

“ACTA EST FABULA, PLAUDITE!”
THE ROLE OF WOMEN IN LATE MEDIEVAL ENGLAND:
THE EVIDENCE FROM WILLS

A Master’s Thesis

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September 2009

Optimis parentibus

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The Institute of Economics and Social Sciences
of
Bilkent University

by

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In Partial Fulfillment of the Requirements for the Degree of
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in

THE DEPARTMENT OF
HISTORY
BİLKENT UNIVERSITY
ANKARA

September 2009

I certify that I have read this thesis and have found that it is fully adequate, in scope and in quality, as a thesis for the degree of Master of Arts in History.

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ABSTRACT

“ACTA EST FABULA, PLAUDITE!”

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M.A., Department of History

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September 2009

The purpose of this thesis is to provide an insight into the role and place of women in late medieval England through a qualitative and quantitative examination of 403 women's wills from 1300 to 1500. The sample used in this thesis is collected from different sources to establish a general profile of women from different regions of England as revealed by their distribution of property to wide range of relations formed within and outside the household. A woman's right to hold property, and in relation to this, her testamentary behaviour were affected by her marital status, class, and most especially, by her gender. Though disadvantaged under testamentary law, women used an official arena such as wills to control the way their modest wealth and property were distributed after death. Medieval women's wills were almost the only source in which women directly narrated their life stories, and by means of their

wills, late medieval English women provided for their souls, their family and also their friends. It is apparent from the evidence of their wills that women not only followed the characteristics attributed to their sex but that the act of will-writing also gave most women an opportunity to be autonomous and assertive. Thus, women distributed freely their personal possessions for the well-being of those who were important and dear to them at least when they were close to death.

Keywords: Gender, Women, Wills, Testatrices, Bequests, Beneficiaries, Late Medieval England

ÖZET

“ACTA EST FABULA, PLAUDITE!”

GEÇ ORTA ÇAĞ İNGİLTERESİ’NDE KADINLARIN ROLÜ:

VASIYETNAMELERE AİT BULGULAR

Mağıltaş, Naile

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Tez Yöneticisi: Yrd. Doç. Dr. David Thornton

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Bu tezin amacı, 1300 ve 1500 yılları arasında yazılan 403 kadın vasiyetnamesinin nitel ve nicel analiziyle, Geç Orta Çağ İngilteresi’nde kadınların rolü ve yerinin açığa çıkarılmasıdır. Bu tezde çeşitli kaynaklardan toplanarak kullanılan örnekler aile içinde ve aile dışında kurulan ilişkiler doğrultusunda yapılan mal dağıtımı ışığında, İngiltere’nin farklı bölgelerinden gelen kadınların genel bir profilini oluşturmak amacındadır. Bir kadının medenî hali, sınıfı, ve özellikle de cinsiyeti mal ve mülke sahip olma hakkını, ve buna bağlı olarak vasiyetinin içeriğini etkilemiştir. Vasiyet kanunu altında dezavantajlı olmalarına rağmen, kadınlar ölümlerinden sonra mütevazı servet ve mallarının dağıtım şeklini kontrol etmek için vasiyetnameler gibi resmi bir sahayı kullanmışlardır. Orta Çağ kadınlarının vasiyetleri kadınların hayat hikayelerini doğrudan anlattıkları neredeyse tek kaynaktır ve Geç Orta Çağ İngiliz kadınları vasiyetnameler vasıtasıyla hem kendi

ruhlarının hem de aile ve arkadaşlarının ihtiyalarını gidermiřlerdir. Kadınların sadece kendi cinsine atfedilen zellikleri takip etmedikleri, aynı zamanda da vasiyet yazımının bir ok kadına bağımsız ve girişken olma fırsatı sunduğı vasiyetnamelerdeki bulgulardan açıktır. Nitekim, kadınlar lme yakınken kiřisel mallarını kendileri iin nemli ve kıymetli olan insanların refahı iin zgrce dağıtmıřlardır.

Anahtar Kelimeler: Cinsiyet, Kadınlar, Vasiyetnameler, Kadın Murisler, Miras, Lehdarlar, Ge Orta ağı İngilteresi

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CHAPTER I

INTRODUCTION: MEDIEVAL WOMEN AND WILLS

In the name of God Amen the 12th day of January 1473 I Ricardina Mose, wife of Robert Mose of Northampton, Lincoln diocese, about to die express my last will in this form. First I bequeath my soul to Almighty God, to the Blessed Virgin Mary Mother of Christ and all the saints in heaven above, my body to be buried in the cemetery of the church of All Saints in the town of Northampton below the chapel of St George in the same church. Item I bequeath to the high altar of the said church 12d. Item I bequeath to the fraternity of St John in the same church 12d. Item I bequeath to the fraternity of St Michael in the church of St Michael in the town of Northampton 8d. Item I will and give to the chapel of Corpus Christi in the town of Cranfield one acre of land next to the fields of Wyksyll in Lincoln diocese. Item I bequeath and give another acre of land to the chapel of St Lawrence of Wroxhill adjacent in the fields of the town of Wroxhill in the said diocese. Item I bequeath to Joan Dyve, my natural daughter, one gown of crimson dye furred. Item I bequeath to the same Joan another gown of blue colour furred and another gown of russet furred with 'le blak shankys'. Item I bequeath to the same Joan Dyve, my daughter, one feather(bed) and one mattress in one part green coloured and another part white coloured and another white mattress. Item I give and bequeath to the said Joan Dyve, my daughter, two covers, one white and the other green and two pairs of blankets and four pairs of sheets, one bolster and four pillows, one large money box, one chest and one black [Focer]. Item I bequeath to the same one rosary of jet and a pater noster of silver and gilt. Item I bequeath to the same Joan Dyve one large brass pot and one large brass dish bound with iron. The residue of all my goods not bequeathed nor disposed I will that Robert Mose, my husband, have and dispose for the health of my soul and the souls of all faithful departed as seems best to him.¹

*The quotation in the title of this thesis is said to have been Augustus Caesar's last words. See Suetonius, *Vita, Divi Augusti*, 99.

¹ Dorothy Edwards et al., trans. and ed., *Early Northampton Wills: Preserved in Northamptonshire Record Office*, ([Northampton]: Northamptonshire Record Society, 2005), pp. 52-53.

Historical sources from the medieval period generally tell a story in which male characters come forward and take the lead while female ones, if any are represented, are given a lesser role as the objects of male agency. Anyone who takes such documents at face value would, as P. J. P. Goldberg states, “be tempted to conclude that women were in a minority in medieval societies and that they played little part in those societies.”² However, one who reads through the last will of a medieval woman will realise that such an assumption is not true but a misconception. Through analysing a selection of late medieval English women’s wills, it is the aim of this study to draw a general profile of women’s last wills from late medieval England and get a glimpse of women’s role in medieval society as revealed in their wills. Last wills of the medieval period, whether they belong to a male or a female, had common characteristics, and thus special reference will be made to women’s wills, to show why it is important to study women’s wills, how they differ from male wills, and how the evidence of wills refutes the general assumptions about medieval women. It will be argued that although, under the common law concerning last wills, women were disadvantaged, those who did manage to leave a will had the power and right to control their property much more freely than men and distribute it as they wished. What follows is an attempt to give background information on medieval women and wills, and thus, this part of the study will deal with women in medieval society, wills as historical sources, the literature on medieval women’s wills, and my thesis plan and methodology respectively.

² P. J. P. Goldberg, “Introduction,” in *Medieval Women and the Law*, ed. Noël James Menuge (Woodbridge: The Boydell Press, 2003), pp. ix-xiii (p. ix).

1.1 Women in Medieval English Society

The general assumption about medieval women is that, having a very limited space, they busied themselves with household duties, and were financially and legally bound to their male relatives or husbands. Most of the medieval sources and the secondary literature imply that in the medieval period, a woman hardly had a right to define her own space, but she was supposed to remain in the place that was defined for her by contemporary opinion coming from two forces: “the Church and the aristocracy.”³ Moreover, as Barbara A. Hanawalt states, “a woman’s reputation might hinge on her ability to remain in a particular, acceptable space.”⁴ If a woman crossed that “acceptable space,” she was most probably subjected to penalties. In other words, as Jacqueline Murray points out:

Women were considered inferior and their virtue was interpreted according to the degree to which they accepted their theoretical and social inferiority. Submission and obedience were virtues. Pride, ambition, and autonomy were perceived ultimately as rebellious, and as crimes against both the natural and the moral order. The best thing inferior woman could do was to know her place.⁵

Thus, being denied a room of her own, there was little possibility for a medieval woman to change the situation. In an age of conformity, because of the strict rules that governed her, a medieval woman rarely had an opportunity to advance in society; her status was defined by her relationship to men around her and her voice was silenced by traditional institutions. Therefore, from our modern world we can barely hear the voice of a medieval woman in the public sphere which was defined

³ Eileen Power, *Medieval Women*, ed. M. M. Postan (Cambridge: Cambridge University Press, 1989), p. 9.

⁴ Barbara A. Hanawalt, “Medieval English Women in Rural and Urban Domestic Space,” *Dumbarton Oaks Papers* 52 (1998): pp. 19-26 (p. 19).

⁵ Jacqueline Murray, “Thinking about Gender: The Diversity of Medieval Perspectives,” in *Power of the Weak: Studies on Medieval Women*, ed. Jennifer Carpenter and Sally-Beth MacLean (Urbana and Chicago: University of Illinois Press, 1995), pp. 1-26 (p. 2).

solely by men and which was in fact a world of men. In addition, in the Middle Ages, as Christopher Brooke points out, “few women were literate; their opportunities to record their own thoughts and feelings and attitudes were restricted; the bulk of medieval records were written by men for men.”⁶ Because of this very fact indeed most women do not appear directly in medieval sources. Furthermore, most of medieval sources, which were of course written by male hands, reveal that medieval women were considered to be inferior to men and were trapped in the domestic sphere, did the domestic work, took care of the family and had nothing to do with politics, economy and law. This picture derived from patriarchal voices generally implies that medieval women were silent and deprived of their identity in the public sphere and that the power was reserved only for their male superiors, that is to say, for the fathers or for the husbands.

In addition to her sex, a woman’s marital status and social class were highly influential on her role, capacity and power in medieval English society. It is true that a well-to-do woman such as a queen or a woman from the highest nobility had greater opportunity than other women to exercise some kind of power due to her resources. It is well-known now that due to their social standing, aristocratic women of the medieval world had influence on the rule of the country, and also, through their patronage they made their names appear in some medieval sources. However, they were still described through manly virtues rather than their individuality, and furthermore, they would probably remain nameless just like ordinary women as well as men if not for their resources and if they had not served the ends of male authority. Thus, male dominion regarded such women as “an ornamental asset, while

⁶ Christopher N. L. Brooke, “‘Both Small and Great Beasts’: An Introductory Study,” in *Medieval Women*, ed. Derek Baker (Oxford: Basil Blackwell, 1978), pp. 1-13 (p. 1).

strictly subordinating them to the interests of its primary asset, the land.”⁷ Because of this perception, therefore, “the more land a woman held, the more likely she was to be manipulated and controlled by male relatives or other lords such as the king.”⁸ As can be judged from the studies of medieval historians, “even aristocratic women’s access to a public voice was,” as Victoria Thompson states, “constrained, and the dozen surviving wills are among the few contexts in which we can see them structuring the narrative of their lives, ‘telling their stories’, in effect.”⁹ It is also well known that women from urban and rural areas of England, on the other hand, contributed to the economic well-being of their families and took their parts in economic activities such as spinning, brewing, nursing that were generally related to their traditional roles. Some women even engaged in commercial business but were hidden behind male presence because in general they did not run the business alone but rather helped their husbands and sometimes their sons.¹⁰ Therefore, although “women’s work was vital to the household,” “economic centrality,” as S. H. Rigby argues, “did not bring a commensurate social power or legal rights and the ideology of female subordination remained firmly in place.”¹¹ What was expected from

⁷ Power, *Medieval Women*, p. 9.

⁸ Mavis E. Mate, *Women in Medieval English Society* (Cambridge: Cambridge University Press, 1999), p. 26.

⁹ Victoria Thompson, “Women, Power and Protection in Tenth- and Eleventh-Century England,” in *Medieval Women and the Law*, ed. Menuge, pp. 1-17 (p. 1).

¹⁰ Barbara A. Hanawalt and Anna Dronzek, “Women in Medieval Urban Society,” in *Women in Medieval Western European Culture*, ed. Linda E. Mitchell (New York and London: Garland Publishing, 1999), pp. 31-45 (pp. 39-41). For general information on the economic activities of women in the late Middle Ages see Mate, *Women in Medieval English Society*; Marjorie Keniston McIntosh, *Working Women in English Society, 1300-1620* (Cambridge: Cambridge University Press, 2005); Eileen Power, “The Position of Women,” in *The Legacy of the Middle Ages*, ed. G. C. Crump and E. F. Jacob (Oxford: The Clarendon Press, 1926), pp. 401-433; Chris Briggs, “Empowered or Marginalized? Rural Women and Credit in Later Thirteenth- and Fourteenth-Century England,” *Continuity and Change* 19 (2004): pp. 13-43. For the historiography of medieval English women, see also Barbara A. Hanawalt, “Golden Ages for the History of Medieval English Women,” in *Women in Medieval History and Historiography*, ed. Susan Mosher Stuard (Philadelphia: University of Pennsylvania Press, 1991), pp. 1-24; Judith M. Bennett, “Forgetting the Past,” *Gender and History* 20, no.3 (2008): pp. 669-677.

¹¹ S. H. Rigby, “Gendering the Black Death: Women in Later Medieval England,” in *Gendering the Middle Ages*, ed. Pauline Stafford and Anneke B. Mulder-Bakker (Oxford: Blackwell Publishers, 2001), pp. 215-224 (p. 219).

women was thus obedience, and most of the didactic works of medieval period emphasized that expectation. In *The Goodman of Paris*, a ‘mirror’ text written around 1393, a man instructs his young wife that:

Wherefore love your husband's person carefully, and I pray you keep him in clean linen, for that is your business, and because the trouble and care of outside affairs lieth with men, so must husbands take heed, and go and come, and journey hither and thither, in rain and wind, in snow and hail, now drenched, now dry, now sweating, now shivering, ill-fed, ill-lodged, ill-warmed and ill-bedded. And naught harmeth him, because he is upheld by the hope that he hath of the care which his wife will take of him on his return, and of the ease, the joys and the pleasures which she will do him, or cause to be done to him in her presence; to be unshod before a good fire, to have his feet washed and fresh shoes and hose, to be given good food and drink, to be well served and well looked after, well bedded in white sheets and nightcaps, well covered with good furs, and assuaged with other joys and desports, privities, loves and secrets whereof I am silent. And the next day fresh shirts and garments. Certes, fair sister, such services make a man love and desire to return to his home and to see his goodwife, and to be distant with others.¹²

In this text, it is revealed that “outside affairs” were regarded as the business of men while household affairs were accepted as the responsibility of women. It is apparent that the medieval attitude towards women was not a fair one by today’s standards, since, being deprived of their individuality, they were made dependent upon their male relatives and submissive to the will and wishes of men. A modern eye that delves into medieval history to find whether this picture reflects the reality, or not, should not be blamed, since even today, it is not unusual for a woman to step out of the picture drawn by convention and common assumptions. There is of course a difference between the current circumstances and the medieval ones, for unlike modern women who question every single sentiment which discriminates against women, medieval women did not question their subordination to male power at all. Nevertheless, it would be not surprising at all to find some medieval women who diverged from medieval perceptions, but contrarily it would be surprising not to find

¹² *The Goodman of Paris*, <http://www.fordham.edu/halsall/source/goodman.html> (Last visited August 2009)

them. The wills of medieval women and their distribution of the property they owned, therefore, will be taken as the basis for this study to show how medieval women, contrary to medieval perceptions, stepped out from the place reserved to them by means of the last wills that they left behind.

1.2 Medieval Wills as Historical Sources

The last wills and testaments¹³ of medieval people were the means by which they distributed their wealth and property to those who survived them and to the institutions that had been important for them. However, it should be remembered that “a will is a provisional document which becomes effective only when its maker dies, since it can be revoked at any time before that happens.”¹⁴ In fact, for this very reason, most of the wills were written close to death,¹⁵ and thus, wills give us the ‘snapshots’ of the beliefs and concerns of their owners towards the end of their lives. Though it is possible to find some will-makers who probably wrote their wills while in good health, “in popular mind, the making of a will represented an aspect of the

¹³ Once there was a distinction between a will and a testament, since a will dealt with the real property such as lands and tenements while a testament was made for personal property such as clothing, household items or money. However, hereafter, in general the word ‘will’ will be used for both, as “in England a will and a testament could be covered by the same document and gradually the two terms came to mean the same thing; influenced no doubt by the latin word ‘testamentum’ which seems to cover both, but ironically we now more commonly use the word will.”: Edwards et al., *Early Northampton Wills*, p. 5; see also Anthony J. Camp, *Wills and Their Whereabouts* (London: West One Secretarial Services, 1974), p. ix; Nicholas Orme, ed., *Cornish Wills 1342-1540* (Exeter: Short Run Press, 2007), p. 3; in general see Henry Swinburne, *A Treatise of Testaments and Last Wills*, Seventh Edition (Dublin: Elizabeth Lynch: 1793).

¹⁴ Orme, *Cornish Wills*, p. 3.

¹⁵ A comparison of the date in which the will was written and the date of probate shows this and there is less than a year between the time of will-writing and the date of probate in most cases in which both were given.

ritual preparation for death,”¹⁶ because of the fact that “in late Middle Ages it was customary to say that the man who had made a will had not long to live.”¹⁷ Moreover, wills reflect the intention and desires of their makers dictated to a scribe or declared before at least two witnesses¹⁸ on the deathbed rather than the actual implementation of these wishes. Wills became came into force only after the death of the testators, and for that reason, they, as R. N. Swanson emphasizes, “might indicate what people wanted to have done, at a particular point; but they are no guarantee that things actually were done.”¹⁹ Testators and testatrices, therefore, had to trust those whom they named as the executors of their wills for the fulfillment of their wishes. After the death of the will-maker, the executor or executors, who were generally close family members as well as the clergy, were responsible for the administration of the will and carrying out its instructions, and furthermore, they were even given substantial discretion over the wills.²⁰ According to the Church’s view, the primary purpose of the will was to dispose of property for charitable purposes and for the well-being of the soul, and thus, during the medieval period the Church was

¹⁶ Stephen Coppel, “Willmaking on the Deathbed,” *Local Population Studies* 40 (1988): pp. 37-45 (p. 37).

¹⁷ Michael M. Sheehan, *The Will in Medieval England: From the Conversion of the Anglo-Saxons to the End of the Thirteenth Century* (Toronto: Pontifical Institute of Medieval Studies, 1963), p. 195; and “it is received for an opinion amongst the ruder and more ignorant people, that if a man should be so wise as to make his will in his health, when he is strong and of good memory, having time and leisure, and might ask counsel (if any doubt were) of the learned, that then surely he should not live long after. And therefore they defer it until such time, when it were more convenient to apply themselves to the disposing of their souls, than of their lands and goods.”: Swinburne, *A Treatise*, p. 59.

¹⁸ The will introduced in England as an oral act and it is still possible to come across orally made (‘nuncupative’) wills in the late Middle Ages. In general see Sheehan, *The Will in Medieval England*, pp. 186-190.

¹⁹ R. N. Swanson, ed. and trans., *Catholic England: Faith, Religion and Observance Before the Reformation* (Manchester and New York: Manchester University Press, 1993), p. 31. Peter Northeast illustrates this by the wills of William Cady of Rushmere St Andrew and his wife: “Early in 1497 William stated in his will that his executors should pay all the mason’s costs of building a ‘steeple’ if the parishioners agreed to build one. Twenty years later, when the widow came to write her will, nothing had been done and she reiterated her husband’s promise to pay mason’s costs.”: “Suffolk Churches in the Later Middle Ages: The Evidence of Wills,” in *East Anglia’s History: Studies in Honour of Norman Scarfe*, ed. Christopher Harper-Bill, Carole Rawcliffe and Richard G. Wilson (Woodbridge: The Boydell Press, 2002), pp. 93-106 (p. 95).

²⁰ Sheehan, *The Will in Medieval England*, p. 215; and also in general especially see his section about executors at (pp. 148-162).

successful in obtaining the jurisdiction over all testamentary matters, although division of real estates belonged to the civil courts.²¹ After the death of the testator or testatrix, therefore, the executor would take the will to the court, probably with some witnesses, so that it could be ‘proved’ to be legally valid. The executor also had to make an inventory of all the goods of the deceased. At the court the will and inventory was copied into a register and the original will along with a note of probate was delivered to the executors so that they could carry out the legacies of the will and dispose of the deceased’s estate.²² However, anyone who had an interest in the estate of the deceased such as the children and spouses could sue for his or her right in the courts, if the legacy was less than the portion that custom allowed; it was customary that one third of a man’s property was reserved to his children and one third to his wife while he was free to distribute the remaining third as he wished.²³

Medieval wills as historical documents are very significant not only because they illustrate the way in which medieval people wished to dispose of their property, but also because they can reveal many aspects of medieval life, family, relationships between people, religious thoughts and practices, customs and even the gender relations and the position of women in a medieval society.²⁴ Thus, historians who are

²¹ Camp, *Wills and Their Whereabouts*, p. ix; Orme, *Cornish Wills*, pp. 3-4; Ralph Houlbrooke, *Death, Religion and the Family in England, 1480-1750* (Oxford: Clarendon Press, 2006), p. 81; Sheehan, *The Will in Medieval England*, pp. 220-230; Amy Louise Erickson, *Women and Property in Early Modern England* (London and New York: Routledge), p. 27. For the administrative system of probate in England, see Peter Northeast, ed., *Wills of the Archdeaconry of Sudbury: Wills from the Register ‘Baldwyne’: Part I: 1439-1474* (Suffolk: The Boydell Press, 2001), pp. xxxvii-xxxviii.

²² In general see Camp, *Wills and Their Whereabouts*, pp. xvii-xxiii.

²³ Sheehan, *The Will in Medieval England*, p. 263.

²⁴ For general ideas on wills as historical sources see Sheehan, *The Will in Medieval England*; Micahel L. Zell, “Fifteenth- and Sixteenth-Century Wills as Historical Sources,” *Archives* 14, no.62 (1979): pp. 67-74; Nigel Goose and Nesta Evans, “Wills as an Historical Source,” in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England*, ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard’s Head Press, 2004), pp. 38-71; Jacques Beauroy, “Family Patterns and Relations of Bishop’s Lynn Willmakers in the Fourteenth Century,” in *The World We Have Gained: Histories of Population and Social Structure*, ed. Lloyd Bonfield et al. (Oxford: Basil Blackwell, 1986), pp. 23-42; Ann J. Kettle, “‘My Wife Shall Have It’: Marriage and Property in the Wills and Testaments of Later Medieval England,” in *Marriage and Property: Women and Marital Customs in History*, ed. Elizabeth M. Craik (Aberdeen: Aberdeen University Press,

interested in the medieval period and who want to gain a deep insight into medieval life have recently become more interested in medieval wills. Nevertheless, one has to be cautious when making statements based on wills, since wills are not standardized documents: they vary from testator/testatrix to testator/testatrix, and also the number of surviving wills has an effect on our conclusions. Thus, as Clive Burgess argues, “the historian relying upon wills never enjoys certainty,”²⁵ since wills, like many historical documents, are not without pitfalls and the nature of the wills is thus problematic. First of all, wills were usually written by clerical scribes who used a certain formula²⁶ and it is highly probable that the scribe had an influence on the testator, as they might advise that the testator had better bequeath this or that to this person or the other.²⁷ In addition, family members and neighbours around the deathbed might also have influenced the bequests made in the wills. Secondly, as the testator or testatrix might have already made provision for some people or religious institutions while he or she was alive, it is probable that no further provision would be made to them in the will. Thus, wills are only “blinkers”, and “impressions derived from the wills alone are a blank façade disguising an intricate reality” as

1991), pp. 89-103; Noman P. Tanner, *The Church in Late Medieval Norwich 1370-153*. (Toronto: Pontifical Institute of Medieval Studies, 1984); Judith Middleton-Stewart, *Inward Purity and Outward Splendour: Death and Remembrance in the Deanery of Dunwich, Suffolk, 1370-1547* (Woodbridge: The Boydell Press, 2001); Clive Burgess, “‘By Quick and by Dead’: Wills and Pious Provision in Late Medieval Bristol,” *The English Historical Review* 102, no. 405 (1987): pp. 837-858.

²⁵ Clive Burgess, “Late Medieval Wills and Pious Convention: Testamentary Evidence Reconsidered,” in *Profit, Piety and the Professions in Later Medieval England*, ed. Michael Hicks (Gloucester: Alan Sutton, 1990), pp. 14-33 (p.15).

²⁶ Because of the formulae used by the scribes, wills have a highly standardised format that begin with a religious preamble in which the testators or testatrices bequeathed their soul to God, the Virgin Mary and all the saints and their body to the parish church or another place as they wished for burial. What follows is generally the religious bequests, then family provisions and gifts to other acquaintances respectively. Then the executors and witnesses were named and lastly the date and the place were given. It could be argued that because of the formula used by the scribes, testamentary behaviour was further restricted.

²⁷ For further discussion see Margaret Spufford, “Religious Preambles and the Scribes of Villagers’ Wills in Cambridgeshire, 1570-1700,” in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England*, ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard’s Head Press, 2004), pp. 144-157 and Christopher Marsh, “Attitudes to Will-Making in Early Modern England,” in *When Death Do Us Part: Understanding and Interpreting the Probate Records of Early Modern England*, ed. Tom Arkell, Nesta Evans and Nigel Goose (Oxford: Leopard’s Head Press, 2004), pp. 158-175.

Burgess argues.²⁸ Although wills cannot be used to make direct statements, we should not, nevertheless, consider them useless: general assumptions about medieval life, medieval people and their concerns and thoughts may be deduced by analysing each individual will very closely.

In late medieval England, the number of women who left wills, or at least the number of *surviving* female wills, is very low when compared to the number of surviving male wills. This is not surprising at all when one bears in mind the fact that under common law all the property and possessions of a woman were administered by the head of the family who was generally her father or husband, and as a result, her right to make a will was restricted, for she was considered to have no control over her own property. However, as Michael M. Sheehan points out, “the will was introduced into England as an instrument for the giving of alms”²⁹ and “during the twelfth and thirteenth centuries the fundamental motive for the distribution of property at death remained a religious one. Most men desired to devote part of their wealth for the good of their souls.”³⁰ In fact, as will be showed later, the emergence of the doctrine of Purgatory at the time was highly influential on the religious aspect of late medieval wills, since almost all wills begin with religious bequests, and indeed, religious provisions outnumber secular bequests. Thus, if the origin of the motive for making wills was religious and people used their wills above all as the last chance to provide for their salvation, then why were women restricted in their pious acts? The Church, in fact, tried to change the situation and demanded that every adult should have a right to give away his/her property for pious purposes. Moreover, it was believed that one who died intestate, that is without a will, lost the last chance to save his/her soul. “No man”, therefore,

²⁸ Burgess, “Late Medieval Wills and Pious Convention,” pp. 16 and 27.

²⁹ Sheehan, *The Will in Medieval England*, p. 303.

