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## **Chains of documents: financial provisions for widows in the wills of the lower-middle classes in early modern Italy (Turin, second half of the 18th century)**

Beatrice Zucca Micheletto

Wills are a fundamental source in social and economic history. In French and Italian historiography, they have been used to study the history of mentality and the ways in which in the past individuals perceived and thought about death, or as sources to study the history of the family, investigate the choices made by testators in terms of heirs and beneficiaries, and in relation to charitable provisions.<sup>1</sup> In recent years, this type of source has been studied from a gender perspective, identifying different behaviours and attitudes displayed by male and female testators.<sup>2</sup>

In the extensive literature on the subject, wills are now established as a source which must be appropriately contextualised. In the first place, in order to understand their use and dissemination – or non-dissemination – in specific social and economic contexts, we need to take into account the local laws and customs which regulated *ab intestato* (i.e. intestate) successions. As Anna Bellavitis has said: "le testament est, par définition, un acte de liberté, qui s'oppose à la contrainte des normes sur la succession *ab intestato*".<sup>3</sup> From this perspective, since individuals were under no obligation to draw up a will, their use allows us to investigate the succession practices of those who, for whatever reason, decided to deviate from the rules, ignoring them or introducing particular changes, or even filling in their gaps. Secondly, again in terms of context, when using wills, we must give due weight to gender - that is whether the testator was a man or a woman -, to the testators' family and economic context, their social and marital status, the time of their lives when the will was drawn up, whether there were any children and how many of them were minors. That is why wills must be read "comme une déclaration d'intentions et comme l'expression de circonstances précises de la vie de quelqu'un et pas comme la preuve de ce qu'était la réalité des transferts des biens d'une

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<sup>1</sup> Ariès, Philippe, *Essais sur l'histoire de la mort en Occident du Moyen Âge à nos jours*, Paris, 1975; Michel Vovelle, *La mort et l'Occident: de 1300 à nos jours*, Paris, Gallimard 1983; Cohn, Samuel K., *Death and property in Siena, 1205-1800: strategies for the afterlife*, Baltimore: John Hopkins University Press, 1988; Sandra Cavallo, *Charity and power in early modern Italy. Benefactors and their motives in Turin, 1541-1789*, Cambridge, CUP, 1995; Gianna Lumia-Ostelli, "Morire a Siena: devoluzione testamentaria, legami parentali e vincoli affettivi in età moderna", *Bullettino senese di storia patria*, 103, 1997, pp. 103-285.

<sup>2</sup> Sandra Cavallo, "Proprietà o possesso? Composizione e controllo dei beni delle donne a Torino (1650-1710)", in Giulia Calvi, Isabelle Chabot, (eds.): *Le ricchezze delle donne. Diritti patrimoniali e poteri familiari in Italia (XIII-XIX secc.)*, Torino, Rosenberg & Sellier, 1998, pp. 187-207; Giovanna Benadusi, "Investing the riches of the poor: servant women and their last wills", *American Historical Review* 109, 2004, pp. 805-826.

<sup>3</sup> Anna Bellavitis, *Famille, genre et transmission à Venise au XVI<sup>e</sup> siècle*, Rome, École Française de Rome, 2008, p. 94.

génération à l'autre".<sup>4</sup>

This article "intensively" uses 28 wills, left by craftsmen and small traders in the second half of the 18<sup>th</sup> century, in order to investigate what testamentary dispositions and financial arrangements had been made for their widows, what position these latter were granted as heirs and /or beneficiaries and how the issue of the return of their dowries and personal property was handled by husbands. On the one hand, my analysis will confirm inheritance patterns that have been already highlighted by research in other Italian socio-economic contexts, during the early modern and the modern age. On the other hand, it will reveal that husbands belonging to lower-middle classes were often hesitant about the return of the dowry to the widow.

In the countries of southern Europe strongly influenced by Roman law, the marital economy was based on the separation of assets: brides brought into their new families a dowry which, although managed by their husbands during their married lives, remained their property. In fact, this asset had to be repaid to widows by their husbands' heirs and was considered their means of support at this new stage of their lives. Research on the various Italian states has shown that dowries were regularly returned, with varying waiting times and through varying complex judicial procedures.<sup>5</sup> In Venice, for example, during the 16<sup>th</sup> century 'the procedure to return a

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<sup>4</sup> *Ibid.*, p. 97.

<sup>5</sup> Christiane Klapisch-Zuber, "La mère cruelle. Maternité, veuvage et dot dans la Florence du XIV<sup>e</sup> et XV<sup>e</sup> siècle", *Annales ESC*, 38-5, 1983, pp. 1097–1109; Giulia Calvi, "'Senza speranza di succedere': madri, figlie e Stato nella Toscana moderna (XVI-XVIII secc.)", in Giovanna Fiume (ed.), *Madri: storia di un ruolo sociale*, Venice, Marsilio 1995, pp. 157–173; Anna Bellavitis, *Famille, genre, transmission*; Isabelle Chabot, *La dettes des familles: femmes, lignage et patrimoine à Florence au XIV<sup>e</sup> et XV<sup>e</sup> siècles*, Rome, École Française de Rome, 2011 ; Maura Palazzi, "Female solitude and patrilineage: unmarried women and widows during the eighteenth and nineteenth centuries", *Journal of Family History*, 15, 1990, pp. 443–459; Cavallo, *Proprietà o possesso?*; Monica Parola, "Vedove e orfani a Torino nel periodo napoleonico", in Giulia Calvi and Isabelle Chabot (eds): *Le ricchezze delle donne* cit., pp. 257–274. Beyond inheritance issues, the bibliography on the economic and social roles of widows in pre-industrial societies is extensive and constantly expanding. Among recent publications see: Sandra Cavallo and Lynda Warner (eds), *Widowhood in Medieval and Early Modern Europe*, London-New York, Longman, 1999 (see also the bibliography); Judith Bennet, Amy Froide, *Single women in the European past 1250-1800*, Philadelphia, University of Pennsylvania Press, 1999; Scarlett Beauvalet-Boutouyrie, *Être veuve sous l'Ancien Régime*, Paris, Berlin, 2001; Beatrice Moring, "Widowhood options and strategies in pre-industrial Northern Europe", *The History of the Family. An international Quarterly*, 7-1, 2002, pp. 79–99; Nicole Pellegrin, and Colette Winn (eds): *Veufs, veuves, veuvage dans la France d'Ancien Régime*, Paris, Honoré Champion, 2003; Beatrice Moring, "Retirement contracts and the economics of widowhood in the Nordic countries", *Continuity and Change*, 21-3, 2006, pp. 383–418; Beatrice Moring, "The standard of living of widows: inventories as indicators of the economic situation of widows", *The History of the Family*, 12-4, 2007, pp. 233–249; Janine Lanza, *From wives to widow in Early Modern Paris*, Aldershot, Ashgate, 2007; *The History of the Family*, special issue *Widows and economy*, edited by Beatrice Moring, 15, 2010 (and bibliography); Jane Whittle, "Enterprising widows and active wives: women's unpaid work in the household economy of Early Modern England", *The History of the Family*, 19-3, 2014, pp. 283–300; Daryl Hafer, "Une femme d'affaire entre la Normandie et Paris", in Anna Bellavitis, Virginie Jourdain, Virginie Lemonnier-Lesage, Beatrice Zucca Micheletto (dir.): *Tout ce qu'elle saura et pourra faire. Femmes, droits, travail en Normandie du Moyen Âge à la Grande Guerre*, Mont-Saint-Aignan, PURH, 2015, pp. 87–91; Joanna De Groot, Isabelle Devos and Ariadne Schmidt, *Single Life and the City 1200–1900*, Basingstoke, Palgrave Macmillan, 2015; Beatrice Zucca Micheletto, "'Ha continuato a tenere fabbrica e negozio aperto': travail, propriété et relations sociales des veuves des maîtres entre pratiques et normes en Italie à l'époque moderne (Turin, XVIII<sup>e</sup> siècle)", *Obradoiro de Historia Moderna*, 24, 2015, p. 171–194; Beatrice Moring and Richard Wall, *Widows in European economy and society 1600-1920*, Boydell Press, 2017.

