

MEANINGS OF SINGLENES: THE SINGLE WOMAN IN LATE MEDIEVAL ENGLAND

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Abstract

This thesis is positioned within two debates: a specific one about who is the 'single woman' and what is her place in society; and a more general one about whether a positivist social history approach or a poststructuralist one is more useful and fitting for a feminist historian. The thesis argues that a more flexible approach to both single women and methodology can be productive. To recognise the merits of both sides of a debate and adopt a middle position need not be a compromise but may in itself be a radical stance.

In Part One I argue that the medieval use of the category 'single woman' is variable: it sometimes refers to any unmarried woman, whether never married or widowed; it sometimes refers to a specific group who are not 'maidens' or 'widows'. The texts examined belong to various official discourses - clerical, fiscal, legal, and so on - and construct the category 'single woman' in relation to other categories. An analysis which pays attention to both discourse and chronology opens up questions about how medievals conceptualized women which are closed down if one starts from a fixed definition of the single woman.

Part Two is my attempt to keep historical single women in focus, by way of a case study of their petitions to Chancery in the fifteenth- and early sixteenth- centuries. This signals my sympathies with a social history approach, but argues that we only have access to historical women via discursively produced texts. The section considers how discourse affects and is affected by 'real' women; that is, which stories and identities were thought useful to single women in this arena. It particularly focusses on groups which probably represent the never married, an understudied group, such as daughters and servants, although widows are also considered for comparative purposes.

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Abbreviations

BIHR	Borthwick Institute of Historical Research
BL	British Library
CLRO	Corporation of London Record Office
EETS o.s.	Early English Text Society, original series
EETS e.s.	Early English Text Society, extra series
EETS s.s.	Early English Text Society, supplementary series
LMA	London Metropolitan Archives (formerly, the Greater London Record Office)
<i>MED</i>	<i>Middle English Dictionary</i> , ed. H. Kurath <i>et al.</i> (Ann Arbor, 1956-)
NASDRO	Nottinghamshire Archives and Southwell Diocesan Record Office
<i>OED</i>	<i>Oxford English Dictionary</i> , ed. J.A. Simpson and E.S.C. Weiner, 20 vols (2nd edn; Oxford, 1989)
PRO	Public Record Office
SBTRO	Shakespeare Birthplace Trust Records Office
ser.	series
YASRS	Yorkshire Archaeological Society Record Series
YCA	York City Archives

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Author's Declaration

Some of the material used in “The Fiscal Single Woman” has been presented before in C. Beattie, “The Problem of Women’s Work Identities in Post Black Death England” in *The Problem of Labour in Fourteenth-century England*, ed. J. Bothwell *et al.* (Woodbridge, 2000), pp. 1-19 (pp. 4-10). The arguments here, though, have been substantially revised and developed.

INTRODUCTION: MODERN APPROACHES

“The culture has no fix on single women,” [Marcelle Clements] argues, ... Depending on your point of view, they’re a frustrated bunch who cannot get a man and turn to good works and cats; or they’re impossibly glamorous, flitting from party to party and lover to lover while holding down powerful jobs and wearing designer clothes. What this overlooks is the sheer diversity of the group; these days, ‘single’ covers women who by choice have never married, serial cohabitees who happen to be between relationships, women who take lovers but prefer to live alone, mothers bringing up children on their own, divorcees and widows. ... Indeed, single and married are no longer fixed states, but descriptions of a woman’s current status - which is very much open to change.

Joan Smith, “The Power of One” (1999).¹

Although this description of single women is very much a late twentieth century one, some of the issues that it raises also bedevil the study of single women in the historical past. For example, is ‘single’ a fixed state and to whom does it apply? As we shall see, some scholars argue that it includes both the never married and the widowed and is thus a state that women move in and out of; others try to limit its meaning to the never married or even the never married beyond a certain age. Moreover, for those who study the pre-modern past, a recurring issue is what has been identified as “the lack of social space or social identity for the singlewoman” - the lack of a cultural ‘fix’.² This study will therefore not begin with a definition of the single woman. The example of Clements’s work illustrates how mutable the category can be in modern society; I want to introduce this conceptual instability into the study of unmarried women in the past, specifically in late-medieval England.³

During the course of this project I have had many conversations with people who think they know what I am working on as soon as I say the words ‘single women’. The assumptions, however, are varied: I am working on all unmarried women; I am only working on women who

¹J. Smith, “The Power of One”, *The Guardian* (26 Apr. 1999), Supplement: Women, p. 6, reviewing M. Clements, *The Improvised Woman: Single Women Reinventing Single Life* (New York, 1998).

²R.M. Karras, “Sex and the Singlewoman”, in *Singlewomen in the European Past 1250-1800*, ed. J.M. Bennett and A.M. Froide (Philadelphia, 1999), pp. 127-45 (p. 126). See also Mary Prior: “There was no place in early modern society any more than in medieval society for the single, independent woman” (M. Prior, “Women and the Urban Economy: Oxford 1500-1800”, in *Women in English Society 1500-1800*, ed. M. Prior (London, 1985), pp. 93-117 (pp. 95-6)).

³Cf. J.M. Bennett, “‘Lesbian-Like’ and the Social History of Lesbianisms”, *Journal of the History of Sexuality*, 9 (2000), 1-24 (p. 13): “a refusal to apply ‘lesbian’ to the distant past stabilizes things that are better kept in a state of productive instability. Is there a stable entity as a modern lesbian? Clearly not. Was there such a stable meaning to ‘lesbian’ in any past time? Probably not. We should play with these instabilities and learn from them, not reify one in order to deny relationship with the other”.

have never married and are past a certain age ('spinsters'); 'maidens' are included because they are young, unmarried women; 'maidens' are definitely not included because they are a distinct, medieval group; similarly, widows must be included because they are the archetypal *femmes soles*; but, again, widows are also a group unto themselves. In a sense, I am working on all those things. 'Single woman' is a category which is used in medieval texts from the fourteenth century. As I shall demonstrate in Part One, it is sometimes used to refer to any unmarried woman, whether never married or widowed, but it is also sometimes used to refer to women who are not 'maidens' or 'widows' (although the meanings of these categories are also not fixed).⁴ My premise is that the unstable nature of the medieval category can be usefully deployed to open up questions about how medievals conceptualized women, particularly the unmarried, and for what reasons.

While I have a background in social history, this study has been influenced by poststructuralist approaches to texts. I am well aware that the two are not always viewed as compatible and, indeed, in the course of this project I have often had to wrestle with what I wanted to know and write about and what I really believed could be extrapolated from the texts I was working with.⁵ The end product should not be viewed as a mere compromise, though, but as a demonstration of an approach which recognises the merits of both schools of thought: social history's commitment to recovering the actual conditions under which people lived, and discourse theory's awareness that these are inevitably mediated to us through language.

The thesis has two main parts which both stand alone and interrelate. The first is an examination of how various official discourses - clerical, fiscal, legal, and so on - relationally construct the category 'single woman'; by 'relationally' I mean that the single woman is always understood in relation to other categories which differ in different discourses.⁶ In this part I

⁴The category 'never married' is a demographic term which strictly means a woman who lived without ever having married. As such, demographers sometimes only apply it to women over the age of fifty who are thought to be past childbearing age: see p. 6, n. 21 below. I use it in this study, though, to describe any woman who has not yet married, in contrast to those who have been widowed.

⁵See, for example, the exchange between Linda Gordon and Joan Scott in the 1990 issue of *Signs*: J.W. Scott, "Review of Linda Gordon, *Heroes of Their Own Lives: The Politics and History of Family Violence*", *Signs*, 15 (1990), 848-52; L. Gordon, "Response to Scott", 852-3; L. Gordon, "Review of Joan Wallach Scott, *Gender and the Politics of History*", 853-8; J.W. Scott "Response to Gordon", 859-60. The significance of this exchange for feminist historiography has been discussed elsewhere: S. Benhabib, "Subjectivity, Historiography and Politics: Reflections on the 'Feminism/Postmodernism Exchange'", in S. Benhabib *et al.*, *Feminist Contentions: A Philosophical Exchange* (New York, 1995), pp. 107-14 (pp. 112-14); J.P. Butler, "For a Careful Reading", in *Ibid.*, pp. 133-7 (p. 137).

⁶'Discourse' can be defined in a number of different ways: some take it to be synonymous with 'language'; others, such as Foucault, apply it to spatial relationships and behaviour, for example. While my emphasis in

show how unstable its meanings consequently are. The second part is about the effect of this shifting categorization for unmarried women themselves, by way of a case study of the stories they told and the subject positions they adopted in some fifteenth- and early sixteenth century Chancery petitions. While the latter section is an attempt to think about how discourse both affects and is affected by 'real' women, it still recognises that we only have access to them via discursively produced texts.

These ideas will, of course, be explored in more detail within the main body of the thesis. Some of the reasons for such an approach, though, should become clearer in the historiographical discussions that follow. I shall begin by considering some of the pertinent literature on the 'single woman' in various historical periods. The discussion will indicate why I prefer to work with a flexible definition and the merits of an analysis which pays attention to discourse. The following section, on feminist approaches, allows for consideration of what is at stake in the contested methodologies of social historians and cultural historians who are influenced by poststructuralist theories of discourse.

I. The Historiographical Single Woman

Merry Wiesner comments that:

Scholarly interest in singlewomen in the medieval period has a very long history in Germany. In the late nineteenth century, when social commentators and academics throughout Europe (and the United States) were debating what to do with 'surplus' or 'redundant' women who were not able to marry, the German archivist and historian Karl Bücher looked backward to see if this had been a problem before.⁷

this study is on texts, my understanding of the term is closer to the latter. Scott usefully sums up a Foucauldian understanding as: "A discourse is not a language or a text but a historically, socially, and institutionally specific structure of statements, terms, categories, and beliefs" (J.W. Scott, "Deconstructing Equality-versus-Difference: Or, The Uses of Poststructuralist Theory for Feminism", *Feminist Studies*, 14 (1988), 33-50 (p. 35)). Nancy Fraser argues that such a pragmatic model of discourse is more useful for feminist politics than a structuralist one which "treats language as a symbolic system": N. Fraser, "The Uses and Abuses of French Discourse Theories for Feminist Politics", *Revaluing French Feminism: Critical Essays on Difference, Agency, and Culture*, ed. N. Fraser and S.L. Bartley (Bloomington, 1992), pp. 177-194 (p. 177). For a useful introduction see D. Macdonell, *Theories of Discourse: An Introduction* (Oxford, 1986).

⁷M.E. Wiesner, "Having Her Own Smoke: Employment and Independence for Singlewomen in Germany, 1400-1750", in *Singlewomen*, ed. Bennett and Froide, pp. 192-216 (p. 192).

Bücher concludes, from the population counts of late fourteenth and fifteenth century German towns, that there had indeed been a surplus of women (*Frauenüberschuß*).⁸ It is his work that Eileen Power uses (in the 1920s and 30s) to argue that, as in Germany, there was probably an “excess” of women in England, leading to unmarried women having to support themselves by work.⁹ P.J.P. Goldberg suggests, though, that Power’s arguments “may also derive from the notion, current at the time Power was researching ..., that many young women would not have been able to marry because their potential spouses had been killed in the ‘Great War’”.¹⁰ While this historiography might not seem particularly relevant to a study which is not concerned with numbers nor with such a precise definition of ‘single woman’ (here, clearly, the never married), nevertheless these early studies usefully illustrate something that we shall also see for the later historiography: that studies of single women are often both stimulated by, and bear the influences of, present concerns.¹¹

To continue with the current focus, though: Wiesner comments that Büchner’s statistics have since been “thoroughly questioned, as he used numbers drawn from wartime (when young men often fled cities to avoid being drafted into military service) or from only parts of cities”.¹² The reference that she gives is to 1980 and, indeed, the early 1980s appear to have been a time when historical demographers were particularly interested in the single for a variety of reasons.¹³ R. Burr Litchfield, in an article on single people in nineteenth-century cities, credits

⁸Wiesner, “Having Her Own Smoke”, p. 192; E. Power, *Medieval Women*, ed. M.M. Postan (Cambridge, 1975), p. 55. Wiesner cites K. Bücher, *Die Frauenfrage im Mittelalter* (Tübingen, 1882); Postan references an edition of 1910: Wiesner, “Having Her Own Smoke”, p. 210, n. 1; Power, *Medieval Women*, p. 102, n. 1.

⁹Power, *Medieval Women*, pp. 53-5 (p. 53). This collection of essays was posthumously assembled by Postan, her husband. The pertinent chapter, entitled “The Working Woman in Town and Country”, is the one which he claims was “largely based on my researches and in which she embodied numerous passages written by me”: p. 7. This has been challenged by Maxine Berg: M. Berg, *A Woman in History: Eileen Power, 1889-1940* (Cambridge, 1996), pp. 198-9.

¹⁰P.J.P. Goldberg, *Women, Work, and Life Cycle in a Medieval Economy: Women in York and Yorkshire c.1300-1520* (Oxford, 1992), p. 5. Power certainly makes other contemporary analogies, for example: “The appearance of women in the labour market in the Middle Ages was due to the same reason as their work today, viz. it was necessary for the married woman to earn a supplementary wage and necessary for the single woman to earn a livelihood”; “It may be that large numbers of women were to be found in the same occupation which before the first war provided the main employment for women, especially the unmarried ones, that is domestic service” (Power, *Medieval Women*, pp. 53, 55).

¹¹This thesis does not shy away from such concerns, but tries to make them explicit. For example, my standpoint includes the political importance of studying ordinary historical women and a concern that one does not overcompensate by assigning to such women ‘voices’ and ‘experiences’ which were not their own: see section II below.

¹²Wiesner, “Having Her Own Smoke”, p. 192.

¹³*Ibid.*, p. 210, n. 3: Kurt Wesoly, “Der weiblichen Bevölkerungsanteil im spätmittelalterlichen und frühneuzeitlichen Städten und die Betätigung von Frauen in zünftigen Handwerk (insbesondere am Mittel- und Oberrhein)”, *Zeitschrift für die Geschichte des Oberrheins*, 89 (1980), 69-117. For a more detailed exploration

J. Hajnal's article of 1965 on European marriage patterns as leading to the recognition "that single people have had a significant place in European demographic and family history".¹⁴ Hajnal identifies a pattern in an area of Europe west of a line running roughly from Leningrad to Trieste, from the sixteenth century onwards.¹⁵ The geographical extent has since been modified and it is now known as 'the northwestern household formation system'.¹⁶ Key aspects of the pattern include: late age at marriage for both sexes; before marriage, young people often circulate between households as servants (what is often called life-cycle service); newly-married couples set up their own households rather than living with kin; and a significant proportion of people are both unmarried and never (or yet) married.¹⁷ The single are therefore crucial to the identification of this pattern, either as late marriers, as never marrieds or as life-cycle servants. More importantly for medievalists, though, R.M. Smith has challenged Hajnal's analysis of the medieval evidence and argues that poll tax returns, for example, show the existence of the northwestern household formation system in England from the late fourteenth century at least.¹⁸ The work of subsequent historians such as Goldberg and L.R. Poos have backed up his claims

of the demographic perspective in relation to single women than that which follows, see M. Kowaleski, "Singlewomen in Medieval and Early Modern Europe: The Demographic Perspective", in *Singlewomen*, ed. Bennett and Froide, pp. 38-81.

¹⁴R.B. Litchfield, "Single People in the Nineteenth-century City: A Comparative Perspective on Occupations and Living Situations", *Continuity and Change*, 3 (1988), 83-100 (p. 83); J. Hajnal, "European Marriage Patterns in Perspective", in *Population in History: Essays in Historical Demography*, ed. D.V. Glass and D.E.C. Eversley (London, 1965), pp. 101-43. Litchfield also notes, though, that "the large number of spinsters and bachelors who never married and late marriage for men and women who did marry, is generally considered from the point of view of restraints on marriage that affected the living situation of married couples, rather than from the point of view of spinsters and bachelors": Litchfield, "Single People", p. 83. I have argued elsewhere that Hajnal's views on household formation perhaps led to the medieval household being studied largely from the perspective of the married: C. Beattie, "A Room of One's Own? The Legal Evidence for the Residential Arrangements of Women Without Husbands in Late Fourteenth- and Early Fifteenth-Century York", in *Medieval Women and the Law*, ed. N.J. Menuge (Woodbridge, 2000), pp. 41-56 (p. 43); J. Hajnal, "Two Kinds of Pre-industrial Household Formation", in *Family Forms in Historic Europe*, ed. R. Wall *et al.* (Cambridge, 1983), pp. 65-104.

¹⁵Hajnal, "European Marriage Patterns", pp. 101, 134.

¹⁶On the possibility of a more specific area see P. Laslett, "Characteristics of the Western Family Considered Over Time", in *idem*, *Family Life and Illicit Love in Earlier Generations: Essays in Historical Sociology* (Cambridge, 1977), pp. 12-49 (esp. pp. 15-17, 24). See also Hajnal, "Two Kinds", p. 66.

¹⁷Hajnal, "European Marriage Patterns", p. 101; Hajnal, "Two Kinds", p. 69.

¹⁸R.M. Smith, "Some Reflections on the Evidence for the Origins of the 'European Marriage Pattern' in England", in *The Sociology of the Family: New Directions for Britain*, ed. C. Harris (Keele, 1979), pp. 74-112. His key article is perhaps: R.M. Smith, "Hypothèses sur la nuptialité en Angleterre aux XIIe-XIVe siècles", *Annales: Economies, Sociétés, Civilisations*, 38 (1983), 107-36. For more on poll tax returns see Part One, II below. Smith also uses the Spalding serf lists to argue that even before the Black Death women married in their early to mid-twenties. See also: H.E. Hallam, "Some Thirteenth-century Censuses", *Economic History Review*, 2nd ser. 10 (1958), 340-61; H.E. Hallam, "Further Observations on the Spalding Serf Lists", *Economic History Review*, 2nd ser. 16 (1963), 338-50.

and this is now the dominant interpretation.¹⁹ The work of demographic historians, then, has led to a number of investigations which concern the single woman. Key points of interest have been service, marriage patterns and female-headed households.²⁰ Demographers, however, define the single woman in ways crucial to their interests. For example, the never married are strictly women over the age of fifty, owing to a demographic interest in fertility;²¹ the single sometimes include the widowed, the divorced and the separated;²² or interest is more narrowly focussed on the ‘solitary’, those who live alone.²³

The study of single women as a group also emerges from shifts within women’s history. While it was demographic findings that led me to think that single women are a topic worth exploring for late-medieval England, nevertheless I would seek to locate my work more within the women’s history sphere. The editors of a recent essay collection on young medieval women discuss how “revelations from Black history and Marxist history in particular had, by the early

¹⁹Goldberg, *Women, Work, and Life Cycle*; L.R. Poos, *A Rural Society After the Black Death: Essex 1350-1525* (Cambridge, 1991); J.M. Bennett, “Medieval Peasant Marriage: An Examination of Marriage Licence Fines in the *Liber Gersumarum*”, in *Pathways to Mediaeval Peasants*, ed. J.A. Raftis (Toronto, 1981), pp. 193-246; H.E. Hallam, “Age at First Marriage and Age at Death in the Lincolnshire Fenland, 1252-1478”, *Population Studies*, 39 (1985), 55-69. Recent objections focus on more specific arguments such as whether those women who delayed marriage or never married did so out of choice or necessity, whether there were increased numbers of never-married women c. 1400, and about the significance of life-cycle service: J.M. Bennett, “Review of P.J.P. Goldberg, *Women, Work, and Life Cycle in a Medieval Economy*”, *Albion*, 25 (1993), 676-8; M. Bailey, “Demographic Decline in Late Medieval England: Some Thoughts on Recent Research”, *Economic History Review*, 2nd ser. 49 (1996), 1-19; M.E. Mate, *Daughters, Wives and Widows After the Black Death: Women in Sussex, 1350-1535* (Woodbridge, 1998), pp. 21-49; M.E. Mate, *Women in Medieval English Society* (Cambridge, 1999), pp. 56-61.

²⁰See, for example, the 1981 issue of *Annales de Démographie Historique* which devotes a significant section to “La femme seule”. Essays include: C. Klapisch-Zuber, “Célibat et service féminins dans la Florence du XV^e siècle”, *Annales de Démographie Historique* (Paris, 1981), pp. 289-302 (published in English as “Female Celibacy and Service in Florence in the Fifteenth Century”, in *idem, Women, Family, and Ritual in Renaissance Italy*, trans. L. Cochrane (Chicago, 1985), pp. 165-77); T.K. Hareven and L.A. Tilly, “Solitary Women and Family Mediation in America [*sic*] and French Textile Cities”, pp. 253-71; R. Wall, “Woman Alone in English Society”, pp. 303-17 (the latter two articles are both about women living alone). On female-headed households see also: M. Palazzi, “Female Solitude and Patrilineage: Unmarried Women and Widows During the Eighteenth and Nineteenth Centuries”, *Journal of Family History*, 15 (1990), 443-59; M. Cohen, “Survival Strategies in Female-headed Households: Linen Workers in Tullyish, County Down, 1901”, *Journal of Family History*, 17 (1992), 303-18; J. Cashmere, “Sisters Together: Women Without Men in Seventeenth-Century French Village Culture”, *Journal of Family History*, 21 (1996), 44-62. On marriage patterns: V. Brodsky Elliott, “Single Women in the London Marriage Market: Age, Status and Mobility, 1598-1619”, in *Marriage and Society: Studies in the Social History of Marriage*, ed. R.B. Outhwaite (London, 1981), pp. 81-100.

²¹S.C. Watkins, “Spinners”, *Journal of Family History*, 9 (1984), 310-25 (p. 310, n. 1); Kowaleski, “Singlewomen in Medieval and Early Modern Europe”, p. 40 (although both express reservations about such definitions).

²²E.g. the *Annales de Démographie Historique* issue defines “La femme seule” as including “célibataire, veuve, divorcée ou délaissée”: A. Fauve-Chamoux, “Présentation”, *Annales de Démographie Historique* (Paris, 1981), pp. 207-13 (p. 207).

²³E.g. the essays by Hareven and Tilly and Wall cited in n. 20 above.

1980s, cast serious doubt on the validity of viewing ‘woman’ as a stable category in history”, and this led to the study of particular groups of women.²⁴ In this respect, the historical study of single women can be thought of as beginning in the mid 1980s. Sharon Farmer positions it within the context of a recognition by women’s historians “that women’s history was more than a subcategory of the history of the family and that social solidarities entailed more than the solidarities of the workplace”.²⁵ Most of the early studies of single women as a group, though, focus on the modern era.²⁶ Indeed, it is only since the late 1990s that ‘single woman’ has been used as a critical category for analysis by medievalists,²⁷ and by early modernists not much earlier.²⁸ A collection of essays, *Singlewomen in the European Past 1250-1800*, edited by Judith Bennett and Amy Froide and published in 1999, includes several essays relating to medieval and early modern Europe.²⁹

This brief summary of the study of single women within women’s history makes the subject and the category look more coherent and undisputed than they actually are, and so in need of further discussion. In the remainder of this section, I shall explore some of the disparities and tensions within past scholarship, and argue that, just as demographic historians define the single woman in various ways according to their dominant interests, so too do women’s historians.

²⁴K.J. Lewis *et al.*, “Introduction”, in *Young Medieval Women*, ed. K.J. Lewis *et al.* (Stroud, 1999), pp. xi-xx (p. xi). Key factors they discuss include class, race, ethnicity, occupation and, of course, life-cycle stages. See also J.W. Scott, “Introduction”, in *Feminism and History*, ed. J.W. Scott (Oxford, 1996), pp. 1-13.

²⁵S. Farmer, “Down and Out and Female in Thirteenth-Century Paris”, *American Historical Review*, 103 (1998), 345-72 (p. 371, and see n. 121).

²⁶E.g. M. Vicinus, *Independent Women: Work and Community for Single Women 1850-1920* (London, 1985); L.V. Chambers-Schiller, *Liberty, a Better Husband. Single Women in America: The Generations of 1780-1840* (New Haven, 1984). For others see J.M. Bennett and A.M. Froide, “A Singular Past”, in *Singlewomen*, ed. Bennett and Froide, pp. 1-37 (pp. 28-9, n. 5). They argue that the modern focus is “partly attributable to the availability of sources. In the eighteenth century, the figure of the spinster became a common literary trope, and in the nineteenth century, Europeans and Americans frequently discussed the ‘problem’ of what they called ‘redundant women’ ... Interest in modern spinsters also stems from the fact that many middle-class singlewomen were among the first feminists and suffragists, the first women to be educated in colleges, and the first women to enter the professions. Thus, they are hard to miss”. While there is probably something in this, women’s studies has a tendency to be dominated by the modern period.

²⁷This is not to say that the term was not used by medievalists, but that it was not used critically. The recent work on medieval single women will be discussed below.

²⁸A.M. Froide, “Single Women, Work, and Community in Southampton, 1550-1750”, unpublished Ph.D. diss. (Duke University, NC, 1996); C. Peters, “Single Women in Early Modern England: Attitudes and Expectations”, *Continuity and Change*, 12 (1997), 325-45; P. Sharpe, “Dealing With Love: The Ambiguous Independence of the Single Woman in Early Modern England”, *Gender and History*, 11 (1999), 209-32 (this case study of one family is very different from her earlier article which emphasizes how changes in female employment affected marriage patterns: P. Sharpe, “Literally Spinsters: A New Interpretation of Local Economy and Demography in Colyton in the Seventeenth and Eighteenth Centuries”, *Economic History Review*, 2nd ser. 44 (1991), 46-65).

²⁹*Singlewomen*, ed. Bennett and Froide.

The Bennett and Froide volume, although a very recent publication, will loom large in my discussion because of its unparalleled medieval content. While the majority of my research predated the publication of the book, it usefully allows me to illustrate some of the reasons why I think an unfixed category is useful for the study of late medieval England and why an analysis which pays attention to discourse is particularly important. Also, while the collection is laudable for its general coherence, it raises the question of whether we need to instate some chronological specificity into the category ‘single woman’.

Early in 2000, Laurel Amtower published a call for papers for a volume on *The Single Woman in Medieval and Early Modern England: Her Life and Representation*, to be co-edited with Dorothea Kehler.³⁰ This is a useful place to start a discussion about conceptual tensions, as there are more significant differences between the proposed Amtower and Kehler collection and the Bennett and Froide volume than the placing, or not, of a space between the words ‘single’ and ‘woman’. The former are actually proposing a different category of analysis. Bennett and Froide use the compound form “singlewomen” to denote never-married women, both those “who would eventually marry and those who never would” (what they refer to as life-cycle and lifelong singlewomen), a form which they claim is found “in English documents from the fourteenth century”.³¹ Their Introduction compares “singlewomen” with wives and widows, so that “singlewomen” take the place that maidens or daughters have conventionally occupied in other works.³² The announcement for the Amtower and Kehler collection, though, defines the “single woman” as including:

well-born spinsters provided for by their families, entrepreneurs, wage earners (especially servants), widows, lesbians, cross-dressers who may have been lesbians, nuns, the handicapped (often sheltered by the church), unwed mothers, kept women, and prostitutes.³³

³⁰L. Amtower <lamtower@mail.sdsu.edu>, “CFP: Single Woman in Med. & Ren. England (6/1; collection)”, 7 Jan. 2000 <cfp@dept.english.upenn.edu> (11 Jan. 2000).

³¹Bennett and Froide, “Singular Past”, p. 2; when discussing essays in this collection I will use ‘singlewoman’ in this way. I disagree, though, with this dating. The earliest compound form I have found is from 1431, although the Middle English “sengle woman” can be found in the 14thC: see Part I, sections I, III and V below. This claim, next to their definition of who they mean by the term (the never married) lends their use a historical credibility which I think is misleading. Cf. Bennett, “‘Lesbian-Like’”, pp. 20-1: “‘singlewomen,’ the term by which they [the never married] were known in early fifteenth-century England”. I will also dispute both this meaning and its prevalence in the early 15thC.: Part I, section V.

³²See the Introduction to Part I below.

³³Amtower, “CFP: Single Woman”.

Not only do they propose to include widows, then, but ‘single woman’ emerges as a catch-all category for the unmarried. While I have intimated that similar meanings coexist in medieval thought, both these working definitions seem to owe something to historians of later periods. Amtower and Kehler claim that the sub-categories are those of Olwen Hufton, a historian who works primarily on the eighteenth century.³⁴ Similarly, Bennett attributes the shift in her own thinking - in an article published in 1995 she used the term “single woman” to designate “women who lived without a male household head - including never-married women, wives without husbands in residence, and widows” - to her contact with the work of Froide (on the single woman in the early modern period).³⁵ Bennett and Froide’s introductory essay briefly argues that “it would be unwise to merge singlewomen and widows into one group of ‘women alone’”, but it is in Froide’s essay on early modern England that such an approach is really engaged with.³⁶ This perhaps reflects the previous use of related categories amongst historians of the post-medieval period.

One of the articles that Froide takes issue with is Hufton’s “Women Without Men: Widows and Spinsters in Britain and France in the Eighteenth Century”. This was published in 1984 as part of a special issue of the *Journal of Family History*, guest edited by Susan Cotts Watkins, on the theme of ‘Spinsterhood’. It is the only essay to include widows and Hufton does so with no explanation.³⁷ Froide argues that by putting the never married together with the widowed, one is in danger of taking the experiences of widows as representative of both groups.³⁸ One reason for Hufton’s approach, though, can perhaps be extrapolated from her later response to a related criticism. Patricia Thane, when reviewing Hufton’s survey book on women in the period 1500-1800, comments that “difficult as it is to find work on unmarried women, there

³⁴Amtower, “CFP: Single Woman”. A source is not given for Hufton’s ‘list’ but the groups are ones discussed in O. Hufton, *The Prospect Before Her: A History of Women in Western Europe, 1500-1800* (New York, 1996), chs 6-8, although not under the term ‘single woman’. Indeed, widows merit their own chapter. Palazzi uses the term “single women” to refer to both the never married and widows: Palazzi, “Female Solitude”, p. 443.

³⁵J.M. Bennett, “Women and Men in the Brewers’ Guild of London, ca. 1420”, in *The Salt of Common Life: Individuality and Choice in the Medieval Town, Countryside and Church* ed. E.B. DeWindt (Kalamazoo, 1995), pp. 181-232 (p. 204, n. 36); Judith Bennett, personal communication (19 Aug. 1999).

³⁶Bennett and Froide, “Singular Past”, p. 15; A.M. Froide, “Marital Status as a Category of Difference: Singlewomen and Widows in Early Modern England”, in *Singlewomen*, ed. Bennett and Froide, pp. 236-69.

³⁷O. Hufton, “Women Without Men: Widows and Spinsters in Britain and France in the Eighteenth Century”. *Journal of Family History*, 9 (1984), 355-76. Hufton’s comment that she thought about calling the essay “Women Alone” suggests that she was perhaps influenced by Wall’s article which she cites: *Ibid.*, p. 376; n. 20 above. He, in turn, was translating the term “femme seule”; on the contents page his title is given as “Women Alone”.

³⁸Froide, “Marital Status”, pp. 236, 260, n. 3.

is surely enough to justify more than four pages and other occasional references devoted to this numerous group? Even cross-dressers merit two and a half ...".³⁹ Hufton responds that:

it is much more important for the question of the "woman alone" to be taken as a whole. Spinsters had much in common with widows as Mrs. Gaskell knew well (dependent on class of course)[.] One of the main problems of separating out the historical spinster from the historical widow is the evidence.⁴⁰

This suggests both that she believes the two groups should be treated together because of their similarities, and that it is also a pragmatic coupling.⁴¹

In an earlier study, primarily concerned with residential strategies, I used the category 'women without husbands'. While I argued that both the never married and the widowed were groups that need not necessarily live with men and so perhaps had different support networks, one of the main reasons for this grouping was the evidence.⁴² Texts such as poll tax returns and wills do not always state a woman's marital status (and when they do there is the problem of determining what the categories actually signify).⁴³ Those scholars who want to distinguish between the never married and the widowed, then, must decide what criteria to use. For example, Carolyn Fenwick identifies as "probable widows", from late fourteenth century poll tax returns, any woman of unknown status who resided with children or who headed households of two or more people.⁴⁴ Wiesner similarly employs general criteria for distinguishing between the never married and the widowed in late fourteenth and fifteenth century German population counts. One of these seems particularly imprecise and is left

³⁹P. Thane, "Reviews in History - Olwen Hufton", Jun. 1996 <<http://ihr.sas.ac.uk/ihr/reviews/editedh1.html>> (6 Jul. 1998). By "unmarried" Thane clearly means never married as there is a whole chapter devoted to widows (see n. 34 above).

⁴⁰O. Hufton, "The Prospect Before Her - Response", Jun. 1996 <<http://ihr.sas.ac.uk/ihr/reviews/olwen.html>> (6 Jul. 1998).

⁴¹Although Hufton's response is useful for my purposes, it does not actually reflect the approach taken in the book in question. As I have mentioned, widows are treated in a separate chapter.

⁴²C. Beattie, "Women Without Husbands in Late Fourteenth- and Early Fifteenth-century York", unpublished MA diss. (University of York, 1996), esp. pp. 1-2; Beattie, "A Room of One's Own?", esp. p. 42. In this formulation I was influenced by the articles of Hufton and Wall. In 1996 I was unaware of the sociological study using this category: J. Chandler, *Women Without Husbands: An Exploration of the Margins of Marriage* (Basingstoke, 1991).

⁴³For a discussion of categories in some poll tax returns and, briefly, in wills see below: Part One, sections II and V, *passim*.

⁴⁴Cited in Kowaleski, "Singlewomen in Medieval and Early Modern Europe", pp. 71-2, n. 39; discussed further p. 57, n. 2 below.

unexplained: “a few women with an occupational designation may have been widows ... but we can assume that most of the women with an occupational designation ... were singlewomen”.⁴⁵

Regarding testamentary records, when Amy Erickson offered a tabulated analysis of women’s wills from the fourteenth to the eighteenth centuries, she divided women up into the categories ‘Maids’, ‘Wives’ and ‘Widows’, the first equating with Bennett and Froide’s ‘singlewomen’.⁴⁶ These categories look more problematic, though, when investigated further. Erickson’s first sample is from the Diocese of Rochester, 1347-8, using figures from the work of Michael Sheehan. Whereas Erickson has four ‘maids’, thirty-one ‘wives’ and twenty-one ‘widows’, Sheehan actually said there were four “unmarried”, twenty-six “wives” and twenty six of “undetermined status”, of which at least five “were almost certainly married at the time of death”.⁴⁷ So, his “unmarried” became Erickson’s “maids” and those of “undetermined status” (minus Sheehan’s probable-wives who were counted as ‘wives’) became her “widows”. If one looks at the printed Register from which Sheehan was working, though, it is evident that his “unmarried” includes widows.⁴⁸ Further, his distinguishing criteria is unclear. Evidently classifying wills according to a testator’s marital status is a subjective exercise.⁴⁹ My point here

⁴⁵Wiesner, “Having Her Own Smoke”, p. 193. When Farmer discusses late thirteenth century Parisian tax assessments she is more wary: “many other women - both married and single - were identified with place names, professional names, or descriptive names. Thus, it is often impossible to distinguish a singlewoman from a widow or married women” (S. Farmer, “‘It Is Not Good That [Wo]man Should Be Alone’: Elite Responses to Singlewomen in High Medieval Paris”, in *Singlewomen*, ed. Bennett and Froide, pp. 82-105, p. 83). See also Chojnacka’s discussion of how she evaluates parish census material from late sixteenth century Venice: M. Chojnacka, “Singlewomen in Early Modern Venice: Communities and Widows in Early Modern England”, in *Singlewomen*, ed. Bennett and Froide, pp. 217-35 (pp. 218-20).

⁴⁶A.L. Erickson, *Women and Property in Early Modern England* (London, 1993), p. 206.

⁴⁷Erickson, *Women and Property*, p. 206; M.M. Sheehan, “The Influence of Canon Law on the Property Rights of Married Women in England”, *Mediaeval Studies*, 25 (1963), 109-24 (p. 122).

⁴⁸*Registrum Hamonis Hethe, Diocesis Roffensis, A.D. 1319-1352*, ed. C. Johnson, 2 vols, Canterbury and York Society, 48-9 (1948), pp. 923-1040.

⁴⁹See also the work of Robert Wood who divides female testators into “Married”, “Widows” and “Single/unknown”: R.A. Wood, “Poor Widows, c. 1393-1415”, in *Medieval London Widows, 1300-1500*, ed. C.M. Barron and A.F. Sutton (London, 1994), pp. 55-69 (p. 56). Robert Gottfried divides such women according to the number of times they had been married but he has no category for women of uncertain status: R.S. Gottfried, *Bury St. Edmunds and the Urban Crisis: 1290-1539* (Princeton, 1982), p. 20. His figures for the “never married” have been cited, for example, by Kowaleski: M. Kowaleski, “The History of Urban Families in Medieval England”, *Journal of Medieval History*, 14 (1988), 47-64 (p. 61, n. 27). Goldberg divides his female testators into ‘single’, ‘married’, ‘remarried’, ‘widowed’, ‘widowed after remarriage’ and ‘marital status uncertain’. While it is clear from his methodological statement that ‘single’ means never married, and that those described as servants went into his ‘single’ category, it is unclear what other criteria were at work. Using the same York probate material I have been unable to fully replicate his numbers and would have a larger ‘marital status uncertain’ category: Goldberg, *Women, Work, and Life Cycle*, pp. 264-5, 362-7; BIHR, Prob. Reg. 1-5 (I am grateful to Jeremy Goldberg for congenially trying to recall work which he conducted nearly fifteen years ago). Bennett comments on how an increase in only one or two testators in his ‘single’ category would dramatically affect the evidence for his argument that women were less likely to “choose” the single life by the late 15thC.: Bennett, “Review”, p. 677.

is not to criticise those scholars who want to indicate broad statistical patterns, but to make clear some of the problems facing the medievalist who wants to focus on the never-married woman.⁵⁰ General rules will take one so far but there is also a worrying danger of circularity. If we presume, for example, that any woman with a servant was a widow, then what value is there in the resultant conclusion that the household structures of the never married and the widowed are very different?⁵¹

Ironically, it was perhaps Erickson's more thorough examination of later probate evidence that led to her being one of the scholars singled out by Froide. Froide comments:

Even Amy Erickson, whose attention to marital status led her to divide her book on women and property in early modern England into separate sections on maids, wives, and widows, has conflated these discrete categories. Two of her chapters in the section on widows, "How Lone Women Lived" and "Lone Women's Wills," discuss the experiences of both widows and singlewomen.⁵²

This observation ignores the reasons for such conflation. Erickson states in the introduction to the 'Maids' section that women who never married (and, as she is using predominantly probate evidence, she might well mean the lifelong single woman) are grouped with widows in two chapters "since their living situations and their wills were similar".⁵³ In the section on maids she is clearly dealing with young unmarried women; the chapters are entitled "Upbringing", "Inheritance" and "Portions and marriage".⁵⁴ In effect, what Erickson is doing is separating out the life-cycle singlewomen from the lifelong. This is an important point in that, while I am sympathetic to Froide's concern that when the widowed and the never married are put together

⁵⁰While I have signalled difficulties for later periods (see Chojnacka and Hufton), for England sources such as parish registers - which survive in long series from the late sixteenth and seventeenth centuries - allow for more conclusive identifications: see Kowaleski, "Singlewomen in Medieval and Early Modern Europe", p. 51. As shall be discussed in "Singlewoman' as an Addition or Personal Identification" below, the desire to mark out the never married from the widowed might only date from this period. Although marriage patterns are thought to have been similar in 14thC. England to those of 17thC. England, this does not mean that "women's experiences of... singleness" would have been the same: cf. J.M. Bennett, "Medieval Women, Modern Women: Across the Great Divide", in *Culture and History 1350-1600: Essays on English Communities, Identities, and Writing*, ed. D. Aers (London, 1992), pp. 147-75 (p. 175 n. 74). Kowaleski argues for increased numbers of single woman in the early modern period: Kowaleski, "Singlewomen in Medieval and Early Modern Europe", pp. 51-6, 64.

⁵¹See also Beattie, "A Room of One's Own?", esp. pp. 51-2.

⁵²Froide, "Marital Status", p. 260, n. 3.

⁵³Erickson, *Women and Property*, p. 48. Her discussion of probate evidence is based on an examination of manuscript sources, unlike the majority of the table discussed above. This perhaps explains her attention to the similarities between the wills of the never married and the widowed. Froide also comments on some similarities between the older never married and the widowed: Froide, "Marital Status", pp. 241-3, 250-1, 255-6.

⁵⁴Erickson, *Women and Property*, chs 3-5.

the former overshadow the latter, I also think that Bennett and Froide's approach, of grouping together the life-cycle and the lifelong singlewomen, runs similar risks.⁵⁵

Most of the early studies on single women were not only focussed on the modern era, but on the lifelong single woman or 'spinster'. Some of the essays in the Bennett and Froide volume also focus on the lifelong single woman by concentrating on specific groups: for example, Susan Mosher Stuard writes about thirteenth-century slaves; Margaret Hunt about lesbians in the long eighteenth century and Susan Lanser about the eighteenth-century 'old maid'.⁵⁶ That two of these essays represent the later end of the book's chronological period is perhaps unsurprising, given previous scholarship and the evidence modernists have to work with.⁵⁷ While the other essays try to talk about both groups, it is the life-cycle singlewoman who seems to dominate, especially when the focus is on the medieval period (with the noted exception of Stuard's essay on a specific subgroup of singlewomen). I shall consider some of the essays with medieval content further as they illustrate both this and the different ways that scholars seek to deal with the problem in their varying sources. The intention is to question whether Bennett and Froide's category is a useful one for medievalists.

Maryanne Kowaleski's essay, "Singlewomen in Medieval and Early Modern Europe", is a review of the demographic evidence. In it she comments on the problems of identifying the life-cycle from the lifelong singlewoman. When discussing the medieval Italian evidence Kowaleski is able to talk about proportions of lifelong singlewomen, but for other countries she readily admits that "our knowledge of singlewomen is severely hampered by the absence of appropriate sources".⁵⁸ The subsequent discussion, therefore, either does not distinguish between lifelong

⁵⁵In Erickson's chapters widows do dominate, which is presumably why "lone women" are discussed within her 'Widows' section. This is also why I have moved away from the category of 'women without husbands'. An open category both allows for the problems of distinguishing the never married from the widowed and for the potential specificity of the former to be *demonstrated*. Cf. Bennett's approach in her last monograph: she uses the umbrella term of "not-married women", to illustrate similarities between the groups or perhaps when precise marital status was unclear, but she also refers more specifically to "singlewomen and widows" (J.M. Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World, 1300-1600* (Oxford, 1996), *passim*, e.g. p. 37).

⁵⁶S.M. Stuard, "Single By Law and Custom", in *Singlewomen*, ed. Bennett and Froide, pp. 106-26; M.R. Hunt, "The Sapphic Strain: English Lesbians in the Long Eighteenth Century", in *Ibid.*, pp. 270-96; S.S. Lanser, "Singular Politics: The Rise of the British Nation and the Production of the Old Maid", in *Ibid.*, pp. 297-323.

⁵⁷See n. 26 above.

⁵⁸Kowaleski, "Singlewomen in Medieval and Early Modern Europe", pp. 41-4 (p. 44). For Italy she uses the work of David Herlihy and Christiane Klapisch-Zuber on the Florentine *catasto* of 1427: D. Herlihy and C. Klapisch-Zuber, *Les Toscans et leurs familles: Une étude du catasto Florentin de 1427* (Paris, 1978); published in English, in an abridged form, as *Tuscans and Their Families: A Study of the Florentine Catasto of 1427* (New Haven, 1985). Their methodology re. the single has been questioned though. Litchfield claims that "There

and life-cycle singlewomen (for example, the discussion of poll tax returns seems more concerned with how one can distinguish a never-married woman from a widow),⁵⁹ or focusses on life-cycle servants.⁶⁰ It is only in the section on early modern Europe that Kowaleski is able to talk about lifelong singlewomen again (although here the evidence is clearer for northwestern Europe than southern Europe) and even then she admits it is “sketchy”.⁶¹ Kowaleski ends the essay by concluding that “Particularly murky for all periods is the history of lifelong singlewomen”.⁶²

‘Evidentiary’ problems also circumscribe the focus of Roberta Krueger’s essay, “Transforming Maidens”, on twelfth- and thirteenth-century Old French courtly literature. Krueger asserts that “lifelong singlewomen ... are anomalous, and, in many ways, antithetical to romance’s feminine ideal”.⁶³ She also warns, however, that, “since many unmarried women who hail from the Other World seem free from the forces of biological age, and since we do not know the fate of so many anonymous damsels, the term ‘life-cycle singlewoman’ must be applied with caution”.⁶⁴ Indeed, Krueger frequently reverts to the term ‘maiden’, also used in her title, and often uses it interchangeably with that of ‘singlewoman’. ‘Singlewoman’ as used in her essay, then, seems to be a half-hearted substitution for a medieval term which, elsewhere, other scholars quite happily embrace.⁶⁵ This is not to say that Krueger’s chapter does not make an important contribution to medieval conceptualizations of the single. As she says, “If we allow our gaze

is some uncertainty about the interpretation of marriage patterns from the Tuscan *Catasto*, partly because marital status is not always ascertainable from the documents”: Litchfield, “Single People”, p. 90. Men of indeterminate status were presumed to be never married but women of indeterminate status were presumed to be widows. Although the number of women who fell into this category was small and so not that significant, Litchfield suggests that Hajnal’s marriage pattern might actually have applied to men in fifteenth century Tuscany: *Ibid.*, p. 99, n. 7.

⁵⁹See p. 10 above.

⁶⁰Kowaleski, “Singlewomen in Medieval and Early Modern Europe”, pp. 46-8.

⁶¹*Ibid.*, pp. 53-4 (p. 56)

⁶²*Ibid.*, p. 65.

⁶³R.L. Krueger, “Transforming Maidens: Singlewomen’s Stories in Marie de France’s *Lais* and Later French Courtly Narratives”, in *Singlewomen*, ed. Bennett and Froide, pp. 146-91 (p. 148).

⁶⁴*Ibid.*, p. 183, n. 14. Although these are not that different from the problems facing demographic historians who rarely know the age or fate of singlewomen. Cf. “Since never-marrying generates an *absence* of information about marital status ..., it can be surmised but not proven”: Bennett, “Women and Men in the Brewers’ Guild”, p. 204, n. 35 (author’s italics). This is also just one of the caveats with which Krueger prefaces her work: e.g. Krueger, “Transforming Maidens”, p. 148.

⁶⁵E.g. K.M. Phillips, “The Medieval Maiden: Young Womanhood in Late Medieval England”, unpublished D.Phil. diss. (University of York, 1997); *Young Medieval Women*, ed. Lewis (esp. the chapter: K.M. Phillips, “Maidenhood as the Perfect Age of Woman’s Life”, pp. 1-24); J.M. Bennett, “Ventriloquisms: When Maidens Speak in English Songs, c. 1300-1550”, unpublished essay (2000), although here it is again used in tandem with ‘singlewoman’. I am indebted to Judith Bennett for sending me a draft of this work in progress.

to linger either on those moments of a chivalric narrative where secondary female characters appear alone or in groups, or on those narratives that explore the period of a maiden's autonomy before marriage, we may piece together a fuller portrait of unmarried women than previous studies have offered".⁶⁶ Rather, my point is to emphasize how Krueger is talking *only* about life-cycle singlewomen, a group that have been studied before but as, for example, maidens and servants.⁶⁷

While Kowaleski and Krueger predominantly talk about medieval singlewomen in life-cycle terms owing to limitations of their source material, Ruth Karras and Sharon Farmer react to similar problems by taking a different approach. Instead of trying to map the term 'singlewoman' onto a group that is clearly conceptualized in their respective texts, Karras and Farmer search - sometimes to little avail - for a more specific group than that suggested by Bennett and Froide's introductory essay. Karras, for example, in "Sex and the Singlewoman", is looking for a conceptualization of the heterosexually-active "singlewoman" apart from that of the concubine or prostitute; that is, she excludes the virginal singlewoman.⁶⁸ Farmer's essay, "It Is Not Good That [Wo]man Should Be Alone", predominantly about how clerical elites viewed singlewomen in high medieval Paris, uses a wide definition of who is a single woman (anyone never married) when considering the demographic evidence.⁶⁹ It soon becomes clear, though, that, like Karras, Farmer is primarily interested in a smaller group. For example, she states that in the *ad status* sermons of thirteenth-century clerics women are usually categorized according to the conventional tripartite division of virgins, widows and wives. Farmer then goes on to comment that: "Those authors who strictly adhered to the tripartite categorization of women seemed to suggest that there was no such thing as a singlewoman"; that is, she does

⁶⁶Krueger, "Transforming Maidens", p. 149. Cf. Angela Weisl's reading which allows the endings of romances to negate previous moments of autonomy: "Once the autonomous woman assents to being the heroine, either through marriage or consummation, she must abandon her power ... Courtly marriage, and thus the genre that takes marriage as its goal, has no place for the self-determined woman" (A.J. Weisl, *Conquering the Reign of Femeny: Gender and Genre in Chaucer's Romance* (Cambridge, 1995), pp. 14, 20).

⁶⁷For maidens see n. 65 above. Re. servants, the consensus is that female servants were predominantly never married, generally entered service after the age of twelve, often changed employers from year to year, and left in their twenties, either to marry or work independently: Goldberg, *Women, Work, and Life Cycle*, ch. 4; Poos, *Rural Society*, ch. 9. This is life-cycle service: a key determinant of the northwest European marriage pattern (see p. 5 above). Poll tax returns have been used to demonstrate, in urban areas at least, significant numbers of people, including many females, in the service of others, both artisans and merchants. Goldberg and Poos have used other sources - such as consistory court depositions, wills and proof-of-age inquest material - to look at service over a longer period of time. Bailey disputes the prevalence of life-cycle service but his arguments have been dismissed: Bailey, "Demographic Decline", esp. pp. 7-8, 11-12; Kowaleski, "Singlewomen in Medieval and Early Modern Europe", pp. 46-7, 74, n. 52.

⁶⁸Karras, "Sex and the Singlewoman"; this will be discussed further in "The (Im)moral Single Woman" below.

⁶⁹Farmer, "It Is Not Good That [Wo]man Should Be Alone", p. 83.

not accept virgins (although she notes that this category includes “young girls” as well as “consecrated virgins”) as being ‘singlewomen’.⁷⁰ Like Karras, although for less patent reasons, virgins are excluded from Farmer’s understanding of ‘singlewomen’.⁷¹ This is not the whole story, though, as Farmer does find some authors who talk about servants and prostitutes, groups which she accepts as ‘singlewomen’. Other unmarried workers, however, are never discussed.⁷² Just as Karras is interested in finding a conceptualization of the heterosexually-active singlewoman which did not equate her with the prostitute, Farmer is clearly interested in finding a clerical conceptualization of the working single woman who was not a servant or a prostitute.⁷³ While it is valid to look for these things, to comment on why they are not there, and what this lack of conceptualization might mean for such women, do such approaches really reveal “a lack of social space or social identity for the singlewoman”?⁷⁴

The editors of the volume ask in the introductory essay: “Why ... were singlewomen invisible to the medieval theologians Farmer studies, yet quite obvious to the contemporary authors whose fictional tales are studied by Krueger?”⁷⁵ The answer surely lies in what I have just been discussing: Krueger identifies what the texts variously call “pucele”, “meschine” or “dameisele” as ‘singlewomen’; Farmer, and also Karras, rule out the related group of young virgins.⁷⁶ Singlewomen are not “invisible” in Farmer’s texts, they are just only visible as young girls, servants and prostitutes (the first two groups being ones that Krueger discusses).⁷⁷ While Krueger sees it as her task to identify “singlewomen” in her texts, Farmer takes as her focus the clerical effacement of “living, sweating, struggling women”.⁷⁸ Thus Kowaleksi and Krueger predominantly discuss life-cycle medieval singlewomen, servants and maidens, whereas Farmer and Karras fail to find clear conceptualizations of the specific types of singlewomen that they are interested in. The differences are in large part due to the different kinds of source material

⁷⁰*Ibid.*, pp. 87-8 (p. 88).

⁷¹It might be age: Farmer stresses the youth of “girls”, but in a generalized way.

⁷²Farmer, “‘It Is Not Good That [Wo]man Should Be Alone’”, pp. 88-91.

⁷³That ‘servant’ and ‘prostitute’ were important medieval categories for thinking about single women will be demonstrated below: e.g. Part I, sections I-II and IV. For a consideration of how the category of ‘servant’ might be used to a single woman’s advantage see Part II, section I.

⁷⁴See p. 1 above.

⁷⁵Bennett and Froide, “Singular Past”, p. 27.

⁷⁶On the medieval terminology see Krueger, “Transforming Maidens”, pp. 149-50

⁷⁷For Krueger on servants and ladies-in-waiting see, for example: *Ibid.*, pp. 149, 156, 162-4, 170, 174-5.

⁷⁸Krueger writes of “our quest for bonafide singlewomen”: *Ibid.*, p. 150. Farmer, “‘It Is Not Good That [Wo]man Should Be Alone’”, p. 86; she writes about such women in Farmer, “Down and Out and Female”.

that they work with. So, not only do Bennett and Froide conceptualize the single woman differently from the proposed Amtower and Kehler volume, but their collection also includes the different conceptualizations of its contributors.

My study, then, deliberately avoids adopting a fixed definition for the category 'single woman' and instead aims to explore the variant meanings of the term in a variety of discourses. In this I have been influenced, as I have already said, by what is often referred to as the 'linguistic turn', the impact of poststructuralist theory on the humanities.⁷⁹ Within gender history, the feminist theorist and historian, Joan Scott, has been a particularly key figure. She argues that the analysis of language is a crucial starting point for understanding how social relations were conceived and collective identity established.⁸⁰ Thus Part One will work from texts which use terms like 'single woman' and consider who was being conceptualized and why; the methodology will be outlined further in that section. I am aware, though, that this is a controversial approach. While the merits of poststructuralist theory have been fiercely debated within the humanities generally, and perhaps within the discipline of history in particular, it is still with the more specific field of women's studies that I want to concern myself.⁸¹

II. Feminist Approaches: Social History v. Discourse Theory

Froide responds to some of my arguments about the term 'single woman' by arguing:

I would caution (and here I reveal my bias as a social historian) that language does not equal experience. While never-married women and widows may both have been referred to as single women ... we must remember that this does not prove that these women shared similar experiences ... When we look beyond language, we see instances of how medieval society differentiated between singlewomen on

⁷⁹For the phrase "linguistic turn" see, for example: J. Toews, "Intellectual History after the Linguistic Turn: The Autonomy of Meanings and the Irreducibility of Experience", *American Historical Review*, 92 (1987), 879-907 (esp. p. 881); K. Canning, "Feminist History after the Linguistic Turn: Historicizing Discourse and Experience", *Signs*, 19 (1994), 368-404 (pp. 368-70). As can be seen from their titles, Toews and Canning differ on the former's use of 'experience' as a foundational concept. This debate will be discussed further below.

⁸⁰Scott, "Deconstructing Equality-versus-Difference", p. 34. See also J.W. Scott, "The Evidence of Experience", *Critical Inquiry*, 17 (1991), 773-97 (pp. 792-3); for a shorter version of this article see J.W. Scott, "Experience", in *Feminists Theorize the Political*, ed. J. Butler and J.W. Scott (London, 1992), pp. 22-40.

⁸¹See, for example, the Institute of Historical Research, "History & its Post Modern Critics", Nov. 1999, <<http://ihr.sas.ac.uk/ihr/reviews/discourse1.html>> (9 Feb. 2001). For an exchange about Scott's *Gender and the Politics of History* which focusses on how it might effect 'History': M. Bunzl, "The Construction of History", *Journal of Women's History*, 9 (1997), 119-31; J.P. Zinsser, "'Much more is at stake here ...': A Response to 'The Construction of History'", *Journal of Women's History*, 9 (1997), 132-9.

the one hand and wives and widows on the other. For instance, dress differentiated single from widowed women. In late fifteenth-century Chester the town leaders ordered never-married women to wear white head coverings, while women who had married were told to wear white caps covered by broad black hats.⁸²

Without going into the specific example of Chester, for the moment, this statement opens up a number of issues which have been fiercely contested within feminist historiography. Specifically, can we get at an ‘experience’ which is separate from language? Indeed, can we look “beyond language” at all? More generally, though, it raises the issue of what women’s historians feel is lost when the emphasis is placed on discourse: ‘real’ women who lived, wore clothes, talked to friends, had emotions, and so on.

“Women’s experience” has itself been a hotly debated topic by feminist scholars.⁸³ Again Scott has been a key figure and she argues against the foundational status of “experience”. Scott contends that by accepting “experience” as incontestable evidence, one “reproduces rather than contests given ideological systems”.⁸⁴ For example, while one might argue that what could be truer than a subject’s own account of what she lived through, Scott believes that this overlooks a number of important questions:

Questions about the constructed nature of experience, about how subjects are constituted as different in the first place, about how one’s vision is structured - about language (or discourse) and history - are left aside. The evidence of experience then becomes evidence for the fact of difference, rather than a way of exploring how difference is established, how it operates, how and in what ways it constitutes subjects who see and act in the world.⁸⁵

Scott is concerned that by using “women’s experience” as evidence we essentialize the category “woman” as well as their “experience”.⁸⁶ Such an approach, for example, ignores both how the category ‘woman’ came about and differences *within* that category (such as race and class).⁸⁷

⁸²A.M. Froide, “Comment on: ‘Singlewomen in Medieval and Early Modern Europe’, unpublished paper (35th International Congress on Medieval Studies, Kalamazoo, 2000). I am indebted to Amy Froide for sending me a copy of her formal response to my paper, “Who is the Single Woman?”, given in a Society for Medieval Feminist Studies sponsored session.

⁸³A useful summary of the debate can be found in E.A. Clarke, “The Lady Vanishes: Dilemmas of a Feminist Historian after the ‘Linguistic Turn’”, *Church History*, 67 (1998), 1-31 (pp. 5-8).

⁸⁴Scott, “Evidence of Experience”, p. 778.

⁸⁵Scott, “Evidence of Experience”, p. 777. Canning critiques, amongst other things, Scott’s slippery use of “language” and “discourse” in this article: Canning, “Feminist History”, p. 376.

⁸⁶See, for example, her critique of Carol Gilligan’s work: J.W. Scott, “Gender: A Useful Category of Historical Analysis?”, *American Historical Review*, 91 (1986) 1053-75 (p. 1065).

⁸⁷Scott, “Evidence of Experience”, p. 778.

Nor does it consider how experience is mediated through language and cultural context; or even, as Scott would put it, how experience is constituted through discourse. Although Scott is engaging with a general theoretical debate, the latter point can perhaps be more clearly illustrated with reference to an exchange between two feminist scholars who work on early modern England.⁸⁸ The emphasis here is on how, as historians, we can access the experiences of people in the past.

Susan Amussen, when discussing the work of Denise Riley, a colleague of Scott's who also uses post-structuralist theory, comments that:

any group is a social construct ... The solution does not lie in ... shifting our focus from the people who make up the categories and their experiences to the categories themselves and the discursive practices that constitute them ... our history needs to include not only the ways meaning was constituted, but also an understanding of how those meanings shaped women's experience. ... Real people lived, loved, rejoiced, suffered, and died; they are important.⁸⁹

Margaret Ferguson in response, though, counters that:

We cannot separate ... the question of "how meaning was constituted" from the question of "how those meanings shaped women's experience" ... We have no access ... to any dead person's experience except through representations ... textual documents in which the dead person or someone else sought, within the multiple and sometimes conflicting discursive codes available, to constitute meanings.⁹⁰

While not disputing the importance of focussing on 'real people', Ferguson makes the point very clearly that 'experience' cannot be separated from language, indeed, that we cannot get "beyond language" as people live *within* discourse.

If we return briefly to Froide's Chester example, does it really tell us about women's "experience ... beyond language"? We do not know if women actually wore different head

⁸⁸Part of the intention of this study is to offer an approach which has been influenced by a reading of poststructuralist theory, but is not dominated by jargon to the extent that the ideas are only accessible to those already acquainted with such theory.

⁸⁹S.D. Amussen, "Elizabeth I and Alice Balstone: Gender, Class, and the Exceptional Woman in Early Modern England", in *Attending to Women in Early Modern England*, ed. B.S. Travitsky and A.F. Seef (Newark, 1994), pp. 219-40 (p. 229). Riley's key work is: D. Riley, *'Am I That Name?': Feminism and the Category of 'Women' in History* (Basingstoke, 1988). The connections between her and Scott are usefully discussed in C. Hall, "Politics, Post-structuralism and Feminist History", *Gender and History*, 3 (1991), 204-10, which reviews their books.

⁹⁰M. Ferguson, "Response: Attending to Literacy", in *Attending to Women*, ed. Travitsky and Seef, pp. 265-79 (p. 277).

coverings according to marital status; what we do know is that the civic government issued a proclamation which contained within it a conceptualization of women according to marital status, and we know this because we can read a text of this proclamation.⁹¹ It is such readings, though, that have led to criticisms of discourse theory for its top-down approach. For example, in an article entitled “Down and Out and Female in Thirteenth-Century Paris”, Farmer comments:

I agree wholeheartedly with the cultural historians ... who have insisted that we must take our sources seriously as discursive and ideological projects, and that experiences and subjectivities arise within, and are circumscribed by, their discursive contexts ... However, we can, I believe, push beyond the smokescreens in the sources to derive some understanding of the material circumstances and social agency of ordinary and marginal people. Indeed, I feel bound to do so. For the dangers in going too far in the other direction are that we will either become mesmerized by the aesthetic seductions of systems of symbols or merely perpetuate the discursive systems that did the cultural work, in the past, of silencing those without power.⁹²

The history-from-below model is often associated with the most vehement critics of approaches such as Scott’s, which emphasize language and power.⁹³ As Farmer indicates, though, it is not necessary for the two approaches to be mutually exclusive. I share a concern with scholars such as Froide, Amussen and Farmer that we do not lose sight of those groups in the past whom we wanted, and thought it important, to study. Part Two of this thesis, then, is my attempt to keep in focus historical single women.

⁹¹The text is cited in R.H. Morris, *Chester in the Plantagenet and Tudor Reigns* (Chester, n.d.), pp. 375-6, but is from Chester City Record Office, First Assembly Book, AB/1, fo. 70 (I owe the former reference to the generosity of Amy Froide, and I am indebted to Naomi Beattie for checking it for me; the latter is cited in Bennett, *Beer, Ale, and Brewsters*, p. 230, n. 80). It actually dates from 1539-40, not the late 15thC. Bennett comments that “Although somewhat confusing in its phrasing, this ordinance sought to ... distinguish singlewomen from married women and widows”: *Ibid.*, p. 143. This is by no means clear: the text’s shifting use of “widowes”, “mayds”, “unmaryed women”, “syngle woman” and “other woman” can also be read to suggest that the concern was to distinguish the currently unmarried from the married: Morris, *Chester*, pp. 375-6. For a brief discussion of another Chester ordinance from this date see p. 132 below. The legislation of 1539-40, the second mayoralty of Henry Gee, is discussed in J. Kermode, “New Brooms in Early Tudor Cheshire?”, in *Government, Religion and Society in Northern England 1000-1700*, ed. J.C. Appleby and P. Dalton (Stroud, 1997), pp. 144-58 (I am grateful to Diana Dunn for this reference).

⁹²Farmer, “Down and Out and Female”, pp. 370, 372.

⁹³See, for example, the Gordon-Scott exchange. Gordon argues that “Scott sees agency as ... emanating only from above. I see it as arising from the ... various parties, the subordinate no less than the superordinate. ... As to my reference to ‘real’ family violence, it is a usage arising from my choice to privilege the point of view of the clients”: Gordon, “Response to Scott”, p. 853. Scott responds: “In the place of serious consideration of new theories of signification (some of which come under the rubric of poststructuralism and many of which are explicitly political), Gordon offers misleading characterizations, among them that feminists interested in such theory are elitist and exclusive, that they have no concern about a just society or social change, and that their work ignores power and masks inequality”: Scott, “Response to Gordon”, p. 859.

The extract from Farmer's article is also useful in that it alludes to another approach which is active in women's history: that in order to get at 'real' women and their 'voices' we need to see past the various veils and filters which obscure them from our sight or, as Farmer puts it, "push beyond the smokescreens in the sources".⁹⁴ Sara Mendelson, in an essay on seventeenth-century church court depositions, comments that such records "are probably as near as modern readers will ever come to hearing the actual voices of ordinary seventeenth-century women".⁹⁵ Perhaps true, but I disagree with her as to how "near" such records take us. Mendelson argues that we can "read against the grain penetrate beyond the code of prescriptive discourse and legal fictions".⁹⁶ As Valerie Frith comments, though:

if we try to extract female experience from 'the grain' of patriarchal conventions, are we not initiating a new form of distortion, since every women's [*sic*] experience is suffused with and modified by her knowledge of how a woman is supposed to act? One does not look at one's own behaviour and say, 'This is my own true self and that is me trying to act like a women [*sic*]'.⁹⁷

That is, no one lives outside of discourse and the two cannot and should not be separated. Thus while Part Two is my attempt to think about historical women, it will argue that the textual material that survives – in this case, petitions made by women to the court of Chancery – does not allow us direct, unmediated access to their lived lives or voices.⁹⁸

I recognise that not everyone will like this approach; that to some it might seem as if the 'real' historical women are being deliberately obscured. The concern here, though, is that we do not overcompensate and assign 'voices' and 'experiences' to such women which were not their

⁹⁴For an example of such language re. female court testimony: S. Mendelson and P. Crawford, *Women in Early Modern England 1550-1720* (Oxford, 1998), p. 11; see also L. Gowing, *Domestic Dangers: Women, Words, and Sex in Early Modern London* (Oxford, 1996), pp. 8-9. It is also used by those wanting to get at other social groups from legal texts. E.g. by those using inquisitorial records: see J.H. Arnold, "The Historian as Inquisitor: The Ethics of Interrogating Subaltern Voices", *Rethinking History*, 2 (1998), 379-86 (p. 381).

⁹⁵S.H. Mendelson, "'To shift for a cloak': Disorderly Women in the Church Courts", in *Women and History: Voices of Early Modern England*, ed. V. Frith (Toronto, 1995), pp. 3-17 (p. 5). There is also an argument that when court records include quotations in the vernacular - for example, in defamation or matrimonial cases where witnesses depose about what women said in a past situation - we are being given access to "a woman's own words": H. Jewell, *Women in Medieval England* (Manchester, 1996) p. 14; Goldberg, *Women, Work, and Life Cycle*, p. 218; *Women in England c. 1275-1525*, ed. P.J.P. Goldberg (Manchester, 1995), p. 58.

⁹⁶Mendelson, "'To shift for a cloak'", p. 6.

⁹⁷V. Frith, "Introduction" in *Women and History*, ed. Frith, pp. ix-xxiii (p. xix).

⁹⁸Cannon attributes the phrase "lived lives" to Dinshaw (1989) but it has a longer genealogy. Simone de Beauvoir has a section entitled "expérience vécue" (lived experience) in her *Le deuxième sexe* (1949): C. Cannon, "The Rights of Medieval English Women: Crime and the Issue of Representation", in *Medieval Crime and Social Control*, ed. B.A. Hanawalt and D. Wallace (Minneapolis, 1999), pp. 156-85 (p. 156); C. Dinshaw, *Chaucer's Sexual Poetics* (Madison, 1989), p. 25; T. Moi, *What is a Woman? And Other Essays* (Oxford, 1999), pp. 71 (n. 105), 79 (for discussion of 'lived experience' as a key existentialist concept see p. 63).

own. My standpoint can be partly summed up by another quotation, from Sheila Fisher and Janet Halley's Introduction to *Seeking the Woman in Late Medieval and Renaissance Writings*:

We know that medieval and early modern women lived: we know that they marshalled their wits and resources, that they endured, triumphed, suffered, and died in the silence we now hear when we listen for them. We need a literary method - or methods - that will respect the many forms of their presence in history, while developing ways of gauging or describing their absence from the literary record. We should not displace them again; but neither should we simplify their presence, create them in our own image, or romanticize their occlusion by 'restoring' them.⁹⁹

This is a dilemma which has also been negotiated by those studying other oppressed groups. For example, Steven Justice, in his study of the English peasant rebels of 1381, comments: "When I was writing the first chapters, I thought I was trying to give the rebels back their own voices. That seems to me now an unfortunate way to put it. They had voices and used them (they do not need my advocacy, and are past caring)". Justice, while he does not believe that we have access to the peasants' actual words, argues that their voices have not been completely effaced from the records and that we should "listen" to them.¹⁰⁰ It may not be the 'voice' which some scholars have sought in, for example, depositions, but the act of 'listening' to, paying attention to, such groups is a project which arises out of similar concerns: no one wants to, as Farmer puts it, "perpetuate the discursive systems that did the cultural work ... of silencing those without power". A recognition of the limitations of the evidence in allowing us to talk about 'real' historical women is not to give up on historical subjects, but it is rather a refusal to simplify their lives which were lived *within* the discursive systems which tried to silence them.¹⁰¹

While the specific approach taken in Part Two will be described in more detail in that section, one point which should be addressed here is how I selected the historical 'single women' to look at. I argue in Part One that the category is open, and may include both never married and widows. Nevertheless, I recognise the concerns expressed by some of the feminist historians I have been discussing that less research has been done on the never married than on widows. Part of the resistance to accepting 'single woman' as an open category is that widows, being

⁹⁹S. Fisher and J.E. Halley, "Introduction. The Lady Vanishes: The Problem of Women's Absence in Late Medieval and Renaissance Texts", in *Seeking the Woman in Late Medieval and Renaissance Writings: Essays in Feminist Contextual Criticism*, ed. S. Fisher and J.E. Halley (Knoxville, 1989), pp. 1-17 (p. 13).

¹⁰⁰S. Justice, *Writing and Rebellion: England in 1381* (Berkeley, 1994), pp. 260-1.

¹⁰¹Arnold usefully discusses similar dilemmas, regarding "subaltern voices" in inquisitorial records, in terms of the ethics of historians: Arnold, "The Historian as Inquisitor".

more visible in the records, might dominate research. With this in mind, I have chosen in Part Two to focus on groups, such as servants and daughters, who can more usually be identified as the never married. These are also categories that are discussed in Part One. The petitions of unmarried women who can be identified as widows, though, are included for comparison. It is my contention that while there may have been crucial differences between the lived lives of the never married and the widowed, it is only by comparing the two that this can be demonstrated.

PART ONE: MEDIEVAL CONCEPTUALIZATIONS

the analysis of language provides a crucial point of entry, a starting point for understanding how social relations are conceived ... and how collective identity is established. Without attention to language and the processes by which meanings and categories are constituted, one only imposes oversimplified models on the world, models that perpetuate conventional understandings rather than open up new interpretive possibilities.

Joan Scott, "Deconstructing Equality-versus-Difference" (1988).¹

Introduction

Part One is an examination of how various official discourses - clerical, fiscal and legal, for example - relationally construct the category 'single woman'. The texts that I shall discuss include: pastoral manuals; subsidy returns; guild records; civic registers and account books; court records; and wills. All of these are concerned in some way to categorize or identify single women, as a group or as individuals, usually for official purposes.² The emphasis, then, is on what are often viewed as simply pragmatic texts, although I shall argue that they are also clearly ideological. In these texts 'single woman' is part of a system of difference; the category is distinguished from other categories in a variety of contradictory ways.³ The other terms used to describe people, especially women, are therefore crucial in determining the meaning of 'single woman'. These other categories - and some of the key ones have already surfaced in the Introduction, such as 'maiden', 'widow', 'servant' and 'prostitute' - do not have fixed conceptual boundaries either. Moreover, the 'medieval' models which have been drawn on in modern studies of medieval women also turn out on closer inspection to be less stable than they seem. I shall briefly discuss some of these to provide a further context for my discussion of the medieval texts.

¹Scott, "Deconstructing Equality-versus-Difference", pp. 34-5.

²More conventionally 'literary' texts, such as lyrics and romances, do not use the category 'single woman', but prefer variants of 'maid' (as Krueger found: see p. 16 above). It is perhaps the official purposes of the discourses I consider which impose on them the task of assigning women to different categories. This will be discussed further below.

³Saussureans describe language as a system of negative relations, with meaning made through implicit or explicit contrast. This concept of difference has been influential in poststructuralist analyses of language: Macdonell, *Theories of Discourse*, pp. 8-12; Scott, "Deconstructing Equality-versus-Difference", pp. 36-7.

While it is often claimed that medieval women were thought of as virgins, wives and widows, similar conceptual frameworks seem to underlie many modern studies of medieval women.⁴ Margaret Hallissy's *Clean Maids, True Wives, Steadfast Widows: Chaucer's Women and Medieval Codes of Conduct*, presumably takes this title because it is concerned with how medieval texts conceptualized women.⁵ The title of Mavis Mate's book on women in late medieval Sussex, though - *Daughters, Wives and Widows After the Black Death* - is perhaps more intriguing. It has been interpreted as reflecting Mate's contention that the position of women was conditioned by, amongst other things, marital status and life-cycle phase, although the book itself has a looser structure.⁶ Bennett's study of women in pre-plague Brigstock, more than ten years earlier, used the categories 'daughters', 'wives' and 'widows' to structure her discussion.⁷ Such studies all seem to understand these categories as life-cycle stages.⁸ A recent collection, though, edited by Cindy Carlson and Angela Weisl and entitled *Constructions of Widowhood and Virginitiy in the Middle Ages*, begins with a discussion of the hierarchical Christian ordering of women into virgins, widows and wives.⁹ One could debate why the historical studies use the category 'daughter' instead of 'virgin' or 'maiden': because it is more commonly used in sources such as manor court rolls; because it identifies women in relation to a man in the same way that the categories of 'wife' and 'widow' do; because it has fewer sexual overtones; or because it is a modern synonym?¹⁰ The key point, though, is that Carlson

⁴E.g. H. Leyser, *Medieval Women: A Social History of Women in England 450-1500* (London, 1996), p. 93; C. Klapisch-Zuber, "Women and the Family", in *The Medieval World*, ed. J. Le Goff, trans. L.G. Cochrane (London, 1990), pp. 285-311 (p. 285). As discussed in the Introduction, Bennett and Froide's model parallels in many ways such a tripartite division: p. 8 above.

⁵M. Hallissy, *Clean Maids, True Wives, Steadfast Widows: Chaucer's Women and Medieval Codes of Conduct* (London, 1993). E.g. Chaucer's "be she mayde, or wydwe, or elles wyf" ("Knight's Tale", l. 1171) or Caxton's preface to an advice book which proposes that "al yong gentyll wymen specially may lerne to bihaue them self vertuously as wel in their vyrgynyte as in theie wedlok & wedowhede": *The Riverside Chaucer*, ed. L.D. Benson (3rd edn; Oxford, 1987), p. 41; *The Book of the Knight of the Tower*, trans. W. Caxton, ed. M.Y. Offord, EETS s.s. 2 (1971), p. 3, ll. 7-9.

⁶K.M. Phillips, "Where Should We Be Going With Medieval Women and Gender?", *Journal of British Studies*, 39 (2000), 241-7 (p. 243). Mate's discussion of the "single woman" both begins and ends with a few Sussex examples but largely consists of a rebuttal of the Goldberg thesis: Mate, *Daughters, Wives and Widows*, pp. 37-48; see p. 6, n. 19 above.