³⁰ *Ibid.*, p. 231.

wished to die intestate 'for, unless death was so sudden that there was no opportunity for confession, to die intestate was probably to die unconfessed; and of the future state of a person who had thus died there could be no sure and certain hope. Thus there arose a feeling that intestacy, except in case of sudden death, was disgraceful.'³¹

As Sheehan further indicates:

There is much evidence that intestacy under any circumstances was a great evil in the popular mind. Even where more careful distinctions were made, it was understood that to die without a will, with full intention, was tantamount to rejecting the ministry of the Church; the consequences were burial in unconsecrated ground and confiscation of property by the lay authority. [...] those free to make a will were expected to do so. To refuse was to harm oneself or at least one's family.³²

Although the Church with such sanctions might have encouraged will-writing for its own end, as it usually received donations through the wills; it was influential not only in the development of will-writing in England, but also in women's acquisition of some testamentary rights. It was, nevertheless, not possible for all women to enjoy full freedom in their testamentary bequests due to the restrictions made by common law over property holding.

Throughout the Middle Ages, the marital status of a woman, whether she was wealthy or not, was the most important aspect of her life, as it determined the way she was defined, or rather categorized, in the society. Marital status was also determinative for women's testamentary capacity, that is to say, while a single woman and a widow were allowed to make wills, a woman who was married had no right to dispose of any property without her husband's permission. One does not need to seek a reason for this, since, as James W. Day points out:

The common law, like the Roman Law and many others of its prototypes, restricted the activities of the married woman with a view toward assuring her subservience to her husband. These restrictions limited her capacity to own

³¹ H. S. Bennett, *Life on the English Manor: A Study of Peasant Conditions 1150-1400* (Cambridge: Cambridge University Press, 1937), p. 248.

³² Sheehan, *The Will in Medieval England*, p. 232.

and control property of various kinds and vested correlative powers and estates or interests in her husband.³³

Though this situation was disregarded in practice and married women did make wills, widows, nevertheless, took the lead among testatrices, since after the death of her husband, a widow became the head of the household and she had the full control of her property or that of her deceased husband if he had left her some or if he made her the executrix of his last will and testament.³⁴ As for never-married women, though they were given the right of bequest if they owned property, the number of singlewomen's wills remains low, as in the Middle Ages "conditions of the time were such that women were married very young and thus passed directly from the guardianship of their fathers to that of their husbands."³⁵ Henceforth, the custom and the limited legal rights of women affected the testamentary practice of medieval women. Thus, two reasons which, as Jane Whittle points out, were the factors in preventing women from landholding may also explain the relatively low numbers of women's wills:

First, men had stronger and more effective legal rights to property than women. They were stronger because women's rights were eclipsed during marriage, and more effective because the legal system that upheld property rights, the manorial and other courts, was controlled by men. Male control over property and the enforcement of rights in property were connected with the second factor: a strong cultural norm that men were more suitable household heads and property-holders than women.³⁶

Throughout the Middle Ages women had an inferior status and as Barbara Kreps suggests "women constituted a group for whom laws were to be made which

³³ James W. Day, "Rights Accruing to a Husband upon Marriage with Respect to the Property of His Wife," *Michigan Law Review* 51 (1952-1953): pp. 863-880 (p. 863).

³⁴ See Table 1 on page 25 for the distribution of women's wills according to marital status and time period.

³⁵ Sheehan, *The Will in Medieval England*, p. 235.

³⁶ Jane Whittle, "Inheritance, Marriage, Widowhood and Remarriage: A Comparative Perspective on Women and Landholding in North-East Norfolk, 1440-1580," *Continuity and Change* 13 (1998): pp. 33-72 (pp. 63-64).

distinguished them from men.”³⁷ As can be concluded from all that is stated above, though there was a controversy between canon law and common law about the testamentary bequests of women, some medieval women regardless of their marital status did manage to leave last wills. It is impossible to find out what the first female will in England looked like, but the content and form of medieval women’s wills generally resembled those of men, for most people dictated their wills to a scribe who followed certain formulae and it is probable that women took the wills of their male relatives as an example for the content of their wills. “The will documents,” as Carmel Biggs argues, “do contain conventional clauses and formulas, but this does not render them useless as historical documents, as the testator still had an influence over the content and dictated bequests as he or she saw fit.”³⁸ In the late Middle Ages, the medieval women, whose wills are analysed in this study, thus, following the general pattern of will-making, made bequests for religious purposes, for the provision of their family members and of the people to whom they were somehow related or connected.

Medieval wills, whether of men or women, are of importance in a variety of ways, as under different approaches they reveal many aspects of medieval people and medieval life. In fact, as Stanley Chojnacki argues in his article “The Power of Love: Wives and Husbands in Late Medieval Venice,” wills are the sources which “allow us to observe women, and men as well, confronting the last things, taking careful stock of contents of their lives, and expressing their ultimate preferences and

³⁷ Barbara Kreps, “The Paradox of Women: The Legal Position of Early Modern Wives and Thomas Dekker’s *The Honest Whore*,” *English Literary History* 69 (2002): pp. 83-102 (p. 83).

³⁸ Carmel Biggs, “Women, Kinship, and Inheritance: Northamptonshire 1543-1709,” *Journal of Family History* 32 (2007): pp. 107-132 (p. 109).

hopes.”³⁹ It is true that male wills, concerning the number of the surviving ones and their content, are very important for historians because of the reasons above mentioned. However, for my dissertation my interest will lie in the medieval women’s wills in England, since at the time it was an important step for women to make bequests under the medieval circumstances which enclosed women in a domestic space, the boundaries of which were defined solely by men. As Carmel Biggs points out:

Traditionally, wills are heavily skewed toward propertied males, with little representation of the poor and females. For females, this low percentage of will writing was most likely because of the fact that married women were not legally allowed to make a will unless they had permission from their husbands, leaving widows and unmarried women (who could still be restricted) as the only legal female testators.⁴⁰

Although the number of surviving female wills is less than the number of male ones, they nevertheless give much information about medieval women’s lives. Moreover, their smaller number is, in fact, what makes them so important for historians. I believe that such an attempt by medieval women to make wills is a sign of their endeavour to define themselves in their own terms and not to be defined by male dominance and perspective. Nicholas Orme points out that wills “are often the only personal documents that their makers have left us,”⁴¹ and thus, last wills of medieval women have invaluable historical importance in terms of medieval women’s lives. In fact, if one takes into account Judith M. Bennett and Christopher Whittick’s suggestion that “their will may be the sole extant document in which their name appears,”⁴² as they reveal the religious beliefs, practices and relationships of

³⁹ Stanley Chojnacki, “The Power of Love: Wives and Husbands in Late Medieval Venice,” in *Women and Power in the Medieval Ages*, ed. Mary Erler and Maryanne Kowaleski (Athens and London: The University of Georgia Press, 1988), pp.126-148 (p. 128).

⁴⁰ Biggs, “Women, Kinship, and Inheritance,” p. 109.

⁴¹ Orme, *Cornish Wills*, p. 21.

⁴² Judith M. Bennett and Christopher Whittick, “Philippa Russell and the Wills of London’s Late Medieval Singlewomen,” *The London Journal* 32, no. 3 (2007): pp. 251-269 (p. 252).

medieval women, they stand among one of the best surviving sources for studying the individuality of medieval women. As they were written from the individual perspectives, they show how practice contradicted the idea that “women were in a minority in medieval societies and that they played little part in those societies.”⁴³ Indeed, the very fact that some women made wills is evidence for my argument that medieval women were not as silent as they were supposed to be and through their last wills they made consciously or unconsciously their voices heard and withheld control of their possessions at least when they noticed that death was approaching. As a consequence it can be said that through their last wills medieval women exercised a kind of power and independence to control their position in the society and they, therefore, not only played their approved “little parts” in the society, but they also seriously affected the forces that prevailed in that society. Through their bequests, therefore, medieval women might attempt to take actively a role in the public sphere. In other words, by means of their last wills, they left their personal belongings to whomever they wished or thought to be suitable, and even they made their names known and remembered by simply leaving money, their personal possessions such as clothes, jewellery and various household items to religious institutions, to their relatives, friends and even to their servants. Thus, although during their lifetimes they were known through their relationships to men and needed male agency to take any action, by means of their bequests they not only created for their own sake a “posthumous reputation as important, generous and devout women,”⁴⁴ but they also achieved a degree of autonomy.

⁴³ Menuge, *Medieval Women and the Law*, p. ix.

⁴⁴ Katherine J. Lewis, “Women, Testamentary Discourse and Life-Writing in Later Medieval England,” in *Medieval Women and the Law*, ed. Noël James Menuge (Woodbridge: The Boydell Press, 2003), pp. 57-75 (p. 63).

1.3 Literature on Medieval Women's Wills

Before a study of medieval women wills in England and their importance in understanding the place of women in medieval times can properly be addressed, I think it would be helpful to outline here the research by other historians on the subject in order to gain a grasp of the general assumptions about medieval women's wills and the changes in historiography that have guided and shaped our understanding of the medieval wills. With his works on marriage, family and law in Medieval Europe, Michael M. Sheehan took the lead in analysing the emergence of the last will as a legal and social document and the experience of Christian marriage and familial relationships in the Middle Ages. What Sheehan argued in his major study of wills in medieval England, entitled *The Will in Medieval England*,⁴⁵ is simply and very truly summarized by Joel T. Rosenthal's statement that:

The development and the power of the will in medieval England grew out of a need to mediate between the clash of powerful if competing interests: those seeking to predetermine and govern the descent of property through impersonalized rules and legal practices and those striving to offer some scope (or 'space') for the exercise of personal volition was shaped in considerable part by the Church's teachings revolving around the duty to give alms.⁴⁶

Thus, having had an interest in wills as historical documents, Sheehan extended his research to embrace the medieval concept of marriage and, in relation to this, he produced influential studies on property and women's rights. Following the path Sheehan opened, many historians have used medieval wills in their area of research to understand medieval women and their world better.

⁴⁵ Sheehan, *The Will in Medieval England*.

⁴⁶ Joel T. Rosenthal, "Introduction," in *Marriage, Family, and Law in Medieval Europe: Collected Studies*, ed. James K. Farge (Cardiff: University of Wales Press, 1996), pp. xiii-xxviii (p. xvii).

As Sheehan concluded in his study, in England the will was firstly introduced as a way of alms-giving and was strongly encouraged by the Church as a consequence. Therefore, wills have much information about pious intentions of medieval people, as they include bequests of a religious character. This aspect of the wills illustrates the anxiety of medieval people to provide for their souls and how far they could go with their bequests. P. W. Fleming is another historian who deals with religious motivations for will-writing, and in his study, he examines the aspects of the religious life of Kentish gentry as revealed in a sample of 200 wills. What is particular about Fleming's study is the fact that rather than accepting the motivations for the charitable bequests of the donors as simply spiritual, he looks for the practical reasons of the pious considerations in the wills. He defines the charitable bequests as a kind of trading activity, since "the testator regarded himself as the purchaser, the priest as the vendor, and his own spiritual welfare as the commodity."⁴⁷ Fleming argues that Kentish gentry regarded religious donations as status-symbols and further states that

most alms were given for the benefit of the donor rather than the recipient: by their presence at funerals, paupers testified to the deceased's wealth and munificence – thus adding to his family's prestige – while their cheaply-bought prayers eased his soul's passage through purgatory.⁴⁸

The religious and charitable bequests can, therefore, be perceived as a kind of power struggle of the gentry, as their religious practices strengthened their position in society, "by emphasising their role as patrons and leaders of their local communities."⁴⁹ Many other historians also mention the religious aspect of the wills and how far they illustrate people's piety, since wills were in general written on the

⁴⁷ P. W. Fleming, "Charity, Faith, and the Gentry of Kent 1422-1529," in *Property and Politics: Essays in Later Medieval English History*, ed. Tony Pollard (New York: St. Martin's, 1984), pp. 36-57 (p. 39).

⁴⁸ *Ibid.*, p. 45.

⁴⁹ Fleming, "Charity, Faith, and the Gentry of Kent," p. 52.

deathbed. Not necessarily taking female wills as his primary source, but male wills as well, Clive Burgess further points out the religious tone of the wills in his “ ‘By Quick and by Death: Wills and Pious Provisions in Late Medieval Bristol.’”⁵⁰ Burgess argues that by the later medieval period, the doctrine of Purgatory had diffused in popular religion and people invested their wealth in their own spiritual well-being as well as others’. However, Burgess also uses supplementary sources for his study since, although wills contain evidence of the provisions for the souls, they, nevertheless, fail to represent the true extent of “day-to-day piety.” Burgess points out this aspect of the wills in his other studies as well and underlines the fact that “wills alone, while providing guidelines, are inadequate indicators; impressions derived from them are not entirely trustworthy.”⁵¹ On the other hand, P. H. Cullum, through analysing 1500 wills from different Yorkshire probates, tries to find out “whether charity was identified as a female activity or virtue, whether or not there was a specific pattern of female charity, and the degree to which there was a feminisation of poverty in the fifteenth century.”⁵² After an examination and comparison of male, female and clerical wills from two different periods (1389-98 and 1440-59), Cullum points out that women, in their testamentary behaviour, gave away their property with a charitable purpose more than men did, since “women as the household providers were more involved during their lives in the giving of charity at the kitchen door [...]”⁵³ It is very interesting to see that women who did not have much to give and bequeath because of the restrictions on their property

⁵⁰ Burgess, “‘By Quick and by Dead’,” pp. 837-858.

⁵¹ Clive Burgess, “The Benefactions of Mortality: The Lay Response in the Late Medieval Urban Parish,” in *Studies in Clergy and Ministry in Medieval England*, ed. David M. Smith (York: University of York, 1991), pp. 65-86 (p. 66); also see his “Late Medieval Wills and Pious Convention,” pp. 14-33.

⁵² P. H. Cullum, “‘And Hir Name was Charite’: Charitable Giving by and for Women in Late Medieval Yorkshire,” in *Woman is a Worthy Wight: Women in English Society c.1200-1500*, ed. P. J. P. Goldberg (Wolfeboro Falls, NH: Alan Sutton, 1992), pp. 182-211 (p. 182).

⁵³ Cullum, “‘And Hir Name was Charite’,” p. 184.

rights used their possessions for charitable purposes. Moreover, as Cullum suggests “women did not confine themselves to private and personal acts of charity. They were also involved in acts of public charity operating at the level of the community as a whole, giving to such ends as prisons, roads, and hospitals.”⁵⁴ In this aspect, Cullum’s personification of female charity as “Charite” is very appropriate, since not only in the domestic sphere, but also in public sphere, women, as their wills illustrate, concerned themselves with the needs of the people.

Women’s property rights, as I have already mentioned, were highly restricted and as a result of this restriction, married women, at least in theory, were not allowed to make wills. In fact, it is not surprising when one recalls the fact that in medieval England, women were generally defined by patriarchal discourse and thus forced to internalize an identity which was dictated by men. In her study, Barbara Kreps, putting emphasis on the disadvantaged position of married women, points out that the “transformation of biological sexual difference into the disparity of legal, economic, and political gender roles created conditions which institutionally disabled almost all women – in particular married women – of whatever class.”⁵⁵ Because of the social restraints, therefore, a married woman could not, without her husband’s permission, make a will. In fact, the view that married women had no separate property and the property they brought into their marriages was no longer regarded as theirs, but their husbands’ left them with nothing to will. Related with women’s rights, Richard H. Helmholz has attempted to analyse the testamentary capacity of married women in later medieval England. Helmholz points out that in contrast to the common law rules which restricted the testamentary behaviour of women, the canon law of the Church held the view that “married women were fully capable of making a

⁵⁴ Cullum, ““And Hir Name was Charite’,” pp. 204-205.

⁵⁵ Kreps, “The Paradox of Women,” p. 83.

testament of their separate property, and English ecclesiastical legislation specifically prohibited husbands from impeding their wives from doing so.”⁵⁶ By examining the records of the spiritual courts, Helmholz finds out that with the encouragement of the Church, women in fact did leave wills in the thirteenth century. Nevertheless, there was a decline in the number of women wills by the fifteenth century, and Helmholz explains this decline with “the rise of the use, ancestor of the modern trust.”⁵⁷ Helmholz remarks that when the trusts, which turned out to be a way for married women to hold property, began to be used widely, married women’s wills, though became less common.⁵⁸ The use of trusts for holding property had certainly an effect on women’s will-writing, but the primary reason for the rarity of married women’s wills was probably the codes of common law. As Norman Tanner states, “the scarcity of women making wills while their husbands were alive reflects the victory of English common law over the attempts of canon law to preserve the testamentary rights of women during their marriages.”⁵⁹ Mary Prior, like Helmholz, shares her ideas about married women’s wills, but this time the wills belong to the early modern period. Nevertheless, we see that the ideas about women did not change at all; husband and wife continued to be accepted as one, and thus, identity of the wife was absorbed into the husband’s.⁶⁰ Considering the circumstances, Prior defines will-writing by wives as an “extraordinary step,” and she further tries to find out who these wives were and why they took such a step. The answer that she gives is that in addition to the social and economic positions of wives, the influence of the family,

⁵⁶ Richard H. Helmholz, “Married Women’s Wills in Later Medieval England,” in *Wife and Widow in Medieval England*, ed. S. S. Walker (Ann Arbor: University of Michigan Press, 1993), pp. 165-182 (p. 166).

⁵⁷ *Ibid.*, p. 173.

⁵⁸ *Ibid.*, p. 174.

⁵⁹ Tanner, *The Church in Late Medieval Norwich*, p. 116.

⁶⁰ Mary Prior, “Wives and Wills 1558-1700,” in *English Rural Society, 1500-1800: Essays in Honour of Joan Thirsk*, ed. John Chartres and David Hey (Cambridge: Cambridge University Press, 1990), pp. 201-225 (p. 201).

especially close female relatives who left wills, did also affect the circumstances. Having an example before them, many women were encouraged to write wills, and thus, in the late seventeenth century married women's wills "show an increased independence and assertiveness."⁶¹

Unlike married women, single women had the legal authority to distribute their property through will and testament; however, the number of single women who left wills was very low because of their modest possessions. Therefore, the wills of single women are important documents, for they enlighten us about an unknown segment of medieval society. Through their study, Bennett and Whittick offer a glimpse of the circumstances in which medieval single women defined their own identity.⁶² Bennett and Whittick define will-making in part as a self-representation, since "the will of a singlewomen such as Philippa Russell [...] does allow a glimpse of how she viewed herself, her place in her world and her hopes for remembrance after death."⁶³ Through the example of the will of Philippa Russell, we see that medieval single women "built strong social networks based on household, friends and neighbourhood," and moreover,

in its mixture of piety and personal remembrances, Philippa Russell's will is typical of medieval testaments in general, and in its tendency towards the practical relief of poverty rather than entirely pious bequests, it displays a down-to-earth approach to salvation typical of fifteenth-century Londoners, male and female alike.⁶⁴

Nevertheless, what is particular about Russell's will is her investment in a loan and, as Bennett and Whittick suggest, this is "typical of singlewomen in early modern towns."⁶⁵ This aspect of single women is in fact further illustrated by Judith

⁶¹ Prior, "Wives and Wills," p. 225.

⁶² Bennett and Whittick, "Philippa Russell."

⁶³ Ibid., p. 252.

⁶⁴ Ibid., pp. 260-61.

⁶⁵ Ibid., p. 260.

Spicksley in her article.⁶⁶ Although Spicksley examines the wills of a later period, her research would be an exemplar for a study of late medieval wills of single women if the necessary number of wills could be found. As Michael L. Zell points out, wills and testaments “occasionally contain a schedule of debts owed to and by the testator.”⁶⁷

The medieval notion that the husband and the wife were one flesh, as it has already been illustrated, restricted women’s actions in many spheres, from social to legal. They were put into a secondary position and, not necessarily being aware of the situation, they were forced to be submissive by legislation. Especially married women lived under the shadow of their husbands and unfortunately they were even identified by their husbands’ names. Thus, in some cases the death of a husband turned out to be a relief for a wife, since as a widow she was to gain an independence she most probably longed for throughout her life. *Medieval London Widows 1300-1500*, edited by Caroline Barron and Anne Sutton, is a collection of studies on medieval widows and each study show how individual widows took advantage of their altered marital status and used structures to serve their own ends. This situation is further revealed by the numbers of the wills that widows left. As one of the editors of the collection points out, a wife gained a testamentary freedom upon her husband’s death, because

she often had a considerable wealth in land, and particularly in goods and chattels; she was not *obliged* to provide for her relatives or for her own soul; and she had no husband to act as her executor. For these reasons the wills and testaments of medieval [...] widows are particularly revealing: verbose, bossy, disorganised, affectionate and anecdotal. Although these wills employ both legal and verbal conventions, they can not hide the fact that at the point

⁶⁶ Judith M. Spicksley, “‘Fly with a Duck in thy Mouth’: Single Women as Sources of Credit in Seventeenth-century England,” *Social History* 32, no. 2 (2007): pp. 187-207.

⁶⁷ Zell, “Fifteenth- and Sixteenth-Century Wills,” p. 72.

of death, we glimpse these [...] women when they were, in some senses, at their most impressive and most powerful.⁶⁸

Therefore, the power of the widowed spouse, in terms of her testamentary capacity, was much stronger than the wife, as the widow, without the presence of her husband, was freer in terms of choosing what to bequeath and to whom to bequeath their property. Women's voices, as Kreps argues, might have been excluded from all the forums where law was debated, but the situation of the widows was slightly better than the worst. Jane Whittle, in her study on women's landholding, further illustrates this point by her statement that "it was as widows that women most commonly became independent landholders. While daughters and married women rarely held or managed landed property on their own, the situation with regard to widows was very different."⁶⁹

As all these studies illustrate, the medieval age was a time in which a woman's status was determined not only through her gender, but also through her position that whether she was a spinster, a wife or a widow. Women had a limited space of their own and in such circumstances it was very difficult for women to make their voices heard. Wills and testaments of medieval women are, therefore, valuable documents, or to put it more rightly texts. The voices of women that were suppressed by male dominance in a patriarchal society found expression through these texts. Through female wills hence we can see not only their pious and charitable considerations, familial relationships or their bequests, but we can also ascertain how they perceived themselves, since their wills are the only documents through which they escape the depictions of themselves made by a male mouth, they represent themselves through their own unmediated voices instead. Thus, wills left by women

⁶⁸ Caroline M. Barron, "Introduction: The Widow's World in Later Medieval London," in *Medieval London Widows 1300-1500*, ed. Caroline M. Barron and Anne F. Sutton. (London: The Hambledon Press, 1994), pp. xiii-xxxiv (p. xxxiii).

⁶⁹ Whittle, "Inheritance, Marriage, Widowhood and Remarriage," p. 49.

can be perceived as an attempt to hold the reins at least once in their lives. Keeping this in mind, analysing women wills, therefore, might help to find out how women indeed used this power of self-representation and which ways they used to be remembered after their death, as for many medieval people wills were a means to perpetuate their fame and name. I believe wills were the first and the last attempt for many women, at least without agency, to stand behind their names and whether the wills served this end is a question that needs inquiry.

1.4 Thesis Plan and Methodology

This study has been based on a sample of 403 women's wills and some randomly chosen male wills that were made between c.1300-c.1500 by the members of the gentry and the middling sort. Although it is difficult to know without explicit statement, only 6 of 403 women appear to have been single when their wills were written, since either they defined themselves as somebody's daughter or made bequests only to parents and siblings. 36 women mentioned neither a husband nor children, and there is a possibility that they might have been singlewomen, though we can not be sure. 71 women defined themselves as somebody's wife in their wills and 248 women as somebody's widow. The remaining 42 women did mention at least one of their children, but made no reference to their husbands in their wills. Although it is highly possible that they were widows at the time – otherwise they would mention their husbands at least as the executor –, whether there is any married women among these 42 is open to question. Table 1.1 below summarizes my selection of wills according to marital status and time period.

Table 1.1- Representation of women's wills by marital status and time period:

Marital Status	1301-1350⁷⁰	1351-1400	1401-1450	1451-1500	Total
Single	1 (6.5%)	0 (0%)	2 (1.5%)	3 (1.5%)	6 (1.5%)
Neither husband nor children mentioned	1 (6.5%)	6 (17%)	8 (6.5%)	21 (9%)	36 (9%)
Married	7 (47%)	13 (36%)	24 (19%)	27 (12%)	71(17.5%)
Widow	6 (40%)	12 (33%)	71 (57%)	159 (70%)	248(61.5%)
Children mentioned	0 (0%)	5 (14%)	19 (16%)	18 (7.5%)	42 (10.5%)
Total (100%)	15	36	124	228	403

The sample of wills has been collected from various printed and on-line sources: mainly from the three volumes of the *Testamenta Eboracensia*, edited by James Raine in 1836, 1855 and 1864; *The Great Orphan Book and Book of Wills*, edited by T. P. Wadley in 1886; *St Albans Wills*, edited by Susan Flood in 1993; *Wills of the Archdeaconry of Sudbury*, edited by Peter Northeast in 2001; *Early Northampton Wills*, edited by Dorothy Edwards and others in 2005; wills available on the Kent Archaeology website and other printed sources.⁷¹ The wills contained in these works came from different regions and cities of England, that is to say mainly from Yorkshire, Suffolk, Kent, Hertfordshire, Bristol, Northamptonshire,

⁷⁰ The earliest will in my sample dates 1323.

⁷¹ James Raine, ed., *Testamenta Eboracensia* I, Surtees Society, 4 (London: Nichols and Son, 1836); James Raine, ed., *Testamenta Eboracensia* II, Surtees Society, 30 (London: Nichols and Son, 1855); James Raine, ed., *Testamenta Eboracensia* III, Surtees Society, 45 (London: Nichols and Sons, 1865); T. P. Wadley, ed., *The Great Orphan Book and Book of Wills, in the Council House at Bristol* (Bristol: Jefferies and Sons, 1886); Susan Flood, ed., *St Albans Wills 1471-1500* ([Hitchin]: Hertfordshire Record Society, 1993); Peter Northeast, ed., *Wills of the Archdeaconry of Sudbury, 1439-1474: Wills from the Register 'Baldwyne' Part I: 1439-1461* (Woodbridge: The Boydell Press, 2001); Dorothy Edwards et al., trans. and ed., *Early Northampton Wills: Preserved in Northamptonshire Record Office* ([Northampton]: Northamptonshire Record Society, 2005); James Raine, ed., *Wills and Inventories* I, Surtees Society, 2 (London: Nichols and Son, 1835); James Raine, ed., *Wills and Inventories in the Archdeaconry of Richmond*, Surtees Society, 26 (London: Nichols and Son, 1853); John W. Clay, ed., *North Country Wills*, Surtees Society, 116 (London: Bernard Quaritch, 1908); and a few other printed sources in addition to on-line transcriptions of the wills found on the web page of Kent Archaeological Society, see Bibliography.

Canterbury, and few from Northumberland, London, Cornwall, Warwick, Herefordshire, Oxfordshire and Southampton, as shown by Table 1.2 below.

Table 1.2- Representation of women's wills by counties/cities:

County/City	Number
Bristol	28 (7%)
Canterbury	24 (6%)
Cornwall	4 (1%)
Herefordshire	1 (0.25%)
Hertfordshire	42 (10.5%)
Kent	47 (11.5%)
London	5 (1.25%)
Northamptonshire	25 (6.25%)
Northumberland	7 (1.75%)
Oxfordshire	1 (0.25%)
Southampton	1 (0.25%)
Suffolk	106 (26%)
Warwick	2 (0.5%)
York	110 (27.5%)
Total	403 (100%)

My sample wills are in Latin, late Middle English and Early Modern English if it is in a collection translated by someone else, and additionally, many of the wills contain a mixture of Latin and English.⁷² In fact, before 1500 most wills were written in Latin, but over time the use of English was becoming common.⁷³ For this study I will use examples from different sources for different regions to show the general profile of medieval women as revealed by their testamentary practice rather than restricting my analysis to a local area or time period, which is what most other studies have done.

⁷² Translations from Latin or Middle English have been taken from the printed editions and where there is no published translation, I have translated the text myself and have indicated as such at the end of the relevant passage.

⁷³ Judith Ford, "The Decline in the Use of Latin for Will- and Testament-making in Early Sixteenth-Century Bedfordshire," *Reformation* 1 (1996): pp. 138-148.