dowry was complex but effective', especially in the case of merchants' wives, whose dowries were generally invested in their husbands' commercial companies<sup>6</sup>. In the case of craftsmen's families, husbands would also provide a counter-dowry or in any case a sum that their widows would receive together with their dowries in order to ensure her financial support.

My analysis will show that in the second half of the 18<sup>th</sup> century in Turin, in a context characterised by frequent economic crises and social tensions in the world of work, the return of dowries was not a foregone conclusion. Husbands were reluctant to return the dowry, despite this was mandatory by law. Furthermore, they were even trying to bypass the reimbursement through specific provisions contained in their wills.

Explanations of these behaviours become clear if we adopt a specific methodology that considers wills as links in wider documentary chains which can be reconstructed by bringing together different notary deeds belonging to the same social and economic context, and, when possible, related to the testator's life and family. This is particularly significant for the lower-middle classes, about whom it is often very difficult to find the detailed information that is useful for deciphering the logic of their behaviors. In this perspective, in this research I will correlate the analysis of wills with notarial deeds known as *alienazioni dotali* (divestments of dowry), whose aim was to obtain money in cash and invest it in the family business. These documents bring out the widows' central economic role in the family-run commercial enterprises of Turin's craftsmen and small traders. Especially they provide evidence of the double contribution of widows (and therefore of wives) in the family business as *workers* and *owners* at the same time<sup>7</sup>. In turn, this allow us to better understand the meaning of some testamentary provisions, and in particular the uncertainty faced by husbands when dealing with the problem of returning their wives' dowries: for many, removing the dowry would have meant they could no longer continue to trade. Through their wills, therefore, husbands were trying to ensure the survival and the continuity of the family business, especially when there were children born in the marriage. In this way, the case of Turin analysed in this article provides an original and useful methodological and interpretative perspective of attitudes and behaviors of lower-middle classes people that can be applied also for other social and historical contexts.

The first section presents the rules and customs governing the transfer of assets in Piedmont, in

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<sup>6</sup> Anna Bellavitis and Beatrice Zucca Micheletto, "Introduction. North versus South – gender, law and economic well-being in Europe in the fifteenth to nineteenth centuries", in Anna Bellavitis and Beatrice Zucca Micheletto, *Gender, law and economic well-being in Europe from the fifteenth to the nineteenth century. North versus South?*, London-New York, Routledge 2019, pp. 1-27, cit. p. 15.

<sup>7</sup> Angela Groppi, "A matter of fact rather than principle: women, work and property in papal Rome (eighteenth-nineteenth centuries)", *Journal of Modern Italian Studies*, 7-1, 1998, pp. 139-154; Beatrice Zucca Micheletto, "Only Unpaid Labour Force? Women's and Girls' Work and Property in Family Business in Early Modern Italy (Turin 18<sup>th</sup> century)", *The History of the Family*, 2014, 19/3, p. 323-340.

cases with a will and *ab intestato* (i.e. without a will). Then, with reference to the wills used in this research, all left by craftsmen and small businessmen, I will shed light on the aspects these wills intended to regulate, by bringing about changes in the customary inheritance rules. In the second and third paragraphs I will analyse the testamentary provisions, paying particular attention to the issues of the return of dowries and recognition of the widows' property (jewellery, clothing and everyday goods). In the fourth paragraph wills will be linked to divestments of dowry. The fifth paragraph, looking at wills once again, shows the importance of wives' work in family businesses and its recognition by their husbands in their wills. Finally, in the last paragraph, looking at two brief case-studies, I will attempt to understand to what extent marital provisions were followed by widows, and whether they could be bypassed or ignored by them.

## **1. Succession customs, norms and practices in Piedmont**

The rules governing succession in the Savoy state were brought together during the 18<sup>th</sup> century in the Royal Constitutions enacted by the king in 1723, 1729 and 1770.<sup>8</sup> Wills could be drafted in the presence of a notary and subsequently recorded in the notary's minutes ledger, or they could be handed to the Senate by the testator and kept there. In the first instance, the drafting of wills could take place in a notary's office or, if the testator's health did not permit it, in the home of the testator – who in fact, in these cases, was described as "sick" or "bodily sick" but "mentally sane". Moreover, when a will was drafted before a notary, the presence of seven witnesses was required by law, with five witnesses for the codicils (men only, a detail that is not made explicit by the norm but that is gathered from the wills themselves, where in fact women never appear in this role).<sup>9</sup> The rules governing the notaries' profession also stipulated that notaries could not receive or draw up any notarial deed, including wills, "without knowing the parties or these being introduced to them by trustworthy people, under penalty of five years in prison, and they will have to have the acts which they receive signed by both contracting parties, and by the witnesses, when they are able to write and, failing that, will have to mention this in the deed itself".<sup>10</sup> Notaries were also obliged to question testators about their willingness

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<sup>8</sup> The *Regie Costituzioni* first enacted by Victor Amadeus II in 1723 regulated the political, economic and religious life of all subjects and were the rules of reference for civil and criminal jurisprudence. Marco Viora, *Le costituzioni piemontesi. Leggi e costituzioni di S.M. il re di Sardegna, 1723, 1729, 1770*, Milan, Fratelli Bocca, 1928.

<sup>9</sup> In Roman law, a codicil is a testamentary provision used to modify, supplement or eliminate provisions made in a previous will.

<sup>10</sup> Felice Amato Duboin, *Raccolta per ordine di materie delle leggi, cioè patenti, manifesti ecc.. pubblicate sino all'8 dicembre 1789 sotto il felicissimo dominio della Real Casa di Savoia in continuazione ed a compimento di quella del senatore Borelli compilata dall'avvocato Felice Amato Duboin*, Turin, Marcio Tip., 1818-1869, tomo 7,

to make bequests to charitable institutions and to record their answers, even when they were negative. In addition, as soon as a notary received the news of a testator's death, it was his responsibility to inform any interested parties (i.e. heirs and beneficiaries) about the contents of the will.

