du 18^e colloque international, Spa, 10-12/09/1996*, Bruxelles, 1999, pp. 69-88 .

²⁵ MARCHANDISSE (A.), VRANCKEN-PIRSON (I.) & KUPPER (J.-L.), *La destruction de la ville de Liège et sa reconstruction*, p. 86.

liégeois du XV^e siècle, on the occasion of the international conference *Lendemain de Guerre, Les hommes, l'espace et le récit, l'économie et le politique : réflexions sur « l'après » de l'Antiquité au monde contemporain*, from 9 to 11 October 2008²⁶. He shows that some ideas about this topic have to be qualified.

Moreover, many research works on one or several buildings have benefited from the *registre aux oeuvres*²⁷. Among others, Mrs Geneviève Coura, also co-investigator of the PRFC project, is doing some researches regarding the medieval and modern division into plots in the surroundings of a 16th century residence in Liège: the “Lord of Amay” ‘s House, which can today still be seen on rue d’Amay, in the quartier de l’Ile²⁸. A Thiry de Noville is thought to have built it on the lands he purchased in 1544.

What is more, this researcher’s work has enabled us to compare two different and complementary approaches, one based on the archive sources’ analysis and the other one on the archeological sources’ analysis. Indeed, recent archeological investigations²⁹ reveal that the construction “could not free itself from the older division into plots³⁰”.

The database’s exploitation has already allowed a better knowledge of the structure of the islet on which the building in question is to be found. The material’s nature involves indeed, in order to get results, taking a large number of deeds into account, regarding the whole district: in the *registres aux oeuvres*, “the land in itself is not described, but rather the generations of owners that followed each other in the payment of the buildings’ annuity, which are considered as properties, according to the law of Liège³¹”. A property is only

²⁶ MARCHANDISSE (A.), *Les lendemains des guerres burgondo-liégeoises du XV^e siècle*, in *Actes du Colloque Lendemain de guerre... Réflexions sur « l'après » de l'Antiquité au monde contemporain : les hommes, l'espace et le récit, l'économie et le politique*, Université de Cergy-Pontoise, 9-11 octobre 2008, sous la direction de V. Toureille et F. Pernot, in press.

²⁷ Various archaeological works, which are now carried out by the “Service de l’Archéologie” of the “Service Public de Wallonie” in the province of Liège, take information from the data base.

²⁸ COURA (G.), *Liège / Liège : premiers pas du mariage entre Archives et Archéologie, la reconstitution du parcellaire médiéval et moderne autour du « Seigneur d’Amay »*, in *Chronique de l’Archéologie wallonne*, Namur, 2008, t. 15, pp. 143-148.

²⁹ BOLLE (C.) & LÉOTARD (J.-M.), *Liège / Liège : le « Seigneur d’Amay » dévoile ses secrets*, in *Chronique de l’Archéologie wallonne*, 2006, t. 13, pp. 141-144.

³⁰ « [La Maison du « Seigneur d’Amay »] n’a pas pu se libérer du parcellaire plus ancien » (COURA (G.), *Liège / Liège : premiers pas du mariage entre Archives et Archéologie, la reconstitution du parcellaire médiéval et moderne autour du « Seigneur d’Amay »*, p. 143).

³¹ « (...) ce n’est pas le terrain en lui-même qui est appréhendé mais les générations de possesseurs qui se sont succédé dans le paiement des rentes grevant les immeubles, ces dernières étant considérées, en droit liégeois, comme biens immobiliers » (COURA (G.), *Liège / Liège : premiers pas du mariage entre Archives et Archéologie, la reconstitution du parcellaire médiéval et moderne autour du « Seigneur d’Amay »*, p. 143).

mentioned in the register books when it is the subject of a transaction and some of these properties are only known to us through transactions that inform us of their existence without regarding them directly. On the basis of the place names which are mentioned, a number of documents have been selected. One of them, from 1456, describes a developed site whose front is located on “Rue d’Amay” and which crosses the district widthwise. This developed site, as several constructions in the vicinity, was destroyed in 1468. It was still not rebuilt in 1477. However, its evolution after the first fifteen years of the 16th century is hard to follow, since the accurate reading of the register books regarding these few decades is not yet completed. The results that were obtained through the partial reading of this period and other collections’ contribution³², have enabled Mrs Geneviève Coura to complete the inquiry by a few elements. Thus, she has been able to put forward several deeds. One of them, coming from the *registres aux oeuvres*, from 1535, mentions a plot whose characteristics recall those of the house already mentioned in 1456. Others inform us of different lands located at this place and purchased by Thiry de Noville, and we still have to demonstrate the filiation of one or several of these plots with the one from 1456. Having said that, an obvious continuity exists between the plot mentioned in 1535 and the one mentioned in 1456. The city seems to have retained at this place its aspect from before 1468. The comparison of the diagrams obtained from this analysis with the cadastral map of 1827 and the modern cadastral maps shows that, in this part of the city, the medieval division into plots will be perpetuated “not only until the 19th century, but above all until today³³”.

Conclusion

The computer tool developed by this project makes easier access possible to the *registre aux oeuvres*. Originally created to make up for the absence of place names tables, it has proved to be useful within the framework of very varied studies. Besides, it would be interesting to repeat this experiment by recording the deputy archives of other cities in the principality (Huy, Dinant...). The accumulated data about Liège could be completed by those from several places. This would enable us to bring some new elements to our knowledge of these cities as particular entities, but also to our knowledge of the city network to which they belong. To conclude, I would say, as far as the historical research is concerned, that the contribution of sources which were not or hardly ever used until now, is of course an excellent

³² Archives de l’État à Liège, Échevins de Liège, *Convenances et Testaments*, registre 39 ; Archives de l’État à Liège, Abbaye du Val Benoît, *Payements des cens, rentes et trescens*, registres 74 à 92.

³³ COURA (G.), *Liège / Liège : premiers pas du mariage entre Archéologie et Archéologie, la reconstitution du parcellaire médiéval et moderne autour du « Seigneur d’Amay »*, p.148.

means of exploring new avenues or renewing our opinion on those we already knew. I hope, very modestly, to contribute to the knowledge of the past of the city of Liège.