This thesis is divided into three chapters in which I primarily intend to show the testamentary capacity of medieval women in relation with religious bequests, familial provisions, and finally gifts to non-kin beneficiaries. My sample will contain 5214 beneficiaries, the distribution of which is shown in Table 1.3 below. One should bear in mind that the numbers shown here do not represent the total number of bequests in terms of individual items, but rather the number of persons who received bequests. If every single bequeathed item were taken into account, the picture would be different from this, since religious bequests are much more frequent in the wills. Non-kin beneficiaries in general were given one article or so, and this explains why they outnumber the religious beneficiaries in this table.

Table 1.3- Representation of beneficiaries by motivation:

Beneficiary Type	Number
Religious (including the charitable ones)	2011 (38.5%)
Family	1023 (19.5%)
Non-kin	2180 (42%)
Total	5214 (100%)

Since at the time, wills were regarded primarily as religious documents, the first chapter concerns the religious aspect of medieval wills in general and, although almost all the wills of the period, whether they were left by a male or female, were mostly of a religious character, it will be the purpose of the opening chapter to show how women's wills were different from male ones regarding this religious aspect. It will be apparent that like men, women were also concerned about the fate of their souls and made provisions to churches, religious houses and to the members of religious institutions with the hope of shortening their days in Purgatory and easing the pain that their souls would endure. However, what is peculiar about women's

wills is the fact that, being much freer in their testamentary provisions, women had the opportunity to invest their wealth for the future of their souls as seemed proper to them. Moreover, the general assumptions about women at the time paved the way for the association of women with good works and charitable actions, and thus, the evidence of wills further strengthens the fact that medieval women by the agency of their wills and the faith of the time had the opportunity to make their voice heard and make their names well-known among their parishioners. Most of the people who somehow benefited from the religious and charitable bequests of generous women would probably have been grateful to them and so remembered them in their prayers as they were requested or expected to do by their benefactors.

The second chapter is about the familial provisions of medieval women and it will be argued that the formula of medieval wills is gendered and as a result women made provisions wider than the nuclear family and listed their bequests with careful descriptions of their personal items, unlike men who, under the influence of the common law, were primarily concerned for the provision of their children and wives whom they were about to leave behind. Women as well had a concern for the well-being of their family and made provisions to their children and husbands (if they were still alive), but they also chose more distant family members as beneficiaries. It appears that women were bound not only to their own lineage but also to the family of their husbands after marriage. They left *post mortem* gifts to their husbands' parents and relatives in their wills unlike men. It will be revealed that although women were limited by their gender in their testamentary practices, if they did manage to leave a will, they had more freedom to distribute their wealth and property as they wished. This freedom also enabled them to take an active role in their communities and provide for the people around them without hesitation.

The third chapter deals with the relationships that women formed in their community. The evidence of my sample wills shows that besides religious and familial bequests, women also made provision for third parties with whom they somehow had contact in the community. This chapter therefore is an attempt to show some of the characteristics of the role medieval women played in their communities as it is revealed by their wills and bequests. The relationships women established with their friends, neighbours and household servants influenced the bequests made in the wills and most of the women seem to have had enough wealth and property to bequeath to their acquaintances. Unlike men whose secular bequests were dominated by provisions for nuclear family, women tended to divide their personal possessions among their friends, and by means of their gifts, women in a way showed their affection and gratitude to those whose friendship they enjoyed throughout their lives. Through their bequests to the third parties, medieval women might be in an attempt to be remembered after their death, and although they did not mention it explicitly in their wills, they probably wanted their names to be remembered in the prayers of the people as much as possible. Besides being daughters, mothers, and widows, medieval women were also parishioners who were bound to their community. Thus, by means of the act of giving they wanted to be a part of that community even after their death and wished their names to be remembered through the bequests they made on behalf of the ones with whom they had connections outside the household.

By drawing upon the evidence of wills and bequests, and comparison of some husbands' and wives' wills, this study is an attempt to provide some insight into the place of women in late medieval English society as revealed by the relationships they formed within and outside the household. Throughout the Middle Ages, women were assigned a secondary position in contemporary opinion and their voices were

generally silenced by the patriarchal discourse. Being almost the only source from which we can get a glimpse of many women's perceptions, wills, despite their shortcomings, are invaluable as primary sources for this thesis. With the analysis of medieval women's wills belonging to different regions and to different dates, and also the large number of various bequests which they contain, I will attempt to provide some insight into the role and place of women in the later medieval England.

CHAPTER II

WOMEN'S PIETY: PRAYERS FOR THE DEAD AND RELIGIOUS BEQUESTS

In the name of God Amen etcetera the seconde day of September the yere of ower lorde Jeshu Cryste mcccclxxxv I Margeret Harowedon wedowe being in hole mynd and feythfull belefe of holy churche dysposyde to make me redy to the mercy of the moste gracyus lord ower savour Jeshu Cryste qwen yt shal please hym to call me owte of this mortall lyfe declare ordeyne and make my laste wyll and testament in maner and form that folowth. Fyrste I commend my soule to the mercy of All mygthy God my body to be beryed in the churche of Al Halowys of Haroweden the more in the shyre of Northampton.¹

The very first sentence of the wills, as Margaret's will here illustrates, introduces us to the religious tone of our sources, which continues throughout the religious bequests and sometimes the secular ones as well. As mentioned in the introduction, in England the will first appeared as a religious document and as a means of distributing alms and providing for deeds of charity, which were welcomed by the Church with open arms.² In addition to this, the fact that almost most of the wills were written close to death is also an explanation for this religious tone. Knowing that there was not much time before experiencing the end, – though it is not the end in the literal sense as the idea of Purgatory, which will be revealed in following pages, was well established at the time – medieval men and women filled their wills

¹ Dorothy Edwards et al., trans. and ed., *Early Northampton Wills: Preserved in Northamptonshire Record Office* ([Northampton]: Northamptonshire Record Society, 2005), pp. 124-125.

² Ellen E. Kittell, "Testaments of Two Cities: A Comparative Analysis of the Wills of Medieval Genoa and Douai," *European Review of History* 5, no. 1 (1998): pp. 47-82 (p. 58).

with pious legacies as far as they could provide for. The aim of this chapter is, therefore, to give a general profile of the piety of women from later medieval England and also to understand the motivations lying behind the religious bequests as far as the evidence of my sample wills allows. It will be revealed that women like most men were influenced by the popular religious attitudes of the time, and made provisions in order to be remembered and prayed for by the living. However, women themselves also had the leading role as active rememberers and intercessors in this process, as medieval men generally chose them as their executors to fulfill their legacies.

The uncertainty of the afterlife and the destiny of one's soul preoccupied the minds of people when they faced the inevitability of death and, thus, the fear of death filled the hearts of medieval men and women as well. In fact, in the mid-fourteenth century, people experienced death in their daily lives more than in the previous ages, as the plague which became endemic from the mid-fourteenth century onwards began to reduce the population of the country.³ Death was, henceforth, a familiar thing for medieval people as it became likely that the plague would take one's beloved relatives or acquaintances away one after another regardless of the social status. As Christopher Daniell states, plagues were "a regular feature of medieval life after 1350, and the presence of the body in the home, and the funeral processions and services, meant that living with death was a common experience for all."⁴ Although people might have been frightened by the commonplace but unforeseen presence of death in their lives and felt anxiety towards their own death, the doctrine of

³ Sophia Menache, "Catechism of Fear and the Cult of Death," in her *The Vox Dei: Communication in the Middle Ages* (New York and Oxford: Oxford University Press, 1990), pp. 78-97 (p. 81); Ralph Houlbrooke, *Death, Religion and the Family in England 1480-1750* (Oxford: Clarendon Press, 2006), p. 5.

⁴ Christopher Daniell, *Death and Burial in Medieval England 1066-1550* (London and New York: Routledge, 1997), p. 2.

Purgatory, which was “born” (as a place) between 1170 and 1180 according to Jacques Le Goff⁵ and which was gradually established by the late medieval period and widely accepted by popular religion of the time, served as a means of easing the fear of death in the English community. The elaboration of such ideas may pre-date the plague, but as R. Swanson suggests, “the plague does seem to have accentuated the urgency of the need to get through Purgatory.”⁶ It is beyond the scope of this study to question whether Purgatory was understood to be a place, a time, or a state of cleansing for the souls with venial sins, or whether it was firmly established in the twelfth century or earlier.⁷ What is relevant for this study is the fact that, with the so-called “birth” of Purgatory, good works and the practice of prayers for the dead, which “existed in one form or another virtually from the beginnings of Christianity,”⁸ likely gained a new impetus. As Daniell notes, “in the fifteenth century Purgatory dominated the theology, teaching, pastoral practice and the beliefs of ordinary people.”⁹ Therefore, the dead in Purgatory were not left alone, and with the influence of dominant religious practices, the living assisted them in one way or another.

Medieval religion was not restricted to a duality between black and white, but there were also grey areas. Popular religion of the time thus regarded Purgatory as the grey area in which faithful Christians who were not exempt from sin paid for their misdeeds. As a place of purification, Purgatory gave many people the much

⁵ Jacques Le Goff, *The Birth of Purgatory*, trans. Arthur Goldhammer (Aldershot: Scolar Press, 1990), pp. 154-159.

⁶ R. N. Swanson, *Religion and Devotion in Europe, c. 1215 – c. 1515* (Cambridge: Cambridge University Press, 1995), p. 199; Judith Middleton-Stewart, *Inward Purity and Outward Splendour: Death and Remembrance in the Deanery of Dunwich, Suffolk, 1370-1547* (Suffolk: The Boydell Press, 2001), p. 56.

⁷ For arguments on Purgatory see Le Goff, *The Birth of Purgatory*; Clive Burgess, “‘A Fond Thing Vainly Invented’: An Essay on Purgatory and Pious Motive in Later Medieval England,” in *Parish, Church and People: Local Studies in Lay Religion, 1350-1750*, ed. Susan Wright (London: Hutchinson, 1988), pp. 56-84; Brian Patrick McGuire, “Purgatory, the Communion of Saints, and Medieval Change,” *Viator* 20 (1989): pp. 61-84.

⁸ McGuire, “Purgatory, the Communion of Saints, and Medieval Change,” p. 66.

⁹ Daniell, *Death and Burial in Medieval England*, p. 11.

needed hope for the future of their souls, that is to say, for their salvation. It was believed that only a few, most probably the saints, martyrs and monks could go directly to Heaven, and as a result, among ordinary people who indulged in sin during their lives there was an anxiety about death, towards the possibility of enduring the torments in Hell. The development of the idea of Purgatory eased this fear as a third alternative leading to Heaven, because, as Eamon Duffy points out:

All who died in a state of venial sin, all who had forgotten or concealed such sins in confession, all who had not yet fulfilled every part of the penance imposed in confession for sins repented, confessed, and absolved, all who had had insufficient penance imposed on them by over-indulgent confessors, all who fell short of that fullness of charity which lay at the root of salvation ... all these were bound to spend some time in the pains of Purgatory.¹⁰

Because souls that were accepted in Purgatory were not exempt from sin, they had to go through a purification process by means of enduring some sort of torment, and in fact, most of the liturgical sources on Purgatory make reference to a purgatorial fire. Yet, for contemporary mind, going through it was much better, and indeed promising, than eternal damnation. No matter what they might suffer in Purgatory, medieval people accepted it, since, as Houlbrooke states, “the souls in purgatory knew that they were saved. This knowledge alone made their sufferings tolerable.”¹¹ Moreover, good works during one’s life, prayers offered on behalf of the dead and services performed by the clergy, such as the Mass, would shorten the sufferings of the imperfect soul and help it to reach eternal salvation. Prayers for the dead, therefore, gained much more importance in society, and in their wills people, bequeathed a certain portion of their money to religious institutions for the well-being of their souls, as they believed that the sins of an imperfect soul could be forgiven even after death and prayers from the living could help the suffering souls.

¹⁰ Eamon Duffy, *The Stripping of the Altars: Traditional Religion in England c.1400 – c.1580* (New Haven and London: Yale University Press, 1992), p. 341.

¹¹ Houlbrooke, *Death, Religion and the Family in England*, p. 35.

The wills from the period covered by this study in fact contain many references to this widely accepted concept of the prayers for the dead, since testators made provision for their souls and asked prayers from those they left behind and whom they trusted. The popular belief in the efficacy of prayers for the dead thus indicates that death was perceived as not the end, but rather as the beginning of a new process in which the living had an important part in helping the souls on their way to reaching the salvation of God. This aspect of the concept of Purgatory is in fact the answer to the question of why it was so popular among medieval people. As Judith Middleton-Stewart argues:

Christians were liberated by its concept rather than intimidated by it, for Purgatory offered a chance, an alternative to Heaven or Hell, and although Purgatory, the third place, may have been conceived as the intermediate station between the other two, being in Purgatory meant that the only way out was up – to Paradise.¹²

Belief in Purgatory promised that death was not the end for medieval people; the voyage of the soul was to continue towards the light, and that light would become much closer by the agency of the living.

Both Purgatory and its associated doctrine of prayers for the departed souls formed a kind of bond between the living and the dead, since, as David Cressy points out, “an important contingent belief was that the fate of the soul could be tempered, its passage to salvation improved or quickened, by prayer and ritual action.”¹³ For that very reason, according to Virginia Bainbridge, “the dead were still a part of the various bodies to which they had belonged in life and these communities mourned their forbears as their social standing required and to the extent that their resources

¹² Middleton-Stewart, *Inward Purity and Outward Splendour*, p. 114.

¹³ David Cressy, *Birth, Marriage, and Death: Ritual, Religion, and the Life-Cycle in Tudor and Stuart England* (Oxford: Oxford University Press, 1997), p. 386.

allowed.”¹⁴ Therefore, while the soon-to-be-deceased made provisions for the prayers for their souls and asked or even begged and bribed the living via their gifts and bequests in the wills, those left behind felt obliged to fulfill the legacies of the dead corpses and offered their prayers on behalf of the dead during Mass and anniversaries.¹⁵ The gifts bequeathed to the living reminded them of their duty because “by bestowing benefactions on the community through their testaments, the dead established a claim on the memory of the living, and, explicitly or implicitly, [...], required the ‘counter-gift’ of prayers for their souls in Purgatory.”¹⁶ Henceforth, as Peter De Wilde argues:

The prayer for the dead is incorporated in the penitential process; it is no longer merely an intercession by the living on behalf of the dead, it becomes a real participation in the ordeal of the dead sinners. Thus, the prayer for the dead becomes a permanent bridge between the world of the living and the Otherworld, creating a kind of solidarity between living and dead.¹⁷

In order to ease the pains of Purgatory, the ones who lay on their deathbeds might have made, and indeed a considerable number of testatrices of my sample made, provision for good deeds such as alms-giving, providing for the fabric of churches or the repair of the roads through their wills, yet that was not enough. Therefore, the living, who were anxious about the fate of the souls of their beloved ones and who felt obliged to fulfill the wishes of the dead, engaged in a continuous ritual action

¹⁴ Virginia R. Bainbridge, “The Medieval Way of Death: Commemoration and the Afterlife in Pre-Reformation Cambridgeshire,” in *Prophecy and Eschatology*, ed. Michael Wilks (Oxford: Blackwell, 1994), pp. 183-204 (p. 202); Patrick J. Geary, “Exchange and Interaction between the Living and the Dead in Early Medieval Society,” in her *Living with the Dead in the Middle Ages* (Ithaca and London: Cornell University Press, 1994), pp. 77- 92 (p. 83): For Geary, involvement of the dead in the society of the living “is difficult to see outside of the ecclesiastical tradition.”

¹⁵ According to Burgess, the dead were still a part of the world they departed from, for “the abundance of pious provision in late medieval England suggests that the dead were, by their design no less than by the calculation of the living, a very real presence in everyday life. ‘The two extremes were knit together.’”: “‘A Fond Thing Vainly Invented’,” p. 67.

¹⁶ Bruce Gordon and Peter Marshall, “Introduction: Placing the Dead in Late Medieval and Early Modern Europe,” in *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe*, ed. Bruce Gordon and Peter Marshall (Cambridge: Cambridge University Press, 2000), pp. 1-16 (pp. 4-5).

¹⁷ Peter M. De Wilde, “Between Life and Death: the Journey in the Otherworld,” in *Death and Dying in the Middle Ages*, ed. Edelgard E. DuBruck and Barbara I. Gusick (New York: Peter Lang, 1999), pp.175-187 (p. 177).

that began on the day of burial and continued afterwards through masses and anniversaries. Though it was generally the testators and testatrices who left money or some other things by means of the will, their families and friends whom they chose as executors took the leading role in arranging and carrying out the rituals beneficial for their souls. This relationship between the living and the dead has been regarded by some as an attempt by the dead to control the future of their souls beyond the grave. Thus having the pains to be endured in Purgatory in mind, those who were about to die made careful arrangements and put conditions to their bequests, and according to Swanson, the “desire to tie God to a bargain (with other humans) was expressed not only during life, but also in attempts to control events *post mortem* by securing commemorations and arranging other beneficial acts.”¹⁸ Nevertheless, though people might try to ensure that their legacies would be fulfilled, further action for the well-being of the soul of a deceased person mostly depended upon the execution by the living. This is also the reason why the testators and testatrices chose people whom they most trusted as their executors and left them the residue of their wealth and goods in order to be distributed for the health of their souls and of the souls of all the faithful departed.

The widespread belief in Purgatory further strengthened the bonds between the Church and medieval community, as the Church and its clergy provided the most powerful means of providing for the souls’ well-being such as funerals as well as anniversary ceremonies, rituals and the Mass through which prayers from the community for the deceased’s souls were encouraged. According to Sophia Menache, “by offering a second chance to sinners and their family, the idea of purgatory actually expanded the power of the ecclesiastical establishment.”¹⁹ Thus,

¹⁸ Swanson, *Religion and Devotion in Europe*, p. 226.

¹⁹ Menache, “Catechism of Fear and the Cult of Death,” p. 90.

by its influence and agency, the Church further dominated the lives of medieval people, and with its services, not only did it fulfill a need in the society, but also served its own temporal interests. The evidence of my sample wills and some other studies on wills in fact illustrate that the idea of Purgatory benefited the Church and a certain amount of money flowed into its pockets. Moreover, at a time in which people were particularly obsessed with death, other religious institutions such as convents and religious houses and their members also took a share from the popularity of the doctrine of Purgatory. As Daniell suggests,

all these methods and institutions – Masses, prayers, chantries, obits, colleges, guilds and hospitals – had the aim of a continual flow of prayers upwards to Heaven to help souls in Purgatory. The amount of money and physical and spiritual effort that was extended upon the souls in Purgatory was an indication of the power and the acceptance of the idea.²⁰

In fact, both the ecclesiastics and the people who were concerned for their souls benefited from the idea, for, as Joel Rosenthal argues, “prayers for the dead were a good bargain, financially, and a sound investment spiritually as well.”²¹ As the actions of giving and receiving imply,

the doubly contractual aspect of the prayers – between the living and the dead in the reciprocal economy of intercession, and between the dead and God to gain early release from Purgatory as reward for increasing divine worship – hints at a mercenary approach to the whole business of death [...].²²

Though the bequests might be given in the hope of reaching salvation, the gifts themselves might oblige the receivers to reciprocate. This in itself makes the will sound like a contractual document, because “essentially, the penitent forged

²⁰ Daniell, *Death and Burial in Medieval England*, p. 20.

²¹ Joel T. Rosenthal, *The Purchase of Paradise: The Social Function of Aristocratic Benevolence, 1307-1485* (London: Routledge & Kegan Paul, Toronto: University of Toronto Press, 1972), p. 29.

²² Swanson, *Religion and Devotion in Europe*, p. 232; Duffy, *The Stripping of the Altars*, p. 347; P. W. Fleming, “Charity, Faith, and the Gentry of Kent 1422-1529,” in *Property and Politics: Essays in Later Medieval English History*, ed. Tony Pollard (Gloucester: A. Sutton, 1984), pp. 36-57 (p. 52): According to Fleming gentry had two different attitudes towards religion: spiritual and secular. He defines the latter as ‘materialistic faith’ and he argues that “prayers were a form of currency in a transaction between man and God.” For general information see Rosenthal, *The Purchase of Paradise*. Rosenthal, taking the late medieval nobility as his subject, discusses this commercial aspect of the doctrine of the prayers for the dead.

contracts, seeking as material benefactors to become spiritual beneficiaries.”²³ As further explained by Benjamin Thompson:

Gift-exchange, by which high medieval donors had made grants to God and the saints in the hope of heavenly reward, was no longer an acceptable mode of giving to an age increasingly imbued with the commercial mentality. It was preferable to make enforceable contracts with the living parties on earth to buy spiritual services, which, under the developed doctrine of purgatory, quantifiably counted towards the penances which the beneficiaries must suffer and thereby reduced their days of purgation.²⁴

Before going on with the religious bequests in the wills, therefore, it might worth mentioning here one deficiency of the concept of the prayers for the dead. Purgatory might be the good news for the upper ranks of society and the ones who had saved some money for the ritual action after their deaths, but people who were without resources seemed to be deprived of the opportunities of the custom that prayers for the dead might shorten the process in Purgatory, as only those who had enough resources could afford the services offered by religious institutions. Touching upon this conceptual shortcoming, Daniell states that “this process inevitably meant that there were a large number of the poor and socially insignificant who, because they could not pay, would be forgotten and so would suffer in Purgatory without any relief.”²⁵ It was, nevertheless, not a matter of paying the piper and calling the tune, for one could not simply buy his or her salvation by means of material wealth. Fortunately the Church found new ways to resolve this problem and, reminding people of the necessary bond among the Catholic English community, the clergy at the masses said general prayers for all the souls in Purgatory.²⁶ Indeed, though people made donations primarily for their own souls, “benefactions were to benefit the donors, their friends and *others*; whether these be conceived as ‘all the faithful

²³ Burgess, “‘A Fond Thing Vainly Invented’,” p. 75.

²⁴ Quoted in Middleton-Stewart, *Inward Purity and Outward Splendour*, p. 55.

²⁵ Daniell, *Death and Burial in Medieval England 1066-1550*, p. 12.

²⁶ Daniell, *Death and Burial in Medieval England 1066-1550*, p. 12.

departed', or as other parishioners, it is nevertheless significant that the benefit was, as it were, open-ended, and not intended to accrue solely to the donor", as Burgess says.²⁷ Furthermore, it was a common belief that sins were directly proportional to wealth, and thus, the more money people had, the more they were liable to sin. As Burgess rightly suggests:

[...] whereas the honest poor might rest assured that, because of intrinsic virtue, their main duty was to pray for benefactors, written, preached and visual admonition left the wealthy in no doubt that they were sorely in need of intercession, and that it was their duty and in their interest to stimulate it.²⁸

This custom, therefore, made the poor more advantageous, for they were already closer to God, and they were extensively paid to pray for the dead. As Judith Middleton points out, "remembrance of the dead was frequently undertaken by the poor, and it was towards this section of the community that the more fortunate members made provision: for food, clothing, alms and housing."²⁹ Henceforth, the relationships between the living and the dead, between the living and the Church, between the living and the community, and between the dead and the Church in a way gained much more importance, since 'Everyman' who would eventually be dead had to provide for the well-being of his soul and as a consequence needed to provide for the living and the community of which he was a part. Those who could afford to do so, therefore, made a list of bequests motivated by their piety as well as the popular religion of the time in their last wills. The living, on the other hand, engaged actively in commemorative services out of love, loyalty, obligation or fear, since "the response that the living made must to some extent have been impelled by the desire

²⁷ Clive Burgess, "The Benefactions of Mortality: The Lay Response in the Late Medieval Urban Parish," in *Studies in Clergy and Ministry in Medieval England*, ed. David M. Smith (York: University of York, 1991), pp. 65-86 (pp. 76-77).

²⁸ Clive Burgess, "'Longing to Be Prayed For': Death and Commemoration in an English Parish in the Later Middle Ages," in *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe*, ed. Bruce Gordon and Peter Marshall (Cambridge: Cambridge University Press, 2000), pp. 44-65 (pp. 49-50).

²⁹ Middleton-Stewart, *Inward Purity and Outward Splendour*, p. 2.

to avoid condemnation either by neighbours or the Church, since refusal to contribute would have been deemed a sin.”³⁰

Since will-writing was associated with the deathbed, provisions for the health of the soul play an important part in the form of the last will. Thus, the doctrine of Purgatory influenced not only society’s customs and habits, but also influenced the final moments of faithful Christians, since, as Rosenthal states, “deathbed wishes were conservative in most instances, and were thoroughly expressive of the accepted values of the society.”³¹ In fact, the last wills of the late medieval period reveal that in order to hasten the passage of their souls through Purgatory, medieval men and women made their funeral arrangements in their wills, established endowments for churches and the clergy, provided for masses and anniversaries, and made charitable distributions. A modern eye who studies the wills of the period will realize that the testators and the testatrices loaded their wills with such religious bequests and enlisted as many prayers as possible, as they followed an important and influential custom of their time and just wanted to take the last opportunity to provide for their souls. J. Scarisbrick argues that “with his face about to turn to the wall and no more chance of enjoying his worldly possessions, a testator had nothing to lose and perhaps something to gain from an attempt to propitiate his Maker with a last-minute flurry of offerings.”³² In fact, “evidence such as that contained in testamentary depositions suggests that the making of wills and the reception of the sacraments had, for all their solemnity, a certain routine character, almost like taking out a passport for the hereafter.”³³ Moreover, as Northeast points out,

³⁰ Clive Burgess and Beat A. Kumin, “Penitential Bequests and Parish Regimes in Late Medieval England,” *Journal of Ecclesiastical History* 44, no. 4 (Oct. 1993): pp. 610-630 (p. 624).

³¹ Joel T. Rosenthal, *The Purchase of Paradise*, p. 30.

³² J. J. Scarisbrick, “Layfolk and the Pre-Reformation Church,” in his *The Reformation and the English People* (Oxford: Basil Blackwell, 1991), pp. 1-18 (p. 11).

³³ Houlbrooke, *Death, Religion and the Family in England*, p. 148.

in an age in which the church taught that, immediately after death, the soul began a long and painful passage through purgatory, it was inevitable that the 'health' of their souls should greatly concern those approaching death. Consequently a substantial portion of most testaments related directly or indirectly to the health [salvation] of the soul.³⁴

Medieval women who perceived their deaths and made wills during the late Middle Ages extensively made religious and charitable bequests. The line between the religion and charity seems to have been blurred, thus bequests made towards them will be examined together in this chapter. Analysis of my sample wills reveal that 403 women left to 2011 (38.5%) beneficiaries bequests apparently motivated by their piety. By means of their last wills, medieval women bequeathed wealth in cash or in kind and their various movable properties to churches, made donations to the church interior, made provision for religious people such as chaplains, priests, and clerks and they also chose religious houses and guilds as their beneficiaries. Moreover, they provided for the poor people and good works such as the repairing of roads out of charity. In fact, this situation is not peculiar to medieval women's wills, since wills written by medieval men also contain bequests of religious character. Therefore, there seems to be no difference between women's religious bequests and men's in this respect. But what is peculiar for women is the fact that they enjoyed more freedom in their testamentary capacities since, unlike men, they had fewer obligations to provide for their families. This meant that they could give away a larger portion of their property for pious works. On the other hand, as it was more common for husbands to predecease their wives during medieval period, a widow could be obliged to fulfill the legacies of her deceased husband, remember him in her intercessory prayers and make further provision for his soul in her own will. As the

³⁴ "Introduction," in *Wills of the Archdeaconry of Sudbury, 1439-1474: Wills from the Register 'Baldwyne' Part I: 1439-1461*, ed. Peter Northeast (Woodbridge: The Boydell Press, 2001), pp. xxxvii-lv (p. xlv).

one who was left behind, therefore, a woman was anxious about the fate of her husband's soul and this anxiety most probably influenced her will-writing.