In the Savoy state, there was then a second option, to deposit one's will in the Senate archive: "should anyone wish to make his will without making use of legal solemnities, he can write it himself or have it written as he wishes; and having completed it, he will personally have to appear before the Senate, and present it there, requesting the necessary testimonials to declare that to be the provision of his last will".<sup>11</sup> If the testator was infirm, it was the Senate's responsibility to send a Senator and the Secretary of the Senate to collect the will and register it, after receiving a doctor's certification attesting as to the testator's infirmity. It was then the Senator's responsibility to ascertain the identity of the testator, but also to check that he was "capable of judgement and of making his provisions".<sup>12</sup> Upon the testator's death, the will was opened *ex officio* and a copy given to those who requested it.

In the Savoy state, and among non-noble social groups, the mechanisms of inheritance were governed by norms and customs of a different nature (and often in contradiction with each other). On the one hand, the customary norms derived from Roman law and the subsequent medieval reworking and interpretation (known as *ius commune*), allowed the egalitarian inheritance of assets between sons and daughters. On the other hand, the city's statutes, later on also included in the Royal Constitutions, established that the inheritance of an estate should take place according to a patrilinear and agnatic criterion, thus favouring the family's male line. In an *ab intestato* succession, any sons would be their father's heirs; if there were no sons, the testator's mother would be his heir. In particular, at the onset of a succession, any daughters who were already adequately endowed, or who had been promised an adequate dowry, were totally excluded from their father's inheritance, including the payment of the reserved share alone. Identifying the dowry with the reserved share, with the subsequent exclusion of daughters from any other hereditary claim, became explicit in the first decades of the 18<sup>th</sup> century. The Royal Constitutions of 1723 stipulated that any endowed daughters could be excluded from their father's reserved share only following their father's specific testamentary provision. Later on, the Royal Constitutions of 1729 went further, removing any reference to a paternal will, while it was explicitly stated that, "in order to preserve the condition and dignity of families" daughters who had received a dowry, or a promise of adequate dowry (i.e. suitable

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volume 9, libro 6, p. 161, note 1.

<sup>11</sup> *Ibid.*, p. 158.

<sup>12</sup> *Ibid.* p. 159.

and appropriate to the position of their family of origin), were excluded from both paternal and maternal hereditary line.<sup>13</sup> Clearly, these rules were intended primarily to regulate the succession in families of the upper social classes but, as we shall see shortly, they also had a wide-ranging impact on the ways in which the lower-middle classes made provision for their heirs in their wills. The exclusion of women from inheritance by virtue of their dowries was a principle that remained valid throughout the early modern era. During the 19<sup>th</sup> century it was summarised in the formula *exclusio propter dotem*.

As regards the rules of inheritance between spouses, husbands and wives could not name each other as sole heirs but only as respective usufructuaries of the inheritance, "when the testators have children or descendants from their marriage, or from another".<sup>14</sup> In this context, therefore, people would resort to a will when they intended to modify or deviate from some of the above-mentioned rules in order to introduce any differences or specific alterations within the general agnatic succession line (for example, to favour one child over the others) or with a view to protecting minor children, when there were any. In other instances, special legacies to individuals who would not otherwise be included in the succession line and whom the testator wished to recognise can explain the need to resort to a notary.

In this research project, the starting point is a set of 28 wills drawn up by craftsmen and small traders from Turin, engaged in very common activities and trades in 18<sup>th</sup>-century Turin: five shoemakers, four bakers, three wigmakers, two spirit distillers, a ribbon maker (*bindellaio*), two bread-oven owners, two food merchants (a sausage maker and a food retailer), a baker/ bladesmith, a baker/grain seller, a hosier, a hat manufacturer and merchant, a tailor, a weaver, a leather merchant, a goldsmith and a grain seller. The trade is not necessarily gleaned from the notarial deeds; in fact the language is often generic (so, for example, a shop or activity are mentioned without going into detail). The 28 wills used in this article were selected by using name-based research in Turin's notarial archives (which have alphabetical listings), starting from a wider sample of craftsmen and small traders used for a previous work of mine devoted to the lower-middle classes in the city of Turin. In that research I had started from a wider list of craftsmen and small traders whose names and crafts I knew and who appeared as witnesses in the *processicoli matrimoniali* of the parish of Saints *Processo* and *Martiniano* between 1740

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<sup>13</sup> *Ibid.*, *Delle eredità che si differiscono ab intestato*, tomo 7, volume 9, libro 6, pp. 212-218 and *Della successione degli agnati, ed esclusione delle femmine*, tomo 7, volume 9, libro 6, pp. 218-267; *Della legittima*, tomo 7, volume 9, libro 6, pp. 191-193; AST, I sez., Materie Giuridiche, Costituzioni a stampa, vol. I, *Regie Costituzioni*, 1723, book V, tit. XIII, *Delle rinunzie delle femmine dotate e de' minori*, pp. 578-580. See also Marco Viora, *Le costituzioni piemontesi. Leggi e costituzioni di S.M. il re di Sardegna, 1723, 1729, 1770*, Milan, Fratelli Bocca, 1928, p. 221.

<sup>14</sup> Duboin, *Raccolta*, tomo 7, volume 9, libro 6, p. 159.

and 1780<sup>15</sup>.

In the wills considered here, all testators were married men, in either their first or second marriage, with the exception of one who was a widower. In this group, 12 out of 28 craftsmen appointed one or more sons as sole heirs, thus relegating their daughters – when there were any – to the roles of named heirs. In two cases the grandchildren (children of the firstborn son, still alive but "relegated" to the role of named heir) were named sole heirs together with the other sons of the testators. Apart from these cases, which overall conform to the criteria of agnatic inheritance, we then have two cases in which the daughters were made sole heirs, since there were no sons. This was the case of baker Antonio Maria Antonietta, who appointed his daughter Rosa, born from his first marriage, as sole heir (and a second daughter as named heir);<sup>16</sup> and of leather merchant Guglielmo Michele Seren, who in 1775 in his will appointed his two daughters as sole heirs.<sup>17</sup> With the exception of spirit distiller Lorenzo Gazzola, who was already a widower at the time his will was drafted, in this first group of wills widows were always named heirs, both as simple legatees of a sum of money, and as usufructuaries of the inheritance.