⁷J.M. Bennett, *Women in the Medieval English Countryside: Gender and Household in Brigstock Before the Plague* (Oxford, 1987), chs 4-6. She now critiques this approach as too "marriage-defined" and heteronormative: Bennett, "Lesbian-Like", p. 5.

⁸See also the recent collection of essays, *Young Medieval Women*, which begins with the argument that "we can see that wives and widows are receiving separate attention, it is time now to pay more notice to maidens", as a life-cycle stage: Lewis, "Introduction", p. xii.

⁹C.L. Carlson and A.J. Weisl, "Introduction: Constructions of Widowhood and Virginitiy", in *Constructions of Widowhood and Virginitiy in the Middle Ages*, ed. C.L. Carlson and A.J. Weisl (New York, 1999), pp. 1-21 (pp. 1-2).

¹⁰More interdisciplinary studies are reclaiming the term 'maiden': see p. 14, n. 65 above.

and Weisl are starting from a different premise: widow and virgin as states of chastity. The emphasis in this collection is on the categories as “sexually-defined roles” rather than life-cycle stages.¹¹ The maid, wife, widow life-cycle model, whatever one chooses to call the first category, is not the same as the virgin, widow, wife hierarchical model which is primarily a religious one, based on ideas of sexuality. This will be further explored (and complicated) in the section entitled “The (Im)moral Single Woman”, but it serves to emphasize here that neither medieval nor modern models are unproblematic or fixed.

Another medieval category quite frequently referred to by modern historians is that of the *femme sole*, often used as part of a binary with the *femme coverte*. In the Introduction to her edited collection of essays, *Wife and Widow in Medieval England*, Sue Sheridan Walker claims:

Wife and *widow* are related but opposite terms. *Wife* corresponds to the legal description *feme covert*, one whose legal existence is “covered” by her spouse; *widow* denotes an autonomous status equivalent to the legal term *feme sole*, a woman who enjoyed full legal personality.¹²

The two terms, *femme sole* and *femme coverte*, do indeed equate with legal concepts.¹³ The *femme coverte*, or - more properly - *coverte de baron*, was a married woman legally covered by her husband; the man was responsible for his *femme* legally and thus economically (for example, generally he had control of any property she brought to the marriage and was liable for any debts she contracted). As a legal concept the term *femme sole* denotes an unmarried woman, never-married or widowed, or the wider group of “woman not under coverture of a husband”, which might include wives. Such women were all considered liable for their own property and debts.¹⁴ Froide argues that the legal distinction is one reason why historians group

¹¹Carlson and Weisl, “Introduction”, p. 5.

¹²S.S. Walker, “Introduction”, in *Wife and Widow in Medieval England*, ed. S.S. Walker (Ann Arbor, 1993), pp. 1-16 (p. 3; author’s italics).

¹³ See the entries under *covert*² [*coverte de baron* (law)]; *femme* [f. *sule* (law)] and *sul* (3) s.f. (law) in the *Anglo-Norman Dictionary*, ed. W. Rothwell *et al.* (London, 1992), pp. 120, 299, 739; these are more detailed than the equivalent entries in J.H. Baker, *Manual of Law French* (Avebury, 1979), pp. 80, 111, 186.

¹⁴These are necessarily general summaries. The complexities of the legal position of married women, with particular reference to the customs of London, are usefully summarized in C.M. Barron, “The ‘Golden Age’ of Women in Medieval London”, *Reading Medieval Studies*, 15 (1989), 35-58 (pp. 35-8). For a more detailed account, albeit one which only goes up to 1272: F. Pollock and F.W. Maitland, *The History of English Law Before the Time of Edward I*, 2 vols (2nd edn; Cambridge, 1898), II. pp. 399-436. See also their brief summary of the legal position of unmarried women in I, 482-5. For a lengthy but accessible account, again emphasizing the legal position of married women, see K.E. Lacey, “Women and Work in Fourteenth and Fifteenth Century London”, in *Women and Work in Pre-industrial England*, ed. L. Charles and L. Duffin (London, 1985), pp. 24-82 (pp. 26-45), although it has been criticised by J.S. Loengard, “Legal History and the Medieval

never-married and widowed women together in contrast to the married.¹⁵ Walker's focus, however, is solely on the widow as *femme sole*,¹⁶ while some studies of the legal concept *femme sole* focus on the married woman.¹⁷ The Anglo-Norman term, though, literally means woman alone (without companion) or unmarried woman.¹⁸ As such it is an equivalent of the Middle English 'sengle woman'.¹⁹ Indeed, Power uses the term *femme sole* as though it is synonymous with the never married: "Women thus apprenticed could support themselves by their craft if they remained unmarried, or *femmes soles* as they were designated".²⁰ These examples illustrate two crucial points. The first is that modern scholars interpret the category in ways that reflect their own interests and concerns. The second is that the term 'femme sole' does not always denote the legal rights and responsibilities of the legal concept 'femme sole'. It is therefore a category which requires as much explanation as the Middle English 'sengle woman'.²¹

I have not found it appropriate to organize Part One strictly according to types of sources used, treating each type in turn. While pastoral manuals are all considered together in the first section, "The (Im)moral Single Woman", fourteenth-century subsidy returns are considered in the second, "The Fiscal Single Woman", and some fifteenth- and sixteenth-century ones are

Englishwoman' Revisited: Some New Directions", in *Medieval Women and the Sources of Medieval History* (Athens GA, 1990), pp. 210-36 (pp. 224-5). More work needs to be done on the legal rights and responsibilities of the unmarried woman which are both assumed and neglected as a subject for discussion.

¹⁵Froide, "Marital Status", p. 236.

¹⁶The effacement of the never married in her comparison is telling. Although one of the essays in the collection also considers the never married, this is not only ignored by the title of the volume but the Introduction is openly dismissive of the group. A brief consideration is cut short with the assertion that "The woman identifiable as single in one set of records may have married quickly thereafter": Walker, "Introduction", p. 4. Cf. C. Donahue, Jr, "Female Plaintiffs in Marriage Cases in the Court of York in the Later Middle Ages: What Can We Learn from the Numbers?", pp. 183-213.

¹⁷B.W. Gastle, "'Femme Sole' and Mercantile Writing in Late Medieval England", unpublished Ph.D. diss. (University of Delaware, 1998), ch. 2; Barron, "'Golden Age'", pp. 37, 39-40.

¹⁸*Anglo-Norman Dictionary*, ed. Rothwell, p. 739 sul (1). See also the discussion of the 1379 poll tax schedule in "The Fiscal Single Woman" below.

¹⁹*MED*, *sengle* (adj.) 1. (b) of a person: alone; 2. single, unmarried.

²⁰Power, *Medieval Women*, p. 59. But cf. p. 53: "the wife of a craftsman ... sometimes ... practised a separate trade as a *femme sole*". This shifting use of terminology understandably confused a number of first-year students on a women's history course I taught. I am grateful to Kim Phillips for making me realize the connection with my own work.

²¹I am responding here to suggestions that when 'single woman' includes widows it is *just* a translation of 'femme sole'. It is my contention that such examples require as much explanation and are just as significant as ones where 'single woman' is used alongside the category 'widow'. Cf. Beattie, "Women Without Husbands", p. 1.

discussed in the fifth, “‘Singlewoman’ as an Addition or Personal Designation”. A brief introduction to each section therefore seems called for, before I go on to comment on the logic of the structure as a whole.

The first section, “The (Im)moral Single Woman”, analyses discussions of the vice of lechery and its corresponding virtue, chastity, from a number of fourteenth- and fifteenth- century Middle English pastoral manuals. One of these, *Ayenbite of Inwyt*, from c.1340, is perhaps the earliest English text to use the term “sengle wifman”.²² This project is not about a search for the ‘origin’ of the category, though; earlier Latin and Anglo-Norman texts use equivalents of the term.²³ The intention is to discuss conceptualizations which were *current* in late-medieval England. Rather, I begin with this section because the discussions are *summa*-like in their intention to map everyone into conceptual frameworks which account for every adult’s act of lechery or state of chastity. For this reason, they allow for a detailed analysis of how meanings are constructed relationally and clearly exemplify the approach taken in Part One. I consider both lechery and chastity in turn, in order to demonstrate that even within a religious, moral discourse, the meanings assigned to the category ‘single woman’ can shift according to whether the focus is on, for example, an act of sin or a state of virtue.

The next section, “The Fiscal Single Woman”, considers very different kinds of texts to those just discussed, namely, the parliamentary schedule which sets out the details of the poll tax of 1379 and the tax returns themselves, which list tax payers by name. The first is clearly an ideological text and, similarly to the pastoral discussions, tries to map out a conceptual framework which will encompass all tax payers. While the returns are less abstract than the schedule, in that they concern named individuals, the categories employed to order and classify these individuals can still be used to think about how groups are conceptualized. I also examine

²²According to the *MED*, the earliest example of ‘sengle’, meaning ‘unmarried’, is in the poems of William of Shoreham (composed pre 1333): “ȝet hi myȝte be wedded eft, / ȝefhy sengle by-come” (*The Poems of William of Shoreham*, ed. M. Konrath, EETS e.s. 86 (1902), p. 64, ll. 1805-6). The second example given is from *Ayenbite of Inwyt*: “hit is more zenne ine wyfman yspoused þanne in ane sengle” (*Dan Michel’s Ayenbite of Inwyt or Remorse of Conscience*, ed. R. Morris and revised P. Gradon, 2 vols, EETS o.s. 23, 278 (1866; 1965-79), I, p. 175). The first example given of “sengle woman” is from Trevisa’s translation of Higden’s *Polychronicon* (pre 1387): “ȝif he dede ffornicacioun wiþ a sengle woman he schulde have foure score lasshes” (*Polychronicon Ranulphi Higden Monachi Cestrensis*, ed. C. Babington and J. R. Lumley, 9 vols, Rolls Series, 41 (1865-86), VI, p. 31). See *MED*, sengle (adj.) 2.

²³For examples from similar texts see the confessional *summa* of Thomas of Chobham (c. 1216) and the thirteenth-century Anglo-Norman *Manuel des Pechiez: Thomae de Chobham Summa Confessorum*, ed. F. Broomfield (Paris, 1968), p. 341; *Robert of Brunne’s Handlyng Synne*, ed. F.J. Furnivall, 2 parts, EETS o.s. 119, 123 (1901-3), p. 235, l. 5863.

inconsistencies within and between the texts in order to think about the concerns of the discourse and to suggest that it has perhaps been influenced by preexisting conceptualizations.

The third section, “The Single Woman as Guild Member”, represents a narrowing of conceptual focus. It concentrates on a number of late fourteenth century guild returns which contain the groups’ ordinances. The unmarried woman discussed in this section is the prospective or actual guild member, a subgroup of unmarried women as a whole. The returns discuss such women in general terms, as do the religious discussions of lechery and chastity and the schedule for the 1379 poll tax. I shall argue, though, that the guild returns bring together moral and economic concerns which the pastoral manuals and the poll tax schedule construct as quite separate.

The fourth section, “The Ungoverned Single Woman”, takes as its starting point a specific debate: whether the term ‘single woman’ was used to denote prostitutes, another subgroup of unmarried women, as has been claimed. The texts analyzed are predominantly civic regulations and the focus is largely on late fifteenth and early sixteenth century London, although a few ordinances from late fifteenth century Coventry will also be discussed. This section is similar to the previous one in that the material is largely regulatory in nature, although from one hundred years later. I shall argue again that such regulations are rarely the product of moral concerns alone.

The fifth and final section, “‘Singlewoman’ as an Addition or Personal Designation”, takes a different approach again. While the other sections - apart from the discussion of poll tax returns in “The Fiscal Single Woman” - are largely concerned with general conceptualizations of women, the subject at issue here is the social classification of named individuals. The vernacular term seems to be used in this way from the fifteenth century only. I shall suggest reasons for this new use, but the section is primarily concerned to assess whether there are any significant chronological changes in the following hundred years, using the York records as a case study.

The overall structure of Part One therefore represents a conceptual narrowing: from the virtually all-encompassing frameworks of the discussions of lechery and chastity and the poll tax schedule, to the generalized guild member and ungoverned woman, to the individual woman classified as a ‘singlewoman’. It is also, though, partly a chronological ordering. For example, the first section begins in the early fourteenth century, the next two concern the late fourteenth

century, and the last two sections both focus on the late fifteenth and early sixteenth centuries (as does Part Two). Of course, there are overlaps: “The (Im)moral Single Woman” encompasses fifteenth-century texts and the “‘Singlewoman’ as an Addition or Personal Designation” begins in the early fifteenth century, whereas the preceding section ended with a discussion of late sixteenth century material. This structure, though, allows for a consideration of shifts in meanings over time, while recognising that some discourses might be more conservative than others. The attention to both chronology and discourse are issues I raised as important in the discussion of the historiography of single women.²⁴ The intention is that Part One should end at a point where readers are equipped with sufficient context for Part Two, which focusses on the late fifteenth and early sixteenth centuries, in which a different approach is adopted.

²⁴See pp. 8-17 above.

I. The (Im)moral Single Woman

In Karras's article, "Sex and the Singlewoman", she argues that:

In medieval Europe with its strict classification of women as virgins, wives, and widows, any woman who did not fit into one of the three categories risked being equated with members of the only identifiable, demarcated group that did not fit: prostitutes.¹

She in part uses the discussions of sexual offences in pastoral literature to support this argument, especially the section on lechery in the fourteenth-century Latin preacher's manual, *Fasciculus Morum*. I have already argued that such a classification is not "strict" at all, and given the nature of the material Karras was looking at, it is perhaps not surprising that prostitutes stand outside it. A close reading of discussions of lechery in pastoral literature, however, suggests that there were far more complex ways of thinking about secular women than as virgins, wives, widows and prostitutes.² A consideration of the vice of lechery's corresponding virtue, chastity, further complicates the issue and enables a discussion of how the varied concerns of different but related discourses affected the conceptualization of women. As we saw in the introductory section, the Christian virgin, widow, wife hierarchical model is not the same as the maid, wife, widow life-cycle model. The discussions of lechery and chastity, which are considered in this section, adapt such conventional models in order to be both more encompassing and self-explanatory to their audiences.

The texts that I shall be using are some fourteenth- and fifteenth-century Middle English writings, all either translated or derived from the thirteenth-century French pastoral manual, *Somme le Roi*.³ These are *Ayenbite of Inwyte*, the *Book of Vices and Virtues*, *Speculum Vitae*,

¹Karras, "Sex and the Singlewoman", p. 127; see also my brief discussion of this article pp. 15-16 above.

²I am not disputing that sexually active single women were sometimes equated with prostitutes. There is an example of this in the discussion of lechery in Thomas Aquinas's *Summa Theologica*: (c. 1265-74), 2a 2ae, qu. 154. Women who are no longer virgins are *meretrices*: "fornicatio est concubitus qui fit cum meretricibus, idest mulieribus jam corruptis" (St Thomas Aquinas, *Summa Theologiae*, 60 vols (London, 1964-75), XLIII, p. 228; art. 6, resp. ad. 1). The translation on p. 229 does not give this sense but cf. that by the Dominican Friars: <<http://eawc.evansville.edu/anthology/aquinas154.htm>> (16 Feb. 2000). See also "The Ungoverned Single Woman" below. That is only one method of conceptualization, though, and there are others, as we shall see.

³*Somme le Roi* (c. 1279) was compiled by Friar Lorenz, a Dominican confessor of Philip III. It in part derives from the *Miroir du monde* but went on to become more popular: R.R. Raymo, "Works of Religious and Philosophical Instruction", in *A Manual of Writings in Middle English 1050-1500, Vol. 7*, ed. A.E. Hartung (New Haven, 1986), pp. 2255-378, 2467-582 (p. 2263). As yet there is no critical edition but one is in progress by Dr Brayer according to Diekstra: *Book for a Simple and Devout Woman: A Late Middle English Adaptation of Peraldus's Summa de Vitiis et Virtutibus and Friar Laurent's Somme le Roi*, ed. F.N.M. Diekstra

A Myrour to Lewde Men and Wymmen and *Jacob's Well*.⁴ I have chosen these texts for a number of reasons. Some use the term 'single woman', although not always in ways consistent with each other; considering all five texts allows me to explore why this might be. While these texts stem from a longer tradition of theological writings, they all postdate the Fourth Lateran Council of 1215, which was concerned to promote the spiritual education of both the clergy and the laity.⁵ Thus, in keeping with their wider audience (the literate laity and the uneducated clergy), the texts have more elaborate subdivisions than, for example, *Fasciculus Morum*, which circulated among the religious.⁶ This also allows for a more detailed exploration of who falls within the category 'single woman', in line with my approach of considering how the category is constructed relationally.⁷

I shall argue that the discussions of lechery and chastity in the texts derived from *Somme le Roi* elaborate on or adapt models usually used in such discourses. For example, they unpick and subdivide existing classifications of lechery and chastity in order to make it more apparent whom they encompass. One result is a demarcated conceptual space for the 'single woman'.

(Groningen, 1998), p. 316, n. 6.

⁴*Dan Michel's Aeynbite of Inwyte*, ed. Morris and Gradon; *The Book of Vices and Virtues: A Fourteenth Century English Translation of the Somme le Roi of Lorens D'Orléans*, ed. W.N. Francis, EETS o.s. 217 (1942); J.W. Smeltz, "*Speculum Vitae: An Edition of British Museum Manuscript Royal 17.C.viii*", unpublished Ph.D. diss. (Duquesne University, 1977); *A Myrour to Lewde Men and Wymmen: A Prose Version of the Speculum Vitae*, ed. V. Nelson (Heidelberg, 1981); *Jacob's Well: An English Treatise on the Cleansing of Man's Conscience*, Part 1, ed. A. Brandeis, EETS o.s. 115 (1900). Hereafter they will be referred to by shortened titles (and vol. number) only. The second part of *Jacob's Well*, which contains the discussion of chastity, has not been published. I am indebted to P.H. Barnum for letting me see her transcription of the relevant chapters from MS Salisbury Cath. 174.

Aeynbite (1340) and the *Book of Vices* (c. 1375) are translations of *Somme le Roi*. *Speculum Vitae* (c. 1349-84), a poem in rhyming couplets, was largely derived from *Somme le Roi* but the material is reorganized around the Petitions of the Pater Noster. The other two texts probably used *Speculum Vitae* as the direct source of their doctrinal material: The *Myrour* (c. 1400) is an abridged prose version, with the occasional introduction of exemplary or explanatory material; *Jacob's Well* (c. 1400-25) has a very different ordering as it is a collection of sermons. On these texts, and other Middle English variants: Raymo, "Works of Religious ... Instruction", pp. 2258-62; W.A. Pantin, *The English Church in the Fourteenth Century* (Cambridge, 1955), pp. 225-6.

⁵L.E. Boyle, "The Fourth Lateran Council and Manuals of Popular Theology", in *The Popular Literature of Medieval England*, ed. T.J.A. Heffernan (Knoxville, 1985), pp. 30-43; Pantin, *English Church*, chs 9-10. On the earlier Latin penitentials and *summae confessorum*: P.J. Payer, "Confession and the Study of Sex in the Middle Ages", in *Handbook of Medieval Sexuality*, ed. V.L. Bullough and J.A. Brundage (New York, 1996), pp. 3-31.

⁶For the audience of the *Somme*-derived texts see Pantin, *English Church*, p. 221; on their elaborate subdivisions: *Ibid.*, p. 225. When discussing the equation of various groups of 'sevens' - the petitions, the gifts of the Holy Ghost, the sins, the virtues, the beatitudes and the rewards - in *Speculum Vitae*, for example, Pantin refers to "[t]hese curious experiments in theological mathematics": *Ibid.*, p. 228. On the audience of *Fasciculus Morum* see S. Wenzel, *Verses in Sermons: Fasciculus Morum and its Middle English Poems* (Cambridge MA, 1978), pp. 41-50.

⁷See p. 24 above.

It is not a stable category, though. The ‘single woman’ found in the discussions of lechery is not the ‘single woman’ found in the discussions of chastity. I shall, therefore, consider the discourses separately, beginning with that of lechery.

A) The Sinful Single Woman

According to Pierre Payer, from the thirteenth century “The vice of lechery ... was divided into a core of types of behavior. The core itself was relatively stable with modifications made by individual authors”.⁸ He identifies the traditional core as simple fornication, adultery, incest, vice against nature, violation of virgins (*stuprum*), and rape-abduction (*raptus*); however, frequent additions include sacrilege and prostitution.⁹ While it might be possible to talk about a stable core, there is also great variety in the number and ordering of branches of lechery between texts and traditions.¹⁰ For example, in *Fasciculus Morum* there are five branches of lechery: *fornicacio* (fornication); *stuprum* (violating a virgin); *adulterium* (adultery); *incestus* (incest); and *sodomia* (sodomy).¹¹ In the thirteenth-century Anglo-Norman *Manuel des Pechiez*, and its fourteenth-century Middle English translation, Robert Mannyng of Brunne’s *Handlyng Synne*, there are seven branches: simple fornication, adultery, incest, sacrilege, rape of virgins, rape of wives and lying with common women.¹² In the tradition that I am focussing on, texts derived from *Somme le Roi*, there are fourteen branches and these are generally defined by the status of the people involved, rather than by the act.

The fourteen branches can be summarized as the sexual acts of:¹³

⁸Payer, “Confession and the Study of Sex”, p. 12.

⁹*Ibid.*, p. 12.

¹⁰My use of the word ‘tradition’ in this section refers to a literary rather than a textual one.

¹¹*Fasciculus Morum: A Fourteenth-century Preacher’s Handbook*, ed. S. Wenzel (Pennsylvania, 1989), pp. 666-89. Hereafter this edition will be referred to as *Fasciculus Morum*. Wenzel argues that this text follows the model of *Summa de vitiis et virtutibus* by the 13thC. Dominican William Peraldus: Wenzel, *Verses in Sermons*, p. 10. This text has the same five branches of lechery: William Peraldus, *Summa de vitiis*, III, ii, 2-7 [The Peraldus Project], <<http://www.english.upenn.edu/~swenzel/luxuriao.html>> (18 Jan. 2000).

¹²*Robert of Brunne’s Handlyng Synne*, ed. Furnivall, pp. 235-8; it has the text of *Manuel des Pechiez* in parallel. On these texts, and other Middle English variants: Raymo, “Works of Religious ... Instruction”, pp. 2255-8; Pantin, *English Church*, pp. 224-5.

¹³This is, of course, an oversimplification. The nuances of the first five branches, both within and between texts, will be discussed below.

1. a man and a woman not bound by a vow
2. a single man with a common woman
3. a single man and a vowed widow
4. a single man with a virgin
5. a single man with a married woman (if both married, double the sin)
6. a man and his own wife
7. spiritual kin
8. a man and his blood kin (the closer the tie of kinship, the greater the sin)
9. a man and his wife's kin
10. a woman and a man in holy orders (the higher the order, the more the sin)
11. a secular man and a woman of religion
12. a man of religion and a woman of religion (the higher his/her degree, the more the sin)
13. a woman with a prelate (the higher his degree, the more the sin)
14. sin against kind.¹⁴

While this ordering looks very different from that in *Fasciculus Morum*, the overarching framework is the same. The branches in the *Somme*-derived texts are more specific than those in *Fasciculus Morum*, but they can be mapped on to them (as illustrated in figure 1): branch fourteen equates with *Fasciculus Morum*'s fifth branch, 'sodomia'; branches seven to thirteen are all encompassed in *Fasciculus Morum*'s fourth branch of 'incestus';¹⁵ branches five and six are covered by *Fasciculus Morum*'s third branch of 'adulterium';¹⁶ branch four maps onto *Fasciculus Morum*'s second branch, 'stuprum'; and, as I shall argue, branches one to three are included under *Fasciculus Morum*'s first branch of 'fornicacio'. The general acts have been unpicked and divided according to the status of the participants so that it is more apparent who falls under what branch.¹⁷ The intention of the orderings is that the degree of sin for the act of lechery may be calculated. These discussions are trying to introduce a further element of

¹⁴*Ayenbite*, I, pp. 48-9; *Book of Vices*, pp. 44-6; *Speculum Vitae*, pp. 440-9; *Myroure*, pp. 165-7; *Jacob's Well*, pp. 160-2.

¹⁵'Incestus' is said to include lechery among clerics and the religious as well as between persons related by blood or spiritual kinship: *Fasciculus Morum*, pp. 682-3.

¹⁶'Adulterium' includes adultery between a married and a single person, between two married persons, and lechery between a husband and his own wife: *Fasciculus Morum*, pp. 676-7, 680-1.

¹⁷Cf. the disquisition of lechery in Aquinas, *Summa Theologiae*. XLIII, pp. 204-49.

precision into the arena of confession and penance.¹⁸

Figure 1: *The Branches of Lechery in Two Different Traditions*

<i>Fasciculus Morum</i>	Texts in the <i>Somme le Roi</i> Tradition
1. <i>fornicacio</i>	1. a man and a woman not bound by a vow 2. a single man with a common woman 3. a single man and a vowed widow
2. <i>stuprum</i>	4. a single man with a virgin
3. <i>adulterium</i>	5. a single man with a married woman (if both married, double the sin) 6. a man and his own wife
4. <i>incestus</i>	7. spiritual kin 8. a man and his blood kin 9. a man and his wife's kin 10. a woman and a man in holy orders 11. a secular man and a woman of religion 12. a man of religion and a woman of religion 13. a woman with a prelate
5. <i>sodomia</i>	14. sin against kind

Fasciculus Morum's discussion of 'fornicacio', states:

we must understand that while fornication is any forbidden sexual intercourse, it particularly [*<specia>aliter*] refers to intercourse with widows, prostitutes [*meretricum*], or concubines [*concupinarum*]. But the term 'prostitute' must not be applied to women except [*nisi*] those who give themselves to anyone and will

¹⁸On pre-Lateran IV confession and penance see, for example, A. Murray, "Confession Before 1215", *Transactions of the Royal Historical Society*, 6th ser. 3 (1993), 51-81; M.C. Mansfield, *The Humiliation of Sinners: Public Penance in Thirteenth-Century France* (Ithaca, 1995), despite the title, deals with the preceding period and more widely than just France. On the debate about *summae confessorum* and social control: T.N. Tentler, "The Summa for Confessors as an Instrument of Social Control", in *The Pursuit of Holiness in Late Medieval and Renaissance Religion*, ed. C. Trinkaus and H.A. Oberman (Leiden, 1974), pp. 103-26; L.E. Boyle, "The Suma for Confessors as a Genre and its Religious Intent", in *Ibid.*, pp. 126-30; T.N. Tentler, "Response and Retraction", in *Ibid.*, pp. 131-7; summarized briefly in Payer, "Confession and the Study of Sex", p. 15.

refuse none, and that for monetary gain.¹⁹

Karras comments on this passage that: “there is no place for a singlewoman who is no longer a virgin. The only category for her is either concubine, a term that indicates the domestic partner of a priest, or meretrix, which would conflate her with the commercial prostitute”.²⁰ This seems to be a misreading. *Fasciculus Morum* does not exclude from fornication those who are not widows, concubines or prostitutes, but rather states that it “particularly” refers to widows, concubines or prostitutes. This suggests that other women who do not fall into these categories are included but do not, for whatever reason, merit the same attention.²¹ Furthermore, the quotation makes clear that the term ‘meretrix’ refers to the commercial prostitute only. It does not, as Karras claims, conflate the ‘meretrix’ with the single woman who is no longer a virgin. In this passage *Fasciculus Morum* presents fornication, defined as “any forbidden sexual intercourse” (my italics), as a residual category which includes any sexual activity not covered by the other four branches of lechery: violating a virgin, adultery, incest and sodomy.²² I understand ‘fornicacio’ to include, then, common women (prostitutes), widows, and other unmarried women who are not virgins (not just concubines); that is, those included in branches one to three in the *Somme*-derived texts. Thus, *Fasciculus Morum* does have a space for the single woman, although it does not have an explicit classificatory category. It is this lack of a category which probably led Karras to say “there is no place for the singlewoman”. In some of the texts deriving from *Somme le Roi* there is, as we shall see, a classificatory category, but we should be wary of assuming too close a relationship between the use of categories and a conceptual space. Categories can be used in a variety of ways to mean different things and, thus, we have to understand the overall contexts in which they occur.

Rather than classifying women as virgins, wives, widows and prostitutes, the conceptualization of women in the *Somme*-derived discussions of lechery arises out of an adaptation of acts of lechery (the same ones which are set out in *Fasciculus Morum*). The general acts have been subdivided according to the status of the participants. The branches, though, must also be

¹⁹*Fasciculus Morum*, pp. 668-9. I have altered Wenzel’s loose translation in favour of a more literal one.

²⁰Karras, “Sex and the Singlewoman”, p. 129. In this article Karras is looking for a conceptual space for the heterosexually-active “singlewoman” - that is, using Bennett and Froide’s terminology, the never married (see p. 8 above). This differs from my project which is to unpick medieval conceptualizations.

²¹The reasons why ‘prostitutes’ and ‘widows’ might be marked out will be discussed in the discussion of the *Somme*-derived texts below.

²²As we have seen, some of the other branches are similarly umbrella-like, such as incest and adultery: nn. 15-16 above.

understood relationally. In the texts deriving from *Somme le Roi* the fourteen branches are set up as a hierarchy, with the fourteenth as the most sinful.²³ The higher levels, therefore, take precedence over the lower ones. For example, while lechery of/with a virgin is technically the fourth branch, if the man involved is a prelate it is actually the thirteenth branch. This has consequences for my discussion of the single woman and can be demonstrated clearly by focussing on the first five levels.

These levels are usefully glossed in the margin of the unique manuscript of the *Somme*-derived *Jacob's Well* as:

1. *luxuria inter singulos homines et mulieres.*
2. single men & comoun wymmen.
3. betwen syngle men & wydewe.
4. betwen syngle man & mayden.
5. betwene a syngle man & a wyife ...²⁴

The single man is a constant. It is the woman who increases the degree of sin here: as wife, maiden, widow, common woman and single woman (*singulos* can be understood as referring to the *mulieres* too).²⁵ These categories are also used in the text itself, although there the first level is in Middle English (“betwen syngle man & syngle womman”). An initial reading, therefore, might be that “syngle womman” denotes someone who is no longer a virgin (not a “mayden”), but has never been married (not a “wydewe” nor a “wyife”), and is not a prostitute (not a “comoun” woman).²⁶ As I have said, though, such categories - both those for women

²³In the *Somme*-derived texts, each branch is said to be more sinful than the one before: for references see n. 14 above. *Fasciculus Morum* is less clear on whether its five branches are a hierarchy. In its discussion of the fourth branch it says that lechery among clerics and the religious is more grievous than that of other people; the fifth branch is said to be ‘diabolica’: *Fasciculus Morum*, pp. 683, 686.

²⁴*Jacob's Well*, p.160, nn. 2-6 (MS Salisbury Cath. 174). Brandeis says that the marginal notes are generally in the same hand as that which finished the list of headings and wrote part of the subject index, slightly later than the main hand (c. 1450): *Jacob's Well*, p. xiii. The dating, though, is not crucial for my argument.

²⁵Karras takes this further and argues that “the concern was not with how sinful it was for a virgin, widow, nun, prostitute, and so forth to have sex, but with how sinful it was for a man to have sex with a woman from each of these groups”: R.M. Karras, *Common Women: Prostitution and Sexuality in Medieval England* (New York, 1996), p.112. The texts do sometimes allow for reversals, though, for example, “þe xj. fote depth is betwen a seculere man & a relygous womman, or a seculere womman & a relygous man”: *Jacob's Well*, p. 162, ll. 20-2. Murray, in her study of women’s treatment in thirteenth-century confessors manuals, had similar findings: J. Murray, “The Absent Penitent: The Cure of Women’s Souls and Confessors’ Manuals in Thirteenth-century England”, in *Women, the Book, and the Godly: Selected Proceedings of the St Hilda’s Conference, 1993*, vol. I, ed. L. Smith and J.H.M. Taylor (Cambridge, 1995), pp. 13-25 (p.18).

²⁶This is the conclusion I drew in Beattie, “Women Without Husbands”, pp. 6-7.

and those for men - must be understood in context. A closer reading of the descriptions of these five levels in this and the other texts suggests that this meaning is too clear-cut. I have already argued that the meanings of terms such as 'maiden' and 'widow' can vary and so their meanings here need to be deduced.²⁷ Further, as I shall show, the category 'single woman' is particularly unstable. The argument is complex, and to develop it clearly I shall first discuss these five levels as they are described in *Jacob's Well*, generally confining my comments about the other texts which derive from *Somme le Roi* to the footnotes.²⁸ Significant differences between the texts, though, will be briefly discussed afterwards.

In the marginal entries of *Jacob's Well*, the 'single man' is a constant. In the elaboration of the fifth level within the text, however, the married man is introduced:

De v. fote depthe of þis wose [stagnant pool] in dede of leccherye is betwen a syngle man & a wyif; and þat is avowtrye ... and ofte it is double avowtrye, as weddyd man & weddyd womman, & þat is more grevouse.²⁹

The sixth level then goes on to discuss lechery between a man and his own wife and the ninth level (relating to his wife's kin) presupposes that the man is married.³⁰ Thus the secular man is conceptualized as either single or married. There is no separate terminology to denote the young unmarried man or the widower; 'single man' operates as an umbrella term.³¹ It is my contention that 'single woman' theoretically operates in a similar way, as an umbrella term that is distinguished from the 'married woman'. In this discourse, however, concerns about secular women's states of chastity or indiscriminate lechery in these early levels mean that some types of unmarried women are removed from the umbrella (namely, the virgin, the vowed widow and

²⁷See pp. 25-6 above.

²⁸It is not my intention to gloss over contradictions. Each text must be understood in its own right as this is how it would have been read. I shall indicate in the notes, though, why I think the other texts generally support my reading of *Jacob's Well*. Appendix I, table 1, allows the key aspects of levels one to five in all five texts, and *Somme le Roi*, to be compared. As I am focussing on the English texts the quotations from *Somme le Roi* are for comparison only and are taken from *Book for a Simple ... Woman*, ed. Diekstra, p. 395.

²⁹*Jacob's Well*, p. 160, ll. 23-3, 29-30. This text does not use the metaphor of branches on a tree but develops the penitential theme that mankind must be cleansed of sin as a "wosy pytt" is cleansed of pollution: *Jacob's Well*, p. vi; Raymo, "Works of Religious ... Instruction", p. 2262. For 'wose': *OED*, ooze, n.2, 1.a. fig.

³⁰*Jacob's Well*, p. 161, ll. 19-20; p. 162, ll. 11-19. Nb. lechery between a man and his own wife does not encompass all sexual activity but, for example, refers to that which was not for the purposes of procreation or was at forbidden times.

³¹According to the *OED* the term 'widower' was first used in the A-text of Langland's *Piers Plowman* (c. 1362): *OED*, widower 1 a. Pelling has argued, though, that even when it was "apparently in common use", by the fifteenth century, it had the specific usage of "those about to marry for the second time": M. Pelling, "Finding Widowers: Men Without Women in English Towns Before 1700", in *Widowhood in Medieval and Early Modern Europe*, ed. S. Cavallo and L. Warner (Harlow, 1999), pp. 37-54 (p. 38). See also S. Cavallo and L. Warner, "Introduction", in *Widowhood*, ed. Cavallo and Warner, pp. 3-23 (p. 4).

the common woman). The effect is that ‘single woman’ denotes the residue.

In the first level the single man and single woman are described in the same way: “þe firste fote depthe is betwen syngle man & syngle womman, þat are nozt bounde be þe lawe to þe bonde of maryage, ne to ordre, ne to relygioun”.³² This is a negative definition; the single man and woman are those who are *not* legally bound to another, either to a husband or wife or to God and the Church (“nozt ... ne ... ne”). This is in part a definition of who the text thinks a single man and woman are - those unbound - but also an explanation of why their act of lechery only merits the first degree of sin.³³ The definition specifically excludes the married (the fifth level), and those in holy orders (the tenth), and other religious (levels eleven to thirteen). Its positioning as the first level, though, also means that - following the logic of the text - it excludes any who fall into a higher level. It is this factor that means the single woman of the first level is not just the female equivalent of the single man of the first level. Men are not described in a different way until the fifth level, when we get the introduction of the married man, but women are also described as “comoun wymmen”, “wydewe” and “mayden”.³⁴ Although single men who commit lechery with one of these ‘types’ of women are also excluded from the first level, they are not conceptualized differently, only their act is. In order to understand how the single woman is conceptualized in this discussion of lechery, we must therefore consider who is excluded from the ‘single woman’ of the first level because they occur in higher levels. The first I shall discuss is the vowed widow of the third level.

³²*Jacob’s Well*, p. 160, ll. 8-10.

³³It also makes clear that, although the first level, “þis is dedly synne”: *Jacob’s Well*, p. 160, ll. 11-12. This is something that does get debated. E.g. passage in *Dives and Pauper* (c. 1405-10), a treatise on the ten commandments for a lay audience, in which Dives states “þat simple fornicacion atwoxsyn sengle man and sengle woman schulde ben dedly synne Y may nout assentyn þerto, and comoun opynyon it is þat it is non dedly synne”: *Dives and Pauper*, 1 vol. (2 parts), ed. P.H. Barnum, EETS o.s. 275, 280 (1976-80), I:2, p. 76 (commandment 6, ch. 8, ll. 2-5). Karras argues that the debate is “a reflection of issues that were actually contested in the culture out of which the text came” and mentions, for example, numbers of unmarried women due to demographic patterns: R.M. Karras, “Two Models, Two Standards: Moral Teaching and Sexual Mores”, in *Bodies and Disciplines: Intersections of Literature and History in Fifteenth-Century England*, ed. B.A. Hanawalt and D. Wallace (Minneapolis, 1996), pp. 123-38 (pp. 128, 133). Payer, however, has argued that “From the penitential of Bartholomew of Exeter in the twelfth century to the *Summa praedicatorum* of John of Bromyard in the fourteenth century there are numerous indications that fornication was not taken to be a serious sin”: Payer, “Confession and the Study of Sex”, p. 13, and see p. 14. On the theological tradition: J.F. Dedek, “Premarital Sex: The Theological Argument from Peter Lombard to Durand”, *Theological Studies*, 41 (1980), 643-67.

³⁴This is also true of the other texts, although *Somme le Roi* and *Ayenbite* allow for gender reversals in their descriptions of the third branch; for example, “of man sengle mid wodewe. oper ayeward”: *Ayenbite*, I, p. 48. No term is used, though. Cf. *Ayenbite*’s ninth branch: “þe neʒende is of þe manne mid þe kenne of his wyue. oper ayeward of þe wyue mid þe kenne of hare housebunde”: *Ayenbite*, I, p. 49. On the rarity of the term “widower”: see n. 31 above.

The descriptions of the first branch in some of the texts specifically exclude those who have taken a vow of chastity.³⁵ While the first level of *Jacob's Well* does not, its description of the third level only includes widows who have taken a vow of chastity, rather than widows *per se*. The comment in the margins of *Jacob's Well* says that the third level is “betwen syngle men & wydewe”, but the text expands on this: “Þe iij. fote depthe of þis wose in dede of leccherye is betwen' syngle [man] and wydewe, þat is vowyd chast”.³⁶ The descriptions in *Speculum Vitae* and the *Myroure* do not vary much from this.³⁷ The modifier, “þat is vowyd chast”, is an important one. If we follow the text's argument that lechery between a single man and a single woman is the first level because they have no outstanding vows (“þat are noȝt bounde be þe lawe to þe bonde of maryage, ne to ordre, ne to relygioun”), why then would lechery with a widow (who is free of “þe bonde of maryage”) automatically be two degrees worse? Clearly, it is the breaking of the vow of chastity that is at issue in the third level. It also follows from this that the “syngle womman” of the first level includes those widows not encompassed in the third level, that is, the (vast majority) of widows who have not taken vows to live chaste.³⁸ So

³⁵In the *Myroure* the first branch is said to be “bytwene sengil man & sengil womman, þat neither of hem is bounde to mariage ne to chastite by avow, ne professed to no religioun”: *Myroure*, p. 165, ll. 4-5. While in this text the reference to vowed chastity seems to be substituted for the reference to an order in *Jacob's Well*, the *Book of Vices* and *Speculum Vitae* refer to both: *Book of Vices*, p. 44, ll. 23-5; *Speculum Vitae*, pp. 440-1, ll. 9550-5. *Ayenbite* refers to those who “habbeþ nenne bend. ne of wodewehod. ne of spoushod. ne of ordre. ne of religioun. ne of opre manere”: *Ayenbite*, I, p. 48. The “bend” of widowhood is surely a vow. The *Somme*, which *Ayenbite* and *Book of Vices* translate directly, refers to a “veu”, where the *Book of Vices* uses “vow” and *Ayenbite* the “bend ... of wodewehod”: *Book for a Simple ... Woman*, ed. Diekstra, p. 395. “Bend” is the Old English word which becomes the Middle English “bond” meaning “a (binding) promise”: *MED*, bond (n.) 3(a). A “bond of mariage”, for example, is quite commonplace: 3(c).

³⁶*Jacob's Well*, p. 160, ll. 17-18.

³⁷*Speculum Vitae*, p. 442, ll. 9576-8; *Myroure*, p. 165, ll. 12-13. But, whereas the *Book of Vices* sets out the third branch as “a man vnbounde wip a womman bounde bi a vow”, *Ayenbite* says it is “of man sengle mid wodewe”: *Book of Vices*, p. 44, ll. 30-1; *Ayenbite*, I, p. 48. This apparent contradiction might have stemmed from their differing readings and translations of the *Somme*. According to Diekstra, the third branch is of “d'omme deslié a fame veve” and she cites this as the source for the third branch of lechery in a *Book for a Simple ... Woman* (c. 1400) which states “wip wodewes”: *Book for a Simple ... Woman*, pp. 395 and 215, l. 4573. A widow is more properly *fame veuve*, although *fame veve* might have been an accepted medieval abbreviation. As u's and v's were often interchangeable, though, it also makes sense as *fame veue* (a vowed woman). A misreading - of widow for vowed woman, or vowed woman for widow - could therefore occur at any stage in the process, by a medieval scribe or a modern scholar. Whether *Ayenbite* mistranslated or misread *Somme le Roi* or not, the text would have been read as it now stands and can be interpreted as such. I think it has the same overall meaning as *Jacob's Well* in this respect. The third branch must be for different people than branches one and two. I have argued that the first branch of *Ayenbite* specifically excluded those with a vow of widowhood, the vow that other texts make explicit in their discussions of the third branch: n. 35 above. Thus it seems likely that the vowed widows excluded from *Ayenbite*'s first branch are included in its third. Crick discusses how an eight-century confessional guide reserves *vidua* for vowess and refers to a widow as *uxor*: J. Crick, “Men, Women and Widows: Widowhood in Pre-Conquest England”, in *Widowhood*, ed. Cavallo and Warner, pp. 24-36 (p. 34).

³⁸This accords with Karras's general statement that “‘Simple fornication’ was generally the least of the sins, and where it was defined it was said to be sexual relations between an unmarried man and an unmarried woman. This definition implies some degree of recognition of singlewomen (*and widows*) as sexual beings”: Karras, “Sex and the Singlewoman”, p. 129 [my italics].

“syngle womman” is an umbrella term in this text, like “syngle man” which includes both the young unmarried man and the widower, albeit with vowed widows specifically removed.

The “mayden” of *Jacob Well*’s fourth level is also modified in the text:

þe iiij. fote depthe of þis wose in dede of leccherye is bytween syngle man & mayden; for to þe state of maydenhod clene folowyth most mede, 3if it be kept, and þe more is þe synne to him or to here þat brekyth it.³⁹

Here the “mayden” is not the unmarried woman that we might expect if we were thinking of the life-cycle maid, wife, widow model. Rather she is akin to the virginal maid of the hierarchical virgin, widow, wife model. The reference to “mede” is no doubt an allusion to the hundred-fold reward such a woman was held to receive if she retained her virginity until death.⁴⁰ What is important here, though - given the context of a discussion of the deadly sin of lechery - is the sin: the loss of virginity. Again, we can see why virginal maidens are removed from the first level: the sin has a greater effect.⁴¹ Remaining in the first level are those ‘maidens’ who have already lost their virginity: Karras’s heterosexually-active “singlewomen”. Maybe one of the reasons she argues that they are not conceptualized is that this discourse does not have an interest in separating them from other heterosexually-active unmarried women - that is, widows who have not taken a vow. It is this larger group that *Jacob’s Well* labels single women.

To summarize, then, lecherous acts of - or with - virgins and widows who have taken a vow of chastity are considered more serious than lechery of/with the “syngle womman” of the first level. Virgins and vowed widows are removed from the category ‘single woman’ because this discourse of lechery privileges those states of chastity. The second level is slightly different, though. Again the category is elaborated on in the text: “þe ij. depthe of þis wose is between syngle man & comoun womman, þat leuyth by here body”.⁴² Rather than confusing the heterosexually-active “singlewoman” with the prostitute, this discourse separates the woman

³⁹*Jacob’s Well*, p. 160, ll. 19-22.

⁴⁰Although the hierarchy is not followed in these discussions of lechery. This model and the corresponding rewards will be considered further in “The Repentant Single Woman” below.

⁴¹The consequences are considered at more length in texts such as *Fasciculus Morum*, pp. 676-7, VII. viii; *Book for a Simple ... Woman*, p. 223, ch. 52.

⁴²*Jacob’s Well*, p. 160, ll. 12-13.

who is guilty of fornication from the woman “þat leuyth by here body”.⁴³ The use of the terminology “common woman” is also telling: the second level applies to the woman who forsakes none but is common to all.⁴⁴ *Jacob’s Well* explains that this sin is worse than that in the first level because “it happeth ofte tymes þat þei be wyves or wommen of relygioun. or takyn bothe brother or cosyns”; that is, the man is at risk of the greater crimes of adultery, sacrilege and incest.⁴⁵ In this level it is the woman’s state of ‘lechery’, rather than chastity, that increases the sinfulness.

In the first five levels of *Jacob’s Well*, then, women are classified as single women, common women, widows, maidens and wives. While these categories *can* be interpreted widely, their limits are actually defined both within the descriptions of each level and by their use in relation to each other. Men are thought of as single until the fifth level when the married man is introduced. Whereas the women of levels one to four can be understood as single in the sense that they are all unmarried, this discourse prefers to apply more specific categories to some of these women: that is, clean maids, vowed widows and common women.⁴⁶ The term “syngle womman” is only used in the description of the first level and as such denotes only a subset of those who might be thought of as single women, such as young women and widows. It is a residual category. By looking at the other *Somme*-derived texts, it is possible to argue, though,

⁴³*Ibid.*, l. 13. *Speculum Vitae* and the *Myroure* have similar descriptions: *Speculum Vitae*, p. 441, l. 9561; *Myroure*, p. 165, l. 7.

⁴⁴This is made explicit in the other texts: *Ayenbite*, I, p. 48; *Book of Vices*, p. 44, l. 29; *Myroure*, p. 165, ll. 11-12. *Speculum Vitae* states that she “forsakes nan of alle of kyn”: *Speculum Vitae*, p. 441, l. 9572. On the meaning of the term ‘common woman’ see Karras, *Common Women*, pp. 3, 118, 138. On the importance of promiscuity in definitions of the prostitute: J.A. Brundage, “Prostitution in the Medieval Canon Law”, in *Sisters and Workers in the Middle Ages*, ed. J.M. Bennett *et al.* (Chicago, 1989), pp. 79-99 (pp. 80-3). The question of medieval prostitution will be discussed further in “The Ungoverned Single Woman” below.

⁴⁵*Jacob’s Well*, p. 160, 14-16. Karras remarks that this “would seem to make it one of the worst branches of lust, so it seems odd to find it ranked only as more serious than simple fornication ... until we realize that it is based not on the prostitute’s sin but on her customer’s”: Karras, *Common Women*, p.113. Even if we follow this argument, though, it still does not explain why it is less sinful than lechery with a married woman, a religious woman or incest. Karras goes on to note that the tradition based on *Manuel des Pechiez* classes prostitution as the most serious degree of lechery: Karras, *Common Women*, p.114. The reasons given for this in *Handlyng Synne* also relate to the effects on the customer (incest, violence and disease): *Robert of Brunne’s Handlyng Synne*, ed. Furnivall, pp. 237-8. One reading is that the explanation in the *Somme*-derived texts might have been imported from a tradition with a different ordering. Another is that lechery with a prostitute is not necessarily adultery, sacrilege or incest but *might* be, and its ordering as higher than simple fornication covers this eventuality. If the prostitute was known to be married woman, a religious woman or a relative, the degree of sin would be higher.

⁴⁶Although the *Myroure* also uses the term ‘single woman’ in the fifth branch. Rather than describing adultery as just between a single man and a married man, or two married persons, the text includes lechery between a single woman and a married man: “The fife degre is bytwene a sengle man & another mannes wyf or bytwene a [wedded] man and anoþer sengil womman” (*Myroure*, p. 165, ll. 18-19). Thus “sengil womman” is used as part of a single/married binary in the same way that ‘single man’ is used in the text and in *Jacob’s Well*.

that through its use in the first level the term acquires associations that are more specific to this level; that is, the ‘single woman’ is an unmarried woman who is sexually active.

Speculum Vitae, dated between 1349 and 1384, is the earliest of these texts to use the term ‘single woman’ in its description of the first branch.⁴⁷ *Ayenbite* and the *Book of Vices*, which may be slightly earlier, have very similar descriptions of whom the branch encompasses but use the generic categories of ‘man’ and ‘woman’.⁴⁸ For example, the *Book of Vices* states that “Þe first is of man and womman þat beþ not bounde bi a vow, ne bi mariage, ne bi ordre, ne bi religioun, ne bi opere weies”.⁴⁹ While all the texts broadly agree on whom the first branch includes, the application of categories to the persons in it is still significant, particularly as regards women.⁵⁰ We have seen that *Jacob’s Well* uses ‘single man’ in its first five levels. By reserving the term ‘syngle womman’ for the first level, though, the term is only explicitly applied to the narrower group and in some sense denotes this narrower group. The “syngle womman” of the first level is an unmarried woman (whether never married or widowed), who is not a virgin, has not vowed chastity, but is not a prostitute.⁵¹ The removal of the other categories - of common woman, vowed widow and clean maid - means that the “syngle womman” is definitely not equated with the prostitute but also that she is defined in opposition to those categories which represent chastity. The result is a sexualized single woman. When another text uses the term in a different branch, however, the outcome is quite different.

Ayenbite uses the term “sengle wifman” in its fourth branch, which is the one which conventionally relates to fornication with a virgin.⁵² I shall argue that while the meaning of this branch is similar to that in the other texts, the meaning of the term ‘single woman’ is

⁴⁷*Speculum Vitae*, p. 441, l. 9551; see also the *Myroure*, p. 165, l. 4.

⁴⁸For the approximate dates see n. 4 above.

⁴⁹*Book of Vices*, p. 44, ll. 23-5; *Ayenbite*, I, p. 48. Also *Somme le Roi* says “d’omme et de fame”: *Book for a Simple ... Woman*, p. 395.

⁵⁰I do not think this is a chronological significance, though. The texts are not far apart in date. Also, earlier Latin texts use terms such as *soluta* in very similar descriptions. E.g. in the confessional summa of Thomas of Chobham (c. 1216): “Est autem simplex fornicatio cum solutus solutam naturali usu cognoscit. Et intelligatur hic solutus a vinculo coniugii, a vinculo consanguinitatis, a vinculo affinitatis, a vinculo ordinis, a vinculo religionis, a vinculo etiam alicuius voti” (*Thomae de Chobham Summa Confessorum*, ed. Broomfield, p. 341. See also Payer, “Confession and the Study of Sex”, p.23, n. 58, and my p. 28 above.

⁵¹This differs from the initial reading, which I rejected on p. 37, of “someone who is no longer a virgin, but has never been married, and is not a prostitute”, in that the ‘single woman’ is not necessarily never married, but could be an (unvowed) widow.

⁵²*Ayenbite*, I, p. 48.

clearly different. *Ayenbite*'s "wip sengle wifman" is apparently a translation of the *Somme*'s "a pucele".⁵³ The *Book of Vices* uses the more literal "wip a mayde". What all these texts have in common, though, is the allusive nature of their descriptions. Whereas *Speculum Vitae* (a text which often expands on the material found in *Somme le Roi* as it turns the latter's prose into verse) describes the fourth branch as "Be twen a man and a mayden clene", *Somme le Roi*, *Ayenbite* and the *Book of Vices* leave the reference to the maiden's virginity unsaid. It is clearly implied, because this branch is three degrees higher than that of a woman unbound, and because loss of virginity usually appears between simple fornication and adultery in orderings of lechery. What is more significant for the discussion here, though, is that *Ayenbite* uses "sengle wifman" instead of "mayde". First, "sengle wifman" is associated with virginity (in contrast to the sexualized single woman discussed above). Secondly, the term clearly has the meaning of never married (in contrast to its inclusion of widows in *Speculum Vitae*, the *Myroure* and *Jacob's Well*). The use of the category in the fourth branch, and not in the first, means that the single woman in *Ayenbite* is the virginal maiden.

The conceptualization of women in these discussions of lechery is clearly affected by the concerns of the discourse. To return to the quotation from Karras, secular women are divided into virgins, wives, widows and prostitutes but these are not 'strict' classifications or even all encompassing.⁵⁴ In the first five branches, women are divided into wives, clean maids, chaste widows, common women or single women. It is the latter category, 'single woman', that is the most unstable. It is generally used as a residual category, to encompass any unmarried woman not included in a higher level. In *Ayenbite*, though, it is used to denote the virgin of the fourth branch. It usually includes widows (who have not vowed chastity) but in *Ayenbite* it refers to the never married only. Also, these differing uses result in very different identities - the sexualized single woman and the virginal maid.

Some of these trends can also be seen in the discussions of chastity found in these texts, which I shall now consider. Chastity is the corresponding virtue to the vice of lechery but, as we shall see, its differing concerns result in women being conceptualized in a different

⁵³While we do not know what manuscript the scribe of *Ayenbite* was working from, a misreading does not seem likely. It used to be thought that BL MS Cotton Cleopatra A.v. was the manuscript copy of *Somme le Roi* which *Ayenbite* translated, but this view has now been discredited: Raymo, "Works of Religious ... Instruction", pp. 2258-9. Also, elsewhere in the texts *Ayenbite* uses 'maid'. E.g. "a mayde þet be greate loue louep heþ grat ssame" (*Ayenbite*, I, p. 142).

⁵⁴See p. 31 above.

way. This has consequences for the category ‘single woman’, a term that is again used in some of the texts.

B) The Repentant Single Woman

Chastity was traditionally divided into a gradational hierarchy of virgins, the widowed and the married, to which I have already referred. Their spiritual rewards are based on the hundredfold, sixtyfold and thirtyfold fruit brought forth by the ‘good seed’ in Matthew’s parable of the sower.⁵⁵ Payer argues that the threefold division of chastity was “meant to embrace everyone”, and so we should understand the term ‘widow’ to include the “never married ... who had sexual experiences”.⁵⁶ He thus summarizes the estates as:

- (1) those who never have and who propose never to experience sex willingly (virgins);
- (2) those presently unmarried who have experienced sex willingly and who propose never more to experience it (‘widows’);
- (3) those who are married and who legitimately exercise their rights to sex.⁵⁷

This model - as Payer sets it out - is not all encompassing, though. Both his first and second states only include those who intend to *remain* in those states of chastity. Some discussions also considered other types of ‘virgins’ and ‘widows’. For example, Albertus Magnus in his *Quaestiones de Bono: De Castitate* (c. 1240) sets out four types of virginity: first, the innate virginity of infants before the age of reason; second, the virginity of individuals who have not taken a religious vow of chastity; third, virginity that is dedicated to God through a vow or firm proposal; and, fourth, that of foolish virgins.⁵⁸ Albertus concludes that “only the third virginity is worthy of praise although the first and second have bodily fairness”.⁵⁹ His ordering is thus discursive rather than hierarchical, although some value judgements are made.

Jocelyn Wogan-Browne argues that “In detailed articulation ... these estates of the flesh tend

⁵⁵Matt. 13: 8, 23. On its origins: *Hali Meidhad*, ed. B. Millett, EETS o.s. 284 (1982), pp. xxxviii-xxxix. The hierarchy was originally martyrs, virgins and the widowed until the fourth century. On its transmission from the twelfth century onwards: J. Wogan-Browne, “Authorized Virgins: Saints Lives and the Literary Culture of Women in England c. 1150 - c. 1300”, unpublished Ph.D. diss. (University of Liverpool, 2000), pp. 50-1.

⁵⁶P.J. Payer, *The Bridling Of Desire: Views of Sex in the Later Middle Ages* (Toronto, 1993), p. 160.

⁵⁷*Ibid.*, pp. 160-1. His third category signals that chaste marriage need not imply celibacy: see n. 87 below.

⁵⁸Payer, *Bridling Of Desire*, p. 162; K.C. Kelly, *Performing Virginity and Testing Chastity in the Middle Ages* (London, 2000), p. 6.

⁵⁹Payer, *Bridling Of Desire*, p. 162.

to disappear as a hierarchy of three distinct ‘orders’ and to become a continuum”.⁶⁰ This is perhaps because elaborations on the three states bring in other types of ‘virgins’ and ‘widows’. One example Wogan-Browne cites is from a late thirteenth century Anglo-Norman text, *Compileisun de dis comandemenz*, which sets out five degrees of chastity found in virginity and five found in widowhood, “and its calibrations of virginity are constructed in reference to marriage”.⁶¹ For example, the fifth - and the lowest - degree of virginity is said to be:

the women who is still virgin and has it in mind to marry and to have the pleasure of her flesh in her nuptials, but she does not know to whom she wishes to be joined. This degree is not higher before God but lower than that of a good married woman. For she does not know whom she wishes to have and the woman who is married does not seek anyone other than him to whom she is joined.⁶²

In this discussion the virgin until marriage is seen on a continuum with the vowed virgin, who merits the first and highest degree.⁶³ It seems, though, that she does not fit into the threefold reward model, ranking lower than the married woman who merits a thirtyfold reward.⁶⁴ It is in this context - of interrelated models - that I would like to place the discussions of chastity in the *Somme*-derived texts.

In *Ayenbite*, the *Book of Vices*, *Speculum Vitae* and the *Myroure* there are said to be seven branches of chastity. These can be summarized as:

1. virgins until marriage
2. never married who are not virgins
3. married
4. widowed
5. lifelong virgins
6. clerks in holy orders

⁶⁰Wogan-Browne, “Authorized Virgins”, p. 51.

⁶¹*Ibid.*, p. 51. On this text: *Ibid.*, p. 95, n. 93.

⁶²*Ibid.*, p. 52.

⁶³“The first degree is the highest before God and is virginity of heart and body promised by vow to God with a stable will to keep oneself in purity”: *Ibid.*, p. 52.

⁶⁴Cf. *Hali Meidhad* where the virgin is said to be raised a hundred degrees towards heaven while she keeps her virginity and only falls to thirty when she marries: “Ha is an hundret degrez ihehet towart heouene hwil ha meidhad halt, as þe frut preoue[ð]; ant leape[ð] into wedlac, þet is, dun neoðer to þe þrittuðe” (*Hali Meidhad*, ed. Millett, p. 11, ll. 31-3; for the text with a facing modern English translation see *Medieval English Prose For Women: Selections from the Katherine Group and Ancrene Wisse*, ed. B. Millett and J. Wogan-Browne (Oxford, 1990), pp. 20-1, ll. 22-4).

7. men and women of religion

Jacob's Well contains a more discursive treatment of chastity. In ordering, it has similarities with branches three to seven in the other texts.⁶⁵ As it misses out the crucial second branch (where the term 'single woman' is sometimes used), I have focussed on the other four texts. Again I shall lead with one text, the *Myroure*, for the sake of clarity. The other texts will be brought in when I discuss terminology but, otherwise, comments will be kept to the footnotes.⁶⁶

Payer comments, with reference to the *Book of Vices*, that such discussions "depend on the threefold division into virginity, widowhood and marriage". He does not explain, though, what place he sees this threefold division occupying within the seven branches (three to five? one to seven? one to five?), or what other factors might be at work.⁶⁷ Why, for example, are there seven branches? What is it about each one that makes it distinct from the others? A related question is whether the branches purport to be a hierarchy or not. In contrast to the discussions of lechery, these discussions of chastity do not state that each branch is higher than the other, although the seventh branch is said to be perfection and there is an articulation of the hierarchy of rewards in the fifth branch.⁶⁸ If we are to understand how women are conceptualized in these discussions of chastity, and why, it is important that such issues are considered.

Another obvious difference from the orderings of lechery is that this discourse of chastity conceptualizes men and women in the same way as each other. Thus there is no need to compare the conceptualization of women with that of men. Analysis of this discourse will focus on the different categories of secular women (branches one to five). I shall consider whether an adaptation of the threefold hierarchy is the overarching model and whether the branches are meant to represent a hierarchical ordering at all. The main argument, though, is that another model has been introduced: branches one to four indicate the use of a life-cycle model. Whether this can also be understood *within* the threefold reward model or another hierarchical ordering,

⁶⁵MS Salisbury Cath. 174, chs 56-8, fols 114b-122b (see n. 4 above). The ordering can also be seen from the list of headings: *Jacob's Well*, p. xv.

⁶⁶Although there are fewer differences between the texts that might affect my arguments here than in the discussions of lechery. The main aspects of the first five branches, in all four texts, are set out in Appendix I, table 2, for easy comparison.

⁶⁷Payer, *Bridling Of Desire*, p. 160. Of course, Payer's project was very different from mine.

⁶⁸*Avenbite*, I, pp. 219-38; *Book of Vices*, pp. 243-72; *Myroure*, pp. 184-204; *Speculum Vitae*, pp. 506-87. On the seventh branch as perfection see, for example, the *Myroure*, p. 199, l. 6. The hierarchy of rewards will be discussed below.

or not, this life-cycle model seems crucial for the conceptualization of single women in these discussions of chastity.

The approach, then, is different from that taken with the discussions of lechery. There a major factor was establishing whom the texts thought of as a ‘single woman’. This is not necessary for the discussions of chastity, as the second branch makes explicit whom it encompasses:

þe secoude estate is of hem þat haueþ be corrupt & defouled wiþ þe syne of leccherie & loste her maydenhode, as sengil man or sengil woman þat neuer was wedded, ne neuer so bounde to chastite þat þei ne may be wedded, and haueþ in herte forþinkyng for her synne, & beþ schryuen & haueþ done her penaunce, & kepeþ hem forward in clenness & chastite.⁶⁹

The ‘sengil woman’ here is a never-married woman who is not a virgin, has not taken a vow of chastity but has repented of her previous lechery and been shriven.⁷⁰ Thus, we can move straight on to thinking about *why* this discourse conceptualizes such a group. Again, though, this involves thinking about how the discussions conceptualize women generally. Classifications need to be understood relationally and in context. The other categories used are ‘maiden’ or ‘maidenhood’ (branches one and five), ‘wedded women’ (branch three) and ‘widows’ or ‘widowhood’ (branch four).⁷¹

We have seen that in the discourse of lechery, which privileges states of chastity, the ‘maiden’ is always a virgin. Similarly, in this related discourse the term retains its associations with virginity in both the first and fifth branches:

The firste estate is of maydenes þat kepeþ hem clene and þenkiþ do so forto þei be weddid ... But 3it þei beth free of hemself to be wedded lefulliche.⁷²

The fite estate of chastite is clene maydenhode þat neuere was corrupte ne neuere þinkeþ to be, but haueþ so ouercome her flesche for þe loue of God þat þey thinkeþ euere to kepe hem chaste.⁷³

⁶⁹*Myroure*, p. 184, ll. 21-6. I shall discuss the other texts’ descriptions of the second branch at the end of this section.

⁷⁰Cf. my conclusion as to the meaning of ‘single woman’ in the discussions of lechery in *Speculum Vitae*, the *Myroure* and *Jacob’s Well*: p. 43 above. The main difference being that here ‘single woman’ does not include the widowed.

⁷¹E.g. *Myroure*, p. 184, ll. 11, 13, 16 (“maydenes”); p. 190, l. 1 (“maydenhode”); p. 184, ll. 12-13 (“wedded wommen”) p. 184, l. 35 (“wedded wymmen”) p. 184, l. 13 (“wydewes”); p. 188, l. 14 (“wedowhode”).

⁷²*Ibid.*, p. 184, ll. 16-17, 18-19.

⁷³*Ibid.*, p. 190, ll. 1-3. In the *Book of Vices* and *Speculum Vitae* variants of ‘maid’ are used in the first branch and of ‘virgin’ in the fifth: *Book of Vices*, p. 243, l. 26 “maydenhode”, p. 251, l. 32 “virginitie”; *Speculum*

These two branches can be seen as arising out of an ordering of virginity, which I have already discussed. While the *Compileisun* set out a spectrum of virgins (the woman who planned to marry; the one who had not considered either virginity or marriage yet; the one who was undecided between the two; the one who intended to remain a virgin but was un vowed; and the vowed virgin), these two perhaps represent the two key types.⁷⁴ Christine de Pisan, in her *Le Trésor de la Cité des Dames*, made a similar distinction between “those who intend to keep their virginity for life for the love of our lord, and those who are awaiting the time of their marriage”.⁷⁵ The ‘maiden’ of the first branch and the ‘maiden’ of the fifth branch, however, can also be seen as part of two different but overlapping models. In branches one, three and four we appear to have the life-cycle maid, wife, widow ordering (see figure 2), and in branches five, four, three the hierarchical virgin, widow, wife model. Such models make sense of the separation, by four degrees, of the types of virgin in these orderings. I shall argue that when the categories are understood in context it is a life-cycle model that dominates, albeit one in which the stages are envisaged in accordance with the discourse’s dominant concerns. In this discourse defining events in the life cycle include the loss and resumption of chastity and, related to the latter, vows and sacraments.

Figure 2: Traditional Life-cycle Transitions in the Branches of Chastity

1 → 3 → 4

In the analysis of the discussions of lechery, I juxtaposed the unmarried woman of the life-cycle maid, wife, widow model with the virginal maid of the hierarchical virgin, widow, wife model.⁷⁶ In these discussions of chastity, though, the inclusion of the second branch - the never-married

Vitae, p. 506, l. 11197 “maydyns”, p. 528, l. 11741 “virgyns” (although in the initial summary “maydyns” is used for both branches: p. 506, ll. 11185, 11191). Wogan-Browne thinks that such terms can be used “both interchangeably and on occasion oppositionally ... to make distinctions between ‘physical’ and ‘spiritual’ virginity”: Wogan-Browne, “Authorized Virgins”, p. 48. Cf. her earlier assertion that “maidenhede” denoted technical virginity and “virginite” a spiritual condition: J. Wogan-Browne, “The Virgin’s Tale”, in *Feminist Readings in Middle English Literature: The Wife of Bath and All Her Sect*, ed. R. Evans and L. Johnson (London, 1994), pp. 165-94 (p. 168).

⁷⁴Wogan-Browne, “Authorized Virgins”, pp. 51-2.

⁷⁵Christine de Pisan, *The Treasure of the City of Ladies or The Book of the Three Virtues*, trans. S. Lawson (Harmondsworth, 1985), p. 160.

⁷⁶ See p. 41 above.

person who is not a virgin - means that all of secular womanhood prior to marriage is encompassed. In this discourse the 'maid' of the first branch and the 'single woman' of the second branch together make up the unmarried 'maid' of the life-cycle maid, wife, widow model. In both these branches an emphasis is placed on the stages as preludes to marriage. It is stressed that the women they apply to are free to marry: in the second branch they must be "neuer so bounde to chastite þat þei ne may be wedded";⁷⁷ in the first they must be "free of hemself to be wedded lefulliche". This might imply not only a reference to being unvowed but also to being of age.⁷⁸ These discussions thus conceptualize two groups of women who might temporarily live in virginity/chastity before going on to become wives.

In the life-cycle maid, wife, widow model it is marriage that brings about the first transition. This is set up in the first branch of these discussions of chastity, but the second branch allows for a possible intermediate stage. The transition from the 'maid' of the first branch to the 'single woman' of the second branch is first occasioned by the loss of virginity; the maid is "clene", the single woman is "corrupt & defouled wiþ þe syne of leccherie". For the latter to move into another state of chastity, though, she has to undergo another transitional phase: the sacrament of penance.⁷⁹ It is as a repentant sinner that the single woman is included. This category is about more than an attempt to be all-encompassing, though. In the context of discussions of the repentant prostitute, Karras writes about how "Christianity was a religion of repentance and forgiveness" and Wogan-Browne of "the prestige of penance".⁸⁰ Branch two of these discussions of chastity, although not specifically about repentant prostitutes, can be usefully interpreted in this light.

Wogan-Browne argues that the figure of the repentant prostitute allows "a measure of restored virginity to women who had to postpone celibacy till after marriage. The repentant harlot

⁷⁷*Ayenbite* and *Speculum Vitae* contain very similar clauses: *Ayenbite*, I, p. 220; *Speculum Vitae*, p. 507, ll. 11213-4. But the *Book of Vices* says "wiþ-oute ... any bonde wher-fore þat þei myȝt be let to be married *ȝif þei wolde*" [my italics], which perhaps signifies that the never-married woman who did not intend to marry was also included: *Book of Vices*, p. 244, ll. 29-31.

⁷⁸Cf. Magnus's first type of virginity (the innate virginity of infants before the age of reason): p. 45 above. There is some discussion of children, however, in the first branch of chastity in *Ayenbite* and the *Book of Vices*: *Ayenbite*, I, p. 220; *Book of Vices*, pp. 243-4.

⁷⁹Swanson argues that "By the thirteenth century the consensus was that the absolution was the sacramental act ... Confession, however, was a necessary preliminary to absolution, and to penance, with the whole process being seen as a unity": R.N. Swanson, *Religion and Devotion in Europe c. 1215-c. 1515* (Cambridge, 1995), p. 34.

⁸⁰Karras, *Common Women*, p. 120; Wogan-Browne, "Authorized Virgins", p. 231. See also R.M. Karras, "Holy Harlots: Prostitute Saints in Medieval Legend", *Journal of the History of Sexuality*, 1 (1990), 3-32.

makes such women ... valid as well as licit in religion".⁸¹ While her concern is with the honorary virginity of chaste wives and widows, in these discussions of chastity the idea of penance is raised in the second branch and is linked to the never-married woman. This discourse thus accommodates the 'fallen woman' into its branches of chastity. If we were to read the seven branches as a hierarchy, "the prestige of penance" might also explain why the never-married woman who has lost her virginity but repented might be ranked above the virgin until marriage. In this discourse, deciding to remain a virgin was valued more highly than simply staying a virgin.⁸² Perhaps deciding to be chaste was similarly prized more highly than just being chaste. Although the second branch does not refer to a formal vow of chastity, penitence implies commitment not to sin again.⁸³ The sacramental process involved in this branch perhaps made the woman's chastity more valuable. Even if it was not the intention for the branches to be a strict hierarchy, though, the *inclusion* of this group, to reuse Wogan-Browne's words, "makes such women ... valid as well as licit in religion".

The third branch is that of the chaste married. The never-married woman either moves to it directly from the first branch or via the second branch (see figure 3). It could be argued that it is in the third branch that the hierarchical rewards model take over. That is perhaps not the case, though. The fourth branch considers not only widows who will remain chaste but those who might remarry:

The ferþe estate of chastite is þe estate of wedowhode, as where þat one of two þat were knytte togidre by þe sacrament of wedlok is deed & þat other lyueþ. In þat estate schulde man and womman þat beþ þerynne kepe hem clene & chaste, for þat estate is hyhe and holy if hit be clene & chaste kepte. Wherfore s[e]ynt Poule counsaileþ hem þat beþ in þat estate þat þei kepe hem in clenness & chastite, *or elles but if þei mowe wel doo so þat þei wed hem ... 'Hit is bettir,' he seith, 'wed þen bren.'* ... But þis is to vnderstonde of men & wommen þat beþ in the estate of wydewhode vnbounde to chastite þorgh avow priue or solempne, for suche þat beþ so bounde may not marye hem.⁸⁴

⁸¹Wogan-Browne, "Authorized Virgins", p. 246.

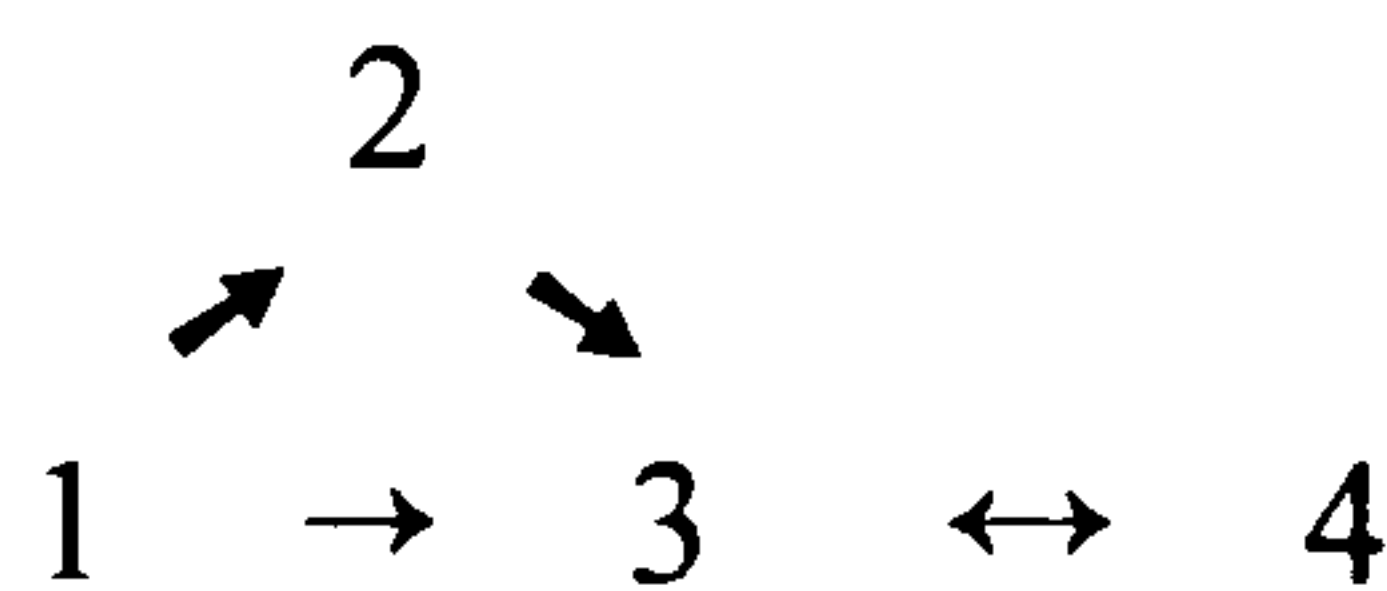
⁸²Indeed, *Hali Meidhad* - despite its focus on virginity - cautions that it is better to be a modest wife or a meek widow than a proud virgin because the former have repented their sins and so love God more deeply, like Mary Magdalene: "For þeos, for hare sunnen þet ha i flesches fulðe folhið oþer fulieð, leoteð ham lahe ant eðliche ant beoð sare ofdret of Godes luðere eie, ant a[s] þe eadi sunegilt Marie Magdaleine, wið bittre wopes bireowis[i]ð hare gultes ant inwar[d]luket luuieð Godd, alswa as heo dude, for hare forzeuenesse" (*Hali Meidhad*, ed. Millett, p. 22, ll. 4-8; for a modern English translation see *Medieval English Prose For Women*, ed. Millett and Wogan-Browne, p. 39).