The medieval women whose wills are examined in this study came from various places and they had different local customs for will-writing. Their wills, nevertheless, have a unifying element that is religious provision. Religion influenced nearly all aspects of medieval England. Medieval wills, as documents written within a time when death seemed close, therefore, illustrate that religious influence was paramount when they were written, and as a result, the wills in a way indicate the religious concerns and the piety of the ones who thought they were about to die. Thus, the last wills of medieval women like all medieval wills contain bequests for religious purposes after the pious commendation of soul and directions for burial. Moved by the custom of the time, medieval women most probably primarily concerned for their souls while making their last wills. The last wills of women as well illustrate the anxiety of medieval women for their souls and the souls of their beloved ones in Purgatory, since as Burgess states "to reduce as far as possible the rigours to be endured, individuals invested a considerable portion of their substance to their own and other's benefit, [...]"³⁵ and medieval women were not exempt from this practice.

Almost all the wills studied here contain some kind of provision for religious persons. Some women made bequests to chaplains; some provided for priests and others included clerks, vicars, rectors, masters (though not explicitly stated, probably masters of a college), and sacrists as their beneficiaries. They made donations to such religious persons so that they would receive prayers from these beneficiaries for their souls and for the souls of their own benefactors. As stated above, medieval women in

³⁵ Clive Burgess, "'By Quick and by Dead': Wills and Pious Provision in Late Medieval Bristol," *The English Historical Review* 102, no. 405, (Oct., 1987): pp. 837-858 (p. 838).

a way exchanged their materialistic values with the spiritual values of the prayers of the religious men, as P. W. Fleming puts it, “the testator regarded himself [herself in this case] as the purchaser, the priest as the vendor, and his [her] own spiritual welfare as the commodity.”³⁶ Though such provisions in return for prayers have that implication, they cannot be reduced simply to be commercial transactions, since, as it has been mentioned earlier, religion influenced every aspect of medieval life and religious concerns and customs were prime motivation for the benefactors. Moreover, although last wills are valuable in terms of shedding light on the religious practices of the time, they are not without shortcomings; for last wills contain evidence only for the religious concerns at the time of deathbed. Hence, we cannot be sure of the lifetime religious activities of the donors who provided religious people and institutions in return for prayers in their wills. Therefore, “wills,” as Andrew D. Brown suggests, “fail to tell us about a testator’s good works made during his lifetime, many of which were probably more important than the provisions finally made in the will, especially if property was involved.”³⁷ Nevertheless, many women like men saw their last wills as their last opportunity to spend their money for pious and charitable purposes which would secure “the passage of the soul to heaven as quickly and easily as possible.”³⁸

At a time when the doctrine of Purgatory greatly influenced the religious provisions of medieval people, it is in fact not surprising that most medieval women made bequests for religious people. The rhetorical question asked by Northeast is worth mentioning here: “as it was believed that the soul’s passage through purgatory could be eased by prayers of the living, who better to provide them than the

³⁶ Fleming, “Charity, Faith, and the Gentry of Kent,” p. 39.

³⁷ Andrew D. Brown, *Popular Piety in Late Medieval England: The Diocese of Salisbury 1250-1550* (Oxford: Clarendon Press, 1995), p. 23.

³⁸ David Levine and Nicholas Orme, ed., *Death and Memory in Medieval Exeter* (Exeter: Devon and Cornwall Record Society, 2003), p. 127.

professionals?”³⁹ Moreover, there were certain things that the laity could not do. “The prayers of one’s friends and relations could help, but a priest was a more efficacious agent of salvation because only a priest could say mass, and in terms of purgatorial accountancy masses were worth more than mere prayers”, according to Howard Colvin.⁴⁰ Consequently, medieval women made provisions to members of the clergy whom they defined as “suitable” and “honest,” and they generally wanted them to celebrate masses or anniversaries for the health of their souls for a certain period such as “for a whole year”, “for four years”, “for the period of twenty years” or “as long as the money shall last.”⁴¹ The number of the provisions and their type relied upon the wealth of the person, and thus, while women with resources left many gifts for religious purposes, ordinary women had to be satisfied with the few provisions that they could afford. Writing her will in 1395, widow Lady Alice West of Hampshire, who was a noble woman, mentioned many gifts to the clergy for masses and prayers. She wanted 4400 masses to be sang and said for the soul of Thomas West, her husband and for hers, and for all Christian souls, “in the most hast that it may be do, withynne xiiij nyght next after my deces.”⁴² In a similar way in 1479, Katherine, Lady Arundell, of Lanherne, again a noble woman, made provision for a thousand masses and wanted this legacy to take place as soon as possible. Moreover, she wished:

[...] afore my burying that David’s psalter whole be said solemnly by note by the said friars [Grey Friars] in their quire for the more health of my soul. Also every day of the month immediately following my death to have in the same place of my buriyng dirige and mass, and then, every month after, one dirige and mass in the said place during the same year. Also I bequeath £20 for three

³⁹ Northeast, *Wills of the Archdeaconry of Sudbury*, p. xlviij.

⁴⁰ Howard Colvin, “The Origin of Chantries,” *Journal of Medieval History* 26, no. 2 (2000): pp. 163-173 (p. 169).

⁴¹ For examples see Susan Flood, ed., *St Albans Wills 1471-1500* ([Hitchin]: Hertfordshire Record Society, 1993), pp. 11 and 70; Northeast, *Wills of the Archdeaconry of Sudbury*, pp. 487 and 511.

⁴² Frederick J. Furnivall, ed., *Fifty Earliest English Wills*. (London: Oxford University Press, 1964), p. 6.

trentals [celebration of thirty masses], one to be done in the same church where I am buried, and the other to be done in the Friars of Dorchester, and (the) third to be done in the Friars of Bodmin [*Bodman*], and this to be done in the year next following my death with such three priests as can be thought of good disposition, for me, my husbands, our children, and all our friends.⁴³

As these two examples show, people in general wanted their legacies to be fulfilled as soon as possible so that they would spend less time in Purgatory. Likewise, in 1449, Margaret la Zouche of Kirtlington wanted an obit for her husband to be celebrated immediately after her death and she made other provisions for the celebration of her soul and her husband's.⁴⁴

Like women, medieval men also had a great concern for the well-being of their souls and they chose their wives as the most trusted persons to fulfill their wishes towards commemoration services. A few examples might help to illustrate the point, since many men seem to have the same testamentary behaviour concerning the commemorative services. In 1425, Thomas Fyler, husband of Agnes Fylour whose legacies will be mentioned below, left 6d to each chaplain celebrating divine service and attending his *exequis* and the mass on the day of his burial.⁴⁵ He further wished that apart from his brother, "my *exequies* and expenditure concerning my funeral are to be left to the discretion of Agnes, my wife, [...]" and he made her one of his executors to execute and implement his will truly and faithfully.⁴⁶ Thomas Carter, John Bucher, Richard Knottyng, John Hancok, Robert Gybson, William Ferroure, Thomas Whyte and William Mylle, all from Northampton and writing their wills between 1474 and 1492, made their wives the sole executrix of their wills and left them the residue of their goods to dispose for the health of their souls as seems best

⁴³ Nicholas Orme, ed., *Cornish Wills: 1342-1540* (Exeter: Devon and Cornwall Record Society, 2007), pp. 91-92.

⁴⁴ Raine, *Testamenta Eboracensia* II, pp. 153-157.

⁴⁵ Clive Burgess, ed., *The Pre-Reformation Records of All Saints' Church, Bristol: Wills, The Halleyway Chantry Records and Deeds* (Bristol: Bristol Record Society, 2004), p. 14.

⁴⁶ Burgess, *The Pre-Reformation Records of All Saints' Church*, p.15.

to them.⁴⁷ The nature of marriage itself is an answer for men's choosing their wives as executrices; it was the duty of women to care for their husbands, and thus, to care for their souls as well. Burgess, examining the surviving wills from Bristol, concludes that "the widow was almost invariably named either sole or joint executrix and was left the residue of the testator's estate with the instruction to dispose of it for the benefit of his soul as she saw fit."⁴⁸ Similarly, Ann Kettle points out that:

Between 1414 and 1443 Archbishop Henry Chichele or his officials proved 286 wills; 116 of these testators were married men with living wives and 90 of them (77.5 per cent) named their wives as executors. Of husbands with living wives whose wills are found in the Lincoln Episcopal registers between 1280 and 1500 nearly 80 per cent chose their wives as executors and the proportion was even higher in Bristol: 82 per cent of husbands with living wives whose wills were entered in the Great Orphan Book between 1381 and 1500 named their wives as executors.⁴⁹

This shows the fact that medieval men, before anyone else, trusted their wives to carry out their wishes and legacies in their wills. This was, of course, the result of the marriage bond between the couples, and women who died before their husbands as well named their husbands as executors. For example, Lucia Fanacourt⁵⁰ of York in 1346, Christine Rote⁵¹ of Glemsford in 1442, Katherine Hynton⁵² of Great Bradley in 1448, Ricardina Mose⁵³ of Northampton in 1473 and Alice Wynge⁵⁴ of Northampton in 1495, all chose their husbands as their executors and left the residue of their goods

⁴⁷ Edwards et al., *Early Northampton Wills*, pp. 59, 60, 69, 74, 75, 107, 140, 181.

⁴⁸ Clive Burgess, "Late Medieval Wills and Pious Convention: Testamentary Evidence Reconsidered," in *Profit, Piety and the Professions in Later Medieval England*, ed. Michael Hicks (Gloucester: Alan Sutton, 1990), pp. 14-33 (p. 20).

⁴⁹ Ann J. Kettle, "'My Wife Shall Have It': Marriage and Property in the Wills and Testaments of Later Medieval England," in *Marriage and Property: Women and Marital Customs in History*, ed. Elizabeth Craik (Aberdeen: Aberdeen University Press, 1991), pp. 89-103 (p. 100). In his study on the wills in late medieval Venice, Stanley Chojnacki points out that there is an increase in the percentage of husband's choosing their wives as executors; from 64 percent in the fourteenth century to 88 percent in the fifteenth century: "The Power of Love: Wives and Husbands in Late Medieval Venice," in *Women and Power in the Middle Ages*, ed. Mary Erler and Maryanne Kowaleski (Athens and London: The University of Georgia Press, 1988), pp. 126-148 (p. 132).

⁵⁰ James Raine, ed., *Testamenta Eboracensia* I, Surtees Society, 4 (London: Nichols and Son, 1836), p. 33.

⁵¹ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 149.

⁵² Ibid., p. 140.

⁵³ Edwards et al., *Early Northampton Wills*, pp. 52-53.

⁵⁴ Ibid., p. 202.

to them to dispose, in Alice Wynges words, “after his owne mynd and free wyll as he shud thynke moste nedefull and expedient for the helth of my sayde husbandes sowles and myn and all Cristen sowles.”⁵⁵ Though the number of surviving married women’s wills are very low, it is possible to conclude that if women were to predecease their husbands, they were most likely to depend upon their spouses, as men did, for the fulfillment of their wills and commemoration services. When one bears in mind that women’s property rights were highly restricted, especially if they were married, it is, nevertheless, clear that, with the legacy of their husbands, women enjoyed a considerable right over property after the death of their husbands. It was a right denied to them during their marriages, but wills of their husbands and their own wills reveal that they were thought to be capable of managing estates and financial matters, and taking part in the legal process as well as following their traditional roles. As Barbara Newman states, “a wife was supposed to secure her husband safe passage to heaven.”⁵⁶

Another point in women’s bequests of their souls is that some women bequeathed their movable or immovable property to their family members or acquaintances on condition that they provided the clergy to celebrate for souls or to keep an anniversary for the souls for a certain period. Joan Dekys of Whelmetham who wrote her will in 1453, for example, left one of her sons “all my lands and tenements in Whelmetham on condition that he provide a suitable priest to celebrate for my soul and the souls of all my friends for a whole year.”⁵⁷ Three years later, in 1456, Margery Wymbysch of Kentford as well left one of her sons:

⁵⁵ Ibid., p. 202.

⁵⁶ Barbara Newman, “On the Threshold of the Dead: Purgatory, Hell, and Religious Women,” in her *From Virile Woman to Woman Christ: Studies in Medieval Religion and Literature* (Philadelphia: University of Pennsylvania Press, 1995), pp. 108-136 (p. 116).

⁵⁷ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 298.

an acre of land called 'Hulkysacre', with the barn and smithy (*domo fabrili*) built on it, to him and his heirs male, on condition that he and his male heirs, who hold the acre, keep an anniversary annually, according to when God decrees that I die, for the soul of my deceased husband and mine, distributing in alms to the poor 6s 8d each year, for ever; [...].⁵⁸

And further she wanted to make sure that if her son die without male heirs, the acre was to pass to her next heir with the same condition. Similarly in 1467, Agnes Fylour left her son all her messuage with appurtenances, and in return she wanted her son to hold her anniversary every year during his life and to spend 12s every year in the way she ordered:

to 8 priests, 2s 8d equally divided; in bread distributed to the poor, 5s; to the clerk for bell ringing, 12d, and to the same for his *exequies*, 2d; to the town crier, 2d; to the vicar at the time and for burning his wax, 12d, and 12d to the same to ensure that he oversees the fulfilment of these orders and that he recommends me every Sunday among the benefactors of the said church; and to the churchwardens supervising the anniversary, 12d divided equally.⁵⁹

Agnes, furthermore, stated in her will that after the death of her son, her daughter would inherit the messuage with its appurtenances on the same condition above mentioned. Not being satisfied with these terms, Agnes further stated that after the decease of her daughter the messuage would pass to the vicar and the churchwardens of the church of All Hallows' on the same condition of holding her anniversary annually in the same manner she ordered. The last example is remarkable in the way that the terms and conditions she stated for her bequests illustrate how far medieval women could go in their bequests motivated or influenced by the religious concerns. After providing for her children, Agnes also wanted to take some benefit for her soul. However, not content with the provisions she already made to a vicar, to six chaplains and to one "fit" secular chaplain in return for their services, she wanted to further provide for the health of her soul through the agency of her other beneficiaries. Moreover, by choosing a second and even a third beneficiary for her

⁵⁸ Ibid., p. 382.

⁵⁹ Burgess, *The Pre-Reformation Records of All Saints' Church*, pp. 15-16.

message, she probably wanted to make sure that her wishes and orders would take place and would not be interrupted by the death of her beneficiaries, as her religious provisions were dependent on a third party. Agnes, therefore, in a way tried to control her legacies, especially the ones motivated by religion, beyond her grave. Because she further ordered that:

And if my son, Thomas, fails to hold the anniversary in the form aforesaid for the rest of his life, then I will that the message and responsibility is to pass to my daughter Joan; should she fail, then the message and responsibility are to pass to the vicar and two churchwardens of All Hallows' and their assigns and successors who are to keep the anniversary.⁶⁰

In fact, as Barbara Hanawalt points out, "the testators expressed great anxiety that their children would not keep their obits or not have the masses said at their funerals. Many instructed the executors that children were not to have land or goods unless they honored the prerequisite observances."⁶¹ Though some men as well demanded that their children ought to fulfill ritual services in return for the bequests made to them, such conditional bequests in men's wills which I have analysed are not as frequent as in women's. Men indeed did not need such measures at all, for they already had their wives remaining behind, and they were probably sure that their wives would take care of their souls at least until their own death and also by means of their own wills. In his last will dated 1473, Thomas Thorne from St. Albans, for example, left his tenement in "Maltchepyng" and its appurtenances to his wife, Rose, and after her death, the said property was to remain his children successively if the former happened to die:

Provided always that while Rose lives, and after her death, one of my aforesaid sons and daughters whichever one of them holds and enjoys the tenement and their heirs and executors shall observe the anniversary (of my

⁶⁰ Burgess, *The Pre-Reformation Records of All Saints' Church*, p. 16.

⁶¹ Barbara A. Hanawalt, *The Ties That Bind: Peasant Families in Medieval England* (New York and Oxford: Oxford University Press, 1986), p. 241.

death) for my soul and the souls of my parents in St Andrew's chapel for a period of thirty years following the day of my death.⁶²

Knowing that his wife would observe his anniversary as long as she lived, Thomas also wanted to make sure that his wish was fulfilled after his wife's death as well, and thus, obliged his children to fulfill his wishes if they were to enjoy his estate.

Most medieval women generally lived their lives in a restricted area and this area was the parish of their residence. In medieval times, as Brown argues,

monastery and cathedral may have touched the devotional lives of some layfolk some of the time, but the institution that was closest to most, in theory to all, was the parish. [...] Lay people were bound to their parishes, pastorally and financially, from cradle to grave.⁶³

It is impossible, therefore, to find someone, either male or female, who left nothing to his/her parish church. Some bequests to the parish churches were in fact obligatory, for people were supposed to support their churches by means of tithes and offerings. As a consequence, it is inevitable to find wills in which the testators or testatrices made compensation for the forgotten or underpaid tithes and offerings. My sample wills reveal that some women continued the early medieval custom of mortuary, which was also called the principal, for their forgotten tithes. According to Daniell, a mortuary provision "was normally an object and generally was the man's best animal, such as horse or cow, and the lady's best piece of cloth."⁶⁴ Contrary to this gendered distinction, however, the women's wills analysed for this study reveal that women gifted their parish churches with both. Thus, while Johanna Walkyngham in 1346,⁶⁵ Johanne Hilton in 1432,⁶⁶ and Anna Bigod in 1476⁶⁷ gave

⁶² Susan Flood, ed., *St Albans Wills 1471-1500* ([Hitchin]: Hertfordshire Record Society, 1993), pp. 26-27.

⁶³ Brown, *Popular Piety in Late Medieval England*, p. 67.

⁶⁴ Daniell, *Death and Burial in Medieval England*, p. 60.

⁶⁵ "Item lego dictae ecclesiae nomine mortuarii currum meum cum uno equo nigro et apparatu ejusdem equi.": Raine, *Testamenta Eboracensia* I, p. 16.

⁶⁶ "Item lego pro mortuario meo optimum averium meum vel xl s.": Raine, *Testamenta Eboracensia* II, p. 24.

their best animal away as mortuary gifts, Christiana Rous in 1342,⁶⁸ Margaret Blackburn in 1433,⁶⁹ and Joan Candell in 1479⁷⁰ left the apparel pertaining to their bodies as their principals. On the other hand, money for forgotten tithes and offerings were generally given to the high altar of the parish church which people attended during their lifetimes. Many of my sample wills, therefore, contain provision for the high altar, and some wills even contain legacies to provide for more than one high altar. For example, Margaret Wellys, who made her will in 1457, made cash provision of 4s 4d for two high altars.⁷¹ Agnes Mayr, who left 20d to two high altars in 1483, is another example but not the last.⁷² Alice Farewell even made provision for four different high altars in 1461: 3s 4d for the first, 20d for the second and 12d for the other two.⁷³ On the other hand, in 1474 Margery Carter made different types of bequests for the three high altars she mentioned in her will: she bequeathed “one boardcloth of diaper work and silk” to the first one, “one towel” to the second and “one sheet” to the third.⁷⁴ The reason for providing for more than one high altar as well as for more than one church, as is the case in some examples, could be that the parish in which a woman spent her life also had the church of a religious order or she had some titheable property in more than one parish. It is also possible that a woman might have connections or interests with other parishes through marital, economic or other personal and social bonds.

⁶⁷ “Lego pro mortuario meo optimum equum.”: James Raine, ed., *Testamenta Eboracensia* III, Surtees Society, 45 (London: Nichols and Son, 1865), p. 226.

⁶⁸ “Et pro mortuario meo meliorem robam meam.”: Raine, *Testamenta Eboracensia* I, p. 5.

⁶⁹ “Item lego rectori ecclesiae parochialis ubi me contingat diem claudere extremum optimum pannum pro corpore meo talliatum, cum capucio nomine mortuarii mei.”: Raine, *Testamenta Eboracensia* II, p. 46.

⁷⁰ “And I wytt to the parsonnes of my said parish chirch my best gown wt my hode in the name of my mortuary; [...]”: Raine, *Testamenta Eboracensia* III, p. 245.

⁷¹ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 371.

⁷² Flood, *St Albans Wills*, p. 70.

⁷³ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 511.

⁷⁴ Edwards et al., *Early Northampton Wills*, p. 61.

Another way the women made provision for the churches was through the endowments they supplied for the upkeep of the parish churches. Many women, therefore, provided for the building, repairing and adorning of the churches and their interiors. For example, Alice de Pakham's will written in 1407 reveals that she provided for the fabric of four different churches:

I leave to the fabric of the church of Wrotham and specially for the 'boterass' round the church to be repaired 10 marcs. [...] To the fabric of the church of Chevenyng 20s. To the fabric of the church of Eyztham 20s. [...] To the fabric of the church of Tychesey 10s.⁷⁵

Likewise, in 1440 Alicia Catrik left 20s to the fabric of a silver cross in her parish church.⁷⁶ In 1455 Margaret Hegge of Ingham, on the other hand, left 5 marks towards the beginning of the building of the tower of Ingham church.⁷⁷ As these examples illustrate, medieval women did not simply try to keep up appearances through their religious bequests, but they had a real concern for the needs of their parish churches and their fellow parishioners, since they knew where exactly the necessity lay. Leaving her will in 1448, Mariola Wedyrdene of Bildeston proves to be another example of a sincere and thoughtful parishioner, for she left 6s 8d to the church for the emending of the books.⁷⁸ Katherine Dag of Acton, who left the residue of all her goods in order for a vestment for the Acton church to be bought in 1461, is another but not the only example.⁷⁹

Some wills also contain bequests for the lights or lamps and the bells of the churches. It was a custom for people to bequeath wax in tapers or ask for the provision of candles to be put around their body on the day of the burial. Some, as

⁷⁵ Leland L. Duncan, trans., "Medieval and Tudor Kent P.C.C. & C.C.C. Wills," (available on the Kent Archaeology website at <http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk24/page%20353.htm>) (Last visited August 2009)

⁷⁶ "Fabricae unius cruces argenti ad usum dictae ecclesiae de novo fabricandae xx s.": Raine, *Testamenta Eboracensia* II, p. 74.

⁷⁷ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 341.

⁷⁸ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 247.

⁷⁹ *Ibid.*, p. 479.

will be mentioned later, wanted these lights to be carried by a certain number of poor men, generally 13 or 12, dressed in black or white according to the tradition. In her will written in 1346, Emma, wife of William Paynot de Esingwald, left 8 pounds wax to be burned around her body, 2 pounds wax to serve before crucifix and again 2 pounds wax to the image of Blessed Mary.⁸⁰ In 1450 Hawisia Aske of York bequeathed 25 pounds wax to burn around her body and 13 torches to the high altars serving various saints in four different churches:

I bequeath 25 pounds wax made in 5 tapers to be burned around my body on the day of my burial. I bequeath 13 torches each weighing 6 pounds wax, of the said 13 torches I wish that 4 torches to serve to light the high altar of the church of St. Michael le Belfray at the time of the elevation of the Body of Christ, 2 other torches to serve the altar of Blessed Mary in the same church, one torch to serve St. Thomas, Archbishop of Canterbury, and Blessed Mary Magdalen in the same church, 2 other torches to the high altar of the church of Langtofte, 2 other torches to the chapel of Cotom, and 2 other torches to the high altar of the parish church of Eseby near Richmond.⁸¹

Agnes Bune, in her will dated 1473, left 20d for candles and lights in a church, Alice Harryes in 1485 bequeathed 4d separately to the rood light and St. Mary's light, and Elizabeth Flexmore whose will dates 1491 bequeathed 8d to the light before the Crucifix, 6d to Our Lady light, 2d to St. Katherine light and another 2d to St. Nicholas light.⁸² Isabella Lewis in 1494 mentioned 15 lights in her will and left 4d to each of them.⁸³ Alice Markaunt in 1448 ordered her son to maintain a light in the church and to keep it in the future out of his own goods.⁸⁴ Such provisions for the

⁸⁰ "Item lego in cera ardenda circa corpus meum viij libras. Item ij libras cereae coram crucifixo et ij libras cereae coram ymagine beatae Mariae." Raine, *Testamenta Eboracensia* I, p. 22.

⁸¹ "Item lego xxv lb. cereae in quinque cereis conficiendis, circa corpus meum die sepulturae meae comburendis. Item lego xiiij torches quaelibet ponderis vj lb. cereae, quarum quidem xiiij torches predictarum volo quod quatuor torches deserviant summo altari ecclesiae Sancti Michaelis le Belfray tempore elevacionis corporis Christi illuminandae, duae aliae torches altari Beatae Mariae in eadem ecclesia serviturae, una torch altari Sanctorum Thomae Cantuarensis Archiepiscopi et Beatae Mariae Magdalenae in eadem ecclesia servitura, duae aliae torches summo altari ecclesiae de Langtofte, duae aliae torches capellae de Cotom, et duae aliae torches summo altari ecclesiae parochialis de Eseby juxta Richmond." Raine, *Testamenta Eboracensia* II, p. 142 (translation mine).

⁸² Flood, *St Albans Wills*, pp. 18, 77, and 101.

⁸³ *Ibid.*, p. 110.

⁸⁴ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 245.

lights imply the piety and devotion of medieval women, for they were in a way symbolic prayers. The lights were used and the candles were burned during the funerals, anniversaries and especially during the Mass. Furthermore, “lights placed before altars and images,” as Beat A. Kümin states, “were an important part of the veneration of saints. Their maintenance required some collective organization, and regulations were drawn up on various levels within the parochial system.”⁸⁵ Although parish people were obliged to sustain the lights of their parish churches, it is possible that people who provided for the lights and candles in their wills might want to be associated with them during the religious rites. On the other hand, the popularity of provisions for lights among testatrices who had restricted property was probably due to the fact that regardless of their status, women could afford the maintenance of the lights and candles. As David Postles argues, “lights are significant because quite modest endowments could be made for their maintenance, which allowed the participation of wide social groups in this form of association with the liturgy, including burgesses and even free peasantry.”⁸⁶ Moreover, people who included bequests to lights did not necessarily provided for all the lights in a church, but rather they chose particular ones that they associated themselves with, as can be seen from the examples.

Though less in number, some women also provided for the bells and at the time the bells were generally used on Sundays, for weddings and before the funerals. Though it is difficult to find out the motivation for the provision of the bells, it is possible that testatrices who made donations for the bells might be doing a favour for their community. In fact, as Margaret Rees argues, “while not evidence of religious

⁸⁵ Beat A. Kümin. *The Shaping of a Community: The Rise and Reformation of the English Parish c. 1400-1560* (Aldershot: Scolar Press, 1995), p. 148.

⁸⁶ David Postles, “Lamps, Lights and Layfolk: ‘Popular’ Devotion Before the Black Death,” *Journal of Medieval History* 25, no. 2 (1999): pp. 97-114 (p. 98).

piety like paying for candles to be lit before particular statues, paying for the bells was an expression of identification with the church and community.”⁸⁷ Johanna De Cobham in her will dated 1369, thus, left 3s 4d to the ringing of the bells "in belfreto" of the church of Lyngefeld in Surrey;⁸⁸ Rose Waryn in 1447 bequeathed 6s 8d to the repairing and maintaining of the bells of the church;⁸⁹ Joan Wombwell in 1454 made a provision of 40s to the making of the bells of Whitekirk;⁹⁰ Agnes Bertilmere in 1499 left 3s 4d to the bells;⁹¹ and Alice Hopwod in 1500 left 12d for the reparation of the bells.⁹² Margery Koo in her will written in 1452 left her sister 8d a year for the keeping of her anniversary and her husband's, that is, in the singing of masses, bell-ringing and alms to the poor, to be paid at two times in the year.⁹³ As the last example suggests, bell providers might hope that the ones who heard the tolling of the bells on their anniversaries would pray for them. It is also probable that on such occasions ringing of the bells reminded the community of the transitory life and impossibility of avoiding death. In fact, the aim of tolling bells, as David Cressy suggests, "was to show respect, to alert the community, to summon attendants to the bedside or the graveside, to bring comfort to the living and the dying, and to assist the parting person by prompting neighbours to their prayers."⁹⁴ Bells might also function on the days of burials to help gather the poor to the funeral and thus funeral provisions made by the will-writers could be fulfilled. Daniell makes an interesting suggestion on the function of bells in late medieval burials, which was probably true:

⁸⁷ Margaret Rees, "The Pre- and Post-Reformation Church in Shillington (Beds) in the 16th Century," pp. 1-13 (p. 11). http://www.shillington-history.org.uk/Pages/Rees%20files/rees_intro.htm (Last visited August 2009)

⁸⁸ Duncan, "Medieval and Tudor Kent P.C.C. & C.C.C. Wills," <http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk27/page%20758.htm>

⁸⁹ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 148.