In line with the inheritance rules mentioned above, in six cases the lack of any children born from the marriages allowed widows to be named as sole heirs. To these we must add the case of bread-oven owner Martino Maccario, who in 1763 appointed his widow Giuliana Maria and his sister Caterina Maccario as his sole heirs "in equal parts". Furthermore, his wife was also named usufructuary heir of his entire inheritance for the duration of her life, provided she kept with her Martino's sister to whom food and clothing had to be provided "hoping that she would continue to behave as a mother to her as she did in the past" (a remark which allows us to guess the reasons behind this arrangement in his will).<sup>18</sup> Moreover, three wills seem to want to set a waiver from the rule governing succession between relatives: Matteo Christiglio, *rettagliatore* (i.e. food retailer), in his will of 1768 appointed his widow as sole heir together with his three sons (each therefore received a quarter of the entire inheritance) and usufructuary heir of his entire inheritance provided that she remain a widow. For his part, Mattia Richiard, hat maker, in 1745 appointed "his beloved consort" as sole heir, provided that she return to Termignon, their village of origin, and continue to live with the three children born of their marriage, at the time still minors, and named as recipients of reserved shares only.<sup>19</sup> Similarly Gio Batta Martinone, shoemaker, named his widow Caterina as his sole heir, leaving his adult children 50

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<sup>15</sup> The *processicoli matrimoniali* were set up by the catholic authorities as declarations certifying the free status of the bride and of the groom (their celibacy or widowhood), and therefore their eligibility to marriage.

<sup>16</sup> AST, sez. riun., *Insinuazione di Torino*, a. 1760, l. 5, ff. 613v-614v.

<sup>17</sup> *Ibid.*, a. 1775, l. 5, ff. 893r-894v.

<sup>18</sup> *Ibid.*, a. 1763, l. 5, ff. 320r-320v.

<sup>19</sup> *Ibid.*, a. 1768, l. 9, ff. 19r-20r; *Ibid.*, a. 1745, l. 11, ff. 113r-114v.



*lire* each.<sup>20</sup> Finally, in two cases, the lack of any children was not enough to persuade the testators to appoint their wives as sole heirs: in fact, bread-oven owner Gio Giacomo Bonadé Bottin named his brother, while spirit distiller Ignazio Rosso appointed his two brothers.<sup>21</sup> The widows of these two craftsmen received a legacy "in goods, clothing and 300 *lire*" and a legacy of 400 *lire* and the usufruct of the entire inheritance respectively. The wills do not allow us to glean the reasons for these choices, but they nevertheless reveal an attempt by the testators to adhere to the principle of agnatic inheritance.

## 2. Returning the dowry

What were the testamentary provisions concerning widows? And consequently, what were the life and economic prospects that husbands, at least in theory, gave them through their wills? In order to answer these questions, it should be borne in mind that the return of the dowry was a fundamental issue.

As is well known, in countries under Roman law, a dowry was indispensable to women from all social classes in order to enter into marriage. There is a wealth of literature on the subject, but here it is sufficient to remember that a dowry, paid or at least promised at the time of marriage, was and remained a woman's property, but was administered by her husband during their married life and was, at least formally, intended to bear the burdens of family life. Only upon the death of her husband, did a widow have the right to recover her dowry from her husband's heirs.<sup>22</sup> In Turin a dowry, almost always a sum of money, was added to by a woman's husband, who set aside an *augmentum dotis* equal to a quarter (or, occasionally, a third), which became to all intents and purposes part of the dowry capital to be returned to his widow. In addition, according to Piedmontese rules, a widow was entitled to be supported by the sole heir for a year after the death of her husband and in any case until all the dowry capital had been repaid.<sup>23</sup>

The craftsmen's wills analysed in this paper show the extent to which, in 18<sup>th</sup>-century Turin, there was a disconnect between the norms and the testators' wishes, since it is clear from the

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<sup>20</sup> *Ibid.* *Notai di Torino*, vol. 2774, ff. 297r-302v

<sup>21</sup> *Ibid.*, *Insinuazione di Torino*, a. 1780, l. 8, ff. 1420r-1421v; *Ibid.*, a. 1771, l. 11, ff. 963r-966v. It is interesting to note that Ignazio Rosso had his will drawn up together with that of his wife, in the same notarial deed. His wife appointed her husband as sole heir, while her husband appointed his two brothers as sole heirs.

<sup>22</sup> On dowries in Italy: *Clio. Histoire, Femmes et Sociétés*. "Femmes, dots et patrimoines", 7, 1998, edited by Angela Groppi and Gabrielle Houbre; *Quaderni Storici*, "Gestione dei patrimoni e diritti delle donne", edited by Renata Ago and Angiolina Arru, 98, 1998; Beatrice Zucca Micheletto, *Travail et propriété des femmes en temps de crise (Turin XVIIIe siècle)*, Rouen, PURH, 2014 (and cited bibliography).

<sup>23</sup> Duboin, *Raccolta, Dell'inventario legale*, tomo 7, volume 9, libro 6, p. 207.

documents that the return of her dowry to a widow was by no means a foregone conclusion. As required by law, a husband-testator stated generically that he "recognised the rights of his wife as far as her dowry was concerned" but in almost all cases there was no mention of the timing and manner of its return, nor was it made clear how much the dowry capital amounted to. A formal recognition of his wife's property rights, in fact, did not imply the return of her dowry into a widow's hands, and her consequent right to dispose of it as she pleased. In its place, husbands proposed a variety of solutions: a widow could be named heir of a simple legacy, usufructuary heir or even sole heir. Particularly relevant for its implications on a woman's life, was in this context the appointment of a widow as *usufructuary heir*, a situation which, whether she liked to or not, implied remaining a widow. The extent and number of constraints placed on usufructs varied according to the will and in particular to the presence or absence of children. Shoemaker Luigi But and baker Giuseppe Antonio Martini, for example, in their wills of 1760 and 1771 respectively, limited themselves to appointing their widows as usufructuary heirs (only, of course, if they remained widows), without giving any further instruction if they remarried or did not want to accept the usufructs.<sup>24</sup> For his part, spirit distiller Ignazio Rosso left his widow a legacy of 400 *lire* and the usufruct of the entire inheritance, and, on the assumption that if she remained a widow, recognised her broad authority "to manage the aforementioned shop and source the product and sell it without any formal judgement and as she deemed best".<sup>25</sup> In addition, in the case of a sale, the capital obtained would go to her usufruct without any obligation to account to anyone and without the need to take stock. Similarly, *bindellaio* (ribbon manufacturer) Rocco Marengo left his widow Felicita 1,550 *lire* as legacy "in full ownership and availability" as well as "clothes and jewels in her property", appointing her as usufructuary heir and guardian of their children. He also specified that the 1,550 *lire* could be taken by Felicita immediately after his death and without any formalities "out of the funds of 2,000 *lire* which he had placed as security in the ribbons shop managed by her" and that no one could ask his widow to account for this. He added that "since this testator's legacy remains very small and insufficient to support just one person, he wants Felicita to be able to take advantage of the entire inheritance of this testator as usufructuary and to manage as she sees fit the remaining fund which, the said 1,550 *lire* and the expenses of his final illness once deducted, will still remain in the shop as long as she provides his sons and daughters with the food and clothing they need during the usufruct".<sup>26</sup>

In other cases, the constraints placed on usufruct were stronger: Gio Antonio Quagliotto, for

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<sup>24</sup> AST, sez. riun., *Insinuazione di Torino*, a. 1760, l. 11, ff. 642v-643v; *Ibid.*, a. 1771, l. 7, ff. 129r-130v.

<sup>25</sup> *Ibid.*, a. 1771, l. 11, ff. 963r-966v.