⁸³The stage of contrition (proper confession being composed of three stages: contrition, repentance and satisfaction) implies "the intention not to fall back into sin": Swanson, *Religion and Devotion*, p. 34.

⁸⁴*Myroure*, p. 188, ll. 14-20, 21-2, 26-8 [my italics].

Although the emphasis is on chaste and vowed widowhood, there is also a conceptualization of the stage as a transitory one, but this time as one that leads back to marriage [the italicized section] (figure 3). It is within the fourth branch that I think the life-cycle model stops. For those widows who have vowed chastity, it is said that they can never marry; they must remain chaste widows.

Figure 3: Alternative Life-cycle Transitions in the Branches of Chastity



As we have seen, the fifth branch was reserved for life-long virgins.⁸⁵ The only allusion to the threefold rewards is within this branch:

For þei þat lyueþ in clene mariage schal haue þere [fruyte þrity-fold], and þei þat kepeþ clene wydowhode schal haue þere fruyt sixty-fold; but þei þat kepeþ clene maydenhode schall haue fruyte an hondred-fold.⁸⁶

This description makes it clear that the higher rewards only apply to those who remain in such an estate: the hundredfold for those who “*kepeþ clene maydenhode*”, the sixtyfold for those who “*kepeþ clene wydowhode*”. Those widows who remarry would move down to the third branch and merit the thirtyfold reward if they “*lyueþ in clene mariage*”. Thus there is not a precise fit between the reward model and branches three to five, although - as with the virginity orderings - we can see the influence of such a model. One could also argue that it is more of an overarching model. Those in the first two branches intend to marry and if they do and live in a chaste marriage they would receive the thirtyfold reward.⁸⁷ At present, though, they are lower down the scale, as the virgin until marriage was in the *Compileisun*. Those in the sixth and seventh branches are perhaps also life-long virgins who would receive the hundredfold

⁸⁵Continuing the theme of permanence, branches six and seven say that those who have been ordained and professed can never be married. E.g. *Ibid.*, p. 196, ll. 36-8; p. 199, ll. 2-4.

⁸⁶*Ibid.*, p. 195, ll. 34-7.

⁸⁷Chaste marriage need not imply celibacy but adherence to marital vows or continence during penitential periods. See, for example, D. Elliott, *Spiritual Marriage: Sexual Abstinence in Medieval Wedlock* (Princeton, 1993), pp. 4, 5-6. Cooper’s distinction, although for late antiquity, is perhaps useful here: she defines chastity as “avoidance of fornication”, as opposed to continence which is “avoidance of sex altogether” (K. Cooper, *The Virgin and the Bride: Idealized Womanhood in Late Antiquity* (Cambridge MA, 1996), p. 56).

reward.

The seven branches of chastity, however, are not all-encompassing. What about, for example, the never-married woman who has lost her virginity and repented but then vows to remain chaste for life? Payer argues that such a woman should be understood under the term ‘widow’.⁸⁸ The *Myroure*, though, makes it explicit that the fourth branch applies to “þe estate of wedowhode, as where þat one of two þat were knytte togidre by þe sacrament of wedlok is deed & þat other lyueþ”. Thus, it seems to include only the woman whose previous sexual experiences were within marriage. Where would the widow fit in who has committed lechery since the death of her spouse but repented and intends to remain chaste, possibly until remarriage? One can see the logic of putting such a widow in the second branch (which relates to those who are not virgins) but these discussions do not do this. The *Myroure* makes it clear that the second branch applies to the woman that “neuer was wedded”. This is perhaps because the orderings first follow a life-cycle model, so ‘maid’ is necessarily separate from ‘widow’. It might, on the other hand, be because the state of widowhood was viewed differently from that of the never married (and this might *explain* the use of a life-cycle model). According to the *Compileisun*, the widow who has vowed chastity merits a higher position in relation to God than the un vowed, but the un vowed - in Wogan-Browne’s words - “are not so much excluded from holy widowhood as encouraged to go further in it”.⁸⁹ In contrast, in these discussions, the un vowed, never-married woman is generally viewed as awaiting marriage. As we have seen, the discussions of lechery are concerned with the relative sinfulness of an act, a specific moment in time. They therefore have no interest in separating the heterosexually-active, never-married woman from the heterosexually-active widow; if the never-married woman and the widow are both unbound then they are committing the same sin. The discussions of chastity, however, are concerned with the “maner of estatis of men & wommen þat lyueþ in chastite”.⁹⁰ Thus the unmarried woman’s position in the life cycle is more important.

In the fourth branch, as I have already shown, the widow is specifically defined, as is the single woman in the second branch. I argued that, in the discussions of lechery, ‘single woman’ is an umbrella term which was used to denote a subset of both never-married and widowed women. In the discussions of chastity it clearly denotes a subgroup, but a subgroup of the never

⁸⁸See p. 45 above.

⁸⁹Wogan-Browne, “Authorized Virgins”, p. 54.

⁹⁰*Myroure*, p. 184, l. 10.

married. The only suggestion in these discussions that the term might include widows is the statement “sengil woman þat neuer was wedded”, which could be read as *limiting* the term’s use here to the never married only and implying other single women that had been “wedded”. Again, though, it can be argued that, through its use in the second branch (understood as ‘single woman’), the term acquires associations that are specific to this state; that is, the single woman is a never-married woman who has been sexually active. The *Myroure* is the only text to use the term but *Speculum Vitae* uses a variant, “man and woman anelopy”.⁹¹ *Ayenbite* and the *Book of Vices* have very similar descriptions but do not use a specific term.⁹² The effect of using classificatory categories in the branches in the *Myroure* and *Speculum Vitae* is that ‘single woman’ (or its equivalent “woman anelopy”) is used in opposition to ‘maiden’ and ‘widow’. In this discourse, defining events in the life cycle include the loss (past and future) of chastity and its resumption. The single woman’s position in the life cycle is after virginity but before marriage. So, although all the categories refer to states of chastity, this category is particularly sexualized; the single woman is currently chaste but in the past has not been and when she marries she will be sexually active, although she can also be chaste within this state.⁹³

Thus there are both similarities and differences between the ‘single woman’ found in discussions of lechery and the ‘single woman’ in discussions of chastity. In the discussions of lechery (with the exception of *Ayenbite*), as in the discussions of chastity, the ‘single woman’ is someone who has been sexually active. As in *Ayenbite*’s discussion of lechery, though, ‘single

⁹¹The *MED* interprets “anlapy”, used in the second branch of chastity in the poem *Desert of Religion* (c. 1400-50), as meaning “an unmarried woman”: *MED*, on-lepi (n.), (b). The text, though, is very close to the summary of the seven branches of chastity given in *Speculum Vitae* which refers to both men and women: W. Hübner, “The Desert of Religion”, *Archiv für das Studium der Neueren Sprachen und Literaturen*, 126 (1911), 59-73 (p. 68, ll. 621-32); *Speculum Vitae*, p. 506, ll. 11187-96. Other texts use the variant in their discussions of simple fornication. E.g. *The Lay Folk’s Catechism*, ed. T.F. Simmons and H.E. Nolloth, EETS o.s. 118 (1901), p. 94, ll. 546-7 [1357]; *An Apology for Lollard Doctrines, Attributed to Wicliffe*, ed. J.H. Todd, *Camden Society*, old ser. 20 (1842), p. 38 [c. 1400-75]. See *MED*, on-lepi (adj.) (d) unmarried. This is an interesting term in that earlier it was used to make a connection between being single and being landless (cf. husband and husbandman): G.C. Homans, *English Villagers of the Thirteenth Century* (New York, 1941), pp. 136-7; see the first 6 entries under this headword in the *MED*.

⁹²The *Book of Vices* states that: “þe secunde staate is of hem þat ben broken, þat is to seie haue loste here maidenhode and here chastite, wiþ-oute any mariage or any bonde wher-fore þat þei myȝt be let to be married ȝif þei wolde, & napeles haue schryuen hem and ben repentaunt of here synne” (*Book of Vices*, p. 244, ll. 27-32). See also *Ayenbite*, I, p. 220; cf. p. 48 above. These texts do not have classificatory categories, though, for the other branches either. For example, whereas *Speculum Vitae* says the first branch is “of maydyns namely / þat kepys þam ay clene of body, / And saues wele þar maydyn hede”, the *Book of Vices* says “þe first staate of chastite is of hem þat ben al hole of here bodies and han kepte here maydenhode”: *Speculum Vitae*, p. 506, ll. 11197-9; *Book of Vices*, p. 243, ll. 25-6.

⁹³See n. 87 above on chaste marriage.

woman' in the discussions of chastity refers to the never married only. The differing conceptions of the single woman in the discussions of lechery and chastity, though, stem from the discourses' different conceptualizations of women. The categories used are similar - maid, wife, widow and single woman - but their meanings vary, as do the models used. Instead of there being a "strict classification of women as virgins, wives, and widows", women are conceptualized according to the interests of the discourse. Thus, in the discussions of lechery, the categorizations stem from an unpicking of an ordering of acts of lechery. Conversely, the discussions of chastity include the traditional threefold rewards model but the ordering used owes more to a life-cycle model, albeit one in which the stages are envisaged according to the discourse's dominant concerns.

In the discussions of lechery and chastity 'single woman' is one category among many, in complex schemas which are meant to be all-encompassing. In both, she is positioned at the cusp of morality/immorality. In the discussions of chastity she is the never-married, unvowed woman who has had sex but repented. She has been immoral but is now chaste and can go one of two ways: continue in a state of chastity (whether as she is, within marriage or by taking a vow), or recidivate to her previous life. The former is the explicit path; the single woman in these discussions is understood as intending to remain chaste. In discussions of lechery the emphasis is on a specific moment in time rather than a state in which a person lives, and thus the text focusses on an act of lechery. The single woman here is the unmarried, unvowed non-virgin. She is thus sexualized both by her past and the current act. It is the very presentism of these discussions, however, which allow for the moral single woman. The act occurs and is a mortal sin but the woman need not *live* in that state. She can repent and become the single woman of the discussions of chastity.

While these discussions of lechery and chastity were aimed at the populace at large and were meant to impact on their lives, they did so by discussing people in the abstract, rather than named individuals. It was not asked, for example, how sinful the actions of one Margaret Smyth were, but how sinful it was for a single man and a single woman to commit simple fornication. The next section, "The Fiscal Single Woman", will discuss some texts which have previously been considered largely as pragmatic and will argue that, although their concerns are quite different, they are also ideological and construct categories according to the interests of their respective discourses. It will consider two types of text: the schedule which sets out

the second poll tax of 1379; and the returns themselves, which list tax payers by name, amount paid and sometimes a status. The former has been recognised as being both pragmatic (it had to set out the criteria by which a person's tax could be deduced) and ideological (the ordering of the criteria amounts to a (re)ordering of the social structure). To my knowledge, no one else has attempted to read the returns as ideological texts. While the two types of text are obviously related, the focus will therefore be on the returns.

II. The Fiscal Single Woman

A) Introduction: Reading Statistics

Numbers, 1,2,3,4 ..., are relatively value-free concepts. The main problem with them comes when they are linked to ideas via language. One could not take exception to the number 3,407,729, but the statement that the official figure for the number of unemployed in the UK on 20 January 1986 was 3,407,729 is a very different matter. It is essential to ask how one defines 'unemployed' in this case.

Edward Higgs, "Women, Occupations and Work" (1987).¹

In Kowaleski's demographic overview of 'singlewomen' in medieval and early modern Europe, she draws on Fenwick's work to comment that "Our firmest medieval data come from late fourteenth-century England, where poll-tax data [from 1377] suggest that roughly 30% of all women aged 14 or older were single", that is, never married.² In her table, though, she also cites statistics derived from Goldberg's work, which does not distinguish between the never married and the widowed, which put the proportion of 'single' women at around forty percent.³ It could be argued that these figures are reconcilable; that is, widows only amount to about ten percent of such women. They can also be understood, though, as illustrating the problem of identifying never-married women in poll tax returns, as discussed in the Introduction: no one is explicitly labelled as such.⁴ In 1377 the category 'widow' does not appear to have been used

¹E. Higgs, "Women, Occupations and Work in the Nineteenth Century Censuses", *History Workshop Journal*, 23 (1987), 53-80 (p. 53). I am grateful to Derek Beattie for bringing this article to my attention.

²Kowaleski, "Singlewomen in Medieval and Early Modern Europe", p. 46; for a brief discussion of this article see pp. 13-14 above. While in the text Kowaleski says this figure was derived by subtracting "probable widows", a note makes it clear that the calculations were made from a sample including men and were also based on a number of assumptions about proportions of men and women in the adult population: Kowaleski, "Singlewomen in Medieval and Early Modern Europe", pp. 71-2, n. 39. Thus her statement in the text that "Since large numbers of singlewomen evaded this tax, this figure represents a minimum estimate" is problematic as this under-enumeration is also used in the note as justification for applying the figure of 29.9% single (which was for the total adult population) to women, although there were more male taxpayers. Also, the figures are derived from the 1377 tax which Goldberg argues "seem relatively free from the sort of problem of exclusion of servants and single women that has been noticed for the final poll tax": P.J.P. Goldberg, "Urban Identity and the Poll Taxes of 1377, 1379, and 1381", *Economic History Review*, 2nd ser. 43 (1988), 194-216 (p. 208).

³Kowaleski, "Singlewomen in Medieval and Early Modern Europe", pp. 326, 328, n.4. Her figure of 41.2% for the two Oxford parishes is incorrect: if one averages the number of married people first it is 41.9%; or, if the average is of the single it is 42.4%: Goldberg, *Women, Work, and Life Cycle*, p. 215.

⁴The categories 'child' and 'servant' are used, which are usually taken as indications of never-marriedness. In 1377, though, these are not always gender specific: Goldberg, "Urban Identity", p. 196; *The Poll Taxes of 1377, 1379 and 1381: Part 1, Bedfordshire-Leicestershire*, ed. C.C. Fenwick, *Records of Social and Economic History*, new ser. 27 (1998), p. xxxiv (hereafter referred to as *Poll Taxes*, 1, ed. Fenwick).

either.⁵ The intention here is to explore this apparent problem by examining the categories into which women are arranged in the returns, using the more descriptive ones of 1379, and the corresponding schedule.⁶ Rather than treat the returns as sources for statistics, I intend to read them as texts. For example, it can be asked why they do not always distinguish between the never married and the widowed and, alternatively, why they sometimes mark out the widowed from the never married. Also, what other ways do the returns and the schedule use to conceptualize (unmarried) women and why?

The returns have been used predominantly by demographic historians to deduce population totals, proportions married, single and in service (and thus marriage patterns), and household structures; or by social-economic historians to tabulate the range of occupations open to men and women. Such undertakings have always been fraught with methodological problems but that is not the focus here.⁷ Rather, the approach taken, while challenging some of the assumptions about the returns, is not to ‘find’ single women so that they can be counted more accurately, but to try to understand how such texts conceptualize the single woman and why. The nominative returns are essentially lists of taxpayers. Generally the information given is the name of the assessed person, the amount paid and, sometimes, a status. The latter could be occupational, marital or relational. Sometimes they are ordered by these statuses, sometimes they are ordered topographically and sometimes it is not clear how they are ordered.⁸ While the

⁵Nominative lists for 1377 survive for the towns of Carlisle, Colchester, Dartmouth and Hull, and partial returns from Canterbury, Chichester, Coventry, Oxford, Northampton, Rochester and York, and a small number of rural areas such as for the Coquetdale ward of Northumberland and Rutland: Goldberg, *Women, Work, and Life Cycle*, p. 368 (although the identification of Canterbury is Fenwick’s: *Poll Taxes*, 1, ed. Fenwick, pp. 386-7, 411-15). I have examined all of the urban returns with the exception of those for Canterbury (which does not include the category ‘widow’) and Coventry (which only relates to the wealthy area of Bailey Lane: Goldberg, *Women, Work, and Life Cycle*, p. 163): PRO, E 179/95/35 [Dartmouth]; E 179/107/54 [Colchester]; E 179/123/44 [Rochester]; E 179/158/28 [Carlisle]; E 179/161/36 [St Peter’s in the East and St Crux, Oxford]; E 179/161/37 [Parish BVM, Oxford]; E 179/180/30 [Chichester]; E 179/206/45 [Hull]; E 179/217/13 [York]; PRO, EXT 6/99/112 [Northampton, 1377]. For some published editions: *Poll Taxes*, 1, ed. Fenwick, pp. 143-4 [Dartmouth], 194-205 [Colchester], 415 [Rochester]; J.L. Kirby and A.D. Kirby, “The Poll-Tax of 1377 for Carlisle”, *Transactions of the Cumberland and Westmorland Antiquarian Society*, new ser. 58 (1959), 110-17; M. Kowaleski, “The 1377 Dartmouth Poll Tax”, *Devon and Cornwall Notes and Queries*, 35 (1985), 286-95; J.I. Leggett, “The 1377 Poll Tax Returns for the City of York”, *Yorkshire Archaeological Journal*, 43 (1971), 128-46; *Oxford City Documents, Financial and Judicial, 1268-1665*, ed. J.E.T. Rogers, Oxford Historical Society, 18 (1891), 46-53. A woman is described, though, as the former wife of Henry Tailor in York’s return: Leggett, “1377 Poll Tax Returns”, p. 135.

⁶The reasons for this choice will be explained below.

⁷Kowaleski comments on the “increasingly sophisticated” methods used to correct such “flaws” as “the medieval scribe’s frequent lack of precision in recording exact marital status”: Kowaleski, “Singlewomen in Medieval and Early Modern Europe”, pp. 45, 71, n. 36. On the problems of identifying households: Beattie, “A Room of One’s Own?”.

⁸For topographical ordering see, for example, the 1377 Hull return which is ordered by street name: E 179/206/45. Or the York returns of 1377 and 1381 which are divided into parishes but a comparison of

returns vary greatly, even within a given area in a certain year, there are some general similarities between returns from the same years. I shall consider these briefly, as it is the varying categories and orderings used that are the first indications that these ‘lists’ are not neutral statements of fact, but ways of classifying and ordering selective information according to certain criteria.⁹ This discussion also provides a context for the focus on the 1379 material.

In 1377 the tax was set at a flat rate of four pence, so there was less need than in 1379 for nominative lists.¹⁰ Those that do survive often group people into households and so descriptions are usually relational, such as ‘wife’, ‘servant’, or ‘daughter’ (and in these cases, such people are often not named). For example, consider an entry from the return for Northampton: “Johannes Mairas et uxor cum iiij seruietes ijs.”¹¹ Only the male ‘householder’ is named and he is presented as though responsible for the tax assessment of two shillings. Perhaps such returns were written for collection purposes and this entry represents a tax-paying unit.¹² For the taxes of 1379 and 1380-1, though, local officials were asked to provide collection commissions with information about the inhabitants of their areas and, therefore, it is in these returns that individuals are more generally categorized by status.¹³ In 1379 a graduated tax was proposed, with the tax being levied on persons over the age of sixteen, according to “son estat & degree”.¹⁴ In 1380-1 the tax was a mixture of the flat rate and graduated assessments. Each person over the age of fifteen warranted a payment to the crown

individuals found in both listings reveals that people are recorded in approximately the same place within the appropriate parish entry: E 179/217/13 [1377] and E 179/217/16 [1381]; published in Leggett, “1377 Poll Tax Returns” and *The Lay Poll Tax Returns for the City of York in 1381*, ed. N. Bartlett (Hull, 1953); discussed in Beattie, “Women Without Husbands”, pp. 9-10.

⁹Cf. J.W. Scott, “A Statistical Representation of Work: *La Statistique de l’industrie à Paris, 1847-1848*”, in *idem*, *Gender and the Politics of History*, pp. 113-38 (esp. p. 115); Higgs, “Women, Occupations and Work”, esp. p. 60.

¹⁰For the grant of this tax: *Rotuli Parliamentorum*, 6 vols (London, 1767-77), II, p. 364; *The Peasants’ Revolt of 1381*, ed. R.B. Dobson (2nd ed.; London, 1983), pp. 103-5. It was to be levied on those over the age of 14 with only genuine beggars exempt and the clergy taxed separately.

¹¹EXT 6/99/112. See also the returns for Canterbury, Chichester, Dartmouth, Hull, Oxford, Rochester and York. In the Carlisle and Colchester returns households are listed vertically rather than horizontally but relational descriptions are still given. E.g. in the Carlisle return:

Johannes Boteller 4d.
uxor eius 4d.

For bibliographical information see n. 5 above.

¹²On the purpose of the returns: Goldberg, “Urban Identity”, p. 196; *Poll Taxes*, 1, ed. Fenwick, p. xxxiv. On the household as a tax paying unit: Beattie, “A Room of One’s Own?”, pp. 45-6.

¹³*Poll Taxes*, 1, ed. Fenwick, p. xix.

¹⁴For the grant of this tax: *Rotuli Parliamentorum*, III, pp. 57-8; *Peasants’ Revolt*, ed. Dobson, pp. 105-11. The quotation is from a text naming the collectors in the county of Leicestershire: *Records of the Borough of Leicester*, ed. M. Bateson *et al.*, 6 vols (London, 1899-1967), II, pp. 186-91 (p. 190); I owe the reference to *Poll Taxes*, 1, ed. Fenwick, p. xiv.

of one shilling, but he or she should only be charged according to his or her means (“chescune Laye persone soit chargez owelment selonc son afferant”); that is, the richer should pay more than the poorer, but with no married couple paying more than a pound or less than four pence.¹⁵ The criteria in both 1379 and 1380-1 signal an interest in status and some of the returns are ordered by this rather than by household.¹⁶ It is in the returns for 1379, though, that marital statuses are most frequently given, as are occupational designations in 1380-1.¹⁷ In general, then, demographic historians tend to use the 1377 returns which are the least affected by under-enumeration and evasion, and seem to provide evidence of population totals, marriage patterns and household structures, and those interested in occupations usually work with the returns of 1380-1.¹⁸ The returns of 1379, though, merit further examination. Both in ordering and in terms of the categories used, they can be quite distinctive.

First, however, I shall consider the parliamentary schedule for the 1379 tax. I have suggested that the returns are not neutral statements of fact but ways of classifying and ordering selective information according to certain criteria. The schedule setting out the tax would have formed a significant part of this; it is also a fascinating text in its own right.

B) Women in the Parliamentary Schedule: *Femme soles* and Widows

As the second poll tax was a graduated one, the schedule sets out how much people should pay according to various criteria, often involving statuses of different kinds.¹⁹ Although recognised as both pragmatic and ideological, it has been examined primarily for what it reveals about male social structures; for example, how men who offered skilled and specialized services (such as

¹⁵*Rotuli Parliamentorum*, III, pp. 88-90 (p. 90); *Peasants' Revolt*, ed. Dobson, pp. 111-18.

¹⁶The 1379 returns provide the best examples of this and some will be discussed below. On the 1380-1 returns: *Poll Taxes*, 1, ed. Fenwick, p. xxxv.

¹⁷On statuses in 1380-1: Goldberg, “Urban Identity”, p. 196; C. Dyer, *Standards of Living in the Later Middle Ages: Social Change in England c. 1200-1520* (Cambridge, 1989), pp. 14-15; *Poll Taxes*, 1, ed. Fenwick, pp. xxxv-vi.

¹⁸On under-enumeration and evasion: n. 2 above.

¹⁹For references see n. 14 above. Dobson gives the *Anonimale Chronicle*'s version rather than that set out in the Rolls of Parliament (the tabulation is his own). This version, perhaps written at St Mary's Abbey in York, reproduces the schedule virtually word for word, although a description of what the religious should pay is added on: *The Anonimale Chronicle, 1333 to 1381*, ed. V.H. Galbraith (Manchester, 1927; reprinted with minor corrections, 1970), pp. 126-9; there is a reference to the separate tax on the clergy in *Peasants' Revolt*, ed. Dobson, p. 111. On the chronicle: J. Taylor, *English Historical Literature in the Fourteenth Century* (Oxford, 1987), ch. 7; A. Gransden, *Historical Writing in England*, 2 vols (London, 1974-82), II, pp. 110-13.

lawyers, merchants and civic officials) were fitted into a social framework previously based on military service and land tenure.²⁰ Some of these accounts exclude women completely.²¹ My discussion, therefore, will emphasize how women are conceptualized in the schedule but will do so within the overall context of the text. This means that such conceptualizations will be compared with those of men, that they will be considered in relation to the ordering of the schedule, and that the nature of the text will be taken into account. While the schedule might represent an attempt “to reschematize the ordering of a changing society”, it is primarily a text which sets out the criteria by which a person’s tax was to be deduced in 1379.²² Thus the conceptualizations will have an economic dimension.

Inevitably the schedule focusses on the titled or higher-earners. Christopher Dyer comments that: “The 1379 scheme is a very useful source for the higher social echelons, but as the masses were all expected to contribute 4d. each, no details are given of their ranks”.²³ This is not quite true for my purposes. The “masses” are divided into the single and the married:

Item chescun homme mariez pur lui & sa femme qi ne sont mye des estatz suis-nomez, outre l’age de xvi ans, forspris verroies mendinantz, iiii d.

Et chescun homme & femme soles de tiel estat, & oultre l’age suisdite, iiii d.²⁴

These are residual categories for any man or woman who was over the age of sixteen, was not a genuine beggar, and was not covered by the other estates, and are discussed near the end of the schedule. Men and women are considered together but divided into the single and the married. This division - while also an important one, for example, for men in the discussions of lechery - is significant here in that the marital division also represents a fiscal one. The married man was to pay four pence but his payment was also to stand for his wife. The single man and the single woman both had to pay four pence each. This division, for women at least,

²⁰Strohm recognizes that the schedule is both pragmatic and ideologically conditioned, although his professed interest is in “those points at which social developments ... influenced textual representation”: P. Strohm, *Social Chaucer* (Cambridge MA, 1989), ch. 1, esp. pp. 1-2, 5, 7 (p. 190, n. 16). See also M. Keen, *English Society in the Later Middle Ages, 1348-1500* (London, 1990), ch. 1, esp. pp. 9-10.

²¹E.g. Strohm, *Social Chaucer*, pp. 7-8. Keen only refers to “ordinary working ... women” in his description of the schedule: Keen, *English Society*, p. 9.

²²Keen, *English Society*, pp. 8-9.

²³Dyer, *Standards of Living*, p. 14.

²⁴*Rotuli Parliamentorum*, III, p. 58. This passage in the *Anonimale Chronicle* is virtually identical: *Anonimale Chronicle*, ed. Galbraith, p. 126. It is translated in *Peasants’ Revolt*, ed. Dobson, p. 109:

Each married man, for himself and his wife if they do not belong to the estates above-mentioned and are over the age of 16 years, genuine beggars excepted, is to pay 4d

Each single man and woman of this last estate and of the same age 4d

corresponds with the legal concepts of *femme coverte* and *femme sole*.²⁵ The married woman (the taxpayer's *sa femme*) was essentially not being taxed - she was covered by the payment of her husband - unlike the single woman (*femme sole*) who was liable for her own payment.²⁶ The single man, like the single woman and the married man, was liable for his own tax, but he differs from the married man in that his payment only covers himself. The marital statuses for men as well as for women, then, represent fiscal statuses.

The use of a single/married binary here also has the effect of erasing the differences between the never married and the widowed. At this low level of assessment such differences are not considered important in the schedule. For a woman it only mattered whether she had a husband, in which case she was exempt, or not, in which case she was liable for the tax (whereas all men were liable but if a man had a wife his payment stood for her too). This is the first indication as to why the returns do not always distinguish between the never married and the widowed. If we move higher up the schedule, though - to those assessed above the minimum rate of four pence - other distinctions are made.

The ordering in the schedule is hierarchical, but hierarchical within five groupings (the categories just discussed being part of the last group).²⁷ Women also occur in the first grouping which sets out the assessments for the aristocracy, from ten marks for dukes to forty pence for

²⁵See p. 26 above.

²⁶As a result wives are not always listed in the 1379 returns, as will be discussed below. In 1377 when everyone was assessed at four pence, including married women, husbands often seem to have paid their wives' taxes: p. 59 above. The grant of the 1380-1 tax sets out that the assessment was to be on "des madles come des females" but, in setting out how each should pay "according to his means", it states that the most wealthy should pay no more than 60 groats "pur lui & pur sa femme" and no one should pay less than a groat "for himself and his wife": *Rotuli Parliamentorum*, III, p. 90; *Peasants' Revolt*, ed. Dobson, p. 117. Wives are listed in these returns though.

²⁷My groupings have more in common with Dobson's than Strohm's. Dobson divides up the schedule into eight groups but the last two relate to the clergy and were not included in the Rolls of Parliament version. His sixth consists of foreign merchants and pleaders: the latter category does not appear to be in the Rolls version; the former are told to pay according to their estate, "comme autres denzeins", and thus fits more with the fifth grouping of miscellaneous types. Apart from this I agree with his first five groups. Strohm talks of four groupings, following the paragraph structure in the printed edition of the Rolls which is not original, but these are not quite hierarchical. E.g. in para. 14 the chief Prior of the Hospital of St John, to pay "come un Baron" at forty shillings, follows the squire assessed at 3s. 4d. Dobson begins a new group here. It should also be noted that there are some anomalies in the schedule's groupings (perhaps reinforcing the view that the schedule was attempting a reschematization). E.g. apprentices of the law and attorneys are included in both the third and fifth groupings; also, while the widow of a sufficient merchant is assessed at 6s. 8d. in the first grouping, according to the fourth grouping a sufficient merchant is only to be assessed at 3s. 4d. (in the *Anonimale Chronicle* version, which makes more sense than the 13s. 4d. in the Rolls account). See *Peasants' Revolt*, ed. Dobson, pp. 107-11; Strohm, *Social Chaucer*, pp. 7-8; *Rotuli Parliamentorum*, III, pp. 58-9. I am grateful to Shelagh Sneddon of the Parliament Rolls Project for her communications on the layout of the schedule in the Rolls (Sep. - Nov. 2000).

landless squires. For example, following the dukes are the earls (assessed at four pounds), and then widowed countesses (assessed at the same rate as earls). Next are the barons and bannerets, followed by widowed baronesses and banneresses, all assessed at forty shillings; then bachelors and wealthy squires, followed by widows of the same, all assessed at twenty shillings; then lesser squires, followed by widows of the same or of substantial merchants, all assessed at 6s. 8d.; then the landless squires.²⁸ Here, then, women are discussed following their male equivalents, although only in their capacity as widows. The women are conceptualized both by marital status and the social statuses of their former husbands, resulting in ‘widow’ as an economic or fiscal category. Presumably wives were to be covered by their husbands’ payments, as they are at the bottom of the schedule, but they are not referred to again. Nor is the never-married woman. How were, for example, the daughters of earls and barons to be assessed, or did the latter’s payments also cover their families? The schedule does not provide the answers to questions such as this. In this first grouping, where assessment was according to social status, it was the man’s that really mattered. The category ‘widow’ is used to integrate some wealthy female taxpayers into a social hierarchical ordering based on male social statuses.

The other three groupings in the schedule do not discuss women at all: the second consists of the knights hospitaller; the third deals with legal occupations; and the fourth is largely concerned with substantial urban burgesses and citizens.²⁹ Although these are still largely to do with status, and comparisons are made back to the “knightly estate”, they are also often occupational.³⁰ For men, then, social status is clearly an important factor in how they are conceptualized in the schedule, as is occupational identity for many, but marital status is only introduced at the lowest level. For women, though, there is no mention at all of occupational statuses. At the lower end of the schedule the single/married binary is all encompassing, albeit simplistic; at the higher end all women except widows are effaced.³¹ Thus, even within the

²⁸*Rotuli Parliamentorum*, III, pp. 57-8. E.g. (p. 57):

“Item chescun Conte d’Engleterre, iiii li.

Item chescun des Countesses veoves en Engleterre, attant come les Conts, iiii li.”

²⁹In the fifth grouping pardoners and summoners are also classified as married (“pardoners & sommoners mariez”): *Rotuli Parliamentorum*, III, p. 58. Presumably if they were single they would fall under the tax on the clergy. The bottom of the fourth group considers two types of rural dwellers: sergeants and franklins and then farmers.

³⁰E.g. “Item le Meir de Londres paie come un Conte, iiii li.”: *Rotuli Parliamentorum*, III, p. 58. See Keen, *English Society*, pp. 9-10.

³¹This model which defines men by what they do (their occupation or function), and women by their marital, sexual or social status, has been pointed out in, for example, European law codes, sermons and tax returns: H. Dillard, *Daughters of the Reconquest: Women in Castilian Town Society, 1100-1300* (Cambridge, 1984), pp. 16-21 (especially p. 21); C. Casagrande, “The Protected Woman”, trans. C. Botsford, in *A History of Women*

schedule the conceptualizations of women conflict. Marital and social statuses are important at both levels but to varying degrees: at the top, social status predominates and some women are effaced; at the bottom, social status is more implicit (these are the people not covered by the other estates) and marital status (single or married) overrides. The female taxpayer in both groups, though, is single, whether she is a widow or a *femme sole*, and in both cases she is defined by her lack of a husband. The schedule has a conceptualization of the single woman as tax payer, but it is one that is mediated by social status. The conflicting conceptualizations perhaps provide an indication of why poll tax returns sometimes mark out the widowed and sometimes do not distinguish between them and the never married, and this theory will be explored in the returns themselves.

C) The 1379 Returns

The similarities which often distinguish the 1379 returns from those of 1377 and 1380-1 - such as the inclusion of marital statuses or the exclusion of wives - indicate that the criteria set out in the schedule clearly had an influence on the information given in the returns.³² The returns, however, also differ from the schedule in a number of ways. For example, they are concerned with named individuals, whereas the schedule works with general categories. The schedule also attempts to encompass the whole tax-paying society, whereas the returns are each concerned with smaller geographical units. Furthermore, the schedule focusses more on the titled and the higher-earners, whereas the returns deal overwhelmingly with the 'masses'. Divergent social contexts can be seen for the texts themselves: the schedule was the work of Parliament; the information for the 1379 returns was provided by local officials. It is therefore unsurprising if the schedule's categories sometimes prove insufficient for the different job of the returns. By this I mean both the manifest and latent functions of the returns; that is, what the returns were

in the West, ed. G. Duby *et al.*, 4 vols (Cambridge MA, 1992-3), II, *Silences of the Middle Ages*, ed. C. Klapisch-Zuber, pp. 70-104; C. Bourlet, "L'anthroponymie à Paris à la fin du xiii^{ème} siècle d'après les rôles de la taille du règne de Philippe le Bel", in *Genèse médiévale de l'anthroponymie moderne*, II-2, ed. M. Bourin and P. Chareille (Tours, 1992), pp. 9-44 (I owe this reference to Sharon Farmer). For a further discussion of the model: C. Beattie, "The Problem of Women's Work Identities in Post Black Death England" in *The Problem of Labour in Fourteenth-century England*, ed. J. Bothwell *et al.* (Woodbridge, 2000), pp. 1-19.

³²For a summary of the differences: *Poll Taxes*, 1, ed. Fenwick, pp. xxxiv-v.

intended to do (namely, assess individuals in a given area), and what their orderings and categories additionally do (for example, offer a different conception of social orderings).³³

As we have seen, the schedule has only two ways of conceptualizing the female tax payer: she was either the widow of a substantial man, or the *femme sole* who was to pay the minimum rate. The 1379 returns actually classify women in a variety of ways, perhaps as a consequence of the way the information was gathered, including the occupational.³⁴ Those that I shall discuss, though, have been deliberately selected for their use of variants of the Latin term *sola* (single) alongside other categories, such as *vidua* (widow), *serviens* (servant), *filia* (daughter) and *puella* (maiden). Since, as we saw in the previous section, categories have no fixed meaning but are dependent on the contexts in which they are used, the orderings of the returns will also be considered. The returns include various ones from the county of Sussex; that for the borough of Salisbury, Wiltshire; and that for the borough of Bishop's Lynn, Norfolk. It will be asked, building on the questions raised in the Introduction to this section, why - when theoretically all female tax payers in 1379 were single - only some women are described as single and some are categorized in different ways. Were the other categories to justify a certain rate of taxation or do the returns conceptualize women in ways that cannot be related to the manifest job of the returns? The approach taken will be twofold: I intend to consider some returns in their own right, that is, what the ordering and relational use of categories reveal about how the single woman tax payer was conceptualized in a given return; but, while the returns certainly have their own idiosyncrasies, some can also be used together to suggest certain trends. For this the return for the borough of Derby, which does not use the term *sola*, will also be brought in.³⁵

³³I have been influenced here by L. Nader, "The Anthropological Study of Law", in *The Ethnography of Law*, ed. L. Nader, American Anthropologist Special Publication, 67 (Menasha, 1965), pp. 3-32. Nader argues that "we should look at both the latent and the manifest functions of the law. We need to understand what the generally agreed upon functions of the law are, as well as to note its other functions which may or may not be recognized in a society": *Ibid.*, p. 17.

³⁴On the information gathering see pp. 59 and 66, above and below.

³⁵Although the returns to be discussed have not been chosen for reasons of representativeness, they still give an indication of how returns for the same year vary greatly, even within a single county, as we shall see. For Salisbury, Bishop's Lynn and Derby as independently taxed boroughs: *Poll Taxes*, 1, ed. Fenwick, p. xviii (although she uses the modern place name of King's Lynn). I am indebted to Carolyn Fenwick who drew my attention to the returns for both Sussex and Salisbury and generously sent me page proofs of the relevant sections from her forthcoming volume: *The Poll Taxes of 1377, 1379 and 1381: Part 2, Lincolnshire-Westmorland*, ed. C.C. Fenwick, Records of Social and Economic History, new ser. 29 (forthcoming); hereafter referred to as *Poll Taxes*, 2, ed. Fenwick. I discuss the return for Bishop's Lynn, and briefly that of Derby, in Beattie, "Problem of Women's Work Identities", pp. 3-10. My arguments here have been substantially revised.

The discussion is divided into two main parts: one structured around the Sussex returns, but also considering the returns for Salisbury and Derby; the other focusses on the return for Bishop's Lynn. The first section will identify five key types of return, which differ from each other either in terms of ordering or classification of women or both. The key categories that are discussed here, in relation to that of *sola*, are *serviens* and *vidua*. The second section, therefore, primarily considers how the categories of *puella* and *filia* relate to that of *sola*.

i) The Sussex Returns *et al.*: Five Key Types

The county was the highest administrative level for taxation but within this there were smaller divisions. Sussex was further divided into Rapes, and then into smaller administrative areas called hundreds. These also consisted of smaller taxation areas such as vills.³⁶ The Sussex poll tax returns reveal this structure.³⁷ Fenwick comments that in 1379 one commission member was usually responsible for a group of hundreds but, as local men provided the commissioner with the information about the inhabitants of their area, it is unsurprising that the details recorded sometimes vary from vill to vill.³⁸ Thus the listings for Sussex vills can be used to illustrate various ways of conceptualizing the single woman tax payer.³⁹ Focussing on the ordering and the relational use of categories, I shall discuss five types by way of examples from the returns.⁴⁰ The first type of listing is that which has an ordering generally akin to that of the schedule and conceptualizes women in the same way; the second also largely follows the ordering of the schedule, but brings in a new category, that of *serviens*; the third type does not use the ordering of the schedule but works within its classifications; the fourth type does not use the ordering and uses the category *serviens*; and the fifth type does not use the ordering and conceptualizes women differently from the schedule by using the category of 'widow' (usually *vidua*) at the

³⁶They could also be parishes, tithing or manors: *Poll Taxes*, 1, ed. Fenwick, p. xxxvii. On these administrative areas see Pollock and Maitland, *History of English Law*, I, ch. 3 (esp. pp. 532-65).

³⁷*Poll Taxes*, 2, ed. Fenwick, pp. 573-619. For a very different discussion of this material as it pertains to women see Mate, *Daughters, Wives and Widows*, pp. 29-31. I have examined EXT 6/99/10; EXT 6/99/69; EXT 6/99/72; EXT 6/99/117/1; EXT 6/99/117/2; EXT 6/99/125; EXT 6/99/133; EXT 6/99/134; Fenwick's edition contains 15 more detailed rolls from 1379.

³⁸*Poll Taxes*, 1, ed. Fenwick, pp. xix, xxxv.

³⁹I use 'listing' to refer to the list of assessments for a vill, as a number of these might make up an actual 'return'.

⁴⁰Some examples are representative of a number of listings, others are more unique. All, however, illustrate trends that can be seen in other returns to a greater or lesser extent.

level of the 'masses'. Consideration of the latter type will include a comparative look at the Salisbury and Derby returns (which are similar).⁴¹

The listings for Sussex's Rape of Lewes - with the exception of most of the Streat hundred - could be used to illustrate the first type, that which largely works with both the ordering and conceptualizations of the schedule. These begin by listing anyone of social rank or their widows (the first grouping), any lawyers (third grouping), or artificers (fourth grouping), then the married and then the single (both from the fifth grouping).⁴² This ordering is also largely hierarchical, albeit within groupings like the schedule. For example, in the vill of Cuckfield, Buttinghill hundred, the listing takes the order of: a knight assessed at twenty shillings; the former wife of one Robert Enetche, assessed at forty pence (presumably according to her late husband's estate); an apprentice of the law assessed at 6s. 8d.; fourteen men classified by occupation (with those of the same type bracketed together), assessed between six pence and 3s. 4d.; a long list of men headed "communar' maritati" (married commoners), assessed between four pence and eighteen pence; and a shorter list of men and women headed "soli & sole non maritati" (the single), all assessed at the minimum rate of four pence.⁴³

Although widows are only discussed in the schedule down to the rate of 6s. 8d., forty pence was the assessment for a landless squire.⁴⁴ The listing thus slightly adapts the conceptualization of the schedule to include widows of a slightly lower level. The category "soli & sole non maritati", though, presumably includes both the never married and the widowed, as it does in the schedule. Some of the people listed under this heading are described by forename only and

⁴¹They do not use the ordering of the schedule and they use the category 'widow' at the level of the 'masses', although they also describe women in other ways (e.g. 'servant', 'daughter', occupationally) as we shall see.

⁴²*Poll Taxes*, 2, ed. Fenwick, pp. 600-7, 610-16; most of the listings for the Streat hundred divide people into the married and the single and, under those headings, classify some according to status or occupation (*Ibid.*, pp. 607-10).

⁴³*Ibid.*, pp. 601-2. The rates are generally in line with those given in the schedule. For the widow see below. For the men classed according to occupation: 6d. is the minimum rate for an artificer; 3s. 4d. that for a sufficient merchant (see n. 27 above). The assessment of 18d. for a married man is not in the schedule: first, those described as 'married man' should only be those assessed at the minimum rate; second, 18d. is not an amount used anywhere in the schedule. Fenwick argues that non-schedule rates indicate that an assessment was based on a wife's trade too: *Poll Taxes*, 1, ed. Fenwick, p. xxxiv. It has also been suggested that the 'single' list is only shorter because the rest of the roll is missing: Mate, *Daughters, Wives and Widows*, p. 29.

⁴⁴Or a sufficient merchant, or the top rate for a hostler who was not a merchant. The listing for an unknown vill in Bosham hundred (Rape of Chichester) begins with "Domina Beatrix de Brewes" assessed at 40s., the rate for a widowed baroness or banneress: *Poll Taxes*, 2, ed. Fenwick, p. 585. It is also interesting in that the ordering is perhaps both hierarchical and by household; after Beatrix are two listed females assessed at the minimum rate called Joan and Beatrix de Brewes, three other individuals assessed at 4d. (possibly servants), before a franklin assessed at 6s. 8d.

then a relational description; for example, “Ricardus famulus Johannis Chalshurst” and “Alicia filia Johannis Clevere”, the masters/fathers often listed elsewhere in the listing.⁴⁵ Those described as servants, sons or daughters were probably never married.⁴⁶ Alicia Osebarn, whose name is followed by that of her son John, is presumably a widow, although she is not categorized as such.⁴⁷ All these individuals are described by the more general terms of *solī* and *sole*. Female tax payers in this listing, then, fall under the same two categories as used in the schedule: widow of a substantial man or a single woman (in its wider sense, including both the never married and the widowed). The separation is again one of social status; the widow of a more substantial man is both categorized differently from any other unmarried woman and entered higher up the listing. Although some women are additionally referred to as ‘daughter of ...’, or ‘servant of ...’, these are not categories used to order them; they work rather as further identifiers in the same way that a surname does (and perhaps also serve to link such people to better off householders).⁴⁸ Thus despite the differences between the nature of the schedule and the returns, this listing found the schedule’s categories for women to be largely adequate.

The second type - that which generally works with the ordering of the schedule, while introducing the new category of *serviens* - can be illustrated by part of the return for Streat hundred, the listing for the town of Lewes.⁴⁹ In terms of structure it also differs from the above example, from the same Rape, in that it uses brackets throughout to group together people of the same status, and no headings. It begins with wool buyers (merchants assessed between two shillings and 6s. 8d.) and cloth merchants (twelve pence to two shillings); then various other

⁴⁵*Ibid.*, p. 602. Both John Chalshurst and John Clevere are listed under the heading “communar’ maritati”. In this listing, then, it seems that households are divided up according to the status of their inhabitants. One single man is also identified as a brother; the entry “Robertus frater eius 4d.” follows that for “Willelmus Chanpeyn 4d.”

⁴⁶On servants see p. 15, n. 67 above. This will be considered in more detail in the analysis of the return for Bishop’s Lynn: section ii) below.

⁴⁷*Poll Taxes*, 2, ed. Fenwick, p. 602. In the return for the vill of Crawley, also in the Buttinghill hundred, there are two women listed under the heading “communar’ disponsat”, including one described as “Johanna Estworthe vidua”: *Ibid.*, p. 603. These need not mean that those listed here under the heading “solī & sole non disponsat” do not include any widows. Perhaps the listing is derived from an earlier one which named Joan Estworthe’s husband. Fenwick argues that many 1379 rolls were prepared from other documents, probably detailed rolls from 1377: *Poll Taxes*, 1, ed. Fenwick, p. xxxiv.

⁴⁸Thus providing another potential person from whom to collect the tax; cf. the argument about parents in the discussion of the Lynn return, p. 82-3 below.

⁴⁹*Poll Taxes*, 2, ed. Fenwick, pp. 611-12. The listings in this hundred which generally follow the schedule’s ordering are those for the vill of Linfield (although it does not have a section for the married) and the vill of Ditchling: *Ibid.*, pp. 610-11.

occupations such as hosiers, hostellers and butchers (six pence to two shillings); then the married (four pence to two shillings); and then the single (four to twelve pence), although these are not all bracketed together. The single are divided into three main groups: the first bracket is labelled “communar’ non maritati” (and those listed are all men and include the only assessments above the minimum rate); the second is of “servientes” and those listed are again men and presumably single; and the third is of “mulieres sole”. Within the last group, though, two women are further bracketed and labelled “servientes”.⁵⁰ I shall consider what these interlinked categories reveal about how single women are conceptualized in this listing.

The subgroup of *servientes* are not the only female servants, as five other women in the group of *mulieres sole* are listed by forename only and described as the *famula* of a named person. Those bracketed as servants, though - both male and female - are all described by name only (first and second name) and not in relation to a master or mistress. As such, the designation is more occupational than relational. Whereas, as we saw in the previous listing, the description of an individual as, for example, “Isabella famula Norton” works in place of a surname and also serves to link the person to a householder, here the brackets’ only function is to denote someone as a servant.⁵¹ This suggests that in this listing the status of servant was considered important, although it is not a category used in the schedule. Also, all the people so described here are assessed at the minimum rate (while there are other single men assessed at six pence and one shilling). For men it is a separate grouping which follows that of the single [man], whereas for women it is a small subdivision within the grouping of single women. Thus even the women described by an occupational status, as *servientes*, are described by a marital one first, albeit the wide one of *mulieres sole*.⁵² This gender difference perhaps indicates why the category was introduced.

In a listing which classifies many men according to occupation to justify higher assessment, the status ‘servant’ signals that the man is not an artificer and so should pay only the minimum.⁵³ This listing has moved on from the schedule’s classifications by specifying types of artificer; it

⁵⁰Cf. the first two men in the “communar’ maritati” bracket. They are sub-bracketed as *constabular’*; one of these men is the highest paying married person in the listing: *Ibid.*, p. 611.

⁵¹*Ibid.*, p. 612. It is possible that Isabel was the servant of Robert Norton, described as a cloth merchant near the top of the listing and assessed at 12d: *Ibid.*, p. 611. Again, then, some of the employers can be identified elsewhere in the listing.

⁵²The return for Bishop’s Lynn also identifies some women as both *sol’* and a servant: section i) below.

⁵³That some men described as married pay more than the minimum does not negate this point.

is only a further step to specify types of ‘single man’.⁵⁴ Here the category ‘servant’ serves as an economic or fiscal status. For women, though, occupational status was not a factor in the schedule and only one woman is assessed according to it here.⁵⁵ Thus, a probable scenario is that the category ‘servant’ was introduced for those men who are bracketed together. Women, however - as we saw with the last listing - are sometimes identified in relation to a master or mistress and, again, it was not much of a leap to mark out some women not so identified as servants. The schedule’s categories are thus generally adhered to for women, although the *mulieres sole* (akin to the schedule’s *femme sole*) has a sub category of ‘servants’ (and one woman is listed with the artisans). The single woman here is sometimes thought of occupationally as a servant but this was not the overriding conceptualization.

I shall now jump to an example of the fourth type - that which does not use the ordering of the schedule but uses the category ‘servant’ - as it illustrates more clearly that single woman taxpayers might be conceptualized occupationally as servants.⁵⁶ The return for the Ringmer hundred (Rape of Pevensey) generally separates out the categories of ‘single’ and ‘servant’ for both men and women. It is divided into seven vills, but these listings are less hierarchically ordered than the ones considered so far.⁵⁷ That for the vill of Ringmer, for example, begins with the high status - a wool merchant, a squire and an attorney - but otherwise the ordering is less clear.⁵⁸ People of the same status are usually bracketed together but this seems to be more to save repetition rather than a deliberate re-ordering; for example, three men are bracketed as

⁵⁴According to the schedule the category ‘single man’ should signal the minimum rate but here it is also used for two men assessed above it: *Poll Taxes*, 2, ed. Fenwick, p. 612.

⁵⁵Within the bracket of *pistor*’ (bakers) one “Alicia ux’ Thomas Strede” is assessed at six pence: *Ibid.*, p. 611. If Alice was currently married her inclusion, as married women were not usually assessed in 1379, might be because she was paying in her husband’s absence, or that she was the baker and her payment also covered her husband (it is the lowest assessment of all those described by a craft). There are examples from the returns of 1377 and 1381 of women paying tax for themselves and a husband. In the 1377 York return 8 women are described as paying for an *uxor*: E 179/217/13; Leggett, “1377 Poll Tax Returns”, pp. 131 [Matilda de Shirburn], 135 [Isabell de Pantre], 137 [Agnes de Ripon; Alice de Semester; Juliana de Doncaster], 142 [Katrina de Aberford], 145 [Agnes de Belton; Alice Hukster]. Juliana de Doncaster was apparently a member of the freedom in her own right: *Register of the Freemen of the City of York*, ed. F. Collins, 2 vols, Surtees Society, 96, 102 (1897-1900), I, p. 75 “Juliana de Bramwyth, de Doncastre, brewster” (I owe the identification to an unpublished essay by P.J.P. Goldberg). “Isabella de Pantry” is described as *Hostilarius* in 1381: *Lay Poll Tax Returns*, ed. Bartlett p. 65. For an example from 1381, see the return for Oxford: “De Agnete Multon lotrice [lavender] et marito eiusdem ij.s.” (E 179/161/47; *Oxford City Documents*, ed. Rogers, pp. 8-45 (p. 42), although this edition has a number of flaws). Alice could be a widow, though.

⁵⁶The third type is discussed at p. 72 below.

⁵⁷*Poll Taxes*, 2, ed. Fenwick, pp. 617-9.

⁵⁸*Ibid.*, pp. 617-8. Unfortunately the listing is damaged so many of the amounts cannot be read, including all of those for people described as *soles* or *servientes* (I am following Fenwick’s edition in using *sole* and *soles* for men).

maries (one paying above the minimum rate), then one man has no status but is assessed at eight pence, three men are bracketed together as *sutores* (one paying twelve pence), then another four are bracketed together as *maries*, and so on.⁵⁹ Women in this listing have one of two types of designation: they are either *soles* or they are *servientes* (although a couple of women have no designation). Only men are described as married or by occupation, other than that of ‘servant’, but individuals are not otherwise separated out by gender. Thus men and women can both be grouped within the brackets *soles* or *servientes*.

In contrast to the listing for Lewes (used to illustrate the second type), the listing for Ringmer also categorizes all those described relationally as *famulus/a* of a named individual as *servientes*; that is, they are removed from the general category of *soles*.⁶⁰ One woman described as “Johanna filia Johannis May”, though, is also categorized as *sole*.⁶¹ Thus daughters are included under the category ‘single’ but servants are taken out, again suggesting that the latter category is here occupational. The next part of the return makes this point even clearer. It relates to the vill of Ashton Green and brackets people together under three headings only: *maries*, *soles* and *servientes*.⁶² It lists three men as *maries*; one man as *sole*; four more men as married; four people as single (two men and two women); twelve men as married; two men as *servientes*; three women as single; and three people as servants (one man and two women). Here, then, men are married, single or servants; women are single or servants. Thus *soles* here again encompasses the widowed as well as the never married. Other listings for this hundred are very similar but, like the vill of Ringmer, also include the odd occupational designation for men.⁶³ Thus, as in the schedule, men are more likely than women to be conceptualized occupationally, but a significant number of the women listed in this hundred are classified as

⁵⁹Cf. *Poll Taxes*, 1, ed. Fenwick, p. xxxiv.

⁶⁰Although the listing also includes some persons not identified in relation to an employer but classified as *servientes*.

⁶¹*Poll Taxes*, 2, ed. Fenwick, p. 618.

⁶²*Ibid.*, p. 618. The beginning of this listing is damaged and no assessments survive but for the latter part everyone named, whether grouped as *soles*, *maries* or *servientes*, is assessed at the minimum rate.

⁶³*Ibid.*, pp. 618-9: Middleham; Norlington; Wellingham; unknown vill; Southeram. In this last listing a man described as *filius* is included in the bracket *soles*: *Ibid.*, p. 619. Mate argues that the returns in this Rape generally record a lower percentage of married people than other Sussex ones and suggests that one factor could be “the vagaries of the taxcollectors”: Mate, *Daughters, Wives and Widows*, p. 29.

servants rather than as single.⁶⁴ The fourth type thus differs from the second type in that here some single women are classified as servants rather than as single.

The third type - that which does not use the ordering of the schedule but seems generally to work within its classifications - serves as a transitional example to the fifth type which, like the second and fourth, also has a category for the female taxpayer other than that of 'single'. In terms of structure the third type is the same as the fifth but appears even less ordered than the listings just considered. Examples of the third type take the form of a list of names, criteria of ordering unknown, with identifying descriptions following most names; the category could be social, occupational, marital or relational but the relevant ones here are those which are predominantly marital. Marital descriptions can be found in a minority of the listings from Steyning hundred (Rape of Bramber). For example, in the listing for the vill of Patching, the first forty-eight names given are followed by either the wording *uxor eius/sua* (his wife) or the term *sol'* (the last five entries have no given status).⁶⁵ Thus the married men's assessments are here listed as covering their wives too (as in the schedule's "homme mariez pur lui & sa femme"), and the single, both men and women, are explicitly described as such; thus this is an example of a listing where wives are included but not named. With the exception of the first two married men who are assessed at six pence, the rest are assessed at the minimum rate.⁶⁶ So here we have the 'masses', still divided into either the married or the single. The term *sol'*, as applied to named individuals, presumably includes the widowed too, as it did when used as a heading or to describe a bracketed group in the returns previously considered (unless no widows were assessed in either this area or two neighbouring ones, which seems unlikely).⁶⁷ By contrast, the fifth type - as I shall show - provides an example where the category of 'widow' directly conflicts with that of 'single woman'.

⁶⁴Of the readable entries 32 women are described as *soles*; 20 as *servientes*; and 4 have no status: *Poll Taxes*, 2, ed. Fenwick, pp. 617-19. The listing for the vill of Sompting in the Brightford hundred (Rape of Bramber) categorizes 9 women as *sola* but Alice Bernard is described as *servient'*: *Ibid.*, p. 576.

⁶⁵*Poll Taxes*, 2, ed. Fenwick, p. 580. The phrasing is represented only as *ux'* here but see *Poll Taxes*, 1, ed. Fenwick, p. xlvi.

⁶⁶For the schedule see p. 61 above. The payment of 6d. is the lowest rate for a lesser merchant or artificer, although occupational details are not given here.

⁶⁷*Poll Taxes*, 2, ed. Fenwick, pp. 582-3 (unknown vill and Marlepost). In a partial listing for Combes one woman is described as *vidua*: p. 582 (for another listing for this vill see p. 580). There are a number of examples in the Salisbury return, though, which suggest that *sola* was used to describe widows, despite the category *vidua* also being used: pp. 74-5 below.

The fifth and final type to be discussed is that which does not use the ordering of the schedule, like the third type, but uses the term *vidua* at the level of the 'masses'. It differs from those that use the term *serviens* (the second and fourth types), in that 'widow' is a category which is used in the schedule, whereas 'servant' is not. I have argued that in the schedule 'widow' is used to integrate some wealthy female taxpayers into a social hierarchical ordering based on male social statuses and we saw, in the example of the first type, that some listings used it in this way.⁶⁸ When the category is used differently, however, its inclusion - like that of *serviens* - also needs to be explained. For example, the listing for Offinton and Heene, in the Brightford hundred (Rape of Bramber), lists fifty-one names (of which forty-three are fully legible) but only gives six marital designations, all for women, and no occupational ones (although the first named is assessed at twelve pence).⁶⁹ These women are categorized as either *sola* or *vidua*, although three other women have no designations, and are all assessed at four pence (as are the other forty-four people named). Thus women assessed at the same rate are variously described as *sola* or *vidua*. The terms clearly have different meanings - 'single' and 'widow' respectively - but, while these meanings overlap, we have seen that they need not necessarily be opposing ones; the category *femme soles* in the schedule and the term *sole*, as a heading or bracket, all included widows. How, then, are we to understand the use of the terms here?

A number of readings can be suggested. One is that *sola* in this listing is used to denote the never married. A slightly different reading is that the term describes an unmarried woman who is *not* a widow; that is, rather than see *sola* as a category which positively marks out the never married, it can be understood more as a residual category for the unmarried once widows have been removed. The effect is still the same - *sola* is only applied to the never married - but the difference is that the term does not explicitly mean 'never married'. A third reading is that some widows are designated as such while others are not; that is, *sola* is still an umbrella category, including both the never married and widows. This is akin to the argument for the discussions of lechery, where it was suggested that those who had taken a vow of chastity were removed from the umbrella category 'single woman', and the term 'widow' was reserved for this group.⁷⁰ Also, this is how *femme sole* operated in the schedule when higher status widows were removed. Without knowing more about the individuals in this listing, each reading is possible.

⁶⁸See pp. 67-8 above.

⁶⁹*Poll Taxes*, 2. ed. Fenwick, p. 575. 12d. is the middle rate for lesser merchants and artificers and the lowest rate for hostlers or foreign merchants.

⁷⁰See pp. 40-1 above.

The first, however, seems unlikely; there are no convincing examples from around this period of *sola*, or a related term, meaning never married.⁷¹ While the second reading might be applicable for this listing, there are a number of others - both from Sussex and elsewhere - which support the third reading and suggest possible reasons why some widows are so described while others are not. These will be considered as they add to the overall understanding of how single women are conceptualized in the returns.

The return for the borough of Salisbury, for example, uses both the term *sola* and *vidua* at the level of the 'masses'. This return is similar to Sussex's fifth type in that it is a list of names, identifying descriptions and assessments, but as it contains nearly two thousand names it better enables trends to be identified.⁷² The most common category for women, after the relational description "serviens eius", is *sola*; over one hundred women are so described, compared with nine categorized as *vidua*. In contrast to the last listing, it is possible to argue from this return that *sola* is an umbrella category that includes some widows. For example, all the women listed as having teenaged children are described as *sola* but it is unlikely that none of these women was widowed.⁷³ It must, therefore, be asked why only a small number of women are specifically described as widows. While five of the uses of the category *vidua* are for those assessed at the minimum rate, four are used for those assessed above it.⁷⁴ This seems significant, given that only one of the far greater number of women described as *sola* was assessed above the minimum rate.⁷⁵ It could be argued that the category 'widow' was sometimes used to justify

⁷¹For the argument that 'singlewoman' is increasingly used as a personal designation for the never married in the late fifteenth century: section V below.

⁷²*Poll Taxes*, 2, ed. Fenwick, pp. 114-22. I have examined the documents which make up this edition: E 179/239/193/20; EXT 6/99/44; EXT 6/99/90; and EXT 6/99/162. The return is perhaps ordered by household as there is no grouping by status and children are listed beneath parents (see the n. below); cf. *Poll Taxes*, 1, ed Fenwick, p. xxxiv. What follows is a qualitative analysis but for a numerical summary of the statuses used for women see Appendix II, table 3.

⁷³*Poll Taxes*, 2, ed. Fenwick, pp. 115 ("Ferstina Fisshere"); 116 ("Editha Shupestre"); 117 ("Johanna Doder"); 119 ("Cecilia Volumes"); 122 ("Sibilla Cartere"); all the children are daughters. These women, and those with servants, meet Fenwick's criteria for 'probable widows': p. 10 above. Here the majority of those listed as having servants are also categorized as *sola*: pp. 115 ("Dionisia Shuppestre": 2 female servants); 116 ("Agnes Doudyng": 3 male and 2 female servants); 118 ("Editha Spencer" and "Editha Bourscoube": 1 female servant each); 119 ("Editha Tappestre": 1 female servant; "Margareta Smartes": 2 male servants); 120 ("Editha Burgeis": 2 female servants; "Johanna Hockestre": 1 female servant). The only other female-headed households with servants are: pp. 119 ("Editha Abbot vidua": 1 female servant), 120 ("Agnes Bottenham vidua": 1 male and 3 female servants); 122 ("Elena Bemynstre", no status and "Isabella Cole vidua": 1 female servant each). There is also a woman described as *sola* who lives with someone (p. 118): Alicia Styntes sola 4d
Editha soc'eius 4d

⁷⁴*Ibid.*, pp. 115 ("Agnes Latener" 4d.); 118 ("Alicia Ruteshale" 2s.); 119 ("Agnes Houtle" 4d.; "Editha Abbot" 6d. (see n. above); "Alicia Duryngton" 4d.); 120 ("Agnes Bottenham" 40d., see n. above); 121 ("Agnes Sobbury" 4d.); 122 ("Isabella Cole" 4d., see n. above; "Agnes Brewere" 2s.).

⁷⁵*Ibid.*, p. 115: "Matilles Nyweman" 12d.

a higher rate of assessment, although below the levels at which it was used in the schedule.⁷⁶ There are examples of this from the Sussex returns too.

The following three examples are from Sussex returns which do not use the term *sola* in any of its forms; what they have in common, though, is the use of the category ‘widow’ to describe women assessed above the minimum rate. In the damaged listing for East Lavant, Pagham hundred (Rape of Chichester), the first named is a woman identified as *vidua* and assessed at 3s. 4d.⁷⁷ Although the listing is not strictly in hierarchical order, this is the highest assessment and it is followed by one of twelve pence, two of six pence, and then a run of assessments at the minimum rate.⁷⁸ She is the only person with a proper classification, although a couple of people are identified relationally as, for example, a servant or a son.⁷⁹ This entry can be compared with one discussed earlier from the vill of Cuckfield (Rape of Lewes). There “Laurencia que fuit ux’ Robertus Enetche” was assessed at 3s. 4d. and it was suggested that this was according to the deceased’s former status.⁸⁰ Although the husband in the East Lavant listing is not named, the term *vidua* perhaps signifies that the woman was being assessed at a rate applicable for a sufficient merchant because of wealth from her former husband. A second example comes from a damaged listing for Whalesborne hundred (Rape of Lewes); “Alicia relicta Willelmi Darnel” is the only woman listed out of sixty-two readable names and she is also assessed at 3s. 4d.⁸¹ Of the forty-eight entries where the assessment can be read, only fifteen are at the minimum rate. The majority in this listing, then, are assessed according to

⁷⁶Carlin has put forward a similar argument for the use of *vidua* in Southwark’s return of 1381, although the method of assessment was different in this year. Out of 1,060 names only 4 women are described as widows. Carlin argues that “The four women designated as ‘widow’ seem to have been the most well-to-do group of women householders in Southwark ... This suggests that the term ‘widow’ as used by the Southwark assessors meant something like ‘widow who doesn’t need to work’, and was an indicator of high economic status”: M. Carlin, *Medieval Southwark* (London, 1996), pp. 175-6 (and p. 137 for the total). The 4 women are: Alice Mokkyng 6s.8d. (recorded above a married couple, also with the surname Mokkyng, who are assessed at 8s. 8d. and followed by two female servants - assessed at 12d. and 4d. respectively - and two men said to be their ostler and taverner, both assessed at 12d.); Alice Marchal 2s. (with a son assessed at 12d.); Matilda Cotelonde 12d. (and a son at 12d.); and Christiana Hokkeley 12d. (with a female servant assessed at 12d.): E 179/184/30.

⁷⁷*Poll Taxes*, 2, ed. Fenwick, p. 597. The entry is damaged and reads “Alicia Ta... vidua” but can probably be connected with another entry in this listing for “Elizabeth [anc]illa Alicie Tawe”.

⁷⁸Later in the listing there is one assessment at 6d. and one at 12d.; the bottom of the membrane is torn away: *Ibid.*, p. 597.

⁷⁹E.g. the maid in n. 77 above and “Willelmus filius eiusdem”, listed below “Stefanus ate Sole”: *Ibid.*, p. 597.

⁸⁰See p. 67 above.

⁸¹*Poll Taxes*, 2, ed. Fenwick, p. 615 (due to damage the vill cannot be identified). In the damaged listing for Albourne and Blackstone, Tipnoak hundred (Rape of Bramber), only one woman is listed and she is described as “Alicia relicta Johannis Sextayn”: pp. 583-4 (p. 584). On the under-enumeration of single females in 1379: Goldberg, “Urban Identity”, p. 212; Mate, *Daughters, Wives and Widows*, p. 29.

status and for some of these - thirteen of the first fifteen named - it is signalled by a reference to their social or occupational status. Alice is named further down the listing but the description of her as a widow presumably works similarly; it suggests why she is being assessed at this higher rate. The third example is from the listing for Crimsham, Pagham hundred (Rape of Chichester). Thirty-three names are listed in no discernable order; those paying higher amounts (up to twelve pence) are scattered among those paying the minimum rate. No one has a specific classification but one woman is described as “Alicia relictā Johannis atte Setene” and she is assessed at twelve pence.⁸² The other four women named in this listing are all assessed at the minimum rate which again might suggest that the woman described as a widow was assessed according to her deceased husband’s status. Taken together such examples suggest that the category of ‘widow’ was sometimes used to justify a woman’s higher rate of assessment, as it was for a number of those women described as *vidua* in the Salisbury return; that is, ‘widow’ as used in the 1379 returns often signified a wealthy or well-off widow rather than being used to denote any woman whose husband had died.

While there is clearly evidence to support this argument, it will not explain all the uses of the category ‘widow’. For example, the trend in Salisbury, although significant, was not all-encompassing. As in the listing for Offington and Heene, some women categorized as *vidua* were also assessed at the minimum rate. Such examples do not negate the trend, though. I have argued that the category ‘widow’ was used in the schedule to integrate some wealthy female taxpayers - from widowed countesses, assessed at four pounds, down to widows of lesser squires or substantial merchants, assessed at 6s. 8d. - into a social hierarchical ordering based on male social statuses. In the returns, though, it is used similarly for widows assessed from, for example, 3s. 4d. downwards. Thus the category is adapted to suit the different requirements of the returns but it is still a fiscal category. Once one woman has been described as a widow, perhaps because she is paying at the rate of her deceased husband, it is not much of a leap to describe another woman, known to the local men dealing with the poll tax commissioner as a widow, by the same term; that is, the category becomes a suitable one for poll tax returns, with or without its economic connotations.

The return for the borough of Derby, which does not use a variant of *sola*, is worth considering briefly in that it describes some women as *vetula vidua* (old widow) or *vidua paupercola* (poor

⁸²*Poll Taxes*, 2, ed. Fenwick, p. 596.

little widow).⁸³ While economic arguments can be suggested for these uses, it is also possible that here we are seeing the influence of conceptualizations from other discourses.⁸⁴ In this return most people, both male and female, are identified by occupation.⁸⁵ Only six women are explicitly categorized as widows, whereas the majority of women listed as having teenaged children are classified by an occupational designation.⁸⁶ They are all assessed at the minimum rate. One of the women described as *vetula vidua*, Isabel de Brasyngton, is assessed at twelve pence, and listed as having a servant.⁸⁷ The only other woman to be assessed above this rate (indeed, the only other woman to be assessed above the minimum rate) is described as a dyer, an occupation which justifies her assessment at two shillings.⁸⁸ Thus the use of the category *vidua* here fits with what has been argued above: it explains a higher payment.⁸⁹ The other five women categorized as widows, however, are all assessed at the minimum rate, and of these one is also called *vetula* and two are described as *vidua paupercula*.⁹⁰

⁸³*Poll Taxes*, 1, ed. Fenwick, pp. 97-100 (pp. 98 “Margeria de Bynynnton” *vidua paupercula*; Joan, mother of Nicholas Cotyler *vidua paupercula*; 99 “Isabella de Brasynton *vetula vidua*”; 100 damaged entry *vidua vetula*).

⁸⁴This is an argument which could have been considered earlier as discourses do not operate in a vacuum. E.g. the schedule’s predominant conceptualization of women by marital status in contrast to the importance of occupation for many of the male categories (see n. 31 above). The use of the specific category ‘poor little widow’ in a poll tax return, though, perhaps requires more explanation.

⁸⁵Fenwick comments that the occupational details seem to have been added at a later stage: *Poll Taxes*, 1, ed. Fenwick, p. 95.

⁸⁶*Ibid.*, pp. 98 (“Agn’ Bernard, spinn”): 1 daughter; “Emma Lokesmyth’ spinn”): 1 son; “Matill’ Canon’ spinner”): 1 son); 99 (“Johanna de Hasulden’ spinn”): 1 daughter; “Margareta Prentys spynn”): 1 daughter; “Agn’ Naill’ filatrice”): 1 daughter; “Elena s’ [Henrici de Coton’]”): 1 daughter.) The only other woman listed with a teenaged child (“Margareta de Basynton”) has no status, although her daughter is described as a spinner: p. 97. For a quantitative summary of the statuses used for women in this return see Appendix II, table 4.

⁸⁷*Poll Taxes*, 1, ed. Fenwick, p. 99.

⁸⁸*Ibid.*, p. 99: “Agn’ Walker dyst’ [dyer] 2s 0d”. Two female servants are listed beneath her entry but higher up one John Betamy is also described as “s’ Agn’ Walker”: p. 99. While women are generally described by occupation there is little variety in the terms used; the only other occupational designation used for women (besides that of servant) is ‘spinner’, either in English or Latin. This was perhaps a shorthand used by assessors to justify minimum rate assessments for women, as some have occupational bynames suggestive of a wider variety of jobs: e.g. Emma Lokesmyth and Agnes Nailler (see n. 86 above). Such variety has been noted for women in late 14thC. towns: Goldberg, *Women, Work, and Life Cycle*, ch. 3 (esp. pp. 86-104); D. Hutton, “Women in Fourteenth Century Shrewsbury”, in *Women and Work*, ed. Charles and Duffin, pp. 83-99; M. Kowaleski, “Women’s Work in a Market Town: Exeter in the Late Fourteenth Century”, in *Women and Work in Preindustrial Europe*, ed. B.A. Hanawalt (Bloomington, 1986), pp. 145-64; Carlin, *Medieval Southwark*, pp. 174-5. It might also relate to gendered ideas about work identity; that is, women have less identifiable occupational statuses than men. The 1363 Artificers’ Act ruled that men should keep to one trade, but did not try to apply this to women: *Statutes of the Realm*, 11 vols (London, 1810-28), I, pp. 379-80; H. Swanson, *Medieval Artisans: An Urban Class in Late Medieval England* (Oxford, 1989), pp. 4-5; cf. Goldberg, *Women, Work, and Life Cycle*, p. 99.

⁸⁹Isabel’s former husband might have been a merchant or a well-off artificer.

⁹⁰*Poll Taxes*, 1, ed. Fenwick, pp. 98 (“Margeria de Bynynnton” and Joan, mother of Nicholas Cotyler: both *vidua paupercula*); 100 (*vidua vetula* - damaged entry).

The description of the women as ‘poor little widows’ clearly justifies the minimum rate. As the latter was the norm, though, and *vetula* was also apparently used to justify a higher rate, why is the category ‘widow’ used for these women? One reading is that in a return which classifies most women - including other widows - by occupation, the term signifies ‘widow who does not work’; whether because she could afford not to (in Isabel de Brasyngton’s case perhaps), or because she was old (*vetula*), or otherwise unable (the diminutive *paupercula* suggests enfeeblement).⁹¹ This is a level of detail which is not found in other returns, though. It has been suggested that ‘widow’ is perhaps used because it is a recognised category for poll tax returns and this might be applied to any widowed person. Here, however, its use has been taken further. It could be argued that what we are seeing is a conceptualization of widows from other discourses being imported into the Derby return.

The term ‘widow’ might have been accepted as a valid fiscal category in this discourse, but it would no doubt retain its meanings from other discourses. For example, ‘widow’, as we have seen, is one of three ways of conceptualizing women according to both the maid, wife, widow life-cycle model and the Christian virgin, widow, wife hierarchical model. Moreover, the formulation ‘poor widow’ was a prevalent one with biblical precedents.⁹² Its use in the Derby return certainly justifies the minimum assessment but it does more than that: it conceptualizes the women so described in a certain way. For example, “Margeria de Bynnynton’ vidua paupercula 4d” is not just conceptualized as someone who is over the age of sixteen, is not covered by any other estate, but is not a genuine beggar.⁹³ She is constructed as a ‘poor little widow’, too feeble to work, perhaps deserving of pity. The ‘poor widow’ is often a positive portrayal and widows were seen as deserving of charity in a way that not all unmarried women were.⁹⁴ It perhaps explains in part why some women were specifically designated as such here, although it is not something which is required by the manifest job of the returns.

⁹¹Cf. Carlin’s “widow who doesn’t need to work”: n. 76 above.

⁹²E.g. Mark 12.41-4 and Luke 21.1-4. Also, see Chaucer’s “povre wydwe” in the “Nun’s Priest’s Tale”: *Riverside Chaucer*, ed. Benson, pp. 253-61 (esp. p. 253, ll. 2821-46). I shall discuss the use of ‘poor widow’ as a petitioning identity in Part Two, II, C) below.

⁹³See p. 61 above.