⁹⁰ "Lego facturae campanarum de Whitekirk xl s.": Raine, *Testamenta Eboracensia* II, p. 177.

⁹¹ Edwards et al., *Early Northampton Wills*, p.161.

⁹² *Ibid.*, p.217.

⁹³ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 230.

⁹⁴ David Cressy, *Birth, Marriage, and Death: Ritual, Religion, and the Life-Cycle in Tudor and Stuart England* (Oxford: Oxford University Press, 1997), p. 421.

Bell-ringing was also an important part of the service for two reasons. The first was to pronounce that the person was dead so that people would pray for the soul. The bell also indicated the exact status of the deceased: the number of strokes indicating the social status. [...] The second reason was to frighten off devils. [...] The bells at funerals were to drive away the devils which might be attacking the departed soul.⁹⁵

In relation to the provisions for prayers after death, some women in my sample also made bequests to pious institutions such as religious guilds and fraternities. As Fleming argues, “perpetual prayer foundations were expensive; consequently, few gentlemen could afford them. A less expensive – but also less prestigious – way of acquiring similar spiritual benefits was through membership of a religious gild.”⁹⁶ Apart from other secular functions, the prime pious mission of guilds and fraternities was the salvation of the souls, since members of a religious guild were supposed to attend the funerals of the members of that guild and pray for their souls. In fact, as Catherine Sanok puts it:

Guilds very often aspired, though they did not always manage, to hire a chantry priest for the souls of the dead brothers and sisters of the fraternity, just as aristocrats and wealthy merchants did for themselves. If the collective resources of the members were not sufficient to hire a priest, the guild brothers and sisters themselves said prayers for their deceased members, offering some of the spiritual benefit that wealthier Christians could more easily afford. In either case, the guild provided for the welfare of its members’ souls, [...].⁹⁷

Women who cared for their souls, therefore, left some bequests to the guilds of which they were probably a member. Hence, Marion Broun of Hopton, in her will dated 1458, left 2s to the Guild of St Peter; Olive Kyng of Mendlesham in 1455 left 6s 8d to the Guild of the Holy Trinity; and Joan Fakon of Nayland in 1456 left 16d to the Guild of Saint Thomas and 2s to the Guild of Holy Trinity. The last will of Beatrice Wrygh of Wortham written in 1462 contains a bequest of a coomb of malt

⁹⁵ Daniell, *Death and Burial in Medieval England 1066-1550*, pp. 52-53.

⁹⁶ Fleming, “Charity, Faith, and the Gentry of Kent,” p. 41.

⁹⁷ Catherine Sanok, “Performing Feminine Sanctity in Late Medieval England: Parish Guilds, Saints’ Plays, and the *Second Nun’s Tale*,” *Journal of Medieval and Early Modern Studies* 32 (2002): pp. 269-303 (p. 281).

to the fraternity of the guild of the Holy Trinity of her parish.⁹⁸ Moreover, some women such as Agnes Clerke, Margaret Brafeld and Alice Wynge from Northamptonshire made widespread bequests to fraternities, respectively in 1481, 1487 and 1495.⁹⁹ While all of these women made cash donations to at least nine various fraternities to which they were probably related, Margaret Brafeld also provided each fraternity she chose as her beneficiary with one torch. Through such provisions, those women were not only performing a good work by providing for such institutions, but they also must have expected to be remembered during the masses and prayers by their fellow parishioners and consequently to be saved from the Purgatory as soon as possible.

Other pious institutions to which women made donations and expected spiritual benefits from were religious houses and convents. The sample of wills analysed include various gifts such as money, grain and clothing given to monks, friars and nuns in return for prayers or celebration of trentals. The fact that many medieval women remembered religious orders and their members in their last wills and made bequests to them illustrates how influential monastic and mendicant orders were in late medieval world. In fact, “many religious houses of medieval England,” as Northeast suggests, “provided ready reservoirs of prayer-providers,”¹⁰⁰ and it is not surprising that, thus medieval women included them among their beneficiaries. Though it is probable that our testatrices made some donations to religious orders during their lifetimes because of prominence of religious houses during the period, they also took the opportunity while they were on their deathbeds and expected prayers from religious orders in order to hasten the soul’s passage through Purgatory. Though women provided for older monastic houses of men and women, bequests to

⁹⁸ Northeast, *Wills of the Archdeaconry of Sudbury*, pp. 356, 359, 374 and 495.

⁹⁹ Edwards et al., *Early Northampton Wills*, pp. 92-96, 142-145, 200-202.

¹⁰⁰ Northeast, *Wills of the Archdeaconry of Sudbury*, p. xlvi.

friaries were much more common and this illustrates that men and women “were open to the attractions of the worldly friars, visible and accessible, who drew support away from the monks, detached, cloistered and separated from the community among which they lived.”¹⁰¹ Another point in the popularity of mendicant houses is the fact that people were probably following a social convention. Thus, of Norwich wills proved between the years 1370 and 1532, 47% of testators made bequests to friaries while only 35% of testators mentioned the cathedral church and priory among their beneficiaries.¹⁰² The Friars Minor (Franciscans), the Order of Preachers (Dominicans), the Carmelite Friars and the Augustinian Friars were the four main orders of friars to whom bequests were made. Women who made donations to religious houses generally left bequests to each of the four orders. For example, the last will of Matilda, late wife of William Marschall, dated 1392, has a reference only to mendicant orders, and she left 8s to be divided equally between four orders of mendicant friars of York.¹⁰³ Agnes Ide of Glemsford in 1420 left “to the friars of Clare 10s; to the friars of Sudbury 3s 4d; to the convent of the friars of Babwell 3s 4d; and to the friars of Cambridge 3s 4d.”¹⁰⁴ Margaret, widow of Nicholas Blackburn, in 1433 bequeathed to the Convent of Friars Preachers of York 10s, and the other three orders of mendicant friars 20s to be divided equally between them. But she also left 10s to the Prior and Convent of the Monastery of Holy Trinity in Mikelgate in York and again 10s to three recluses.¹⁰⁵ Some women like Agnes Percehay made bequests for a certain nun or friar to whom they were related or

¹⁰¹ Middleton-Stewart, *Inward Purity and Outward Splendour*, p. 57.

¹⁰² Norman P. Taner, *The Church in Late Medieval Norwich 1370-1532* (Toronto: Pontifical Institute of Medieval Studies, 1984), pp. 222-223.

¹⁰³ “Item lego iijor ordinibus Fratrum Mendicancium Ebor., inter ipsos ordines equaliter dividendos, octo solidos.”: Raine, *Testamenta Eboracensia* I, pp. 180-183.

¹⁰⁴ Northeast, *Wills of the Archdeacons of Sudbury*, p. 54.

¹⁰⁵ “Item lego Priori et Conventui Abbatiae Sanctae Trinitatis in Mikelgate in Eboraco x s. Item lego Conventui Fratrum Praedicatorum Ebor. x s. Et aliis tribus ordinibus Fratrum Mendicancium Ebor. xx s. equis porcionibus inter eos dividendos. Item lego tribus recluses Ebor. x s. equis porcionibus dividendos.”: Raine, *Testamenta Eboracensia* I, pp. 46-51.

acquainted. The last will of Agnes reveals that two of her daughters dedicated themselves to a religious life as nuns, and she left to each 40s.¹⁰⁶ Similarly, Margaret Boole of Timworth in 1452 left 6s 8d to Dame Alice Boole, who was her daughter and a nun at Redlingfield.¹⁰⁷ One year later, Ada Welde of Woolpit as well left legacies for several members of religious orders she mentioned by name. Thus, her last will reads: “To Dame Margaret Huscher, nun of ‘Nonnysham’ 26s 8d and a ‘cloke’, a kirtle and a pair of jet beads; [...], to Friar Nicholas Bury 6s 8d; to Dame Ydeyne, nun of ‘Sham’ 12d.”¹⁰⁸ Although the testatrices who made such personal bequests did not explicitly state that they wanted prayers for their souls in return for their bequests, it is apparent, nevertheless, that they expected some spiritual benefits from those persons. It makes sense especially when one remembers the fact that friars, nuns and other members of religious orders devoted their lives for preaching and the salvation of souls. The last was in fact what most people sought for by means of the bequests in their last wills.

The evidence of wills also suggests that medieval women made a wide variety of other charitable bequests. In general, we see that testatrices left the residue of their goods that were not bequeathed for charitable works or to be spent on deeds of charity on burial days, or at the day of obits and anniversaries. Indeed, as Norman Tanner argues, “the most popular form [of charitable bequest] was for a testator to leave the residue of his estate, or part of it, to be disposed “for his soul” in alms to the poor, or in works of mercy and charity, or in some similar way.”¹⁰⁹ Analysis of my sample wills reveals that bequests to the poor, to the emending of the ways and bridges, to poor girls towards their marriage and other good works were accepted as

¹⁰⁶ “Item lego Priorissae de Yedyngham, filiae meae, duas robas meas cum mantellis et xl s. Item lego Agneti filiae meae Moniali de Watton xl s.”: Raine, *Testamenta Eboracensia* I, pp. 53-54.

¹⁰⁷ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 271.

¹⁰⁸ *Ibid.*, p. 280.

¹⁰⁹ Tanner, *The Church in Late Medieval Norwich*, p. 135.

the deeds of mercy by medieval women. The most popular form of charitable provision found in my sample wills is bequests to the poor, since most women spared some part of their property to be distributed among the poor on the day of their burial. In fact, the poor were generally remembered during the funeral arrangements, as it was a custom during the Middle Ages that a certain number of poor men held and carried candles or torches during the funeral and further they were provided with cloths and black gowns. As it is generally acknowledged, the act of will-writing was influenced by the fear of death and the concern about the well-being of the soul. Women who had sufficient resources, therefore, made legacies on behalf of the poor and needy, as prayers of poor people were believed to be priceless because of the belief that they are closer to God.

Alice Farewell from Suffolk in 1462 bequeathed 12 bushels (modios) of wheat to be divided among the poor of the towns of Ashley and Silverley, and she also wanted food and a penny to be given to each of the poor present at her burial or on the day of her burial who is willing to take alms.¹¹⁰ Her will written in 1465 reveals that, Margaret, late wife of John Stapilton, bequeathed to five poor men holding and carrying five torches at her funeral rites and mass on the day of her burial one gown with hood of white woollen cloth. Margaret further wanted 5d. to be given to those five men attending her mass on the day of her burial or on the eight day after.¹¹¹ In 1471 Emma Boteler from St. Albans left the residue of all her goods together with all the debts owed to her for charitable works and ordered her executors to distribute her goods not bequeathed in her will for the well-being of her

¹¹⁰ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 511.

¹¹¹ “Lego v. pauperibus hominibus dictas quinque torcheas tenentibus et portantibus ad exequias meas et missam die sepulturae meae, cuilibet j. togam cum capucio de panno laneo albo. Volo quod quinque denarii liberentur dictis quinque pauperibus hominibus ad offerendum ad missam meam tempore oblationis die sepulturae meae vel octavo.”: *Testamenta Eboracensia* II, p. 271.

soul amongst the poor.¹¹² Alice Harryes, again from St. Albans, in her will dated 1485 bequeathed 14d to be distributed to the poor on the day of her burial and at her month's mind or anniversary.¹¹³ In 1496, a different woman called Alice Harryes from the same town left remaining sums from the rents and profits of her tenement to be distributed to the poor and needy at Christmas time.¹¹⁴ This Alice Harryes further wanted that her tenement be sold after twenty years and the money to be raised, to be spent on the celebration of masses for her soul and in repairs to the muddy roads and other charitable works.

In fact, the second popular charitable provision by women was giving to the repair or making of ways, roads and bridges. For example, writing her will in 1445, Agnes Whytbred from Suffolk bequeathed 4 bushels of wheat and 4 bushels of malt to the emending of a way.¹¹⁵ Marion Fenkele from the same town in 1446 not only left 20s to the making of a highway and 4d the poor of three towns that she had connection with, but she also bequeathed 1d to each of the needy seeking alms at her burial.¹¹⁶ Another woman, named Isabel Fysch, again from Suffolk, in 1448 divided the money from the sale of all her lands and tenements into four parts and gave one part to the emending of ways while giving another part to the relief of the poor.¹¹⁷ In 1451 Margery Muryell from Suffolk made four separate provisions in the acts of charity, that is to say, she left 40s to be spent on her burial day in giving food and drink to poor people and her neighbours, 3s 4d to be spent on deeds of charity on the

¹¹² Flood, *St Albans Wills*, pp. 77-78.

¹¹³ *Ibid.*, pp. 131-132.

¹¹⁴ *Ibid.*, p. 120.

¹¹⁵ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 120.

¹¹⁶ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 130.

¹¹⁷ *Ibid.*, p. 115.

day of her obit each year for the health of her soul and her benefactors, 6s 8d to the repairing of a common way and 3s 4d to a highway.¹¹⁸

Such bequests typify the charity provisions in my sample wills, as many other women also gave away money to the poor and to roads or wanted their executors to fulfill other deeds of charity as seems best to them. Charitable provisions seem to have eased the testatrices' fear of death and of what awaited them in the afterlife, for the Church emphasized the fact that charity was important for the health of the soul. However, women were not only motivated by the Church's teachings, but they also had a genuine concern for their society. They might expect prayers in return for their bequests, as the connection between charitable provisions and the well-being of the soul is clear, but they also knew that their bequests would benefit the community. Though it seems that women followed a custom or felt obliged to make provisions for the poor on their deathbeds, other provisions for charity and good works suggest that they knew what would benefit the society, and thus made provisions for the emending of the roads, bridges, the churches, colleges and hospitals. It is also possible to find some evidence in the wills that women also provided for poor girls towards their marriage and also for poor widows with whom they were acquainted. As an example, in her will dated 1407, Alice de Pekham bequeathed to her two daughters 100 marcs each towards their marriage. However, if they were to die before marriage, "then the 100 m[a]rcs to be divided between poor maidens kinsfolk of Reginald [her deceased husband] and me to their marriages and if there are none then to the poor."¹¹⁹ Moreover, sometimes it is possible to come across women who favoured their own sex in their bequests rather than men. Thus, in her will written in 1478, Alice Neville of Hunalet gave her son her house and land in Olton:

¹¹⁸ Ibid., p. 238.

¹¹⁹ Duncan, "Medieval and Tudor Kent P.C.C. & C.C.C. Wills," <http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk24/page%20353.htm>

on this condicion, that as he will answere to God at the daye of dome, and by the othe that he hath made to me uppon a boke before recorde that he shall fulfill my will, that he trewly, whilst he lyves, gyff those ij howses in Holbek, that I bygged, to ij pore women; in his prymary gyfft to charge thame that they pray duly for me and all my goode doars. And, when on woman dyes, to put in an other woman, but put in no man; and that he paye or make to be payed to thame xiiij s. iiij d. every yere in fourme folowyng; that is to saye at the fest of Allhalowes ij s. vj d.; at the fest of our Lorde Jhesu ij s. vj d.; on Ask-Wedynnesday ij s. vj d.; on Goode Frydaye ij s. vj d.; on Seynt Anne daye xx d.; and on oure Lady day Assumpcion xx d.¹²⁰

As the examples illustrate, women as well as men preferred poor men rather than poor women to stand around the body on the day of burial, but other than this they had a tendency to provide for their fellow sisters. In fact, women were probably expected to do so by their contemporaries, for they were associated with the household and supposed to feed the poor coming to their doors, and helping other women who were in need.

As the given examples illustrate, last wills of women contain various bequests which are motivated by their piety and the popular beliefs of the late medieval period. At the time it was inevitable both for men and women to be influenced by the doctrine of Purgatory. Thus, men and women made endowments to the Church, and provided for masses and good works for the health of their souls. In fact, the Church by means of both its teachings and its services and the living by means of their concern and actions had the leading roles in the act of providing prayers for the departed souls. Moreover, the gifts to the living were the prime instrument of those who were about to die to make sure that they would be remembered. As everyone would be dead someday or another, men and women made similar religious bequests and because of this reason examples were given from the women's wills. In fact, the aim of this study is to provide a perception of women's role in late medieval England by the help of wills. This might justify the lack of examples from the men's will. On

¹²⁰ Raine, *Testamenta Eboracensia* III, pp. 244-245.

the other hand, women's wills reveal that the testamentary behaviour of women in terms of religious bequests reflects that they in a way followed their traditional roles. While providing for their own souls, they also acted as rememberers for the others. As men's wills reveal, women were expected to take care of the souls as well as the estates of their husbands. And indeed, women followed this expectation and did not disappoint men. In the two following chapters, the main differences between women's wills and men's wills will be discussed.

CHAPTER III

WOMEN'S FAMILY: THE PLACE OF WOMEN WITHIN THE FAMILY AND BEQUESTS TO FAMILY MEMBERS

[...] a man's place in the medieval world was defined by his membership in a single patrilinear family, a woman's place by multiple family allegiances – a point fundamental to medieval women's understanding of themselves [...]. Women's passages from one family to another, from one stage of family life to another – daughter, wife, mother, widow – distinguished their lives from men's.¹

For a medieval woman, her family and the household in which she lived with her family were her primary concern. In fact, most of the women identified themselves in relation to their families, as a man's daughter, a man's wife or his widow. Though only 1023 (19.5%) of 5214 beneficiaries found in my sample women's wills were family members, as illustrated by Table 3.1 below, it is apparent that for a woman, provision for her family was as important as shortening her time in Purgatory. The form of the wills serves as evidence for this, as religious bequests were generally followed by the familial ones, although there might be some exceptions.

¹ John Carmi Parsons, "Mothers, Daughters, Marriage, Power: Some Plantagenet Evidence, 1150-1500," in *Medieval Queenship*, ed. John Carmi Parsons (New York: Palgrave Macmillan, 1997), pp. 63-78 (pp. 77-78).

Table 3.1- Representation of kin recognition:

Beneficiary	Number of wills making reference	Number of beneficiaries
Husband	35	35
Daughter	136	208
Son	155	263
Children (sex unspecified)	13	13
Stepdaughter	1	1
Stepson	7	8
Daughter-in-law	30	35
Son-in-law	15	15
Granddaughter	32	50
Grandson	28	40
Grandchildren (sex unspecified)	10	12
Grandson's wife	2	2
Grandson's daughter	1	1
Father	3	3
Mother	9	9
Grandmother	1	1
Father-in-law	1	1
Mother-in-law	2	2
Sister	41	56
Brother	33	42
Sister-in-law	14	15
Brother-in-law	4	6
Aunt	2	3
Uncle	3	4
Cousin	7	10
Cousin's wife	1	1
Nephew	10	13
Nephew's daughter	1	2
Nephew's son	1	1
Niece	14	19
Niece's husband	1	1
Other female relatives	37	55
Other male relatives	38	63

As Table 3.1 illustrates, during the late medieval period, though the fundamental motive for will-making was still a religious one, medieval people on their deathbeds also concerned for the well-being of their family members, and thus, as Michael M. Sheehan puts it, “the desire to arrange the succession to chattels among the members

of a family”² was another important motive for leaving wills. In this section, methodologically, I will include examples of the bequests made to the individuals in both female and male wills, since a comparison of the amount and the kind of bequests may be helpful in understanding the role of medieval women within their family as well as community. The aim of this chapter is to illustrate how men and women differed in their rights of provisions made in the wills, and consequently how this affected the familial bequests found in male and female wills of the late medieval England. As it is beyond the scope of this study to analyse all of surviving male wills found in my sources, I will generally use some randomly chosen wills of women whose husbands’ wills also survived. In this way, it will be possible to find out whether there is any gendered distinction between the bequests and the motives lying behind the familial provisions of testators and testatrices. However, some examples will also be given from the wills of single women, who have been relatively neglected, to find out how the status of a woman influenced her testamentary capacity.

Before going on, the distribution of land by means of wills should be noted, as most men and some women by means of these wills distributed some of their lands, mostly among their family members. It was common for women to be landholders. Women, at any point in their life might inherit land from their parents, while married women might well have a *maritagium* in the form of land, and widows usually had a lifetime right to a third of their husband’s estate. However, bequeathing of this land by means of wills is a complicated issue, the detail of which must await further study. Under common law, the distribution of real property in the form of lands was restricted for various reasons: the established rights of particular classes of

² Michael M. Sheehan, *The Will in Medieval England: From the Conversion of the Anglo-Saxons to the End of the Thirteenth Century* (Toronto: Pontifical Institute of Medieval Studies, 1963), p. 263.

heirs, the rights of the lord of the landholder, or because an entail had restricted its alienation. Tenures varied widely in their terms and restrictions. Some urban property, especially, could be sold or bequeathed quite freely by its owner. Feoffees and uses might also be used to make the income from land more freely alienable.³

Putting one's estate in order before death was important for medieval people, for their family members were those dearest to them and who might probably need some kind of provision to sustain their lives, as it was the case with the children of a deceased parent. However, "in many parts of the country custom required that, after a man's debts and funeral expenses had been paid, a third of his personal goods must pass to his wife if she survived him, another third to any surviving children and only the last third, sometimes called "Death's Part", could be disposed of as he wished."⁴ Hence, although a proportion of the chattels of a deceased man were to pass directly to his immediate family under the operation of medieval English law, men still included bequests for their family members in their wills. In other words, as a medieval man was regarded as the head of the family, his intention for will-writing apart from provision for the health of his soul was "to strike a balance between competing claims on the estate and in particular to adjudicate between the different needs of the widow and surviving offspring."⁵ In fact, in a patriarchal society most of the testators were concerned with putting their estates in order while testatrices enjoyed more freedom to choose whomever they want as beneficiaries. In order to ensure the well-being of the whole family or to prevent arguments over inheritance among family members, it is common among will-makers to include provisions

³ Paul Latimer, pers. comm.

⁴ Norman P. Tanner, *The Church in Late Medieval Norwich 1370-1532* (Toronto: Pontifical Institute of Medieval Studies, 1984), pp. 116-117.

⁵ Richard Wall, "Bequests to Widows and Their Property in Early Modern England," (XIV International Economic History Congress Helsinki, Session 75), pp.1-18 (p. 2). <http://www.helsinki.fi/iehc2006/papers2/Wall.pdf>

which were already made legitimate by the law. Moreover, will-makers might also want to reward or punish their children in terms of their obedience by adding some other property to the inheritance of their heirs or simply excluding them from inheritance.⁶ As Martha C. Howell further states, medieval testators

began to include customary heirs in their wills, sometimes just to provide reassurances that the ‘rest’ of the estate – after deduction of all the named bequests – was being left to them, but sometimes also to privilege one heir over another (a child over a widow, for example, or a son over a daughter) or to put restrictions on the heirs.⁷

Therefore, “in addition to preparations for the salvation of the soul, the testator felt the significance of the designation of heirs to his or her worldly estate.”⁸ But one has to keep it in mind that familial and personal bequests in the wills probably do not reflect the whole distribution of the property of the deceased, since it is highly likely that, because of the reasons already mentioned, testators and testatrices did not mention the property which was already ensured to the family members by law. The last will of Sir Henry Vavasour illustrates this situation. In his will written in 1413, Henry mentioned neither his children, nor his relatives except one sister named Katherine.⁹ After one year, his wife, Margaret Vavasour whom he made one of his executors, however, mentioned in her will two sons and three daughters to whom she left personal property ranging from jewellery to household goods.¹⁰ Henry did not

⁶ According to Sheehan, “affection, justice, even enmity, led men to arrange that certain persons should enjoy their wealth and that others should not.”: *The Will in Medieval England*, p. 18.

⁷ Martha C. Howell, “Fixing Movables: Gifts by Testament in Late Medieval Douai,” *Past and Present* 150, no. 1 (1996): pp. 3-45 (p. 18).

⁸ Kathryn L. Reyerson, “Changes in Testamentary Practice at Montpellier on the Eve of Black Death,” *Church History* 47 (1978): pp. 253-269 (p. 264).

⁹ James Raine, ed., *Testamenta Eboracensia* I, Surtees Society 4 (London: Nichols and Son, 1836), p. 361.

¹⁰ “Item lego Henrico filio meo unum longum par precum de auro. Item lego dicto Henrico unum ciphum de argento, qui vocatur le Bolle. Item lego dicto Henrico duas ollas, et unum ewer, et xij coclearia de argento. Item lego Johanni filio meo unum par precum de auro. Item volo quod omnia mea perlae dividantur inter filias meas, per equales porciones. Item lego Margaretae filiae meae unum ciphum coopertum de argento, cum nodo de vj squar. Item lego dictae Margaretae filiae meae unum ciphum coopertum & deauratum, sculptum cum litteris de moreske, et lego predictae Margaretae unum signaculum de auro. Et residuum omnium bonorum meorum, volo ut dividatur inter pueros meos, Johannem, Elizabetham, et Johannam.”: Raine, *Testamenta Eboracensia* I, p. 362.

include these children among his beneficiaries probably because he did not find it necessary, as his children had the right to claim one third of his goods and chattels. Similarly in his will dated 1436, Richard Shirburn, making only religious bequests, did not make a provision for any children and mentioned only one son among his executors.¹¹ On the other hand, leaving her will in 1444, his widow Agnes included four daughters and three sons among her beneficiaries and bequeathed to them her personal possessions.¹² Henceforth, it is apparent that absence of children in their father's will does not necessarily mean that a man had no children or made no provision to them. Like Henry and Richard, some men just did not find it necessary to put what was already ensured by the law in their wills.

It is, therefore, very difficult to deduce straight facts that were valid for all will-makers of the age, as medieval people who managed to write a will had different priorities and concerns individually and they also acted under the pressure of social, familial and legal restraints. Hence, as Richard Wall argues, "despite all the detail that wills provide on the distribution of property, interpretation of the evidence they provide is far from straightforward."¹³ Nevertheless, it is possible to make general assumptions about those who took the action of will-making in the late medieval period. When one compares the legacies of medieval women's wills with those of male will-makers, it is revealed that unlike women whose legal right to make a will was restricted but who enjoyed the freedom of spreading their property to anyone they wished, medieval men despite their acknowledged right of making wills limited

¹¹ James Raine, ed., *Testamenta Eboracensia* II, Surtees Society, 30 (London: Nichols and Son, 1855), pp. 75-76.

¹² "[...] and to my daughter dame Alice Tempest a broche of golde. And to my sone Roberte a chene of gold with a crosse. And to my doghter Issabell a chene of gold wt ij girdils, ye tone redde and tother sangvyn. And to my doghter Elizabeth a girdill of grene and ij. bedds and xxx. yerdds of lyn cloth shappyn in sheets. [...] And to my sone John my singnet; and to my son Nicholas and James auther a gold rigne. And to my doghter Mabill a parr of coral bedds. [...] And to my doghter Issabell my coufer with all my array except ij. furies, ye tane of martyns, ye tother of blake lambes, ye whilke I beqwet to my son John.": Raine, *Testamenta Eboracensia* II, p. 106.