<sup>26</sup> *Ibid.*, a. 1770, l. 7, ff. 781r-783r.

example, a Turin swordsmith and baker, appointed his wife as usufructuary and guardian of his minor children, provided that she remain a widow and above all that she keep her dowry as part of the inheritance capital.<sup>27</sup> Likewise, Marco Bajetto, baker and grain merchant, appointed his wife usufructuary of the entire inheritance and guardian of his minor children, provided that she leave her dowry as part of the inheritance capital. He also entrusted her with the management of his shop, with the constraint that if it were sold, this would take place only with the consent of her two brothers-in-law, who were also bakers.<sup>28</sup> For her part, Anna Maria, widow of shoemaker Ottavio Bordogna, in order to enjoy the usufruct, had to continue to live with his sole heir – an adult son of the couple – "but remain a widow and a chaste woman [...] and, in case of cohabitation with the sole heir, leave her dowry and dowry assets as part of the inheritance".<sup>29</sup>

What if a widow could not (or did not want to) comply with these constraints? In this case, too, the husbands' wishes could be expressed in a variety of ways: as previously mentioned, in some cases testators gave no indication as to possible alternative solutions, while in others they envisaged a *one-off* payment as a legacy. Shoemaker Ottavio Bordogna, for example, mentioned above, stated that if the cohabitation between his widow and his sole heir could not continue, the former would receive a 4,000-*lire* usufruct, a sum invested in the *Monti* of St. John the Baptist whose income would ensure her financial support for the rest of her life "with the option for her to demand them freely without intervention of the sole heir himself ... and with the said usufruct of 4,000 *lire* lasting for her natural life whilst she remained a widow".<sup>30</sup> Likewise, the widow of Gio Ludovico Tinetto, a wigmaker, was required to live with her children but if she chose not to, and only as a widow, she would still receive an annuity of 400 *lire*.<sup>31</sup>

The financial arrangements made for widows therefore depended directly on their husbands' wishes, as expressed in their wills, and not on specific legal rules. Beyond the variety of situations, these testamentary provisions, which were aimed at the protection of children and family businesses, ultimately resulted in making widows give up recovering their dowries, and as such the opportunity of disposing of it as they wished. In this way their dowries were passed on to their children as part of their inherited estate, with the widows unable to dispose of it otherwise. Last but not least, the husbands' wills tended to discourage their widows from

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<sup>27</sup> *Ibid.*, a. 1769, l. 12, ff. 793r-794r. From another notarial deed we learn that the dowry, established in 1757, amounted to 176 *lire* and her trousseau was worth 100 *lire*. *Ibid.*, a. 1781, l. 4, ff. 1524r-1527r.

<sup>28</sup> *Ibid.*, a. 1746, l. 10, ff. 2v-4v.

<sup>29</sup> *Ibid.*, a. 1752, l. 6, ff. 713r-714v.

<sup>30</sup> *Ibid.*, a. 1752, l. 6, ff. 713r-714v.

<sup>31</sup> *Ibid.*, a. 1762, l. 1, ff. 947v-949v.

contracting second marriages, because obviously in this case, too, widows would need to recover and manage their dowries - which, as we have seen, remained included in the inherited estate. As we shall see later in the case of Domenica Rigoletto, the widow of Gio Antonio Quagliotto (see paragraph six), there still remained some room for manoeuvre. In fact, this obstacle could be overcome if a widow was able to find a spouse willing to accept as her dowry the entire business (in which her dowry was invested), including taking on any debts or credits and also protecting and respecting the succession rights of any minor children.

However, even in this landscape, there were husbands who were more willing to recognise women's property rights and also to contemplate the possibility of their widows re-marrying. Baker Bonadé Bottin, for example, left his widow a "legacy in assets, clothing and 300 *lire* for dowry reasons" <sup>32</sup> – although it is not at all clear whether this sum actually covered the capital paid out at the time of the marriage or whether it was an arbitrary figure, established by her husband, perhaps taking into account the amount of the inheritance. A will that explicitly mentions the return of the dowry is that of shoemaker Gio Spilman who declared that if his wife, Angela Eusebi Barata, did not continue to live with his sole heirs, they would be required to pay her the sum of 400 *lire*; they would also be required to return her dowry one year after his death (with a 4% interest), together with her *fardello* (trousseau).<sup>33</sup> On the other hand, Giacomo Faussone, a sausage maker, stipulated that in the event of his widow's second marriage his sole heir should return her dowry of 800 Milan *lire*, plus a legacy of the same value, since there was no notarial deed about the dowry and to avoid any future problems.<sup>34</sup> In addition, there were plenty of more liberal husbands, such as shoemaker Gio Batta Bordogna, who in 1770, in his will "wishing the said testator to give a sign of gratitude for the good company so far enjoyed from Teresa Gattone, his beloved wife, and so that she may have a decent income in her condition as his widow as she has no dowry" left her the usufruct of his entire estate "in the company of his above-mentioned children and sole heirs". He added that if his widow could not continue to live with her co-heirs, she would receive a quarter of the usufruct of his inheritance, whilst remaining a widow, while, in the event of a second marriage, "he leaves to her the sum of 500 *lire* as a dowry, in addition to all the clothes and lingerie intended for her use and wear and thanks to this his above-mentioned wife will be unable to lodge any further claim to the inheritance of said testator".<sup>35</sup>

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<sup>32</sup> *Ibid.*, a. 1780, l. 8, ff. 1420r-1421v.

<sup>33</sup> *Ibid.*, a. 1761, l. 1, ff. 661r-666v.

<sup>34</sup> *Ibid.*, *Notai di Torino*, Vol. 5168, ff. 137r-139r.

<sup>35</sup> *Ibid.*, *Insinuazione di Torino*, a. 1770, l.1, ff. 875r-877v.

### 3. The assets used by widows

The testamentary arrangements also concerned the jewellery, clothes and linen that women had at their disposal at the time of their husbands' death and which were clearly held separately from the whole of the inheritance. Where did these goods come from? What was their status? In Turin a dowry was in theory supplemented by a trousseau (*fardello* in Piedmontese) which included items of various kinds, usually women's clothes, fabrics, but also accessories and jewellery and more rarely a bed and blankets. Trousseaus were women's property but subject to the same rules as dowries. However, as I have shown in my research, often these assets were kept separate from the dowry assets and not subject to their jurisdiction, as they were the result of a bride's work or had been inherited from her family of origin. In other words, they were *paraphernalia*, a term used in the Roman legal tradition to designate the set of goods brought by a bride to her marriage for her personal and everyday use but owned and managed directly by her. To these her husband's gifts were added (usually jewellery), whose legal status, oscillating between property and possession varied according to the indications established by the groom in the dowry deed. This difficulty in defining exactly the legal quality of the goods available to women for personal use during their married life also emerges from the reading of wills; despite this, it was clear to testators that such goods could not be confused with the whole of the inheritance and that they had to be recognised as property of their widows and if necessary, also listed in detail.