⁹⁴J.A. Brundage, “Widows as Disadvantaged Persons in Medieval Canon Law”, in *Upon My Husband’s Death: Widows in the Literature and Histories of Medieval Europe*, ed. L. Mirrer (Ann Arbor, 1992), pp. 193-206; B.A. Hanawalt, “The Widow’s Mite: Provisions for Medieval London Widows”, in *Upon My Husband’s Death*, ed. Mirrer, pp. 21-45 (p. 21). For an articulation of this in relation to early modern England: Froide, “Marital Status”, pp. 252-8. For a discussion of ‘poor maids’ and orphans, though, as the deserving poor see Part Two, II, B) below.

Another positive conceptualization of the unmarried woman in other discourses is that of the ‘maiden’, not a category we have seen in the returns considered so far. It is used, perhaps uniquely, in the return for the borough of Bishop’s Lynn, Norfolk.⁹⁵ The next part will consider the use of the term *puella* in relation to other categories such as *sola*, *vidua*, *filia* and *serviens*.

ii) The Bishop’s Lynn Return: The Single Servant and the Maiden Daughter

The return for Bishop’s Lynn has an ordering which is akin to Sussex’s fourth type in that it groups together some people of the same status with brackets, probably to save repetition (it does not seem to amount to a re-ordering according to status).⁹⁶ There is also a household dimension to the ordering in that children and servants of assessable age (over fifteen) are generally listed below their parent or master, even within an otherwise inappropriate bracket. For example, within one bracket labelled as *art’ coniugati* (“artifices coniugati”) seven people are listed, of whom two were clearly not married artisans:

6d Adam de Tiryngton’
 4d Matilda serviens eius sol’
 6d Johannes de Tyrington’
 4d Marg’ filia eius puella
 6d Ricardus Hattere
 6d Willelmus Wyth’⁹⁷

Adam de Tiryngton’s servant is described as *sol’* (single) and John de Tyrington’s daughter is described as *puella* (maiden), a category which also generally signals the unmarried state.⁹⁸ Both are assessed at the minimum rate, rather than at the artificer’s minimum of six pence. It is less clear, though, why one of these females is designated by the term *puella* and one by the description *sol’*. As with *sola* and *vidua*, *puella* and *sola* clearly have different meanings, but

⁹⁵E.g. the listing for the vill of West Walton, in Norfolk’s Freebridge hundred, uses the term *sola* but not *puella*: E 179/149/49 (I am indebted to Carolyn Fenwick for the reference and access to her typescript of the text).

⁹⁶EXT 6/99/156. There is an edition by F.C. Carter; my analysis is from a checking of the original although specific examples will generally be referenced to the printed edition which is largely accurate: *The Making of King’s Lynn: A Documentary Survey*, ed. D.M. Owen, Records of Social and Economic History, new ser. 9 (1984), pp. 221-32. The comment by Carter that “The brackets suggest people living together under one roof” is clearly erroneous (p. 221). For Sussex see p. 70 above.

⁹⁷EXT 6/99/156; *Making of King’s Lynn*, ed. Owen, p. 223 (although the bracket mistakenly includes an 8th person).

⁹⁸In some of the texts cited by the *MED* in relation to the term ‘maid’ and its variants, *puella* is given as an equivalent, for example, in two vocabularies (pre 1500): *Anglo-Saxon and Old English Vocabularies*, ed. T. Wright and R.P. Wülcker, 2 vols (2nd edn; Darmstadt, 1968), I, pp. 691 (l. 42), 794 (l. 7). See *MED* maiden n. 1. (b) a young unmarried woman. Also see n. 109 below.

in the returns considered so far *sola* has usually been considered adequate to describe all the never married (the only exception being uses of the category *serviens*, which is used alongside the term *sola* in this return).⁹⁹ Here, *puella* and *sola* seem to be used in opposition and it is on these apparently conflicting terms that the discussion of the Lynn return will focus (and the relationship between the categories *filia* and *puella*). First, though, the categories need to be understood within the wider context of the return with its frequent dual classifications and gendered differences.

The Lynn return makes a good case study for the consideration of how categories are used relationally in that many people have two descriptions: one of marital status; and one that is either occupational or relational (for example, we saw above that two individuals are described as ‘his servant’ and ‘his daughter’). The men are classified as either *sol’* (single) or *coniugatus* (married). In this return the term *coniugatus* indicates that the man’s payment also covers his wife, who is not listed. The single/married binary thus works as intended at the lower end of the schedule.¹⁰⁰ The second category is often occupational, certainly for married men. In the above example we saw how the term *art’* justified the assessments at six pence. Other terms used include the equally general *lab’* (“laborarius”, labourer), for those assessed at the minimum rate; more specific artisan crafts such as “bowyer” (assessed from six pence upwards); and categories used in the schedule such as “hosteller” and *merc’* (“mercator”, merchant), variously assessed. Single men are also often classified by occupation but, most commonly, relationally as a servant. There are only a couple of examples where such men are described as sons. There are some differences, though, in how women are classified. As wives are not listed, all the women are single and, indeed, the majority are described as *sol’*. A small number of women, however, are described as *vidua* and an even smaller group as *puella*. Most women have second descriptions, with the exception of all those women described as widows, and again the most common one is the relational description of ‘servant’. There are a small number of women classified as daughters too (and it is a more significant proportion of the women than are in the category ‘son’ for men).¹⁰¹

⁹⁹For *sola* and *vidua* see p. 73 above.

¹⁰⁰See pp. 61-2 above.

¹⁰¹For a quantitative summary of the statuses used for men and women in this return, and how they correlate, see Appendix II, tables 5-6.

There are a few indications that some women classed as *sol'* might be widows. For example, the woman known as "Isabella Wydewe" was probably a widow but described as *sol'* because the byname already signalled her widowed status.¹⁰² It is also likely that one Alice, categorized as both *sol'* and the mother of a master mariner, was a widow.¹⁰³ Moreover, there are also indications that the category 'widow' might again have been used to justify a higher assessment. Of the seven women who pay above the minimum rate, at least three are described as widows.¹⁰⁴ Two entries - one for a woman listed above her son and three servants and one for a woman listed above what look like six servants (of which at least three are male) - are damaged, so their designations cannot be known.¹⁰⁵ The other two are classified according to occupation as a brewster ("brac'") and an ale seller ("venditrix cervisie"); these are also significant designations in that the only other occupational designations are as *lab'* and "spynner", both of which justify the minimum rate of assessment.¹⁰⁶ The removal of some women described as maidens from the umbrella category *sol'*, however, is not something we have seen before.

¹⁰²*Making of King's Lynn*, ed. Owen, p. 231. Cf. *Yorkshire Lay Subsidy, Being a Ninth Collected in 25 Edward I (1297)*, ed. W. Brown, YASRS, 16 (1894), p. 120: "Avicia vidua"; *Yorkshire Lay Subsidy, Being a Fifteenth Collected 30 Edward I (1301)*, ed. W. Brown, YASRS, 21 (1897), p. 119: "Juliana vidua". Cf. 'Margery Widdow' on p. 104, n.5 below.

¹⁰³*Making of King's Lynn*, ed. Owen, p. 228:

2s Johannes Steg magister marinarius - con'
4d Alicia mater eius - sol'

A number of men classified as *sol'* also look like widowers: e.g. John Brod, master mariner, or Phillip Wyth, a merchant with a male apprentice (pp. 225, 231). See also Roger de Byntre, merchant with five servants; Robert Palmer, merchant; John de Botekysham, merchant: pp. 223, 225, 226. On masters as married, or - exceptionally - widowed see P.J.P. Goldberg, "Masters and Men in Later Medieval England", in *Masculinity in Medieval Europe*, ed. D.M. Hadley (London, 1999), pp. 56-70 (p. 58). On the rarity of the term 'widower' to describe such men see p. 38, n. 31 above.

¹⁰⁴*Making of King's Lynn*, ed. Owen, pp. 225 ("Alicia de Swanton vidua" 6s. 8d.); 227 ("Margareta de Coventr' vidua" 12d.); 232 ("Helena Lomb vidua" 12d.).

¹⁰⁵*Making of King's Lynn*, ed. Owen, pp. 226 (and my transcription of EXT 6/99/156):

12d Beatrix de B... ..
2s Robertus Alanus Johannes Joh...

(Only servants are usually grouped together in this way and the total assessment suggests six persons paying the minimum rate; no servant is assessed above 4d.); 231:

3s 4d Johanna Atte
3s 4d Johannes filius eius merc' ...
16d Thomas Matilda Agneta & Matilda servientes sui - sol'

¹⁰⁶*Making of King's Lynn*, ed. Owen, pp. 221 (3 "spynners" bracketed together; 2 women described as *lab'*); 222 ("Emma Draper spynnere"); 224 (1 "spynnere": damaged entry); 228 ("Johanna de Fakenham venditrix cervisie" 6d.); 232 (4 "spynners" in 2 brackets; "Matilda de Ramessy brac'" 12d.). Cf. the Derby listing where the only occupational term used for women is 'spinner': p. 77, n. 88 above.

Although the term *puella* is only used six times in the return (to describe seven women), it is significant by its appearance at all.¹⁰⁷ The term is not used in the schedule and its use in the return for Bishop's Lynn appears unique.¹⁰⁸ Its Middle English equivalent is the term 'maiden'. It thus differs from the category 'single' in that it more obviously refers to the never married - for example, it often has connotations of virginity and youth - but it is clearly not used to denote all such women here.¹⁰⁹ None of the females described as servants, who number over a hundred, is categorized as *puella*. The difference between the two groups is clearly not one of youth; everyone assessed in 1379 is over the age of sixteen and female servants in late medieval Yorkshire, for example, were found (from consistory court depositions) to be mostly between the ages of twelve and twenty-four.¹¹⁰ There is a significant correlation, though, between use of the term *puella* and the description of someone as a daughter. Virtually all those categorized as *puella* are additionally described as daughters, the only exception being a damaged entry which might have used both categories.¹¹¹ Thus any attempt to explain the use of the term *puella* in the return must take this correlation into account.

Given the context of the term, it is possible that it has an economic dimension in this return. The category *vidua* suggests that the woman's economic status was predominantly derived from her deceased husband; perhaps the classification of daughters as maidens, rather than as workers, suggests that the perceived source of support was a parent (that is, *puella* serves to reinforce the category *filia*).¹¹² If so, this is perhaps more revealing of the attitudes of the compilers of the return than the status of the women involved. The parents of the daughters

¹⁰⁷*Making of King's Lynn*, ed. Owen, pp. 222, 223, 224 (2 usages), 227; 232 (here 2 daughters are listed together as *puelle*).

¹⁰⁸I am grateful to Carolyn Fenwick, who is editing all the poll tax returns, for confirmation of the latter point.

¹⁰⁹E.g. "A maiden childe and a wenche hatte *puella*, as it were clene and pure as þe blake of þe y3e": *On the Properties of Things: John Trevisa's Translation of Bartholomæus Anglicus De Proprietatibus Rerum. A Critical Text*, ed. M.C. Seymour et al., 2 vols. (Oxford, 1975), I, p. 301. See also *Revised Medieval Latin Word-List*, ed. R.E. Latham (London, 1980), p. 381: *puellaritas*, maidenhood pre 1300; *puellitas*, girlhood 1461.

¹¹⁰See p. 59 above; Goldberg, *Women, Work, and Life Cycle*, pp. 168-72. These figures have been used as suggestive of England as a whole: R.M. Smith, "Geographical Diversity in the Resort to Marriage in Late Medieval Europe: Work, Reputation, and Unmarried Females in the Household Formation Systems of Northern and Southern Europe", in *Woman is a Worthy Wight: Women in English Society c. 1200-1500*, ed. P.J.P. Goldberg (Stroud, 1992; reprinted as *Women in Medieval English Society*, 1997), pp. 16-59 (p. 39).

¹¹¹*Making of King's Lynn*, ed. Owen, p. 224 ("Agneta de ... *puella*"). While there are five more females who are described as daughters but additionally categorized as *sol'*, these do not negate the trend. The five *sol'* daughters are part of just two households which are recorded very near to each other in the returns: *Ibid.*, p. 225 (the only entries separating them are for John Brod, a master mariner, and Agnes Spicer, a widow). The *puella* daughters represent six households (see n. 107 above).

¹¹²In medieval Leonese and Castilian law codes the status *fija emparentada* (a parented girl) signified an economically dependent daughter: Dillard, *Daughters of the Reconquest*, p. 18.

labelled *puella* are not especially wealthy. None is recorded as having servants and perhaps the young women had been retained in preference to employing servants.¹¹³ It has been argued that this happened with children, especially daughters, particularly in rural areas and by widows.¹¹⁴ Nevertheless, this does not explain the particular choice of the term ‘maiden’. For this I would again suggest looking to other discourses. For example, elsewhere it is associated with the higher status (thus the term suggests that the females do not need to work, although this was not necessarily true) and youth. Although we have seen that it is unlikely that those labelled *puella* are younger than many of those labelled *sol’*, the latter connotation reinforces the idea of daughterly dependence.¹¹⁵ These suggested intentions behind the term, while they do not relate to how the ‘maidens’ were actually assessed, perhaps signal that the payment was to be expected from the parent rather than the woman herself.¹¹⁶ Thus the maiden in this return perhaps differs from the woman categorized as *sol’* in that she is not seen as an independent taxpayer but as an economic dependant. This would explain the difference between the maiden daughters and the single servants.

The category *sol’*, as applied to women in the Lynn return, is used for the large number described as servants and the few who have both a marital and specific occupational designation; it is used in a similar way for men too. The gender differences in this return result

¹¹³Two are classed as married labourers; two as married artisans (assessed at 6 and 12 pence respectively); and the household which retained two daughters was headed by a widow. Also none are recorded as having servants: see n. 107 above for references. In contrast, of the four households which contain males described as sons, three also contain servants: *Making of King’s Lynn*, ed. Owen, pp. 224 (“Adam de ... brac’ con’’: 1 son and 2 female servants; it is clear from EXT 6/99/156 that the first servant is named Beatrix); 226 (Thomas de Castre: 1 son and no servants); 227 (“Johannes de Cokefeld art’ con’’: 1 son and 1 male servant); 231 (“Johanna Atte ...’’: 1 son and 1 male and 3 female servants; see n. 105 above).

¹¹⁴Goldberg, *Women, Work, and Life Cycle*, pp. 101, 165-8; Goldberg, “Urban Identity”, p. 212; Beattie, “Women Without Husbands”, pp. 19-24. In the return for Howdenshire, where this was clearly going on, the children are also classified as servants: e.g. “De Isolda filia ejus, seruant iiij.d.” (“Assessment Roll of the Poll-tax for Howdenshire, Etc., in the Second Year of the Reign of King Richard II (1379)”, *Yorkshire Archaeological Journal*, 9 (1886), 129-62 (p. 130)).

¹¹⁵These associations are discussed in Part Two, I and II, B) below.

¹¹⁶An intriguing story is told in *Knighton’s Chronicle* about the reassessment of 1380-1 which also makes a connection between ‘maidens’ and parents paying their tax: “When one of them [a commissioner] came to a village to inquire into the tax, he would assemble the men and women before him, and horrible to relate, would shamelessly raise the young girl’s [*puellulas*] skirts, to discover whether they were corrupted by intercourse with men, and thus he would compel their friends and parents to pay the tax for them, for many would rather choose to pay than to see their daughters shamefully mistreated”: *Knighton’s Chronicle 1337-1396*, ed. G.H. Martin (Oxford, 1995), pp. 208-9 (I am indebted to Kim Phillips for drawing my attention to this passage). While the story might be apocryphal, its logic perhaps lies in the age of assessment for this tax being fifteen; the commissioner’s ‘virginity test’ might be a version of a proof of age inquest in an era when dates of birth were not officially recorded. It also points to the under-recording of single women, referred to above: n. 2. The use of the diminutive *puellula* by Knighton, though, suggests that the girls were clearly very young and the commissioners were extorting money; the chronicler implies earlier that the commissioners got their jobs through bribing the king: *Knighton’s Chronicle*, ed. Martin, pp. 206-9.

from some women being removed from this umbrella category and more specifically categorized as *vidua* or *puella* (as well as from the effacement of all married women). I have argued that the conceptualization of some women as widows or maidens was the result of a mind-set whereby such women's economic status was seen as predominantly derived from either a former husband or a parent (the former being a view clearly articulated in the schedule for this tax). For the women described as *sol'*, though, it can be argued that they were being assessed in their own right, usually as workers, and were expected to pay themselves. While the range of occupations listed are more limited than those for men, it is a difference of degree only. This has both similarities and differences with the schedule with which this section began.

D) Conclusion

At the start of this section I set up a division between the schedule setting out the tax, which thought about women in terms of abstract categories, and the returns, which classify named individuals. There are, though, similarities in how the two kinds of text conceptualize the single woman as tax payer. Leaving the higher status widow to one side, the schedule thought of the unmarried woman as a *femme sole* in two senses: this is the term that the Anglo-Norman schedule uses to denote the unmarried woman; and it is a legal concept which implies that the unmarried woman is liable for both assessment and payment. It is an umbrella category in that it does not distinguish between the never married and the widowed (such divisions are limited to the top levels of the schedule where only widows are discussed). The returns which use the equivalent Latin term *sola* are also suggesting that single women are liable for both assessment and payment, but at a more personalized level. It is perhaps unsurprising, therefore, that they remove some women from the umbrella category of *sola* in order to signal differences in how some unmarried women were both assessed and presumed to be paying. The key categories were *serviens* (or, sometimes, other occupational designations), *vidua* (or a variant which denotes a widowed woman) and *puella* (used in conjunction with *filia*).

The conceptualization of the single female taxpayer is not consistent, as the returns are the product of information given by local men to different commissioners. Even within the returns that use variants of the term *sola*, there are both interesting trends and contradictory usages of categories. For example, the category 'servant' is used in some of the Sussex listings as an identifier only, perhaps to indicate another possible source of payment of the single woman's

tax (her master or mistress); her status, though, is 'single' because it was this that signalled her liability. In others listings, however, 'servant' is used instead of 'single', and as an occupational status. Although the women are still assessed at the minimum rate, the category signals the source of their income, rather than just their liability. The Lynn return, which uses the categories *sola* and 'servant' side by side, is therefore interesting. The ordering of the return is such that most servants are listed below a master or mistress. The relational description of servant, then, perhaps signals another potential source of payment. As we have seen, though, daughters in this return are generally described as *puella*. That servants are described as *sola*, in the same way that other workers are, suggests that they are seen as less dependent. The two categories together suggest both liability and source of payment.

The category *vidua* sometimes works in a similar way: it identifies the woman as single and points out a possible source of income, her deceased husband. This perhaps explains why, in some returns, it is only used for women assessed at a higher rate; other widows might not have the money that a former husband had, or - if he was never sufficiently wealthy - his status, and thus hers as his widow, was not seen as relevant. In the Derby return, though, the category *vidua* is used to identify a number of women as too poor to pay above the minimum rate. Both here, and in other returns where it is more widely used, it seems that the category had become an accepted category for use in a poll tax return. In Derby its use calls to mind conceptualizations of widows from other discourses, as does *puella* in the Lynn return.

Thus, while the schedule conceptualizes the single woman as an independent taxpayer, the returns use other categories to suggest either various degrees of dependence or to specify their means of support. *Sola* is an umbrella category that fulfils many of the manifest jobs of the returns, but the other categories both help with this and fulfil latent functions; that is, they reveal conceptions of a social ordering which saw women in a wider variety of ways than that provided by a single/married binary.

So far I have looked at texts which tried to be all-encompassing. The discussions of lechery and chastity in the *Somme* tradition elaborated on or adapted traditional models used in such discourses in order to make more apparent who was included in which branch; the intention was that every adult's act of lechery or state of chastity would be covered. The poll tax schedule similarly tried to map out a framework which would include all persons over the age

of sixteen who were not genuine beggars so that they could be assessed and taxed.¹¹⁷ The returns themselves are less encompassing in that there was probably deliberate under-enumeration and evasion in 1379, but they are records which were designed to be inclusive and which order and classify the majority of an area's adult population. The guild material, which the next section will discuss, differs in that guilds - while important organizations in late medieval England - operate by setting themselves up as private collectivities which regulate their own membership. Thus the texts need not conceptualize certain groups as guild members; it is the points at which the unmarried female member is conceptualized that will be the focus of the section.

¹¹⁷Although, as we have seen, women are not as fully thought about.

III. The Single Woman as Guild Member

The historiography on women in guilds seems to address at least one of two underlying questions: to what extent were women second-class guild members; and what roles were open to female guild members? Some studies address both, but the emphasis they give to each is often telling. For example, Bennett and Kowaleski in their 1989 essay “Crafts, Guilds, and Women in the Middle Ages: Fifty Years After Marian K. Dale”, state that:

The treatment of working women by medieval guilds is a complex and varied story. On the one hand, guilds, can be seen as positive forces in women’s lives. Guild membership allowed women to participate in a vital form of community life that offered its members economic security, spiritual comfort, and social privilege ... On the other hand, the history of working women and guilds is a disheartening tale ... most trades and crafts were dominated by men, and the guilds formed by these occupations tended to treat women as second-class workers and second-class members.¹

They conclude with reference to the second view. Another feminist medievalist, though, takes a slightly different stance. In her work on parish guilds in late fifteenth and early sixteenth century England, Katherine French argues that the growth of all-women groups, such as wives’ stores and maidens’ lights, “gave women visibility and leadership opportunities, but also paradoxically affirmed and reinforced what were deemed to be appropriate female behavior and interests”.² Although she ends this summary of her findings on a negative note, her work actually stresses the positive side. While the differences in their conclusions are no doubt in part to do with the different nature of the groups they are looking at - craft guilds and what are effectively sub-groups of parish guilds - they also seem to be political.³ Bennett and Kowaleski

¹M. Kowaleski and J.M. Bennett, “Crafts, Guilds, and Women in the Middle Ages: Fifty Years After Marian K. Dale”, *Sisters and Workers*, ed. Bennett, pp. 11-25 (p. 12). Cf. G. Rosser, “Crafts, Guilds and the Negotiation of Work in the Medieval Town”, *Past and Present*, 154 (1997), 3-31 (p. 22): “Journeymen tended to join with the male masters in deprecating the value of women’s work ... Yet women’s participation in the fraternities gave them opportunities to present themselves as credit-worthy, and so to claim, alongside men, a standing in the world of work”.

²K.L. French, “Maidens’ Lights and Wives’ Stores: Women’s Parish Guilds in Late Medieval England”, *Sixteenth Century Journal*, 29 (1998), 399-425 (p. 399).

³On women in craft guilds: H. Swanson, “The Illusion of Economic Structure: Craft Guilds in Later Medieval English Towns”, *Past and Present*, 121 (1988), 29-48 (esp. pp. 39-40); J. Goldberg, “Craft Guilds, The Corpus Christi Play and Civic Government”, in *The Government of Medieval York: Essays in Commemoration of the 1396 Royal Charter*, ed. S. Rees Jones (York, 1997), pp. 141-63 (pp. 147-8). On women in parish guilds: C.M. Barron, “The Parish Fraternities of Medieval London”, in *The Church in Pre-reformation Society: Essays in Honour of F.R.H. Du Boulay*, ed. C.M. Barron and C. Harper-Bill (Woodbridge, 1985), pp. 13-37 (pp. 30-2); V.R. Bainbridge, *Gilds in the Medieval Countryside: Social and Religious Change in Cambridgeshire c. 1350-1558* (Woodbridge, 1996), pp. 46-50. French discusses whether stores or lights are guilds: French, “Maidens’ Lights”, p. 403, n. 25.

are aware that their conclusions are partly a matter of perspective: they suggest that Marian Dale, a pioneer of the subject in the 1920s, emphasized the strengths of women's lives as a reflection of her own situation, whereas they - as part of a later generation of feminist medievalists - see "more constraints than independence".⁴ While French is closer to Bennett and Kowaleski's generation, her work is also responding to a historiography on the parish which underplays women's role.⁵ Similar debates, of course, take place in regard to many aspects of women's lives, and not just for the medieval period.⁶ Nevertheless, there is perhaps something about the egalitarian language of guilds - commonality, brothers and sisters - which invites such discussion.⁷

It is on the language of the guilds that this section focusses. The texts to be discussed are some of the 1388-9 guild returns. I am thus continuing with my discussion of the late fourteenth century and not considering the same material as Dale, Bennett, Kowaleski and French. The returns have been used to think about female participation in guilds. For example, Barbara Hanawalt and Ben McRee use the references to women in approximately eighty per cent of the nearly 500 surviving guild returns to argue that guilds were open to both men and women.⁸ Similarly, Caroline Barron uses references to 'sisters' in the returns for the London parish guilds to argue that the membership was "markedly feminine".⁹ Virginia Bainbridge, in her monograph on Cambridgeshire guilds, takes this language analysis further and contends that:

When the 1389 statutes are analysed closely the occurrence of the term *soror* shows that some areas of gild life were open to women and others were not ... In all the [Cambridge] urban statutes of 1389 the term *soror* is confined to the passages detailing funerals, commemorative rites and prayers for the dead ... In the

⁴Kowaleski and Bennett, "Crafts, Gilds, and Women", pp. 24-5 (p. 25).

⁵French, "Maidens' Lights", pp. 400-1; K.L. French, "'To Free Them From Binding': Women in the Late Medieval English Parish", *Journal of Interdisciplinary History*, 27 (1996-7), 387-412 (esp. pp. 387-9).

⁶E.g. Bennett critiques Goldberg and Barron's positive, comparative comments about medieval women's work: Bennett, "Medieval Women, Modern Women", p. 150. Her arguments are in turn criticized by the early modernist Bridget Hill: B. Hill, "Women's History: A Study in Change, Continuity or Standing Still?", *Women's History Review*, 2 (1993), 5-22; cf. J.M. Bennett, "Women's History: A Study in Continuity and Change", *Women's History Review*, 2 (1993), 173-84. The tendency for women's historians to seek a 'golden age' is discussed in A. Vickery, "Golden Age to Separate Spheres? A Review of the Categories and Chronology of English Women's History", *Historical Journal*, 36 (1993), 383-414.

⁷G. Rosser, "Going to the Fraternity Feast: Commensality and Social Relations in Late Medieval England", *Journal of British Studies*, 33 (1994), 430-46 (pp. 431, 444) comments on the use of such language.

⁸B.A. Hanawalt and B.R. McRee, "The Guilds of *homo prudens* in Late Medieval England", *Continuity and Change*, 7 (1992), 163-79 (pp. 166, 177, n. 7).

⁹Barron, "Parish Fraternities", p. 30.

statutes from rural fraternities the term *soror* is used more widely, which suggests that women may have played a broader role in rural guild life.¹⁰

My approach is similar in that I also think the gendered aspects of the returns are revealing, but differs in that I do not intend to extrapolate from this to a ‘reality’ of guild life. I am interested in how the returns conceptualize guild members, particularly single female ones, and why. Thus the returns which will be discussed are those which I found to include the category ‘single woman’, namely, two from London, two from Hull and two from Cambridge.¹¹ The two from London are in Middle English, the rest are in Latin (as are the majority of returns).¹² First, though, it is important to discuss the nature of the texts.

The returns were made in response to writs issued by the Cambridge Parliament of 1388. A petition by the Commons had asked that all guilds and fraternities be abolished, except those ordained “dauncien temps” for the souls of their founders, those acquired in mortmain by royal licence and those ordained to the honour of Holy Church and the increase of divine service.¹³ One motive was clearly financial: they ask that the guilds’ common chests be abolished and their goods and lands be spent on the war in France. Another seems to be about law and order: the petition states that those guilds which can exist should be “sanz livere, confederacie, meintenance ou riotes en arrerissement du ley”, and it follows on from a request that liveries generally should be abolished because of the disorder they cause.¹⁴ Although this never became

¹⁰Bainbridge, *Gilds in the Medieval Countryside*, pp. 46-7.

¹¹This is based on a brief examination of all the returns at the PRO, in conjunction with a reading of the 471 abstracts in Westlake’s book and the transcriptions and summaries in the EETS book: PRO, C 47/38-46 various; H.F. Westlake, *The Parish Gilds of Mediæval England* (London, 1919), pp. 137-238; *English Gilds*, ed. T. Smith and L.T. Smith, EETS o.s. 40 (1870). Although over 500 returns survive, these are primarily from London, the eastern counties and a number of provincial towns: Bainbridge, *Gilds in the Medieval Countryside*, pp. 26-7; C.M. Barron and L. Wright, “The London Middle English Guild Certificates of 1388-9”, *Nottingham Medieval Studies*, 39 (1995), 108-45 (p. 109).

¹²Only the returns from London and Norwich are in Middle English. Barron argues that English is used by “the more sophisticated urban guilds” which is supported by Gerchow’s finding that it was the smaller, rural guilds who were more likely to have their returns written by the royal Chancery in Latin (see below). There are also returns written in French but their provenance is more geographically diverse. Barron and Wright, “London Middle English Guild Certificates”, p. 110; J. Gerchow, “Gilds and Fourteenth-century Bureaucracy: The Case of 1388-9”, *Nottingham Medieval Studies*, 40 (1996), 109-148.

¹³*The Westminster Chronicle 1381-1394*, ed. L.C. Hector and B.F. Harvey (Oxford, 1982), pp. 356-69 (p. 356).

¹⁴*Ibid.*, pp. 354-7 (p. 356). Tuck argues that the Commons were still fearful after the Peasants’ Revolt and were thus worried by the rapid formation of parish guilds after the Black Death: J.A. Tuck, “The Cambridge Parliament, 1388”, *English Historical Review*, 84 (1969), 225-43 (pp. 236-7). On their proliferation after the Black Death: Barron, “Parish Fraternities”, pp. 23-5. Cf. Rosser who argues that the general movement predates 1348: G. Rosser, “Communities of Parish and Guild in the Late Middle Ages”, in *Parish, Church and People: Local Studies in Lay Religion 1350-1750*, ed. S.J. Wright (London, 1998), pp. 29-55 (p. 33).

law, the administration did order an inquiry.¹⁵ The first writ required that masters and wardens of guilds and fraternities send to Chancery written returns detailing the foundation, organisation and government of their guilds, including information about oaths, meetings, ordinances and the value of all their lands and chattels. Also, if they had any charters or letters patent these were to be brought into Chancery too.¹⁶ The second writ ordered masters, wardens and surveyors of misteries or crafts to bring their royal charters or letters patent to Chancery for inspection.¹⁷ The latter writ thus both assumes that craft associations would have licences and reveals that the main focus of the enquiry was on the informal guilds.¹⁸ The ones that responded to the first writ, perhaps following the cue of the Commons' petitions, thus stressed their religious nature, but at this early date clear distinctions between 'craft' and 'religious' guilds cannot be made.¹⁹ Moreover, given the concerns of the Commons, one might expect the returns to discuss the guilds' financial incomings and outgoings and their members' behaviour (although it seems that some guilds were unclear as to the purposes of the enquiry which are not stated in the writs).²⁰

Not only were the returns made in response to royal writs, but there is evidence of external involvement in the production of the returns. Jan Gerchow demonstrates that a large number of returns were produced in the royal Chancery at Westminster, either as a result of documents brought by guild officials or from their responses to questions. Also, he argues that of those which were not produced in Chancery, a considerable number were produced by local scribes

¹⁵Tuck, "Cambridge Parliament", p. 237.

¹⁶The writ is translated in *English Gilds*, ed. Smith and Smith, pp. 127-9; discussed in Barron and Wright, "London Middle English Guild Certificates", p. 108.

¹⁷This writ is translated in *English Gilds*, ed. Smith and Smith, p. 130.

¹⁸Crouch suggests that the different writs perhaps stemmed from a fear that the "suppression of officially recognized craft organizations would be detrimental to the economic survival and prosperity of cities and boroughs": D.J.F. Crouch, *Piety, Fraternity and Power: Religious Gilds in Late Medieval Yorkshire 1389-1547* (Woodbridge, 2000), p. 15. Barron comments that trade associations did not always have such licences: Barron and Wright, "London Middle English Guild Certificates", p. 109.

¹⁹Gerchow comments on how first the writs and then the responses create such artificial distinctions: Gerchow, "Gilds and Fourteenth-century Bureaucracy", pp. 134-5. According to Barron "Every craft association in London, as elsewhere, had at its core a fraternity or religious brotherhood dedicated to the worship and promotion of a particular saint. But ... their [the craft associations'] purposes were different and, to some extent, their membership was not entirely voluntary. By the fifteenth century it is possible to separate true parish fraternities from craft guilds, but it is not so easy in the fourteenth century when this distinction was only just beginning to develop": Barron, "Parish Fraternities", p. 14. Such distinctions were perpetuated by early guild historians who either stressed the religious (Westlake) or the social (the Smiths) due to their own ideological traditions: Westlake, *Parish Gilds*, pp. 38-9; *English Gilds*, ed. Smith and Smith, pp. xxvi-ix; Bainbridge, *Gilds in the Medieval Countryside*, pp. 1-5.

²⁰Tuck argues that, as the writs do not explain the motives behind the inquiries, guilds respond differently to what they thought was at issue: Tuck, "Cambridge Parliament", pp. 237-8.

or chanceries.²¹ While this undoubtedly has consequences for arguments about lay literacy, and perhaps for the use of returns for what they reveal about a locality, it does not mean that the returns do not also reveal guild values.²² Gerchow's work shows, for example, that a number of - what he calls - "Chancery returns", quote pre-existing documents word for word and just add a preface and conclusion (or, to use diplomatic nomenclature, protocol and eschatocol); these he calls the 'insert-type'. The others - the 'redaction-type' - were produced from the information given in Chancery but were reformulated and thus strongly influenced by the scribes.²³ Gerchow argues that locally produced returns can also be divided into similar types.²⁴ Those that I shall discuss all appear to be of the 'insert-type' so I would contend that they are guild texts, regardless of who the scribe was in 1388-9. The kinds of information that the writs requested and the kind of information that guilds are likely to have had written down (about their foundation, organisation and government), and the reasons why they were written (both originally and in 1389) means that what we get are ideological, prescriptive and normative texts.²⁵ Such factors, taken with Gerchow's arguments, lend cohesion to the apparently diverse group of returns to be discussed. While 'regional' similarities will be considered, I am particularly interested in the overall trends which emerge.

I shall start with the London returns as, although there are a number of differences from the other returns to be discussed, they also set up quite clearly some of the key issues for discussion. There are ten extant returns for London guilds, all written in Middle English, of which two - those for the guilds of St Katherine and SS. Fabian and Sebastian, both in the church of St Botolph Aldersgate - use the term "sengle womman" in their sections dealing with how much members had to pay.²⁶ The two passages are very similar in layout, although there

²¹Gerchow, "Gilds and Fourteenth-century Bureaucracy", p. 113.

²²Gerchow's article begins as an inquiry into lay literacy: *Ibid.*, pp. 109-10.

²³*Ibid.*, p. 128.

²⁴*Ibid.*, pp. 136-7.

²⁵Gerchow concludes that "The 'ideal' of a gild document, produced by gild members themselves for their own internal purposes ... may only rarely have reached the public archives ... many, if not most, of the surviving gild ordinances, returns, statutes etc. do not give direct evidence of their nominal authors - the gilds - but rather normative concepts about the gilds' role in a local or - as in 1388-9 - 'national' society": *Ibid.*, p. 140. For the view that craft guild statutes were normative or idealistic see Rosser, "Crafts, Guilds and the Negotiation of Work", p. 5, n. 7. On the telling of foundation stories by guilds in 1388-9: M. Rubin, "Small Groups: Identity and Solidarity in the Late Middle Ages", in *Enterprise and Individuals in Fifteenth-century England*, ed. J. Kermode (Stroud, 1991), pp. 132-50 (p. 137).

²⁶C 47/41/198; C 47/41/196. The ten returns are all transcribed by Laura Wright in Barron and Wright, "London Middle English Guild Certificates", pp. 119-45; for the usages, pp. 136, 138. The *MED* cites the use of "sengle womman" in the St Fabian's guild return as one of its earliest: *MED*, *sengle* (adj.) 2.

are some differences, for example, in subscription rates (three pence per person to join St Katherine's guild; four pence to join that of St Fabian). The Latin protocol for the return of St Katherine's guild makes it clear that the guild had pre-existing written material, presumably from which the return was copied with a brief explanatory preface.²⁷ Similarities with the return of their neighbouring guild, St Fabian, suggests that the two guilds may have consulted each other when drawing up the ordinances.²⁸ Both the passages about how much members had to pay establish that a set payment was required for each person, at entry and then quarterly. Whereas the corresponding ordinance in the return for the guild of St Anne's Chantry (church of St Lawrence, Old Jewry) just states "that eueri man & womman of this companye paie eueri yeer by terme of his lyf foure tymes a yeer iijd for his quartrages", these ordinances divide up their "equal" members.²⁹

In the return for St Katherine's guild it is said:

that what man is take in to be brother schal paie to the almesse at his entre as the maystres & he mowe acorde & eueri quarter for to meyntene the liyt & the almesse of the brotherhede iij. d'. And yif he haue a wyf & zhe wil be a suster than schal he paie six pans for hem bothe in the quarter that is ij. s'. in the yeer & yif a sengle womman come in to the brotherhede paie as a brother doth.³⁰

In that for St Fabian's guild:

that eueri man schal paie atte ffurste comynge in to the brotherhede half a mark & iiijd. eueri quarter to meyntene the liyt of the brotherhede & the almesse & yif the man wil haue his wyf a suster than schal that paiement stonde for hem bothe & zhe to paie in the quarter othere iiijd. that is two schilliges in the yeer for hem bothe And yif a sengle womman come in to the bretherhede zhe schal paie no lasse than a brother doth.³¹

²⁷"Custodes ffraternitatis Sancte Katerine ... secum ibidem deferunt & apportant in quodam rotulo scripto totam formam & auctoritate fundacionis ... ffraternitatis predicte vt in rotulo huic cedula annexo plenius continetur": Barron and Wright, "London Middle English Guild Certificates", p. 136; discussed p. 112.

²⁸Although written in the same hand, the similarities were probably not down to the scribe as the same hand can be seen in the the returns for St Anne's Chantry guild (church of St Lawrence, Old Jewry) and the Annunciation and Assumption guild of the Craft of Pouchmakers (church of St Paul), which have very different sections dealing with entry: *Ibid.*, pp. 119, 122, 140 (the return of St Anne's guild will be discussed below). Barron argues that "in the majority of cases the wardens were able to have copied sets of ordinances, oaths or books of rules which already existed". for example, the ordinances for the Pouchmakers' guild were probably composed in 1356 and those for St Anne's guild in 1372: *Ibid.*, p. 113.

²⁹*Ibid.*, p. 122.

³⁰*Ibid.*, p. 136.

³¹*Ibid.*, p. 138.

Barron uses these references to ‘single women’ to support her statement that: “It is clear that women joined the fraternities on equal terms with men; they did not join solely in their capacity as wives”.³² She goes on to comment “that wives, single women and widows could all belong to fraternities on equal terms with men”.³³ While it is not my intention to comment on what role women actually played in these guilds, these ordinances can also be read as revealing how guilds conceptualized their members. Such a reading suggests some key points: that as prospective members men and women are conceptualized differently; that wives are seen differently from the “sengle womman”; and that the latter term here includes Barron’s “single women and widows”.

The man is set up as the norm, the typical guild member: “eueri man”. Then his wife (if he has one) is discussed, then the single woman. In the return for the guild of St Fabian, though, it is assumed that the man is married (“yif the man wil haue his wyf a suster”). The women’s entry is more contingent; for example, in the return for St Katherine’s guild: “yif he haue a wyfe *and* zhe wil be a suster” and “yif a sengle womman come in to the bretherhede” [my italics]. In the excerpt just quoted from the St Fabian’s guild return it seems that it is up to the man whether his wife joins. In both returns the wife’s entry is linked to that of the man; she is not any married woman but the wife of a member. The use of the single/married binary for women, though, suggests that here the term “sengle womman” includes both the widowed and the never married. This grouping, as in the poll tax material, is perhaps because both types of unmarried woman would be liable for their own payments; that is, a woman’s status as single or married represents an economic or fiscal identity, as payer or paid for. The married woman is the *femme coverte*: the return for St Katherine’s guild assumes that the man will pay for his wife to join (“than schal he paie ... for hem bothe”); that for St Fabian’s guild states that “zhe to paie”, but the summary statement “that is two schilliges in the yeer for hem bothe” suggests an assumption that the husband would pay the total. The “sengle womman” is the *femme sole*, a woman liable for her own actions and finances. For the male entrant, marital status seems less important (although it seems that the married man is the norm); it is only a factor if he has a wife whom (he) wants to join. He is still a paying member, though; if single, he pays for himself; if married he is liable for a double payment.

³²Barron, “Parish Fraternities”, pp. 30-1.

³³*Ibid.*, pp. 31-2.

These ordinances equate the two things: membership of a guild and a financial payment. While a financial commitment was undoubtedly an important part of belonging to a guild, it was by no means the only one. Membership is a two-way process: not only must a person pay to join, he or she must also be accepted by the club. This is alluded to at the start of the quoted passage from the return of St Katherine's guild, "what man *is take in* to be brother" [my italics], and perhaps by the representation of women as contingent members. Rosser argues that "the financial requirement for membership was an adjunct to a more general qualification: social respectability", or a "moral commitment".³⁴ This is not made explicit in the St Katherine's guild return, but in that for the guild of St Fabian there is an ordinance which states:

yif any of the bretheren be alosed [reputed] of thefte or a common contecour [troublemaker] or of any other wykked fame wherfore that the companye is apaired [damaged] by that with oute any delay that they be put out of the bretherhede.³⁵

Thus those who pay had their moral probity initially approved and then monitored. While this passage might use "bretheren" in a gender neutral sense, it is not behavioural concerns that bring the single woman into being in these returns, but fiscal ones.³⁶ A more comparable example is the only use of the term "sengle man" in the London returns.

The return for the previously mentioned St Anne's guild, also probably written from pre-existing material, contains frequent references to their policy of not having 'wicked men' of 'evil fame' as members.³⁷ The ordinance which distinguishes between men on the grounds of marital status, though, is one which refers to sexual immorality:

yif any of the company be of wikked fame of his body & take othere wyues than his owene or yif he be a sengle man & be holde a comone lechour or contecour or rebell' of his tonge he schal be warned by the wardeins iij tymes & yif he wile nat hym self amende he schal paie to the wardeins al the arrerages that he oweth to the

³⁴Rosser, "Communities of Parish and Guild", p. 36; Rosser, "Crafts, Guilds and the Negotiation of Work", p. 30.

³⁵Barron and Wright, "London Middle English Guild Certificates", p. 139.

³⁶In the quoted passage about entry payments the "senglewoman" is described as entering the "bretherhede". Bainbridge argues that its Latin equivalent, *confratres*, is a gender neutral term: Bainbridge, *Gilds in the Medieval Countryside*, p. 46. This might have been the case in the Cambridgeshire guild returns but it is certainly used elsewhere, for example, in the return for Lancaster's guild of Holy Trinity and St Leonard, to mean brothers: "omnes confratres et consoroeres" (C 47/39'69).

³⁷On pre-existing materials: Barron and Wright, "London Middle English Guild Certificates", pp. 112, 121. On policy: *Ibid.*, pp. 121-3 *passim*.

companye & he schal be put of for euermor so that the godemen of this companye ne be nat sclaundred bi cause of hym.³⁸

Although the concern of this passage is also with other forms of misbehaviour, such as brawling and insolence, the “sengle man” is brought into being here as a result of sexual misbehaviour. The ordinance begins with the married man who is not named as such; he is “any of the company”, but his status is revealed by the concern that he “take othere wyues than his owene”.³⁹ The ‘single man’ is thus a necessary category in that the ordinance also wants to cover guild members guilty of fornication. The division replicates that for secular men in the discussions of lechery: they are either single or married. Women are not discussed, though, apart from as the objects of the married man’s attentions.⁴⁰ Whereas the ‘single woman’ in the discussions of lechery and chastity was brought into being by a concern with sin and repentance, in the London guild returns such concerns bring about the ‘single man’, whereas his female counterpart is a result of fiscal concerns. This way of conceptualizing the single woman as guild member is largely borne out by the other guild returns which use a similar category, although I shall argue that fiscal arrangements sometimes imply underlying moral values.

The Hull returns of the guilds of St Mary (in the church of St Mary) and St John the Baptist use the category ‘single woman’ but, as the returns are in Latin, the terms used include “mulier sola sine viro” and “soror sola sine viro”.⁴¹ As with the London returns, these returns seem to be derived from existing texts, although they differ in that these are more clearly Gerchow’s ‘insert-type’. What the guilds return is essentially their foundation deeds (which include

³⁸*Ibid.*, p. 123.

³⁹Similarly, in the St Fabian’s guild return the phrase “yif the man wil haue his wyf a suster” also suggests that the typical entrant was married.

⁴⁰Cf. a passage in Lancaster’s Holy Trinity guild return: “nullus eorum uxorem vel filiam vel sororem alterius cognoscat nec permittat ab alio cognosci” (Westlake, *Parish Gilds*, p. 154; *cognoscere* is euphemistically translated as “to wrong” in *English Gilds*, ed. Smith and Smith, p.163). In this ordinance about sexual misconduct, women are seen only as the wives, daughters or sisters of guild members; however cf. the use of *consores* cited in n. 36 above.

⁴¹C 47/46/451; C 47/46/450. In the return for the guild of St John the single man is once referred to as “homo solus sine vir”, presumably in error. The St John’s guild return is translated in J.M. Lambert, *Two Thousand Years of Gild Life* (Hull, 1891), pp. 112-5; they are both summarized in *English Gilds*, ed. Smith and Smith, pp. 155-60, 161-2. The St Mary’s guild which makes this return is not the same as the St Mary’s guild, in the church of Holy Trinity, for which an account book survives: Crouch, *Piety, Fraternity and Power*, pp. 196-7; cf. M.E. Ingram, “The Parish Churches”, in *Victoria History of the Counties of England: Yorkshire, East Riding*, ed. K.J. Allison, 6 vols (London, 1969-89), I, pp. 287-31 (p. 289).

ordinances) with eschatocols setting out the guilds' assets.⁴² The category 'single woman' is first used in their sections setting out how much each person should pay, another similarity to the London returns. I shall begin with these sections, before moving on to other passages in the Hull returns.

In the return for the guild of St John it is stated that the annual fee is two shillings; for the guild of St Mary it is 2s. 2d. These are, again, not left as set payments for every member: the two London returns considered the male entrant, his wife and then the single woman; the Hull returns discuss the married couple and then single men and women. It is said that if a man and his wife enter together the annual fee will stand for them both, that is, rather than the expectation that the husband would pay his wife's dues, which we saw in the two London returns, here the married couple is treated as though they are one person and only have to pay one fee. There is also a legal precedent for such an idea: the married woman was not only legally covered by her husband, but husband and wife were often viewed by common law as one person.⁴³ The memberships of single men and single women are considered together; such persons must pay two shillings each, but it is made explicit that if they marry this annual payment will cover their spouses too. Furthermore, the single are seen as potential halves of a married couple. Not only is the possibility that they might marry discussed here but the terminology used to describe them often makes their current 'lack' explicit, for example, "mulier sola sine viro" (single woman without a man).⁴⁴ While the division is again on the lines of a single/married binary, here it is one that does not make a gender distinction. Other passages, though, do suggest such divisions: the married man is conceptualized differently from the married woman and the single man is conceived of differently from the single woman.

According to the London returns, there was an initial entry fee and then annual payments. The references to entry fees in the Hull returns are less prominent. That for the guild of St John states further on that if a man marries a sister of the guild he should pay an initial entry fine of

⁴²*English Gilds*, ed. Smith and Smith, pp. 155-62 (esp. 155, 160, 162). The St John's guild return also states that it does not have congregations, make conventicles or give liveries, clearly responding to the perceived concerns of 1388: Lambert, *Two Thousand Years*, p. 115.

⁴³See p. 26 above, although many warn against seeing conjugal unity as a ruling legal principle in the medieval period: Pollock and Maitland, *History of English Law*, II, pp. 405-6; Barron "Golden Age", p. 35; Cannon, "Rights of Medieval English Women", pp. 158-60.

⁴⁴C 47/46/451. In the St John's guild return the terms "solus vir" and "mulier sola" are sometimes used: C 47/46/450.

no less than 6s. 8d. and anyone else, brother or sister, should pay no less than 13s. 4d.⁴⁵ The return for the guild of St Mary, by contrast, just states that if a brother remarries, “ut est moris naturaliter”, no entry fine is necessary for the second wife.⁴⁶ These passages are revealing in a number of respects. First, there are obvious gender differences between the two passages: the return for the guild of St John emphasizes the marriage of a single sister; that for the St Mary’s guild only discusses the single man.⁴⁷ A second difference, however, is that in the latter the single man is conceptualized as widowed whereas such a distinction is not made for single women. The passage in the St Mary’s guild return makes it clear that the man is only temporarily a single man; again we see an assumption that the male guild member will normally be married. In the return for the St John’s guild, the single woman could as well be a widow as never married. These points take us on to the third difference: one pays to join; the other does not. The new entrant in the St Mary’s guild return is constructed as a replacement guild member; the first wife was presumably a guild member and the new wife takes her place in the guild rather than adds to its numbers.⁴⁸ In the return for the guild of St John, the woman is only described as unmarried and the husband, therefore, is conceptualized as a new member rather than as a replacement. This is a difference of perception only, however, as presumably some of the single guild sisters had joined with a husband and been widowed. It suggests that both guilds saw the membership of husbands and wives differently. The wife’s membership mattered less; she joined as an adjunct of her husband and as such he could replace her at a later date with no upset to the guild.⁴⁹ For a new man to join the guild, though, was something else; he must pay for the privilege of becoming a member. Although his rate is half that of any other entrant, it is nevertheless significant that he must pay a fee when a woman in his position in the guild of St Mary did not.

In these passages, even in that from the return for the St John’s guild, the position of the single woman in the guild is a secondary matter. There is another section in the return for the guild

⁴⁵Lambert, *Two Thousand Years*, p. 114.

⁴⁶*English Gilds*, ed. Smith and Smith, p. 159.

⁴⁷This is particularly interesting when one considers who the founders of the guilds were: the St Mary’s guild return lists three apparently unmarried women, whereas that for St John’s guild lists five apparently unmarried men (but cf. n. 52 below): C 47/46/451; C 47/46/450.

⁴⁸Unlike the two London returns discussed, the entry of a married woman looks less contingent, presumably because it did not cost any more for her to also be a member.

⁴⁹Also, in the St John’s guild ordinance about payments for the sick, there is a reference to “fratris et uxoris sue”; that is, the man is a full ‘brother’, the woman merely his wife: C 47/46/450. Unfortunately Lambert translates this as “each brother and sister”: Lambert, *Two Thousand Years*, p. 114.

of St Mary, though, which both supports my contention about the differing conceptualizations of husbands and wives and makes more of the single woman's membership. At the end of the return, and presumably of the original foundation deed, it is stated that all the men and the single women of the guild set their seals to the deed. The seals of married men were to count for their wives too, as the women were "sub potestate viri sui".⁵⁰ The legal concept of the married woman as *femme covert* is thus made explicit in this return. The single man is not mentioned; this presumably relates to the marital statuses of the founders who are listed at the start of the return, and modified slightly at the end, and include ten men and their wives and three other women.⁵¹ The founders of the guild of St John are listed as eight married couples and five other men, status unknown, who might well have been married.⁵² The statuses of the founders might also explain why the typical guild member in the Hull returns is conceptualized as a married couple. The latter is perhaps not just pragmatic, though, but also suggestive of the ethos of the guilds. The references to marital status in these returns seem to be less about economic identities than about values.⁵³ The Hull guilds set up the married couple as the typical entrant; treat them favourably by only charging one fee for two persons; discuss single brothers and sisters as members who would potentially marry; and define them in relation to a perceived 'lack'. The distinction between the conceptualizations of the married and the single, then, is revealing of moral values which privilege marriage.⁵⁴

There is another passage in the St Mary's guild return which seems to separate out the single woman from the married woman on economic grounds. It offers to any brother or single sister

⁵⁰C47/46/451. Also, wives of members in Lancaster's Holy Trinity guild were to be excluded from the quarterly meetings, presumably because it was understood that their husbands represented them: "omnes confratres et consoroeres non marite viros in dicti fraternitate convenient quarta in anno" (C 47/39/69).

⁵¹C 47/46/450; Lambert, *Two Thousand Years*, p. 112.

⁵²In the return for the St Mary's guild, William de Brentyngham is listed at the start of the return without a wife but at the end it is stated that, on the same day, his wife Juliana joined: C 47/46/451; *English Gilds*, ed. Smith and Smith, pp. 155, 160.

⁵³Goldberg comments on how a "gild ethos" of, for example, husbands having authority over wives is reflected in the York guild pageants which set up biblical "family structures ... [which] mirror those that would have been found in contemporary York": Goldberg, "Craft Guilds", p. 157.

⁵⁴Cf. Rosser who argues that guilds, particularly fraternity dinners, provided "an irreproachable context" within which to find a spouse. "By an arrangement which seems to allude to this aspect of guild membership, a single woman who joined the Holy Cross guild of Stratford-upon-Avon paid only a reduced rate for her admission, with the balance to settle whenever she married": Rosser, "Going to the Fraternity Feast", p. 443. This arrangement, however, did not apply to all unmarried women; only two entries refer to it, both from 1418-9: Stratford-upon-Avon, SBTRO, MS BRT 1/1, fo.15; *The Register of the Gild of the Holy Cross, the Blessed Mary and St. John the Baptist ... of Stratford-upon-Avon*, ed. J.H. Bloom (London, 1907), p. 32 (the amounts do not add up here because the entries are abridged). Although cf. the requirement in the London guild of St Fabian that "a sengle womman ... schal paie no lasse than a brother doth", which perhaps implies that a reduced fee might have been expected.

(“sororem solam sine viro”) who is young, able to work, but has fallen into poverty, a loan of ten shillings “ad mercandisandum ad opus suum proprium prout sibi melius viderit expedire”; that is, money to set himself or herself up in trade.⁵⁵ A comparable ordinance in the return for Hull’s guild of Corpus Christi suggests that it was open to any brother or sister, whereas the St Mary’s guild return implicitly excludes married women.⁵⁶ The assumption is presumably that such women would be supported by their husbands. As we have seen, the idea was that a wife joined the guild with her husband and so, if their fortunes fell, the man as a guild brother could apply for support. The single woman, on the other hand, is conceptualized as someone who supports herself by her labour. There are perhaps more similarities here to the single woman as due-paying member in the London returns, than to the single woman as lacking a man and awaiting marriage which we saw earlier in this return and in that of the guild of St John. Further, there might also be an ideological judgement behind the idea that wives should be supported by their husbands. Here the economic and moral concerns of guilds cannot easily be separated.

The Cambridge returns which use the category ‘single woman’ - those for the guilds of Holy Trinity (in the church of St Mary) and St Katherine (in the church of St Andrew) - predominantly emphasize the fiscal nature of the single woman as guild member, although they also construct her as either marriageable or with other guild responsibilities.⁵⁷ Like the Hull returns, they are in Latin and based on pre-existing texts. That for the guild of Holy Trinity, which I shall discuss first, is what Gerchow has called an ‘insert-type’; it sets out that the guild wardens are returning their certificate of foundation in answer to the 1389 proclamation, then gives the text of that certificate (which includes ordinances), and it ends by stating that the wardens certify that the guild has no lands or goods, in response to one of the queries of the writ.⁵⁸ The return for the guild of St Katherine appears to be a copy of their foundation deed but it does not have a protocol or eschatocol.⁵⁹

⁵⁵C 47/46/451; *English Gilds*, ed. Smith and Smith, p. 156.

⁵⁶*English Gilds*, ed. Smith and Smith, pp. 160-1.

⁵⁷C 47/38/11; C 47/38/6; *Cambridge Gild Records*, ed. M. Bateson. Cambridge Antiquarian Society, 8th ser. 39 (1903), pp. 77-81 [St Katherine], 124-8 [Holy Trinity].

⁵⁸*Cambridge Gild Records*, ed. Bateson, pp. 124-8; Gerchow, “Gilds and Fourteenth-century Bureaucracy”, p. 126, n. 80.

⁵⁹*Cambridge Gild Records*, ed. Bateson, pp. 77-81.

The return for the guild of Holy Trinity refers to the unmarried woman in the ordinance which discusses entrance fees. The entrants are first discussed as brothers or sisters but, as in the other returns, are then divided up, here into married couples and single women:

Item ordinavimus et statuimus quod quilibet frater sive soror admittendus sive admittenda per magistrum [et] socios suos ... jurabit ... statuta et ordinaciones rationabiles dicte gilde observare, ... magister et socii ipsum vel ipsam in fratrem sive sororem dicte gilde admittant, et solvat quilibet sic admissus, pro se et uxore sua, pro qua uxore ingressu ejusdem tres denarios solvat, singulis annis quatuordecim denarios, ad quatuor dies anni, ... Et si aliqua mulier non maritata in eadem fraternitate fuerit admissa tunc in eadem forma solvat sicut frater et uxor ejus solvant prout superius declaratum est.⁶⁰

As in the Hull returns, the typical brother and sister of the guild are envisaged as a married couple.⁶¹ Their joint payment is set at an entry fee of three pence plus an annual fee of 1s. 2d., and the husband is presumed to be paying, because she is his wife (“pro qua uxore”).⁶² The entry of the single woman is more contingent (“Et *si* aliqua mulier non maritata ... fuerit admissa” [my italics]), but if she joins she must pay the same as a brother and a wife (“sicut frater et uxor ejus”). This ordinance differs from the London ones in its more emphatic construction of the married couple as typical entrant, but it is comparable in that the single woman is referred to at the end of the passage, as though an after-thought. It is perhaps also alike in its conceptualization of the single woman as a legitimate member if she can afford to pay, whereas there is again a sense that the married woman only belongs to the guild in relation to her husband. Not only does he pay for her but whereas the man is referred to as a brother of the guild, she is referred to merely as his wife (“frater et uxor ejus”).⁶³ The *soror* referred to in the first line of the ordinance, then, might well only relate to the “mulier non maritata”. The single man is not discussed at all; presumably he also paid 1s. 2d. but no extra payment.

⁶⁰*Ibid.*, pp. 126-7. It can be translated as:

We have ordained and ordered that any brother or sister admitted by the master and his fellows ... shall swear ... to observe the statutes and reasonable ordinances of the said guild, The master and his fellows are to admit him or her into the said guild as brother or sister, and any thus admitted should pay, on behalf of himself and his wife, in that she is his wife, three pence at entry and fourteen pence each year, on quarter days of the year, ... And if any unmarried woman should be admitted into the same fraternity then she should pay in the same form as a brother and his wife should pay, as declared above.

⁶¹The founders of this guild are listed as nine married couples: *Cambridge Gild Records*, ed. Bateson, p. 124.

⁶²Bateson annotated the text to suggest that the 3d. was the wife's entry payment: *Ibid.*, p. 127.

⁶³Bainbridge comments that the great Cambridge guilds use the term *uxor fratris* more frequently than *soror*. From this, and the restricted use of the term *soror* to certain ordinances (see p. 88 above), she concludes that “These organisations may have been rather like the gentlemen's or working men's clubs which still exist today: male clannish affairs with ladies in attendance only on high days or holidays, at feasts and funerals”: Bainbridge, *Gilds in the Medieval Countryside*, p. 47.

Again, though, we see an assumption that male members would be married (cf. London's St Fabian's guild return and Hull's St Mary's guild return).

The other Cambridge return which refers to unmarried women, that of the St Katherine's guild, has no one ordinance which refers to entry payments, but the category appears in a couple of the ordinances which refer to guild payments. The text begins by listing the guild's founders (which include two apparently unmarried women), tells the story of St Katherine, then states that "quilibet frater" must pay to the light one shilling a year but that "Si quis frater vel soror, uxoribus fratrum istius gilde dumtaxat exceptis" fall into arrears, he or she will be fined.⁶⁴ Thus the return moves straight from the payment of a brother to what a brother or sister (wives excluded) must pay if any of the dues is late. It is only after a number of other ordinances that it is stated, at the end of a passage setting out how brothers and sisters (wives included) must offer half a pence on St Katherine's day, that "quelibet soror sine viro solvet ut predicatur in anno duodecim denarios".⁶⁵ Thus the single woman was to pay the same as a brother but this is not made immediately apparent. As in London, the brother (single or married) is seen as the norm but the marital status of the single sister is only explicitly mentioned in this later ordinance. In the first one, while the category 'single woman' is not used, the *soror* is conceived of as single (wives of brothers being exempt). The guild sister is the woman who pays.

There are perhaps two reasons for the use of the category "soror sine viro" in the later ordinance. The first is that the context requires it; the passage goes on to state that "et cum pervenerit ad maritagium, si maritus suus quod poterit convenire cum magistris dicte gilde pro hujusmodi ingressu habendo".⁶⁶ The 'sister without a husband' here is seen as "to be married", the subject, what her future husband should pay (to be agreed with the Masters of the guild). This has similarities with the passage from the Hull return of the St John's guild, about how much a man who marries a sister of the guild should pay. It differs, perhaps, in the inevitability with which it presents the event ("*cum* pervenerit"), akin to the Hull return which states that a man's remarriage is natural.⁶⁷ The second reason is less obvious but, since wives are included in the preceding line within the category "sorores" ("in die sancte Katerine singuli fratres et

⁶⁴*Cambridge Gild Records*, ed. Bateson, pp. 77-8 (p. 78).

⁶⁵*Ibid.*, pp. 79-80 (p. 80).

⁶⁶*Ibid.*, p. 80.

⁶⁷See p. 97 above.

sorores, uxoribus computatis, offerent obolum”), the single woman, previously understood by the term *soror*, must now become *soror sine viro*, that is, a sister who is defined by her lack of a husband.⁶⁸ The quoted clause is interesting in another respect; it was considered appropriate to ask the married woman to offer half a pence a year to the light of St Katherine on her feast day, but not the annual fee to the light of a shilling. Whether the offering of the *obolum* was symbolic, the money being provided by a husband or not, it also positions the married woman as a guild sister with some responsibilities, although fewer than her single sister.

Another ordinance in this return adds to this impression. It states that each brother, unmarried sister or clerk had to pay a fee of one penny to the guild officer (“Et apparitor recipiet quolibet fratre ingrediente sive sorore sine viro unum denarium et clericus similiter tantum et erunt quieti de solucione denariorum pro eorum officio faciendo”).⁶⁹ While this ordinance leaves open the possibility of a female guild officer, it is also suggestive of a guild ranking of its members: any man, single women and then clerics. Again married women are covered (or eclipsed) by their husbands, in terms of the payment but also in terms of political responsibilities. While this return does conceptualize the single woman as marriageable, it also constructs her as a legitimate guild sister in her own right, a position which is attested by her liability for certain charges. It is the single woman’s fiscal responsibilities that construct her as a guild member in these ordinances, as we also saw in the London returns.

The points at which the single woman is conceptualized in these six returns, then, are in sections predominantly concerned with guild rights and responsibilities, often economic, or with members marrying (which would affect such factors). All these returns use the category ‘single woman’ only in direct relation to variants of the categories ‘married woman’ or ‘single man’; that is, as part of a single/married binary, not as part of a more complex schema which might include maidens and widows.⁷⁰ This is perhaps because the binary both highlights the

⁶⁸*Cambridge Gild Records*, ed. Bateson, p. 80.

⁶⁹*Ibid.*, p. 81.

⁷⁰Cf. previous two sections. The return for Cambridge’s guild of Holy Trinity (church of Holy Trinity) states that a widow of a brother is eligible for the same poor relief as a brother or a brother’s wife if she conducts herself well and does not remarry (“et eodem modo habeant et quieta sit uxor fratris post mortem mariti sui, quamdiu bene se gesserit et honeste et viro alteri non sit nupta”), but she is still conceptualized more as a ‘wife’ than as a ‘widow’: *Cambridge Gild Records*, ed. Bateson, p. 116. The return for Hull’s Corpus Christi guild uses the category ‘daughter’; the son or daughter of a guild member could join for free: *English Gilds*, ed. Smith and Smith, p. 161. I have not found the category ‘maiden’ in the guild returns except in the prayer included in the return for Norwich’s guild of St Christopher which refers to “wydoues, maydenes, wyfes”. This prayer also

importance of marriage to the guild ethos and can be used, for women, to represent different legal rights and responsibilities.⁷¹ As *femme sole* the single woman has direct responsibilities to the guild and the guild has direct responsibilities to her. The married woman as *femme coverte*, although conceptualized as a guild member, does not have such direct responsibilities in either direction; her husband acts as an intermediary. This is not to say, though, that the married woman is more of a secondary member than the single woman, or *vice versa*, but that how they were conceptualized was affected by their marital status.

The next section starts about a hundred years on. It bears resemblance to this one in that it is concerned with regulations, chiefly civic ones. While this section represents a narrowing of focus from the previous two by considering a discourse which did not intend to be all-encompassing, the next one takes as its starting point a specific debate: was the term ‘single woman’ used to denote prostitutes? Within this, though, it aims to make some more general points about how a legal regulatory discourse conceptualizes women in the late fifteenth and sixteenth centuries. Again it shall be considered whether moral and economic concerns can be strictly separated.

divides men according to the three orders ideal. It ends, though, with “ye brethren and sisteren of yis gilde”, suggesting that the other groupings refer to the ‘world outside’ the fraternity: *Ibid.*, pp. 22-3 (p. 23); cf. Strohm, *Social Chaucer*, pp. 190-1, n. 20, who uses the prayer to discuss aristocratic/non-aristocratic groupings. See also the Lancaster ordinance which refers to ‘daughters’ but as relations of guild members rather than as members: n. 40 above. In contrast, Bainbridge comments that “As benefactresses to the guilds, women are generally recorded as widows”: Bainbridge, *Gilds in the Medieval Countryside*, p. 49. Similarly, the category ‘maiden’ is used in guild registers to refer to named individuals. E.g. in the list of members for York’s Corpus Christi guild register in 1414-5 “Isabel Whyte” and “Agnes Eskrike” are described as *virgo*: *The Register of the Guild of Corpus Christi in the City of York*, ed. R.H. Skaife, Surtees Society, 57 (1872), p. 17; see also pp. 118, 122. In Stratford’s Holy Cross guild register (1406-1535) some women are described as *virgo* (first 3 examples) and *puella* (next 3): MS BRT 1/1, fos 15 (1418-9), 36v (1430-1), 92v (1469-70), 99 (1472-3), 102 (1473-4); *Register of the Gild of the Holy Cross*, ed. Bloom, pp. 32, 65, 144, 154, 158. The later parish sub-groups for women are often divided into groups of ‘maidens’ and ‘wives’: p. 87 above; French, “‘To Free Them From Binding’”, *passim*; Bainbridge, *Gilds in the Medieval Countryside*, p. 48. Although more work needs to be done on the composition of these groups, it seems likely that widows would remain in the wives’ group rather than rejoin that of the ‘maidens’. Cf. J. Mattingly, “The Medieval Parish Guilds of Cornwall”, *Journal of the Royal Institute of Cornwall*, new ser. 10 (1989), 290-329 (p. 291): “Associations of ... maidens, and women, often described as wives to distinguish them from the maidens ...”. This binary of never married/ever married supports my reading of the Cambridge Holy Trinity guild return.

⁷¹While the economic aspects of the single/married binary here compare to those discussed in “The Fiscal Single Woman”, the moral value placed on marriage is very different from, for example, the valuation placed on it in the pastoral discussions of chastity: see Section I, B) above.

IV. The Ungoverned Single Woman¹

In “The (Im)moral Single Woman”, I argued that the unmarried woman who was sexually active was not necessarily conceptualized as a prostitute. In the discussions of lechery found in fourteenth- and early fifteenth century texts derived from the pastoral manual, *Somme le Roi*, there is a demarcated conceptual space for such a woman, separate from that of the common woman, and in some of the texts (from the late fourteenth century onwards) this space is associated with the term ‘single woman’.² In a sixteenth-century text by John Palsgrave, though, intended to teach members of the English royal family French, the term “syngle woman” is glossed as “a harlot” before being translated as *putayn*.³ Karras has argued, from predominantly legal records, that by the sixteenth century in England, ‘singlewoman’ could be used as a euphemism or semantic equivalent for ‘prostitute’.⁴ While I dispute some of her examples, this section is primarily interested in what differing uses of the term ‘single woman’ reveal about how a legal discourse concerned with regulation conceptualizes women.⁵ It is the

¹For the phrase “ungoverned woman”: B. Todd, “The Remarrying Widow: A Stereotype Reconsidered” in *Women in English Society 1500-1800*, ed. M. Prior (London, 1985), pp. 54-92 (p. 55); P.J.P. Goldberg, “The Public and the Private: Women in the Pre-Plague Economy”, in *Thirteenth-Century England III*, ed. P.R. Coss and S. Lloyd (Woodbridge, 1991), pp. 75-89 (p. 85). It is used here as it suggests some of the concerns of a legal regulatory discourse.

²See Section I above.

³*L'éclaircissement de la langue française par Jean Palsgrave*, ed. F. Génin (Paris, 1852), p. 270. “Syngle man” is just translated as *bachelier*. This is the earliest example (1530) that the *OED* gives of ‘single woman’ having such a meaning (there is no equivalent in the *MED*): single a. II.8.a. Unmarried, celibate. single woman, a spinster; a prostitute. On the text see D.A. Kibbee, “John Palsgrave’s ‘Lesclaircissement de la langue francoyse’ (1530)”, *Historiographia Linguistica*, 12 (1985), 27-62; G. Stein, *John Palsgrave as Renaissance Linguist: A Pioneer in Vernacular Language Description* (Oxford, 1997).

⁴Karras, *Common Women*, p. 52; Karras, “Sex and the Singlewoman”, p. 131.

⁵The examples I dispute are those where ‘singlewoman’ is used as a byname, as a personal designation or in place of a name (for the references to Karras see *Common Women*, p. 52). For example, Karras cites the example of “Katheryn Glover otherwyse called Synglewoman”, presented as a “commen woman of her body”: London, CLRO, Repertory Book 5, fol. 103v. Other females presented for this offence, though, are not described as ‘singlewoman’. E.g. “Margarete Bray daughter of Willhelmus Bray for a commen harlot of her body”: Rep. Bk 5, fol. 101r. It is not unusual for women to have bynames which are descriptive of their marital status. E.g., London, Guildhall Library, MS 9064/6, fols 19r, 34v, 106r, 109v, 139v, 185v (the last being Margery Widdow). Cf. Isabella Wydewe in the Bishop’s Lynn poll tax return: p. 81 above. The example of Glover could be one where the byname just coincides with an accusation of prostitution. Karras also argues that two women were “dunked in the Thames (the standard early sixteenth century punishment for ‘common harlots’) for being ‘singlewomen’”. The entry just states though that “Alyce Clerke et Katheryn Marrse senglewomen” were to be washed in the Thames: Rep. Bk 9, fol. 256v. The comparative reference that Karras gives to two women ducked for being “harlottes” differs in that their crime was spelt out, quite literally. The women were to wear papers on their heads with the words “Comon harlottes” written on them. They were also to be whipped and banished from the city: Rep. Bk 9, fol. 178r. While Clerke and Marrse might have been punished for prostitution, the text does not state this; “senglewomen” is more likely the addition used to classify the women (see Section V below). The other example is that of a man accused of committing adultery with “quaedam singilwoman” at the Stewside. The whole entry is crossed through but the text immediately surrounding the relevant phrase shows signs of major correction and it seems to be due to uncertainty about the woman’s name (the entry first read

contention that such legal texts, unlike the pastoral manuals, are rarely the product of moral concerns alone. As a consequence, the single woman here cannot be separated from wider concerns about her behaviour and governance which also sometimes touch on the economic.

This is a potentially vast area, but the chronological period and place have been limited: Karras's examples are predominantly associated with Southwark, but, if not, with the nearby city of London (as Palsgrave can be); and they date from the late fifteenth century into the sixteenth century.⁶ This section will largely follow that lead and will discuss texts that either are associated with prostitution or have been linked to it by scholars. There has, however, been some debate as to how common 'professional' prostitutes were in medieval England and how we should interpret the terminology used to describe women accused of sexual immorality.⁷ Indeed, most of the evidence for organised prostitution comes from an area in Southwark known as the Stews.⁸ Thus, this section will, of necessity, engage with aspects of this debate, although that is obviously not its main intention.

Besse Bird then Margarete Bird): MS 9064/6, fol. 70; for Margaret Bird see also fols 76v, 104v. The woman's marital status might have been of importance, though, as adultery between two married persons could be considered more sinful: p. 34 above. There is a comparable example in a Chancery petition of 1500-1. It is said that certain persons "caused a singlewoman to com to the Comptre ... and there to entre a pleynt of rape ayenst your besecher": PRO, C 1/240/26. The woman's name is not stated but her marital status is, perhaps because the rape of a married woman would have been treated differently. This is said to be the case in the legal treatise known as Bracton (c. 1218-29): *Bracton on the Laws and Customs of England*, ed. G.E. Woodbine and trans. S.E. Thorne, 4 vols (Cambridge MA, 1968), II, p. 415; on the changing laws on rape see, for example, K.M. Phillips, "Written on the Body: Reading Rape from the Twelfth to Fifteenth Centuries", in *Medieval Women and the Law*, ed. Menuge, pp. 125-44.

⁶This is also a period for which it has been argued that there was increased legal concern with 'disorder' offences, including sexual misconduct: M.K. McIntosh, "Local Change and Community Control in England, 1465-1500", *Huntington Library Quarterly*, 49 (1986), 219-42 (esp. pp. 230-3); Goldberg, "Craft Guilds", p. 159; M.K. McIntosh, *Controlling Misbehavior in England, 1370-1600* (Cambridge, 1998), p. 11.

⁷E.g. R.M. Karras, "The Regulation of Brothels in Later Medieval England", in *Sisters and Workers*, ed. Bennett, pp. 100-34; Goldberg, *Women, Work, and Life Cycle*, pp. 149-57; Karras, *Common Women*; P.J.P. Goldberg, "Pigs and Prostitutes: Streetwalking in Comparative Perspective", in *Young Medieval Women*, ed. Lewis, pp. 172-93. Goldberg argues with what he sees as Karras's over-representation of English prostitution as institutionalized. Karras, however, has recently suggested that Goldberg's treatment of prostitution as 'work', and identification of women repeatedly accused of immorality as 'prostitutes', have a similar effect: Karras, "Sex and the Singlewoman", pp. 138-9.

⁸'Stew' or 'Steue' could literally mean a fishpond or bathhouse, but legal documents from at least the mid-fourteenth century refer to an area in Southwark, in the Bankside district, as the Stews. E.g. *Calendar of the Close Rolls Preserved in the Public Record Office: Edward III*, 14 vols (London, 1896-1913), VII, p. 551 [1345]; *Calendar of the Patent Rolls Preserved in the Public Record Office: Edward III*, 16 vols (London, 1891-1916), VIII, p. 463 [1350], IX, p. 184 [1351], XII, p. 24 [1361]. A petition of 1390 reveals that the Southwark Stews were already a prescribed place for prostitution, although the earliest ordinance to this effect dates from 1393: for the petition see *Rotuli Parliamentorum*, III, p. 282; for the ordinance see *Memorials of London and London Life*, ed. H.T. Riley (London, 1868), pp. 534-5 and *Calendar of Letter-Books Preserved Among the Archives of the City of London at the Guildhall*, ed. R.R. Sharpe, 11 vols (London, 1899-1912), H, p. 402. Both Carlin and Karras suggest that the area's association with prostitution goes further back: Carlin, *Medieval Southwark*, p. 211; Karras, "Regulation of Brothels", p. 111, n. 46. The Stews were finally suppressed in 1546 by an Act of Parliament which will be discussed below: pp. 118-19.