¹³ Wall, "Bequests to Widows and Their Property," p. 2.

themselves in terms of their beneficiaries. Thus, it is evident in the light of the wills that medieval men, though there might be exceptions, generally had a concern for immediate family and their own kins while medieval women, in addition to their family members, also remembered their husbands' kin in their wills. The analysis of male wills reveal that "the secular bequests naturally centred on provisions for wives and children,"¹⁴ for most will-writers of the period concerned were married, and most probably had children. Although a husband had a genuine concern for the adequate provision of his wife, his primary concern was the survival of his family, lands and estate.¹⁵ Thus, other than making provision for the health of their souls in Purgatory, men used the will as an official means to ensure that their heirs obtained the acknowledged part of the inheritance.

In his will written in 1436, John Huchon of Ixworth Thorpe ('Thorp *iuxta* Ixworth') left legacies only for his sons and his wife:

To John Huchon the elder, my son, 1 ½ ac of land in the field of Livermere, at the south end of the town, next to land of the manor of 'Broomhall', which I lately purchased of Stephen Pravy; ½ ac of land next to the said 1 ½ ac; 1 ½ r at 'Lampet Went', next to land of Thomas Cook on the south; 3 r of land at 'Stubbydcrowche', next to land of Ed. Bole on the north; 1 r of land near there, and a headland (*forera*) next to land of Thomas Drury on the south; 1 r of land in the same furlong, next to 'le Medueweye' on the south; ½ ac ½ r of land in the furlong called 'Overpeselond', next to land of the church of the aforesaid Livermere on the west; which pieces of land I lately purchased of John Howchon my father; to hold to him, John the elder, my son, and his heirs, of the chief lords of the fee, for ever.¹⁶

In addition, after leaving the residue of all those mentioned lands and tenements in Livermere to his wife, Cecily, and requesting his feoffees to allow his wife to hold

¹⁴ "Introduction," in *Cornish Wills 1342-1540*, ed. Nicholas Orme (Exeter: Short Run Press, 2007), pp. 1-23 (p. 18).

¹⁵ Carmel Biggs, "Women, Kinship, and Inheritance: Northamptonshire 1543-1709," *Journal of Family History* 32, no. 2 (2007): pp. 107-132 (p. 118).

¹⁶ Peter Northeast, ed., *Wills of the Archdeaconry of Sudbury: Wills From the Register 'Baldwyne' Part I: 1439-1461* (Suffolk: The Boydell Press, 2001), pp.298-99.

the lands and tenements peacefully for term of her life, John made provisions for his second son:

To John Huchon the younger, my son, 20 ac of land in the fields of Great Livermere, which I purchased of John Huchon my father, and entered into possession of, in his lifetime, on condition that John the elder, my son, take priest's orders¹⁷; if he do not, then John the elder, my son, to have 5 ac of the said 20 ac of land and John the younger, my son, to have the residue, to him and his heirs; if he be in need he to sell one or two acres with which to provide for himself, as seems to him necessary.¹⁸

Apart from these two sons, John also made a reference to a third son, Ed. Huchon, to whom and whose heirs he gave the residue of all his lands and tenements above stated in Livermere. Although John left religiously motivated bequests in the beginning of his will, he further ordered that "if John and Ed. die without heirs, their lands and tenements to be sold and [*the money*] disposed in pious uses for the souls of all our friends and benefactors."¹⁹ It is clear, therefore, that if John had no children to provide for, he would probably distribute his property for religious purposes after leaving enough resources for Cecily's survival.²⁰ Though it is very difficult to know whether John Huchon made provisions to anyone while he was alive, his will reveals that his primary concern for writing his will was to divide his property among his heirs and also to make provision for his wife, since no other beneficiary is mentioned in his will. Unlike John, however, his wife Cecily who wrote her will nineteen years later left bequests to five other people including a daughter and a son who were not even mentioned in their father's will:

¹⁷ Following his father's order, John the elder became a clerk as referred in his mother's will.

¹⁸ Ibid., p. 299.

¹⁹ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 299.

²⁰ It is possible to find evidence for this in men's wills. For example, John Crymbyll of Worlington, in his will written in 1455 left his whole messuage jointly to his wife and mother, for the term of his mother's life. After his mother's death, it would remain to his wife. After his wife's death, he wanted his messuage to be sold and a third part of the money from it to be distributed in equal portions among his three children. Then, "if any of them die before the death of my wife, the portion of the deceased to be distributed to those still alive; [...]; if all die before my wife, all the money from the messuage to be distributed by my execs in the celebration of masses, to the church and in [*good*] deeds."': Northeast, *Wills of the Archdeaconry of Sudbury*, p. 386.

To Thomas Clerk of Great Ashfield 4 bushels of barley; to Robert Clerk, son of Thomas, 2 bushels of barley; to Agnes Dale my red hood; to Agnes Judy my daughter a copper (*eream*) pan holding 4 gallons; to John Howchon the elder, clerk, 3 bushels of wheat; to Thomas Hog²¹ my son all my pewter, a green cover and a diaper table-cloth.²²

In addition to this, Cecily's will continues with the same statements of her husband's will through which she follows her husband's legacies concerning the family estates. In the light of these bequests one can conclude that Cecily also remembered some people who had some connection to her and other than the bequests of grain mentioned, she gave away some of her personal possessions unlike her husband. As her children had been already provided for by her husband, Cecily did not need to worry about their survival. In fact, the custom also did not oblige her to provide for her children. However, as a widow she reasserted John's bequests to their sons in her own will probably to prevent other claims on the estates. Therefore, Cecily in a way served as a mediator to pass family property to the heirs by including her husband's wishes and legacies in her own will as well. In fact, as Sheehan argues, widow's wills "often recall and confirm some of the prescriptions of the wills of their husbands and, on occasion, provide an alternative arrangement where the desire of the husband had become impossible of realization."²³

It is clear that men used women as a bridge to transfer their property to the heir and the other sons. Women would hold immovables such as the lands and tenements or valuable movables on behalf of the children until they came to lawful age. As mentioned in the previous chapter, the nature of the marriage bond between the couples resulted in the choice of the spouse as one of the trusted executors. However, a man's concern with the survival of his lineage, furthermore, resulted in the restrictions he put upon his bequests to his wife. It is possible to find instances in

²¹ This might be an indication of another marriage with somebody surnamed Hog.

²² Northeast, *Wills of the Archdeaconry of Sudbury*, p. 299.

²³ Sheehan, *The Will in Medieval England*, p. 71.

which men left some property to their wives on condition that their wives avoided remarriage. As Ann Kettle points out, “behind this concern was clearly the fear that the property of the testator or of the children of the marriage would be taken by the widow into a new marriage and would fall into the hands of the new husband.”²⁴ In 1398, John Muleward, primarily having the provision for his son in mind, left his wife Joan, “so long as she shall live in pure widowhood, half a bushel of flour a week; the said flour to go, after her marriage, to John Bagpath for the sustentation of son John, and to be received weekly from Leonard’s mill.”²⁵ Likewise, in his will written in 1454, John Bullok of Woolpit (‘Wulpyt’) left his wife Margery his immovable property if she remained as a widow:

To Margery my wife all my lands and tenements in the town of Woolpit, except 3 pieces of arable land, containing altogether an acre, of which one piece is in the furlong called ‘le Bradwater’, and the other 2 pieces lie divided in the furlong called ‘le Sevenacres’, to hold for 14 years from now, on condition she remain unmarried and that she keep up the dues and repairs of the property in that time, at her own cost; after the end of the 14 years the premises to remain to Adam Bullok my son, to him and his heirs for ever, on condition that he pay Margery 6s 8d a year during her lifetime, if she remain unmarried; [...].²⁶

It is apparent that, although John had a concern for the maintenance of his wife after his death, he tried to control his wife’s behavior beyond the grave. Thus, if men had children under age, they left their property to their wives until his children came to lawful age and obliged their wives to remain unmarried in order to protect their property from unknown hands. According to Wall, such time limited bequests can be interpreted in other two reasonable ways:

²⁴ Ann J. Kettle, “‘My Wife Shall Have It’: Marriage and Property in the Wills and Testaments of Later Medieval England,” in *Marriage and Property: Women and Marital Customs in History*, ed. Elizabeth Craik (Aberdeen: Aberdeen University Press, 1991), pp. 89-103 (p. 99); Lynn Botelho, “‘The Old Woman’s Wish’: Widows by the Family Fire? Widows’ Old Age Provisions in Rural England, 1500-1700,” *History of the Family* 7 (2002): pp. 59-78 (pp. 67-68).

²⁵ T. P. Wadley, ed., *The Great Orphan Book and Book of Wills, in the Council House at Bristol* (Bristol: Jefferies and Sons, 1886), p. 53.

²⁶ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 273.

In the first place they clearly indicate that the husband's intention was to strike a balance between competing claims on the estate and in particular to adjudicate between the different needs of the widow and surviving offspring. Secondly, however, bequests that were limited in this way indicate the desire of the husband to see that he and not his widow determined which particular pieces of property would pass to particular heirs.²⁷

Though one might come across various instances in which a husband tried to prevent his wife's remarriage after his death, it was not a general pattern followed by men. It is still possible to find references of trust and affection by men towards their wives.

In his will written in 1485, Thomas Arundell wished his wife Katherine

to find my children as well my sons as my daughters into the time that they be of lawful age and then to prefer them and every of them in marriage and otherwise to their degree as can be thought most expedient after the discretion of the said Dame Katherine my wife for the faith and trust that I have in her more than I have in all the world, to have the guiding and governance as well of my lands as of my said children.²⁸

While Thomas Arundell explicitly expressed his trust and affection for his wife, Thomas Gatle of Great Livermere showed his affection and concern through his provisions made in 1440. According to his will, his wife Alice was not only to receive an annual payment from his lands and tenements for the term of her life, but his executors were to support her further for her needs. Thomas Gatle stated in his will that "my execs to make provision for Alice appropriate to her position, and according to her wishes, for the term of her life, and if she be in need, she to be relieved out of my goods to avoid her falling into poverty."²⁹

Upon her marriage, a woman's property, if she had any, fell under the control of her husband, and therefore, as mentioned before, she could not leave a will without her husband's consent. Some married women like Alice of Elmeden, who defined herself as the daughter of and heiress of John del Chambre in her will dated

²⁷ Wall, "Bequests to Widows and Their Property in Early Modern England," p. 2.

²⁸ Orme, *Cornish Wills*, pp. 97-98.

²⁹ Northeast, *Wills of the Archdeaconry of Sudbury*, pp. 67-68.

1386,³⁰ Katherine Calf whose will dated 1389,³¹ Elena Barkar whose will was written in 1402,³² and Maud Esterfeld in 1491³³ stated explicitly in their wills that they had obtained their husband's permission to write a will. However, in general married women did not mention in their wills that they had the consent of their husbands but instead they named their husbands as executors, which presumably indicates the husbands' consent. Although married women, in practice, did distribute their part of real property by means of their wills, it is difficult to know whether women would put the same restrictions as men did on their bequests to their husbands, if they had enough resources and control over them like men. My sample wills provide only one instance in which a married woman tried to control her husband beyond the grave. In her will dated 1466, Marion who was wife of William Bette wanted two acres of land which was bequeathed to her by her father to be sold and a messuage to be bought with the money; "and William Bette my husband have the same if he does not marry, when he marry the messuage to Thomas Bette my son when of lawful age, if he die under age then to my son John Bette."³⁴ Marion probably wanted her inheritance from her father to remain within her family, and put such a condition on her bequest in order to prevent William's distribution of it in any other ways. Unlike Marion, in her will written in 1451, Margaret Whythede uttered the possibility of her husband's remarriage, but instead of excluding him from her will, she changed her provision to him:

My husband to have my messuage with the adjacent croft of 6 ac of arable land and a lake (*lacum*), for term of his life, so long as he keeps [*it*] in good state, without strip or waste, as long as he lives there; if he marry another wife

³⁰ "[...], cum pleno consensu et assensu Willielmi de Elmeden junioris viri mei, [...]": James Raine, ed., *Wills and Inventories* I, Surtees Society, 2 (London: Nichols and Son, 1835), p. 42.

³¹ Wadley, *The Great Orphan Book and Book of Wills*, p. 22.

³² "[...], cum speciali licenciâ michi a marito meo concessâ, [...]": Raine, *Testamenta Eboracensia* I, p. 290.

³³ Wadley, *The Great Orphan Book and Book of Wills*, p. 177.

³⁴ Arthur Hussey, "Milton Wills (Next Sittingbourne)," *Archaeologia Cantabrigia* 44 (1932), pp. 79-103 (pp. 83-84).

and wish to live [*there*] with her, he is to have 3 ac of arable land at 'Dychende', 3 r of meadow at 'Mardell', ½ ac of meadow in 'Lytylham Hale' and a rood of arable land in 'Bangroft', and Thomas Palmere³⁵ to have and enter upon the said messuage with the adjacent croft of 6 ac of arable land and a lake.³⁶

Margaret took two possibilities into account and left her husband with two choices, but no matter what her husband did, she proved to be generous towards him.

In some cases it is possible to come across sentimental statements as well. In her will dated 1408 Agnes wife of Hugh Hussee showed her trust in her husband with the sentiment that "and because I trust more in said Sir Hugh my lord than all others, I bequeath all my goods concerning my portion to my husband the same."³⁷ Only twenty-eight of the seventy-one married women (39%) whose wills were analysed for this study distributed real property by means of their wills; the majority (64%) passed the ownership of the property to their husbands and did not restrict their husbands' behaviour by putting conditions on their bequests. In fact, according to common law, a married woman's property was already in her husband's control and she could not bequeath even her own inherited property without her husband's permission, and therefore, she had no control over real property until her husband's death when "she was literally transfigured from a legal nonentity to an independent individual in law; and simultaneously from a person with almost no control over landed property to (often) the holder of significant amounts of landed wealth,"³⁸ especially if her children were under lawful age.

³⁵ This might be an indication of her former marriage.

³⁶ Northeast, *Wills of the Archdeaconry of Sudbury*, pp. 232-233.

³⁷ "Et quia in dicto Domino Hugone domino meo prae ceteris plus confide, lego omnia bona meam partem concernentia eidem marito meo, [...]": Raine, *Testamenta Eboracensia* I, p. 352 (translation mine).

³⁸ Philippa C. Maddern, "Widows and Their Lands: Land, Texts, and Women's Identities in Fifteenth Century Norfolk," (paper presented to Women and Property in Early Modern England: An Interdisciplinary Colloquium, Australia, June 30-July 1, 2000), p. 1.
<http://www.newcastle.edu.au/centre/cispr/conferences/women/papers/womenMaddern.pdf> (Last visited August 2009)

The evidence found in the wills further reveals that sometimes both men and women had doubts about their children's behaviour and wanted their children to behave in a certain way if they were to receive the property bequeathed to them. In 1444, Sir Giles Daubeney left his son William from his first marriage various movables on condition that "he lette not my last wille; and, yf he trouble myn executouris, then I wille yat al ye place ye which I have ordeynid to hym, be solde and doo for my soule."³⁹ In his will written in 1445, Walter Cook of Nayland gave his son John Cook his tenement in "Lallefordstrete" and after his wife's death all the lands and tenements in Manningtree and Mistley "if he behave himself well and do not act against my instructions."⁴⁰ Similarly in her will dated 1445, Matilda Hyne of Sudbury tried to prevent her son from impeding her will:

John Hyne my son to be excused whatever money he owes me, provided that he in no way worry or hinder my execs in the peaceful access to, and execution of, my goods and chattels, otherwise not; the same John to have my best 'le banker', with six cussions ('le sex cochenys') belonging to it, a silver cup, one of the best brass pots, one of the best brass pans, and a basin with the ewer, on the same condition.⁴¹

Though it is impossible to know the amount of money that John owed to his mother, it is clear that Matilda in a way tried to bribe her son not to cause any problem in the process of the distribution of her goods, otherwise he would have to pay back the debt. The same deterrent is also found in Margery Wymbysch's will dated 1456: she bequeathed various real property separately to her three sons provided that they, or any of them, neither interfered with her will nor held her goods and chattels unjustly, otherwise "he or they shall have nothing from my testament and last will, but shall be excluded from all my bequests for ever."⁴² Agnes Aleyn in 1475 put an interesting restriction on her bequest of personal items to her son William: he was to claim them

³⁹ Raine, *Testamenta Eboracensia* II, p. 112.

⁴⁰ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 72.

⁴¹ *Ibid.*, p. 161.

⁴² *Ibid.*, p. 382.

within two years, otherwise her daughter Julia would have them.⁴³ In addition to this, Agnes bequeathed William a shop and the chamber above it; however, “he must make a door in order to go freely in and out of the said shop and chamber from the street.”⁴⁴ Agnes further stated in her will that her daughter Julia, her heirs and assigns would have said shop and chamber forever after William’s death with the condition that “Julia shall provide a suitable chaplain to celebrate [mass] for my soul and the souls of my parents for a whole year and that she shall place a stone of marble over my grave.”⁴⁵ Such conditions put on the bequests with an aim of religious benefit, as mentioned in the second chapter, were common among testators and testatrices, but I cannot determine why Agnes preferred her daughter to do that, and not her son, as William was the first beneficiary for the shop and chamber. Agnes might think that her daughter Julia was more inclined for this duty, for, as mentioned before, one of the roles of women at the time was taking care of the souls as rememberers. On the other hand, it is also possible that as Julia and her heirs would take benefit from the property for ever, Agnes wanted her daughter to provide for the health of her soul in return of this favouritism. Thus not only “the bonds of marriage galvanized widows into activity as spiritual lieutenants for dead spouses”, as Burgess argues,⁴⁶ but also the bonds of family unit put the obligation of remembering and praying for their parents on the children’s and especially daughters’ shoulders.

By simply looking at the wills at face value, one might think that testators and testatrices sometimes did not treat their children equally; however, it is difficult to know whether parents favoured one child over another, or chose sons over daughters.

⁴³ Flood, *St Albans Wills*, p. 28.

⁴⁴ Flood, *St Albans Wills*, p. 29.

⁴⁵ *Ibid.*, p. 29.

⁴⁶ Clive Burgess, “Late Medieval Wills and Pious Convention: Testamentary Evidence Reconsidered,” in *Profit, Piety and the Professions in Later Medieval England*, ed. Michael Hicks (Gloucester: Alan Sutton, 1990), pp. 14-33 (p. 21).

It has been already stated that the distribution of property found in the wills may not comprise all of one's possessions. It is possible that men and women had already given their sons their share of inheritance and their daughters the marriage portions or other property that they wanted to be hold by a certain child before they had their wills written. "It was not necessary," therefore, "to mention heirs in wills; nor was it necessary to give comprehensive instructions for the estate."⁴⁷ However, testamentary practice reveals that while men favoured their sons in order to continue family lineage, women followed their husbands' legacies in gifts of real property and tended to favour their daughters in gifts of movable wealth. John Robardes whose will was written in 1489 bequeathed to his son George "the reversion of all my lands and properties remaining after my death and the death of Agnes, my wife, to have and hold in entirety."⁴⁸ After seven years, his wife Agnes repeated John's legacy and bequeathed the same property to her son.⁴⁹ Though there is not a strong evidence to argue that men followed the principle of primogeniture in their distribution of property by means of the wills, men mainly left their lands to their sons in order to arrange inheritance and left bequests of money or movable property to their daughters. However, if a man did not have any sons to pass his real property, he was likely to choose his daughters as primary beneficiary. Both Hugh Gronger in 1442 and John Stevynesson in 1451 made no reference to a son in their wills and they left their daughters certain tenements and lands.⁵⁰ On the other hand, if a man had more than one son and daughter, he was likely to treat his children equally, but the heir to whom the land passed seemed to be favoured. Henry Purpyll's will follows this pattern:

⁴⁷ Burgess, "Late Medieval Wills and Pious Convention," p. 25.

⁴⁸ Edwards et al., *Early Northampton Wills*, p. 158.

⁴⁹ Ibid., p. 210.

⁵⁰ Northeast, *Wills of the Archdeaconry of Sudbury*, pp. 83-84 and 180.

To John Purpyll my son all my lands and tenements, meadows, pastures, feedings, woods and groves (*nemer*’) in the towns and fields of Denham and Dalham, to him and his heirs for ever; my feoffees in those lands [*etc.*] to enfeof John my son of a sufficient estate in and possession of them, when so required. To William my son 40s; to Margaret my daughter 40s and a basin and my best table-cloth; [...].⁵¹

We cannot be sure whether William was given something else while Henry was alive, but looking at the face value of Henry’s will, we can say that William was favoured less, since although he and his sister were given the same amount of cash, his sister additionally got a “basin” and a “table-cloth.” Although some men like Walter Bysse of Assington did not directly provide for their children other than the heir, they were concerned about their well-being as well and wanted their heir to provide for his other siblings. Thus, Walter’s will, dated 1439, reveals that his son William was bequeathed a tenement and two crofts after the death of his mother “on condition that he pays 40s, that is, to John his brother 13s 4d, to Alice his sister 13s 4d, and to Helen his sister 13s 4d.”⁵² As Jane Whittle argues, the inequality of the bequests left to children was, therefore, “ironed out by requiring the land-inheriting son to pay for the land, providing the cash for his siblings’ bequests.”⁵³

Under the circumstances, the number of widows in my sample who held real property could be expected to be higher but only 79 of 249 widows (32%) made a reference to real property in their wills. On the other hand we cannot be sure whether they had any real property that was not mentioned in the wills. When we look at women who mentioned at least one child without making a reference to a husband, we find out that thirteen of them had real property according to their wills. If we consider these women as widows, the total number of widowed testatrices increases

⁵¹ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 97.

⁵² *Ibid.*, p. 66.

⁵³ Jane Whittle, “Inheritance, Marriage, Widowhood and Remarriage: A Comparative Perspective on Women and Landholding in North-East Norfolk, 1440-1580,” *Continuity and Change* 13 (1998): pp. 33-72 (p. 46).

to 291, and those who mentioned real property in the wills to 92. The result is far from satisfactory, since the percentage is nearly the same (31.5%). Further, this picture reveals that 35 of those 92 women (38%) left their real property to at least one of their sons while only 22 of them (24%) saw at least one of their daughters as the beneficiary to real property. The remaining 38% beneficiaries comprise daughter-in-laws and granddaughters, son-in-laws, brothers, cousins, nieces, other kin, servants and those whose relationship to the testatrix is obscure. Some also used their real property for religious purposes. In the case of single women, there is only one will that reveals the real property or some of the real property of the testatrix while 9 of 36 women (25%) who mentioned neither the husband nor a child made a bequest of real property. If we consider the latter group as single, the total number of single women increases to 42 and those who mentioned real property to 10 (24%), and the property was generally gifted to those whose relationship to the testatrix was obscure and for religious purposes, and sisters also received them.

From the picture drawn above, we can conclude that single women, if they had any real property, bequeathed it to their associates and close family members while married women, through the agency of their husbands, and widows, by their own consent or by following the legacies of their deceased husbands, left it to their sons. Though it is possible to find instances in which women also provided their daughters with real property as revealed above, on the whole, daughters generally received personal property from their mothers. It is possible to consider this situation as unequal, but it does not necessarily mean that daughters received less than their brothers, since cash values of land and movables might be close as it was in the early modern period.⁵⁴ Although land was associated with sons, “nevertheless in a thriving

⁵⁴ Amy Louise Erickson, *Women and Property in Early Modern England* (London and New York: Routledge, 1993), p. 66.

market a daughter's cash portion of £20 might buy a modest house, and even £10 might purchase a cottage."⁵⁵ Thus, if cash values of the bequests are considered, women as well as men often treated their sons and daughters alike, but there was "a real inequality" in distribution of land, as Whittle points out, because "daughters rarely received real property, but sons quite often did."⁵⁶ On the other hand, when bequests of personal property are taken into account, women treated their sons and daughters equally. Margery, widow of Sir William of Aldeburgh, in her will, written in 1391, listed various household items and her personal possessions that she bequeathed to her 2 sons and 2 daughters separately.⁵⁷ In some instances, nevertheless, women described their bequests as "the best", "the second best", "the third best" and so, and in this case they seem to prefer their children most probably according to their age. Isabel who was wife of Sir William Fitz William of Elmley in 1347, when she had her will written, bequeathed each of her children a horse. She gifted her son John with the second best horse after the mortuary, her daughter Margaret with the third, her daughter Joan with the fourth, her daughter Isabella with the fifth and her daughter Agnes with the sixth best.⁵⁸ Following the same pattern, Joan Stoke, in her will dated 1393 bequeathed to one of her two daughters the best cup with cover, to her other daughter the second best, and to her son the third best.⁵⁹ Women also quite often made provision towards the marriage of their daughters. Rose Le Soor, in her will, dated 1342, left her five daughters all the goods pertaining

⁵⁵ Erickson, *Women and Property*, p. 66.

⁵⁶ Whittle, "Inheritance, Marriage, Widowhood and Remarriage," p. 46.

⁵⁷ Raine, *Testamenta Eboracensia* I, p. 149.

⁵⁸ "Item Johanni filio meo melius jumentum equicii mei post principale, cum pullano, [...]. Item Margaretae filiae meae tereium jumentum melius equicii mei cum pullano. Item Johanna filiae meae quartum jumentum melius cum pullano, [...]. Item Isabellae filiae meae quintum melius jumentum cum pullano [...]. Item Agneti filiae meae sextum melius jumentum cum pullano [...].": Raine, *Testamenta Eboracensia* I, pp. 50-51.

⁵⁹ Wadley, *The Great Orphan Book and Book of Wills*, p. 41.

to her portion to subsidise their marriage.⁶⁰ In 1407, Alice de Pekham, similarly, bequeathed 100 marcs to her daughter Elizabeth to her marriage.⁶¹ In her will written in 1439, Elizabeth Lambton, again, left the residue of her goods to her daughter Alice for her marriage.⁶² Some women, as Katherine Tempest did in her will written in 1469, even bequeathed immovable property to their daughters towards their marriage.⁶³

In terms of the contents of the wills, it can be argued that the formula of medieval wills is gendered, as illustrated by the examples of the bequests given throughout this chapter. Male wills, as Katherine Lewis argues, “are often generally taken up with the question of land and other considerable properties, and bequeath sums of money rather than personal items” whereas “women’s wills are far more likely to be taken up with bequests of very personal possessions such as clothes and jewelry” and also household goods.⁶⁴ Thus wills made by women are, as Sheehan points out, the “documents which read like an inventory of household effects: spoons, barrels, beds, sheets, household linen, uncut cloth, garments, vessels of every shape and size are sent off to different legatees in bewildering line.”⁶⁵ To illustrate that custom among testatrices, it is necessary to give further examples, and thus, Agnes Hyll of Little Saxham, writing her will in 1459, left eleven of her acquaintances various possessions:

⁶⁰ Orme, *Cornish Wills*, p.

⁶¹ Leland L. Duncan, trans., “Medieval and Tudor Kent P.C.C. & C.C.C. Wills,” (available on the Kent Archaeology website at <http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk24/page%20353.htm>) (Last visited August 2009)

⁶² “Residuum Aliciae filiae meae ad maritagium suum.”: Raine, *Testamenta Eboracensia* II, p. 72.

⁶³ “Volo quod Margareta et Alicia, filiae meae, habeant, ad maritagia sua, omnia terras, etc., in Burnsall, ad terminum xij annorum.”: James Raine, ed., *Testamenta Eboracensia* III, Surtees Society, 45 (London: Nichols and Son, 1865), p. 170.

⁶⁴ Katherine J. Lewis, “Women, Testamentary Discourse and Life-Writing in Later Medieval England,” in *Medieval Women and the Law*, ed. Noël James Menuge (Woodbridge: The Boydell Press, 2003), pp. 57-75 (pp. 69-70).

⁶⁵ Sheehan, *The Will in Medieval England*, p. 283.