According to the will of wigmaker Ludovico Tinetto, drawn up in 1762, his widow Maria Maddalena Marchisia would have full ownership of "clothes, linen, jewellery, rings (...) and any other goods in her possession for her own use and ornament at the time of the testator's", even if she were to re-marry. Similarly, baker Antonio Maria Antonietta declared he left as legacy to his second wife Isabella Cherasca "all the gold, silver, clothes and lingerie destined to her use and wear, that is to say in her full ownership".<sup>36</sup> Grain merchant Marco Bajetto, for his part, left his widow all the clothes she had for her own use "as well as the jewels that presently she enjoys, despite the fact that they are much more valuable than what was included in her dowry deed", also establishing that she would no longer be able to demand any compensation for such jewels ("as a consequence of this, his above-mentioned spouse can no longer claim the price of jewels mentioned in the said deed").<sup>37</sup> For his part, Gio Spilman left his wife "lingerie and clothing", "a bed with a mattress and a straw bed to her disposal", six

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<sup>36</sup> *Ibid.*, a. 1760, l. ff. 613v-614v.

<sup>37</sup> *Ibid.*, a. 1762, l. 1, ff. 947v-949v; *Ibid.*, a. 1746, l. 10 ff. 2v-4v.

pairs of linen sheets and the sum of 400 *lire* in cash.<sup>38</sup> This precision in listing goods, clothes and jewellery used by widows and explicitly recognised as their property is in sharp contrast with the great vagueness concerning the reimbursement of dowries. Sandra Cavallo, studying Turin's elite social groups, has observed that during the 18<sup>th</sup> century husbands began to leave as legacy to their widows jewels and other types of goods that were supposed to be passed on as inheritance to their heirs, explaining it precisely as an attempt by husbands to compensate for the fact that dowries would no longer be returned.<sup>39</sup> We might therefore wonder whether this explanation may also be valid for the lower-middle classes, during the second half of the 18<sup>th</sup> century, when, as we have seen from the wills, it seems that dowries were not easily repaid.

#### **4. Documents in context: wills and the divestment of dowries**

How can we explain the fact that the testamentary arrangements of Turin's craftsmen and traders tended to circumvent the problem of the return of dowries, considering that it was a right explicitly enshrined in law? These questions prompt researchers to broaden their investigation beyond wills and to seek answers by establishing logical and interpretative connections using other notarial deeds, and in particular, in this case, with the divestment of dowries.

I have described and studied the divestment of dowries in several articles in recent years, so I will confine myself here to making brief comments, especially with the specific aim of explaining how these documents are useful to the understanding of the husbands' arrangements.<sup>40</sup> By the term 'divestment of dowry' I mean a legal procedure whereby couples recover their dowry in cash and then use this to open or take over a business activity, to supply their shop or business or to pay off their debts. In a previous study, I listed and analysed in detail 188 dowry divestment processes carried out in Turin between 1765 and 1780. Although it had been allowed since the 1720s, from the second half of the 18<sup>th</sup> up to the first half of the 19<sup>th</sup> centuries the use of divestment increased considerably, in conjunction with a deep social and economic crisis affecting the city of Turin and Piedmont. The divestment procedure ended with a court order and a notarial deed; this was a kind of receipt issued by the couple to the individual or individuals from whom they actually received the cash value of their dowry or from the buyer of their dowry assets (if these were houses, lands or public debt securities). At the same time, couples were required to use the money to pay creditors and thus in turn received a receipt

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<sup>38</sup> *Ibid.*, a. 1761, l. 1, ff. 661r-666v.

<sup>39</sup> Cavallo, *Proprietà o possesso?*

<sup>40</sup> Beatrice Zucca Micheletto, *Travail et propriété des femmes en temps de crise (Turin XVIIIe siècle)*, PURH, 2014, especially Chapter 3; Eadem, "À quoi sert la dot? Aliénations dotales, économie familiale et stratégies des couples à Turin au XVIII<sup>e</sup> siècle", *Annales de Démographie Historique*, 2011-1, p. 161-186.

of payment, formalised in a notarial deed.

These documents allow some of the motivations that drove couples to request a divestment to be reconstructed quite faithfully. Debt was undoubtedly their main concern: in most cases, it was a matter of debts incurred in starting, improving or stocking up a family-run business activity. The majority of couples therefore incurred debts with a supplier, wholesaler or craftsman whose shop they took over. A dowry was thus used by couples to secure access to the labour market or to remain in it, to start up a business activity or to furnish it with sufficient stock. By way of example, we can mention the case of Emanuele and Lucia Molo, who wished to open a tavern. With their dowry money they bought different items of furniture (a counter, a crockery cupboard, three tables and twelve chairs), coffee pots and other items in copper and clay to prepare and serve coffee, but also "25 pounds of coffee from the Levant" and "10 *rubbi* of sugar" from wholesale merchant Francesco Sellaro, who in turn, having received payment for the supplies, issued a receipt to the couple, also kept in the notarial deed of divestment.<sup>41</sup>

The deeds of dowry divestment show that the dowry brought by a bride at the time of her marriage was an important economic resource for the family, both in relation to the labour market and with respect to credit practices. Above all, the divestments testify to the fact that women's dowry assets were invested in the family shop or workshop, and it was often thanks to this capital that the business was started or well stocked. Of course, a dowry could be invested in the family business even without going through a dowry divestment process, but these specific documents offer concrete evidence of what a researcher can often only guess at through clues and hints scattered in documentation.

This evidence takes us back to testamentary practice and explains why the wills of craftsmen and small traders were prudent on the issue of dowry repayments, why they tried to settle the dowries with a lump sum (without there being a real correspondence between what was set out in the will and what had been given at the time of signing the dowry deed) and why some husbands even went so far as to tie the right of usufruct to a widow keeping her dowry as part of the inheritance if there were any children and/or continuing to live with the heirs. In such a context, in fact, returning a dowry to a widow, by taking it out of the business, would have meant seriously jeopardising the very existence of that business. The return of the dowry, therefore, although explicitly provided for by law, had to be avoided, extended indefinitely or settled with an agreed figure, just as Turin's testators tried to do. The arrangements made by husbands in the event of a second marriage went in the same direction: the latter were more or less openly discouraged. Above all, this strategy was implemented when there were children

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<sup>41</sup> AST, sez. riun., *Notai di Torino*, vol. 2754, ff. 476r-484r.

with the specific intention of protecting them, since, from a testator's perspective, a widow's capacity to ensure that minor children were financially supported and the capacity of any adult children to continue to provide for themselves (without this meaning that either would actually succeed) would depend upon the existence of the workshop. On the other hand, the fact that the dowry was invested in a craft or retail business also explains why, in the absence of children, craftsmen appointed their widows as their sole heirs (in fact going against the rule of agnatic succession): the family workshop or business activity had also – and above all – been established with their wives' dowry capital, and from this activity they should continue to draw their livelihood. In Turin, therefore, the presence of children was discriminating in the scenarios envisaged by testators, and this was to the detriment of widows both as owners – since in practice they lost control over their property – and as women who, despite still being young, were discouraged from re-marrying.