The discussion is divided into three parts. The first will consider two texts which clearly use the term ‘single woman’ to denote a prostitute (although the connotations of the two terms are evidently different).⁹ These can be used to think not only about how prostitutes were conceptualized and why, but what this reveals about how women were conceptualized generally. Both examples have links to the Stews. The second part will attempt to widen the focus from prostitution specifically, in line with my interest in how a legal, regulatory discourse conceptualizes women. First, it will consider two more texts with a Southwark connection but argue that use of the term ‘single woman’, even in this context, does not necessarily signify ‘prostitute’. Then, it will discuss a few ordinances from late fifteenth century Coventry and contest their previous association with prostitution. An alternative reading, which stresses the economic, will be offered. The third part is more of a postscript. It will return briefly to the question of whether the usage of ‘single woman’ to denote ‘prostitute’ was perhaps limited to a particular time and place: Southwark and its surrounding environs from the late fifteenth century.

A) The Prostitute as Single Woman

The first text to be considered is the late fifteenth century customary for the Bishop of Winchester’s leet court, which contains the ordinances relating to the Southwark Stews.¹⁰ The debate between Karras and Goldberg on the intent of these regulations, part of the larger argument about the nature of prostitution in medieval England, provides a useful context for a discussion of the conceptualization of women in the ordinances. Karras argues that:

The thrust of the Southwark regulations, despite the preamble urging protection of the prostitutes, was to make women sexually available to men while keeping them under tight control. If a woman was not the property of a particular man - a husband - her sexual behavior had to be strictly regulated by the (male) civil authorities. The regulations emphasized this by referring to prostitutes as ‘single women’. If not the property of one man, they were common women and had

⁹For this reason I do not want to call ‘single woman’ a “semantic equivalent” of prostitute here. “Euphemism” is not always applicable either as it implies that the word has been substituted for one considered offensive. Some of the texts also use more explicit terms, like ‘common woman’, ‘woman that lives by her body’, ‘common whore’ and ‘harlot’, which does not suggest a desire for euphemism.

¹⁰Although privately owned and operated, the brothels in Southwark were in the Bishop’s liberty. He could regulate them through his manorial officers and they were subject to his court: J.B. Post. “A Fifteenth-century Customary of the Southwark Stews”, *Journal of the Society of Archivists*, 5 (1977), 418-28 (p. 419); Carlin, *Medieval Southwark*, p. 213.

forfeited the right to choose their own lovers; while remaining available to all, they had to avoid disturbing any.¹¹

Goldberg, on the other hand, asserts that:

Rather than containing women within the brothel and thus ensuring that their identity as professional prostitutes was absolute, the Southwark ordinances were concerned to prevent such an identity being imposed on the prostitutes. Indeed the repeated use of the term 'singlewoman' in the customary is not ... a euphemism for prostitute, but rather a conscious assertion within a legal document of the independent status of the women who worked in the stews vis-à-vis the stewmongers who managed them.¹²

Both of the above statements are quite clearly polemical. The use of the term 'single woman' is marshalled to support two very different views of the intention of the regulations. While there is a certain logic to both arguments, I shall offer a reading which seeks to understand uses of the term in their precise contexts, and in relation to other terms used. For example, while 'single woman' emphasizes a woman's unmarried status, the term 'common woman' - available to all, will refuse none - would perhaps better serve Karras's argument. The latter is a term that is occasionally used in the ordinances, as is 'woman that lives by her body'. Such terms render problematic Goldberg's assertion that "the Southwark ordinances were concerned to prevent such an identity [that of the professional prostitute] being imposed on the prostitutes".¹³ The regulations themselves label the women in this way. The argument here is that 'single woman', as used in the ordinances, generally denotes a prostitute but also indicates a concern about the marital status of women involved in prostitution.

So far I have discussed the ordinances as a coherent whole, as do Karras and Goldberg. The compilation, however, retains two distinct, undated sequences of articles (clearly conceived of independently as there are definite overlaps), and dated emendations from c.1445-59.¹⁴ J.B. Post, who edited this material, labelled the sequences as 'A' and 'B', the emendations as 'C' to 'H', and numbered each paragraph within these sections sequentially.¹⁵ While it is valid to

¹¹Karras, *Common Women*, p. 41.

¹²Goldberg, "Pigs and Prostitutes", p. 185.

¹³As does the assertion "that the women that ben at common bordel be seyn every day what they be": Post, "Fifteenth-century Customary", p. 424 (B.2).

¹⁴Post argues that the composition of the 'B' series probably predated the 'A' series: *Ibid.*, p. 420. This does not matter for the argument here as both versions were written in their current form in the fifteenth century. On the dating of the emendations: *Ibid.*, pp. 427-8, nn. 83, 88.

¹⁵*Ibid.*, pp. 422-8. Karras has published a modernized version but she leaves out some of the emendations (C.1-6, D.1, G.2-3, H.2) and adds in two articles from a seventeenth-century transcript, Harleian MS. 1877: Karras,

treat the text as a whole - it was presumably used in this way in the fifteenth-century leet court - I shall retain the divisions (with recourse to Post's referencing system).¹⁶ As regards terminology, there are some telling differences between the sequences. The term 'single woman' is used six times in the ordinances as a whole but five occur in the 'A' sequence, which will be discussed first.¹⁷ The sixth usage of 'single woman' is in the 'B' sequence, where it can be argued that it has a different meaning. It is the latter sequence that uses the formulation 'woman that lives by her body', and, on one occasion, 'common woman' (as do the emendations 'F', 'G' and 'H').¹⁸

Karras and Goldberg's arguments about the use of the term 'single woman' in the regulations clearly relate to the shorter 'A' series. In this I concur with Karras in thinking that, in all five cases, it clearly refers to prostitutes. The overlaps between the two sequences are useful here. One of the 'A' ordinances which use the term 'single woman' has an equivalent in the 'B' series and can be compared:

[A.1] First, therefore, we ordeyne and make accordyng to the seid olde custume conteyned in the costumery, that ther be no stewe holder nor his wife let not no single woman to go and come atte alle tymes whan thei list ...¹⁹

[B.2] ... Item, that ... a womman that liveth by hir body to comme and to go ... at alle tymes shal have fre licence and liberte, without any interupcion of the steweholders.²⁰

The two regulations essentially make the same point: brothel-keepers do not have the authority to curtail the prostitutes' freedom of movement. This point is crucial to Goldberg's argument.²¹ The "single woman" of A.1, however, is referred to, less euphemistically, as "a womman that liveth by hir body" in B.2.²² The 'A' series does not use that formulation or the term 'common

"Regulation of Brothels", pp. 128-34 (esp. p. 128, n. 104); on Harl. MS. 1877 see Post, "Fifteenth-century Customary", pp. 420-2.

¹⁶John Stow's late sixteenth century summary of the regulations, which collates the A and B sequences, will be briefly discussed below: see part C).

¹⁷Post, "Fifteenth-century Customary", p. 423 (preamble, A.1, A.4-5, A.6).

¹⁸For 'woman that lives by her body': *Ibid.*, pp. 424-6 (B.10, B.12-14, B.23). For 'common woman': *Ibid.*, pp. 426, 428 (B.28, F.1, G.1, H.1). The 'B' series often just uses the term 'woman': *Ibid.*, pp. 424-6 (B.1-2, B.5-7, B.11, B.16, B.19, B.24, B.30, B.32-3, B.37, B.40-1, B.44-5).

¹⁹*Ibid.*, p. 423.

²⁰*Ibid.*, p. 424.

²¹Goldberg, "Pigs and Prostitutes", p. 185.

²²One of the emendations makes the same point fundamentally and refers to "the commune wommen": Post, "Fifteenth-century Customary", p. 428 (G.1).

woman' anywhere. It is thus possible that the term 'single woman' is a euphemism for 'prostitute' in the 'A' series. The connotations of the two terms are clearly different, though. A consideration of the 'B' series, which is both fuller and more explicit, enables discussion of how prostitutes were conceptualized and why this might have led to 'single woman' being an apposite term in the 'A' series.

First, the differing use of the term 'single woman' in the 'B' series must be considered. Its use here seems to denote an unmarried woman:

[B.22] *Quod mulieribus custodientibus stufas et non habentibus viros.* Item, if any sengle woman holde or kepe any stuehous withynne the lordship agayns the custume of the manoir, she shal at evri cort make a fyn of xx.s. unto the tyme that it be reformed.²³

While one of the questions to be asked "of the common women" suggests that single, female brothel keepers were presumed to be prostitutes ([B.55] "Is she sengle and kepeth any stuehouse?"), the use of "sengle woman" in this ordinance is probably not meant to signify 'prostitute'.²⁴ The Latin rubric refers to "mulieribus ... non habentibus viros". The ordinance is possibly a translation of an earlier Latin one about 'women without husbands' keeping stews. Post argues that the use of *quod* rather than *de* in the rubrics to the 'B' series suggests that they were incipits to Latin originals, rather than chapter headings.²⁵ In Middle English 'woman without a husband' becomes "sengle woman". Karras argues that in this ordinance "'single' clearly just means 'unmarried'".²⁶ It does not *just* mean unmarried, though. Its use here - and in the 'A' series - can also be understood as ideological.

In the 'B' series it is made explicit that, ideally, brothel keepers should be married, whereas prostitutes should be single. The brothel keeper is gendered male throughout the ordinances, with the exception of the ordinance and question about single women keeping stews. There are also passing references to "his wif".²⁷ Stewholders, though, were not to receive "any womman

²³*Ibid.*, p. 425.

²⁴*Ibid.*, p. 426.

²⁵*Ibid.*, p. 420 (although he also notes that in some cases "a redactor's misreading of *de* as *quod* could be postulated").

²⁶Karras, "Regulation of Brothels", p. 126, n. 101.

²⁷Post, "Fifteenth-century Customary", p. 424 (B.1, B.6, B.8).

of religious, nor any mannes wif”; that is, all prostitutes were to be unmarried lay women.²⁸ The inclusion of an ordinance stating that brothel keepers would be fined for knowingly receiving women of religion and wives (B.4), and of a related question that the Bishop’s manorial officers were to ask stewholders (B.36), perhaps indicates that the ‘ideal’ was not reality.²⁹ It might be, however, that such statements serve to reinforce the ideological position that prostitutes should be unmarried women.³⁰ In this series we see the adoption of a single/married binary for secular women. The steward’s wife could be involved in the running of the brothel, although only in association with her husband, but any other man’s wife could not enter.³¹ The unmarried woman could be a prostitute, but was to be deterred from running her own brothel. Thus the married are the keepers, the unmarried the prostitutes. The ‘A’ series similarly contains references to the steward and “his wife”.³²

Just as the ‘B’ series tries to distinguish prostitutes from wives, an emendation dated 1457 seeks to distinguish wives from prostitutes:

[H.1] Also, that no mannes wif dwelling within the said lordship be brought in to prisoun for scoolding like as comun wommen ben, but that the conestables yerely at the letes shal make there presentementes of theym ...³³

Presumably this is the ordinance that Martha Carlin has in mind when she says “other women of the manor were not to be imprisoned for scolding ‘like as comun wommen ben’”.³⁴ For the purposes of my argument, though, it is important to note that the ordinance only refers to married women. While ‘wif’ can have a wider meaning, a “mannes wif” is clearly a married woman. Such women who scold are not to be treated in the same way as prostitutes. This is

²⁸*Ibid.*, p. 424 (B.4). Cf. the concern in the discussions of lechery that ‘common women’ might be married or women of religion: p. 42 above.

²⁹*Ibid.*, pp. 424, 426. Similarly, single female stewholders were to be fined “xx.s. unto the tyme that it be reformed”: *Ibid.*, p. 425 (B.22). Carlin interprets some early sixteenth century fines for living without a husband, recorded in the bishopric of Winchester pipe roll, as relating to this ordinance and Karras argues that legal records suggest that women did ‘keep brothels’ in significant numbers: Carlin, *Medieval Southwark*, pp. 217-8; Karras, “Regulation of Brothels”, pp. 113-5.

³⁰That the ordinances construct their own idealized view of the Southwark brothels is also suggested by the use of the term “goodman” to refer to the customer (B.6) and “gret housholder” for the brothelkeeper (A.2-3, A.5-6): Post, “Fifteenth-century Customary”, pp. 423-4.

³¹E.g. *Ibid.*, p. 424: “if any man comme ... to any stuehouse, and leve any herneys with the wif ...” (B.6); “if ther be any stueholders wif that draweth any man in to hir hous without his wil, hir husbond and she schul ben amerced to the lord” (B.8).

³²*Ibid.*, p. 423 (A.1, A.4-5).

³³*Ibid.*, p. 428.

³⁴Carlin, *Medieval Southwark*, p. 216.

presumably a reference to an ordinance in the 'B' series that "if ani womman that liveth by hir bodi chide with any man or make a fray, she shal be in prison iij dayes and iij nightes, and make a fyne of vj.s. viij.d."³⁵ The effect of the emendation is to again polarize wives and prostitutes: married women are not common women; prostitutes are, therefore, unmarried women. What the ordinance does not discuss, however, is the treatment of unmarried women who are *not* common women.

The unmarried woman who is not a prostitute has been effaced. There are a number of possible reasons for this. One is that it follows from the conceptualization of the prostitute as an unmarried woman in the regulations, the result being that all unmarried women are then seen as common women. The thinking might have been more fluid, though. Rather than viewing all unmarried women as prostitutes, there was perhaps less of a need to make such a distinction. Single women in the ordinances are regulated because they do not have husbands. The "sengle woman" of B.22, who runs a brothel, has to deal directly with the court, not because she is a prostitute, but because she does not have a husband. In contrast, male brothel keepers are generally held to be responsible for their wives' actions.³⁶ Similarly, in H.1 the married woman ("mannes wif") has a husband who is both affected by her behaviour and could be an intermediary custodian. There is a sense in the emendation that the married woman is a more respectable, less transient figure than the common woman; one who is already under governance. Rather than receiving summary justice, the married woman was to be presented at a later date and, thus, there was a chance that she might be found not guilty. It is also expected that she would still be around for such a hearing, whereas a common woman might have moved on: the ordinances make it clear that prostitutes are to be allowed their freedom of movement and must not lodge in the brothel; the married woman resides with her husband and, therefore, in the meantime he can be her overseer. While the unmarried woman who is not a common woman is concealed, she clearly bears relation to the 'ideal' prostitute of the regulations, not in sexual behaviour but in the absence of a husband to answer for her and fix her place in society.

³⁵Post, "Fifteenth-century Customary", p. 425 (B.14). Karras comments on the "combination or juxtaposition" of accusations of scolding and prostitution in court records: Karras, "Regulation of Brothels", p. 124 (n. 95).

³⁶E.g. Post, "Fifteenth-century Customary", p. 424: "if ther be any stueholders wif that draweth any man in to hir hous without his wil, hir husbond and she shal be amerced unto the lord" (B.8). An exception is A.4 which states that if either the steward or his wife prevent the bishop's officials searching their house quarterly, and removing any woman held there against her will, "thei *and either of them* to be brought in to the prison": *Ibid.*, p. 423 (my italics).

To summarize, then, it is not that the single woman is conceptualized as a prostitute, but that the prostitute is conceptualized as a single woman. This is made explicit in the 'A' series by the use of the term 'single woman'. The 'B' series and the emendations, however, with their preference for terms like 'common woman' and 'woman that lives by her body', associate the unmarried lay woman with the prostitute by separating out married women and women of religion. The two groups, unmarried women and prostitutes, are not linked out of a concern for unmarried women's sexual behaviour, but as a result of wider ideas of control and governance. The regulations map out a system where everyone is answerable to someone: the Bishop of Winchester's officials to the leet court; the brothel-keeper, first, to the Bishop of Winchester's officials, then to the court; and the prostitute to officials and the court.³⁷ The married woman's place in this structure is generally mediated by her husband. It is the unmarried woman's singleness which results in direct control by the civil authorities. My argument thus differs from both those of Karras and Goldberg. Like Karras, I argue that the authorities wanted to regulate the unmarried woman's behaviour because she was "not the property of ... a husband", but I also contend that the concern was not just with sexual behaviour, but behaviour in a wider sense (cf. the restriction on keeping a brothel and the ordinance about scolding). Also, while I agree with Goldberg that the term 'single woman' emphasizes "the independent status of the women who worked in the stews", it is not a positive assertion of their freedom but more a statement of their direct answerability to the authorities. Some of these arguments will be picked up in the discussion of the next example.

The second text to be considered is one of London's Repertory Books, containing the records of the Court of Aldermen for the period 1537-43.³⁸ The word "Synglewomen" is written in the margin by an entry relating to prostitutes. This entry, dated 28 March 1538, reads:

Item the suplicacoun of the wardmote enquest concernynge the evyll example for the gorgyous apparell of the common women of the Stewes to the great temptacoun of yonge maydens wyffes & apprentices and agreed that a booke shalbe drawn by the cownsayll of thys cytie.³⁹

³⁷On the officials: *Ibid.*, pp. 419, 423-8 (A.1, A.4-5, B.4-5, B.9, B.17, B.19, B.24, B.26, B.29, B.58-60, C.1-5, D.1, F.1, G.3).

³⁸CLRO, Rep. Bk 10; on these records see P.E. Jones and R. Smith, *A Guide to the Records in the Corporation of London Records Office and the Guildhall Library Muniment Room* (London, 1951), p. 30.

³⁹Rep. Bk 10, fol. 27r. A fair copy of the entry, with the marginal notation "singlewomen", can be found in CLRO, Letter Book P, fol. 140. I am grateful to Ruth Karras for her generosity in supplying me with these references. The entry is incorrectly referenced in Karras, *Common Women*, p. 161, n. 19, and Karras, "Sex and Singlewoman", p. 142, n. 16, as Rep. Bk 12. (On the Letter Books as fair copies see *Calendar of Letter-Books*, ed. Sharpe, A, p. i.)

This can be usefully set alongside a related entry, dated 20 January 1538, which has the marginal notation “harlottes”:

Item a byll put unto the wardemote enquest for the hawntyng of comen hoores from the stewes of the other places yn excessyve & gorgious appaill to the great evyll example of menys wyffes maydens chyld[r]en & agreed that remedy shalbe provyded by comen consayll.⁴⁰

The earlier entry notes that a petition about the effects of the lavish dress of prostitutes, emanating from a ward-mote inquest, should be dealt with by the Common Council. The March entry states that agreement on the matter had been reached.⁴¹ Just as “harlottes” refers to the “comen hoores” in the January entry, so the term “Synglewomen” refers to the “common women”. As in the ‘A’ series of the brothel regulations, ‘single woman’ is used to denote a ‘prostitute’. Here, however, it is unlikely to be a euphemism as more explicit terms are used alongside it or elsewhere in the Repertory Book, suggesting either that the other terms were not considered offensive or that there was no desire for euphemism.

The link is not just between single women and prostitutes *per se*, though. The Stews are referred to in both entries.⁴² It is possible that the association in the March entry - between the terms ‘singlewomen’ and ‘common women’ - was a product of the former being used in the regulations of the Stews.⁴³ If we leave aside, though, the precise circumstances through which the term came to be used here (which we cannot know), these entries can also be used to think about how a legal discourse concerned with regulation conceptualized women. Again the term ‘singlewomen’ needs to be understood in relation to the other terms used. The concern in the Repertory Book entries is not just with the lavish dress of the prostitutes, but with the effect

⁴⁰Rep. Bk 10, fol. 13v. The marginal entry is written as “harlott” but it is expanded here as a plural, in line with the fair copy: Letter Bk P, fol. 138r.

⁴¹The action that was to be taken is only stated in vague terms: “a booke shalbe drawn by the cownsayll of thys cytie” (see n. 59 below). Sarah Rees Jones suggested, in a personal communication (2000), that the reference to “the cownsayll of thys cytie” might be rhetorical and that the course of action was probably decided by the aldermen, rather than the Common Council referred to in the earlier entry. For a summary of how the ward-mote, the Court of Aldermen and the Court of the Common Council relate: C. Barron, “The Later Middle Ages: 1270-1520”, in *The City of London From Prehistoric Times to c. 1520*, ed. M.D. Lobel, British Atlas of Historic Towns, 3 (Oxford, 1989), pp. 42-56 (p. 44).

⁴²The January entry is more ambiguous: “for the hawntyng of comen hoores from the stewes of the other places”. Rather than referring to other ‘stews’, the petition could be understood as concerned “for the hawntyng ... of the other places” by “comen hoores from the stewes”. The fair copy renders this as “for the hauntynge of common hoores from the Stewes and suche otheir places”: Letter Bk P, fol. 138r. Either way it seems that the brothels in Southwark are being referred to, as in the related entry for March.

⁴³Other uses of the term ‘single woman’ which suggest this will be considered below, in “Postscript: ‘Single Woman’ as Prostitute”.

that this has on other people. The opposition set up in the March entry is between the singlewomen/common women on one side and “yonge maydens wyffes & apprentices” on the other.

“Wyffes” should again be understood as married women (the January entry refers to “menys wyffes”). Significantly, though, there is also a conceptualization of a group of unmarried women who are not equated with prostitutes; the term ‘maiden’, with its connotations of sexual purity, virtue and innocence, makes the distinction clear. It could signify an unmarried woman, usually young (the life-cycle maiden), or, more specifically, a female servant, who was typically young and unmarried.⁴⁴ Here, it could denote either a daughter still residing at home or a young woman in service, or both.⁴⁵ Both the term and the use of the adjective “yonge” in the March entry suggest, however, that older unmarried women who were not prostitutes are still effaced.⁴⁶ The third group, “apprentices”, are most probably male.⁴⁷ The terms of an apprentice’s service give his master authority over him in a range of matters, including the moral.⁴⁸ Indeed, apprenticeship contracts sometimes contain a clause forbidding resort to brothels, which suggests that the concern in these examples is not just with female sexuality.⁴⁹

The link between the three groups is one of dependence on a male household head, and their behaviour would have been his concern.⁵⁰ As in the brothel regulations, though, the concern is not just with sexuality. The “yonge maydens wyffes & apprentices” were also economic

⁴⁴*MED*, maiden (n.) 1. (a) An unmarried woman, usually young, 2. (a) A virgin, 3. A maidservant. For a discussion of how ‘maiden’ is used in the Chancery petitions of ‘servants’ and ‘daughters’ see Part Two, I, and II, B) below.

⁴⁵Karras associated this group with daughters: Karras, *Common Women*, p. 22. Cf. the use of *puella* in the Bishop’s Lynn poll tax return, where it was only applied to daughters living at home: p. 82 above.

⁴⁶It will be argued below that there was perhaps less concern with the older unmarried woman: pp. 131-2.

⁴⁷Goldberg argues that most apprentices were male: Goldberg, “Masters and Men”, p. 57; see also C.M. Barron, “The Education and Training of Girls in Fifteenth-Century London”, in *Courts, Counties and the Capital in the Later Middle Ages*, ed. D.E.S. Dunn (Stroud, 1996), pp. 139-153 (p. 144). Male apprentices are also often discussed in relation to prostitution as we shall see. For some discussion of female apprentices see n. 112 below.

⁴⁸Goldberg, “Masters and Men”; S.L. Thrupp, *The Merchant Class of Medieval London* (Ann Arbor, 1948), pp. 17, 164, 169.

⁴⁹E.g. *York Memorandum Book*, ed. M. Sellers and J.W. Percy, 3 vols, Surtees Society, 120, 125, 186 (1912-73), I (pp. 54-5), III (pp. 4-5). Karras notes that not all indentures include this provision: *Common Women*, p. 166, n. 41. Cf. Goldberg, “Masters and Men”, p. 67.

⁵⁰This reading is supported by the January entry which refers to “menys wyffes maydens chyld[r]en”; “menys” might also be understood as applying to the “maydens” and “chyld[r]en” too. The latter term, which could denote apprentices, is also resonant of youth: *MED*, child (n.) 1. (a) A young child; 3a. (a) A boy or girl (usually to the age of puberty); 4. (a) A child regarded as innocent or immature; 5. (a) A young man; youth, lad; 5. (b) A youth in service; apprentice.

dependents of the male householder. Part of the professed concern about apprentices visiting brothels was that they wasted their master's goods there, not just on women but also on drink and gambling.⁵¹ One of the concerns in the March entry is that the "gorgyous apparell" will be "to the great temptacoun of ... apprentices". Karras comments that the blame for young men's behaviour is usually laid upon the prostitutes as "temptresses".⁵² Thus, if apprentices are tempted by the prostitutes' lavish dress to visit brothels, it is the masters' money that will be squandered. A similar concern can be related to the maidens and wives. The temptation for these groups was presumably primarily a desire for the same "gorgyous apparell", the cost of which would come out of the household economy. Another concern might also be that the women would be tempted into such a dissolute life by the prospect of such material gains.⁵³ Concerns that the 'reputable' would be 'corrupted' are expressed in earlier London records. For example, an ordinance from 1417 banning 'stews' in the city states that "the wives, sons, daughters, apprentices, and servants, of the reputable men of the City, are oftentimes ... for a little money, drawn and enticed thereto; and there they ... are permitted to do and carry on the illicit works of their lewd flesh".⁵⁴ Thus, the sexual and the economic concerns cannot be easily separated.⁵⁵

We saw that in the regulations for the Stews the prostitute occupied the unmarried side of a single/married binary because of her 'independent' status. The division in the Repertory Book entry is also one of independence/dependence but not strictly on the grounds of marital status:

⁵¹Karras, *Common Women*, pp. 76-7; Thrupp, *Merchant Class*, p. 169. Also, see one of the Coventry ordinances discussed below: pp. 124-5.

⁵²Karras, *Common Women*, p. 76.

⁵³This was a fear in some European towns, for example, see J. Rossiaud, *Medieval Prostitution*, trans. L.G. Cochrane (Oxford, 1988), p. 8. Cf. Karras, *Common Women*, p. 22: "the concern here was ... to prevent prostitutes from dressing so well that ... wives and daughters would want to imitate them. Family men probably feared not so much the temptation for the women to become prostitutes as the temptation for them to demand such elaborate clothing from their husbands and fathers".

⁵⁴*Memorials*, ed. Riley, pp. 647-8 (p. 647); noted in *Calendar of Letter-Books*, ed. Sharpe, I, p. 178. See also another ordinance of 1417 about landlords harbouring tenants of evil life: *Memorials*, ed. Riley, pp. 649-50. A proclamation of c. 1483 against prostitutes wandering in the city warns that they are guilty of "provokynge many opere persones unto the said Synne of lechery. Whereby moche people aswell men as women being of them self weldisposed daily fall to the said myschevous and horrible Synne": *Calendar of Letter-Books*, ed. Sharpe, L, p. 206. The sin is of lechery generally rather than prostitution in particular.

⁵⁵The opening passage of Chaucer's "The Shipman's Tale" alludes to both these aspects: the husband, here a merchant, is pressured to spend a large amount of the household's money on his wife's clothing which he might think "is wasted and ylost", but if he refuses she will look for the money elsewhere "and that is perilous": *Riverside Chaucer*, ed. Benson, p. 203, ll. 1-19 (ll. 17, 19). Indeed, in the Tale the merchant's wife borrows money from a priest to buy clothes and then repays him with sexual favours. Other scholars have discussed the Tale's equation of sex and money. See, for example, A.H. Silverman, "Sex and Money in Chaucer's Shipman's Tale", *Philological Quarterly*, 32 (1953), 329-36; T. Hahn, "Money, Sexuality, Wordplay, and Context in the Shipman's Tale", in *Chaucer in the Eighties*, ed. J.N. Wasserman and R.J. Blanch (Syracuse, 1986), pp. 235-49.

some unmarried women are classed as dependants, under the governance of a male household head. “Single” here does not just imply lack of a husband, but also lack of a father or master. As in the regulations, though, the singlewomen/common women are conceptualized as outside such control and the immediate responsibility of the civic authorities. The men who ‘governed’ the wives, maidens and apprentices had acted by complaining to the ward-motes, a system which placed emphasis on the male household head.⁵⁶ They were effectively asking for the civic authorities to step in and regulate those ungoverned, the singlewomen/common women.⁵⁷ The women who ‘haunt’ the city do not fit into the structure of male-headed households, a structure vital to the good governance of the city.⁵⁸ The remedy for the situation is vaguely stated: “a booke shalbe drawn by the cownsayll of thys cytie”.⁵⁹ The details of the regulation are not important, though; what is significant here is that it was the singlewomen/common women who were to be regulated.

As we have seen, there are examples of the term ‘single woman’ being used to denote a ‘prostitute’. This perhaps stems more from the prostitute being conceptualized as a single woman than the reverse. The question of whether this usage was peculiar to Southwark and its immediate environs will be returned to later. Next, I shall consider uses of the term ‘single woman’ which - while not signifying ‘prostitute’ - share some similarities of concern with the texts just discussed, namely in the conceptualization of the ‘single woman’ as ungoverned. I

⁵⁶Rees Jones writes about the importance of male householders in the ward court system, using evidence from London, Norwich and York: S. Rees Jones, “Household, Work and the Problem of Mobile Labour: The Regulation of Labour in Medieval English Towns”, in *Problem of Labour*, ed. Bothwell, pp. 133-53 (esp. pp. 135, 150-1). The procedure for London’s wardmotes was recorded in the city’s *Liber Albus* in 1419: *Munimenta Gildhallae Londoniensis: Liber Albus, Liber Custumarum et Liber Horn*, ed. H.T. Riley, 3 vols, Rolls Series, 12 (1859-62), I, pp. 36-9; translated in *Liber Albus: The White Book of the City of London*, ed. H.T. Riley (London, 1861), pp. 32-5. On this text and its probable sources: W. Kellaway, “John Carpenter’s Liber Albus”, *Guildhall Studies in London History*, 3 (1978), 67-84. On London’s ward courts see also G.A. Williams, *Medieval London: From Commune to Capital* (London, 1963), p. 80.

⁵⁷Karras comments that the reminders to aldermen in 1510 and 1520, to ensure ward-mote inquests enquire “specially of vagabonds ... and common women”, suggest that “lack of rootedness and stability was at least part of the problem”: Karras, *Common Women*, p. 16. This is one of the premisses of Goldberg, “Pigs and Prostitutes”. The procedure of the wardmotes for dealing with prostitutes is also set out in *Liber Albus: Munimenta*, ed. Riley, I, pp. 332, 337, 457, trans. in III, pp. 132, 137, 179.

⁵⁸S. Rees Jones, “The Household and English Urban Government in the Later Middle Ages”, in *The Household in Later Medieval Europe*, ed. M. Carlier and T. Soens (Garant, forthcoming). I am indebted to Sarah Rees Jones for access to this article.

⁵⁹The “booke” was perhaps to contain a list of prostitutes who offended by wearing inappropriate clothing and the penalties imposed. Previously such offences were dealt with by confiscation of the offending items and imprisonment of the women. See, for example, ordinances of 1281 (*Memorials*, ed. Riley, p. 20; noted in *Calendar of Letter-Books*, ed. Sharpe, A, p. 220), of 1351 (*Memorials*, ed. Riley, p. 267; noted in *Calendar of Letter-Books*, ed. Sharpe, F, p. 241), of 1382 (*Memorials*, ed. Riley, pp. 458-9; noted in *Calendar of Letter-Books*, ed. Sharpe, H, p. 176), and the entry in *Liber Albus (Munimenta)*, ed. Riley, I, p. 283, trans. in III, p. 102).

shall begin with two texts with a Southwark connection before considering some ordinances from late fifteenth century Coventry which, it will be argued, have mistakenly been associated with an overriding concern about prostitution.

B) The Single Woman as Ungoverned

The first example is that of a lease agreement. In a lease of two tenements in St George's parish, Southwark, dated 1532, the master and brothers of St Thomas's Hospital specified that the agreement would become void if the lessees, John Ryvers and his wife, Margery:

kepe not good reule in the said houses that is for to say he shall resort no theves nor syngill women nor beggers nether no maner of evyll ruled or suspect persones wherby any complaynt shalbe made on the same to the said Master & brethren.⁶⁰

Carlin argues that the 'revival' of such clauses was the result of concern about the presence of prostitutes and their clientele in the Southwark area.⁶¹ The inclusion of "syngill women" alongside thieves, beggars, the evil ruled and the suspect, makes it clear that it is a distrusted group. It could well be that the master and brothers of St Thomas's were concerned about the lodging of prostitutes, as the prostitutes of Stews were prohibited by the regulations from residing in the brothels and so many must have found rooms nearby.⁶² Also, prostitution had long been associated with the presence of thieves, malefactors and other suspect persons.⁶³

⁶⁰LMA, H1/ST/E67/1/41. I owe this reference to Carlin, *Medieval Southwark*, p. 224, n. 65. The counterpart has a few different spellings: LMA, H1/ST/E68/1/2 (the reference to this in Carlin, *Medieval Southwark*, p.224, n. 65, is incorrect).

⁶¹Carlin, *Medieval Southwark*, p. 224. Earlier Carlin refers to a mid-thirteenth century lease by the master and brothers of St Thomas's Hospital which forbade the lodging of anyone "male or female ... who would bring scandal, danger or detriment to the hospital": *Ibid.*, p. 219. The hospital was nevertheless criticized by the bishop in 1387 for its unsuitable tenants: *Ibid.*, p. 219, n. 42; see also her pp. 48, 79.

⁶²This is made clear by ordinances A.2 and B.10: Post, "Fifteenth-century Customary", pp. 423, 424. While the intention of B.1, which states that "noo stweholder that holdeth and kepeth any stwehouse have nor kepe any woman dwellyng with hym both his wiff, and a wassher, and a man to his ostiler, an noo womman for hostiler", might have been to prevent stewholders using servants as prostitutes, it also reinforces the ordinances which state that prostitutes could not board: *Ibid.*, p. 424; Carlin, *Medieval Southwark*, p. 214 (cf. her p. 214, n. 26). Karras says London's ecclesiastical court records refer to people harbouring women from the Southwark Stews which suggests that prostitutes did live elsewhere: Karras, "Regulation of Brothels", p. 117, n. 69. Carlin, from her analysis of the 1381 poll tax, places all the women she identifies as prostitutes as living within the precincts of St Thomas's Hospital, which had low rents and "presumably shielded them from any interference by the officers of the archbishop of Canterbury's manor": Carlin, *Medieval Southwark*, pp. 172, 178, 180, 219-20 (p. 220); on low rents see also her p. 48.

⁶³E.g. *Calendar of Early Mayor's Court Rolls Preserved ... at the Guildhall a.d. 1298-1307*, ed. A.H. Thomas (Cambridge, 1924), pp. 23-4 [1298], 74 [1300]; *Calendar of Plea and Memoranda Rolls Preserved ... at the Guildhall*, ed. A.H. Thomas and P.E. Jones, 6 vols (Cambridge, 1926-61), I, pp. 125 [1340], 188 [1338], II, p.

Carlin argues that this association strengthened after 1500.⁶⁴ This does not mean, though, that “syngill women”, as used in the lease, denoted prostitutes.

As we have seen from the other examples, the unmarried woman is often implicitly associated with prostitution by default. It seems that while legal texts made an effort to distinguish between the prostitute and the married woman, there was less concern to separate out the unmarried woman (unless she was the dependant of a respected householder). An important part of the conceptualization of the prostitute in the brothel regulations was that she did not have a husband to regulate her behaviour. Similarly, in the Repertory Book entry the common woman was a woman outside of a male-headed household structure. The “syngill women” of the lease agreement was a lodger and did not reside with a husband, father or master. As such no one was answerable for her behaviour. The clause in the lease is a precautionary measure to prevent the master and brothers of St Thomas’s Hospital being connected with disorder.⁶⁵ The use of ‘single woman’ here, then, does not denote ‘prostitute’ but there is an association.

This reading is supported by the act which closed the Stews permanently in 1546. The King ordered that “all such persons as have been accustomed most abominably to abuse their bodies ... in any such common place called the stews” - that is, prostitutes - were told to go back to “their natural countries”, as were the stewkeepers.⁶⁶ Also, all dwellers “upon the banks called the stews” who sold victuals “to such as have resorted to their houses”, should stop victualling and lodging guests or strangers until they had made recognizance before the King’s Council not to suffer disorder in their houses or “lodge any serving man, prentice or woman unmarried,

151 [1373], IV, p. 154 [1422]. In the fifteenth century, petitioners complain that the setting up of brothels in Southwark’s High Street has led to women being ravished and travellers robbed and murdered: *Rotuli Parliamentorum*, IV, pp. 447 [1433], 511 [1436]. A Royal Commission was set up in 1460 to expel prostitutes from Southwark and surrounding places because their presence was said to have caused many homicides, thefts, etc.: *Calendar of the Patent Rolls Preserved in the Public Record Office: Henry VI*, 6 vols (London, 1901-10), VI, p. 610.

⁶⁴Carlin, *Medieval Southwark*, p. 223.

⁶⁵Although some parishioners of St Thomas’s Hospital did accuse the master and brothers of the hospital in 1536 of “maintaining improper characters within their precincts”. This was one allegation amongst many of bad conduct, including turning away a pregnant poor woman so that she died at the church door, while readily taking in rich men’s “lemans”. It is also said that the master has a concubine and that “His conduct on some occasions has been so filthy and indecent that even one of his tenants, Edith Percke, whose house he was ... compelled to search for her disorderly rule, reproached him with it to his face”: *Letters and Papers, Foreign and Domestic, of the Reign of Henry VIII*, ed. J.S. Brewer *et al.*, 21 vols (London, 1862-1932), XI, pp. 73-4. The post-Reformation context is presumably telling.

⁶⁶*Tudor Royal Proclamations*, ed. P.L. Hughes and J.F. Larkin, 3 vols (New Haven, 1964-9), I, pp. 365-6 (p. 365). This act also makes a connection between the presence of the brothels and robbery.

other than their hired servants”.⁶⁷ Thus, the act distinguished between prostitutes of the Stews, who were to be expelled, and unmarried women, who were not to be lodged. Clearly, though, there was still a connection. The measure about lodging can be seen as trying to prevent the types generally associated with prostitution, either as prostitutes (“woman unmarried”) or as customers (“serving man” and “prentice”), from resorting to the area.⁶⁸ Similarly, the ban on bear-baiting “in that row or in any place that side the bridge called London Bridge” was tagged on to the end of the royal proclamation with the professed intention that “all resort should be eschewed to the said place”.⁶⁹

In these two examples there is a clear association between unmarried women living outside of formal household structures and disorder generally, but prostitution potentially. In the latter example the unmarried woman as hired servant was licit, the non-dependant single woman was not, as in the Repertory Book entries. I have argued that when the term ‘single woman’ denotes ‘prostitute’ it is because the prostitute was conceptualized as a single woman. When ‘single woman’ is used to denote an unmarried woman, however, the conceptualization can be of the single woman as a potential prostitute. Both texts must be understood within the specific context of Southwark, though, with its legally sanctioned brothels until 1546. Thus, I shall now consider a couple of civic ordinances from Coventry, one from 1492 and one from 1495, which also suggest worry about the ungoverned woman, but in ways that signal different concerns.

The ordinances are included in the city’s Leet Book, largely a record of the bylaws passed by the court leet of the city.⁷⁰ The 1492 regulation has been called “much-quoted”.⁷¹ It merits citing in full here, though, as I intend to offer a close reading of the text:

Also that no senglewoman, beyng in good hele & myghty in body to labour within þe age of l yeres, take nor kepe frohensfurth housez nor chambres be them-self; nor that [they] take eny Chambre within eny oþer persone, but þat they go to seruice till they be married, vpon þe peyn who doth þe contrarie to lese at þe first defalt vj.s. viij d. & at þe ij^{de} defalt to be comyt to prison, there to abide tyll they fynde

⁶⁷*Ibid.*, p. 366.

⁶⁸Again we see a connection between apprentices and prostitution (cf. pp. 114-15 above).

⁶⁹*Tudor Royal Proclamations*, ed. Hughes and Larkin, I, p. 366.

⁷⁰*The Coventry Leet Book*, ed. M.D. Harris, 4 vols, EETS o.s. 134-5, 138, 146 (1907-13). The extant manuscript dates from c. 1520 but Harris says that comparison with those ordinances which are recorded elsewhere show that the copyist “followed his original closely”. Also, that when he summarized rather than transcribed this was indicated by a reference to the original source: pp. ix-xvi (p. xii). The terminology of the two ordinances is probably late-fifteenth century, then, although the precise dating is not crucial to my argument.

⁷¹Peters, “Single Women”, p. 329.

suerte to go to seruice. And that euery such persone [that] resceyue eny such persones, or set them eny housse or Chambre, to lese at þe firste defalt xx s., at þe ij^{de} defalt xl s. & at þe iij^{de} defalt to be comyt to prison, there to remayn till he fynde suerte to conforme hym-selfe to þis ordenaunce.⁷²

The regulation, described in the margin as “For sengle women þat they take no Chambres”, prohibits able-bodied, unmarried women (under the age of fifty) from taking chambers, either alone or with another. It sets up an alternative, though, “þat they go to seruice till they be married”. This was to be enforced by fining both the women and those who lease to them. Also, at the woman’s second default she was to be imprisoned, as was the lessor at his third. It is thus both harsher and more thought-through than the Southwark lease and royal proclamation. It bears relation, however, in its apparent distrust of unmarried women living outside formal household structures.⁷³ Service, which entailed working in return for bed and board (and sometimes wages), would put unmarried women under the immediate governance of a (probably male) household head.⁷⁴ As such it would move responsibility from the civic government onto the householder. The reference to marriage within the ordinance can be interpreted in a similar way: it is a system which places a woman under someone else’s authority.⁷⁵

The 1495 regulation is also concerned with unmarried women living alone; its subject matter is noted in the margin as “Maydens and sole women”:

And also þat euery Maide & sole woman beyng within þe age of xl 3eres þat kepeth eny house sole be hir self, that she take a Chambre within an honest persone, which shall answeere for his [*sic*] goode demeasnyng, or els to go to seruice betwixt þis & þe fest of All Halowes next comyng, vppon peyn of inprisonement, there to abide vnto þe tyme they fynde suerte so to doo, or els to voyde þe Cite. And that þe shirrifs wokely make serch & doo execucion of & in þe premisses, vppon þe peyn to lese Cs. at euery tyme they be founde laches [negligent] in serch-makyng, & non-executyng of þe premisses, that fyne to be levied be þe Mair for the tyme beyng to þe vse of þe Cite.⁷⁶

It certainly can be read as a revision of the 1492 ordinance: the age limit is lowered from fifty

⁷²*Coventry Leet Book*, ed. Harris, p. 545.

⁷³Froide and Peters argue that such ordinances reveal a fear of the masterless: Froide, “Marital Status”, pp. 239-40; Peters, “Single Women”, p. 329.

⁷⁴Although Peters comments that “interestingly it is not male authority that is specified”: Peters, “Single Women”, p. 329.

⁷⁵Cf. the texts considered above, esp. the brothel regulations. See also P.J.P. Goldberg, “Women”, in *Fifteenth Century Attitudes*, ed. R. Horrox, (Cambridge, 1994), pp. 112-31 (p. 120).

⁷⁶*Coventry Leet Book*, ed. Harris, p. 568.

to forty and instead of having to “go to service till they be married”, the unmarried woman can now “go to service” or “take a Chambre within an honest persone”. These modifications have been interpreted as revealing the difficulties of enforcing the earlier regulation.⁷⁷ It is clearly not a total retraction, though. Women who did not fulfil the criteria were no longer fined for the first offence but were to be imprisoned; also, sheriffs were to be fined 100 shillings if they did not enforce the new ruling. Most importantly, unmarried women were still not allowed to live alone. They could now live with someone else but the ordinance does not envisage this as sharing. The other person must be “honeste”, someone they approve of, and “shall answere for his [*sic*] goode demeanyng”; that is, the unmarried woman can live with someone as long as that person takes responsibility for her actions. Although that person is not her ‘master’ in the work sense, the ordinance is assigning governance to him. In this regulation the civic government is passing on responsibility for the unmarried woman to another householder - a makeshift tithing system for women.⁷⁸

Previous commentators have discussed the ordinances in various ways: as, for example, part of a campaign against prostitution; as part of a radical ‘Lollard’ legislative programme; and as a predecessor of late sixteenth century regulations, from other towns, about young women living outside service.⁷⁹ As with the Southwark brothel regulations, though, I shall offer a reading of what the language used reveals about how such a legal discourse conceptualizes women. It is my contention that although the two ordinances are clearly related, they conceptualize women differently, in line with their different policies. While I shall refer to the other contexts in passing, the interpretation concerning prostitution is clearly apposite here. Charles Phythian Adams calls the regulations “part of a campaign against harlots in the city”; Mary Dormer Harris says the logic behind the laws “was a fear ... that single women living alone might betake themselves to ill-ways of livelihood”; and Goldberg describes the 1492 ordinance as “social engineering designed to eradicate prostitution”.⁸⁰ Such views led Froide, in a discussion of never-married women in early modern England, to argue that:

⁷⁷Goldberg, *Women, Work, and Life Cycle*, p. 155; Peters, “Single Women”, p. 329.

⁷⁸Cf. the frankpledge system whereby all lay men over the age of 12 were grouped into tithings (groups of households) which were responsible for bringing an offender within their group to court. On this system see, for example, Pollock and Maitland, *History of English Law*, I, pp. 568-71; W.A. Morris, *The Frankpledge System* (London, 1910); Rees Jones, “Household, Work and the Problem of Mobile Labour”, pp. 140-5; Rees Jones, “Household and English Urban Government”.

⁷⁹These approaches will all be discussed below.

⁸⁰C. Phythian-Adams, *Desolation of a City: Coventry and the Urban Crisis of the Late Middle Ages* (Cambridge, 1979), p. 87; *Coventry Leet Book*, ed. Harris, p. xxviii; Goldberg, *Women, Work, and Life Cycle*, p. 155.

Officials elided singlewomen who lived in their own lodgings with prostitutes who rented lodgings from which they plied their trade. The line between a singlewoman who worked and lived on her own and a prostitute became a (perhaps purposefully) thin one.⁸¹

Although she also cites an ordinance from late sixteenth century Manchester, this does not refer to prostitution.⁸² Froide's footnote refers to Goldberg's discussion of Coventry and goes on to comment that "contemporaries in medieval England and France had no acknowledged social category for adult lay women who had never married except for that of the prostitute".⁸³ While it is by no means clear that the Coventry ordinances were aimed solely at the never married (as will be discussed later), I also dispute the supposed conflation of the "singlewoman" with the prostitute.⁸⁴

These readings stem from the legislative context of the 1492 'single woman' ordinance. A number of other regulations were passed at the Michaelmas Leet of 1492. These include a ban on the keeping of pig-sties in the city; the removal from office of men guilty of misconduct such as "avowtre, ffornicacion or vsure"; the regulation of guild clerics; and the fining of householders who rent to tapsters and women of ill fame, and of those who allow apprentices and servants to squander money or misbehave.⁸⁵ These measures have been called a "series of ordinances designed to restore the moral order" and, more recently, a radical 'Lollard' legislative programme.⁸⁶ The regulation about single women, coming at the end of this "series", has been interpreted in this light.⁸⁷ Moreover, it has particularly been associated with the two

⁸¹Froide, "Marital Status", p. 240. Similarly, when Roberts asserts that sixteenth-century urban authorities "tended to identify the unemployed 'singlewoman' with prostitution, and the employed 'maid' with chastity", he footnotes Phythian-Adams's discussion of the Coventry regulations: M. Roberts, "Women and Work in Sixteenth-century Towns", in *Work in Towns, 850-1850*, ed. P.J. Corfield and D.J. Keene (Leicester, 1990), pp. 86-102 (pp. 93, 100, n. 55).

⁸²Froide, "Marital Status", p. 240. The Manchester ordinance of 1584 will be discussed further below: pp. 127-8.

⁸³Froide, "Marital Status", p. 262, n. 22. Here she refers to the essays by Karras and Farmer in the same volume, although this ignores Farmer's discussion of servants: Karras, "Sex and the Singlewoman"; S. Farmer, "It Is Not Good That [Wo]man Should Be Alone". See my p. 16 above.

⁸⁴For the possible inclusion of widows: pp. 130-1 below.

⁸⁵*Coventry Leet Book*, ed. Harris, pp. 544-5.

⁸⁶Goldberg, "Women", p. 120; P.J.P. Goldberg, "Coventry's 'Lollard' Programme of 1492 and the Making of Utopia", in *Utopians and Idealists in the Later Middle Ages*, ed. R. Horrox and S. Rees Jones (Cambridge, forthcoming). Goldberg argues that the programme is Lollard primarily on the basis of who the officials were in 1492 and the inclusion of the "singlewoman" ordinance. I am indebted to Jeremy Goldberg for showing me a typescript of this article.

⁸⁷There were other regulations passed at this Leet but Goldberg argues that the phrase "Also at þis lete", which precedes the next ordinance (about hatmakers), marks a clear break: *Coventry Leet Book*, ed. Harris, pp. 545-6 (p. 545); Goldberg, "Coventry's 'Lollard' Programme".

ordinances above it which refer to women “of evell name”. The argument here, though, is that those two ordinances are not specifically about prostitution and that the language used in the “senglewoman” regulation differs to the extent that it can be suggested that the concerns are not the same anyway. Thus the two ordinances referring to ‘women of evil name’ must be discussed first in order to justify my reading of the ‘singlewoman’ regulation.

The first of the two ordinances is described in the margin as “For Tapsters & harlattes”:

Also that no person within þis Cite ffrohensfurth kepe, hold, resceyue nor fauour eny Tapster, or Woman of evell name, fame or condicion to whom eny resorte is of synfull disposicion, hauntyng the synne of lechery, vppon þe peyn of euery householder to lese at euery default xx s. And that euery persone that hath such tenaunt keypyng such suspect persones in his house after knowlech be made to hym of such gudyng be an officer, butyf he voide such tenaunt, he to lese xl s.⁸⁸

A link with prostitution could be argued: there are references to “harlattes”, women “of evell name” and “lechery”.⁸⁹ None of these terms, though, signals prostitution exclusively. Terms like ‘harlot’ and ‘woman of evil name’ could be used to refer to women perceived as immoral, as well as ‘professional’ prostitutes. The regulation, therefore, can also be understood in a wider sense, as suggesting a concern with illicit sex generally. “Tapster” is an even vaguer term: it could denote either a tavern keeper or an ale-seller, male or female. A long-established link between drinking establishments and immorality, with alewives in particular accused of such behaviour, meant that there are also fifteenth-century examples where ‘tapster’ is used as a denigratory term for a woman.⁹⁰ The use of the term, though, does not automatically signify prostitution.

⁸⁸*Coventry Leet Book*, ed. Harris, p. 545.

⁸⁹The “harlattes” of the marginal comment presumably refer to the women “of evell name”. Although the term is more commonly used of misliving men (according to the *MED*), it is used again in the Leet book, in an entry for the following year, to refer to females. An ordinance, which is noted in the margin as “ffor harlottes”, states that “yf eny persone speke or intrete for þe fauoryng of eny myslyffyng woman to þe Maire for the tyme beyng, which is knowen for a harlat, he to lose xx s.”; the “harlat” being the “myslyffyng woman”. This regulation seems to follow on from that of 1492 where those who “fauour eny ... Woman of evell name” could be fined twenty shillings; now if anyone tries to defend such an action they can also be fined the same amount. See *MED*, harlot (n.); *Coventry Leet Book*, ed. Harris, pp. 545, 552.

⁹⁰*MED*, tappester(e (n.)) (a) One who draws and sells ale, a tapster; a tavernkeeper; (b) *specif.* a female tapster, barmaid, an alewife; a tavern hostess, also, as a term of denigration for a woman. On the conflation of tapsters and prostitutes: Karras, *Common Women*, p. 72 (who also discusses the immorality of taverns, pp. 71-2); Goldberg, “Pigs and Prostitutes”, pp. 177, 188, n. 27 (on alehouses see p. 179). On the perceived immorality of alewives see, for example, Bennett, *Ale, Beer, and Brewsters*, esp. ch. 7. For early examples of the connection between alehouses, alesellers and immorality: *Calendar of Letter-Books*, ed. Sharpe, B, p. 11 [1281], D, pp. 263-4, 266 [1311]; *Calendar of Plea and Memoranda Rolls*, ed. Thomas and Jones, I, p. 125 [1340].

Thus, there is nothing specific in the ordinance to suggest that the concern was with prostitution rather than with “the synne of lechery”, as stated.⁹¹ An earlier regulation, from 1445, supports this wider reading:

Ord[inatum] est quod quilibet habens tenementum infra villam de Couentria & suburbia eiusdem qui tenet vel hospitatur aliquas bawedes vel sustentat vel custodit comen women, nisi eos (*sic*) amoueat & extra tenementum suum ponat tales super premunitionem ei inde factam per aliquod (*sic*) officarium maioris & ballivorum, perdat ac quolibet (*sic*) defectum xx s., videlicet x s. ad opus ecclesie, & x s. ad opus ballivorum.⁹²

There are similarities between this ordinance and that of 1492: property owners are told that if they lease to “bawedes” or favour “comen women”, and do not remove them upon warning, they will be fined twenty shillings for every default. A ‘bawd’ could be a prostitute but was more commonly used of a procurer or procuress.⁹³ As Karras states, “the term could imply any sort of matchmaking other than that leading to marriage”, but its use alongside “comen women” suggests prostitution. Thus, both Middle English words are more explicit than those used in 1492. This suggests a more obvious concern with prostitution in 1445 and casts doubt on the previous readings of the 1492 regulation about ‘women of evil name’.⁹⁴

The second ordinance of 1492 which refers to women of evil name has even broader concerns. Labelled in the margin as “For resceyuyng of prentes & mennes seruauntes”, it states:

Also þat no Tapster nor oper persone frohensfforth resceyue nor favour eny mannes prentes or servaunt off þis cite in his house ther to spend eny money or to company with eny woman of evell name, or other person of unsadde disposicion, or other person diffamed ayenst the will of his master, vppon þe peyn to lese at euery defalt vj s. viij d.⁹⁵

⁹¹Although lechery can refer to self-indulgence generally, rather than just sex, the *sin* of lechery is about lascivious deeds or thoughts: *MED*, lecheri(e (n.)) 2 (a) Self-indulgence, 3 (a) Lasciviousness as one of the Seven Deadly Sins.

⁹²*Coventry Leet Book*, ed. Harris, pp. 219-20. It can be translated as:

It is ordered that anyone having a dwelling within the town of Coventry and the suburbs of the same who maintains or harbours bawds or maintains or keeps common women, unless he removes and puts them outside his dwelling upon warning made on that account by any of the mayor’s officials and bailiffs, shall lose 20s. at every default, of which 10s. to the service of the church and 10s. to the service of the bailiffs.

⁹³*MED*, baude (n.). See also Karras, *Common Women*, pp. 11, 74.

⁹⁴Indeed, while Goldberg interprets the later ordinance as relating to prostitution (he uses the term “sex worker”), the wider concern with the sin of lechery which I am positing actually supports his argument that the 1492 ‘programme’ reveals a ‘Lollard’ mentality: Goldberg, “Coventry’s ‘Lollard’ Programme”.

⁹⁵*Coventry Leet Book*, ed. Harris, p. 545.

Whereas the first ordinance was about householders receiving tapsters and women of evil name, this is about tapsters and others receiving someone else's apprentice or servant to spend money or time with people their masters would not approve of.⁹⁶ The two regulations are clearly related: the same people who might be fined under the first one for receiving women of evil name could also be fined under the second for receiving the men who came to consort with them. There is, however, a shift in the positioning of the tapster. In the first ordinance it seemed that "eny resorte" to the tapster, like the woman of evil name, was "of synfull disposicion, hauntyng the synne of lechery". In this ordinance the tapster is warned not to "resceyue ... eny mannes prentes or servaunt ... to company with eny woman of evell name";⁹⁷ that is, he/she is the receiver rather than the received. Moreover, the receiving is said to occur "in his house". While the use of a masculine pronoun might be to include the "oper persone", the tapster here seems to be running an establishment where people could "spend eny money", presumably on drinking but perhaps also on women or gambling.⁹⁸ Thus the tapster in this ordinance looks more like a tavern keeper, and could as well be a man as a woman. If we were to read this back into the previous regulation, it could be suggested that resort to the tapster is "of synfull disposicion, hauntyng the synne of lechery", because he/she 'provides' the people or place for such acts; that is, the tapster occupies the position of 'bawd', in its general sense.

The point about drinking and gambling is also significant in that this ordinance is clearly not only concerned with illicit sex but with the wider issues of control and governance. As in the Repertory Book entries, there is an interest in the dependants of householders, here "mannes prentes or servaunt". In part this is again a concern about such people spending money, presumably that of their masters. There is also worry, though, about the apprentice or servant spending time with people "of unsadde disposicion, or other person diffamed ayenst the will of his master"; that is, the irresponsible and those of bad reputation. The regulation sought not only to control the sexual and economic behaviour of apprentices and servants but also whom they associated with.⁹⁹ This is perhaps not surprising given that the 1480s and '90s in Coventry

⁹⁶On concerns about apprentices wasting money: p. 115 above.

⁹⁷"Company" can denote sexual intercourse as well as association: *MED*, *compaignien* (v.) (b) to join or associate; (c) to have intercourse (with the other sex). In this ordinance "company" also refers to the other persons of "unsadde disposicion" or "diffamed". Thus 'associate' is the most suitable meaning, although it is also possible that the phrase was deliberately used for its dual meaning.

⁹⁸Cf. a later Coventry ordinance of 1547 which prohibits working men from going to alehouses during the day and refers to them spending money on drinking, "playnge at the Cardes and tables" and eating: *Coventry Leet Book*, ed. Harris, p. 786. See also a similar ordinance of 1553: *Ibid.*, p. 808.

⁹⁹This reading also means that the servants need not necessarily be understood as male, although cf. the servants and apprentices in the 1546 Act: pp. 118-19 above.

were clearly periods troubled by civic factions and in-fighting.¹⁰⁰

To summarize: although these two ordinances from 1492 refer to ‘women of evil name’, to view them as a campaign against prostitution is too narrow a reading; the category includes both women of ill fame and the ‘professional’ prostitute. The first ordinance was concerned about illicit sex generally, the second with the behaviour of a man’s servants and apprentices outside of his household. Both appeal to other householders to regulate the behaviour that goes on in their premises, even if those involved were not their dependants. The language used also signals moral concerns. With these points in mind, the 1492 regulation about the “senglewoman” can now be interpreted.

The language used in the “senglewoman” ordinance, quoted above, is far more neutral than in the two just discussed.¹⁰¹ There are no references to being “of evell name”, “suspect persones”, or to “unsadde” or “synfull” dispositions. Indeed, there is nothing to suggest that the concern in this regulation is related to those ordinances, except for its positioning in the Leet Book. The distrust about unmarried women living outside formal household structures might in part be about her sexual behaviour but, if so, this is not made explicit in the 1492 regulation. The single woman is not constructed as a prostitute or even a potential prostitute. The only elaboration on whom the ordinance refers to is that she be “in good hele & myghty in body to labour within þe age of l yeres”. This phrasing seems significant then; the ‘single woman’ is represented here as an able-bodied worker of a certain age.¹⁰² The emphasis on bodily labour *might* represent a concern to produce an honest working body instead of a dissolute body; the expression a mask for the real issue at stake. Others, however, have offered readings which link this ordinance to prostitution and immorality. The intention here is to offer an alternative reading; I shall argue that the conceptualization of the unmarried woman as ungoverned in this

¹⁰⁰M.D. Harris, “Laurence Saunders, Citizen of Coventry”, *English Historical Review*, 9 (1894), 633-51; C. Humphrey, “The Dynamics of Urban Festal Culture in Later Medieval England”, unpublished D.Phil. diss. (University of York, 1997), ch. 4 (esp. pp. 97-107); Goldberg, “Coventry’s ‘Lollard’ Programme”.

¹⁰¹For the ordinance see pp. 119-20 above.

¹⁰²The choice of age might not have been arbitrary. A number of medical texts which were held to be authoritative in the medieval period date the cessation of menstruation to around this age: J.B. Post, “Ages at Menarche and Menopause: Some Mediaeval Authorities”, *Population Studies*, 25 (1971), 83-7; S. Shahar, *Growing Old in the Middle Ages*, trans. Y. Lotan (London, 1997), p. 18. We need not infer from this that the concern was with sexuality, though. It might have been that the policy of going “to service till they be married” was not considered appropriate for such women, or that women over the age of 50 were not thought suitable for manual work. The Ages of Man literature talks about old age as weak; on this in respect of women: M. Dove, *The Perfect Age of Man’s Life* (Cambridge, 1986), pp. 22-3; E. Sears, *The Ages of Man: Medieval Interpretations of the Life Cycle* (Princeton, 1986), pp. 24-5; S. Shahar, “The Old Body in Medieval Culture”, in *Framing Medieval Bodies*, ed. S. Kay and M. Rubin (Manchester, 1994), pp. 160-86 (esp. p. 167).

ordinance has a work dimension.

The construction of the single woman as worker might in part stem from the proposed solution in this ordinance, that she “go to seruice”. Service would entail not only moving into someone else’s household but also working for them. It can also be suggested, though, that part of the concern about the ungoverned woman was about her labour. The formulation “myghty in body” has its own associations which are potentially revealing. An ordinance from 1495, described in the margin as “For vacabundes”, also uses the same wording. It states that “all maner vacabundes & beggers myghty in body within þis Citie or suburbes þerof voide þe Citie”, unless someone can vouch for their deeds.¹⁰³ As we have seen, beggars are a distrusted group: in the Southwark lease Ryvers and his wife were not to lodge “theves nor syngill women nor beggers nether no maner of evyll ruled or suspect persones”. In Coventry a search was instigated for vagabonds in 1489 after a directive from the King complained of “theves, riotours, vacabundes and suspect persones”.¹⁰⁴ The phrase “myghty in body”, though, suggests that in 1495 the city was concerned with those who beg although able to work; that is, the idle poor. Indeed, a similar formulation, “mighti of bodi”, has this association in other texts: the two fifteenth-century examples that the *MED* gives of this phrase both refer to those who should not beg. For example, the Middle English *Romaunt of the Rose* states that: “No man, up peyne to be ded, / Mighti of body, to begge his bred, / If he may swynke it for to gete”.¹⁰⁵ Returning to the single woman ordinance, the use of the phrase “myghty in body” suggests that there was a concern to see the women supporting themselves by their honest labour, specified as “seruice”, but also that the unmarried woman not in service was seen as idle or, at least, that whatever work she was doing was not ‘proper’.¹⁰⁶

The Manchester ordinance of 1584, referred to by Froide, might seem comparable in that it states that unmarried woman could no longer be “at ther owne hands”, or live alone, as they

¹⁰³*Coventry Leet Book*, ed. Harris, p. 568.

¹⁰⁴*Ibid.*, pp. 538-40 (p. 538).

¹⁰⁵*MED*, mighti (adj.) 3. (a) ~ of bodi, able-bodied. For the *Romaunt of the Rose: Riverside Chaucer*, ed. Benson, pp. 686–767 (p. 756, ll. 6617-19). The manuscript is dated pre 1425, but composition was pre 1400. Earlier in the text a connection is made between the “myghty” and “laboring”: “A myghty man, that can and may, / Shulde with his honde and body alway / Wynne hym his fode in laboring”: *Ibid.*, p. 775, ll. 6573-5. The other example is from *An Apology for Lollard Doctrines*: “Also bi lawe cyuil it is not leful to a mizty body to beg” (*Apology for Lollard Doctrines*, ed. Todd, p. 111). The manuscript is dated c. 1475. composition about 1400.

¹⁰⁶Such concerns have been noted for the early modern period: P. Griffiths, *Youth and Authority: Formative Experiences in England 1560-1640* (Oxford, 1996), esp. ch. 7. On young women as the undeserving poor see also Froide, “Marital Status”, pp. 252-58.

“doe backe & brewe & vse other tr[ades] to the great hurte of the poore Inhabitants havinge wieffe & children”.¹⁰⁷ Indeed, Marjorie McIntosh reads a concern about economic competition back into the Coventry legislation from the 1589 version of this ordinance.¹⁰⁸ Her reading as it stands is problematic in that the concerns in late sixteenth century Manchester are not necessarily those of Coventry a century earlier. While the intention here is not to deduce the actual position of the working woman in late fifteenth century Coventry, the economic climate is pertinent to the construction of the single woman as an able-bodied worker (just as legally sanctioned brothels in Southwark provided a context for understanding why the term ‘single woman’ might sometimes denote ‘prostitute’).

Coventry in the 1490s was approximately halfway through a century of economic decline and the 1480s had been a period of disastrous crisis.¹⁰⁹ Goldberg argues that “In retrospect we can locate this concern [with single women in Coventry] within the context of a rapidly contracting economy that was simply incapable of providing adequate paid employment for the working woman”.¹¹⁰ The context offered is that in times of economic dislocation certain forms of employment were seen as the preserve of the male.¹¹¹ Goldberg’s reading is thus a step on from McIntosh’s: economic competition had led to women already being squeezed out of certain occupations, leading to underemployment, and thence to this solution. In 1492, then, there was a sense that unmarried women should be working and that service was a suitable employment. An earlier regulation from Coventry suggests some reasons for the latter.

In 1453 a weavers’ ordinance stated that for a master to set “his wyffe or his daughter or ony

¹⁰⁷*The Court Leet Records of the Manor of Manchester*, ed. J.P. Earwaker, 12 vols (Manchester, 1884-90), I, p. 241; see p. 122 above.

¹⁰⁸McIntosh, *Controlling Misbehavior*, pp. 110-1. The Coventry ordinance she cites is that of 1495. For similar statements in Manchester: *Court Leet Records*, ed. Earwaker, II, pp. 23 [Apr. 1588], 27 [Oct. 1588]; 37-8 [Oct. 1589], 43 [Apr. 1590], 51 [Oct. 1590]. After 1590 the final clause of each leet record usually states that previous ordinances should still be enforced. E.g. *Ibid.*, pp. 53 [Apr. 1591], 60 [Mar. 1592]. The next explicit ordinance about single women is from April 1602: *Ibid.*, p. 178.

¹⁰⁹Phythian-Adams, *Desolation of a City*, ch. 1 (esp. p. 38).

¹¹⁰Goldberg, “Coventry’s ‘Lollard’ Programme”. Neither McIntosh nor Goldberg argue, though, that such concerns can be read into the language of the Coventry ‘single women’ ordinances.

¹¹¹Goldberg has argued that in the later fifteenth century women were generally at a disadvantage to men in the competition for employment: Goldberg, *Women, Work, and Life Cycle*, ch. 3 (esp. pp. 155-7), p. 337. Others have argued for regional variation. E.g. Mate, *Daughters, Wives and Widows*, pp. 42-5 (on Sussex towns); Barron argued that economic depression did not affect the capital until at least the sixteenth century, although she has since revised that view: Barron, “‘Golden Age’”, p. 48; C.M. Barron, “Introduction: The Widows’ World in Later Medieval London”, in *Medieval London Widows*, ed. Barron and Sutton, pp. xiii-xxxiv (p. xxxiv). Cf. Bennett who argues for more attention to continuity in women’s work between, for example, 1300-1700: Bennett, “Medieval Women, Modern Women”.

woman servaunt to weyve in the brode loom ... is a geyn all goode order and honeste".¹¹² This ordinance has been interpreted, in the light of similar weavers' regulations from other English towns in the late fifteenth and early sixteenth centuries, as suggesting that labour was seen as the male's prerogative.¹¹³ It is also revealing, though, of the importance placed on the household structure in the regulation of work. It is the adult male householder who is prohibited from allowing his wife, daughters or female servants to work.¹¹⁴ This, then, is another possible reason why service was seen as a more suitable alternative for able-bodied women: it is work within a household structure. In the discussion of the London Repertory Book entries, it was argued that wives, resident daughters and female servants were seen as the responsibility of the male householder, whereas the singlewoman/common woman was seen as the direct responsibility of the civic government. The Coventry ordinances suggest a parallel division: householders were usually seen as responsible for the labour of the women in their households, the "wyffe ... doughter or ... woman servaunt"; thus civic government must regulate the labour of those women outside the household, the "senglewoman". Service would have been seen as a suitable alternative, both for women working outside the household economy and for women not working. The reference to marriage within the ordinance can be interpreted in a similar way: it would make her labour part of the household economy. In a period when both civic government and craft guilds set rules about, for example, how work was to be carried out, by whom and at what times, there was a suspicion about those outside

¹¹²Phythian-Adams, *Desolation of a City*, pp. 87-8. Unfortunately these ordinances have not been published in full. Fox argues that another weavers' ordinance from this year allows for the possibility of female apprentices: "There shall no man nor woman spool nor warpe any [clothe] before it come to the weaver unless it be one that is free prentis to the occupation of brodde weaving": L. Fox, "The Coventry Guilds and Trading Companies With Special Reference to the Position of Women", in *Essays in Honour of Philip B. Chatwin*, prepared by the Birmingham Archaeological Society and the Dugdale Society (Oxford, 1962), pp. 13-26 (p. 20). Female apprentices were less common than male ones generally and the trades they learnt were more limited. This is discussed for London in Barron, "Education and Training", pp. 144-6; see also p. 185 below. Given the restrictive ordinance about wives, daughters and female servants, it seems unlikely that many weavers were taking on female apprentices. Phythian-Adams is sceptical about some of Fox's evidence for female apprenticeship: Phythian-Adams, *Desolation of a City*, p. 87.

¹¹³Goldberg, "Coventry's 'Lollard' Programme". This was made explicit in the Bristol weavers' ordinance of 1461 which states that because weavers were using "ther wyfes, doughters and maidens ... many and divers of the Kynges liege people likkely men to do the Kyng seruis in his warris and in the defence of this his lond, and sufficiently lorned in the seid crafte, goeth vagaraunt and vnoccupied and may not haue ther labour to ther levying": *The Little Red Book of Bristol*, ed. F.B. Bickley, 2 vols (Bristol, 1900), II, p. 127. In the Norwich weavers' ordinance of 1511 apprentices under the age of 14 were also excluded: *The Records of the City of Norwich*, ed. W. Hudson and J.C. Tingey, 2 vols (Norwich, 1906-10), II, pp. 376-9 (esp. p. 376). This has led Roberts to comment that "Restrictions of this kind are sometimes viewed as a kind of patriarchal camouflage, behind which men could guarantee for themselves the monopoly of well-paid, high-status work in difficult times. But the interplay between strength, status, gender and remuneration may well have been more subtle": Roberts, "Women and Work", p. 90.

¹¹⁴See also the Bristol ordinance in the n. above.

the structure of a male-headed household.¹¹⁵ Like the other ordinances discussed from this year, there is an implication that householders should regulate the behaviour that goes on in their premises. Single women should not live alone or in lodgings but must move into a household where they, and their work, would be governed.

The work dimension is less striking in the related ordinance of 1495, which I shall now consider.¹¹⁶ In the 1492 regulation the explicit emphasis, signalled by the phrase “myghty in body to labour”, is on bodily labour not virtue. In 1495, although the regulation retains its reference to service, the language has more in common with the other clauses from 1492. While there are no references to being “suspect persones”, or of “synfull” disposition, the language is still moral in tone: the women should live with “an honest persone” who could answer for their “goode demeanynng”. I have argued that the construction of the single woman as worker in the 1492 ordinance perhaps stemmed in part from the proposed solution, that she “go to service”. If we follow this logic, it can also be argued that the unmarried woman in 1495 would be constructed as a responsible lodger in line with the policy offered, that she could lodge with “an honest persone”. As such, the most obvious comparison is not between the “senglewoman” of 1492 and the unmarried women of 1495, but between the ‘women of evil name’ of 1492 and the well behaved women of 1495. I have already disputed the equation of the ‘single woman’ with the ‘prostitute’ in 1492. The two types of women are talked about separately and in quite different terms: the ‘single woman’ was to go to work in service; the ‘woman of evil name’ was not to be received or accommodated. The women of 1495, however, could be lodged and thus an implicit comparison is set up: if a householder were to receive a woman and then find out she was a ‘suspect person’, he/she must evict her; but if the lodger was of ‘good demeanor’ she could stay. While this suggests a worry about the moral behaviour of the unmarried woman in 1495, this concern is nevertheless concealed. The unmarried woman in lodgings is not elided with the prostitute; she is clearly kept separate.

One aspect of the conceptualization of the unmarried woman as respectable in 1495 is the different use of terminology to describe her. The “senglewoman” of 1492 becomes the “Maide

¹¹⁵Goldberg, “Craft Guilds”, pp. 155-6. Swanson argues that the recorded ordinances of craft guilds were intended “to reflect the order that the authorities wished to see imposed on society, a hierarchical and above all male-orientated order”: Swanson, “Illusion of Economic Structure”, p. 29. For a less negative account of the guilds’ relationship with civic government: Rees Jones, “Household, Work and the Problem of Mobile Labour”. On the importance of guilds in the arena of work: Rosser, “Crafts, Guilds and the Negotiation of Work”.

¹¹⁶It is quoted on p. 120 above.

& sole woman” of 1495. It seems unlikely that this represents a widening of concern from the never married to all unmarried women, given that the other changes in 1495 are limitations to the earlier regulation. Also, we have seen that the term ‘single woman’ could include widows.¹¹⁷ It could be argued, therefore, that - just as the reference to “goode demeasnyng” constructs the women as responsible lodgers - the twin terms are used in 1495 to connote more respectability. While “senglewoman” in 1492 clearly does not suggest ‘prostitute’, ‘maid’ is a term which implies sexual purity, virtue and innocence. Also, “sole” has an element of gravitas: it is used to describe widows in their husbands’ wills; it is used of orphaned daughters; and in legal discourse ‘woman sole’ or ‘sole woman’ are often used as Middle English equivalents of the Anglo-Norman *femme sole*.¹¹⁸ Thus the terminology in 1495 helps construct unmarried women as persons who could feasibly be allowed to lodge.

If widows were included within 1492’s “senglewoman”, then the separation of unmarried women into “maide” and “sole woman” is of further significance. Why is the term ‘maid’ used but not ‘widow’? The division seems to be between young, unmarried woman and any other unmarried woman. This might hint at an overriding concern with the young or never married. This is the implication that has been read into the Coventry ordinances by those looking back from the late sixteenth century ones, which often make their concern about youth explicit.¹¹⁹ The age limits in the Coventry ordinances, of fifty and forty, are relatively high, though. Goldberg interprets the age reduction in 1495 as “no doubt to exclude numbers of widows of sufficient means who did not wish to compromise their modest autonomy”.¹²⁰ If this was the case, though, why does the ordinance not simply exempt widows above a certain property qualification? The people it explicitly excludes are women over the age of forty. It is possible,

¹¹⁷E.g. in the discussions of lechery in *Speculum Vitae*, the *Myroure* and *Jacob’s Well*, and in two London guild ordinances: section I, A) and section III above.