To Thomas Kertleng my best bed, with all the furnishings (*apparatu*) belonging to it, and 2 chests, 2 ‘droppynge pannys’, a spit and an iron andiron, my best brass pot, my best brass pan, a trivet (‘terfet’) and a basin with ewer. To Katherine Oversouth my best chair and my scarlet hood; to Agnes, her daughter, my best beads; to Margaret, Katherine’s daughter, my best girdle; to Joan, Katherine’s daughter, a sheep with a lamb, and to Elizabeth, Katherine’s daughter a ewe; to Thomas, Katherine’s son, a ewe. To Joan Wymbyssh my tunic and kirtle, with a tabard; to Margaret, Joan’s daughter, a sheep. To Thomas Mansell of Nettlestead a hanging laver, and to his wife my best gown furred with ‘wyeld wark’ (*furratam de ‘wyeld wark’*); to John Mansell the younger a jug, a platter and a dish.⁶⁶

Her husband, John Hyll, on the other hand, writing his will in 1456, apart from 2 bushels of barley left to his goddaughter, had made legacies for the maintenance of his immediate family members only. John Hyll, thus, gave the residue of his goods to his wife Agnes and ordered his feoffees that they should retain their estates in his lands and tenements to the use and benefit of the said Agnes, and further, after the decease of his wife, all his property should be sold and his daughter and her two sons should be provided with the money.⁶⁷ Medieval men, thus, used the act of leaving a will to ensure that their family was suitably provided, but it is also possible to find references to other people and bequests of various types of personal property in male wills, since “the will was, after all, only an *acte á cause de mort*, not necessarily (and in practice rarely) the record of an estate distribution.”⁶⁸ Like medieval women, therefore, medieval men, in addition to their children and wives, also mentioned their mothers, fathers, brothers, sisters, nephews, nieces, cousins, grandchildren and godchildren, male and female servants, son- or daughter-in-laws as well as their close neighbours and associates in their wills, but female will-makers “spread bequests further and wider than the nuclear family in comparison to male testators.”⁶⁹

In 1476 Thomas Clarke who bequeathed his children a third part of all his goods to

⁶⁶ Northeast, *Wills of the Archdeaconry of Sudbury*, pp. 362-363.

⁶⁷ *Ibid.*, p. 387.

⁶⁸ Howell, “Fixing Movables,” p. 15.

⁶⁹ Biggs, “Women, Kinship, and Inheritance,” p. 118.

be equally divided between them did not fail to remember his brother, his niece and his servant in his will.⁷⁰ His wife, Agnes Clerke, on the other hand, making bequests for a wide variety of persons, bequeathed to her brother “one fold of lawn of best quality,” to her sister “my tunic called a curtyll dyed ingreyn sanguine colour and a fold of lawn of the best quality,” to the daughter of her brother “my second silk girdle of blue colour ornamented with silver,” to the son of her brother “one small piece of silver” and to each of the children of the said brother “one silver spoon,” to the son and daughter of her sister 6s 8d each, to her other sister “my gown of the colour of blakaleyr furred with blakboge” and each children of that sister 20d, to the son and the daughter of her deceased daughter “my goods to the value of 5 marks” each when they came to the age of discretion, to the son and the daughter of another brother 6s 8d each, to brother of her husband “1 mattress, 1 pair of blankets, 1 pair of linen sheets and 1 red coverlet,” to each of her godsons and goddaughters 12d from the value of her goods, to a woman whose relationship to her is obscured “1 mattress, 8 ells of linen cloth to make a pair of sheets, the price of each ell to be 7d, 1 pair of blankets, 1 coverlet, 1 brass pot and 1 brass bowl” and lastly to each of her servants “one mattress.”⁷¹ As these bequests reveal, Agnes Clerke and many other medieval women took the pains of “labelling the objects they owned and passing them on, one by one, in individual bequests, and while they may not have invented the practice, there is no doubt that they dominated the discourse.”⁷² Furthermore, this freedom of gift giving enabled medieval women not only to remember their own lineage ties before marriage, but also created a scope for them to show affection towards their husbands’ lineage and even towards the offspring of their husbands from previous marriages. Alice Chestre who was the widow of Henry Chestre, for example,

⁷⁰ Edwards et al., *Early Northampton Wills*, p. 70.

⁷¹ Ibid., pp. 95-96.

⁷² Howell, “Fixing Movables,” p. 26.

included the son of her husband and even the daughter of that son in her will as beneficiaries:

I bequeath to John Chestre, son of Henry Chestre, my husband, one robe trimmed with fur. I give and leave to the same John Chestre, the son of my husband aforesaid, an annual rent of 13s 4d in equal portions at the 4 quarter days customary in Bristol paid during his lifetime by my executors or their assigns. I bequeath to Margaret, daughter of this John, son of my husband, one towel of twilly.⁷³

Joan Getyn, the widow of William Mylle, also left a gift of “a bras pott and a peyre of shets” to her husband’s cousin in her will dated 1503.⁷⁴ These medieval people given as examples here are not alone in following such a gendered formula for the last wills. Though they might have different concerns and priorities as individuals, in general testators of the period primarily concerned with “the survivorship of the lineage,” while testatrices had full rights of their limited property; “they could bequeath them to their choice of heirs – husbands, brothers, daughters, cousins, sons, or whomever else, including charitable institutions.”⁷⁵

In this chapter, I have attempted to show that the custom of inheritance and gender influenced the bequests made in the wills. Tradition obliged men to pass their estates to their sons and this resulted in the attempts of testators to control their wives’ behavior after their death. Men did not want their children’s share to be controlled by unknown hands, thus they tried to discourage their wives from remarriage. Moreover, in some cases women repeated their husband’s bequests in their own wills as well, probably to prevent arguments and claims over real property. On the other hand, women’s wills on the whole contain bequests of movable property and women appear to have tried to form a balance between their bequests to

⁷³ Clive Burgess, ed., *The Pre-Reformation Records of All Saints’ Church, Bristol: Wills, The Halleyway Chantry Records and Deeds* (Bristol: Bristol Record Society, 2004), p. 23.

⁷⁴ Edwards et al., *Early Northampton Wills*, p. 241.

⁷⁵ Laura McGough, “Women, Private Property, and the Limitations of State Authority in Early Modern Venice,” *Journal of Women’s History* 14, no. 3 (2002): pp. 32-52 (p. 36-37).

the daughters and the sons. Furthermore, the comparison of male and female wills illustrates the fact that medieval women devoted much time to listing their limited properties in the wills and described every single item one by one. Medieval men, on the other hand, were concerned with their lineage and wanted to make sure that their estates and property properly passed to the heirs and their widows properly provided. There will be always exceptions, but in general this was the formula of medieval wills. Medieval women enjoyed more freedom to bequeath their personality as they wished while medieval men were in a way restricted because of the customs of the age. Thus, as Laura McGough argues,

men's property was somewhat more constrained, since there were a number of claims on married men's estates: to reconstitute the dowries of their wives, provide dowries for daughters, and divide the remaining estate among sons. Women's property was, therefore, legally different from, and, from the perspective of estate law, freer than men's property.⁷⁶

On the other hand, "no doubt women devoted so much attention to distributing personal property in this period because [...] the will and the marriage contract increasingly restricted them to such goods, while reserving land, houses and rents for patrilineal heirs [...]."⁷⁷ The last wills of medieval women were, therefore, a means by which women who were dependent on men could enjoy a freedom that was in a way restricted for men. In fact, though a woman and a man form the family, the circumstances in which medieval men and medieval women led their lives were different. Though lawyers of the age decided that a husband and a wife were the same, in my opinion they were not. They had different concerns and different connections in the society, though they lived under one roof. Also after the death of a spouse, the other began a different life and thus his or her concerns and relations with other people might change. This is the story that last wills of medieval women tell us.

⁷⁶ McGough, "Women, Private Property, and the Limitations of State Authority," p. 38.

⁷⁷ Howell, "Fixing Movables," p. 26.

As will be illustrated by the fourth chapter, contrary to assumptions, the role of women in medieval societies was not simply constricted to the household, but rather they succeeded in forming a wide range of relationships in their community, as their wills, in addition to immediate family members, also make reference to various people who had no blood relation with the deceased but in one way or another were related them.

CHAPTER IV

WOMEN'S FRIENDS: THE PLACE OF WOMEN WITHIN SOCIETY AND BEQUESTS TO NON-KIN BENEFICIARIES

*Miseremini mei saltem vos amici mei*¹

The most striking aspect of the last wills of medieval women is the fact that besides their bequests motivated by religion and by familial concerns, they made provisions for third parties with whom in one way or another they were acquainted in their community. An analysis of medieval women's wills sheds light on the social relations of women and adds some colour to the picture which has been drawn by medieval historians previously, concerning the society and the place of women in it. The analysis of the wills, indeed, shows that apart from the religious bequests women left to their parish churches, fraternities, guilds, monasteries, friaries and the clergy, the provisions made for third parties, such as friends, neighbours and their children, servants and the religious persons whom they know by name take the lead, as the number of non-kin beneficiaries is 2180 (42%), doubling the number of recipients in family. This conclusion suggests that the society in which medieval women lived and the people with whom they lived resulted in an interrelation between the third parties

¹ "Have pity on me, you, at least, my friends": an inscription on the rings that William Colsell left to his friends in 1540. Quoted in Susan Brigden, "Religion and Social Obligation in Early Sixteenth-Century London," *Past and Present*, no. 103 (1984): pp. 67-112 (p. 68).

and the bequests made in the last wills of the late medieval ages. The wills of 403 women from various parts of medieval England illustrate some of the characteristics of the role women played in their community from 1320s to the end of the fifteenth century. In this chapter, therefore, the relationships women formed with the non-kin will be illustrated, since to understand medieval women more fully, we need to look at the societal ties women formed and through which they led their lives. In fact, as Jenny Kermode puts it, association with the community was “a means of accumulating and transmitting wealth, and could be an agency for social advancement.”² Though some of the women whose wills I have analysed seem to have sufficient property or wealth just to cover their religious provisions, most of the women had enough property and money to bequeath to their unrelated acquaintances, which proves the fact that the relationships medieval women established with their friends and neighbours as well as with their servants were an important factor for the provisions made in their wills. Furthermore, such provisions indicate that other than the family identity, medieval women also had public identities, and as the table below illustrates, women took an active part in the social life of the medieval ages through their social relations and through the transfer of property to their non-kin beneficiaries.

Table 4.1- Representation of non-kin beneficiaries:

Beneficiary	Number of wills making reference	Number of beneficiaries
Servants and their family	109	258
Godchildren	52	70
Religious acquaintances	84	182
Unspecified relationship	310	1670

² Jenny Kermode, “Sentiment and Survival: Family and Friends in Late Medieval English Towns,” *Journal of Family History* 24 (1999): pp. 5-18 (p. 5).

Besides being daughters, mothers, wives and widows, women in medieval society were parishioners who had close ties and interaction with the people living in their parishes. Women did not spend the whole day in their houses excluded from the community, but rather they met their friends and neighbours throughout the day, had contact with other people because of their labour or their husbands', attended mass and festivals together, and worshipped together in the parish church. In fact, the Catholic faith formed the core of the community of the time, and as Susan Brigden suggests, "faith might bind the citizenry as nothing else could."³ Religion brought individuals together at various times and Mass, which was the heart of the religion, enabled medieval people to celebrate and pray together. The Church played an important role in the lives of late medieval people and it "was for most men and women the only recorder and authenticator of the great moments of their existence – their marriages, their children's births and baptisms, their deaths."⁴ Other religious institutions such as guilds, fraternities and religious houses, and the services they provided were also influential for the social ties medieval women formed. By means of common faith, medieval women as well as medieval men engaged in corporate activities in the parishes, and further, in such circumstances they probably felt responsible towards one another. However, "the parish was," as Katherine L. French argues, "unusual in that it offered women opportunities for collective association, on either a temporary or permanent basis."⁵ With the influence of the teachings of the Church and by means of living in a small locality, thus, women had a chance to take an active part in their parishes, which was a part that had long been reserved to men in the fields of politics, economy and law of the country. The provisions motivated

³ Brigden, "Religion and Social Obligation," p. 71.

⁴ John Morris Roberts, *A Short History of the World* (Oxford: Oxford University Press, 1997), p. 248.

⁵ Katherine L. French, "'To Free Them from Binding': Women in the Late Medieval English Parish," *Journal of Interdisciplinary History* 27, no. 3 (1997): pp. 387-412 (p. 394).

by charity, which formed one aspect of the Christianity, also proves that women were concerned about the community in which they lived. In fact, in an age in which most of the social activities took place under the leadership of the church, and thus, were motivated by its teachings, it is not surprising to see that women spent their wealth and property on behalf of their community.

In their last wills, as stated above, medieval women also made provisions for their friends, neighbours, servants and the clergy with whom they were acquainted. The generosity of women towards their neighbours, friends and acquaintances might have been motivated either by piety or by a hope that they would be remembered after their death by means of their gifts and donations. In fact, social activities motivated by religion and the Christian doctrines reminded people of their obligations towards their friends and neighbours. The Church and its teachings emphasized that good Christians ought to show love towards their friends and neighbours as Christ commended, and they were also obliged to perform acts of charity. In fact, as charity begins at home, women tried to improve the comfort of their neighbours in the community through the legacies of their last wills.

On the other hand, one of the motivations for gift-giving by women through wills was the fact that they wanted to show affection towards their friends, neighbours and the people with whom they shared the same parish by means of their gifts, and moreover, through those gifts they wished to be remembered after their death, and even they expected the prayers of the ones for whom they made provisions through their last wills. J. S. W. Helt argues that in early modern England,

[...] women's wills performed a custodial role as sources of post-mortem memory, designating the remembered and the rememberers, and that women's gifts of material property and wealth to family, friends and neighbours served as gendered markers which sustained and maintained a

sense of spiritual and material affinity between the dead and the living community.⁶

It was the same for the period under discussion and late medieval women also took an active role in their community both by remembering their own benefactors, as shown in the previous chapters, and by becoming benefactors for others, since under the light of their last wills, we see that they mentioned many unrelated names, that is people who were not related to them, but whom they had known in person and had some kind of connection with, and also that besides their souls and the souls of their family members, they wanted their beneficiaries also to pray for the souls for whom they were bound. In fact, as most of the testatrices were widows, apart from their children, they turned towards their neighbours and their friends for assistance during their lives and for their prayers after death. Moreover, gifts left to the third parties served as a symbol of the bond between women and their friends. “The act of giving,” therefore, “continued and articulated bonds created during life. Moreover, it not only reaffirmed relationships beyond death but made them more explicit, thus redefining the place of the living and the dead in the lives of their kindred.”⁷ Moreover, belonging to a parish and taking an active role through their relations created an opportunity for women for commemoration, because of the fact that “the parish,” as Virginia R. Bainbridge states, “was a repository for collective memory and furthermore provided continuity of administration for memorials to its dead.”⁸

In order to be remembered by their fellow parishioners and also to assist those left behind, by means of their last wills medieval women gave away gifts of cash,

⁶ J. S. W. Helt, “Women, Memory and Will-making in Elizabethan England,” in *The Place of the Dead: Death and Remembrance in Late Medieval and Early Modern Europe*. ed. Bruce Gordon and Peter Marshall (Cambridge: Cambridge University Press, 2000), pp. 188-205 (p. 189).

⁷ Patrick J. Geary, “Exchange and Interaction between the Living and the Dead in Early Medieval Society,” in his *Living with the Dead in the Middle Ages* (Ithaca and London: Cornell University Press, 1994), pp. 77-92 (p. 89).

⁸ Virginia R. Bainbridge, “The Medieval Way of Death: Commemoration and the Afterlife in Pre-Reformation Cambridgeshire,” in *Prophecy and Eschatology*, ed. Michael Wilks (Oxford: Blackwell Publishers, 1994), pp. 183-204 (p. 197).

clothing, kitchenware, bedding stuffs, books, animals, grain and even jewelry and immovables to many people. The property which women bequeathed and to whom they chose to bequeath is wide ranging, since, as Katherine French points out, “goods were not as firmly controlled as property and cash and their disbursal signaled the testator’s personal regard for the beneficiary and was a public pronouncement of the relationship between testator and beneficiary.”⁹ In her will dated 1352, Margaret Frenhge only mentioned the name of her maid servant as an unrelated beneficiary and left forty shillings to her¹⁰ while Elizabeth Trywet made reference to twenty-one people with whom she was acquainted in her will she made in 1421 and left:

[...] to the Lady (Domine) de Swynford a book of prayers and devotions which I had of the gift of the said Lady. To Alice Compton my best book of Matins of the Blessed Mary and other devotions. [...] To Master Nicholas Wymbyssch clerk a silver bowl and a ewer of silver. Itm half a “dosen” dishes of silver and £20. To Edward Lymbesey two silver bowls with ewers of silver and two silver pots. To the said Edward 100 marcs. To John Sevane 100 marcs and a bed of green silk with eagles embroidered and a capet of green tapistry. To William Brokeman 100 marcs. To John de Chambir 100 marcs, John Seyn Nisholas 10 marcs. Item to gentle women all the apparel of the body of the said Elizabeth between them. To the same women Napery and sheets viz to each two pair of sheets with a napkin and towel. To Alice Compton a bed of ‘Motley velvet lesenged’ with coverlet and carpets of tapistry. To Margery Brokeman a bed of red silk embroidered with coverlet of the same suite and carpet of red worstede. To the wife of John Walter 5 marcs, Geoffrey Botyller 20 marcs, John Cook £10, William Hachard 5 marcs, John London 40s., Laurence Welde 5 marcs, Peter Tyly 20s., Gesope Cooper 100s., Roger Templer 40s., John Baker 40s., James Weston 5 marcs. Item “Maio Pynchebele 40s.”, Thomas “de Botery” 13.4d., John Goodefelow 5 marcs, John Murrys 40s.¹¹

⁹ Katherine L. French, “‘My Wedding Gown to Make a Vestment’: Housekeeping and Churchkeeping,” in her *Good Women of the Parish: Gender and Religion After the Black Death* (Philadelphia: University of Pennsylvania Press, 2008), pp. 17-49 (pp. 37-38).

¹⁰ J. C. Jeaffreson, “The manuscripts of the Corporations of Southampton and King's Lynn.” In the *11th Report of the Royal Commission on Historical Manuscripts*, appendix, part III (London: Historical Manuscripts Commission, 1887), pp.145-247

¹¹ Leland L. Duncan, trans., “Medieval and Tudor Kent P.C.C. & C.C.C. Wills,” (available on the Kent Archaeology website at <http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk22/page%20160.htm>) (Last Visited August 2009)

As can be judged from Elizabeth's legacies, she had many connections in her community and remembered them when her will was written, but one has to be careful with the beneficiaries of the bequests since, as illustrated by Elizabeth's will, it is common among will-writers not to mention and clarify how their beneficiaries were related to them. It is difficult to judge from those names whether the beneficiaries were somehow related or not. Taking the difference of the surnames into account, we can only guess that the names given were their friends, neighbours or with whom they had some kind of affinity. Moreover, will-makers tended to define their non-kin beneficiaries as the wife, daughter, sister, widow, husband or son of someone else whom they mentioned earlier. This fact also lessens the chance of determining the biological relations between will-makers and their beneficiaries. However, when it comes to their beneficiaries with whom they shared the same house such as servants and maids, with whom they somehow had closer ties, such as their goddaughters and godsons or with whom they had spiritual relations such as parish priests, clerks, vicars and other members of religious institutions, women had a tendency to associate themselves with them. It can be deduced from the study of wills that relations within the household and spiritual bonds were important for women above all things, as they deliberately clarified their relations with their servants, their godchildren and the clergy whom they knew in person. Unlike the other third parties revealed in the wills, such persons with whom medieval women shared the same house or had close connections because of the common faith were important for testatrices, as the relations formed with them were either merged in familial ties or thought to be sacred with obligations of solidarity.

Taking the evidence of my 403 sample wills into account, it is apparent that medieval women regarded their servants as members of their household, for 27% of

women included their servants in their wills as beneficiaries for their personal property and wealth. In fact, recent studies on the medieval household have shown that though one's family was a part of the household, the household was not necessarily formed only "around relations of blood and marriage."¹² Servants, therefore, were regarded as a part of one's household, and in fact, servants had close ties with the families for whom they worked, as they performed daily tasks in the households from being responsible for housework to assisting the labour of the family. Thus, a servant's relation to the family by whom he or she was employed, as Barbara Hanawalt suggests, "would have been a close one whether or not he or she lived in the household," and further, "while the servant was not equal to the children of the family and would not inherit family land, bequests often indicate great affection."¹³ Close ties and affection between the servants and their ladies are well illustrated by the wills, as it was common among women who had the opportunity to hire servants generally mentioned their servants in their wills, though some might not find it necessary or did not have enough means to include them among their beneficiaries. And also it is possible that some women did not have any servants at all and thus their wills contain no provision for them. Nevertheless, it is apparent that many women had some kind of helpmate or helpmates throughout their lives. Some women mentioned one or two servants while some who were probably from well-to-do families and led a comfortable life remembered nearly all who served for them, including the immediate family of the servants and the former ones.

Bequests to servants reflect the nature of the relationship between the servants and their employers. Isabella, wife of William Belgrafe, treated her servant like her

¹² Sarah Rees Jones et al., "The Later Medieval Urban English Household," *History Compass* 5 (2007): pp. 112-158 (p. 112).

¹³ Barbara A. Hanawalt, *The Ties That Bound: Peasant Families in Medieval England* (New York and Oxford: Oxford University Press, 1986), p. 167.

daughter and she left similar personal property to both her daughter and her servant in her will dated 1401:

I bequeath to Joan my daughter one tunic of blue, and one kirtle of the same, and one fur for gown, 'de popill' [a kind of fur], and 3 piece of kerchief that is to say 2 of silk and one of cipres, and one cloak of red and murray, and one green gown, and one coffer. I bequeath to Agnes my servant one tunic with hood, and one kirtle of murray, and one cloak of blue and green, and 3 pieces of kerchief, that is to say 2 of silk, and one of cipres, and one black fur for gown, and one small chest.¹⁴

Isabella's affection towards her servant is apparent from her bequests while some women like Rosa Rykyll, whose will written in 1418 contains cash bequests to servants, even provided for their female servants towards their marriage.¹⁵ Yet, according to Katherine Mills such a provision might be an agreement "that, in place of a salary, the girl would be guaranteed a dowry and given the promise to be married off at the end of her service."¹⁶ However, without an explicit statement of intent, we can only speculate about the reasons that lay behind the bequests. On the other hand, the nature of bequests can help us to find out possible motivations, as Joan Harlaam's own will illustrates. Joan, wife of Wermbolt Harlaam, had close ties even with those serving her close family members. In her will dated 1401, Joan bequeathed to her father's servant Agnes Gomersall "13s 4d, one blue gown which formerly belonged to the Countess of Northumbria, one green cloak, one green tunic, one piece of 'lampase' [a fine fabric used for veils] with half piece of 'cypers' [light

¹⁴ "Item lego Johanna filiae meae j tunicam de blodio, et j kyrtill de eodem, et unum furruram pro toga, de popill, et iij peces flam' videlicet ij de serico et j de kryspe, et unum cloke de rubeo et murray, et unam togam de viridi, et j cofyr. Item lego Agneti servienti meae unam tunicam cum capucio, et j kyrtill de murray, et j cloke blodio et viridi, et iij peces flameol', videlicet ij de serico, et j de kryspe, et j nigram furruram pro toga, et j parvam cistam.": Raine, *Testamenta Eboracensia* I, p. 280 (translation mine).

¹⁵ Duncan, "Medieval and Tudor Kent P.C.C. & C.C.C. Wills," <http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk21/page%20094.htm> (Last visited August 2009)

¹⁶ Katherine Louise Mills, "Wills in Later Medieval England, With Special Reference to Women" (MA thesis, Carleton University, 1992), pp. 130-131.

transparent fabric imported from or through Cyprus].”¹⁷ As the evidence of Joan’s bequest shows, there was intimacy, affection and trust between her and her father’s servant; otherwise she would not give the gown which has a symbolic meaning for her to Agnes. By means of her gift, Joan showed her gratitude to Agnes who looked after her father, the one who was dear to her. Likewise, Margery, widow of Sir William de Aldeburgh, remembered her deceased husband’s nurse in her will written in 1391 and showed her gratitude towards her with a gift of blue gown furred with gris.¹⁸ Alice West of Hampsire, whose will dated 1395, with a similar reason bequeathed “to Richard Forstrer, which is a blynd man dwellynge in Hanefeld, that was somtyme seruaunt with my forsed lord Sir Thomas West, xx Marc.”¹⁹

Women might also transfer their personal property in return for the service they received from their servants as the will of Margery Wymbysch of Kentford illustrates. Margery made her intention for her gift to her servant explicit in her will dated 1456 and stated that “to Simon Knyght my servant for his good service, a cow now in the keeping of John Wymbysch the elder, and the furnishings of a bed, with 12 yards of blanket.”²⁰ Margery, moreover, wanted her executors to provide for her female servant Denise with food and drink for her whole lifetime on condition that she accepted to be ruled by them.²¹ This also reflects Margery’s concern for the well-being of her female servant after her death. Like Margery, Elena Portyngton left a legacy to her servant for her servant’s good service in 1457:

¹⁷ “– Agneti Gomersall servienti patris sui xiiij s. iiii d., j blod’ togam, quae quondam fuit Comitissae Northumbriae, j armilansam de viridi, j tunicam de viridi, j peciam de lampase cum dimidio pecio de cypers –”: Raine, *Testamenta Eboracensia* I, p. 282 (translation mine).

¹⁸ “Item do et lego Mariae nutrici Domini mei unam togam de blodio, furruratam cum gris.”: Raine, *Testamenta Eboracensia* I, p. 151.

¹⁹ Frederick J. Furnivall, ed., *Fifty Earliest English Wills*. (London: Oxford University Press, 1964), p. 8.

²⁰ Peter Northeast, ed., *Wills of the Archdeaconry of Sudbury, 1439-1474: Wills from the Register ‘Baldwyne’ Part I: 1439-1461* (Woodbridge: The Boydell Press, 2001), p. 381.

²¹ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 382.

And I bequeath to Elizabeth Forster my servant for her good service made and will be made hereafter to me, besides 10 marcs by the legacy of John Portyngton my husband, 10 marcs and the best [?], and one small silver and gilded girdle of black colour with all ornaments pertaining to my head.²²

From the examples, it is apparent that women might have close ties with their servants, especially with the female ones, and remember them in their wills. However, it is still possible that while some servants were mentioned in the wills, there might be still other servants to whom no bequest was left, as it is apparent that, though not true in general for women, people tended to remember the servants who were with them at the last stage of their lives. Joan Buckland, widow of Richard Buckland, therefore, in her will dated 1450, wanted the residue of her gowns and kirtles not bequeathed to be distributed between her female servants who were with her at her departing.²³

Medieval women, nevertheless, tried to provide for all who helped and worked for them, as Katherine, Lady Arundell, of Lanherne's will written in 1479 illustrates. Katherine made bequests to fourteen servants, and also, she did not fail to remember the child of the chamber and also the child of the kitchen. As a noble woman who had many servants, Katherine was concerned about providing for them after her death and put a legacy in her will, stating that all her servants were to have their clothings and wages during that season.²⁴ Further, Katherine wanted one of her servants to have "his wages and pension, that is to say 4 marks yearly, by the space of two years next following my death", and in addition, she wanted that servant to "have his colt that I have given him at Isle Brewers [*Ilbrewer*]."²⁵ She also

²² "Et lego Elizabethae Forster servienti meae pro bono servicio suo michi facto et imposterum faciendo, ultra x. marcas per Johannem Portyngton virum meum legatas, x. marcas et melius, et j parvam zonam argentatam deauratam coloris nigri cum omnibus ornamentis capiti meo pertinentibus.": Raine, *Testamenta Eboracensia* II, p. 213 (translation mine).