Similar dynamics have been observed in the South Tyrol, a region where the dowry system coexisted with other forms of marital economy. Recent research has in fact shown that during the 16<sup>th</sup> century the return of the dowry, provided for by law, was actually taking place: this allowed widows to re-marry and thus leave their (previous) marital homes. During the 18<sup>th</sup> century, however, the repayment of dowries – and consequent departure from marital homes – became increasingly rare even among farmers, since widows were appointed as usufructuary heirs, and they were asked to leave their dowry as part of the inherited estate, at least while the children were minors. According to the authors of this research, this situation took place in a context of great economic difficulty. Removing the dowry from the inheritance would have meant too great an economic effort for all family members: for the children but also for widows who would have had to leave their marital homes with insufficient means to ensure their survival. In other words, therefore, usufruct was a testamentary strategy that should have benefited all family members, but not in equal terms. As in Turin, in fact, this solution was inevitably at the expense of widows, who, as owners of their dowries, lost their right to dispose of it freely, with the further consequence that dowries lost their character as credits to be returned.<sup>42</sup>

## **5. A source to study the work of married women**

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<sup>42</sup> Margareth Lanzinger, 'Women and property in eighteenth-century Austria: separate property, usufruct and ownership in different family configurations', in Beatrice Moring (ed.), *Female economic strategies in the modern world*, Pickering and Chatto, 2012, pp. 145–193; Christian Hagen, Margareth Lanzinger and Janine Maeagraith, 'Competing interests in death-related stipulations in South Tirol c. 1350-1600', in Mia Korpiola and Anu Lahtinen, (eds), *Planning for death: wills, inheritance and property strategies in Medieval and Reformation Europe*, Leiden and Boston, Brill, 2018, pp. 88-118.



The notarial deeds considered so far allow us to go a step further and in particular they reveal that the contribution of wives to family businesses was made not only in terms of capital, but also in terms of tangible, real work. The work carried out by married women in the family business – not very visible in the documents – has long been ignored by economic historians, but its importance has now been recognised and revived by much research in feminist economics, in various European contexts. As far as Italy and France are concerned, for example, we can cite a number of publications edited in recent years by Anna Bellavitis, Manuela Martini and Raffaella Sarti, while Jane Whittle and Mark Hailwood have dealt with similar issues about England.<sup>43</sup> These studies have made it possible to reassess how important and widespread unpaid work done by family members within family-run businesses was, although the social and economic recognition of their contribution depended on the position and rank of each person within the family compared to the head of the household. In this perspective, wills are also a valuable source to document this type of work provided by wives/widows.<sup>44</sup> On the one hand, as we have seen, many husbands appointed their widows as guardians or tutors for their minor children and entrusted them with the management of their workshop, thus recognising their ability to take the business forward. On the other hand, the decision to appoint their wives as sole heirs, in the absence of any children born from the marriage, and disregarding the criterion of agnatic succession, was justified by testators with their desire to recognise and reward the work done.

In his will of September 1751, Gio Batta Martinone, shoemaker, left his adult children 50 *lire* each and named his wife Caterina as sole heir to his inheritance; this choice was justified by the fact that Caterina had always supported the family "with work and labour", especially through her assiduous work in her husband's shoemaker's workshop, and especially when the latter's health conditions had not allowed him to work.<sup>45</sup> As we have explained, it was also very likely that the woman had invested her dowry in the shoemaker's business. Another example is that

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<sup>43</sup> Manuela Martini, and Anna Bellavitis, (eds), Household economies, social norms and practices of unpaid market work in Europe from the sixteenth century to the present, Special Issue, *The History of the Family*, 19 (2014); Anna Bellavitis, Manuela Martini and Raffaella Sarti (eds), 'Familles laborieuses. Rémunération, transmission et apprentissage dans les ateliers familiaux dès la fin du Moyen Âge à l'époque contemporaines en Europe', Special Issue, *Mélanges de l'École Française de Rome – Italie et Méditerranée, MEFRIM*, 128-1 (2016); Raffaella Sarti, Anna Bellavitis and Manuela Martini (eds), *What is work? Gender at the crossroads of home, Family and business from the Early Modern era to the present*, Amsterdam, Berghahn Books, 2018; Manuela Martini, 'When unpaid workers need a legal status: family workers and reforms to labour rights in Twentieth-century France', *International Review of Social History*, 59 (2014), pp. 247–278. Jane Whittle and Mark Hailwood, 'The gender division of labour in early modern England', *Economic History Review*, 73(1), (2020) pp. 3-32; Jane Whittle 'A critique of approaches to 'domestic work': women, work and the preindustrial economy', *Past and Present*, 243(1), 2019, pp. 35-70.

<sup>44</sup> Beatrice Zucca Micheletto, "Only Unpaid Labour Force?"

<sup>45</sup> AST, sez. riun., *Notai di Torino*, Vol. 2774, ff. 297r-302v.

of wigmaker Giacomo Clemente who in his will of 1752 named his wife Anna Camilla as his sole heir "in gratitude for her labour and industry, always dispensed in the company of her husband the testator, and the [...] affection that she has always shown and shows to him, so that she may in her advanced age support herself and live honourably according to her status and situation."<sup>46</sup> The same situation occurred with baker Carlo Tommaso Pojano, who in his will of 1735 named his wife Maria Elisabet as sole heir in recognition of her "good company" and the fact that on her "continuous travails" depended "a large part of his surplus and savings".<sup>47</sup>

## 6. Husbands' wishes, widows' choices

One of the issues faced by a researcher dealing with testamentary practices is to understand to what extent the last wishes expressed by testators were respected by their heirs, or whether they remained "declarations of intent" instead. Thomas Kuehn observed that "studies based on testaments emphasize the strength of legal rules and moral obligations to bind heirs effectively to the testators' wishes".<sup>48</sup> However, numerous factors could intervene, first of all the fact that the testator himself could decide to modify the will with a codicil, or with another will (not necessarily found by the researcher). Wills could also be drafted several times, or modified with codicils, made necessary by changes in the composition of the family and as a result of internal fractures or simply in order to annul the restrictions imposed in a previous will. Kuehn himself also added that "in the law, heirs and legatees vitally had choices. They by no means always exercised them, but they had options. They could delay, try to ignore, or even on occasion openly contest in court provisions of wills or the very validity of them. If nothing else, they could 'walk away'".<sup>49</sup> In addition, circumstances in life, new opportunities or situations could prompt the heirs to deliberately alter the testamentary provisions, even several years after the opening of the will. Jean François Chauvard, for example, has discovered that in Venice during the 18<sup>th</sup> century the saleability of assets placed under the control of a trustee nominated in wills could be suspended at the explicit request of the heirs and with the authorisation of the institutions responsible.<sup>50</sup>

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<sup>46</sup> *Ibid.*, a. 1752, l. 5, ff. 845r-v.

<sup>47</sup> *Ibid.*, a. 1735, l. 1, ff. 241r-242r.