¹¹⁸*MED*, sol(e adj. (1) 1. (a) and (b) for the widows and orphans. As a translation of *femme sole* see, for example, Lincoln’s *White Book* (1480-1) which translates parts of London’s *Liber Albus*: in *Borough Customs*, ed. M. Bateson, 2 vols, Selden Society, 18 and 21 (1904-6), I, pp. xxxvii, 226-7; cf. *Munimenta*, ed. Riley, I, pp. 204-5, ‘Uxor quae sola mercandizat’ and ‘De placito transgressionis’. See also a Worcester ordinance of 1467: *English Gilds*, ed. Smith and Smith, p. 382 (no. XIV); and a petition in *Rotuli Parliamentorum*, V, pp. 548-9 [1464]. These examples all refer to rights and responsibilities. It is therefore interesting that the “sole woman” in Coventry is not seen as fully answerable for her own behaviour - an “honest persone” was.

¹¹⁹E.g. Griffiths, *Youth and Authority*, p. 365, n. 61; Froide, “Marital Status”, p. 249. For example, an ordinance from Liverpool in 1596 states that it is “Concerning all such young women and others called charr women in this town, as are in no service”; one from Southampton in 1579 states “there are in this town diverse young women and maidens which keep themselves out of service”: McIntosh, *Controlling Misbehavior*, p. 111. The Manchester ordinance of 1584 does not describe the women by age but does accuse them of “abu[sing] them selves wth yonge men” [my italics]: *Court Leet Records*, ed. Earwaker, I, p. 241.

¹²⁰Goldberg, “Coventry’s ‘Lollard’ Programme”.

therefore, to read the age restrictions as signalling that the concern about ungoverned women was delimited not just by marriage or service but by an upper age boundary.

An ordinance from sixteenth-century Chester also adopts a maximum age limit of forty. The regulation of 1539-40 ordered that no woman between the ages of fourteen and forty could keep an alehouse. This has been interpreted as an attempt to limit “alehouse-keeping to women thought to be either too young or too old for sexual activity, to clean up the ale trade and expunge its association with prostitution”.¹²¹ This might have been the case, and it is not my intention to delve into the intentions of the Chester ordinance here. It can also be read another way, though: Chester’s civic authorities felt that women over the age of forty were responsible enough to run alehouses, that age conferred responsibility.¹²² Although such women were perhaps predominantly widows, this distinction is again not made.¹²³ None of the regulations explicitly includes or excludes widows. Some, however, express concern about the young. For example, in the London Repertory Book entries there is worry about the “evyll example” being set to “yonge maydens” and “chyl[d]ren”, and the Act which closed the Stews comments in particular that “the youth is provoked, enticed, and allowed to execute the fleshly lusts”.¹²⁴ While these, and the frequent references to servants and apprentices, perhaps predominantly refer to male youth, the use of ‘maid’ in the 1495 regulations suggests that there was also specific concern about young women. Taken together with the upper age limits, it can be argued that, in a legal regulatory discourse, age - as well as marital status - could be a key factor in the conceptualization of women.

To summarize, I have argued that if the Coventry ordinances are not interpreted as a coherent whole, or in the light of later regulations, we can see a number of different conceptualizations of women. The single woman is separate from the ‘woman of evil name’ but she is still ungoverned. When the single woman of 1492 is constructed as less ungoverned in 1495, she becomes the ‘maid’ and ‘sole woman’. As such, there remains concern about her; she is a

¹²¹Bennett, *Ale, Beer, and Brewsters*, p. 122. This ordinance was issued in the same mayoral year as one regulating head coverings according to marital status: see pp. 18, 19-20, n. 91 above.

¹²²Thomas argues that increased age often led to increased authority for women in early modern England: K. Thomas, “Age and Authority in Early Modern England”, *Proceedings of the British Academy*, 62 (1976), 205-48 (esp. pp. 235-6). Froide - also on early modern England - found evidence of older, never-married women being treated more like widows (and of some young widows being treated like the never married): Froide, “Marital Status”, pp. 241-3, 250-1, 255-6, 264 (n. 34).

¹²³On women granted licences for alehouse being predominantly widows: Bennett, *Ale, Beer, and Brewsters*, pp. 56, 108, 110, 117, 119; Froide, “Marital Status”, p. 247.

¹²⁴*Tudor Royal Proclamations*, ed. Hughes and Larkin, I, p. 365.

potential 'woman of evil name', but this is also an attempt to rehabilitate her. In Coventry the single woman/sole woman is not a prostitute, indeed she is aligned with the maid, but - like the 'woman of evil name' - her residential arrangements (and her work) are the subject of regulations. Thus the concerns are not restricted to the moral; there is also an economic dimension.

This seems to have taken us a long way from the question of whether 'single woman' denotes 'prostitute', but it has suggested a number of factors about how a legal discourse concerned with regulation conceptualizes women. Of course there is not just one way and the meanings of categories change according to context. The key division here is not that of maid/wife/widow, or even a single/married binary, but one of dependence/independence (or, to be less anachronistic, governed/ungoverned), with marital status only one factor among others, such as age and household position. In the Southwark brothel regulations the division is between prostitutes as single woman on the one hand and men's wives on the other, with independence/dependence apparently mirroring a single/married binary. In the London Repertory Book the division is also between independence and dependence with single women/common women on one side, but the men's wives are joined by young maidens as their fathers' dependants or masters' servants. In the Act which closed the Southwark brothels - leaving 'professional' prostitutes to one side - the unmarried woman as servant is licit but the unmarried servant as lodger is not, the single woman being further divided into the governed and ungoverned. The shifting categories continue with the Coventry ordinances. For example, the 'maid' moves from her position in the London Repertory Book as a dependant to an intermediary position in the Coventry regulation of 1495: the woman who is to be allowed to live outside both her father's house and service but for whom an 'honest person' must answer. As with the Southwark brothel regulations, the Coventry ordinances try to regulate the behaviour of those women not under the governance of a man. Whereas in Southwark they only seem to have had a thought-through policy for prostitutes, in late fifteenth century Coventry the regulations covered all unmarried women (under a given age and living outside certain household structures) from the 'maid' to the 'harlot'. 'Single woman' is a term that can be applied to any of these groups.

C) Postscript: 'Single Woman' as Prostitute

The only convincing examples of 'single woman' denoting 'prostitute' all have either a Southwark or London connection. The earliest seems to be the regulations for the Stews. It was hypothesized that the use of the term in the Repertory Book in connection with "common women of the Stewes" perhaps stemmed from the term's use in the regulations. A later example, John Stow's *A Survey of London* (1598), certainly has this connection. In Stow's treatment of Southwark he refers to "the Bordello or stewes, a place so called, of certain stew houses priuiledged there, for the repaire of incontinent men to the like women, of the which priuiledge I haue read".¹²⁵ He then goes on to describe some of the regulations. Post, in his discussion of the surviving manuscripts of the regulations, states that there is a transcript, "edited somewhat", from the latter part of the sixteenth century which "was prepared for and perhaps by John Stow for use in his *Survey*" and was "clearly taken" from the late fifteenth century version previously discussed.¹²⁶ In his *Survey* Stow cites a mixture of the 'A' and 'B' ordinances and in four of these he uses the term "single woman".¹²⁷ Three of these replicate the term's use in the fifteenth-century version; however, one is a substitution for the word "woman".¹²⁸ In the 'B' series of the fifteenth-century regulations it is stated that "if any woman take any money to lye with any man, but she lye stille with hym til it be the morwe tyme and thanna [*sic*] arise, she shal make a fyn".¹²⁹ Stow notes that "No single woman to take money to lie with any man, but shee lie with him all night till the morrow".¹³⁰ The usages of the term 'single woman' in Stow's *Survey* signal the enduring impact of the use of the term in the

¹²⁵*A Survey of London by John Stow, Reprinted from the Text of 1603*, ed. C.L. Kingsford, 2 vols (Oxford, 1908), II, p. 54. Kingsford comments on any differences from the 1598 edition.

¹²⁶Post, "Fifteenth-century Customary", p. 419.

¹²⁷Post thinks Stow cites "all or part of" A.1-5, B.4, B. 7, B. 9, B. 20, B. 25 and B.29: *Ibid.*, p. 419, n. 24. But Stow also refers to B.2 ("To take no more for the womans chamber in the weeke then fourteene pence") and the statement that "No man to be drawn or enticed into any stewhouse" perhaps also relates to B.8 as well as B.7: *Survey of London*, ed. Kingsford, II, pp. 54-5; Post, "Fifteenth-century Customary", p. 424.

¹²⁸The three replications relate to A.1 and A.4-5: Post, "Fifteenth-century Customary", p. 423; *Survey of London*, ed. Kingsford, II, p. 54.

¹²⁹Post, "Fifteenth-century Customary", p. 425 (B.20). Karras, using the related question B.54 ("Taketh she any monee to lye with men and performeth it not?"), suggests that this ordinance perhaps only applied if the woman had specifically taken money to spend the whole night with someone: Karras "Regulation of Brothels", pp. 123-4, n. 92; Post, "Fifteenth-century Customary", p. 426. Indeed, Scattergood comments of the following line's in Chaucer's "Shipman's Tale" - "This faire wyf accorded with daun John / That for this hundred frankes he sholde al nyght / Have hire in his armes bolt upright" - that this "transaction is the sort a prostitute might make with a client": *Riverside Chaucer*, ed. Benson, p. 207, ll. 1504-6; V.J. Scattergood, "The Originality of the Shipman's Tale", *Chaucer Review*, 11 (1976-7), 210-31 (p. 219). For this tale see also n. 55 above.

¹³⁰*Survey of London*, ed. Kingsford, II, p. 54.

regulations.¹³¹ Moreover, its additional use in a different ordinance suggests that through being used in some of the regulations the term had gained an association which could then be used elsewhere.

While that example only shows Stow using it ‘elsewhere’ in the regulations, another passage in his *Survey* supports this reading. After the summary of the regulations Stow states what else he knows about the Stews. Included in this is the passage:

I haue heard ancient men of good credite report, that these single women were forbidden the rightes of the Church, so long as they continued that sinnefull life, and were excluded from christian buriall, if they were not reconciled before their death. And therefore there was a plot of ground, called the single womans churchyard, appoynted for them, far from the parish church.¹³²

The “single women” he refers to are quite clearly the prostitutes of the Stews. While the first usage might be his own, the reference to “the single womans churchyard” suggests that the usage was also manifest outside of legal texts or references to the regulations. Stow in the late-sixteenth century makes the naming of the churchyard sound long-established: “I haue heard ancient men of good credite report ... there *was* a plot of ground, called the single womans churchyard” [my italics].¹³³ The entry in Palsgrave’s dictionary can perhaps be interpreted in this light. Palsgrave was a sometime resident of London.¹³⁴ His translation of the term “syngle woman” as *putayn* perhaps stems from a common usage of the Middle English term, in the Southwark area, to refer to the prostitutes of the Stews. Despite the pronouncements of some scholars that medievals had no conceptual space/social category for the single woman except that of prostitute, the term does not seem to have had that meaning outside the environs of Southwark and London.

¹³¹Indeed the *OED* cites an extract of the regulations from James Howell’s *Londinopolis: An Historicall Discourse, or Perlustration of the City of London* (1657), as evidence for ‘single woman’ meaning ‘prostitute’: cf. n. 3 above.

¹³²*Survey of London*, ed. Kingsford, II, p. 55.

¹³³Carlin argues that a Southwark parish register “carefully notes the burials of prostitutes as, for example, ‘Alys a senglewoman’ or ‘Margaret Savage common woman’, while taking only rare note of the occupations of others buried”: Carlin, *Medieval Southwark*, p. 226. This seems an exaggeration. While Savage is noted as a prostitute the term ‘senglewoman’ might be the other woman’s marital status. I found no ‘Alys’ but in 1544 there is an entry for “Agnes a synglewoman”, and in 1545 there is entry about the burial of Joan Ward “vidua”: LMA, P92/SAV/356a, fols 99v, 104v, 106r. Similarly, Carlin assumes that the ‘singlewomen’ recorded as marrying in the Register were prostitutes, although it is conceivable that this was their current marital status, as ‘spinster’ is entered in the records today: Carlin, *Medieval Southwark*, p. 228, n. 81; P92/SAV/356a, fols 63v, 64r, 65v.

¹³⁴Stein, *John Palsgrave*, pp. 1-2, 4-5, 29. Palsgrave styles himself as “natyf de Londres” in the dedication to his work: *L’éclaircissement*, ed. Génin.

The next section will continue this focus on terminology. The examples of the Middle English term 'sengle woman' considered so far have been those used as abstract categories; the only named individuals discussed were those classified in Latin in the late fourteenth century poll tax returns.¹³⁵ The following section, though, is specifically concerned with texts which use 'singlewoman' as a personal designation. The main points for consideration are what the term means, where it was used and why, and possible chronological shifts. It thus begins in the early fifteenth century but will leave us again in the late fifteenth and early sixteenth centuries.

¹³⁵Although cf. n. 5 above.

V. 'Singlewoman' as an Addition or Personal Description

Poos, having found testators described as “sengylwoman” and “syngilman” in two early sixteenth century Essex wills, comments: “Thus was contemporary Essex terminology of social typology extended to embrace those who passed their lives unmarried”.¹ Goldberg has linked the use of the vernacular term ‘singlewoman’ as a personal description, which he observes predominantly in later fifteenth century records, to “The increasing importance of matrimony for women as job opportunities for the single female diminished” and, more tentatively, to the never married.² The argument here, though, is that the increasing application of the term ‘singlewoman’ to named individuals is more akin to the use of the term ‘gentleman’ which D.A.L. Morgan advances; that is, “as an individual style, a personal designation, the word ... came into social usage in response to the stipulation of the Statute of Additions of 1413”.³ This hypothesis would make the cultural factors involved in the term’s use quite different and allows for a consideration that, as an addition, the term ‘singlewoman’ does not necessarily denote the never married.⁴ This section will briefly consider some of the legal debate about additions which arose after the 1413 statute but - as the argument is that the term came into wider social usage in the form required by the statute - I shall then consider examples of the term as a personal designation in non-common law records such as subsidies, civic registers and wills.

The Statute of Additions set out that the “Estate or Degree, or Mystery” of all defendants was to be given in all original writs and appeals concerning personal actions and in all indictments in which process of outlawry lay. The place of residence was also to be stated, both measures presumably to ensure that there was less possibility of incorrect identification of a defendant.⁵ Women, however, often did not have an estate, degree or mystery separate from their male

¹Poos, *Rural Society*, p. 157. Chelmsford, Essex Record Office, D/ACR 1/86 [“Elizabeth Thomys Sengylwoman”, 1504]; D/ACR 1/176 [“Richard Smyth ... syngilman”, 1510].

²Goldberg, *Women, Work, and Life Cycle*, p. 278; *Women in England*, ed. Goldberg, p. 14.

³D.A.L. Morgan, “The Individual Style of the English Gentleman”, in *Gentry and Lesser Nobility in Late Medieval Europe*, ed. M. Jones (Gloucester, 1986), pp. 15-35 (p. 16). Although he acknowledges that its adoption “was heralded by its increasing frequency in English form as a general word of social reference in the generation before 1413”: *Ibid.*, p. 29, n. 5. This also can be applied to the term ‘single woman’, as we have seen. Mark Ormrod has found that after 1415 additions became more prevalent in the register for the Corpus Christi guild of Boston, Lincs.: personal communication (2000) citing BL MS Harley 4795. Cf. Swanson who argues that men are increasingly described by occupation after the 1363 artificers’ act and that “It was a trend encouraged, though not initiated, by the Statute of Additions of 1413”: Swanson, *Medieval Artisans*, p. 4.

⁴As argued already for the uses of the term ‘single woman’ as an abstract category and, similarly, as regards the application of *sola* to individuals in poll tax returns.

⁵*Statutes of the Realm*, II, p. 171 [1 Hen. V, ch. 5]; Morgan, “Individual Style”, p. 16.

relatives. Phillipa Maddern found that the clerks of the King's Bench records solved this by using terms like 'widow' and 'wife of ...', and more rarely, 'singlewoman', 'spinster' and 'gentlewoman'.⁶ J.H. Baker argues that the usual addition given to unmarried women was 'singlewoman'.⁷ When Joan Botiller "sengilwoman" was indicted in 1437 before the justices of the peace in Cambridge, however, it was ruled that the indictment was insufficient because "sengilwoman intendi non potest addicio pro formam statuti de addicionibus".⁸ There is discussion of this and related matters in the Year Books, spanning from the 1430s to the 1470s at least.⁹ For example, in 1432 there was a debate between two justices about whether *vidua* and "singlewoman" were sufficient as additions.¹⁰ The joint discussion of the terms need not suggest that their meanings are opposing ones, but can perhaps be understood as an attempt to find a suitable addition for an unmarried woman.¹¹ When, however, there was a related discussion about whether 'servant' was a suitable addition in 1468, Justice Littleton argues that, although it is neither a "degree ne mysterie, uncore il est un condicion, come est de singlewoman".¹² His argument was not accepted, on the grounds that a man who is either a knight, squire, yeoman or groom could be described as 'servant', rather than because the word 'condition' does not occur in the Statute of Additions.¹³ It suggests, though, both that Littleton considered "singlewoman" to be a well-known "condicion" in 1468 to the extent that it would support his argument for the term 'servant', and also that the concern of the justices was for

⁶P.C. Maddern, *Violence and Social Order: East Anglia 1422-1442* (Oxford, 1992), pp. 40-1. Some of the women designated as 'spinster' were married (cf. n. 13 below). I am grateful to Phillipa Maddern for elaboration on her findings (personal communication, 25 Mar. 1999).

⁷J.H. Baker, "Male and Married Spinsters", *American Journal of Legal History*, 21 (1977), 255-9 (p. 258).

⁸PRO, JUST 3/7/4, m. 3r (I owe both the reference and the transcription to the generosity of Emma Hawkes).

⁹Baker, "Male and Married Spinsters", p. 258, n. 14. On Year Books see the introductions to the Selden Society volumes: *Year Books of Edward II*, 22 vols, ed. F.W. Maitland *et al.*, Selden Society (1903-88), 17, 19-20, 22, 26, 31, 33-4, 36-9, 41-3, 45, 52, 54, 61, 63, 65, 70, 81, 104 (esp. I, pp. ix-xx, and V, pp. ix-lxiv). For a brief summary: J.H. Baker, *An Introduction to English Legal History* (2nd edn; London, 1979), pp. 152-4.

¹⁰Year Books, Michaelmas Term, 10 Hen. VI, p. 21, pl. 70 ([*Le premier part des ans ore nouelment peruse, etc.*] (London, 1609; STC 9616)). Baker notes that this case is also discussed in FitzHerbert's *La graunde abridgement*, printed in the early 16thC., under the year 1435: Baker, "Male and Married Spinsters", p. 258, n. 14.

¹¹Baker's reading of 'singlewoman' as the English for *femme sole* suggests that he thought it included widows: Baker, "Male and Married Spinsters", p. 258.

¹²Year Books, Trinity Term, 7 Edw. IV, p. 10, pl. 1 (*Les ans ou reports del raigne du roye Edvvard le quart, novelment revien et corrigee en divers lieux, etc.* (London, 1640; STC 9769)).

¹³The latter is a comment of Baker's. He credits such arguments as leading to the use of 'spinster' as an addition in the sixteenth century; it was a 'mystery', unlike 'servant': Baker, "Male and Married Spinsters", p. 258. He cautions that it also could be used to denote occupation rather than a single woman: *Ibid.*, p. 259. The use and meanings of the term 'spinster' are contested: e.g. C.Z. Wiener, "Is a Spinster an Unmarried Woman?", *American Journal of Legal History*, 20 (1976), 27-31; V.C. Edwards, "The Case of the Married Spinster: An Alternative Explanation", *American Journal of Legal History*, 21 (1977), 260-5. The debate, though, is beyond the confines of this thesis.

precision; they rejected ‘servant’ as too vague. Perhaps the justices in Cambridge who ruled ‘singlewoman’ inadequate as an addition thought the term similarly imprecise.¹⁴ Despite these debates, though, it is clear that the term ‘singlewoman’ was increasingly used as a personal designation in other records. I shall consider first some early fifteenth century examples which predate, for example, the problems that Goldberg was referring to for unmarried women.

The earliest example that the *MED* cites of the term being used as a personal description is from an inquisition record for the subsidy of 1431: “Sibilla de la Bere ... sengilwoman”.¹⁵ Presumably, if the unpublished common law court records were searched, earlier or contemporary usages could be found: Maddern’s examples from the King’s Bench records were from the period 1422-42, although precise dates are not specified; we have also seen that it was used in a Cambridgeshire indictment *c.* 1437.¹⁶ As regards other non common law records, though, I am aware of two examples from 1440s Norwich and one from York for 1446-7.¹⁷ I cannot guarantee that these are the earliest usages. That careful archival scholars such as Goldberg and Poos thought that the term ‘singlewoman’ was not generally in use until, respectively, the 1480s in York and after 1504 in rural Essex, suggests that they are fairly atypical examples, though; indeed, my examination of the York evidence below largely supports Goldberg’s dating.¹⁸ Thus, as I am interested in possible chronological shifts in the use of the term and its meanings, these early examples are worth considering further. Two main approaches will be taken: I shall consider the terms in context (both textual and historical); and I shall consider what else is known about the individuals described as ‘singlewomen’ from other sources. They will be discussed in chronological order.

The earliest example, that from the 1431 subsidy inquisition, is also most analogous to uses of the term under the Statute of Additions. The subsidy was a complicated land tax levied by

¹⁴The two terms are again linked in a discussion in the 1470s. Baker states that it is about what addition should be given to a woman who was “neither maid, widow, nor wife”; “Some thought ‘singlewoman’ was sufficient, while others thought that as a fiction bordering on fact ‘servant’ should be used”: Baker, “Male and Married Spinners”, p. 258. There seems little logic in Baker’s argument that ‘maid’ here means servant rather than ‘virgin’ (as it was interpreted in the 16thC.); if so, why would ‘servant’ be a fiction? I have been unable to locate the original discussion under the Year Book reference Baker gives; it is to 1478, although in the text he refers to the discussion as taking place in 1474 (I could find no relevant entry under either in the ‘black letter’ editions).

¹⁵*MED*, sngle (adj.) 2; *Inquisitions and Assessments Relating to Feudal Aids*, 6 vols (London, 1899-1920), V, p. 327. The example will be discussed further below.

¹⁶Maddern, *Violence and Social Order*, p. 39; p. 138 above.

¹⁷These examples will be discussed below.

¹⁸Goldberg, *Women, Work, and Life Cycle*, p. 278; Poos, *Rural Society*, p. 157.

parliament, at the rate of twenty shillings per knight's fee, and at the same rate per twenty librates of land held by other tenures.¹⁹ The exchequer asked the inquisitions to obtain the names, rank, condition and place of abode of contributors; for example, "de quell astate degree, arte, nestier ou condition q' ils soient".²⁰ It thus replicates many of the requirements of the 1413 statute, although here it also allows for a person's "condition". According to the inquisition made for the hundred of Pershore (Worcestershire), Sibyl de la Bere "sengilwoman" should pay for half a Knight's Fee as holder of land in Birtsmorten.²¹ The term "sengilwoman", then, can be understood as Sibyl's "condition". Men listed in this hundred are described as *armiger* (16), *comes* (5), *dominus* (1) and *dux* (1); the only other women listed are categorized as *vidua* (1) and *domina* (1).²² Thus all the men are described according to their estate, as is one of the women. While "sengilwoman" is the only term in the vernacular, *vidua* is similarly a condition, rather than an estate or degree. Should these terms, therefore, be understood as opposing ones? *Vidua* specifically identifies a widowed woman, but - as we saw in the discussion of the poll tax material with *sola* - "sengilwoman" might be an umbrella category that encompasses both widows and the never married.²³

There are other records which seem to refer to the same Sibyl de la Bere which can be used to help identify her marital status more precisely. According to Thomas Habington, who compiled a survey of Worcester in the first half of the seventeenth century, Sibyl had only come into possession of the land in Birtsmorten in 1431:

John Nanfan 9 Hen. 6 was Lord of Brutes Morton for hee conveyghed the same yeere that manor to Sibell Delabere duringe her lyfe the remaynder to Richard Earle of Warwicke, wytnessed by Hughe Cokesey, Humfrye Stafford, and William Lichfeyld Knightes.²⁴

¹⁹*Rotuli Parliamentorum*, IV, pp. 369-70; *Inquisitions and Assessments*, I, p. xxviii; H.L. Gray, "Incomes from Land", *English Historical Review*, 49 (1934), pp. 607-39 (p. 608). A knight's fee was originally an "Estate, usually a manor, granted to a feudal vassal for military service of one knight", but by this date the military service aspect had lapsed: M. Hicks, *Bastard Feudalism* (London, 1995), p. 227. Many had been divided up which was why the tax allowed for portions of a knight's fee. The smallest portion taxable was a tenth: *Inquisitions and Assessments*, I, p. xxviii.

²⁰*Rotuli Parliamentorum*, IV, p. 370. This led to a fear that the assessment would be used as a basis for future exactions and so the Commons petitioned for its remission in 1432: *Ibid.*, pp. 409-10; *Inquisitions and Assessments*, I, p. xxix; discussed more fully in *Lay Subsidy Rolls, 1524-5*, ed. J. Cornwall, Sussex Record Society, 56 (1956), pp. xxii-iii; *Subsidy Roll For the County of Buckingham Anno 1524*, ed. A.C. Chibnall and A.V. Woodman, Buckinghamshire Record Society, 8 (1950).

²¹*Inquisitions and Assessments*, V, p. 327.

²²*Ibid.*, pp. 326-7.

²³For this and other possible readings: p. 73 above.

²⁴*A Survey of Worcestershire by Thomas Habington*, ed. J. Amphlett, 2 vols, Worcestershire Historical Society,

In the previous subsidies of 1346 and 1428 the land was said to be held by a Richard Ruyhale and his heirs.²⁵ This suggests that she acquired the land in own right, rather than having inherited it from a father or husband. Although it is not known whether Sibyl would have been able to pay the ten shillings she was assessed at in 1431 (the inquisition did not take into account how much land was worth), the reference in Habington's survey associates her with high status men. He also notes elsewhere in his survey that Delabere was known as a good house.²⁶ Indeed, Sibyl can perhaps be identified as one of four orphaned daughters of the knight Richard de la Bere, petitioning Chancery between 1449-53 about manorial profits in neighbouring Herefordshire. The youngest is said to be nineteen years old but all the daughters were presumably unmarried as they claim that the money was intended for their forthcoming marriages.²⁷ Another petition, from 1465-71 or possibly 1480-3, again with a Hereford connection, refers to Sibyl de la Bere as deceased; her nephew, Kynarde, was petitioning for the return of some goods detained by the executor of Sibyl's executor.²⁸ If this is the same woman, and the chronology suggests it is possible, Sibyl was still using her maiden name when she died and was perhaps a never-married woman.²⁹ So, if we make these connections, what do they reveal about the use of the term "sengilwoman" in the 1431 inquisition record? While it can be suggested that the term was used because Sibyl was not a widow, and so *vidua* was not appropriate, arguing from only one example that the term was specifically reserved for the never married is inadvisable.

5 (1893-5), I, p. 120.

²⁵*Inquisitions and Assessments*, V, pp. 306, 323. According to evidence from the Feet of Fines, John Nanfan acquired Birtsmorten from Edward Ruyhale's trustees in 1424-5, but this is at odds with the 1428 subsidy: *Victoria History of the Counties of England: Worcestershire*, ed. J.W. Willis-Bund and W. Page, 4 vols (London, 1901-24), IV, p. 31, n. 30.

²⁶*Survey of Worcestershire*, ed. Amphlett, p. 391. There were also a number of titled men of the same name owning land in the neighbouring county of Herefordshire in both the fourteenth and fifteenth centuries, and noble people of that name connected with Worcestershire in the sixteenth and seventeenth centuries: *Index of Wills Proved in the Prerogative Court of Canterbury 1383-1558*, ed. J.C.C. Smith, Index Library, 10 (1893), p. 166; *Victoria History ... Worcestershire*, II, pp. 174, 355, n. 3, III, p. 42; *Survey of Worcestershire*, ed. Amphlett, p. 39.

²⁷The daughters are Elizabeth, Isabel, Jane and Sibyl but these might be listed in alphabetical order, for example, rather than ordered according to age: C 1/19/132. This petition will be discussed further in Part Two, Section II, B) below.

²⁸C 1/31/445. Kynard was perhaps a family name; a will of 1404, refers to the Herefordshire knight Sir Kynard de la Bere: PRO, PROB 11/2, fol. 41v. The practice of using Chancery also seems to have become a family tradition. Three granddaughters of the knight Richard de la Bere petition about their marriage portions: C 1/32/133 [1465-71 or 1480-3].

²⁹Wood speculates that a widow with a different surname to the late husband she names in her will "reverted to her maiden name", although it might also be that she was married more than once: Wood, "Poor Widows", p. 58, n. 9.

I shall now consider the Norwich examples; although efforts to trace the women described as ‘singlewomen’ have been less fruitful, the contexts of the usages are themselves worth discussing. The first example is recorded in one of the Mayor’s court books, under the year 1443-4: “Johanne Semer de Norwico sengilwoman de pace & bono gestu suo erga ... Robt. Roo skynner”. It is one of a large number of sureties for good behaviour to be found in this volume which covers the period 1425-1510.³⁰ Although nothing more is known about Joan Semer, the dating of the case is interesting. In 1443 royal authorities imprisoned Norwich’s mayor, William Hempstede, from February to March, and seized the city’s liberties.³¹ It is tempting to speculate that the presence of royal officials in Norwich in this year is connected to the early use of the term “sengilwoman” in the city records; I have already noted that the previous example, that of the 1431 inquisition record, had a parliamentary connection.³² The second example, though, is from Norwich’s ‘Old Free Book’. The term is used to denote Elizabeth Baret who gained the freedom of the city in 1446 as a weaver of worsteds.³³ She is only the second woman to be recorded in the Register and can perhaps be identified with the Elizabeth Baret who was assessed *c.* 1457 in the city’s Muster (an attempt to raise both money and armour). This suggests that she was an independently wealthy woman, but no status is given.³⁴ It is difficult to speculate on the precise meaning of the term in these two examples - they seem to be isolated examples and little is known about the women concerned - but they do illustrate that the term came into wider usage (in the records of civic legal actions and of the freedom) in the form required by the statute.

³⁰Norfolk Record Office, Norwich City Records, Case 16, shelf a, 1, p. 133 (I owe the reference, transcription and description of the text to Jeremy Goldberg).

³¹Maddern, *Violence and Social Order*, pp. 175-205 (on the mayor pp. 175, n. 3, 196, 205, n. 115, 244); B.R. McRee, “Peace-making and Its Limits in Late Medieval Norwich”, *English Historical Review*, 109 (1994), 831-66; N.P. Tanner, *The Church in Late Medieval Norwich 1370-1532* (Toronto, 1984), pp. 146-52; Humphrey, “Dynamics of Urban Festal Culture”, ch. 3 (esp. pp. 70-1, 76-7); see also C. Humphrey, “‘To Make A New King’: Seasonal Drama and Local Politics in Norwich, 1443”, *Medieval English Theatre*, 7 (1995), 29-41.

³²Joan Semer’s surety, Robert Roo, actually has a connection with the embattled mayor. Elsewhere in the city’s records Roo is described as having made a hat for him: “To William Henstede for a bevyr hat and for a tartaryne for the same, bought from him when he was restored to the office of Mayoralty, 4s. To Robert Roo, skinner, for a roll and the making of the same for the hat, 8d.” (*Records of the City of Norwich*, ed. Hudson and Tingey, II, p. 71: Accounts of Bailiffs and Treasurers, 1447-8). To substantiate this theory, though, more work needs to be done on the city’s unpublished records.

³³*Calendar of the Freemen of Norwich from 1317 to 1603* by John L’Estrange, ed. W. Rye (London, 1888), pp. viii, 9; Goldberg, *Women, Work and Life Cycle*, p. 333. The 14thC. entries in the ‘Old Free Book’ are discussed in *Records of the City of Norwich*, ed. Hudson and Tingey, II, pp. xxviii-xxxii.

³⁴*Records of the City of Norwich*, ed. Hudson and Tingey, I, pp. 407-13 (p. 413). She seems to be assessed at one “jakke” (a jacket): *Ibid.*, p. 407, n. 2; *MED*, jakke (n.(2)).

The York example of 1446-7 is of Joan Ingylyby, described as “sengilwoman” in the city’s earliest surviving chamberlains’ account book.³⁵ It bears comparison with the Norwich usage of the same year in that it is connected to the freedom of the city. Also, as with Sibyl de la Bere, there are other records that seem to refer to the same Joan Ingleby which are suggestive of a more precise marital status. The chamberlains’ account books contain a section each year in which the payments made by those who were admitted to the freedom in that year are recorded. Another section, headed ‘arrears’, lists the payments by those who had become free in previous years.³⁶ The reference to “Johanna Ingleby singlewoman” is in the first of these, and she is recorded as paying 3s. 4d. On the same page, payments of the same amount are also recorded as having been made by “Johanna Ingleby gentelman [*sic*]” and “Johanna Ingleby” (no status).³⁷ According to John Muggleston, who has studied the early account books in detail, each person who entered the freedom was expected to pay one pound in total, but some took at least eight years to settle the balance and it was not uncommon for a citizen to make more than one payment during a year.³⁸ In the year of her entry Joan Ingleby paid off ten shillings. What is important for this discussion, though, is the lack of consistency in how she is classified. While the term “senglewoman” is initially used, when the other payments were made either a different status was used or no status at all, despite all these entries being on the same page, suggesting that they were made as and when she paid. Similarly, in the following year a “Johanna Ingleby” can be found in the section headed ‘arrears’, again paying 3s. 4d.³⁹ The rest of those who entered the freedom and made fines in 1446-7 were men and the majority are classified by occupation, although some have no status.⁴⁰ “Senglewoman” is used as Joan’s

³⁵York, YCA, CC 1, p. 11. I am grateful to Stacey Gee for bringing this source to my attention.

³⁶J. Muggleston, “Some Aspects of the Two Late Medieval Chamberlains’ Account Books of York”, *Yorkshire Archaeological Journal*, 67 (1995), 133-46 (p. 134). For a summary of the other sections: *Ibid.*, pp. 139-40. They were compiled over the course of the year, as distinct from the Chamberlains’ Account Rolls which are the audited accounts: *Records of Early English Drama: York*, ed. A.F. Johnston and M. Rogerson, 2 vols (London, 1979), I, pp. xx-xxi; *York City Chamberlains’ Account Rolls 1396-1500*, ed. R.B. Dobson, Surtees Society, 192 (1980).

³⁷CC 1, p. 11. The use of “gentelman” to describe a woman is unusual.

³⁸Muggleston, “Some Aspects”, pp. 136-7; aliens and those described as “gent” paid more, and those admitted by patrimony paid nothing: *Ibid.*, p. 138. If a person made no payment he is not in the Account Books, thus those who entered *per patres* are not included. This invalidates the assertions by Collins and Bartlett that the Freeman’s Register was compiled at a later date from the names in the Account Books, as refuted by Dobson: *Register of the Freeman*, ed. Collins, I, pp. xi-ii; J.N. Bartlett, “The Expansion and Decline of York in the Later Middle Ages”, *Economic History Review*, 2nd ser. 12 (1959), 17-33 (p. 20); R.B. Dobson, “Admissions to the Freedom of the City of York in the Later Middle Ages”, *Economic History Review*, 2nd ser. 26 (1973), 1-21 (p. 6).

³⁹CC 1, pp. 41-7 (p. 47). She is not listed in this section, though, in 1448 (pp. 103-9), 1449 (CC 1/A, fols 13-16v), 1450 (fols 50-53), 1451 (fols 77-80), 1452 (fols 99-102) or 1453 (fols 120-2v).

⁴⁰CC 1, pp. 11-13.

personal designation, as are the occupational terms for the men listed. The designations are not used consistently, though, either for individuals (Joan is also described as “gentilman”), or in the account books (some individuals have no status).

The Freeman’s Register confirms that one “Johanna Monkton alias ... Ingylby” entered the franchise in 1446-7 but the term “senglewoman” is not used, nor is any other status.⁴¹ It is possible that the citizen Joan Ingleby is the same “Johanna Ingleby” who made a will in 1478.⁴² Although this is thirty-two years on, James Raine comments that the woman “seems to have lived to a great age ... Her son ... died before her”.⁴³ The testator also made a bequest to the Monkton nunnery. A close association with this institution might have led to the byname “Monkton” being used in the Freeman’s Register. Also Joan is styled “Domina” in her will and described as the widow of the knight, William Ingleby; such a person was likely to have been referred to as ‘gentil’, as we saw in the chamberlains’ account book. If these connections are made, it seems that the term “senglewoman” was applied to a widow in 1446-7.

Although it is difficult to draw definite conclusions from only a few examples, some of which are based on nominal linkages, these early usages support some of the points made from the contemporaneous legal discussions. For example, the use of the term “sengilwoman” in Norwich’s civic records in the 1440s, a time of crisis for the city, might signal a desire for greater precision in record-keeping, as advocated by the King’s justices. Although we know little about the women so described in Norwich, the application of the term in York to Joan Ingylby, possibly a widow, suggests that at this date it might have denoted an unmarried woman, either never married or widowed. Its use alongside *vidua*, however, in the 1431 subsidy inquisition for the hundred of Pershore, Worcestershire, demonstrates that the category ‘widow’ continued to be used as a personal designation, as it clearly was in the King’s Bench records of 1422-42. As yet, though, we have not encountered the category ‘maiden’. If Sibyl de la Bere was a young, never-married woman, it is interesting that the vernacular “sengilwoman” was preferred to the Latin *puella* which we saw in the Lynn poll tax return.

⁴¹YCA, D 1, fol. 124r. Collins gives her forename as “Juliana”: *Register of the Freeman*, ed. Collins, I, p. 164. This error is also pointed out in D.M. Palliser, “The York Freeman’s Register 1273-1540: Amendments and Additions”, *York Historian*, 12 (1995), 21-7 (p. 23). According to Swanson, in the years 1451-1500 only 2% of entrants are recorded without a trade ascription, although the figure is 25% for 1301-50: Swanson, *Medieval Artisans*, p. 4.

⁴²BIHR, Prob. Reg. 5, fols 133v-134r. There is an extract from this will in *Testamenta Eboracensia*, ed. J. Raine et al., 6 vols, Surtees Society, 4, 30, 45, 53, 79, 106 (1836-1902), III, p. 243.

⁴³*Ibid.*, p. 243n.

Examples of the term ‘singlewoman’ from late fifteenth and early sixteenth century texts are more plentiful. It is used, for example, in Chancery petitions from c. 1470;⁴⁴ in Nottingham’s late fifteenth century court rolls and its early sixteenth century coroners’ inquests;⁴⁵ various early sixteenth century musters and subsidies;⁴⁶ and an early sixteenth century guild account book.⁴⁷ In order that we can consider the possible development of the term’s use over time, though, I shall focus on York’s records as a case study. The advantages of such an approach, and of using York, is that a variety of texts can be used so that chronological gaps are covered, and it can be evaluated whether possible changes in usage are chronological or specific to a certain text or discourse. Thus conclusions will be reserved until all the examples have been discussed. Texts to be considered include the Freeman’s Register, the House Books (minute books of the city council), later chamberlains’ account books, wills and the city’s subsidy return of 1524.

I shall start with the Freeman’s Register, already referred to in the Joan Ingylyby example, as this text begins in 1273, and runs uninterrupted from 1289 to 1671.⁴⁸ The first usage of the term “senglewoman” occurs in the entries for the year 1482 and there are four more uses before 1500; besides an entry from 1503, the only other examples which predate 1559 are two in the period 1530-4.⁴⁹ Goldberg used this text to argue that the term first occurs in York in the

⁴⁴This is based on a reading of most petitions relating to women from 1386: see Part Two below (esp. p. 169, n. 69). The earliest examples found are in two petitions to the bishop of Bath who was Chancellor in 1433-43 and 1467-72: C 1/46/47; C 1/46/134. Although use of the term in the earlier period is possible given the usages just considered, one of these petitions can be dated more precisely in that it names London’s sheriff and alderman at the time of the alleged events as Humfrey Hayford (1464-8, 1470-80): C 1/46/134; Thrupp, *Merchant Class*, p. 349. The next example is from 1473-5: C 1/48/43. For others see p. 207, n. 5 below.

⁴⁵*Records of the Borough of Nottingham*, ed. W.H. Stevenson *et al.*, 5 vols (London, 1882-1900), III, pp. 36 [1495]; 38 [1496], 40 [1496]; 328 [1509]; *Calendar of Nottinghamshire Coroners’ Inquests 1485-1558*, ed. R.F. Hunisett, Thoroton Society Record Series, 25 (1965), pp. 8 [1504], 17 [1507]; 28 [1510].

⁴⁶*The County Community Under Henry VIII: The Military Survey, 1522, and Lay Subsidy, 1524-5, For Rutland*, ed. J. Cornwall, Rutland Record Society Record Series, 1 (1980), p. 51 [1522]; *The Military Survey of 1522 for Babergh Hundred*, ed. J. Pound, Suffolk Records Society, 28 (Woodbridge, 1986), pp. iii, 28, 90, 96, 113; *Suffolk in 1524*, ed. S.H.A. Hervey, Suffolk Green Books, 10 (Woodbridge, 1910), pp. 183 [1523]; *Coventry and its People in the 1520s*, ed. M.H.M. Hulton, Dugdale Society, 38 (1999), pp. 70, 80, 88, 109 [all from the 1522 Muster], 139 [x 2; 1523 census]. For York see below.

⁴⁷F.E. Warren, “Gild of St. Peter in Bardwell”, *Proceedings of the Suffolk Institute of Archaeology and Natural History*, 11 (1901), 81-110 (pp. 84). Ken Farnhill has suggested to me that the entries date from 1511-27 (this is not clear from the edition). I am also grateful to him for the information that the term ‘singlewoman’ does not occur in the East Anglian account books of a similar date (personal communication, 14 Dec. 2000). Cf. Stratford’s Holy Cross guild register. Men are described as “sengilman” from 1435-6 but “sengilwoman” is not used in the period up to 1535 when the register ends: MS BRT 1/1, fols 41 (1435-6), 41v (1435-6), 43v (1436-7), 55 (1442-3), 57v (1443-4), 58 (1443-4), 141v (1503-4); *Register of the Gild of the Holy Cross*, ed. Bloom, pp. 72, 73, 76, 90, 95, 97, 199. Rather, variants of ‘maiden’ are used: see p. 103, n. 70 above.

⁴⁸Dobson, “Admissions to the Freedom”, p. 1.

⁴⁹D 1, fols 151v [1482], 153 [1483], 161v [1489], 162v [1490], 166 [1495], 171v [1503], 187v [1530], 189v

1480s, significantly coincident with the increasing economic importance of marriage for women.⁵⁰ While the term certainly becomes more widespread in the York records in the late fifteenth- and early sixteenth- centuries, as we shall see (the 1446-7 example being an isolated one), its first occurrence in the Register can perhaps be linked to changes in the record-keeping in 1482, rather than socio-economic changes.

1482 is also the first year in which the names of those who enter the freedom are divided up according to the three ways in which they acquired it: by purchase; by patrimony; or through apprenticeship.⁵¹ It is used in the second section, of those who entered *per patres*: “Agnes Hall, syngilwoman, filia Johannis Hall, sledman”; Agnes is the only woman to be recorded for this year.⁵² Six of the eight usages of the term in the Register occur in *per patres* sections (five of these are the pre-1500 examples), which seems significant.⁵³ The lists of those who entered by patrimony do survive from 1397 but they were recorded “hastily and untidily on ... stray parchment sheets” until 1482.⁵⁴ Although the tripartite division only continues until 1487, those who entered *per patres* continue to be recorded.⁵⁵ The increased precision in the recording of who entered the freedom in 1482, then, seems linked to the first use of the term “syngilwoman”.

That the term largely occurs in the *per patres* sections is also significant in that the majority of the women in these sections appear to be never married. There are a few examples where the

[1534]; *Register of the Freeman*, ed. Collins, I, pp. 204, 206, 214, 215, 220, 227, 250, 253. I have followed Collins' first volume in going up to 1559 but I have not used his dating system. As Palliser comments, “Collins made no attempt to deal with the complications produced by the overlapping of different dating systems (regnal, mayoral, chamberlains' and A.D. years) used in the register, but from 1375 ... it is clear that ... Collins' dates are just over one year out”: Palliser, “York Freeman's Register”, p. 21. For dating I used the list of mayors in *Lords of the City: The Lord Mayors of York and their Mansion House*, ed. C. Kightly and R. Semlyen (York, 1980), pp. 93-4.

⁵⁰Goldberg, *Women, Work and Life Cycle*, p. 278.

⁵¹*Register of the Freeman*, ed. Collins, I, pp. xiii, 203-5; Swanson, *Medieval Artisans*, p. 108.

⁵²D 1, fol. 151v; *Register of the Freeman*, ed. Collins, I, pp. 203-4. “Johannes Hall fil. Willelmi Hall, sledman” entered the freedom by right of patrimony in 1442: *Ibid.*, p. 160. A Richard Hall, son of John Hall, sledman, entered in the same way in 1478: *Ibid.*, p. 200.

⁵³The ones that do not are “Johanna Wyggelsay, synglewoman & brewer” [1503] and “Katerina Thornton, syngilwoman” [1534]: D 1, fols 171v, 189v; *Register of the Freeman*, ed. Collins, I, pp. 227, 253.

⁵⁴Dobson, “Admissions to the Freedom”, p. 8. He argues that this was perhaps because the Register was a record of those who came before the mayor to swear an oath of loyalty to him and the King. In London freemen's sons only had to take the oath themselves from 1387 onwards: *Ibid.*, pp. 6, 10. He argues that the Register was more for the mayor's office than the chamberlains', a view supported by Muggleston's arguments about the chamberlains' account books: *Ibid.*, p. 7; see n. 38 above. The first woman recorded as entering by right of patrimony is Emma Beleby in 1412: *Register of the Freeman*, ed. Collins, I, p. 117.

⁵⁵*Register of the Freeman*, ed. Collins, I, pp. 203-12.

women are also described as widows, and a few where the women have different surnames from their fathers and are perhaps wives or widows, but in all the cases where the term ‘singlewoman’ is used the women share surnames with their fathers.⁵⁶ The use of the term also seems to occur in phases. In the period 1482-95, of the women who enter *per patres* all except two are called ‘singlewoman’ (and one of the two is mistakenly described as *filius*).⁵⁷ Interestingly, of the four women who purchase the freedom in this period, three are described as *vidua*.⁵⁸ The category ‘widow’ is not used very much in the register, so 1482 seems to signal a renaissance of the term *vidua*, which also can be linked to increased precision in record-keeping.⁵⁹ Again, then, we see them used side by side, with the category ‘maiden’ absent.⁶⁰

There is a York example, though, which predates the use in the Freeman’s Register. The term “singlewoman” is used in the city’s House Books in 1478.⁶¹ Since these records only survive from 1476 it is difficult to know whether that date is significant.⁶² Nevertheless, some of the usages can usefully be discussed in order to consider the term’s possible meanings. The House Books survive up to 1835 but I shall focus on the period 1476-90 (Books 1-6); half of all uses

⁵⁶*Ibid.*, pp. 155 (“Johanna Burton, filia Hugonis Strange”), 158 (“Agnes Barowe, widow, filia Laurencii de Dordragh”), 182 (“Margeria Rycroft, hukster, filia Johannis Denton, carvour”; “Johanna Smerethwayte, gentilwoman, fil. Thomæ Coupland, mercer”), 197 (“Elena Brompton, nup. ux. Nicholai Brompton, fil. Johannis Penreth, drapour”), 242 (“Isabella Spexston, vidua, filia Adæ Ettryk, taillour”). At least half of the women are widows.

⁵⁷*Ibid.*, pp. 204 (1 “syngilwoman”), 205 (no women), 206 (1 “syngilwoman”; 208 (“Alicia Hunt, filia Thomæ Hunt, stringer), 209 (“Johanna Marshall, filius (*sic*) Johannis Marshall, parish cleric”), 211, 212, 213 (all no women), 214, 215 (both 1 “singlewoman”), 216, 217, 218 (all no women), 220 (1 “singlewoman et sempster”).

⁵⁸*Ibid.*, pp. 203 (“Beatrix Lapyn, uphalder”, “Isabella Brygham, vidua”), 205 (no women), 207 (“Agnes Futhat, vidua”), 208 (no women), 210 (“Johanna Willingham, vidua”), 211-12, 213, 213-4, 214-5, 215-6, 216-7, 217-8, 218, 219 (all no women).

⁵⁹The preceding use of *vidua* was in 1441, although ‘widow’ was used in 1464: D 1, fol. 120 (“Agnes Barowe vid’ filia Laurencii de Dordragh”, although it is transcribed as “widow” by Collins; see n. 56 above); *Register of the Freeman*, ed. Collins, I, p. 183 (“Alicia Hurtskye, wydowe”).

⁶⁰The term ‘damsel’ is used in 1463: “Agnes Laverok, damysell, filia Willelmi Laverok” (*Ibid.*, p. 183). Although this could denote a ‘maiden’ or young, unmarried woman, usually of high social rank, it could also refer to the occupation of lady-in-waiting or lady’s maid and be applied to married women: *MED*, *damisele* (n.); Phillips, “Medieval Maiden”, p. 24. Two of the women described as *virgo* in York’s Corpus Christi guild register in 1414-5, “Isabel Whyte” and “Agnes Eskrike”, can perhaps be identified with two women of the same name who both enter the freedom in 1433, “Agnes Eskrik, fil. Johannis Eskrik” by right of patrimony, and “Isabella White, semester” by purchase: *Register of the Guild of Corpus Christi*, ed. Skaife, p. 17; *Register of the Freeman*, ed. Collins, I, pp. 146-7.

⁶¹YCA, B 1, fol. 120; *The York House Books 1461-1490*, ed. L.C. Attreed, 2 vols (Stroud, 1991), p. 201. They include royal business that affected the city, municipal activities, local law and its enforcement, and some craft guild business: *Ibid.*, p. xi.

⁶²The antiquary Darcy Preston noted in 1699 that the first House Book contained entries from 1461: *Ibid.*, pp. xiv-xvi, Appendix I. Muggleston argues that the House Books evolved out of the attempts of the mayor and aldermen to regain control of the city’s finances; he dates the problems back to the 1440s and 1450s: Muggleston, “Some Aspects”, p. 138.

of the term ‘singlewoman’ in the Freeman’s Register were in this period.⁶³ The term is used seven times in this period, twice to refer to the same woman. The contexts are an agreement to accept arbitration, reports of aliens in the city, two bonds to keep the peace, two requests for the arrest of others, and one arrest order; in each case it is used as a personal designation. For example, the 1478 entry is a Latin bond to accept arbitration between “Johannes Blakehay de Ebor’ inholder et Elizabeth More de Ebor’ singlewoman”.⁶⁴ These are not unrepresentative of the kinds of business covered by the House Books.⁶⁵ Other women are described as wives, widows, by occupation, or by name only (the category ‘maiden’ is not used as a personal designation).⁶⁶ Men are described either by occupation, like John Blakehay, or by name only. Here I shall focus on a couple of key examples which seem particularly revealing of the meanings of the term “singlewoman”.

In two bonds to keep the peace from January 1490, Joan Guy *vidua* and Christine Guy “singlewoman” are both mainprised not to do damage to one William Mankha’.⁶⁷ In the record of their arrest they are assigned the same statuses, although here *vidua* is interlined as is the description of Christine as “filiam eiusdem Johanne”.⁶⁸ Thus it seems that not only are the two statuses used side by side but that “singlewoman” is used for the presumably never-married daughter (as is also suggested by uses of the terms in Nottingham’s borough court book).⁶⁹

⁶³1476-90 is also the period for which the relevant House Books have been fully transcribed by Attreed. Extracts from House Books for the period 1476-1591 have been edited: *York Civic Records*, ed. A. Raine and D. Sutton, 8 vols, YASRS, 98, 103, 106, 108, 110, 112, 115, 119, 138 (1939-78). In Attreed’s words, though, Raine’s editions (the first 7 vols) “are marred by several errors of omission and commission”: *York House Books*, ed. Attreed, p. xvii. I am grateful to Sarah Rees Jones for a reference to the use of the term in 1494: B 7, fol. 152.

⁶⁴B 1, fol. 120; *York House Books*, ed. Attreed, p. 201. The designations are the only words in the vernacular. The letters “ho” precede “inholder” in the manuscript; perhaps the scribe began to write ‘hosteler’. The other examples are: B 2-4, fols 122v ([...] Johnson, alien), 189v (Matilda Metcalf, bond); B 6, fols 172v (Christine Guy, bond), 173v (Joan Armourer and Joan Whitecroft, arrest requests; Christine Guy again, arrest order); *York House Books*, ed. Attreed, pp. 309, 396, 682, 684, 685 (x 2). Joan Armourer, identified as “singlewoman” in the House Books in 1489-90, can possibly be linked to an entry in the Freeman’s Register for 1489: “Johanna Armorer, singlewoman, filia Rogeri Armorer, armorer” (D 1, fol. 161v; *Register of the Freeman*, ed. Collins, I, p. 214).

⁶⁵The other contexts women are named in relate to debts, licences to trade, leases and disputes over tenements. There are also solitary examples in relation to witnessing a will, theft, a *post mortem* inquest, bringing a suit, reputation and a pageant contribution. Men are named in very similar situations.

⁶⁶The only use of the term ‘maiden’ in these House Books is within a 1487 testimonial of a woman’s good character. This refers to Elizabeth Ricardby, now “uxor Thome Panyerman”, pre-marriage as “an honest madyn, clene of body, true of handes and tong and in all thinges appertigneyng to hur womanhode a madyn of honest conversacion and good disposicion”: B6, fol. 72v; *York House Books*, ed. Attreed, p. 540.

⁶⁷B 6, fol. 172v; *York House Books*, ed. Attreed, p. 682.

⁶⁸B 6, fol. 173v; *York House Books*, ed. Attreed, p. 685. These arrests are said to take place during the mayoralty of John Harper (Feb. 1489 to Feb. 1490) and this is the penultimate entry.

⁶⁹Latin entries of 1496 in a Nottingham court book relate how “Elizabeth Spenser, singlewoman” and “Alicia

Another set of examples from around this date, however, suggests that it would be unwise to draw conclusions on the basis of simple correlations. In September 1488 Matilda Metcalf *vidua* brought a suit leading to the arrest of Hugh Litster.⁷⁰ In November of the same year it was ordered that Matilda Metcalf “singlewoman”, be arrested at the suit of one Alice Litster.⁷¹ It seems likely that the Matilda of both instances was the same woman given that her opponents share the surname.⁷² We cannot dismiss this example as a scribal error, but argue that the differences in designation between Joan and Christine Guy are significant: either the uses of designations are telling or they are not, we cannot pick and choose which we pay attention to.⁷³

The term ‘singlewoman’ is also used alongside the category ‘widow’ in the later chamberlains’ account books in the 1520s and 1530s. The account books only survive for the period 1446-54, the sections about arrears for 1480-2, and then intermittently from 1520 onwards (which is perhaps partly why the 1446-7 example is an isolated one).⁷⁴ The usages in the later books are all in the annual sections dealing with stallage (the payment for permission to use a vending stall at a market or fair) and entries are generally in Latin until 1535-6, although designations are sometimes in the vernacular. The term “singylwoman” is used in 1520 and 1521, although not in the years 1522-8. The next surviving account book is for 1535-6, then 1538-9; in both these books the term ‘singlewoman’ is used. In all the sections women are variously classified as

Spenser ... singlewoman” brought separate actions against “Emma Spenser ... *vidua*”, regarding the detention of certain goods: *Records of the Borough of Nottingham*, ed. Stevenson, III, pp. 38-40 (p. 38), 40-1 (p. 40). Elizabeth’s action refers to “*diversas imagines de alablastre*”, and the draft (written on the back) identifies them as “*in opella sua existentibus*”; Stevenson argues that the deceased owner of this shop was “no doubt” John Spenser, imagemaker: *Ibid.*, pp. 38, 39, n. 8. He is referred to in a court book entry of 1495: NASDRO, CA 1375, p. 9. A John Spenser of Nottingham died intestate, leaving a widow called Emmota (a variant of Emma), according to an administration entered in the probate registers of York’s Exchequer Court in May 1495: Prob. Reg. 5, fol. 461. Both actions refer to ‘half of a third part’ of various objects such as a salt-cellar, perhaps referring to their joint claim to a third of John’s goods as his children; it has been argued that by this date such practice, known as *legitim*, was a local custom only but one place it did survive was in the province of York (R.H. Helmholz, “*Legitim* in English Legal History”, in *idem*, *Canon Law and the Law of England* (London, 1987), pp. 247-62 (esp. pp. 254-6)). It is possible that here we have a similar example of a mother being classified as *vidua* while her daughters are both described as ‘singlewoman’. Regardless, the use of the two conditions side by side is interesting.

⁷⁰B 2-4, fol. 197; *York House Books*, ed. Attreed, p. 406.

⁷¹B 2-4, fol. 189v; *York House Books*, ed. Attreed, p. 396.

⁷²It might also be the same Matilda Metcalf who is called a bawd (*pronuba*) in one of York’s wardmote courts in 1494: T. Andrew, “The Fifteenth Century Wardmote Court Returns for York”, unpublished MA diss. (University of York, 1997), p. 77. The term ‘singlewoman’ is not used in these records for 1494-6: *Ibid.*, pp. 51-97.

⁷³This represents a revision of the argument suggested in Beattie, “Women Without Husbands”, p. 7.

⁷⁴The Books run up to 1642 but I have examined those up to 1539: CC 1 [1446-50]; CC 1/A [1448-54, 1480-2]; CC 2 [1520-5]; CC 3 (1) [1526-9]; CC 3 (2) [1535-6]; CC 3 (3) [1538-9]; for the rest see *Records of Early English Drama: York*, ed. Johnston and Rogerson, I, p. xxiv.

wives, widows (both *vidua* and “wydo”) or by occupation.⁷⁵ Thus, again ‘singlewoman’ and ‘widow’ are used side by side, although not enough is known about the women so described to say that the difference is one of precise marital status.

So far all these texts - the chamberlains’ account books, the Freemen’s Register and the House Books - emanate from the same cultural milieu; they are records of the civic government. There are a couple of other examples of the term’s use in early sixteenth century York which I shall briefly consider. For example, it is used as a testator’s status in a will of 1519-20. While Poos found a testator styled “Sengylwoman” in Littlebury, Essex, in 1504, this is the earliest apparent usage in a York will (although York has a full series of wills from the fourteenth century with a noticeable lacuna between 1409 and 1425 only).⁷⁶ The testator is “Margaret Vicares single woman doghter of Sr. Symonis Vicares”. Both her father and step-mother were still alive at the time of the will’s making but Margaret was clearly of marriageable age in that the will makes a bequest to a man “that shuld have bene my husbund”. It appears that she was a relatively wealthy, never-married woman.⁷⁷ There are later examples of the term’s use but marital statuses are otherwise not consistently given in late medieval wills.⁷⁸ The use of the term *puella* in a York will dated 1477 is similarly rare. (That it is recorded in the register

⁷⁵CC 2, fols 20 [1520: “Johanna Roly singylwoman” (whole entry crossed through), 1 *vidua*, 2 ‘widows’, 3 occupational designations and 4 no designation], 57 [1521: “Isabella Tomson singylwoman”, 1 occupational designation and 1 *uxor*], 97 [1522: 1 “wydo”, 2 *uxor*], 143 [1523: 1 occupational designation and 2 *uxor*], 187 [1524: 1 no designation], 228 [1525: 2 *vidua*, 2 *uxor*, 3 no designation]; CC 3 (1), pp. 35 [1526: 1 *vidua*, 3 *uxor*, no designation], 131 [1527: 1 *vidua*, 2 no designation], 231 [1528: 2 *vidua*, 2 *uxor*]; CC 3 (2), p. 93 [1535-6: “Annes Hartelay Syngylwoman”, “Margaret Bland syngylwoman”, 1 “wyddo”, 2 “wyf of ...”, 1 “servaunt” and 1 no designation]; CC 3 (3) fol. 20 [1538-9: “Isabell Hyndiner syngylwoman” (the woman described as a servant in 1535-6), “Isabell Ledale syngilwoman”, “Margaryt’ Bland syngylwoman” (cf. 1535-6; possibly the “Margareta Bland, vytteler” who entered the freedom in 1541: *Register of the Freemen*, ed. Collins, I, p. 260), “Annys Jonson syngylwoman”, 1 *vidua*, 1 “wife of” and 1 no designation].

⁷⁶The registers of the peculiar jurisdiction of the Dean and Chapter survive in unbroken sequence from 1321, and the fuller registers of the Exchequer and Prerogative Court date from 1389, although these contain the lacuna: Goldberg, *Women, Work and Life Cycle*, p. 362; *Index of Wills in the York Registry, 1389 to 1514*, YASRS, 6 (1889). I have examined the wills of York women in the fuller series up to 1520: BIHR, Prob. Reg. 1-9.

⁷⁷Prob. Reg. 9, fol. 92v. For a discussion of Margaret and the Vicars family: *Testamenta Eboracensia*, ed. Raine, III, p. 122n; C.O. Steer “The Parish Elites of St Michael’s, Spurriergate, York and their Clergy, 1500-1550”, unpublished MA diss. (University of York, 1997), pp. 19-25 (esp. p. 24), 56, Appendix 2, p. 68.

⁷⁸E.g. *Index of Wills in the York Registry, A.D. 1514 to 1553*, YASRS, 11 (1891), *passim* (e.g. pp. 58, 102, 144, 212). For elsewhere see, for example, *Calendar of Wills and Administrations in the Consistory Court of the Bishop of Worcester 1451-1600*, ed. E.A. Fry, Index Library, 31 (1904), pp. 184 [1561], 328 [1589]; C. Cross, “Northern Women in the Early Modern Period: The Female Testators of Hull and Leeds 1520-1650”, *Yorkshire Archaeological Journal*, 59 (1987), 83-94 (pp. 85, 93).

immediately before a will which uses *vidua* perhaps suggests a temporary interest in recording a precise marital status, as widows are more usually described as ‘once the wife of ...’.)⁷⁹

The term ‘singlewoman’ is also used twice in the 1524 subsidy return for York and Ainsty. These usages suggest a clearer link between the term and young, unmarried women. In 1523 a subsidy to be spread over four years was agreed by Parliament; it was not intended to apply to everyone over the age of sixteen, only to those with taxable assets.⁸⁰ Commissioners were appointed for every shire and some towns and they in turn were to choose local assessors.⁸¹ Thus, as with the late fourteenth century poll tax returns, there are variations in format and terminology between places. The two examples of the term “singlewoman” in the York and Ainsty return are in the following entries:

Emmote Cotes singylwoman in her chylds porçon 7l. ... 3s. 6d.⁸²

Robert Jonson in goods 20l. ... 20s. 0d.

The same Robert for y^e child’s porçon of Jennet Dobyton singylwoman the whiche is 4l. ... 2s. 0d.⁸³

The term “porçon” refers to a sum of money left by deceased parents; in York it was the custom that a third of a deceased man’s property went to his children.⁸⁴ This suggests that both women were young, as this was their main source of income rather than the wages that others were assessed on. The Robert Jonson who paid on behalf of Janet Dobyton was probably her guardian with control of her money. This is suggested in other references to child’s portions in the subsidy.⁸⁵ The term “singylwoman”, though, is not used for all young girls whose portions are assessed in this return; others are just listed by name.⁸⁶ Indeed of all the women

⁷⁹Prob. Reg. 5, fol. 18, “Agnes Kilburn’ de Ebor’ puella” and “Elena Willumson de Kyngeston’ super hull vidua”. The category ‘maid’ is used in some 16thC. Norwich wills. E.g. *Index to Wills Proved in the Consistory Court of Norwich*, ed. M.A. Farrow, Index Library, 69 (1945), pp. 112 [“maide”, 1516], 163 [puella, 1504], 390, 405 [both “mayde”, 1532 and 1508 respectively].

⁸⁰*Statutes of the Realm*, III, pp. 230-41; *Oxford City Documents*, ed. Rogers, p. 60; *Subsidy Roll For ... Buckingham*, ed. Chibnall and Woodman, pp. xi-ii; *County Community*, ed. Cornwall, p. 11.

⁸¹*Lay Subsidy Rolls*, ed. Cornwall, pp. xxv-xxvi.

⁸²E. Peacock, “Subsidy Roll for York and Ainsty”, *Yorkshire Archaeological and Topographical Journal*, 4 (1877), 170-201 (p. 176). I am grateful to Charlotte Carpenter for bringing this document to my attention.

⁸³Peacock, “Subsidy Roll”, p. 179.

⁸⁴See n. 69 above.

⁸⁵For example, Richard Hutchonson is said to have “a child’s porçon in his hands” and Richard Scadlock’s portion is said to be “in the hands of John Webster”: Peacock, “Subsidy Roll”, pp. 183, 200. In contrast with Janet, Emma Cotes is described as though in charge of her own portion. The diminutive form of her name is perhaps suggestive of youth (Goldberg, *Women, Work and Life Cycle*, pp. 181-2), although cf. n. 69 above.

⁸⁶Peacock, “Subsidy Roll”, pp. 177 (x 3), 178, 181, 193, 195.

recorded, thirty-nine are designated by name only, forty-one are described as widows and one as “maistress”.⁸⁷ Thus, not only is the term “singylwoman” used in contrast to the category of ‘widow’ again, but it is also less frequently used. Janet and Emma are probably never-married women, but it is unlikely that they were the only ones in this return.

The later examples do suggest that the term “singlewoman” was applied more to never-married women than widows. Examples of this include its application to young women in the subsidy, the never-married daughter in the will, perhaps its use alongside the category ‘widow’ in the later chamberlains’ account books, and its application to a daughter when the mother is described as *vidua* in the House Books. The other example from the House Books, of Matilda Metcalf alternately designated a *vidua* and a “singlewoman”, can be read in a number of ways: as a mistake; as evidence that the term “singlewoman” still includes widows; and perhaps as signalling that if a shift in meaning was going on in the late fifteenth century - that ‘single woman’ was increasingly used to mean ‘never married’ rather than just ‘unmarried’ - such contradictory examples would occur. Although Goldberg and Poos point to socioeconomic factors to suggest why there might be a desire to mark out the never married from the widowed in the late fifteenth and early sixteenth centuries, Margaret Pelling suggests that such a desire belongs, at the earliest, to the late seventeenth century.⁸⁸ She found that in marriage licences dated between 1558 and 1699 “the terms ‘singlewoman’ and ‘singleman’ were apparently used to cover a range of conditions”.⁸⁹ Thus I would conclude that while the term does seem to be predominantly applied to the never married, particularly by the late fifteenth century, this is perhaps because the category of ‘widow’ continues to be a suitable designation. Through frequent application to the never married, the term ‘singlewoman’ perhaps came to acquire that

⁸⁷E.g. Peacock, “Subsidy Roll”, pp. 171 (“wido”), 172 (“wydo”), 175 (“Maistress”), 187 (*vidua*).

⁸⁸Pelling, “Finding Widowers”, p. 41 (“as part of a general desire for greater certainty in social differentiation”). Cf. Froide who argues for a transition from the medieval ‘maiden’ to the seventeenth-century ‘spinster’ and sees ‘singlewoman’ as an equivalent term: Froide, “Single Women”, pp. 371-5.

⁸⁹Pelling, “Finding Widowers”, p. 40. In the Coventry assessment of 1523 some of the men described as ‘singleman’ are listed with children and are probably widowers, despite the term ‘widower’ also being used: *Coventry and its People*, ed. Hulton, pp. 128-76. E.g. Henry Dave “sengulman”, 1 child (*Ibid.*, p. 138), Thomas Fyssher “singulman”, 1 child (p. 141), William Fesyacion “singulman”, 1 child (p. 142); cf. John Tayler “wedoar” (p. 143), and Walter Sweyrod “wedoer” (p. 144). See also Phythian-Adams, *Desolation of a City*, pp. 201-2. I disagree, though, with his assertion that “Comparison between the 1522 assessment and the 1523 census has revealed a number of cases where single women are described in the other document as widows and vice versa”: *Ibid.*, p. 201. There is one example; Margery Cutler is described as a ‘single woman’ in 1522 and as “wyddo” in 1523: *Coventry and its People*, ed. Hulton, pp. 70, 139 (on p. 70 the editor gives her name as Butler but this is clearly a mistake in that she is 71st in the listing for Cross Cheaping in 1522, Cutler is 65th in 1523, and 86th in 1525 (*Ibid.*, p. 184). While there are numerous examples of women described as widows in one listing not so designated in another, they are not described as ‘singlewoman’ instead.

narrower meaning. Substantiating this from the late-medieval evidence is nevertheless difficult, and its continued application to widows in the early-modern period advises caution.

What the York examples do suggest, though, is that the term ‘singlewoman’ flourishes at the expense of the category ‘maiden’ rather than ‘widow’. Although ‘maiden’ continues to be an important category elsewhere, it is not used as a personal designation in any of the York texts that I have discussed.⁹⁰ As we saw, there is a Latin will from 1477 in which the testator is identified as “Agnes Kilburn’ ... puella”, but this is as rare as the use of “single woman”. Some early sixteenth century subsidies use the category ‘maiden’, but often in place of the term ‘singlewoman’ rather than alongside it.⁹¹ It seems ironic that, around the same time the term ‘single woman’ is being used to denote a prostitute in some records, in others it is used to replace the category ‘maiden’. The records themselves - mostly civic texts - are not very dissimilar and this supports my earlier argument that the meaning ‘prostitute’ developed in the specific context of London. We should recall, though, that in the early fourteenth century text *Ayenbite* “sengle wifman” was used to denote a virginal maid, so the shift is not just chronological but discursive. The ‘single woman’ in the early-sixteenth century, then, is still an unstable category. Rather than representing a group separate from those of the maidens and the widows, the category competes and conflicts with both of those and other pertinent categories such as ‘daughter’, ‘servant’ and ‘worker’.

The texts that this part of the thesis has discussed - religious treatises, taxation returns and records of legal proceedings, and so on - can all be seen as elite texts with patriarchal agendas. Medieval women, though, did not live outside such discourses; the views of ecclesiastical, royal and civic authorities would all have affected them. My starting point has been to uncover how various discourses constructed the ‘single woman’. The next part of the thesis will therefore

⁹⁰Froide argues that ‘maiden’ was still in common usage until the 17thC. and continued to be used occasionally after that date: Froide, “Single Women”, pp. 372-5.

⁹¹E.g. in the 1522 certificate of musters for Buckinghamshire, the term ‘singlewoman’ is not used; in the section concerned with Beaconsfield people are listed under the headings “Wedowes”, “Maydens” and “Single men”: *The Certificate of Musters for Buckinghamshire in 1522*, ed. A.C. Chibnall, Buckinghamshire Record Society, 17 (1973), p. 250. Variants of the term ‘maiden’ are applied to named individuals elsewhere in this certificate: e.g. *Ibid.*, pp. 177, 208, 213, 228, 259-60. The term *vidua* and Middle English variants are also used. The Oxford subsidy return of 1524 classifies one female as “mayden”; other women are listed just by name (3) but mainly described as widows (24): *Oxford City Documents*, ed. Rogers, pp. 63-75 (p. 73). In some of the Coventry listings both ‘maid’ and ‘singlewoman’ are used: *Coventry and its People*, ed. Hulston.. E.g. 1522 ‘single woman’ (p. 80), ‘maiden’ (p. 108); 1523 “maydes” (p. 130; of two sisters sharing a house), “singulwoman” (p. 139).

consider the effect of such shifting and conflicting views on the unmarried medieval woman, using a case study of unmarried women's petitions to the court of Chancery.

PART TWO: BEING THE SINGLE WOMAN

I. Introduction: Stories of Single Women or Single Women's Stories?

Barbara Hanawalt in her book, *Growing Up in Medieval London*, includes the following vignette:

Joan Norman, a singlewoman of London, said that she was a victim of a plot between her former master and John Haliday, a London hostler. Her former master accused her of breaking into his chest and stealing 40s. She said that she had trusted her master and had given a girdle worth 40s. to him for indemnity. He had her arrested and put into prison. She said that she was "inwardly poor" and had no property but the girdle and could live only by her own hard work. Begging her former master had done no good; she had "sought him in the name of the Virgin Mary, protector of all women to be her good master". But he was willing to let Haliday pay the 40s. in exchange for Joan, "to have his way with her."¹

The account is presented to the reader as relating to the life of a "real" person, one through which Joan Norman, a medieval single woman, appears to speak to us across the centuries, at times in direct quotations. The source of Hanawalt's narrative is the late fifteenth century Chancery petition of Joan Norman. The interpretation, however, is clearly Hanawalt's and the quotations are actually paraphrases.² While Hanawalt's project here is very different from mine, it is worth considering further as it raises some issues which go to the heart of this section: notably what do we do with the desire to get at 'real' historical persons, to hear 'real' voices, when confronted with the extant records?³

Hanawalt presents *Growing Up in Medieval London* as an attempt to tell "*the story of growing up*", both to historians and non-specialists [my italics].⁴ In doing so she draws a distinction

¹B.A. Hanawalt, *Growing Up in Medieval London: The Experience of Childhood in History* (New York, 1993), pp. 187-8.

²C 1/66/368 [1475-80 or 1483-5]. For a transcription see Appendix III, A). All quotations from Chancery petitions follow the editorial conventions set out at the start of Appendix III. Petitions are classified in the PRO, and ordered into 'bundles', according to approximate dates (here bundle 66). The dates of the bundles for petitions cited are listed in my Bibliography. Where a petition can be more narrowly dated by internal evidence or cross-referencing with another document, I shall indicate this in the notes.

³This historiographical desire was discussed in section II of the Introduction: pp. 17-23 above.

⁴Hanawalt, *Growing Up*, pp. vii-iii (p. vii).

between two of her approaches. In the main body of her chapters she tells “a traditional historical narrative” but, set apart from this, she includes “my own narratives, which are based on the lives of real people but which are made up of composite experiences”. Hanawalt argues that these stories “redress an imbalance in the records ... we often know only bits and pieces about the poor and the women and children. The composite stories help to bring a completeness to sparse and scattered narratives that would otherwise be missing”.⁵ The vignette is included within her “traditional historical narrative” and is therefore in contrast to the composite narratives which Hanawalt calls her own. Thus Joan Norman is presented as a “real” person and the petition as a partial narrative. The vignette, though, also forms part of what I would call Hanawalt’s other “composite narrative”, her “traditional historical” one. This fragment is put together with other “sparse and scattered narratives” in order to suggest what life was like for servants in medieval London; it is introduced with the statement that “A female servant’s sexuality could be exploited by the master and mistress for profit”.⁶

While Hanawalt’s motives are laudable - to redress an imbalance in the records, to offer an appealing narrative to the reader - her narrative about the single woman, Joan Norman, is problematic on a number of levels.⁷ First, I think it misunderstands the dynamic of events, as related in Norman’s petition, and thus what was at issue. Not only shall I argue that the alleged theft was from Haliday rather than from Norman’s master, Thomas Swynley, but I also do not believe that the stated motive has a sexual element (the paraphrasing of “have his wille ayenst her” as “to have his way with her” is misleading).⁸ These differences serve to emphasize that what we are presented with is *Hanawalt’s story* of a medieval single woman. Secondly, although Hanawalt is aware of the problems relating to the ‘truth’ of narratives, the account in Norman’s petition is accepted here as unproblematic.⁹ Questions we ought to ask include, whether Norman’s ‘victim story’ was tailored to the nature of the court which she was addressing and what was her master Swynley’s version of events? Hanawalt’s story is an interpretation of an existing story. Thirdly, Hanawalt presents Norman as the original ‘teller’ of the account. Detailed work on Chancery petitions, as I shall discuss, not only interjects a

⁵*Ibid.*, p. ix.