²³ Andrew Clark, ed., *Lincoln Diocese Documents, 1450-1544* (London: Oxford University Press, 1914), p. 44.

²⁴ Nicholas Orme, ed., *Cornish Wills 1342-1540* (Exeter: Short Run Press, 2007), p. 93.

²⁵ Orme, *Cornish Wills*, p. 93.

bequeathed to her male servants money in cash, ranging from 4 marks to 6 marks while her female servants were provided with some of her personal property, that is to say, one was given “the remnant of gowns of cloth and other small gear” and the other “a gown of violet cloth purfled with kerdemeynes, two kerchers of cypress [sympres], a white riband [reband] with aglets [aggelets] of silver and gilt, and a pair of tires [tyres].”²⁶

Another woman named Alice Farewell also mentioned in her will dated 1462 that her maid servant was to have, besides one best cover, a ewe and a mother bullock, all her wages for that year, and furthermore, she left her former maid servant another cover.²⁷ Marion Fenkele’s will written in 1446, on the other hand, illustrates how far the affection between a servant and his or her employer could be, since in addition to the bequest of her best brass pot, she wanted her male servant to keep her shop in Stowe as long as he remains her servant.²⁸ In fact my sample wills reveal that the servants would become a woman’s family, especially if she lost the ones that were dear to her. In her will written in 1417, Felicia Holewey, who was the widow of Edward Forster, made no reference to any children or other family members, and apart from the bequests she left to the rector of her parish church and to a certain friar, she left all her property to her two former and one present servant:

To late servant John Gele and his heirs, a shop in the town of Bristol in ‘la Cokenerewe’ inhabited by Thomas Dagyn, cook. To late servant Roger Androw ‘Boucher’ and his heirs, the rent due from Christina Hede, late wife of John Hede, tucker, formerly burgess of Bristol, for a tenement, held of testatrix, opposite the parish church of St. Peter of Bristol, with reversion of the same after the said Cristina’s death. To servant Thomas Seysell and his heirs, a garden in the suburb ‘sup’ le Casteldyche’ between the garden held by William Beneley and a certain lane leading ‘de le Casteldyche versus le Watryngplace ib’m.’ Residue of goods to the said Thomas.²⁹

²⁶ Ibid., p. 93.

²⁷ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 511.

²⁸ Ibid., p. 130.

²⁹ T. P. Wadley, ed., *The Great Orphan Book and Book of Wills, in the Council House at Bristol* (Bristol: Jefferies and Sons, 1886), p. 103.

As it can be judged from the samples, there is a kind of affection between medieval women and their servants, whether they were still working for their benefactors or not at the time of will writing, though bequests to the servants can vary in kind or worth.

As might be expected, my examples illustrate that medieval women had closer ties with their servants than men had, since from 24 couples only 4 men whose wills I compared to their wives or widows' wills made a bequest for their servants while 9 women put their servants among their beneficiaries. Admittedly the number of paired wives and husbands wills I use is rather low, and whether on a larger scale the picture would be a different from this needs further inquiry, but Sally McKee in her study on Venetian households in the fourteenth century points out that 136 women left cash and property to their servants while only 66 men listed them among their beneficiaries.³⁰ Philippa Maddern, on the other hand, finds out that while, out of 306 male wills from Norfolk in the fifteenth century, 27.2% male and 15.1% female servants were recipients of legacies, in the case of 63 testatrices 6.7% male and 18.3% female servants were recipients.³¹ Although medieval women might have more servants than men as they needed assistance in the daily tasks, the picture derived from the wills is not reliable at all. For example while Thomas Gatle of Great Livermere made cash bequests in his will written in 1440 to his two female servants and each of his servants not mentioned namely in his will, one year later his widow Alice only made religious bequests and did not mention any servants.³² Similarly, while William Curteys in 1443 and John Wareyn in 1454 left bequests to at least one

³⁰ Sally McKee, "Households in Fourteenth-Century Venetian Crete," *Speculum* 70, no. 1 (1995): pp. 27-67 (p. 53).

³¹ Philippa Maddern, "Friends of the Dead: Executors, Wills and Family Strategy in Fifteenth-Century Norfolk," in *Rulers and Ruled in Late Medieval England: Essays Presented to Gerald Harriss*, ed. Rowena E. Archer and Simon Walker (London: The Hambledon Press, 1995), pp. 155-174 (p. 166).

³² Northeast, *Wills of the Archdeaconry of Sudbury*, pp. 45 and 68.

servant, their widows Emma Curteys and Margaret Wareyn did not mention any servants in their wills, dated respectively 1455 and 1485.³³ It is possible that in their widowhood these women did not hire any servants or they just did not find necessary to include their servants in their wills. On the other hand, while Thomas Clarke in his will written in 1475 left a cash bequest of 20d to Margaret Stanoton whom he described as his servant, his widow Agnes Clerke, under a general clause, left one mattress to each of her servants.³⁴ Yet, the scope of this study does not allow for such an analysis, as a complete examination of male wills is necessary for a full conclusion.

The second group who were important for testatrices was their godchildren and 13% of 403 women left bequests at least to one godchild. Godparents were expected to look after their godchildren and bestow gifts on them. Moreover, there was a spiritual relationship between godchildren and their godparents, as people concerned about the spiritual welfare and education of their goddaughters and godsons while those children were bound to their godparents through faith and respect and also were responsible for praying for the souls of their godparents and even they were sometimes expected to take part in the funeral of their godparents. Though I have not come across such a request from medieval women in my sample wills, as Christopher Daniell points out, “there are several instances of god-children being requested to carry the body of a god-parent, indicating that the god-children were reciprocating their joining of the Christian Church by helping their god-parents to join the community of the dead.”³⁵ However, it is clear from my sample wills that medieval women, feeling responsible towards them, did not forget their godchildren

³³ Ibid., pp. 81, 210, 283 and 326.

³⁴ Edwards et al., *Early Northampton Wills*, pp. 70 and 96.

³⁵ Christopher Daniell, *Death and Burial in Medieval England: 1066-1550* (London and New York: Routledge, 1997), p. 47.

in their wills and they also expected the same concern from their godchildren and wished to be remembered in their prayers. There are two examples in my sample in which women explicitly asked for prayers from their godchildren; in her will dated 1495 Alice Wynge from Northampton bequeathed 12d to each of her godchildren and asked them to pray for the well-being of her soul,³⁶ and again in 1445 Matilda Hyne laid the same legacy in her will and left 12d to each of her godsons and goddaughters to plead for her soul.³⁷

However, people did not always feel it necessary to state that they expected prayers in return for their gifts. There seems to have been a kind of spiritual loyalty formed between the givers and the receivers, even if they did not make it explicit in their wills, medieval women probably expected a kind of spiritual favour from their beneficiaries including their godchildren. But the primary motive for the bequests to godchildren was probably to be remembered through the gifts of personal property, as women left various items from their possessions to their goddaughters and godsons. Women left bedding, household utensils, various items of their clothing and even animals and grain in addition to cash to their godchildren. In her will, dated 1420, Matilda, wife of Sir William Bowes, remembered each of her goddaughters:

I give and bequeath to Matilda Yole my goddaughter 2 sheep. I give and bequeath to Matilda Stikley my goddaughter 2 sheep. I give and bequeath to Matilda Lyndley my goddaughter 2 sheep. I bequeath to Matilda, daughter of Baron of Hilton, [and] my goddaughter one romance book called the gospels. I bequeath to Matilda, daughter of Robert Hilton, [and] my goddaughter one romance book.³⁸

³⁶ Edwards et al., *Early Northampton Wills*, pp. 200-202.

³⁷ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 160.

³⁸ "Item do et lego Matildi Yole filiolar meae duas oves. Item do et lego Matildi Stikley filiolar meae duas oves. Item do et lego Matildi Lyndley filiolar meae duas oves. Item lego Matildi filiae Baronis de Hilton filiolar meae j romance boke is called ye gospels. Item lego Matildi filiae Roberti de Hilton ch'lr filiolar meae unum romance boke." James Raine, ed., *Wills and Inventories I*, Surtees Society, 2 (London: Nichols and Son, 1835), p. 65 (translation mine).

Matilda's bequests illustrate that she treated her goddaughters equally, but she might provide them according to their character and need, as while she bequeathed animals to three of them, the other two, whom Matilda defined in relation with their fathers, received books. Yet nature of bequests was various, as mentioned before, and motivation behind them is difficult to figure out if not mentioned explicitly. Isabel atte Mere in 1450 made a bequest of a pair of sheets with transverse seams to her goddaughter,³⁹ and Agnes Aleyn in 1475 left a good sheet again to her goddaughter.⁴⁰ Writing her will in 1471, Emma Boteler made a reference to her godchild and left her gifts of a gown of 'musterdevelers' and a girdle of black silk.⁴¹ Eleanor Hyll in 1493 bequeathed to her godson a brass pot and a bowl;⁴² Margery Bate in 1498 left a basin, a candlestick, eight pieces of pewter and a brass pot of three gallons to her godson;⁴³ and Katherine Hinton in 1448, by means of her will, gave her goddaughter a chest, a bullock, a candlestick and a salt-cellar.⁴⁴ On the other hand, Matilda Clitherow's will dated 1457 indicates that testatrices also were concerned for the provision of their godchildren for a certain period, as she provided her godson with cash of 20s annually for a term of seven years.⁴⁵ Margery Muriel who wrote her will in 1451 is peculiar in that she also remembered her goddaughter's children and even her goddaughter's goddaughter in her will, leaving 12d and a sheep to each of her goddaughter's two sons and daughter, and also a sheep to her

³⁹ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 203

⁴⁰ Flood, *St Albans Wills*, p. 28-29.

⁴¹ *Ibid.*, p. 12.

⁴² *Ibid.*, p. 115.

⁴³ Duncan, "Medieval and Tudor Kent P.C.C. & C.C.C. Wills,"

<http://www.kentarchaeology.org.uk/Research/Libr/Wills/Bk58/021.htm> (Last visited August 2009)

⁴⁴ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 140.

⁴⁵ Arthur Hussey, "Ash next Sandwich Wills, 1." *Archaeologia Cantiana* 34 (1920): pp. 47-62.

(available on the Kent Archaeology website at

<http://www.kentarchaeology.org.uk/Research/Pub/ArchCant/Vol.034%20-%201920/02/60.htm>) (Last visited August 2009)

goddaughter's goddaughter.⁴⁶ Like women, men also made similar provisions for the ones whom they raised from baptism, though they generally left cash bequests to their godchildren.

The local clergymen also seem to be important for women, as medieval women also made various bequests to individuals who were connected to the Church either to be remembered in their prayers or to show their gratitude, since the parish clergy said the masses which laid at the centre of the faith and tried to ease the spiritual needs of the parishioners. In an age in which faith controlled every level of society, personal action was required by medieval Catholicism, but "lay people did not fully control their destinies."⁴⁷ R. N. Swanson further states that "Christianity's stress on the sacramental, especially the role of penance and communion (with extreme unction considered here as a form of penance), equally emphasised those who provided access to the sacraments, the priests."⁴⁸ Because of this very fact medieval people had close relations with their parish clergy, and the bequests to them in the wills of women are not surprising at all. The importance of the prayers of a clergy might have some influence for the post mortem gifts given to particular clergy who were mentioned by their name in the wills. Though the prayers from one's relations and acquaintances were believed to be effective for one's salvation, the prayer of a person who was related to the Church seems to be regarded as much more important by the will-writers. The popularity of the clergy among will-writers can not be negated, for their agency for salvation was important for the faithful.

My sample show that 20.5% of 403 women who had enough means sponsored the parish clergy or the members of religious houses whom they had

⁴⁶ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 238.

⁴⁷ R. N. Swanson, *Religion and Devotion in Europe, c.1215-c.1515* (Cambridge: Cambridge University Press, 1995), p. 235.

⁴⁸ *Ibid.*, p. 235.

known in person to be remembered in their private prayers or to pay for their support or help in the funeral arrangements or some other things related with faith. In her will dated 1404, Denyse widow of Sir Richard atte Lese left “to Sir Arnald clerk 40d. To Thomas Baker clerk for his labor in all things 40d. [...] To Sir John Louell, clerk, 40d.”⁴⁹ Again writing her will in 1404, Johanna de Moun left 10 marcs to Brother John of the order ‘amiorum’ whom she declared as her confessor in her will.⁵⁰ She further bequeathed to her clerk named Philip Caxton 100s.⁵¹ Johanna de Moun further mentions her clerk as one of her executors to whom administration granted, and this custom seems to be fallowed by some other women, since they might want to make sure that their legacies were faithfully fulfilled. Choosing the ones to whom they were bound through faith might relieve the fear that their wills might not be administered properly. Thus, in 1367, Juliana de Leyborne gave all her goods and chattels moveable and immoveable to the disposition of Sir Alexander Wayte, Canon of Wingham, Sir John Aumberlee, rector of Herietesham and one other man, “whom I constitute my executors that may dispose for my soul, reward my servants and in other works of charity.”⁵² She further names Sir Thomas Colwell, Abbot of St. Augustine, Canterbury, as supervisor to her will. It is apparent that women saw their parish clergy as spiritual friends, and they trusted in them most and left the well-being of their souls in the hands of the spiritual friends, as they did throughout their lives. By means of their gifts, women who faced death probably tried to continue their friendships with the individuals who provided them a spiritual ease most of the time. Margaret Plays, in order to reward Chaplain John Ferroure’s service left all her

⁴⁹ Duncan, “Medieval and Tudor Kent P.C.C. & C.C.C. Wills,”
<http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk23/page%20321.htm> (Last visited August 2009)

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

books and religious cloths to him in her will written in 1400.⁵³ Furthermore, women tended to favour those whose service they had received throughout their lives, as Joan Hesilrigg's will, dated 1400, illustrates: "I bequeath to Sir John de Horslay chaplain, if he is the parish chaplain of the said church at the time of my death, 10s. However, if another man is the parish chaplain of the same, then I bequeath to the same chaplain only 6s 8d."⁵⁴

On some occasions women also chose the clergy as the second or third beneficiary for some property that was bequeathed to someone else after the death of that first beneficiary. As referred to in the second chapter, the legacy of Agnes Fylour in 1467 reads:

After the decease of the said Joan, the messuage, with appurtenances, is to remain intact to the aforesaid Sir Maurice Hardwick, vicar of the aforesaid church of All Hallows', and to John Compton and William Rowley, churchwardens of the said church, to be held by them and their assigns and successors in perpetuity, paying to the lord of the fee all rents and services due in law on the same condition of holding my anniversary every year in the manner prescribed.⁵⁵

The evidence that women chose the clergy that they knew in person as their executors and that they left their property to them after the death of all other possible beneficiaries reveal the anxiety felt about the proper administration of the wills and fulfillment of the legacies. Medieval women, therefore, did not forget the clergy with whom they were acquainted in their wills. Moreover, the clergy provided them with the much needed trust that will-makers looked for as well as being the insurance that the name of the benefactors would be remembered even after death.

⁵³ "Item lego Johanni Ferroure capellano omnes libros meos cum calice, et omnibus vestimentis ecclesiasticis cum auterclothis, pro suo bono servicio.": Raine, *Testamenta Eboracensia* I, p. 258.

⁵⁴ "Item lego domino Johanni de Horslay capellano, si fuerit capellanus parochialis dictae ecclesiae tempore mortis meae, x s. si vero alius fuerit capellanus parochialis ibidem, tunc lego eidem capellano vj s. viij d. tantum.": Raine, *Testamenta Eboracensia* I, p. 266 (translation mine).

⁵⁵ Burgess, *The Pre-Reformation Records of All Saints' Church*, p. 16.

77% of my sample wills also contain at least one beneficiary whose relationship to the will-maker was not stated. They might either be distant relatives or people with whom testatrices had some kind of relation, but from the wills alone, I cannot figure out exactly who they were, for their surnames were different from the testatrices'. With the help of other historical local documents the relationships might be ascertained, but this is beyond the scope of this study. Since it will take further time to find out such relationships, in this study I will take the beneficiaries whose relationship to the testatrices was not revealed in the will and who had different surnames from the testatrices as unrelated beneficiaries. The motivation which lies behind the bequests made to such beneficiaries is also difficult to suggest if it was especially not stated by a testatrix herself in her will. The will-makers in fact were not obliged to state the reasons for their bequests, and thus, as Mills states, "often, it is impossible to know whether a private donation was an expression of affection, a bribe, a means of repaying a favour, or the fulfillment of some other form of obligation."⁵⁶ Although it is not possible within the scope of this study to ascertain the relationships or the motivations behind the bequests made to the third parties, the analysis of such beneficiaries might help to make some conclusions for the place of women within the society.

Sara de Grofherst in 1371, apart from her executor and supervisor, left some property, from clothing to animals, or money to nine women and four men who were seemingly unrelated to her.⁵⁷ Again Margaret Harowedon in 1485 made reference to eight names including a man, his wife and his three sons in her will.⁵⁸ Elena Howe in

⁵⁶ Mills, "Wills in Later Medieval England," p. 109.

⁵⁷ Duncan, "Medieval and Tudor Kent P.C.C. & C.C.C. Wills," <http://www.kentarchaeology.org.uk/Research/Libr/Wills/Lbth/Bk25/page%20578b.htm> (Last visited August 2009)

⁵⁸ Edwards et al., *Early Northampton Wills*, pp. 124-125.

her last will that was written in 1494 listed only the beneficiaries who seem unrelated to her:

To Dom Robert Fuller 4d [...]. Robert Henxill to have my best sprout net & my best manfare of shot-net. Elene Alchorne a pair of sheets & one dish. John Denman a counterpane & towel. Elene Swetyng one dish. [...] Alice Henxill to have my best cloak & second kirtle, a hood girdle & one pair of prayer beads. Robert Henxell 6s 8d. I deve Adam my second kirtle. Joan Hay my third kirtle, pair of sheets, coverlet, 3 pieces of pewter & a candlestick.⁵⁹

Elena Howe named John Henxell and John Adam as her executors and as can be seen from the beneficiaries, some of them were related with these two men. Though the relation of these two men to her is not possible to be known from her will, Elena Howe probably chose them as her executors because of her trust and affection in them, and also, she might want to show her gratitude to them by leaving some personal gifts to their families as well. Dom Robert Fuller, her first beneficiary, was a religious man, for after the bequest made to him, Elena Howe left 8d to the Brotherhood of St Peter. While there is no clues to know the closeness of the beneficiaries of Elena Howe, it can be suggested that the Henxell and Adam families were important for her at the time of her death, as the last wills of women are the records of “their most valued beliefs, relationships, and, indirectly, experiences.”⁶⁰ Agnes Hill’s will written in 1459 also has some clues for her relationships with three families, as she bequeathed some of her personal property to a woman and her four daughters and her son, to another woman and her daughter, and to a man and his wife, including two other men.⁶¹

As can be seen from the examples, therefore, it is possible to conclude that medieval women were active in their locality, forming some kind of relationships

⁵⁹ Duncan, “Medieval and Tudor Kent P.C.C. & C.C.C. Wills,”

<http://www.kentarchaeology.org.uk/Research/Libr/Wills/Bk58/104.htm> (Last visited August 2009)

⁶⁰ Katherine J. Lewis, “Women, Testamentary Discourse and Life-Writing in Later Medieval England” in *Medieval Women and the Law*, ed. Noël James Menuge (Woodbridge: The Boydell Press, 2003), pp. 57-75 (p. 74).

⁶¹ Northeast, *Wills of the Archdeaconry of Sudbury*, p. 362-363.

and giving importance to their acquaintances at the time of writing their last wills, for they did not forget to leave some property to them in their wills. They might either want that those people remember them as their benefactors even after they left this world or returning the favours made to them throughout their lives. Nevertheless, the student of medieval wills needs to be cautious, as the relationships revealed in the wills might not cover all the people with whom they made a contact in some way or the other. It will be misinterpreting the data in the wills to take the beneficiaries as if they were the only relations that women formed throughout their lifetimes. It is also difficult to suggest a possible motivation behind the bequests to the beneficiaries who were unrelated to the testatrices, as we can not know exactly the reasons for the bequests made to them. Bequests to the third parties, however, implies that women were not trapped in their households, but rather they formed wide range of relationships and they did not forget to include some of them in their last wills, either to be remembered in the prayers of their beneficiaries or making sure that their wills administered properly without any fraud.

Through the representation of non-kin beneficiaries and bequests left to them, with this chapter I've tried to show that women formed wide range of relationships throughout their lives and remembered those who were important for them at the time their wills were written. Thus, last wills of late medieval English women not only reflect the influence of the dominant religious beliefs and familial concerns of the time, but they also reveal the role women played in medieval communities. Because, in addition to the anxiety of medieval women for their immediate family, last wills also show the generosity women showed towards their servants, godchildren, religious and secular friends, neighbours and other acquaintances. In an age when households were administered by men who constituted the more powerful

gender active in medieval communities, women, whatever was their marital status, did not remain as passive and submissive as medieval sources illustrate, but rather they had an active role in the society through their relationships with the other people in their parishes. Because parish life formed the core of the medieval societies, people who shared the same parish were expected to know one another and have close ties. Thus, it was inevitable even for a woman who was subordinate to male authority and detained in her household to participate in one way or another in the public life and manage her affairs in the society with or without a male intermediary. The last wills of medieval women, therefore, illustrate this very ability of women to strengthen their bonds with their community and take control of their property which they generously distributed among their family members and their acquaintances on their deathbeds. This aspect of medieval wills makes them important for the historians who study the position of women in medieval societies, since they reveal the fact that medieval women were not simply the subordinates following the established rules of men, but rather they were influential individuals in the community and had some kind of a power to impose that influence on the people through their property provisions and bequests.

CHAPTER V

CONCLUSION:

‘I MAKE MY LAST WILL IN THIS WISE’

There have been differences in roles, rights and status between the sexes in all cultures and traditional societies throughout history, and late medieval English society was no exception. While men dominated nearly all spheres, women, especially those from the lower strata of the society, had nearly no chance to record their identities outside male discourse. However, the act of will-writing in late medieval England gave an opportunity to women to illustrate their priorities, to gain autonomy over their property and to make their voices heard for the first time in most cases. As illustrated by the evidence of the last wills, medieval women who had enough property to leave a will could act as the mouthpiece for all women, regardless of class and marital status, since wills are invaluable documents in which we see medieval women find a voice and write themselves and represent other women as well without the interpretation and misrepresentation of others. In spite of their methodological deficiencies shown throughout this thesis, last wills are fruitful for historical analysis. This study is based primarily on late medieval English women's wills in spite of their relatively small number, since they serve as evidence for my argument that women acted the roles that had long been attributed to them well. Even

on the deathbed, women proved to be the caring and dutiful spouse, mother, daughter and parishioner. But the act of will-writing was also a great opportunity for most women to gain a certain control over the distribution of their property and wealth, as they themselves chose how to use their wills to benefit whomever they want.

The testamentary practice of medieval women did not change at all in the period under discussion, but marital status and class were the two aspects which influenced women's control over property as well as their testamentary capacity. Though women from the higher strata of society had greater opportunity to possess considerable wealth, just like a woman with lesser wealth, a well-to-do woman's control over property nevertheless depended to a considerable extent upon whether she was under the dominion of a father, of a husband or whether she was freed from male authority and supervision. Thus, to say that women with resources had greater control over their property and that they distributed their possessions more freely than ordinary women is to distort the picture of women's assertiveness in relation to property. Who can claim or deny that a woman from the higher nobility distributed her worldly goods among her children and friends according to her heart and mind?

Therefore, while unmarried women and widows, both of whom are classed as singlewomen by most historians, had a right to distribute their property under common law – if they had enough property of course – married women had to obtain their husband's consent to leave a will, since upon marriage, a married woman lost her autonomy as well as her control over her property under the rule of her husband. Once a woman was married, she was defined by her husband's name in general and she continued to use her husband's name even when her husband died, as seen in legal documents including last wills. Despite their disputed testamentary rights, married women in practice did leave wills and distribute their property: in a way they

controlled some of their property and they themselves chose how that property was to be used and distributed after their death, rather than leaving this decision to their husbands. On the other hand, whether women decided over some of the bequests on their own or whether they followed the instructions and wishes of their husbands, deceased or alive, or of other male relatives, is difficult to ascertain. But even if women followed the wishes of men closely, this was expressed as fidelity rather than submission.

As is reflected in the preambles of the wills and various bequests to the clergy, churches and religious institutions as well as the provisions for the testator's or testatrice's soul, the prime motivation for leaving a will remained a religious one in later medieval England, but from the evidence found in the wills analysed for this study, we can conclude that medieval men and women had different opportunities and concerns individually, and knowing that they were about to die did not give them greater freedom over their decisions on the deathbed. We see that men as well as women inevitably cared for the future of their children, and for that very reason sometimes they tried to control the behaviour of their spouses beyond the grave. The death of a spouse would bring changes to the other spouse's life as well as their children's, and those who were about to die were aware of this fact. Thus, one does not need to search for a reason to explain the conditions put on the bequests. Although the duty of commemoration first fell on the shoulders of those who were left behind, both men and women had doubts about what the life would look like after they were gone and they tried to ensure that their wishes were fulfilled whatever the scenario was to be.

On the other hand, when they left their wills, both men and women were caught in the webs of medieval common law in different ways. While men who

generally had control over real property were primarily concerned for the distribution of their lands and estates among their children, and especially among their sons, women filled their wills with a careful description of their movable property which they distributed among a greater number of individual beneficiaries than men did. The explanation of this difference between the testamentary practice of men and women is explicit: a wife knew that her husband would take care of her children and a widow did not necessarily worry about for the future of her sons and daughters, as her children had already been provided for by her deceased husband. Moreover, although some women's wills, especially the wills of widows, contain references to real property, it is the male wills in which the evidence for immovable property is dominant. Thus, arguing that women would have been just as generous to their non-kin beneficiaries if they had controlled as much real property as men did is to believe in a fairy tale. But women's wills are not fairy tales: they are full of facts about their past, present and future. In addition to her piety, the last will of a medieval woman reveals her family and household, her priorities and concerns, her property and wealth, her personal relationships, her role within and outside the family, and also the way she wished to control her property and networks of relationships beyond the grave.

The study of medieval women's wills, therefore, opens up a new scope for the history of medieval women, as they include much valuable evidence for the role of women in Medieval England, both in the domestic and public spheres. It is true that women were affected by the common views about them in the society, and they themselves accepted the dominant discourse and thus most of them acted as expected from their sex, as the relatively lower number of their wills illustrates. Women's testamentary practice reveals that they were still instrument of male agency in some

cases, but the act of will-writing also gave a woman an opportunity to exercise a kind of autonomy and assertiveness.

By means of their wills, women tried to preserve their identities, they gave priority to certain people within her family as well as in the community and they exercised power to control not only the way their limited property was distributed, but also future events beyond the grave. Because of their sex, women generally controlled movable property and as a result bequeathed very personal possessions such as household items, kitchenware, cloths, books and jewelry that they made use of during their lives. People did not have to disclose the reasons behind their bequests, but women's personal gifts had a spiritual value for the recipients and those who received such personal gifts may well have remembered the women who left it to them whenever it was used. Moreover, as holders of personal property, women had much more freedom than men to choose whomever they wanted as their beneficiary, and this allowed women to reveal their wide range of relationships in their wills. Women, therefore, used a legal arena – that of last wills – to present their life stories, to make their personal possessions and relationships public, to have ultimate control over their limited property and to be the leading actors at the last stage of their lives.

With respect to marital status and class, medieval women had different opportunities and a diversity of roles. With respect to their testamentary behaviour, they not only fulfilled their duties and obligations, but also exercised some freedom of control over their property and some freedom of choice over their beneficiaries. Thus, did not women act their parts?

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