<sup>48</sup> Thomas Kuehn, *Heirs, kin, and creditors in Renaissance Florence*, Cambridge, CUP, 2008 (p. 12 of the paperback edition 2011).

<sup>49</sup> *Ibid.*

<sup>50</sup> Jean-François Chauvard, "Adaptabilité versus inaliénabilité. Les dérogations des fidéicommiss dans la Venise du XVIII<sup>e</sup> siècle", *Annales. Histoire, Sciences Sociales*, 2015, 4, 70<sup>e</sup> année, pp. 849–880. I thank Anna Bellavitis for this suggestion. From my research it seems that even in Turin during the 18<sup>th</sup> century heirs turned to the sovereign to remove the control of trustees appointed by their parents or ancestors in their wills.

But what happened for the lower-middle classes? And in our case in particular, how did widows react to their husbands' arrangements? This is a difficult issue to investigate, not least because of the lack of sources about the lower-middle classes, which make biographical reconstruction particularly difficult. It is, however, possible to gather some interesting clues from two cases for which I have additional information (obtained from other sources). They clearly show that widows had disregarded some of their husbands' wishes and had managed to carve out some room for manoeuvre, which, however limited, was in any case the expression of very specific choices. As we have seen, in October 1745 milliner Mattia Richiard had named his widow Caterina Flandinetta as his sole heir, with the task of having a *post-mortem* inventory drawn up, pay the reserved share to his sons and a dowry to his daughters. The woman could also freely keep and manage the money obtained from the sale of the goods "without the obligation of any book-keeping or accountability". All on condition that she return to Termignon, their community of origin, and continue to live with their children, who were still minors.<sup>51</sup> A subsequent document shows that this widow continued to manage the family business in Turin until in March 1749 she obtained from the court of the Consulate of Commerce authorisation to carry out her activities in Casale. In her plea the woman explained that from the death of her husband and for four years "she had continued to keep the workshop and shop open in this city" until "she had decided to move as she had done to the city of Casale to run the said hat shop there"<sup>52</sup> because of the losses and difficulties suffered in conducting the business in Turin. The women had also formed a company with Stefano Palloy, her former worker in Turin (and possibly her second husband).

The second case concerns Domenica Rigoletto, the widow of Gio Antonio Quagliotto, bladesmith and baker with a workshop in Turin. According to a procedure already explained in the previous paragraphs, in his will of 1769 Gio Antonio had appointed Domenica guardian of his minor children and usufructuary of the entire inheritance provided that she remain a widow and leave her dowry assets included in the estate ("in communion"). It was most likely the case that Gio Antonio's provisions were dictated by the need to preserve the integrity of the family shop (the oven) and to ensure that it was sufficient for the maintenance of his widow and children. However, the discovery of other notarial deeds related to the family has allowed us to discover that a few years later, in 1771, the widow re-married Alessio Rodes, a worker in the workshop when Gio Antonio was still alive.<sup>53</sup> According to the contract agreed between them,

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<sup>51</sup> AST *Insinuazione di Torino*, a. 1768, l. 9, ff. 19r-20r; *Ibid.*, a. 1745, l. 11, ff. 113r-114v.

<sup>52</sup> *Ibid.* *Consolato di Commercio, Registro dei Capellaj*, vol. 11, ff. 167r-169r.

<sup>53</sup> In fact, in the baker's inventory we read that Alessio Rodes and Giuseppe Teppati must be paid 21 *lire* "for their engagement as workers".

since the widow's children were still minors, Rodes "undertakes to manage and preserve furniture and items due to the Quagliotto children" described in the inventory, and undertook to pay the debts incurred by their deceased father and by Domenica "during the time of her widowhood and management and in support of the bakery business".<sup>54</sup> At the age of 14, the Quagliotto brothers would have to repay the sums paid by Rodes and the widow would have to show them the accounts of the business. This happened in January 1774, when they were summoned to the Court of Judgment. However, they did not agree with the management of their assets by their mother and second husband, and a dispute arose which lasted a few years and was ended by their mother's will of March 1781, which stated that those of her heirs who did not want to end the dispute and contested the will, would only receive the reserved share<sup>55</sup>. In this case, their mother's last will has the desired effect and in April 1781, shortly after the woman's death, Alessio Rodes was freed from any further administrative duty over the estate.<sup>56</sup> He also remained in possession of the workshop, which he was able to successfully run for more than twenty years, since he was still registered as a master craftsman with four workers and apprentices in the census of Turin's craftsmen in 1792.

These two cases clearly show that the husbands' provisions could be disregarded. At the same time, they show that the solutions envisaged by husbands were not always the most effective, even in terms of economic success. In fact, in both cases, widows reported their difficulties in carrying on with the family business, which seems to explain, at least in part, the choices made by them. So Caterina Flandinetta migrated to Casale and associated a former worker (and possibly her second husband) with the workshop, while Domenica Rigoletto went on to re-marry a former worker, taking her minor children to her new life. And while in the first case the lack of additional information does not allow us to understand what happened to the children, in the second case we must grant the protagonists the skills to negotiate and take on new challenges which are essential to carving out some room for manoeuvre. In fact, Domenica managed to reach an effective marriage agreement with her second husband, which allowed her to increase the fortunes of her workshop and not disadvantage her children, while we must give Alessio Rodes, her second husband, the merit of agreeing to take on the burdens of, and duties towards, Domenica's minor children, while at the same time moving from the position of simple worker to that of workshop manager.

## 7. Conclusions

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<sup>54</sup> *Ibid.*, *Insinuazione di Torino*, a. 1781, l. 4, ff. 1524r-1527r.

<sup>55</sup> *Ibid.*, a. 1781, l. 3, ff. 1139r-1140r.

<sup>56</sup> *Ibid.*, a. 1781, l. 4, ff. 1524r-1527r.

This article has used the wills produced by a group of Turin craftsmen and traders in the second half of the 18<sup>th</sup> century as the main source to study the financial treatment reserved for widows by their testator husbands. This has made it possible to show that the return of dowries, provided for by law, was by no means guaranteed in this specific context: in their last wills, in fact, husbands tended not to set out the timing and means of returning the dowry capital, while providing for flat-rate repayments for their widows, or forms of succession such as usufructs which forced them to leave their dowry assets as part of the inheritance estates. Further clauses were often added to these arrangements, which directly affected the lives of women such as the fact that the sums that husbands allocated to them were to be paid only if the women remained widows, or that the enjoyment of usufructs was tied to their cohabitation with the adult heirs. The use of complementary archival sources, and in particular dowry divestments, has subsequently shown that such wishes were understandable in view of the fact that very often the skills of wives had been used to purchase, start or stock the family business. Removing this capital to effect the repayment of a dowry would therefore have meant seriously endangering the very existence of this business, and would ultimately have damaged a widow's chances of ensuring the maintenance of her minor children – of whom she was often also tutor/guardian. On the other hand, a more in-depth archival research has made it possible to understand that the husbands' last wills were not always fully respected by widows, who in fact took the liberty of ignoring them by making completely different life choices.