⁶*Ibid.*, ch. 7 (p. 187).

⁷Indeed, it was her work which first drew my attention to Chancery petitions.

⁸Appendix III, A), l. 28; Hanawalt, *Growing Up*, p. 188. This petition will be discussed further in “Service, Honest Workers and Virtuous Maidens” below.

⁹Cf. Hanawalt, *Growing Up*, pp. 183-4; B.A. Hanawalt, *‘Of Good and Ill Repute’: Gender and Social Control in Medieval England* (New York, 1998), esp. chs 8 and 10.

scribe between the petitioner and the text, but a lawyer who carefully constructs the petitions, within a specific format, to ensure the best chance of success. Comparison with other petitions reveals similar narrative frames, and even details, which problematize the question of 'authorship'.

In Part One I considered how various discourses conceptualize the unmarried medieval woman. Part Two represents my attempt to think about how such ideas affected and were affected by historical single women, by way of a case study of such Chancery petitions. It will argue, though, that the textual material that survives does not allow us direct, unmediated access to their lived lives. The creation of the textual record which represents our contact with these women must be taken into account. I shall, therefore, briefly discuss the nature of the court - which would have affected what problems were brought to Chancery and how they were expressed - including who sat in judgement and who brought actions. Then I shall examine the nature of the petitions (what they include, who wrote them), before outlining my methodological approaches.

A) Late Medieval Chancery: Principles, Principals and Petitions

Scholarship on the late medieval Court of Chancery has generally been a by-product of interest in Chancery as an administrative office; or it has been viewed in the light of the Elizabethan Court of Chancery, which was an equity court.¹⁰ Although more work remains to be done, some key points can be made. First, it was a court of conscience, not a common law court.¹¹ This means that the Chancellor was not bound by procedural formalities or legal precedents but could view each case individually. For example, Baker offers a useful comparison with common law courts, such as the King's Bench and Common Pleas, which were "constrained by the forms of pleading, by the rules of evidence", etcetera:¹²

¹⁰The historiography on the subject has been usefully examined and challenged in T.S. Haskett, "The Medieval English Court of Chancery", *Law and History Review*, 14 (1996), 245-313 (pp. 246-280). He convincingly argues that Chancery was not an equity court in the later sense of the term until c. 1540.

¹¹Here I am discussing the 'English' side of Chancery, the Chancellor's jurisdiction to deal with bills of complaint, so-called because the records are predominantly in English: Baker, *Introduction*, pp. 86-7. The 'Latin' side was more specialized, dealing, for example, with royal grants, the Crown's property rights, and common law jurisdiction over personal actions involving any of the Chancellor's personnel: *Ibid.*, p. 86.

¹²*Ibid.*, p. 87.

the judges preferred to suffer mischiefs than to make exceptions to clear rules; hard cases make bad law. The stock example was that of a debtor who did not ensure that his sealed bond was cancelled when he paid up. The law regarded the bond as incontrovertible evidence of the debt, and so payment was no defence. Here the debtor suffered the obvious hardship of being driven to pay a second time; but the mischief was a result of his own foolishness, and the law did not bend to assist fools ... It was not that the common law held that the debt was due twice ... such propositions would have been as absurd then as now. It was a matter of observing strict rules of evidence, rules which might exclude the merits of the case from consideration but which could not be realized without destroying certainty and condoning carelessness. For a creditor ... to take unfair advantage of those strict rules was without question wrong; but it was a matter for their consciences rather than for the common law.¹³

In contrast, the debtor might have more success in Chancery where the matter could be decided according to what the Chancellor thought conscionable. The debtor could appeal to the Chancellor by bill of complaint (the surviving petitions), usually written in English.¹⁴ The petition would claim that the debtor had been taken advantage of by a malicious person and relay how the loss of the money would lead to his utter destruction and undoing, all standard claims in Chancery petitions.¹⁵ It would also ask that the creditor be required to appear before the Chancellor to be examined on this matter and a, usually unspecified, remedy would be requested.¹⁶ If the bill was not thrown out at this point, both parties (and sometimes witnesses) would be questioned before the Chancellor, or a Chancery master or clerk.¹⁷ The Chancellor

¹³*Ibid.*, pp. 87-8.

¹⁴Before the reign of Henry V, though, the petitions were written in French, with a few in Latin: *Select Cases in Chancery AD. 1364 to 1471*, ed. W.P. Baildon, Selden Society, 10 (1896), pp. xiii, xxiv. Fisher follows the outdated view, expressed by John Bayley, that no petitions survive from the reign of Henry IV and only a few from that of Henry V: J.H. Fisher, "Chancery and the Emergence of Standard Written English", in *idem*, *The Emergence of Standard English* (Kentucky, 1996), pp. 36-64, 157-68 (p. 54); *A Calendar of the Proceedings in Chancery in the Reign of Queen Elizabeth*, 3 vols (1827-32), I, preface (unpaginated). This had been disproved by the late nineteenth century: *Select Cases*, ed. Baildon, p. xi.

¹⁵On the commonality of such actions: Haskett, "Medieval English Court of Chancery", pp. 302-3. For an example of such claims: *Calendar of the Proceedings*, I, pp. xxix-xxx (petition of John Stonehous, pre 1473). Hawkes finds that married women were unlikely to bring such actions, presumably because theoretically they could not enter into contracts: E. Hawkes, "[S]he will ... protect and defend her rights boldly by law and reason ...": Women's Knowledge of Common Law and Equity Courts in Late-Medieval England", in *Medieval Women and the Law*, ed. Menuge, pp. 145-61 (p. 152).

¹⁶T.S. Haskett, "The Presentation of Cases in Medieval Chancery Bills", in *Legal History in the Making: Proceedings of the Ninth British Legal History Conference, Glasgow, 1989*, ed. W.M. Gordon and T.D. Fergus (London, 1991), pp. 11-28 (pp. 12-3).

¹⁷T.S. Haskett, "The Curteys Women in Chancery: The Legacy of Henry and Rye Brown", in *Women, Marriage, and Family in Medieval Christendom: Essays in Memory of Michael M. Sheehan, C.S.B.*, ed. C. M. Rousseau and J.T. Rosenthal (Kalamazoo, 1998), pp. 349-98 (pp. 375-6). E.g. bills could be thrown out if a remedy was available elsewhere. On the Chancellor's personnel: N. Pronay, "The Chancellor, the Chancery, and the Council at the End of the Fifteenth Century", in *British Government and Administration: Studies Presented to S.B. Chrimes*, ed. H. Hearder and H.R. Loyn (Cardiff, 1974), pp. 87-103 (pp. 90-2); Haskett, "Medieval English Court of Chancery", pp. 277-8.

would then decide who was in the right; in this case he could order that the bond be cancelled, thus giving justice to the “foolish” according to “the dictates of conscience”.¹⁸ Cases could also be brought on the grounds that a petitioner could not get justice at common law because her own actions were illegal, albeit conscionable;¹⁹ or that the cases were not actionable under common law as the arrangements under dispute were ones based on ‘trust’;²⁰ or that she was too poor to afford legal representation and so would not get a fair trial;²¹ and, similarly, that she would not be treated fairly as her opponent was so powerful.²²

Baker comments that “‘conscience’ has a subjective ring to it” but, as Chancellors were usually bishops or archbishops, they were “guided no doubt by their training in theology and Canon law”.²³ Indeed, the process by which cases were heard in Chancery - bill, subpoena, answer by the defendant on oath and the examination of witnesses - has been compared with that of the ecclesiastical courts.²⁴ Timothy Haskett, who has analysed the backgrounds of the various Chancellors from 1396-1532, found that most Chancellors were also educated in civil law.²⁵ Thus, although the system might look foreign to our eyes, there are medieval precedents for such decision-making. Petitions, then, try to appeal to the Chancellor’s sense of justice. By their very nature they require “the humble tone appropriate to a man at least metaphorically on his knees”.²⁶ Whatever was included in the petition, however, also had to be reinforced by what

¹⁸Baker, *Introduction*, p. 88.

¹⁹E.g. the petition of Humphrey Dawe and his wife Joan relates that one Maude Olyff encouraged a man to make sexual advances to Joan, against her expressed wishes. Joan, therefore, “gaf to the same Maude a knappe upon the cheik”. This assault led Maud to bring a plaint of trespass against the couple, and the petition complains that “the comen lawe will not ayde hir to iustifie the betyng”. The petition asks the Chancellor to recognise that Joan had grounds for striking Maud: C 1/32/337.

²⁰E.g. the trust placed in a feoffee or an executor of a will: this will be discussed further in Section II, B) below.

²¹Thus Joan Norman’s petition claims that she “is desolate of frendes, and havynge noon aide, help nor comferte nor other goodes where with to gete her counsell’ nor to pay the fees of the [common law] court”: Appendix III, A, ll. 20-1.

²²The petition of widow Alison Jane, accused of trespass before Exeter’s mayor and bailiffs, claims that she will not get remedy at common law as her accuser is the brother of one of the bailiffs: C 1/66/52.

²³Baker, *Introduction*, pp. 90, 85.

²⁴Haskett, “Medieval English Court of Chancery”, pp. 256, 261. He evaluates possible influences on the decision-making of Chancellors: pp. 256-66. On ecclesiastical court process see R.H. Helmholz, *Marriage Litigation in Medieval England* (Cambridge, 1974).

²⁵Haskett, “Medieval English Court of Chancery”, pp. 311-3. He sees the Chancellorship of Thomas More (1529-32), a man trained in common law, as marking a change in Chancery: *Ibid.*, p. 313. On More as Chancellor: J.A. Guy, *The Public Career of Sir Thomas More* (New Haven, 1980), section II.

²⁶J.A. Burrow, “The Poet as Petitioner”, in *idem*, *Essays on Medieval Literature* (Oxford, 1984), pp. 161-76 (p. 163).

the petitioner later claimed in court.²⁷

As yet, not enough is known about the people who brought cases to Chancery and how much they knew about the process; that is, we do not know whether we can assume preexisting knowledge of the court and how it functioned, or whether petitioners were directed there. Haskett's *Early Court of Chancery in England Project (ECCE), 1417-1532*, has started to provide answers to the first question at least.²⁸ The petitions that I shall discuss are those of unmarried women, so the focus here is on what is known about women coming to Chancery. From a sample of 6,850 cases from approximately 61,000 that survive for this period, Haskett finds that only twenty-one percent of the petitioners are female. This compares, though, with only seven percent of respondents to cases being women. When women do appear in the Chancery records, then, it is usually as instigators.²⁹ Emma Hawkes has similar findings; from her analysis of bills sent to Chancery between 1461-1515 by petitioners living in Yorkshire, fifteen percent of litigants are female.³⁰ Although this is a smaller figure than Haskett's it compares favourably with her findings that "The proportion of women in both King's Bench and Common Pleas hovered around 5% between 1479 and 1520".³¹ Thus she concludes that "women were significantly more likely to participate in legal activities in equity [i.e. Chancery] than in common law courts".³²

Most of Hawkes's cases relate to land actions, and she finds that wives and daughters were disproportionately more likely to bring such cases than men and widows. Hawkes argues that this results from "their weak legal standing which would have discouraged all but the most necessary litigation".³³ That most of her cases relate to land, though, is perhaps the result of

²⁷Cf. Haskett: "success in any Chancery case depended on the parties telling their stories under oath before the court" (Haskett, "Curteys Women in Chancery", p. 376).

²⁸On this project: Haskett, "Medieval English Court of Chancery", pp. 281-311.

²⁹*Ibid.*, pp. 282, 286. Although he also finds that from the 1430s to the 1510s women's involvement increases by 55%, largely due to the increase in their numbers as respondents: *Ibid.*, pp. 286-7.

³⁰Hawkes, "Women's Knowledge of Common Law", p. 151. Although she finds a higher rate of female involvement generally (almost one third), perhaps echoing Haskett's finding that numbers of female respondents increase by these late dates. He also found women's presence as petitioners decreases by 3% from the 1430s to the 1510s: Haskett, "Medieval English Court of Chancery", p. 287.

³¹Hawkes, "Women's Knowledge of Common Law", p. 150; the figures are based on samples (p. 145).

³²*Ibid.*, p. 151. On the mistaken application of the term 'equity' to late medieval Chancery: n. 10 above.

³³Hawkes, "Women's Knowledge of Common Law", pp. 151-2 (p. 152). These are her categories; by 'daughter' she clearly means a never-married woman. For the use of this category as a subject position in Chancery petitions, though, see Section II, B) below.

her sample being from Yorkshire; the counties tend to produce more land disputes.³⁴ Margaret Avery contends, from an analysis of all petitions from Essex and Kent before 1460, that the chief business of the court related to uses of land.³⁵ Nicholas Pronay, however, claims, from an analysis of bundle fifty-nine (1474-83), that “the great bulk of Chancery petitions ... came from towns and were mercantile in nature” and argues that Avery’s findings are the result of her sampling by localities, Kent and Essex not being representative.³⁶ The results of the *ECCE Project* confirm that property cases are the most numerous in the period 1417-1532, but after these come cases concerned with money and trespass.³⁷ While Pronay’s findings are also probably related to his sampling, his work draws attention to another important area of the court’s work: the urban and the mercantile. Such cases might not be as numerically significant as he thought, but to women like Joan Norman, a servant for a London-based tailor, access to Chancery would have been important.

Avery concludes from her findings that Chancery was “not a court for the poor and needy” in 1460.³⁸ Such terms are subjective - women trying to secure their inheritances were technically poor and in need - but, while the statistics are on Avery’s side, there are a number of petitions to Chancery in the late fifteenth century which are from groups not overly represented in other legal records, such as the labouring poor and the young, most from London or other urban centres.³⁹ As we saw above, cases could also be brought on the grounds that a petitioner was too poor to afford legal representation and so would not get a fair trial. Baker comments that, as Chancery was always open and the court could sit anywhere, it led to swift and inexpensive justice.⁴⁰ Again not enough is known about how and why such cases came to court. Usually it is said that the petitioner was in prison, or at least facing a common law action, so it might well be that at this stage she was advised to seek redress in Chancery. Tim Stretton, who works on

³⁴This mattered less for her project which was explicitly interested in gentlewomen: Hawkes, “Women’s Knowledge of Common Law”, p. 145.

³⁵M.E. Avery, “The History of the Equitable Jurisdiction of Chancery Before 1460”, *Bulletin of the Institute of Historical Research*, 42 (1969), 129-44 (p. 143).

³⁶Pronay, “Chancellor”, pp. 92-4 (p. 94).

³⁷Haskett, “Medieval English Court of Chancery”, pp. 295-300. While he found a significant decline in the number of ‘real property’ disputes over the period, there was a more than equal rise in cases about instruments relating to property, i.e. deeds, documents etc.

³⁸Avery, “History of the Equitable Jurisdiction”, p. 143.

³⁹Cf. Hanawalt, *Growing Up*, p. 185: “That so many of these cases appear in the Chancery petitions may indicate that servants found in this institution their only realistic venue of complaint”.

⁴⁰On speed and low cost: Baker, *Introduction*, p. 88; M.E. Avery, “An Evaluation of the Effectiveness of the Court of Chancery Under the Lancastrian Kings”, *Law Quarterly Review*, 86 (1970), 84-97 (p. 85).

the Elizabethan Court of Requests (a national equity court), hypothesizes that there were erstwhile equivalents of contemporary “ambulance chasers”; that is, lawyers who sought out ‘victims’.⁴¹ Hawkes argues that the appeals of county gentlewomen to Chancery reflect their knowledge of the legal system - and she has some anecdotal evidence of women’s legal knowledge from gentry letters. Haskett’s work on the composition of Chancery petitions, though, reveals the involvement of county lawyers in submitting Chancery petitions; it might be that such women were also advised about which court to approach. While we can only speculate about what stage lawyers got involved, it can certainly be claimed that they were involved at the point of the petition’s composition.

Hanawalt comments of Chancery petitions that “Because they are written in English ... they give the reader a sense of the way people narrated their own pathetic tales or did so with the assistance of a professional, experienced scribe”.⁴² While here Hanawalt inserts a scribe between a petitioner and the text, there is still a desire to see the petition as having oral characteristics and the story as being the petitioner’s. Another social historian claims that such petitions “were written (or dictated) fairly informally by local people ... using whatever arguments and forms of expression they thought would be most convincing. Although one finds conventional phrases even in these bills ...”.⁴³ This is in contrast to the views of diplomatic scholars who claim that, for example, “Since writers of petitions needed knowledge of the law and its formats and a command of the writing style ... in which rigid legalisms give way to florid descriptions of evictions, dispossession, thefts, and the like, few if any women would have had the necessary training to produce them. They are all too obviously the product of the legal mind”.⁴⁴ Haskett, in a meticulous analysis of the diplomatic of Chancery petitions, found a

⁴¹T. Stretton, *Women Waging Law in Elizabethan England* (Cambridge, 1998). Perhaps this was the case with Joan Mathewe. One petition relates how she was “late coveaunte servaunt by the yere” to the ironmonger Lewis Pole and his wife but that he had alleged to the sheriffs of London that she owed three pounds for bread and ale: C 1/267/3. It is not inconceivable, though, that she is the same Joan Mathew, late servant of Clement Waugh of Fleet Street, who is countering an action, again brought to the sheriffs. This time it is claimed that her sister Anne’s master, Henry Savage, was accusing her of theft of a purse, although she claims that her sister asked her to look after it, which she did “by cause she was her suster”: C 1/267/32.

⁴²Hanawalt, *Growing Up*, p. 15. For the purposes of authorship the involvement of lawyers seems more important. Haskett mentions scribes as copyists: e.g. Haskett, “Presentation of Cases”, p. 18, n.15.

⁴³McIntosh, *Controlling Misbehavior*, p. 119. One of the first scholars to assess Chancery petitions systematically (of which there have been few) concluded that “the existing bills are engrossments made by Chancery clerks, from more informal petitions or from verbal complaints, for use during the hearing of the suit”: Avery, “Evaluation”, p. 85; for a rebuttal of this view see T.S. Haskett, “County Lawyers?: The Composers of English Chancery Bills”, in *The Life of the Law: Proceedings of the Tenth British Legal History Conference*. Oxford, 1991, ed. P. Birks (London, 1993), pp. 9-23 (pp. 11-12).

⁴⁴M. Richardson, “Women, Commerce, and Writing in Late Medieval England”, *Disputatio*, 1 (1996), 123-45 (p. 129). Also: “the style and language are so uniform as to suggest the work of a group of clerks” (*An*

distinct canon of form that was both adhered to and “used in a very active and creative manner”.⁴⁵ For example, from analysing bills from different petitioners, about the same problem and in the same hand, Haskett shows that a petition might be adapted slightly to better suit an individual petitioner.⁴⁶ It is perhaps the distinctness and variations which Haskett comments on that give the appearance of informality which some scholars have claimed for the petitions.

Thus, while a petition cannot be read simply as evidence of what a petitioner said, it should not be understood as merely a product of a lawyer. The writing of a petition would have involved both the telling of a story, not necessarily unprompted, by the petitioner, and the composition of the written bill by someone knowledgeable of the correct form and language. The petitions belong to the women in more ways than one. First, whether the stories were ‘true’ or not, the creation of a petition was the chance for some women not only to gain redress but to tell their side and, regardless of literacy, have it made into a text.⁴⁷ The petition, therefore, contains an account of part of her life, and can be considered as a form of ‘life writing’. Secondly, whoever wrote the petition, the story contained within it ‘belonged’ to the petitioner at that moment in time; it was her petition and it mattered in that it could, for example, get her out of prison or lead to her regaining her property. If the petition were accepted into Chancery then she would be questioned in court on its subject matter. To be successful, then, the petitioner would have to *be* the petitioning subject constructed in the text for her moment in court. Thus, while the petition tells us about a woman’s life outside Chancery as she and her lawyer wanted it told, it is also revealing of the woman’s ‘lived experience’ of petitioning Chancery. These two positions represent my attempt to keep in focus historical single women while recognising that the textual material that survives does not allow us direct, unmediated access to their lived lives. They will therefore be discussed further and I shall outline how they relate to the specific approaches which I use in regard to women’s petitions.

Anthology of Chancery English, ed. J.H. Fisher *et al.* (Knoxville, 1984), p. 22); “The petitions are very largely the work of common lawyers” (*A Linguistic Atlas of Late Mediaeval English*, ed. A. McIntosh *et al.*, 4 vols (Oxford, 1986), I, p. 49).

⁴⁵Haskett, “County Lawyers”, p. 11; Haskett, “Presentation of Cases”; T.S. Haskett, “The ‘Equity’ Side of the English Court of Chancery in the Late Middle Ages: A Method of Approach”, unpublished D.Phil. diss. (University of Toronto, 1987), chs 5-6.

⁴⁶Haskett, “Presentation of Cases”, pp. 14-17, 22-5.

⁴⁷Cf. Cannon, “Rights of Medieval English Women”, p. 165. Hanawalt claims, in respect of rape cases at common law, “for the victim the telling of the tale itself was some compensation”: Hanawalt, *Of Good and Ill Repute*, p. 133 (but cf. p. 138).

B) Methodological Approaches

While the often dramatic contents of these [Chancery] petitions are an essential source for the history of bourgeois Englishwomen, they too are of limited interest in the history of women's writing.

Malcolm Richardson, "Women, Commerce, and Writing" (1996).⁴⁸

This quotation from Malcolm Richardson suggests that he thinks the events recounted in Chancery petitions are revealing of medieval women's lives but that they tell us little about women's writing. While there is logic to both these arguments, my approach turns them around and suggests that although petitions do not tell us about the 'real' lives of medieval women they can be understood as examples of women's life writing. Life writing as a category arose from feminist critiques of an autobiographical canon which privileged male writings.⁴⁹ Sidonie Smith, for example, argues that autobiography can be defined as "written or verbal communication that takes the speaking 'I' as the subject of the narrative, rendering the 'I' both subject and object", and thus includes diaries, journals, letters and oral histories.⁵⁰ The inclusion of verbal communication is especially important for earlier periods when literacy levels were lower and it has led to the inclusion of texts written by scribes, such as wills and court testimony; these are also texts that, like petitions, do not purport to reveal a whole life.⁵¹ It seems, though, that women's petitions have not yet been considered as life writing.

John Burrow, although considering petitionary passages in 'literary' works (such as Gower's letter of petition and complaint to Venus and Cupid towards the end of *Confessio Amantis*), usefully discusses the autobiographical nature of practical petitions:

It is not *autobiography* when I give my name and address to a policeman. But in many medieval texts the reasons which lead an author to speak of himself are, precisely, practical ... Most commonly of all, I think, the occasion is the

⁴⁸Richardson, "Women, Commerce, and Writing", p. 129.

⁴⁹S. Smith, *A Poetics of Women's Autobiography: Marginality and the Fictions of Self-Representation* (Bloomington, 1987), esp. ch. 1; L. Gilmore, *Autobiographics: A Feminist Theory of Women's Self-Representation* (Ithaca, 1994), p. x; K.J. Lewis, "Women, Testamentary Discourse and Life-Writing in Later Medieval England", in *Medieval Women and the Law*, ed. Menuge, pp. 57-75 (p. 67).

⁵⁰Smith, *Poetics of Women's Autobiography*, p. 19. One collection of essays on autobiography includes "noncanonical lifewriting" such as poems and films: *Life/Lines: Theorizing Women's Autobiography*, ed. B. Brodzki and C. Schenck (Ithaca, 1988), chs 14 and 17 (p. 15).

⁵¹For wills: Lewis, "Women, Testamentary Discourse and Life-Writing". On court testimony: E.S. Cohen, "Court Testimony from the Past: Self and Culture in the Making of Text", in *Essays on Life Writing: From Genre to Critical Practice*, ed. M. Kadar (Toronto, 1992), pp. 83-93 (although she states that such writing exists "From the sixteenth and seventeenth centuries"; p. 83).

presentation of a petition on the author's behalf ... When seeking the favour of God or some earthly patron, an obvious prime requirement is that one should be identified - otherwise the favour might go to the wrong person ... There is also a natural tendency to add a few further particulars in order to support the identification. Such particulars may also perform another function, for the petitioner often introduces some account of himself and his circumstances in order to strengthen his plea.⁵²

Late medieval Chancery petitions are similarly practical and usually include accounts of the petitioners and their circumstances in order to strengthen the pleas. They assert, for example, that the petitioner had been tricked by a malicious person, that she was too poor to sue at common law or that her opponent was a powerful man. The petitions do not always contain a detailed narrative, though; some just signal key elements that make the case appropriate to the court. The intention of a petition was not to tell a compelling story but to get the petitioner's case heard in Chancery. As Burrow says, "the petitioner often introduces *some* account of himself and his circumstances" [my italics].

Where the petitions differ from the passages that Burrow considers are in the mediated nature of their composition. Smith's definition, however, allows for the inclusion of 'dictated' texts and texts written by scribes are included within the genre of life writing; a well-known medieval example is *The Book of Margery Kempe*.⁵³ Although petitioners are discussed in the third person this is not problematic.⁵⁴ Shari Benstock, another theoretical writer on women's autobiographical writings, expands on Smith's "speaking 'I' as ... both subject and object" to argue that as autobiography discusses both "the present 'I' and the past 'I' ... the Subject is made an Object of investigation (the first-person actually masks the third-person)".⁵⁵ In Chancery petitions the objectification of the subject is just made explicit.⁵⁶

⁵²Burrow, "Poet as Petitioner", pp. 162-3 [author's italics]; on Gower see his pp. 167-9.

⁵³*The Book of Margery Kempe* is discussed in, for example, Smith, *Poetics of Women's Autobiography*, ch. 4. For the argument that Kempe authored her dictated text: L. Staley, *Margery Kempe's Dissenting Fictions* (Pennsylvania, 1994), esp. ch. 1. Similarly, Daybell - in a discussion of late medieval and renaissance letters - argues that "for a woman to be considered an author, it is not necessary for her to have possessed the ability to write or actually to have written a text herself. What mattered, instead, was that she could communicate orally what she wished to have set down": J. Daybell, "Women's Letters and Letter Writing in England, 1540-1603: An Introduction to the Issues of Authorship and Construction", *Shakespeare Studies*, 27 (1999), 161-86 (p. 180). I am grateful to Sarah Williams for drawing my attention to the latter article.

⁵⁴Indeed, as is the *Book of Margery Kempe*: e.g., "Whan this creatur was twenty yer of age ... sche was maryed to a worschepful burgeys" (*The Book of Margery Kempe*, ed. L. Staley (Kalamazoo, 1996), p. 21, ll. 130-1).

⁵⁵S. Benstock, "Authorizing the Autobiographical", in *The Private Self: Theory and Practice of Women's Autobiographical Writings*, ed. S. Benstock (London, 1988), pp. 10-33 (p. 19).

⁵⁶Cf. Davis on a different legal discourse, letters of remission, to be discussed below: "The speaker's first person 'I' was turned into the third person of the 'supplicant,' to whom the king is listening": N.Z. Davis, *Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France* (Cambridge, 1988), p. 22.

To think of the petitions as life writing, though, is not to posit them as ‘true’; autobiographical writing always involves a construction of a self, a representation of a life.⁵⁷ My approach is to read the petitions as accounts that were thought to be believable, appropriate to the court and beneficial for the petitioner; that is, the teller, her audience and the response were all taken into account when the stories were told (as is presumably the case with the writing of most autobiographies). Natalie Zemon Davis, in her study of sixteenth-century French letters of remission (what she calls “pardon tales”), argues that people framed their stories in certain ways because they thought that these were most likely to be believed. Furthermore, such stories often cohered around the teller’s estate or occupation and were affected by gender and shaped by cultural resources.⁵⁸ Although she focusses on individual story-tellers, I intend to use the idea of group stories - for example, Servants’ Tales and Daughters’ Tales - in order to think about women’s Chancery petitions.⁵⁹ While petitions might not always include a detailed narrative, I shall argue that the use of common frames allow for such petitions to be grouped with other more detailed ones.

Joan Norman’s petition, while only presenting a partial narrative, is more detailed than most petitions from female servants. As discussed above, though, it shares a similar narrative frame and details with other petitions.⁶⁰ Instead of just discussing the fuller petitions and giving the impression that the details relate clearly to the lived life of the named petitioner, I shall discuss a number of petitions which share similar narrative frames.⁶¹ If we accept that the stories are representations of a lived life rather than a true account, the shared aspects are also telling in that they demonstrate that for a number of petitioners it was thought beneficial to use a common narrative frame; that is, a generic story was considered believable as a version of their

⁵⁷Smith, *Poetics of Women’s Autobiography*, esp. pp. 5-6; Gilmore, *Autobiographics*, *passim*.

⁵⁸Davis, *Fiction in the Archives*.

⁵⁹Cf. Davis: “out of the total corpus of remission narratives, certain of them depend so critically on the supplicant’s consciousness of his estate that it is not just a twentieth-century artifice to refer to them as Peasants’ Tales or Gentlemen’s Tales or Barbers’ Tales. Chaucer entitled his stories by the calling of the teller” (Davis, *Fiction in the Archives*, p. 43).

⁶⁰An interesting similarity, for example, is its call to the Virgin Mary. Norman’s petition says that she begged Swynley to be her good master “at the reverence of Our Lady, comfort of all women”: Appendix III, A), l. 14. A petition which refers to an attempted rape claims that the petitioner, “by the help and grace of our lady, that blessed virgyn, brake fro hym a clene woman not defylid”: C 1/32/337. On the widespread appeal and telling of miracles of the Virgin see C.M. Meale, “The Miracles of Our Lady: Context and Interpretation”, in *Studies in the Vernon Manuscript*, ed. D. Pearsall (Cambridge, 1990), pp. 115-36 (pp. 115-7).

⁶¹There is not space here to go into the vexed question of whether or not ‘individuality’ was possible in the medieval period, or was an early modern invention: see, for example, S.J. Greenblatt, *Renaissance Self-fashioning: From More to Shakespeare* (Chicago, 1980); cf. D.R. Aers, *Community, Gender and Individual Identity: English Writing 1360-1430* (London, 1988).

lives. I shall also argue, though, that these group stories were sometimes modified to take into account factors such as the age, marital status or social status of the petitioner: sometimes it seems that subgroups also had their own generic stories. Such an approach is not contradictory to my intention to focus on historical single women. Rather, it means that the focus does not rest on individual single women.⁶²

If the stories are representations of the women's lived lives outside Chancery, the petitions also relate to the lived experience of petitioning Chancery. Christopher Cannon's recent article on women's rights at common law stresses how women's "right to plead", regarding forcible harm done to her body or the murder of her husband, "gave women a right to speak about their lives, and it gave them a right to have that speaking made into a *text*".⁶³ While we differ in approach in that he thinks the pleas allow one to get at women's "lived experience" outside court, Cannon usefully discusses how the legal process is also part of a woman's lived life:

the dispossession or the murder or the rape was a crucial part of the lived experience that the record of her plea narrates. In a similar way, the constricting lines of force that work to obscure women's voices in court - the rules of law and its procedural forms, attorneys and their linguistic influences, scribes and their distorting Latin formulae - are crucial forces determining the part of life lived *at law*: in the court, in the process of pleading, on the way to asserting the rights to plead and appeal that women had.⁶⁴

While similar factors affected petitioners (both male and female) in Chancery, as we have seen, we can also think about the woman's life at law in other ways. If we bear in mind the process of petitioning, that the petitioner would have to answer questions on her claim in court, it can be argued that, whatever subject is constructed in her petition, it must have been one that the petitioner could 'be' for her moment in court. The surviving petitions allow one to think about the petitioning subject as not just textual but as potentially embodied. Although we, again, do not have unmediated access to the woman's life at law, any more than we do to her life outside of Chancery, we do have a textual representation which is worth considering.

⁶²Cf. Justice on peasant rebels: "The judicial records give us hundreds of names and dozens of isolated incidents attached to them. Most of them have been preserved for history at the single moment they assaulted a sheriff, or broke a house ... then they vanish. I decided against giving a probably spurious sense of immediacy and concreteness by naming many of these names ... Only in the aggregate do the rebels stay in sight long enough to be looked at carefully" (Justice, *Writing and Rebellion*, pp. 9-10).

⁶³Cannon, "Rights of Medieval English Women", pp. 163, 165 [author's italics]. While this bears similarities with my reading of petitions as life writing, Cannon does not make this link.

⁶⁴*Ibid.*, p. 168. Cannon's records belong to a different legal discourse to mine: they appear less formulaic and given the limitations on women bringing a case to common law he is perhaps better placed to claim that the events must have happened in some form, even if not in the precise way that the plea relates.

The stories, which cohere around, for example, an estate or occupation, generally position the women as a member of that group, but - as suggested above - the stories are also often tailored to take into account another status. A petition could make use of a number of subject positions, presumably as a result of aiming to present the petitioner in the best possible light in the situation that she found herself in. This is not problematic in terms of my thinking of the petitioning subject as potentially embodied; we all possess plural identities simultaneously: for example, daughter, sister, teacher, citizen.⁶⁵ While some subject positions are explicit, others are more implicit; for example, Joan Norman's petition claims "your said oratrice is a sengle woman" but she is never described as a 'servant', although there is a reference to "her service" and the narrative of the petition is a common Servant's Tale, as we shall see.⁶⁶ My analysis, therefore, will consider how both stories and rhetorical devices work to position petitioners in certain ways. One of the intentions of this section is to think about how some of the various cultural categories for single women discussed in Part One might be used by single women (in this case, in Chancery). These include 'maid', 'widow', 'daughter', 'servant', 'worker' and 'single woman'

These methodologies will be made more explicit in the ensuing analysis of petitions. Although they could be applied to the petitions of men and married women, my focus is on the petitions of unmarried women, both the never married and the widowed.⁶⁷ Discussion will be structured around two themes - service and family property. While the groups of 'servants' and 'daughters' would appear to be particularly fruitful lines of enquiry, especially for thinking about the never married, organizing the section by themes allows for other factors to be taken into account, such as age and status (social and marital). Property, as we have seen, is the most common subject matter of Chancery petitions. Section II concerns women of potential means who argue that they have been cheated out of property that is rightfully theirs; these petitions are often from the counties. Petitions from female servants, which I shall consider in Section I, might not be numerically as significant - although there are a reasonable number - but, as I argued above, they are significant in that they reveal the access poor, urban women had to the court.⁶⁸ The cases I discuss have been chosen, therefore, not because they are representative

⁶⁵Cf. Rosser, "Crafts, Guilds and the Negotiation of Work", p. 8.

⁶⁶Appendix III, A), ll. 19, 28. The petition's use of the category 'single woman' will be discussed in "Afterword: Being the Petitioning Single Woman"; for consideration of the petition as a Servant's Tale see Section I below.

⁶⁷I have read a number of petitions by men and by wives but for reasons of space comparisons will be limited.

⁶⁸Section I will also allow Joan Norman's story to be put in a wider context.

but because they illustrate different facets of women petitioning Chancery.⁶⁹ Part Two will end with a short section which will specifically focus on the use of ‘single woman’ as a petitioning identity.

⁶⁹I have examined most petitions relating to women from bundles 1-235 (pre 1500) and, based on which actions were most promising from this trawl, selected petitions from bundles 236-356 (c. 1500-15) from the information given in the *List of Early Chancery Proceedings Preserved in the Public Record Office*, 5 vols, Lists and Indexes, 12, 16, 20, 29, 38 (London, 1901-12), I-IV; on these indexes see Haskett, “Medieval English Court of Chancery”, pp. 283-4. This amounts to about a thousand petitions.

II. Service, Honest Workers and Virtuous Maidens

I shall begin again with Joan Norman. The story offered is obviously my interpretation of the events described in her petition but the intention is not to tell a story about a medieval single woman but to consider what kind of story was considered both a plausible version of this medieval single woman's life and an effective tactic in Chancery. By comparison with other petitions I shall argue that the narrative frame of a Servant's Tale and the position of 'good servant' were useful to Norman, and other single women like her. It is my contention, though, that telling a Servant's Tale is not just the result of being a servant or because the dispute was a master/servant one. The adoption of a story or a position involved an element of choice, by the lawyer or the petitioner or both.¹ For example, some petitions contain a Servant's Tale but refuse the subject position of 'servant', whereas some tell a different kind of story but use the position of 'servant'. There is a sense that they are adopting whatever might work best for an individual petitioner. It will therefore be considered whether factors such as marital and social status affected the stories and positions adopted. While such petitions can be read as victims' stories, if we take into account the choice of story and position that lie behind them it is possible to argue that 'being the powerless servant' might be a useful position for some single women in late medieval Chancery.

According to the petition, Norman was in prison following her arrest for allegedly breaking into a chest belonging to John Haliday, a London hosteller, and stealing goods to the value of forty shillings. Her petition claims that Haliday acted out of "his mere malice and for evill will which he then hadde and yit hath to your said oratrice, for certeyn grugge which then were and yit been hangyng bitwene theym".² Nevertheless, the dispute is largely presented as a master/servant one.³ The petition claims that Norman's master, Thomas Swynley, a London tailor, plotted with Haliday to get her charged with theft, as there was also a grudge between Norman and Swynley. When Norman was first arrested, though, her first response was not to petition the Chancellor but to ask her master to stand as surety for her, despite his previous

¹Even if it was the lawyer we must allow some agency to the petitioner because, as discussed in the Introduction, it must also be a story and position that she could present convincingly in person and it was certainly in her interests to have the best case possible.

²Appendix III, A), ll. 4-5. The quotation clearly contains legalisms and reference to "malice", for example, is commonplace in Chancery petitions.

³This is perhaps why Hanawalt reads the theft as from Swynley (see pp. 155-6 above).

behaviour.⁴ (It is not clear whether this suggests Norman was aware of his involvement in Haliday's accusation or whether this might refer to whatever had caused the grudge.) In return for Swynley being her surety, the petition claims, Norman gave him her only possession, a girdle worth eleven shillings.⁵ But, having received the girdle, Swynley sided with Haliday again and betrayed the "grete trust" which she had put in him.⁶ The motivations ascribed to the defendants are that Haliday "may then have his wille ayenst her", presumably suggesting that he would win at law, and that Swynley would "have her service at his wille for litle or nothyng".⁷ Thus Haliday's actions are still represented as arising out of the generic "malice and ... evill will" that one finds in many Chancery petitions, whereas Swynley's are explicitly linked to his desire as a master to obtain his servant's labour for as little as possible. It is at this point, having been twice duped, that Joan petitioned the Chancellor; her only other alternative is said to be remaining in prison "to the extreme undoyng of your said inwardly [deeply] pore oratrice".⁸ The Chancellor is asked to make the mayor and sheriffs transfer the case to the Chancery court.⁹

Although Norman's petition is responding to an action initiated in the courts by Haliday, by focussing on her master's betrayal it offers what I call a Servant's Tale. Most of the petitions by servants were responding to accusations made in the common law courts, usually of debt or theft, by masters or - as in Norman's case - related persons. The women were in prison, having been arrested following the accusations, and the petitions ask that their cases be heard in Chancery, with the intent that they will be released and the common law actions against them stopped. They typically claim that the petitioners cannot get justice elsewhere as they are too poor or powerless. These are standard claims in Chancery petitions. They also claim that the allegations made against them are false. What makes their petitions distinctive as a group, though, are the circumstances or motives which they claim caused the false allegations. Frequent claims are that the servant was leaving her employer's service (either with permission,

⁴See Appendix III, A), ll. 12-15.

⁵Hanawalt read this as 40s., the amount that Norman is claimed to have stolen: Hanawalt, *Growing Up*, p. 187.

⁶The phrase "grete trust" is repeated and echoes a reference to "trust" earlier in the petition: Appendix III, A), ll. 15, 23, 24. There is also a related statement that Swynley "shuld defende her in her right accordyng to the lawes and *conscience*" [my italics]: ll. 23-4. For further discussion of how 'trust' was a Chancery issue see Section II, B) below.

⁷Appendix III, A), ll. 28, 28-9. Cf. Hanawalt's reading: p. 155 above.

⁸Appendix III, A), ll. 29-30. "Undoing" is another formulaic word in Chancery petitions but the use of "inwardly" in this way seems unique.

⁹Although we do not usually know the outcome of cases, the Latin enrollment on the dorse of this petition suggests that Norman was allowed to go free, with the agreement of Haliday: Appendix III, A).

at the end of an agreed term or because she had not been paid her wages); that someone wanted her service; and that an employer wanted his servant's labour for free (as Norman's petition suggests of Swynley). For example, the petition of Ellen Wildeblode was a response to an allegation of theft by her master, Richard Walder of London. It not only denies the theft but claims that Walder's motivation came from Wildeblode's having told him that she would leave his service at the end of the fixed term.¹⁰ The petition of Joan Parslar is about a female servant who claims to have left the service of William Robynson, a London merchant haberdasher, "by his licence and good wyll". The next time she returned to the city, though, he had her arrested, alleging that she had stolen from him "with force and arms" a gold ring worth forty-six shillings and eight pence.¹¹ According to the petition of one Agnes Kyrkeby, she had been in the service of Robert Brand, a London brewer, for more than six years but he had never paid her so she told him she was leaving. Brand then took actions against her, leading to her arrest, and got another man to bring an action too, with the intention that she would work "for nought".¹² The petition of Jane Stourton, though, alleges that Henry Bukmede, an officer of the Counter in London, took vexatious actions against her because he wanted her to be his servant, which she never was.¹³ Although the detail of the stories varies - both in content and fullness - what such stories have in common is that they all suggest (either explicitly or implicitly) that what was really at issue in the disputes was the petitioner's labour and, often, its worth; the master not only wanted the woman's labour, he sometimes wanted it for free.

The claims on both sides are commonplace. For example, Kowaleski, in a study of late fourteenth century mayor's court records from Exeter, commented that:

Servants who wanted to break their service contract normally advanced one of two

¹⁰C 1/64/122. Also, see the petition of Joan Lytle, discussed p. 174 below.

¹¹C 1/346/70. The phrase "with force and arms" has clearly come from the common law action. It is discussed in Beattie, "Problem of Women's Work Identities", p. 15, n. 42; Maddern, *Violence and Social Order*, p. 22; R.C. Palmer, *English Law in the Age of the Black Death, 1348-1381: A Transformation of Governance and Law* (Chapel Hill, 1993), pp. 152-66.

¹²C 1/66/390. The petition of Joan Rawe also claims that she left the service of John Holme, a London mercer, because of unpaid wages: C 1/46/117. That of Elizabeth Pyceley, servant to Richard Fote, citizen and draper of London, alleges that he owed her four pounds in wages but when she gave her notice he claimed she owed him that amount and kept her prison for five days until she signed an obligation to that effect which he then used to sue her with: C 1/66/210.

¹³C 1/64/856. Similarly, the petition of Alice Pratte of Riccall, Yorkshire, says that Morice Bray, a London fuller, brought false actions against her with the intent of securing her service: C 1/48/43. Although such petitions purport to be by women outside of service, they can usefully be considered as a type of Servant's Tale as they are not very different from the ones which claim employers were trying to keep the women in their service.

complaints to show just cause: either their employer's failure to pay their salary or physical abuse ... Employers frequently sued servants for withdrawal of their services before their term had expired, or for leaving 'without reasonable cause'. Other employers complained about dishonest servants who robbed their masters or cheated them over a period of years.¹⁴

These are allegations of 'bad masters' (and, implicitly, 'good servants') and 'bad servants' (and, again implicitly, 'good masters').¹⁵ Chancery was a different kind of court and so we have stories that are a stage on: we are told of the behaviour of masters that caused servants to try to leave, and how this then caused the masters to make allegations at common law, but the situation at issue in Chancery was usually concerned with what happened to the master/servant relationship next. The stories told are clearly slanted towards what might have been successful and, therefore, also what would have been considered believable. The original allegations are obviously denied, but simply by bringing a case before Chancery the petitioner was suggesting that her master had acted out of self-interest rather than just cause, and the frame of the Servant's Tale associates this self-interest with the petitioner's labour and its worth. Thus, even while accepting the conflict as a master/servant one, there was also potential to change the focus of the dispute and to counter-accuse. The dishonesty therefore becomes the employer's, not the servant's, the 'crime' not a theft or debt but the misappropriation of the petitioner's labour. Also, as we have seen with the petition of Joan Norman, this need not necessarily be a simple reversal of roles.¹⁶ Although Norman had been accused by someone other than her master, her petition stressed Swynley's involvement. By shifting the emphasis from Haliday to Swynley the dispute becomes a master/servant one and the 'crime' an attempt to wrest control of her own labour from the poor woman. Norman's position as a servant enables the argument that the alleged theft is not the sole issue. Thus, the position was clearly a potentially useful one for some women in Chancery. 'Servant', though, is a broad category. I shall therefore consider the more specific positions adopted within such petitions.

These Servants' Tales not only present labour as the subject under dispute, but they also present the petitioner in terms of her labour: she was not a criminal but a 'good servant', an

¹⁴Kowaleski, "Women's Work", p. 154. Such contractual disputes between masters and servants are also discussed in E. Clark, "Medieval Labor Law and the English Local Courts", *American Journal of Legal History*, 27 (1983), 330-53.

¹⁵For a medieval discussion of such categories: *On the Properties of Things*, ed. Seymour, I, pp. 312-20 (pp. 312 "euel servaunte"; 314 "good seruant"; 318 "goode lord"; 319 "iuel lord").

¹⁶Cf. C. Weedon, *Feminist Practice and Poststructuralist Theory* (Oxford, 1987), p. 109: "While a discourse will offer a preferred form of subjectivity, its very organization will imply other subject positions and the possibility of reversal". See also her pp. 110, 122.

‘honest worker’. Such positions are sometimes made explicit through rhetorical devices which construct the petitioner’s identity as inextricably linked to her labour and its worth. For example, the petition of Joan Lytle claims that she “nothing hath to leve bye but oonly by her true service”, and the petition of Isabel Estgate that “without her wages she can not lyffe”.¹⁷ The statements are formulaic to some extent (we shall see similar examples later where virtue or a bequest are substituted instead of service), but when considered in context they are nevertheless significant.¹⁸ These two claims come from petitions which contain Servants’ Tales but not detailed narratives. I shall argue, though, that the narrative frames and the rhetorical statements considered together reveal key subject positions.

The petition of Joan Lytle alleges that two years previously Lytle had bound herself to William Kirkeby of Canterbury for one year. A quarter of a year before the end of her term of service she gave notice that she would leave at the end of that year. Allegedly Kirkeby then took various actions against her “to thentent to have compelled her to abyde in his seid service”.¹⁹ Each time he let the case fall nonsued and started again with another action.²⁰ This went on for more than a year, to Lytle’s great cost. As we have seen with the petitions of Joan Norman and Agnes Kyrkeby, a common Servant’s Tale is that masters falsely alleged debt or theft so that the women would be forced to work without pay.²¹ While details of the charges William Kirkeby had brought are not given, and the petition does not explicitly state that he wanted Lytle’s labour for nothing, the overall tone of the petition suggests such a tale. Indeed, the remark that she “nothing hath to leve bye but oonly by her true service”, perhaps alludes to it.²² Read in context, it is not just a conventional assertion of poverty. Kirkeby was seeking to present Lytle as a ‘bad servant’, a thief, so the petition answers by positioning her as a ‘good

¹⁷C 1/64/1077; C 1/31/77.

¹⁸See pp. 182, 194-5 below. Also cf. the petition of Anne Hille, an apprentice tiremaker, which claims “youre said Oratrice is pore may[den] ... havynge noo thyng to leve by but onely the exercysynge of her crafte of tiremakynge”: C 1/64/1161. Unfortunately the petition is damaged but it will be discussed further below: n. 64. The petition of Nicolas Dobson, sued for debts allegedly contracted by his wife before she left him, claims that “he hath no thyng to lyve by but by his occupation and labour”: C 1/61/832.

¹⁹C 1/64/1077.

²⁰Other petitions also claim that opponents stop and restart actions, a plea that was clearly aimed to appeal to the Chancellor’s conscience and sense of justice. E.g. the petition of Joan Chamberleyn claims that her master, Richard Swan, an “officer” in London, took various actions against her when she “denyed to be with him any more in covenant” because he owed her wages. Each time, “to her gret cost”, he let them fall nonsued, “to thentent to make her fayn to entrete with him or to applie to his pleisir to serve him at his wille”: C 1/61/377.

²¹See pp. 171, 172 above.

²²The petition also calls Lytle a “pore mayden” and while this is clearly a sympathetic portrayal, it does not seem to be her key identity.

servant', with her "true service", and Kirkeby as the 'bad master'. It also suggests that it was her labour and its worth that were under dispute, not a crime. This was all she had to live by, yet Kirkeby was wanting it against Lytle's will. Service is thus both represented here as a reputable thing for Lytle to do and as a livelihood, and used to signal the power dynamic between Lytle and Kirkeby and thus to present the petitioner as the powerless victim.

The statement in Isabel Estgate's petition is perhaps more explicit in that it asserts that she cannot live without her wages, rather than her ability to earn them: "withoute her wages she can not lyffe for she hath no lieflode".²³ The petition relates how Estgate had warned her master, John Marchall, a London hatter, that she would leave his service as she had worked for him for more than half a year and had only received ten pence, whereas she should have had thirteen shillings and four pence a year.²⁴ It is at this point in the story that the statement is included. The petition continues that, following her warning, Marchall is said to have brought a false allegation of debt against Estgate so that he could have her service without wages.²⁵ The petition then claims that "your said poure suppliant is butt a poure woman and hath not where with to helpe hir selfe". Here the petition is clearly signalling that Estgate is too poor to fight her case at common law as well as appealing for sympathy, but it also serves to stress that she needs to work to support herself.

Joan Norman's petition contains a number of similar statements, perhaps because it is striving to represent the dispute as a master/servant one. The opening line of the petition identifies her as an "inwardly pore oratrice". When this unusual expression is next used, Norman is "an inwardly pore woman and levith by her grete labour".²⁶ The reference to her labour thus appears to be a carefully chosen embellishment. Indeed the two ideas are linked: Norman's poverty means that she *must* live by her "grete labour". The following descriptions of the petitioner further build this picture: "your said inwardly pore oratrice havynge noon other

²³C 1/31/77.

²⁴For a summary of the limited evidence on servant's wages from the late fourteenth to the early sixteenth centuries see P.J.P. Goldberg, "What Was a Servant?", in *Concepts and Patterns of Service in the Later Middle Ages*, ed. A. Curry and E. Matthew (Woodbridge, 2000), pp. 1-20 (pp. 15-6). The amount cited in Lytle's petition accords more with what he found male servants earning in early sixteenth century Norwich, but it might be that wages in London were higher.

²⁵These petitions give the impression that in the late fifteenth and early sixteenth century, in London at least, there were conflicting views, between women who worked as servants in order to earn money and employers who did not want to pay for the women's labour, about whether servants were independent wage-earners or dependents.

²⁶Appendix III, A), ll. 2, 12.

goodes but oonly an herneised girdell' to the value of xi.s, which is all the introste of her grete labour all the tyme of her lyfe"; and "your said oratrice is a sengle woman levyng in poverte, and by grete laboure, and is desolate of frendes, and havynge noon aide, help nor comferte nor other goodes ... but oonly the said girdell".²⁷ Thus the poor oratrice not only lives by her "grete labour" but this great labour has only resulted in her owning one girdle worth eleven shillings. The descriptions of Norman also relate quite clearly to the events being narrated. Swynley was not only trying to con Norman out of her 'great labour', her only means of support, but he had already tricked her into giving up her girdle, her one possession and the only result of all her work. The references to her labour and the girdle serve to magnify the wicked actions of her opponents, and particularly construct Swynley as a 'bad master'. Furthermore, they build a picture of Norman as an 'honest worker'. The labour and girdle not only stress her poverty but positively construct Norman as a hard-working woman rather than the thief that Swynley and Haliday claimed she was. The petition prompts the thought that if Norman was light-fingered she would surely have amassed more than a girdle worth eleven shillings. While the statement presents Norman in a pathetic light, the intention was clearly to gain the Chancellor's sympathy for her and thus was used for her advantage.

Another petition with a similar claim supports the argument that the 'good servant' as 'honest worker' could be an effective position from which to answer a charge. The petition of Margaret Swayn asserts that she had "no erthely thyng to take unto her but only her service".²⁸ Unlike the other examples, though, this petition does not use the frame of a Servant's Tale. While the petition refers to Swayn's service, its representation of her as a 'good servant' - as in the petition of Joan Norman - does not seem just to be an inversion of the way in which she had been addressed. Swayn had been arrested by William Seelys, a London goldsmith, for receiving jewels from his former apprentice, Humphrey Charyet. According to the petition, Swayn was engaged to Charyet and they had exchanged marriage tokens more than six years before, but the apprentice died before the marriage could be solemnized.²⁹ Seelys, the man's master, had

²⁷*Ibid.*, ll. 16-18, 19-21.

²⁸C 1/166/45.

²⁹The petition could perhaps be classed as a Betrothed Woman's Tale. Cf. the petition of Elisabeth Repyngton which claims that the late William Myrell, merchant of Bristol, intended to marry her and gave her gifts ("a grete crusadoo of gold, valewe xlvs., ij fyne kerchefs, valewe iijs., and other tokyns of sylver, valewe xiijs. 4d., upon receyte of which tokyns' complainant was betrothed to the said William"). His executors, though, had taken an action of detinue against her to recover them, claiming that Myrell gave them her to his use: C 1/352/27; *List of Early Chancery Proceedings*, IV, p. 366. For another betrothed woman see p. 188 below. On the practice of marriage tokens: Goldberg, *Women, Work, and Life Cycle*, pp. 238-40; *Love and Marriage in Late Medieval London*, ed. S. McSheffrey (Kalamazoo, 1995), pp. 22, 42-3.

apparently agreed to the marriage and Swayn had received from Charyet, “to hir knowynge”, only tokens that belonged to him, except a pair of jet beads which she had returned to their owner, presumably Seelys. The tokens she retained were worth less than ten shillings, whereas she had given Charyet tokens of a higher value. Seelys, though, was suing her for twenty-six pounds. It is in this context that Swayn’s petition claims that she had “no erthely thyng to take unto her but only her service”, a variant of the formulations already discussed. This makes it clear that Swayn could not afford to pay Seelys what he was demanding. While we are told that she had tokens worth ten shillings, and before the exchange had goods of a higher value, the impression the story conveys is that she would have been unable to pay Seelys twenty-six pounds. The only way Swayn could earn money, according to this statement, is through her service, and this is lent credence by her still being in service more than six years after she had contracted with Charyet.³⁰ The statement, though, also works on another level. In a case which is not concerned with service it identifies Swayn by her work. Service here is not just the product of accepting the dispute as a master/servant one, but is clearly being offered as her means of support and as a position both of respectability and of powerlessness, all factors which suggest its usefulness.³¹

The petitions considered so far are those of women in service to urban artisans and merchants. The references to fixed terms and changing employers signal that we are dealing with life-cycle service, that is, never-married women spending a period in service before marrying or moving on to independent work.³² Joan Lytle and Margaret Swayn, for example, are also called ‘poor maidens’ which, while not the key identity in their petitions, signifies their never-married status.³³ For such women in urban service it seems that the positions of ‘good servant’ and ‘honest worker’ were respectable ones that would serve them well in the petitioning process; *being* honest workers for their time in Chancery could be their key to getting out of gaol. It must be considered, however, whether the same stories and positions were considered as

³⁰The petition does not say when Charyet died. Although the couple are said to have contracted more than six years ago, the death might have been recent in that they would probably not have been able to marry until his term of apprenticeship, which often lasted seven years, was over: Goldberg, “Masters and Men”, pp. 57, 58, n. 5; Thrupp, *Merchant Class*, pp. 192-3. Thrupp discusses another Chancery petition in which an apprentice claims both that he had served his term of seven years and that his former master still sought to stop him marrying: *Ibid.*, p. 193 (C 1/154/60).

³¹Cf. the Coventry ordinance of 1492 discussed in Part I, IV, B): service was set up as a legitimate form of female labour and as a way of ensuring young women were under a male householder’s authority.

³²See p. 15, n. 67 above. On terms of service see especially Goldberg, “What Was a Servant?”, pp. 12-15.

³³C 1/64/1077; C 1/166/45. Joan Norman is identified by the addition “senglewoman”, which I argued above, did not exclude widows in the late fifteenth century but was more usually applied to the never married: Appendix III, A), l. 3; Part I, V) above.

suitable for other servants. Although I have found fewer Servants' Tales concerning widows, they are nevertheless worth a brief consideration as they suggest how a petitioner's status might affect the story told and positions adopted.

The framing of the widow Alison Jane's petition bears a close resemblance to the Servants' Tales already considered. This petition alleges that Robert Cruveys, a merchant from Exeter, asked Jane to be his waged servant. When she refused, Cruveys took a false action of trespass against her, alleging both that she had promised to be his servant and that she had stolen, from his house, goods to the value of twenty marcs.³⁴ The petition again presents the issue at stake as the petitioner's labour rather than an alleged crime. While work is a crucial issue, though, and Jane's petition is framed as a Servant's Tale, the petition clearly refuses the subject position of 'servant'. According to the petition, Cruveys "spying that" Jane was "an honest woman" and "a good spenster", asked her "if she wold be his servaunt", saying that "he wold geve her ij. noblys more than any man will geve by the space oof a yere". The offer of thirteen shillings and four pence *more* than anyone else would pay is noteworthy in that this, in itself, would have been a reasonable wage for a servant. Jane apparently answered, though, "that she wold never serve hym nor be no mannys servaunt in no maner wise". The petition is clearly trying to convey the impression that working for Cruveys would be demeaning for Jane. It is not work *per se* that is beneath her, though, since she is identified as "a good spenster", but the position of dependence ("she wold ... be no mannys servaunt"). Jane is represented as a wage-earning woman, an 'honest worker', but not a 'servant'. Thus in this example the frame of a Servant's Tale is used but the position of 'good servant' is rejected.³⁵

The other petitions which relate to widows in service differ in that, unlike the majority of Servants' Tales considered so far, including that of the widow Alison Jane, they are not concerned with wages. Indeed, some make it clear that the women were not being paid. For example, the petition of the widow, Agnes Stacy, relates how she had been living with the London carpenter, William Edmundes, for one and a half years, doing all kinds of work in the house, as required, in return for her meat and drink. The assertion that she worked "as truly lowly and diligently to her grete payn as though she had been a servant which had taken wages"

³⁴C 1/66/52.

³⁵In type, then, it is the Servant's Tale which claims that an opponent wanted the petitioner's service: p. 172 above. See also the petition of widow Margaret Shorte which claims William Lee, a London innholder, had her arrested under a writ of the Statute of Labourers, claiming she was his covenant servant so "that your said poer suppliant shuld do unto hym hir service by compulcioun of his mysusyd labour": C 1/60/208.

suggests she was unpaid.³⁶ The petition of the widow Pernell Cooke is not strictly a Servant's Tale but it does relate how she "was sodenly put owt of her hows immediatly after her husband by mysfortune was slayn", so that, "ever sithens the decese of her seide husband, she hath bene a servant for mete and drynk".³⁷ In this petition, then, the move into service is explicitly connected with the need for accommodation, food and drink after the woman's husband had died.³⁸

In two of the petitions the motif of the servant asking for her wages is replaced with that of the servant asking for the return of her household goods, a motif more appropriate to these widowed servants. For example, Stacy's petition alleges that on leaving she had asked how much she owed Edmundes and was told eight shillings as, because of her labour, she did not have to pay for her food and drink (presumably she had to pay rent). He requested that she leave her bedding and such like as a surety and she did so, locking the doors of the chamber in which it was stored. Edmundes then broke open the door, took away Stacy's goods and claimed that she owed him thirty-eight shillings for meat and drink, etcetera. His action of debt is represented as a countermove to prevent Stacy from claiming her household goods, just as in the earlier petitions allegations of debt or theft were supposedly to preempt the women claiming their wages. The petition of Agnes Elsworth tells how the London haberdasher John Umferey "heyred and toke her to serve to noryshe his chyld and she so contynuyng in his servise tyll his chyld was of age".³⁹ Apparently Elsworth "browght with hyr certayn stuff of howsold" and she "at her departyng out of his service and also many tymes sythens required delyvere of her seid stuff", worth twenty shillings. Umferey took a preemptive action of trespass against her, though, which led to her imprisonment. Although his motives are not made explicit, the narrative of the petition and the use of a Servant's Tale frame suggest that Umferey

³⁶C 1/82/64.

³⁷C 1/63/138.

³⁸The fate of poor widows in England has not been sufficiently explored (although it will be considered further in Section II, C) below). In southern Europe, though, widows were sometimes engaged as unwaged servants to provide them with some security in old age: Klapisch-Zuber, "Célibat et service féminins", pp. 298-9; see also C. Klapisch-Zuber, "Women Servants in Florence during the Fourteenth and Fifteenth Centuries", in *Women and Work*, ed. Hanawalt, pp. 56-80.

³⁹C 1/261/33. Although "noryshe" could imply that she was hired as a wet-nurse, it also had the wider meanings of 'to bring up (a young person)', 'to foster', 'to educate': *MED*, *norishen* (v.), 1 (c), 5a. (a). The latter seem more likely given that she was to continue until the child was "of age". The same formulation is used in the late 15thC. *A Short English Chronicle* and is interpreted by the editors of the *MED* in this way: *Three Fifteenth-Century Chronicles*, ed. J. Gairdner, Camden Society, new ser. 28 (1880), pp. 1-28, 31-80 (p. 9). Goldberg suggests that, outside Mediterranean Europe, wet-nursing never extended beyond the social elite: J. Goldberg, "Girls Growing Up in Later Medieval England", *History Today*, 45 (1995), 25-32 (p. 27).

was trying to avoid handing over Elsworth's goods.

These petitions differ from that of Alison Jane in that they do adopt the position of 'good servant'; for example, Stacy's petition claims that she worked "lowly and diligently to her grete payn" and Elsworth's that she stayed with Umferey until his child was of age. The position, though, appears more complex in these petitions than it did in those discussed earlier: Stacy is described "as though ... a servant which had taken wages", whereas Elsworth was hired by Umferey specifically "to noryshe his child". Whereas the never-married women can be represented as typical servants, the widowed servants are presented as particular kinds of servant: an unwaged worker and a nurse. This is in accord with what is known about service in English towns: it was generally a life-cycle experience.⁴⁰ Furthermore, whereas the petitions of never-married women offered the position of 'good servant' as a respectable one, it could be argued that in the widows' petitions it was a pitiful one. For example, Cooke's petition relates to an action taken against her by one Thomas Reynold, concerning a debt of her late husband. As well as claiming that she was not the executor of her husband's will, it also claims poverty for Cooke.⁴¹ She had none of her husband's goods nor any of her own, and no home so that she had to become a servant to get food and drink. Her service is thus represented as inextricably linked to her husband being slain and the eviction from her home.

Whereas the petitions of never-married women presented service as the woman's possession which the master was trying to take control of, the petitions of widows give the impression that the women had no choice but to labour in this way; they did so in order to survive. The position of 'good servant' is therefore used in conjunction with that of 'widow' to present the women in an even more pitiable light.⁴² In the petition of Alison Jane, though, it is asserted that she does have an alternative and the position of 'widow' is perhaps used to suggest that service was inappropriate for her.

I shall now consider the petition of a woman in aristocratic service. Young women from aristocratic families, like young women from lower status families, took up service positions,

⁴⁰Smith argues that: "While some older females identified as household servants can be found in populations abiding by the northwest European rule, they constitute no more than an extremely small minority of this occupational category" (Smith, "Geographical Diversity", p. 31).

⁴¹Claiming not be a husband's executrix is perhaps a common Widow's Tale. It is used, for example, in the petition of Agnes Saunderson: C 1/46/447.

⁴²The position of 'poor widow' will be considered further in Section II, C) below.

although usually in households of similar status to, or slightly higher than, their own. The historiography on such service generally gives the impression that it was about social training and advancement, often leading to marriage, and part of a young person's education rather than work.⁴³ I shall argue that while the framing of the tale in this petition is similar to those already considered, the subject position adopted is one more appropriate to the petitioner's status. The petition is that of Joan Fowler; it is a Servant's Tale in the sense that it uses the motif of a false accusation of theft by an employer at the end of a period of service.⁴⁴ The petition relates how Fowler had been for a "long tyme" a servant for Maud Wryxam, a gentlewoman in Barking, Essex. It is claimed that Fowler had her mistress's "good wyll and consent" to leave and on departing asked Wryxam to check that she was only taking her own property with her.⁴⁵ Afterwards, however, Wryxam accused Fowler of having taken plate worth thirty pounds and brought an action of trespass before the sheriffs of London. The petition also uses the formulation 'bad mistress'/'good servant'. It is claimed that Fowler "besowght and prayed hir seyde mastres to be her good mastres and to reporte youre seyde oratrice accordyng to hir trwe demener and servyce" but "hir seyde mastres of hir froward dysposicion, wyth owte any cause resonable, hath affermed a playnt of trespas ayenst your seyde oratrice".⁴⁶ So whereas Fowler's service was "trwe", as Joan Lytle's was, Wryxam was not a "good mastres" but said to be

⁴³H.S. Bennett, *The Pastons and Their England: Studies in an Age of Transition* (2nd edn; Cambridge, 1932), p. 85; *The Lisle Letters*, ed. M. St. Clare Byrne, 6 vols (Chicago, 1981), III, pp. 5-6, 12; N. Orme, *From Childhood to Chivalry: The Education of the English Kings and Aristocracy 1066-1530* (London, 1984), p. 59; J.W. Kirby, "Women in the Plumpton Correspondence: Fiction and Reality", in *Church and Chronicle in the Middle Ages: Essays Presented to John Taylor*, ed. I. Wood and G.A. Loud (London, 1991), pp. 219-32 (p. 227); D. Watt, "'No Writing for Writing's Sake': The Language of Service and Household Rhetoric in the Letters of the Paston Women", in *Dear Sister: Medieval Women and the Epistolary Genre*, ed. K. Cherawatak and U. Withaus (Philadelphia, 1993), pp. 122-38 (p. 125). These references are comparatively brief ones. Discussion of aristocratic girls is usually limited to the few well known examples from the letter collections of families such as the Pastons and the Plumptons. How 'representative' such examples are has been disputed. Bennett argues that they are, whereas Phillips uses other examples from letters to argue that the practice was not universal: Bennett, *Pastons and Their England*, p. 86; Phillips, "Medieval Maiden", pp. 84-5. Kirby argues that most daughters went into service and Orme states that it was "a well-established custom": Kirby, "Women in the Plumpton Correspondence", p. 222; Orme, *From Childhood to Chivalry*, p. 59. For the view that the numbers involved were small: K. Mertes, *The English Noble Household 1250-1600: Good Governance and Politic Rule* (Oxford, 1988), pp. 57-9; J.C. Ward, *English Noblewomen in the Later Middle Ages* (Harlow, 1992), pp. 53-4. The overview by St. Clare Byrne suggests that the experience of aristocratic service itself might vary considerably. Some parents paid for the children to be "boarded" in other people's houses, while other young women earned wages for their service: *Lisle Letters*, ed. St. Clare Byrne, III, p. 16. The subject of aristocratic girls in service is one which would benefit from further research and Phillips points to a number of sources which might be useful for such a study: Phillips, "Medieval Maiden", p. 81, n. 40. For other Chancery petitions which relate to women in aristocratic service: C 1/20/4; and those in n. 56 below.

⁴⁴C 1/66/205; for a transcription see Appendix III, B).

⁴⁵Appendix III, B), ll. 4, 6.

⁴⁶*Ibid.*, ll. 9-10, 16-7.

“froward”, that is, wicked or malevolent.⁴⁷

Fowler is not just positioned as a ‘good servant’, though, and, despite the use of a Servant’s Tale as a frame, the impression is not that it was Fowler’s labour that was under dispute but her reputation. Whereas the petitions of Joan Lytle and Margaret Swayn assert that all the women possessed was their bodily labour, Fowler’s petition claims that she only had her virtue.⁴⁸ It is said that she had “no help but oonly of almyghty god throwe hyr vertuys lyvyng and maydynly dysposycion”.⁴⁹ Fowler is positioned as a ‘virtuous maiden’, a more specific type of ‘good servant’ and one that I shall argue was more appropriate to her status as a woman in gentle service. Wryxam had accused her of being dishonest, a thief; she had not reported Fowler “accordyng to hir trwe demener”. By representing Fowler as a ‘virtuous maiden’, the petition shifts the dishonesty onto the employer who, “wyth owte any cause resonable”, had precipitated Fowler’s arrest.

Fowler is identified in the opening line of the petition as “your dayly oratrice and powre maydyn”. In the body of the petition she is described as “a poure maydyn havyng few fryndys”.⁵⁰ While the subject position ‘poor maiden’ can be found in other petitions, including those of Joan Lytle and Margaret Swayn, this is the only petition I have found that also uses the adjective ‘maidenly’.⁵¹ Fowler’s identity as “a poure maydyn” is linked to “hyr vertuys lyvyng and maydynly dysposycion”. Whereas ‘maiden’ can denote a young unmarried woman, a virgin or a servant, the adjective indicates “virginal” or “like a virgin or maiden”.⁵² The petition also makes explicit many qualities associated with the term ‘maiden’, such as sexual purity, virtue, innocence and spirituality, and links these to Fowler’s ‘maidenly disposition’.⁵³ For example, it is claimed that the only help she could lay claim to was “of almyghty god”, through her virtuous living and maidenly disposition. (A reference to Fowler’s lack of means later in the petition says that she had “no thyng to lyfe by, ne for to sue wyth ... but only of the

⁴⁷For Lytle see p. 174 above. *MED*, froward (adj.) 1. (d) unkind, hostile, malevolent; hateful, wicked, evil.

⁴⁸For Swayn see p. 176 above.

⁴⁹Appendix III, B), ll. 8-9.

⁵⁰*Ibid.*, B), ll. 3, 8.

⁵¹The category ‘poor maid’ will be discussed further below: Section II, B).

⁵²*MED*, maidenli (adj.). Cf. my discussion of ‘maiden’ in the pastoral discussions of lechery and chastity, the Bishop’s Lynn poll tax return, and the Repertory Book entries about prostitutes: pp. 41, 48-50, 82-3, 114-15.

⁵³Phillips explores the various meanings of maidenhood, social and cultural, in her unpublished DPhil dissertation: Phillips, “Medieval Maiden”; see also Phillips, “Maidenhood”. Goldberg finds that the Latin term *ancilla* has similar resonances: Goldberg, “What Was a Servant?”, pp. 1-2, 6.

charytabull almes of trewe crysten people”).⁵⁴ Her “trwe maydynly disposicion” is also used to explain why she showed Wryxam the goods that she took when she left; that is, Fowler’s identity as a ‘maiden’ is linked to her honesty and her innocence in this dispute. Thus, while the innocence and respectability of female servants like Joan Norman and Margaret Swayn were suggested by representing them as ‘honest workers’, Fowler is positioned as a ‘virtuous maiden’ to the same effect. In the earlier petitions relating to urban service the emphasis was on labour, wages or sustenance. Fowler’s petition, though, stresses virtue, religion and innocence, as well as her service, and thus was perhaps a more appropriate strategy for a woman in gentle service. Kim Phillips’s comparison of conduct books for urban ‘bourgeois’ girls with one from a noble milieu suggests a parallel to this. She argues that, while both share a concern with young women’s sexual behaviour, the means to respectability for the former group lay in hard work and keeping busy, whereas for the latter it was associated with a life of devotion.⁵⁵

While there are other petitions relating to women in aristocratic service, they are cases brought to Chancery because the executors of former employers were withholding wages or goods. They are therefore sometimes brought after the end of the period of service, by which time some of the women were married and petitioning jointly with a husband. Unlike the Servants’ Tales considered so far, these petitions are not brought because the women are facing legal action in another court. Since what was under dispute is often represented as a marriage portion or inheritance, these petitions have more in common with those to be considered as Daughters’ Tales (which similarly lack developed narratives and are usually concerned with who promised what to whom and who was withholding it).⁵⁶ I shall therefore briefly discuss two petitions, unusual in that the opponents are people directly connected with the women’s service, which tell more detailed stories about the period of service. One relates to gentle service and the other concerns service for a brewster.⁵⁷ The former is that of Henry Yole and

⁵⁴Appendix III, B), ll. 21-2.

⁵⁵Phillips, “Medieval Maiden”, pp. 165-6.

⁵⁶For Daughters’ Tales see Section II, B) below. Petitions relating to aristocratic service include that of Joan, daughter of the gentleman John Hicchys, who was attempting to recover her marriage portion from her late master’s executors. According to the petition, Hicchys had put his daughter into the service of John Foreward for a term of five years and gave Foreward annually 13s. 4d. to look after. This money was to be toward’s Joan’s marriage but Foreward died and the executors were refusing to hand the money over: C 1/205/35. The petition can be dated to 1493-1500 by the Chancellor it is addressed to, but an internal reference to Joan having been put into service in the sixth year of the king (1490-1) means that the petition presumably postdates 1495-6. See also C 1/27/465; C 1/28/179; C 1/274/7. For petitions brought by the husbands only: C 1/61/269; C 1/187/13.

⁵⁷There are other examples of petitions which are mainly concerned with recovering promised goods or money which relate to non-aristocratic service. E.g. the damaged petition of Alice, widow of Robert Chamberleyn.

his wife Isabel and it relates to when Isabel was in service for a knight.⁵⁸ The petition originates from Chelsea. The one about brewing is the petition of Thomas Wynde and his wife, Jane, which claims that Margaret Clerk owed Jane some recompense for about six years of service.⁵⁹ The provenance of the petition is not clear, but Clerk is said to come from Ramsey, probably in Kent. The references to brewing associate them with a trade background, but Clerk was wealthy enough to hire a priest, as we shall see. The positions adopted in these two petitions support my contention that there are status differences in how single women are presented or present themselves in their Chancery petitions. I shall start with the petition about brewing, which is unusual in that the corresponding answer also survives.⁶⁰

Although the positioning of Jane as ‘wife’ both begins and ends the Wyndes’ petition, the narrative’s starting point is with Jane “beyng a Single Woman’ of thage of xvij yeres and more”.⁶¹ The petition, therefore, largely relates to Jane’s years of service. While incorporating the motifs of lack of a wage agreement and a deathbed bequest, which are common to this kind of Servant’s Tale, the petition also positions Jane as a certain kind of ‘good servant’: an ‘apprentice’ or trainee brewster.⁶² It states that Jane “was put to serve with the seid Margaret

relates to when she was in the service of her brother, Thomas F[...], a York merchant, “in her youthe afore the tyme of her marige”. It claims that during during this time Alice delivered to Thomas more than five marks, various household goods and a decorated girdle. In recompense for the money, goods and her service of at least eight years, he was to give her forty marks on her marriage. By the time of the petition, though, not only had Alice married but her brother had died, leaving his wife, Margaret, as his executrix, and then Margaret and Alice’s husband had died. Alice’s petition was directed against the priest William Whylam and the merchant George Smyth, Margaret’s executors. The petition can be matched with the will of Thomas Fonyby, a citizen and alderman of York, who died in 1504 leaving his wife, Margaret, as his executor, and Margaret’s will of 1506 in which she names her executors as William Whitlame, priest, and George Smyth, merchant. So, while the petition can be dated by the Chancellor’s title to 1486-93 or 1504-15, the wills date it more narrowly to 1506-15: C 1/126/26; BIHR, Prob. Reg. 6, fos 130v-131, 179v. (I am grateful to Charlotte Carpenter and her database of York’s civic elite, 1476-1525, for helping me trace Thomas F[...]). See also C 1/28/519; C 1/151/116.

⁵⁸C 1/1/20/13.

⁵⁹C 1/234/43; the majority of the petition is transcribed in Appendix III, C), i).

⁶⁰C 1/234/44; a select transcription is given in Appendix III, C), ii). It is sometimes claimed that, from the middle of the fifteenth century, supporting documents such as answers, replications and depositions are fairly common, although this is not the case for most of the petitions I examined: Avery, “Evaluation”, p. 84; *Linguistic Atlas*, ed. McIntosh, p. 49; *English Historical Documents IV, 1327-1485*, ed. A.R. Myers (London, 1969), p. 493; but cf. Haskett, “Presentation of Cases”, p. 11; Haskett, “Medieval English Court of Chancery”, p. 281.

⁶¹Appendix III, C), i), ll. 2-3. The petition’s use of the category ‘single woman’ will be discussed in “Afterword: Being the Petitioning Single Woman” below.

⁶²For the motif of a lack of a wage agreement see, for example, the petition of William Kyrkeby and his wife Elizabeth which claims that although Elizabeth served William Plummer for twelve years, no wages were ever agreed between her father, who put her into service, and Plummer, her master and cousin: C 1/329/48. An example of the motif of a posthumous reward can be found in the petition of Henry Archer and his wife Joan. It alleges that Joan’s master, John Welles (London alderman, 1420-36), said that he wanted to bequeath to her

Clerk in the occupacioun of brewing”.⁶³ She is not specifically termed an ‘apprentice’, although uses of the term outside guild ordinances are anyway quite rare, and the use of the word “occupacioun” associates the petition with others which do suggest apprenticeship agreements.⁶⁴ For example, the petition of Edmund Crosse, a London dyer, and his wife, Agnes, tells how Margaret Westhouse was put with Agnes “to lerne the crafte and *occupacioun* of Shepstry” [my italics].⁶⁵ That of John Jonson and his wife, Anastase, relates how Katherine Raddon was brought to them by her relative, the priest Thomas Raddon, to be taught “the crafte of a sylkwoman”, but when the priest saw that Katherine was “well and perfectly instructe and lernyed in her seid *occupacion*” [my italics], he removed her.⁶⁶ Other petitions relating to female servants are, by contrast, not generally specific about the work that they did.⁶⁷

twenty pounds for the “grete and contynuell labour and attendaunce that she had with hym yn his sekenes”. The Archers were suing Welles’s executor, William Clif, for that amount: C 1/28/519 [1459-66]; for Welles see Thrupp, *Merchant Class*, p. 373. His will of 1442 survives. In it Welles leaves a servant called Joan twenty pounds, while other female servants got forty shillings, and the executor is indeed named as one William Clyve. Furthermore, Henry Archer is also named as one of Welles’s servants: *The Register of Henry Chichele, Archbishop of Canterbury, 1414-1443*, ed. E.F. Jacob *et al.*, 4 vols, Canterbury and York Society, 42, 45-7 (1937-47), II, pp. 615-20. It seems that the Archers had waited at least seventeen years to bring this case.

⁶³Appendix III, C), i), l. 5.

⁶⁴On the rarity of the term: Goldberg, “What Was a Servant?”, p. 4. For some discussion of this with reference to women: Kowaleski, “Women’s Work”, p. 163, n. 56; Phillips, “Medieval Maiden”, pp. 76-7. “Prentyse” is used, though, to describe one Alice Rede in a petition about a disputed agreement and the petition of the widow Joan Wolbarowe tells how “xiiij yeres past she stode prentice with Katerine Dore of London silkthroster” (although it also describes her as a “servant”): C 1/72/73; C 1/75/106 [both 14th-15thC.; the latter petition, though, can be dated more precisely to 1459-66 by the survival of related documents: C 1/27/482; C 1/28/83]. Another petition, unfortunately damaged, uses the term “prentice hode”: “youre said Oratrice is pore may[de ... *half a line missing*] her prentice hode havynge noo thyng to leve by but onely the exercisynge of her crafte of tiremaking” (C 1 64/1161). According to the *MED* ‘tire’ could refer to either a decorative row of fur or gems or a decorative metal edging for a bell: *MED*, tire (n. (2)).

⁶⁵C 1/296/70 [1504-15]. Although Westhouse is not specifically referred to as an apprentice the petition, responding to an allegation that she was assaulted by the couple, goes on to claim that a “maister or a maistres ought of right to chastice their servaunt or *apprentice*” [my italics].

⁶⁶C 1/327/2 [1504-15]. Other petitions which seem to relate to female apprentices include that of Emma Wyngar which claims that her mother “covenanted and agreid” with William Rippynale and his wife, Margaret, that Emma “shulde be with them in service and that the wif of the seid William shulde teche your seide oratrice the crafte and misterie of a silkwoman and sewyng”: C 1/274/12 [1502-3]. See also the petition of William Balard, chaplain, which tells how he had found a position for his cousin’s daughter, Elyn, at her father’s request, to “lerne shepstrywerke”: C 1/258/6 [1502-3]. Hanawalt discusses another petition about a female apprentice in shepstry: Hanawalt, *Growing Up*, p. 142 (C 1/155/10). These petitions, largely from early 16thC. London, complement Barron’s findings for the preceding period: Barron, “Education and Training”. That for Alice Rede (n. 64 above) concerns Bristol (and the occupation is unstated although her mistress is called Margaret Sopemaker). The parental involvement indicated in the petitions of Emma Wyngar and William Balard, though, is at odds with Phillips’s findings, from the published calendars of London’s Letter Books and Plea and Memoranda Rolls, that “orphans made up a disproportionate number of female apprentices”, although she does note that this was perhaps because the mayor and aldermen were responsible for orphans: Phillips, “Medieval Maiden”, p. 78, n. 28; cf. Goldberg, “Masters and Men”, p. 57).

⁶⁷Exceptions include the petition of Joan Bryges which claims that when she was in the service of Richard Thomson, a London tailour, she “hade the charge of brede and ayle and other vataylles in his hows”, and that

Moreover, the contested bequest associates Jane further with the trade of brewing. The petition relates how Clerk, when ill, made a testament bequeathing to Jane, besides some clothing and various household goods, certain brewing vessels and malt to the value of at least six to seven marks, and gave Jane first option to purchase Clerk's house and the rest of the brewing vessels. The impression given is that Jane was being trained to take over her mistress's business.⁶⁸ The positioning of Jane as 'daughter-like' will be considered in Section II below, but the reference to Clerk's promise to treat Jane as if "her daughter or childe" perhaps adds to the picture of Jane as Clerk's business successor.⁶⁹ The petition, though, stresses the work-aspect of their relationship; Jane "well' and truely served" Clerk.⁷⁰ The subject position adopted for Jane is that of 'honest worker'.

The representation of Jane as an 'apprentice' brewster was clearly one thought both credible and advantageous to the Wyndes' cause. That Jane could be represented in a different way, though, is usefully exemplified by the answer given by Clerk to the Wyndes' petition.⁷¹ In this she is constructed more as a domestic servant with looser ties to her mistress. According to Clerk's answer, she took Jane in at the request of Jane's uncle, a priest whom Clerk already retained to sing masses and pray for the souls of her relatives.⁷² The agreement was that he

of the widow Agnes Elsworth who was hired to look after her master's child: C 1/285/24; p. 179 above. There is also a petition of Margaret wife of John Hilton which claims she was in the service of one John Storlond of London, baker, for whom she "utterid" [sold] ale for three months, although she perhaps did not reside with Storlond: C 1/142/18.

⁶⁸Will evidence suggests that it was not unusual for employers to leave their servants household goods, often towards their marriages: Goldberg, *Women, Work, and Life Cycle*, pp. 182, 185. Goldberg also finds, though, that while male servants might be left tools towards setting up in a trade, female servants were more commonly left bedding and household utensils: J. Goldberg, "Orphans and Servants: The Socialisation of Young People Living Away from Home in the English Later Middle Ages", in *Adoption et fosterage*, ed. M. Corbier (Paris, 2000), pp. 231-46 (p. 242).

⁶⁹Appendix III, C), i), l. 14.

⁷⁰*Ibid.*, l. 23.

⁷¹Appendix III, C), ii).

⁷²We have already seen that a relation and priest found Katherine Raddon her apprenticeship and so too the chaplain William Balard for his cousin's daughter: p. 185, n. 66. Although Goldberg argues that kin were an important factor in hirings, the profession of these men is perhaps also important: Goldberg, *Women, Work, and Life Cycle*, pp. 177-80. Certainly, Balard's petition claims he undertook to find Elyn a position because he was better acquainted in London than her father who wanted "an honest house of good name and fame". The petition of the priest James Gere claims that one Joan Busshe "beyng contre woman and of olde acquayntaunce with your said suppliaunt required him to set her in to a service and your said oratour according brought her into the service of one Andrew Burell": C 1/77/44. Priests were clearly seen as trusted intermediaries by both sides. The petition of Thomas Lawton complains that the clerk Thomas Beyvyll put Agnes Tude to board with him, saying she was "of good true and honest disposition", but she stole goods to the value of sixteen pounds from Lawton's house: C 1/100/22. Vouching for someone was clearly a serious business: the petition of John Twigge, a London haberdasher, claims that a physician, Wolfram Cook, had taken an action against him for saying Agnes Copley was a "trewe woman" because, subsequently employed by Wolfram, she had stolen from her master: C 1/31/493. Hanawalt mentions the involvement of clergy in finding service positions: Hanawalt,

would pay for Jane's food, drink and all other charges, as she would serve him too.⁷³ The answer also refers to Clerk making Jane spin. Although this is relevant to the issue about who paid for Jane's clothes, it is also low status work that any female servant would have been required to do. The petition of the widow, Alison Jane, which I discussed earlier, preferred the position of the 'good spinster' to that of 'servant', but this was because the former was constructed as an independent labouring position in contrast to the dependence of the latter. As used in Clerk's answer, however, the reference to spinning helps counter the picture the Wyndes' petition offered of Jane as an 'apprentice' brewster. Furthermore, the answer uses the 'good mistress'/'bad servant' binary, perhaps in response to the 'good servant' position in the Wyndes' petition. For example, Clerk's answer tells how she gave Jane cloth "and many other thynges ... while she was yn her servyce", and talks of "the favour and godewille she bare to the same Jane". But "Jane departed unkyndly from hir, ayenst hir pleasur, wherfor she withdrewe her favour".⁷⁴ The impression is that Clerk, although under no obligation, treated Jane well. Jane thus appears as a temporary dependant who, when leaving Clerk's service to marry, forfeited her patronage.

Both petition and answer, though, focus on Joan's work and its value. The Wyndes' petition stresses its status and Clerk's answer diminishes it.⁷⁵ This bears similarities with the petitions previously discussed which also related to service with urban artisans and merchants. Both representations of Jane, in the Wyndes' petition and in Clerk's answer, seem to be ones that were acceptable and plausible for a 'bourgeois' young woman. Again we can compare with Phillips's study of conduct books: the means to respectability for urban 'bourgeois' girls lay in hard work and keeping busy.⁷⁶

The petition of Henry Yole and his wife, Isabel, also has a narrative largely concerned with the woman's period of service before marriage, although in this case it was only a quarter of a

Growing Up, p. 175.

⁷³The petition of widow Alison Taillour tells how she paid for a "child" to wait on a priest, who was boarding with her, but she expected to be reimbursed by him subsequently: C 1/169/5.

⁷⁴Appendix III, C), ll. 11-12, 12-13, 15-16.

⁷⁵That Clerk's answer denigrates Jane's work as 'domestic' and thus low status can perhaps be related to Goldberg's thesis about the declining status of service around in the late 15thC.: Goldberg, *Women, Work, and Life Cycle*, pp.199-202; Goldberg, "What Was a Servant?", pp. 19-20. While it is clear from this section that other views were in circulation, this does not negate the co-existence of such an ideology.

⁷⁶See p. 183 above.

year.⁷⁷ The dispute is about an alleged extortion by one Margaret Terry, a fellow servant, who forced Isabel to sign an obligation promising Terry and two men twenty marks. The petition relates how Isabel had been put into the service of Sir Thomas Haseley, knight, and his wife, dame Agnes, “under the governaunce” of Terry, by her father.⁷⁸ This Servant’s Tale, although brought to court by the petitioners, thus has more in common with the earlier stories about alleged debts than with the petitions seeking to claim property.

According to the petition, the background to the signing of the obligation was Terry’s claims that, in the absence of Isabel’s father, Isabel had been “right well avaunced and forthered by her [Terry’s] labour and mene [help] and also by the service of her maister and wife”, and Isabel’s betrothed, Yole, loved her because of this “forthering”. The sense of training here is more about manners and behaviour than learning a trade. While these are still skills, they are ones which are more in keeping with aristocratic service.⁷⁹ The petition also alleges that, besides stressing the importance of Isabel’s improved standing to her future, Terry also threatened it. Isabel was told that she should reward Terry, her master and her mistress with gifts of gowns, furs and girdles or Terry would prevent the marriage and have Isabel put out of Haseley’s house “to her shame and rebuke”. According to the petition, Isabel realized that Terry could, “by her langage and malicious disclaunder”, cause Isabel “to lese her good name and her worship as a woman fro her self”.⁸⁰ The petition not only makes an explicit connection between Isabel’s service, her ‘furthering’ and her marriage, but stresses the importance of Isabel’s reputation. The petition claims that Isabel gave in to Terry because she feared losing her “good name”. The stress on virtue and reputation, rather than labour, is commensurate with the emphases in the petition of Joan Fowler, the other woman in aristocratic service. Although these examples are not numerically significant, the differences from those considered earlier are telling.

Thus, having outlined the common forms that a Servant’s Tale might take, we have also now seen that the stories told and the positions adopted might vary according to the status - marital

⁷⁷C 1/20/13. The petition can be dated by the Chancellor’s title to either 1425-53 or 1465-83 but as it claims that Isabel was in service in the twenty-seventh year of the King (Henry VI), this dates the petition to after 1448-9.

⁷⁸Phillips, from a brief study of aristocratic service from letters, suggests that young girls might have been placed under the control of older gentlewomen: Phillips, “Medieval Maiden”, p. 84.

⁷⁹See n. 43 above.

⁸⁰*OED*, worship, *n.* I. 1. a. The condition (in a person) of deserving, or being held in, esteem or repute; honour, distinction, renown; good name, credit; b. A source or ground of honour or credit (to a person).

or social - of the petitioner. For the urban, never-married woman in service a useful position was that of the 'good servant' as 'honest worker', so much so that a couple of petitions which were not strictly master/servant disputes took advantage of the frame of a Servant's Tale and/or the position of 'good servant'. While Joan Fowler and Margaret Swayn were also described as 'poor maidens', and Joan Norman as a 'singlewoman', the key identity in their petitions was that of the 'good servant'. For widowed servants, however, the position of 'widow' was combined either with that of the respectable 'honest worker' who could support herself or with that of the 'good servant' who could not; the less usual position of 'servant' could not be used as unproblematically. For the higher status servant a virtuous reputation and 'maidenly disposition' proved more fitting than the ability to support oneself by one's own labour. For Joan Fowler at least, though, the Servant's Tale was thought a useful frame for her petition to Chancery. This switching between stories and positions suggest that the shifting categories discussed in Part One could be used to a medieval single woman's advantage. By adopting more than one category - for example, 'servant' and 'worker', 'widow' and 'servant', or 'servant' and 'maiden' - a petition positions the petitioner in a less ambivalent way so that the positive associations of the categories could be used to their full advantage.

III. Property, Poor Maids and Pitiful Widows

A) Introduction: Family Affairs

The petition of Thomas Wynde and his wife Jane and the answer by Jane's former mistress, Margaret Clerk, which I discussed in the previous section, can also be usefully examined as stories about a 'family' dispute. Not only does the Wyndes' petition switch between presenting Jane as a 'wife', a 'single woman', a 'servant' and an 'apprentice', it also positions her as daughter-like and Clerk as a mother-figure. It is stated that:

the same Margarete, then' or yet havynge no childe of her owne, feithfully promysed to take the seid Jane, your seid Oratrice, as her daughter and childe, and do to her as she wold to her doughter or childe, yf she had eny of her owne.¹

The context for this statement was that Jane "was put to serve" with Clerk, but no formal agreement was made as to her recompense or length of service. Instead Clerk's promise, to "do to her as she wold to her doughter", is offered as a substitute. It implies Clerk's responsibilities towards Jane but as a mother-figure rather than a mistress.² This idea is then explicitly linked with Clerk's making provision for Jane in her will: "the same Margaret Clerk, accordyng to her seid premys, ... made her testament and last wille and by the same she fully gave and biquethed to your seid Oratrice" clothing, household goods, some brewing vessels, malt and first option to purchase her house and the other brewing vessels; that is, she was providing for Jane's future. The petition thus uses the subject position 'daughter' in order to assert the petitioners' claim to the bequests. Although the claim to Chancery would have revolved around the breach of trust, an area common law courts would not get involved in, the alleged mother-daughter relationship is used to strengthen the Wyndes' case and to make Clerk's actions look worse.³

The answer of Margaret Clerk tells a different story. As well as denying the allegations made in the Wyndes' petition, the answer also shifts the focus from the wrong said to have been perpetrated by Clerk, to one allegedly committed by Jane. It is claimed that Clerk took Jane

¹Appendix III, C), i), ll. 12-15.

²Goldberg discusses how service might have provided "fostering arrangements" for orphans: Goldberg, "Orphans and Servants".

³See the discussion under "Late Medieval Chancery" above.

into her household on the understanding that the girl's uncle would provide for her and thus did not owe the Wyndes anything for Jane's service. Regarding the inheritance, it is said that:

for the favour and godewille she bare to the same Jane, on a tyme when she was sike, she then, by hir wille, bequested to the same Jane dyvers parcelles of hir gods, and if she had thenne died she shuld have had theym. And afterward the same Jane departed unkyndly from hir, ayenst hir pleasur, wherfor she withdrewe her favour from hir.⁴

Clerk's answer thus admits that she did make such bequests to Jane but they were not to have been recompense for Jane's service, nor were they made out of obligation to a promise, but were because of "the favour and godewille she bare to the same Jane".⁵ It refers to less stable feelings than the maternal obligation which the Wyndes' petition posits; the promise which should be kept is replaced with the mutable "favour". When Jane "departed unkyndly from hir, ayenst hir pleasur", Clerk "withdrewe her favour", as was her right.⁶ Although Clerk's answer does not lay claim to a mother-daughter relationship, neither does it explicitly deny the Wyndes' assertion. That the story of Jane's 'unkind' leaving is told in response to the Wyndes' petition, means that it could be read as a case of filial abandonment. Although "unkyndly" can suggest ingratitude or discourtesy, it is also used for children who violate natural obligations to their parents.⁷ The position of 'daughter' is thus used against Jane, whilst Clerk is represented as an abandoned, sick woman, deserving of sympathy. Although the legal strengths of Clerk's answer lie in her right to change her will, it also works hard to ensure that the Chancellor does not feel sympathy with the Wyndes' case.

While this case is unique, the stories told are not unfamiliar.⁸ The child who has been cheated out of an inheritance, and the parent who is left to struggle alone while the selfish children live well elsewhere (often on the family inheritance), are common motifs in folk and fairy tales.⁹

⁴Appendix III, C), ii), ll. 12-16.

⁵On the first point: "without that the seid Margarete yave unto the seid Jane for hir servyce the godys specified yn the seid bille" (*Ibid.*, ll. 18-19; "without that" is a legal phrase introducing an exception: Appendix III, n. 5).

⁶The Answer states that she bequeathed Jane goods "but by hir wille, aftir her decese, the whiche she maye chaunge at hir pleasure. And hath made a latter wille and intend to performe it or chaunge it at hir pleasure": *Ibid.*, ll. 20-2.

⁷*MED*, unkindeli (adv.), 3 (a), 4, 5 (a).

⁸As I said above, it is unusual in having a surviving answer: p. 184, n. 60. There is a case between a widow and her nephew (which I shall discuss below), in which not only does her petition and his answer survive, but so do a schedule of her goods, her replication to his answer, his rejoinder and the Chancellor's decision: n. 55. The Wynde-Clerk case, though, is particularly interesting as a female-female dispute.

⁹The King Lear story, for example, has both elements: Cordelia loses her inheritance; Lear is left poor and destitute by his other daughters (Geoffrey of Monmouth, *The History of the Kings of Britain*, trans. L. Thorpe

Also, being about property, they are the kinds of family disputes that might come to court.¹⁰ This section will consider two types of petition, what I call Daughters' Tales and Old Widows' Tales. The first are generally attempts to obtain property, left to a young woman by her late father, which was being withheld, usually by the father's trusted representative. As with the Wyndes' petition, the 'daughter' status is used to assert a right to the inheritance, but other positions and tropes are also manipulated in order to strengthen the petitioner's cause. Such Tales usually relate to the never married, and so Old Widows' Tales make for an interesting comparison. These are stories which concern women having lost property to people they trusted, usually male relatives. Sometimes the property has simply been taken but often it is claimed that the widow, typically because she was old or sick, handed it over on condition that she would be looked after for the rest of her life. Similar to Margaret Clerk's answer, such petitions claim that the property exchange was conditional and that as the recipient reneged on the agreement and abandoned the widow, she should be able to get it back. Although the two kinds of stories, Daughters' Tales and Old Widows' Tales, are quite different, they enable further consideration of the factors affecting the positions adopted in the Chancery petitions of unmarried women, such as age as well as marital status.

B) Daughters' Tales

The narrative frame of a Daughter's Tale consists of what the father left to the petitioner, by what means and on what conditions, who was disregarding the agreement and at what cost to the petitioner.¹¹ One common scenario is that the father had entrusted land to a feoffee to use - to hold temporarily, to the use of the grantor, and later to deliver it as instructed - but the feoffee retained the land and ignored the grantor's wishes. Another is that the executor of the father's will was not following the document's dictates. Both are suitable complaints in Chancery as they revolve around trust; the trust placed in a feoffee, for example, was one which

(Middlesex, 1966), pp. 81-5). It has been argued that this story also has similarities with the Cinderella fairytale: A. Dundes, "To Love My Father All': A Psychoanalytic Study of the Folktale Source of *King Lear*", in *Cinderella: A Casebook*, ed. A Dundes (London, 1988), pp. 229-44.

¹⁰Cf. Stretton, on the Elizabethan period: "in a society where trust and credit were essential in financial dealings, kinship often had the effect of heightening levels of trust, leading individuals who needed loans or other kinds of credit to gravitate towards family. When these arrangements went wrong, legal actions might result" (Stretton, *Women Waging Law*, p.203).

¹¹Although there are a couple of similar petitions which concern other relatives. E.g. three granddaughters of the knight Richard de la Bere petition about their marriage portions and Jane Symond petitions about a bequest in her aunt's will: C 1/32/133; C 1/109/64.

was not recognised by common law.¹² The petitions, then, do not usually contain a full narrative but rather stress the key elements of the story. The focus in this section is therefore on how the petitioners are positioned. While that of ‘daughter’ will clearly be important, I shall argue that related tropes and positions are also employed such as youth, ‘no friends’ and ‘poor maid’. First, though, I shall briefly discuss who was bringing these petitions.

The provenance of these petitions (when stated) is relatively diverse, especially when compared with the ones about service. There are some from cities such as Bristol, London, and York, but many are from the counties, especially those about land.¹³ As one might expect with cases concerning property, the petitions found to contain such tales are usually from relatively high-status women. Status can be deduced from that of the petitioner’s late father or that of her adversary, as the latter was generally a trusted relative or close friend of the deceased. There are petitions, for example, from four daughters of a knight about manorial profits intended for their forthcoming marriages; one by the daughter of a gentleman about the detention of deeds relating to her marriage portion; and a petition about land in which the adversaries were the woman’s brother and an esquire.¹⁴ There are a couple of petitions, though, which relate to goods and money and concern non-aristocratic women. For example, there is a petition belonging to the daughter of a Kentish husbandman about money and goods bequeathed to her in her father’s will.¹⁵ There is also a petition by a daughter of a former soldier which relates to her late father’s goods and jewels which he had entrusted to a draper, John Haddon, also now deceased. It is aimed against Haddon’s executor, another London draper.¹⁶ The drapers’ connection might suggest a mercantile background.¹⁷ Robert Rede, a York girdler, two of whose daughters petition Chancery, had been a member of York’s civic elite, holding positions such as bridgemaster, sheriff and chamberlain.¹⁸ Thus we are not dealing with the very poor

¹²On feoffees: Haskett, “Medieval English Court of Chancery”, p. 288; Haskett, “Curteys Women in Chancery”, pp. 353, 371-2. On wills: Haskett, “Curteys Women in Chancery”, esp. pp. 355-6.

¹³Although there are some from the north (Yorkshire, Nottinghamshire, Lincolnshire), most originated in the south, particularly the south-west: Devonshire, Herefordshire, Gloucestershire, Cornwall, Kent and Sussex.

¹⁴C 1/19/32; C 1/58/341; C 1/50/130-2.

¹⁵C 1/27/337.

¹⁶C 1/19/391.

¹⁷See H.C. Swanson, “Craftsmen and Industry in Late Medieval York”, unpublished D.Phil. diss. (University of York, 1980), p. 77; Phythian-Adams, *Desolation of a City*, p. 116.

¹⁸C 1/351/56. From the Chancellor’s title the petition can be dated to 1504-15; a checking of York records reveals it to be post 1505 when Robert Rede “gyrdler” made his will (BIHR, PR 6, fols 200v-201). One Robert Reede “girdiller” entered the freedom in 1466. He was a chamberlain in 1495 along with William Huby, the daughters’ adversary in the Chancery petition: *Register of the Freeman*, ed. Collins, I, pp. 185, 219. Rede was also the Foss bridgemaster in 1487 and sheriff in 1488 (Huby was sheriff in 1506): I owe these references to

here. The petitions to be discussed differ from the majority of those in the Servant's section in that the petitioners are not responding to a legal action but initiating one. They are actions to secure a claim to property which they argue is rightfully theirs, rather than attempts to get out of prison.

In legal cases about disputed inheritances it is not unusual for a litigant's relationship to the previous owner of the property to be given; wives who are claiming their fathers' property are thus often classified as 'daughter of ...'. In the petitions that I shall discuss the women are clearly single; the disputed property is sometimes described as their marriage portions or the women are identified as 'maidens', as I shall discuss. The position of 'daughter' is more than their legal status, though; as with the wives, it also serves to identify the women in relation to the previous owners of the property and thus helps validate their claims. Furthermore, some petitions use their orphaned status to effect.¹⁹ Although the case would be judged according to criteria such as whether it came under the remit of the court and who was morally in the right, in seeking to appeal to the Chancellor's conscience petitions often stress the unfortunate position of the petitioner. For example, the petition of the four daughters of Sir Richard de la Bere, about manorial profits bequeathed to them by their father, asserts "your said bysechers been knyghtes doughtres and have nothir fader, moder nor worldly goodes in erthe".²⁰ The syntax of the sentence imposes a chronology - a little narrative - on events: the petitioners were "knyghtes doughtres", then they lost both their parents, and now they have no "wordly goodes in erthe", implicitly a far cry from life as a knight's daughter. Thus the position of 'daughter' is used to pathetic effect. It also suggests that all the petitioners have is the money that they claim is being withheld from them. Other petitions contain statements which make such claims explicitly and I shall argue that these implicitly invoke the father/daughter relationship.²¹

The petition of Joan and Alice, daughters of Robert Rede of York, for example, complains that William Hewby detained money entrusted to him by their late father until the daughters were 'of age', claiming that "your sayde oratrices beyn' but too yong pore maydens, havynge no substance in goodes, relyef, socour ne frendes, to theyr helpe, fyndyng and maryages, but only

Charlotte Carpenter's database (see p. 184, n. 57 above).

¹⁹In medieval law an orphan was often defined as a child whose father was dead. See E. Clark, "City Orphans and Custody Laws in Medieval England", *American Journal of Legal History*, 34 (1990), 168-87; Hanawalt, *Growing Up*, ch. 6 (esp. pp. 91-3).

²⁰C 1/19/32.

²¹This petition is unusual in also mentioning the mother.

the sayde sommes of money”.²² This statement is formulaic to some extent but, as with the statements in the petitions of such servants as Joan Lytle and Joan Fowler, is nevertheless significant.²³ It explicitly identifies the petitioners in relation to what was under dispute, an inheritance, and implicitly positions the sisters in relation to the giver of the legacy, their father. As with the de la Bere petition there is a sense of double loss: the daughters have lost their father and now are on the verge of losing the paternal bequest which is all they have left, both of their father and for themselves. There is a similar claim in a petition directed to the Chancellor of the Winchester diocese. The petition of Elizabeth Gambylfelde complains that her step-father detained money bequeathed to her in her father’s will and asserts that “me the seyde elyzabeth, having no thinge to help my self with but only my fathers beqwest”.²⁴ This statement not only makes the connection between the petitioner and the legacy but explicitly links the father to the bequest, thus emphasizing Elizabeth’s position as a ‘daughter’.

The emphasis in these petitions was clearly considered credible as well as advantageous. Whereas the petition of the servant Joan Lytle, for example, focussed on her bodily labour (“your seid oratrice ... nothing hath to leve bye but oonly by her true service”), and that of the ‘maiden’ Joan Fowler on her virtue (“youre seyde powre oratrice ... havynge ... no help but oonly of almyghty god throwe hyr vertuys lyvynge”), these petitions use similar statements to emphasize the importance of the paternal bequests.²⁵ The young women are thus constructed by their inheritances; the bequests are all they have claim to and they cannot ‘help themselves’ without them. When considering Fowler’s petition I argued that the emphasis was on her virtue, rather than bodily labour, because this was more appropriate to her status as a woman in gentle service. Although Gambylfelde’s status is not known, the father of the Rede sisters was a member of York’s civic elite and we have seen that the de la Bere daughters emphasize their father’s status. Whereas these petitions relate to what had been bequeathed by fathers now deceased, a petition about a young woman not long out of her parent’s household also supports the hypothesis that it was thought plausible for the petition of a relatively high status young

²²C 1/351/56. The father’s will, which fortunately survives, states: “y wyll that William Huby of Yorke have and be tutor to Jenet Rede my doughter and have her and her goodes in gydyng and rewle un to the tyme sche com to lawfull age”; the guardianship of his daughter Alison was given to Edmund Marburud and his wife. The will also states, however, that if any of the tutors die then the executors, John Bukhod and William Huby, were to take over: Prob. Reg. 6, fols 200v-201. Huby had presumably taken over the guardianship of Alice by the time of the petition.

²³See pp. 174, 182 above.

²⁴R. Houlbrooke, *Church Courts and the People During the English Reformation 1520-1570* (Oxford, 1979), p. 106. The petition dates from 1539.

²⁵C 1/64/1077; Appendix III, B), ll. 8-10.

woman to claim that her only means of support came from her parents. The petition of Henry Yole and his wife Isabel alleges that when Isabel's father put her into the service of a knight, and his wife, she was forced by a fellow servant to hand over goods and sign an obligation. Although the petition concerns the adversary asking for goods rather than owing them, it similarly claims that Isabel "no thyng had of herself but oonly of her fader and moder".²⁶

While the petitions concern the father's property, he is an absent figure, deceased, and unable to protect the daughters; all he can offer is the disputed bequest. As Lynda Boose comments, though, 'fatherhood' does not have to be biological, since the status itself retains "structural authority within the nuclear group".²⁷ The adversaries in these cases are generally male and often relatives, consanguineal or affinal.²⁸ They could be considered as father-figures in that they are either representatives of the father (the executors or feoffees that he had chosen) or substitute fathers (step-fathers).²⁹ For example, the de la Bere petition was against their father's feoffee, John Chabnore, and Gambylfelde's petition was against her mother's new husband.³⁰ The binary of petitioner/adversary, represented as daughter/father-figure, suggests the unequal power relations which could be used to effect in Chancery; the court would consider the claims of those who could not get justice elsewhere because of their opponents' power. While courts might be loathe to intervene in real father-daughter struggles, the casting of an opponent as a father-figure makes his alleged misbehaviour even more reprehensible.³¹

²⁶C 1/20/13; this case is discussed pp. 187-8 above.

²⁷L.E. Boose, "The Father's House and the Daughter in It: The Structures of Western Culture's Daughter-Father Relationship", in *Daughters and Fathers*, ed. L.E. Boose and B.S. Flowers (London, 1989), pp. 19-74 (p. 19).

²⁸Margaret Daly's petition, though, is against her step-mother: C 1/132/63. Isabel and Agnes Goodwyn name as the offenders their late father's wife and her new husband: C 1/203/22-3. In only one of the petitions I looked at which have the frame of a Daughter's Tale was the surviving feoffee a woman: C 1/31/360. Haskett found similarly small proportions: Haskett, "Medieval English Court of Chancery", p. 288.

²⁹Cf. Boose, "Father's House", p. 19: "Even when fatherhood is not biological, the institution retains the same hierarchy. Marriage to a child's mother grants a man the status of stepfather".

³⁰C 1/19/32; Houlbrooke, *Church Courts*, p. 106. The petition of Margery and Joan Hawkyns complains that their father's executor detained goods and chattels improperly: C 1/19/356. That of Margaret Conyers is directed against her step-father: C 1/194/27. See also C 1/9/379 (dated 1438-9); C 1/27/265 (and related documents C 1/31/110 and C 1/33/333, which suggest that the petition dates to c. 1466); C 1/31/184; C 1/37/28; C 1/39/74; C 1/39/160; C 1/48/291; C 1/50/196-9.

³¹Stretton, in his work on petitions to the Elizabethan Court of Requests, argues that "Masters and litigants considered family disputes unnatural because the duties that close kin owed each other were among the strongest imaginable, and breaches of these duties amounted to sacrifices of trust ... Once in court, however, these family ties and responsibilities provided litigants with a powerful pleading device for emphasising the scale of misdemeanours, and parties regularly tried to use their sense of kin responsibilities to gain the high moral, and with it the legal and equitable, ground": Stretton, *Women Waging Law*, p. 206.

Thus the father-daughter relationship is manipulated in two different ways in these petitions: it is used to signal the closeness of the petitioner to the original owner of the property and to suggest her position as a rightful heir; but it is also used to emphasize the unconscionable behaviour of her opponent (both to her and to the true father whose will was being disregarded).³² Both relationships also emphasize the petitioners' isolation: she has been left by her father and betrayed by the father-figure. The de la Bere petition stresses this with the statement that the sisters have no father or mother, the Rede petition claims that the sisters have "ne frendes" and the Gambylfelde petition describes her as a "fren[d]les gerle".³³ While such claims are commonplace in Chancery petitions, it is nevertheless an interesting tactic here, especially since the de la Bere sisters and the Rede sisters petition together.³⁴ It is perhaps linked with their singleness in that both petitions suggest that the women will not find husbands without this money: the de la Bere petition claims that the money being withheld was meant for their marriages; the Rede petition explicitly states that the petitioners have "no substance in goodes ... to theyr ... maryages, but only the sayde sommes of money".³⁵ This is also suggested in other petitions.³⁶

While the daughter/father binary also represents one of youth/age, the youth of the petitioners is often made explicit. For example, the petition of Margaret, daughter of Thomas Conyers, about a paternal bequest, asserts "your same suppliand beyng a yong maide".³⁷ The Rede sisters are described as "but too yong pore maydens". As the petition also claims that the sisters are "of age", a condition of inheritance set out in their father's will, the reference to their youth must be deliberately designed to emphasize their vulnerability.³⁸ 'Maid' perhaps also works similarly: I have argued that *puella* was used in the poll tax return for Bishop's Lynn in order

³²Often in both senses of the word "will".

³³C 1/351/56; Houlbrooke, *Church Courts*, p. 106.

³⁴Cf. the petition of Jane and her husband Thomas Wynde which makes frequent reference to her "Frendes", probably relations: Appendix III, C), i), ll. 4, 7, 9. For claims of "no friends" see Appendix III, A), l. 20, B), l. 8.

³⁵C 1/351/56.

³⁶E.g. the petition of Margery, daughter of Alexander Meryng, complains that Thomas Ives was hindering her chances of marriage by detaining money left for her in her father's will: C 1/340/26. The petition of Isabel, daughter of Thomas Cornseller, concerns ten pounds which her late father stipulated in his will should be paid at her marriage. Although Isabel was still single, the petition claims she feared that the executors would have wasted the goods by the time she married. The petition was asking for the money to be put into Isabel's care: C 1/11/68. Other petitions which refer to marriage portions include: C 1/31/44; C 1/32/133; C 1/58/341; C 1/203/22-3.

³⁷C 1/194/27.

³⁸C 1/351/56; for the will see n. 22 above.

to emphasize the economic dependence of daughters.³⁹ Furthermore, variants of the term ‘maid’ also stress the youth and marriageability of the petitioners. The reference to being “of age” in the Rede petition might also be signal that they were old enough to marry and so needed the legacies. The petition of the de la Bere sisters claims that the youngest petitioner was nineteen years old, making the oldest of the four sisters probably over the age of twenty-two. In the context of a petition asking for money meant for the women’s marriages, the reference to age (and an age at which would not be unusual for a knight’s daughter to marry) suggests the pressing nature of their claim.⁴⁰

In other petitions the category ‘maid’ is linked to poverty, as it is in the Rede petition: the petition of Margaret Daly, concerning forty pounds bequeathed to her in her late father’s will, claims “your seyde oratrice beyng a pour mayde”; that of Gambylfelde calls her a “poore bedmaydyn”.⁴¹ As with ‘poor widow’, the formulation ‘poor maid’ was a prevalent one and also signified a group considered deserving of charity.⁴² In wills, bequests are often given with the proviso that they are to help ‘poor maids’ marry so here the association is doubly useful: the petitioners are deserving of the Chancellor’s help and they need the bequests to help them marry.⁴³ In contrast to the petitioners’ poverty we have the opponent who is unfairly profiting at their expense.

Thus, while the position of ‘daughter’ is used to stake claims to disputed inheritances, the petitions also manipulate a series of oppositions in order to position the petitioner as someone

³⁹See Part I, II, C), ii) above.

⁴⁰C 1/19/32. The petition Anne, daughter of Peter Payn, complains that her late father bequeathed to her twenty pounds to be paid when she reached age eighteen but she is now over the age of twenty-two and Payn’s executor, has not handed over the money: C 1/255/7 [1501-4]. On age of marriage, and how lack of a marriage portion might delay it, see Mate, *Daughters, Wives and Widows*, pp. 21–6 (p. 25). See also T.H. Hollingsworth, “A Demographic Study of the British Ducal Families”, in *Population in History*, ed. Glass and Eversley, pp. 354-78 (pp. 364-5); Phillips, “Medieval Maiden”, pp. 58-66.

⁴¹C 1/132/63; Houlbrooke, *Church Courts*, p. 106.

⁴²See p. 78 above.

⁴³On bequests to ‘poor maidens’ in Yorkshire wills: Goldberg, *Women, Work, and Life Cycle*, pp. 276-7; P.H. Cullum, “‘And Hir Name was Charite’: Charitable Giving by and for Women in Late Medieval Yorkshire”, in *Woman is a Worthy Wight*, ed. Goldberg, pp. 182-211 (pp. 197-9). For a London example see *Calendar of Plea and Memoranda Rolls*, ed. Thomas and Jones, VI, p. 104. There is a Chancery petition in which seven female petitioners, described as “pour maydyns of the parochie of Hertfeld”, lay claim to the third left to “pour maydyns of Hertfeld” in the will of John Skynner: C 1/41/311. It might be that these women were actually named in Skynner’s will. Cf. another 15thC. Sussex will, that of Thomas Wildegode, which states: “Item to the mariages of x power maidens in Hertfeld and in Withiham lxvj^d viij^d, of which maidens Johan Gourde oon, and Richard Reedis daughter of Hertfeld, called Anne Reed, another, Cecily Bassett another, Johan Medehurst an other” (*Transcripts of Sussex Wills*, ed. W.H. Godfrey, 4 vols, Sussex Record Society, 42 (1937), II, p. 263).

deserving of the Chancellor's help. Besides that of daughter/father, there are also female/male, youth/age, poverty/wealth and isolation/support. Similar oppositions are employed to effect in the Old Widow's Tales, with the chief differences being that the relationship at issue is between a mother and a son-figure and so the meanings attached to the youth/age binary are reversed (see figure 4).

Figure 4: The Oppositions Manipulated in Daughters' and Old Widows' Tales

	FEMALE	MALE
Daughters' Tales	daughter youth	father age
Common Ground	poverty isolation impotence	wealth support power
Old Widows' Tales	age mother	youth son

C) Old Widows' Tales

The provenance of petitions containing Old Widows' Tales is again relatively diverse: both rural and urban, although concentrated within the South.⁴⁴ The statuses of petitioners can be generally deduced from either the status of the opponents, who are often relatives, or what was at issue; they range from the widow of the former Garter King of Arms to one petitioning about a dower of two shillings a year.⁴⁵ The majority, though, appear to be from the middling sort: the women own some property but without it they cannot support themselves. They are also

⁴⁴E.g. London and Middlesex, Buckinghamshire, Gloucestershire, Northamptonshire, Worcestershire, Somerset and Hampshire.

⁴⁵C 1/24/224-6; C 1/45/32.

bringing their actions to Chancery, rather than responding to legal actions against them elsewhere.

The narrative frame of an Old Widow's Tale consists of what has been taken, by whom and under what circumstances and at what cost to the petitioner. The petitions, though, often contain a more detailed narrative than those considered as Daughters' Tales. Although some of the petitions to be discussed here relate to property which has simply been taken, a common scenario rehearsed is that the widow, because she is old or sick, has handed it over to someone, usually a male relative or trusted friend. Scholarship on maintenance contracts from other sources suggests that it was not unusual for older women to be reliant on other people for physical support in their old age.⁴⁶ In these petitions it is either alleged that the petitioner had thought she was dying but when she recovered the property was not returned to her, or that it had been given on the condition that she would be looked after for the rest of her life but, once the property was exchanged, the recipient had reneged on the agreement. In both cases it is often claimed that the widow was left homeless, poor and alone. The legal strengths of the petitions lie in the opponents' unconscionable actions, often amounting to a breach of trust, but - as with Margaret Clerk's answer, considered at the beginning of this section - the positioning of the petitioner as an abandoned, sick women was clearly designed to appeal to the Chancellor's sympathy.

The representation of the petitioners as old women is the key one; just as the position 'daughter' both established a link between the petitioner and what was under dispute and was used to evoke pity, the petitioner's advancing age is usually given as the reason why she has lost her property and is then used to make the opponent's actions look even more reprehensible. For example, the petition of widow Alice Sankey claims that "hur brother purposyng uttrely to undo hur, nowe in hur olde age and impotency", took away her goods and

⁴⁶From manorial court rolls: E. Clark, "Some Aspects of Social Security in Medieval England", *Journal of Family History*, 7 (1982), 307-20 (discussed at length in B.A. Hanawalt, *The Ties That Bound: Peasant Families in Medieval England* (Oxford, 1986), pp. 229-34); E. Clark, "The Quest for Security in Medieval England", in *Aging and the Aged in Medieval Europe*, ed. M.M. Sheehan (Toronto, 1990), pp. 189-200; R.M. Smith, "The Manorial Court and the Elderly Tenant in Late Medieval England", in *Life, Death and the Elderly: Historical Perspectives*, ed. M. Pelling and R.M. Smith (London, 1991), pp. 39-61. From wills: Hanawalt, *Ties That Bound*, pp. 234-5. For a consideration of such contracts in an urban setting, using the Cartulary of St Bartholomew's Hospital, London: S.M.B. Steuer, "Family Strategies in Medieval London: Financial Planning and the Urban Widow, 1123-1473", *Essays in Medieval Studies*, 12 (1996), 81-93 (also published at <<http://www.luc.edu/publications/medieval/vol12/steuer.html>> (12 Aug. 1999)). For a more high status arrangement see, for example, *Women of the English Nobility and Gentry. 1066-1500*, ed. J. Ward (Manchester, 1995), p. 80.

imprisoned her.⁴⁷ The petition of the widow Alison Broun claims that she granted her son, John, her goods and tenements in return for his promise “to kepe hir during her lyfe at his charge sufficiently in mete, drynke and other necessaries”.⁴⁸ Such maintenance arrangements were usually made so that a person would be looked after in their old age and the younger party did not have to wait for a postmortem inheritance.⁴⁹ In this case, though, it is alleged that the son evicted her and detained her goods, so that “she now in hir grete age and feblenes no thyng havynge to relees hir self and so utterly undoon in this world”.⁵⁰

The family connections are also important; most of these disputes are also mother/son ones. This also follows what has been found from maintenance contracts in other sources. Elaine Clark found that about one third of pensioners made contracts with their own children.⁵¹ It is likely, however, that the manorial court records she was using significantly underestimate such arrangements with kin, as contracts with unrelated persons were presumably more likely to have been registered in court.⁵² Wills suggest that care of the old was normally entrusted to close kin; for example, husbands making provision for their wives most frequently asked a son to carry out the arrangements.⁵³ The relationships are used in the petitions to emphasize the reprehensible nature of the opponent’s actions. The son had not only promised to maintain his mother, but he had a moral obligation to do so, one which was enshrined as the fourth commandment. Indeed, the discussion of this commandment in *Handlyng Synne* tells children that it is their responsibility to support their parents when they are old.⁵⁴ The cases which

⁴⁷C 1/61/433.

⁴⁸C 1/123/54.

⁴⁹Clark, “Quest for Security”, p. 194.

⁵⁰C 1/123/54. For other explicit references to old age: C 1/15/74; C 1/65/193; C 1/67/93; C 1/70/45; C 1/129/3.

⁵¹Clark, “Some Aspects”, p. 315: about a half pre 1350, about a quarter after 1350. Smith also found a similar decline after 1350 but also an increase in the involvement of sons-in-law: Smith, “Manorial Court”, p. 52.

⁵²Clark discusses “informal understandings”: Clark, “Some Aspects”, pp. 308, 315-6. See also Hanawalt, *Ties That Bound*, p. 232.

⁵³Hanawalt, *Ties That Bound*, p. 234. The petition of Katherine But relates how her late husband had bequeathed his son goods, on condition that for the rest of her life he found her meat, drink and other necessities: C 1/70/45; discussed further below. The will of John Pertnall senior asks his son to keep his wife Agnes as he would have kept his own mother: *Bedfordshire Wills*, ed. P. Bell, Bedfordshire Historical Record Society, 45 (1986), p. 55, no. 116. The phrasing is reminiscent of that in the Wyndes’ petition which claims Clerk promised to look after Jane as she would her own child: p. 190 above.

⁵⁴*Robert of Brunne’s Handlyng Synne*, ed. Furnivall, p. 39, ll. 1093-6. Although the same section also warns parents not to hand over their land until death, nor to make their heir their executor and tells a warning *exemplum* about the Fond Father who gave everything to his son who then neglected him: *Ibid.*, pp. 40-4.

concern, for example, a step-son, a son-in-law, a nephew or a brother are very similar.⁵⁵ Indeed, the first three could all be thought of as son-figures, and we have seen how in the dispute with the brother the woman's age is still stressed.⁵⁶

The two Chancery petitions I found which contain an Old Widow's Tale but do not concern family relationships, nevertheless still emphasize the relationship of trust between the two parties. For example, the petition of widow Joan Chilcote relates how she had asked one John Wrentmore to be her executor as she was over eighty years of age and sick. He refused, but said that if she would make him a deed of gift of all her goods, he would look after them during her life and dispose of them for the good of her soul after her death, "as well as he hade be mayd executor or better". Chilcote clearly trusts Wrentmore or she would not have asked him to be her executor, and the petition relates that she also trusted his word after he had refused to be an executor. Wrentmore, however, allegedly "left her lyeng seke alone in hir bedde without any sucor or sustenance ther lyke to to have byn famyshed".⁵⁷ The petition of Margaret, widow of John Buk, complains that the Abbot of Waltham has seized and detains some of her property; the opponent is in a position of religious authority which is called into question by her positioning as "a feble blynde women", who ought to be an object of charity.⁵⁸

Many of the petitioners are also identified by the status 'widow'. In some cases this is directly relevant; for example, the petition of Athelyn, late the wife of John Toye, complains that her son Henry detained the dower which she should have received after her husband's death.⁵⁹ It

⁵⁵E.g. the petition of Katherine, widow of William Bee, claims that, because of her age and ill-health, she had made an agreement with William's nephew, Robert. She boarded in his house and entrusted various goods to him for her use when required. She also claims that she bought him a new boat (costing over six marcs), put goods at his disposal at a cost of over sixty shillings, and lent him money amounting to two pounds so that he could be promoted from a waterman to a yeoman to a sergeant. His answer counters that, for a period of time, he looked after Katherine and her servant at his own expense, and that she had subsequently directed him to sell some of her goods to pay for their board: C 1/67/93-7 (dated 1477-8); select transcriptions, with some words modernized, and summaries are given in *English Historical Documents*, ed Myers, pp. 493-6. Furthermore, there is another petition from the same widow which claims the nephew had her arrested on her return from Chancery, after she had won the original case: C 1/64/832. The petition of Agnes Brugges concerns her son-in-law (her daughter is deceased). She had entrusted him with her property when she was ill: C 1/24/224-6; see also C 1/65/193. For a dispute with a step-son see n. 53 above.

⁵⁶See the discussion of Alice Sankey: p. 200 above.

⁵⁷C 1/129/3.

⁵⁸C 1/15/74. The petition asserts that "your seid besecher ... having nat where of to lyve but of almes". Similar rhetorical devices will be considered further below.

⁵⁹C 1/45/32. On a widow's dower see the essays by Loengard, Walker and Hanawalt in *Wife and Widow*, ed. Walker. The petition of Beatrice Phelip complains about her late husband's failure to carry out the trusts of her marriage settlement; it is aimed against his executors, his son and another man: C 1/59/11. For the late husband, Mathew Philip, knight, citizen and alderman of London see Thrupp, *Merchant Class*, p. 360. The

also seems to be used, though, to emphasize the woman's position as a woman alone; she has lost her husband, then a son-figure has betrayed her and so she has also lost her property and sometimes even her home.⁶⁰ The petition of widow Katherine Bee, for example, calls her "a sool woman".⁶¹ I noted earlier that the position 'poor widow' is a pitiful one, considered deserving of charity.⁶² In these petitions, though, such associations are not only more fully spelt out, but also strategically useful. While we have seen that Daughters' Tales use the position of 'poor maid' to lay claim to help securing a marriage portion, for example, the charitable connections are more fully elaborated on in Old Widows' Tales. It is claimed that the old women were in need of many of the corporal works of mercy.

P.H. Cullum, in a study of charitable giving by and for women in late medieval Yorkshire, argues that the seven corporal works of mercy (giving food to the hungry, drink to the thirsty, shelter to the stranger, clothing to the naked, visiting the sick, comforting prisoners, and burying the dead) was the "organising principle of much charitable activity".⁶³ The first five of these seven works are referred to in Old Widow's Tales, although not necessarily all in the same petition.⁶⁴ For example:

your seid oratrice hath no goodes wherewith she may be releved, nother met, nor drynk,
ne clothes, but by the almes of other, her poore neighbors.⁶⁵

[Petition of Alice Wedon]

lienge al nyzt in ye strete un housed, yat she was likly to perisshe for cold, havyng no
reffuyt, help, no socour but, as affirward, hir neighbours of almesses and for pite toke hiir
in house.⁶⁶

[Petition of Katherine But]

petition can be dated by the address to the Chancellor as 1475-80 or 1483-5 but it clearly postdates 1476 when the husband died.

⁶⁰The motif of 'homelessness', eviction by a son-figure, can also be seen in the petitions of the widows Alison Broun (discussed above) and Katherine But (discussed below). See also the petition of Mawde Calwey, whose husband died intestate but one Robert Shulok was suing her for her late husband's debts as his executrix: "And your said oratrice than' was utterly excluded and put oute of the same hous oonly in hir feble clothyng wherin she than stode": C 1/64/778.

⁶¹C 1/67/93.

⁶²See p. 198 above.

⁶³Cullum, "And Hir Name was Charite", p. 188.

⁶⁴The missing works being visiting prisoners and burying the dead (the latter is not included in Matt. 25: 31-46). For a useful summary, and links to representations of the works in medieval wall paintings, see M. Gill, "Frequently Asked Questions: Seven Corporal Works of Mercy", 11 Nov. 1999, <<http://www.le.ac.uk/arhistory/seedcorn/faq-scwm.html>> (7 Dec. 1999).

⁶⁵C 1/27/381.

⁶⁶C 1/70/45.

and left her lyeng seke, alone in hir bedde, without any sucour or sustenance, ther lyke to have beyn famyshed, onley hade not her neygheburys of very pytte her relevyd.⁶⁷

[Petition of Joan Chilcotte]

The petition of Alice Wedon, which alleges that her son took the goods intended for him and others after her death, claims that she has meat, drink and clothes only through her neighbours' alms, their provision thus covering three of the corporal works.⁶⁸ In the petition of Katherine But, which alleges that her late husband's son contravened the arrangements made for her in his will, it is claimed that her neighbours gave her shelter. This is emphasized by the preceding depiction of her lying in the street all night, freezing to death. The petition of Joan Chilcotte, discussed above, relates that she was lying sick and alone, under the threat of starvation, until the neighbours presumably visited her and provided her with food and drink. The statements serve to emphasize the unconscionable behaviour of the sons and trusted friends, whose actions were put to shame by those of the women's neighbours. They also explicitly position the widow as a figure deserving of "pite", a word used in the petitions of But and Chilcotte, not just from her neighbours but also from the Chancellor.⁶⁹ These differ from the formulations found in *Servants' Tales* and *Daughter's Tales*, where the claims were to only having, for example, their labour, virtue, or father's bequest, in that here the claim is not to what is under dispute, but to what they have as a *consequence* of the dispute.

In the *Old Widow's Tales*, then, a variety of positions are used to effect: 'mother', 'widow', 'woman alone', 'poor woman' and 'old woman'. The tropes of old age and charity are particularly manipulated in order to both present petitioners as deserving of the Chancellor's help and to vilify the opponents' actions. The first sense bears comparison with the use of, for example, *vidua paupercola* in the Derby poll tax return.⁷⁰ It differs, though, from civic discourses which see women over the age of forty or fifty not as impotent but as responsible.⁷¹

⁶⁷C 1/129/3.

⁶⁸The reference to "ne clothes" might also be a motif; see also n. 60 above. Cf. its use in a *Widow's Tale* from a modern day court: "A high-living con man who told police he swindled his elderly mother-in-law out of £1.5m was yesterday jailed for five years and eight months ... the high living was funded by his 76-year-old mother-in-law, Mary Allan, whom sold her home, possessions and even borrowed money from friends to hand to Dolley, the court was told. By the time Dolley was arrested, Mrs Allan, now living in rented accommodation, said all she had left was 'the clothes I stand in', Exeter crown court heard yesterday" ("Son-in-law Jailed for £1.5m Swindle", *The Guardian*, 19 Aug. 1999, p. 4).

⁶⁹*MED*, pite (n.) 1. (a) mercy; (b) compassion; charity; 2 (a) A feeling of pity aroused by the suffering, distress, grief, etc., of another.

⁷⁰See pp. 76-8 above.

⁷¹See pp. 131-2 above.

D) Conclusion

The two kinds of stories examined in this section, Daughters' Tales and Old Widows' Tales, are quite different. The former assert a claim to property which the petitioners have never possessed, while the latter tend to be about property which has been forcibly taken. The difference in subject positions, though, are usefully instructive: the age trope is played in both cases, although from different perspectives. While one group stresses youth and the other old age, both represent themselves at the weaker end of a power struggle. Although the Wynde petition and Clerk's answer, with which I began this section, differ in that the dispute is between daughter and mother figures, rather than being a daughter-father or mother-son struggle, they nevertheless serve as instructive comparisons. While the petitions of daughters and widows use 'victim stories' to presumably useful effect in Chancery, the female-female dispute of Jane Wynde and Margaret Clerk alerts us to the possible 'other side' of the story: the Wyndes' petition alleges that Jane's rightful inheritance was being withheld from her; Clerk's answer claims that Jane had left her "unkyndly" and thus not acted like the loyal "daughter and child" constructed in the Wyndes' own petition. The stories and subject positions available to both women, one young and one nearing the end of her life, are culturally available ones, whether they are 'true' or not. They illustrate how cultural models do not just fix women's place in society but could be used in the service of women, and here specifically unmarried women in Chancery.

After-word: Being the Petitioning Single Woman

The key categories manipulated in the unmarried women's petitions which I have discussed are ones which we saw in Part One; they include 'servant', 'worker', 'daughter', 'maiden' and 'widow'. There I emphasized how the meaning of the category 'single woman' was created relationally, by its use alongside such other categories. The category 'single woman' has not figured prominently here, though, and it is worth discussing the two petitions which briefly use it as a subject position: the first is that of Thomas and Jane Wynde; the second is that of Joan Norman.

The Wyndes' petition begins, after a titular address to the Chancellor:

Humbly sheweth to your goode and gracious lordship your contynuell oratours Thomas Wynde and Johane his wyf, that where before this tyme the seid Johane beyng a Single Woman' of thage of xvij yeres and more uppon' a comunicacioun and aggrement had bitwene the seid Johane your oratrice and certen' of her Frenedes and oon' Margaret Clerk of Ramsey the seid Jane was put to serve with the seid Margaret Clerk in the occupacioun of brewing and by reason therof served to the seid Margaret by the tyme and space of vj yeres and a half.¹

This petition from a married couple uses the rhetorical statement, "the seid Johane beyng a Single Woman'", to mark the shift from their joint positioning as humble petitioners in the opening line (the Incipit), to the telling of a story which relates to events before Jane's marriage in the main body of the petition (the Recital).² As we have seen, though, it is not her singleness as such, but her claims to being a good servant, an apprentice brewster and daughter-like which are manipulated in order to assert Jane's claim to Clerk's goods.

The following extract from Joan Norman's petition contains both the incipit and a passage from near the end of the petition (the Problem):³

Mekely besechith your good and gracieux lordeship your humble and inwardly pore oratrice Johane Norman, of London, senglewoman, nowe the said John Haliday, seyng that your said oratrice is a sengle woman levying in poverte, and by

¹Appendix III, C), i., ll. 1-6

²For the diplomatic terms see Haskett, "Presentation of Cases", p. 12 (and for how they relate to actual petitions: *Ibid.*, pp. 22-8).

³See n. 2 above.

grete laboure, and is desolate of frendes, and havynge noon aide, help nor comforte nor other goodes where with to gete her counsell' nor to pay the fees of the court, but oonly the said girdell ...⁴

In this petition Joan Norman is not only identified by the personal designation “senglewoman”, but this identity is then manipulated within the main body of her petition: “your said oratrice is a sengle woman”.⁵ The petition uses the conventional claims of poverty and no “frendes”, but makes them Norman’s own. As I pointed out in “Service, Honest Workers and Virtuous Maidens”, Norman is not only poor and therefore cannot get other access to a fair trial, but all she had was a girdle which was also fraudulently obtained by one of her opponents. Moreover, not only is Norman lacking in important connections, with no ‘friends’, but she is a “sengle woman”, a woman alone. While the position is used to effect, nevertheless it is not the dominant identity in Norman’s petition: more important is her positioning as the honest worker.

Thus, in the Wyndes’ petition the category ‘single woman’ operates as part of a binary with Jane’s later identity as Thomas’s “wyf”. It means ‘woman not yet married’. In the petition of the probably never-married Joan Norman, though, the identity ‘single woman’ has a different connotation: it signals her lack of support, financially, legally and emotionally. ‘Single woman’ here denotes a ‘woman on her own’.

In Part One I argued that the category ‘single woman’ is particularly unstable. It was sometimes used as an umbrella category for all unmarried women when the dominant model at work was that of the single/married binary. When the important categories were the sexually-defined ones of virgin, chaste widow or prostitute, though, the single woman became a residual category for other unmarried women. At other times it seemed to be a key category - for example, in *Ayenbite of Inwyt*’s discussion of lechery and in various texts concerned with prostitution - but the contexts suggested that in these cases it signified more precise identities, such as ‘virgin’ or ‘common woman’. While the ‘maiden’ could be, according to both text and context, the never-married woman, the life-cycle virgin, the lifelong virgin or the dependant daughter, the variation is less dramatic and the connotations wholly positive. When the petition of a never-married woman uses the category ‘maid’, be it ‘poor maid’ or ‘chaste maid’, it calls upon a number of positive associations. So it is perhaps little wonder, given the plurality of meanings

⁴Appendix III, A), ll. 2-3, 18-21.

⁵For other examples of “senglewoman” as a personal designation in Chancery petitions: p. 145, n. 44 above. See also: C 1/32/34; C 1/61/377; C 1/64/706; C 1/64/737; C 1/64/764; C 1/64/1161; C 1/66/210; C 1/77/44; C 1/80/12; C 1/126/24; C 1/158/47; C 1/285/24; C 1/346/7 (all post 1465).

'single woman' could convey, that the phrase is rarely adopted in the Chancery petitions of unmarried women, and, when it is, it means quite different things.

CONCLUSION

This study is offered as a demonstration of an approach which recognises the importance of discussing groups in the past, such as women, while not accepting that the formation of particular groups and identities was inevitable. Part One is an exploration of how various official discourses constructed the category 'single woman'. It reveals that there is no fixed group of women to whom this term applies: its meaning shifts according to the other categories used alongside it, particularly those like 'maiden', 'widow', 'daughter', 'servant' and 'common woman'. A study of the unmarried medieval woman must therefore concern itself with such other groups. While I sympathize with the aim of the recent Bennett and Froide volume, to focus attention on the understudied 'group' of never-married women, my study demonstrates that the medieval 'single woman' cannot be pinned down in the way that their Introduction suggests.¹ Whether the 'early modern' single woman can be is beyond the confines of this thesis.

Part Two is my attempt to keep in focus the historical, unmarried woman. Part One, concerned as it is with official discourses, was a 'top-down' approach to single women. The intention of my analysis of Chancery petitions has been to consider how single women themselves might affect and be affected by such discourses. It is argued that the stories told and subject positions adopted were ones which were thought to be useful for the petitioner in her specific circumstances and ones, moreover, that she could embody in court. That there are common narrative frames and similar rhetorical statements suggests that a number of key stories and positions were thought to be particularly beneficial. While this does not provide access to an individual's lived life outside of Chancery, it does both relate to her lived experience of petitioning Chancery and also suggests that such representations were thought believable as versions of her life. For example, while a fiscal discourse might have an interest in distinguishing between some never-married women as single servants and some as maidenly daughters, the Chancery petitions of some never-married women both tell a Servant's Tale and claim the position of 'poor maid' in order to present the petitioners in the best possible light. The texts considered in Part One map out conceptual frameworks which look logical and orderly: seemingly everyone has a fixed place. When these models are unpicked, however,

¹See p. 8 above.

inconsistencies are revealed. In the Chancery petitions discussed, it is these shifting categories that are manipulated to particular effect.

I argue that the petitions can be thought of as belonging to the single women in two ways. First, a petition contains her side of the story, even if the actual words are not those she might have chosen. Some of the women who used Chancery, such as young servants, are those who leave very little textual traces of their lives. Their stories are thus especially valuable. Secondly, the petition mattered to the petitioner in that it provided an opportunity to gain redress, and thus get out of prison or secure property, for example. Although we rarely know the outcome of cases we can ascertain that useful strategies for unmarried women consisted in telling certain kinds of stories and assuming certain kinds of identities.

This methodology is my attempt to think about discourse in a way that is not just ‘top-down’ and does not silence those without power.² I recognise that it is one that will not appeal to everyone. It is also not one that can be used without adaptation for a different kind of source. While my thesis mediates between what we might as feminist historians want to know about women in the past and what the evidence that survives allows us to say, I am not proposing a new ‘theory’ for use by others, *à la* Joan Scott. She has been criticized for not using the theory in her own work and others who have sought a ‘third way’ can be similarly criticized.³ The approaches used here, though, have been very much born out of the evidence I was working with. The thesis argues that a more flexible approach to both single women and methodology can be productive. To recognise the merits of both sides of a debate and adopt a middle position need not be a compromise but may in itself be a radical stance. As I argued in the Introduction, a recognition of the limitations of the evidence in allowing us to talk about ‘real’ historical women is not to give up on historical subjects, but it is rather a refusal to simplify their lives which were lived *within* the discursive systems which tried to silence them.

²See p. 20 above.

³E.g. on Scott: Bunzl, “Construction of History”, p. 119. Canning, for example, offers a ‘third way’ and a demonstration of its application to her research on women in the Weimar Republic: Canning, “Feminist History”, pp. 379-397. Her unproblematic use of statistical evidence, though, seems at odds with her notion of discourse. Such contradictions have been commented on by a reviewer of her monograph: D.S. Linton, “Review of Kathleen Canning, *Languages of Labor and Gender: Female Factory Work in Germany, 1850-1914*”, *Journal of Modern History*, 70 (1998), pp. 962-3.

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- C 1/32/ [1465-71; possibly 1480-3]
- C 1/33/ [1465-71; possibly 1480-3]
- C 1/37/ [1465-71; possibly 1480-3]
- C 1/41/ [1467-72; possibly 1433-43]
- C 1/45/ [1467-72; possibly 1433-43]
- C 1/46/ [1467-72; possibly 1433-43]
- C 1/48/ [1473-5]
- C 1/50/ [1475-80 or 1480-5]
- C 1/58/ [1475-80 or 1483-5]
- C 1/59/ [1475-80 or 1483-5]
- C 1/60/ [1475-85]
- C 1/61/ [1480-3]
- C 1/63/ [1480-3]
- C 1/64/ [1475-80 or 1483-5]
- C 1/65/ [1483-5]

C 1/66/	[1475-80 or 1483-5]
C 1/67/	[1475-80 or 1483-5]
C 1/70/	[14th-15thC.]
C 1/72/	[14th-15thC.]
C 1/75/	[14th-15thC.]
C 1/77/	[1485-6]
C 1/80/	[1486]
C 1/82/	[1486]
C 1/100/	[1486-93]
C 1/109/	[1486-93]
C 1/123/	[1486-93 or 1504-15]
C 1/126/	[1486-93 or 1504-15]
C 1/129/	[1486-93 or 1504-15]
C 1/132/	[1486-93 or 1504-15]
C 1/142/	[1486-93 or 1504-15]
C 1/151/	[1486-93 or 1504-15]
C 1/158/	[1486-93 or 1504-15]
C 1/166/	[1486-93 or 1504-15]
C 1/169/	[1486-93 or 1504-15]
C 1/187	[1493-1500]
C 1/194/	[1493-1500]
C 1/203/	[1493-1500]
C 1/205/	[1493-1500]
C 1/234/	[1493-1500]
C 1/240/	[1500-1]
C 1/255/	[1501-4]
C 1/258/	[1502-3]
C 1/261/	[1502-3]
C 1/267/	[1502-3]
C 1/274	[1502-3]
C 1/285	[1504-15]
C 1/296/	[1504-15]
C 1/327/	[1504-15]
C 1/329/	[1504-15]

C 1/340/ [1504-15]

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EXT 6/99/10 [Sussex, 1379]

EXT 6/99/44 [Salisbury, 1379]

EXT 6/99/69 [Sussex, 1379]

EXT 6/99/72	[Sussex, 1379]
EXT 6/99/90	[Salisbury, 1379]
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EXT 6/99/125	[Sussex, 1379]
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Appendices

Appendix I: The (Im)moral Single Woman

Table 1: The First Five Levels of Lechery in the Somme Texts

	<i>Somme</i>	<i>Ayenbite</i>	<i>Book of Vices</i>	<i>Speculum Vitae</i>	<i>Myroure</i>	<i>Jacob's Well</i>
1	est d'omme et de fame qui n'ont nul leien, ne de veu, ne de mariaige, ne d'ordre, ne de religion, ne d'autre....	of man oper of wyfman bet ne habbeþ nenne bend. ne of wodewehod. ne of spoushod. ne of ordre. ne of religioun. ne of opre manere....	of man and womman þat bep not bounde bi a vow, ne bi mariage, ne bi ordre, ne bi religioun, ne bi opere weies....	Be twen syngle man and woman, / Pat er no3t bunden by lawe to bowe / Thurghe band of marage, ne of a wowe / Ne of ordir, ne of profession, / Ne of na state of religioun, / ...	bytwene sengil man & sengil womman, þat neither of hem is bounde to mariage ne to chastite by avow, ne professed to no religioun....	betwen syngle man & syngle womman, þat are no3t bounde be þe lawe to þe bonde of maryage, ne to ordre, ne to relygioun
2	est femme commune ...	to wyfmanne commune....	wip a commune womman....	Bytwen a syngle man ... / And a comon woman of bordelle / ...	bytwene a sengil man & a comune womman ...	betwen syngle man & comoun womman
3	est d'omme deslié a fame veve ou la reverse.	of man sengle mid wodewe. oper ayeward.	a man vnbounde wip a womman bounde bi a vow.	Betwen a syngle man and wydowe, / Pat has avowed chastite /...	bytwene a sengil man and a [wydewe] þat hap avowed chastite ...	betwen' syngle [man] and wydewe, þat is vowyd chast
4	est a pucele.	wip sengle wifman.	wip a mayde.	Be twen a man and a mayden clene, / ...	bytwene a sengil man & a clene maide ...	bytwen syngle man & mayden

5	est a feme mariee ...	mid wyfman ymarised ... þis zenne him dubbleþ operhuil huanne hi is of man y-spoused: wyþ wymmman þet heþ housebounde.	wip a womman maried ... And þis synne dubbleþ operwhile, as a man maried wip anoþer mannes wif ...	Be twen a man of vnclen lyfe / And a nothir mans wedded wyf, / ... Bytwen a man þat has a wyfe / And a wedded woman ys þan double a voutre / ...	bytwene a sengle man & anoþer mannes wyf or bytwene a [wedded] man and anoþer sengil womman ...	betwen a syngle man & a wyif ... and ofte it is double avowtrye, as weddyd man & weddyd womman
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Sources

Somme: As I am focussing on the English texts the quotations from the *Somme* are for comparison only and are taken from *Book for a Simple and Devout Woman: A Late Middle English Adaptation of Peraldus's Summa de Vitiis et Virtutibus and Friar Laurent's Somme le Roi*, ed. F.N.M. Diekstra (Groningen, 1998), p. 395. Therefore, only the first part of the fifth level can be reproduced.

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Table 2: *The First Five Levels of Chastity in the Somme Texts*

	<i>Ayenbite</i>	<i>Book of Vices</i>	<i>Speculum Vitae</i>	<i>Myroure</i>
1	of þan þet byep yhole of bodie and habbeþ wel yloked hire maydenhod. Ac alneway hi ne byep na3t y-bounde þerto þet hi ne bi ine marriage....	of hem þat ben al hole of here bodies and han kepte here maydenhode and ne be not bounde þer-to þat þei ne mowe be married....	of maydyns namely / Pat kepys þam ay clene of body, / And saues wele þar maydyn hede /... / Bot so vnbunden er þai and fre / Pat þai may leiffully wedded be, / ...	of maydenes þat kepeþ hem clene and þenkip do so forto þei be weddid ... But 3it þei beth free of hemself to be wedded lefulliche ...
2	of ham þet bieþ na3t clene of bodie and habbeþ hare chasteté uorlore and hare maydenhod er þan hy weren euerte ymarissed ne y-bounde mid bende. huo may ham wybnyme uorte bi y-marissed. and alneway hy byep y-sstriue and uorþenchinde of hare zennes....	of hem þat ben broken, þat is to seie haue loste here maidenhode and here chastite, wip-oute any marriage or any bonde wher-fore þat þei my3t be let to be married 3if þei wolde, & nabeles haue schryuen hem and ben repentaunt of here synne....	of þam þat fyled has bene / Thurghe þe fylth of lycherous dede, / And has lost þar maydyn hede / As man and woman anelopy / Pat neuer ware wedded, swylk er many, / Ne neuer ys bunden to chastite / þat þai ne may wele maryed be, / And has bene shrewyn and duse pennance, / And in þair hertys has repentance / Of alle þar synnes ... / And kepys þam forward in clenness, / ...	of hem þat haueþ be corrupt & defouled wip þe syne of leccherie & loste her maydenhode, as sengil man or sengil woman þat neuer was wedded, ne neuer so bounde to chastite þat þei ne may be wedded, and haueþ in herte forþinkyng for her synne, & bep schryuen & haueþ done her penaunce, & kepeþ hem forward in clenness & chastite....
3	of ham þet byep y-bounde be marriage....	þe staate and þe bonde of marriage sposaylle ...	of wedded men & wymmen....

4	<p>of ham pet habbeþ yby ine spoushod: ac dyap heþ to-deld þe on uram þe opere. And þe ilke þet is ybleued ine lyue he ssel him loki chastliche ase longe ase he is ine þe stat of wodewehod. þet is a stat þet zaynte paul prayzep moche þet zayþ to wodewon. ‘huo þet guod is: he him hyealde ine þat stat. and yef hit him na3t ne lykep: he him wyui. Vor betere and more holy þing is to wyui: þanne him-zelue berne.’ ... and þet is to onderstonde of ham þet byep ine þe stat of simple wodewehod. na3t of þan þet byep ine þet stat y-bounde be heste þet ne mo3e na3t ham spousy wyþ-oute deadlich zenne ...</p>	<p>of hem þat han ben in mariage and deþ hab departed hem. He þat is left in þe lif schal kepe chastite as longe as þei ben in widowhode. For þat is an staate þat seynt Poule preiseþ moche, and seiþ to widowes þ' good is to kepe and holde þat estate, and 3if hem like not, þei mowe marye hem a3en. For bettre is hem to marye hem þan brenne hem. ... And þis is to vnderstonde of hem þat ben in þe staate of symple widowhode, not in hem þat ben bounden to a vowe to suche estaat, þat þei ne mowe marye hem wip-oute dedly synne </p>	<p>of þam þat wedded has bene, / Whar þe ded þat spars right nane / Has twynned twa and hynt þe tane, / Bot whethir of þam so lyfs þat lyf, / ... / Shuld þar lyf chastly hede / Whils þai ware in þe state of wydowhede, / Pat ys a state mekille to prays / As Saynt Paul þe apostelle says, / He counsaile þam þat wyddous er cald, / þat þai þam in þat state hald, / And if þat state no3t may þan pay, / He byddes þam wede þam when þa may, / For better it ys, as says he, / A Man hym wede þam byrnt be, / Pat man hym burnes thurgh foly / ... / þis ys to undurstand anely / As 3e haue herd in þis party, / Of þam þat shuld þair leiffyng lede / in þat state of sympille wydowhede, / Bot no3t of þa, as we trowe, / þat to þat state er bunden thurgh wowe, / So þat þai may no3t þam mary / With outen syn þat ys dedely, / ...</p>	<p>þe estate of wedowhode, as where þat one of two þat were knytte togidre by þe sacrament of wedlok is deed & þat other lyueþ. In þat estate schulde man and womman þat beþ berynne kepe hem clene & chaste, for þat estate is hyhe and holy if hit be clene & chaste kepte. Wherfore s[e]lynt Poule counsailleþ hem þat beþ in þat estate þat þei kepe hem in clennesse & chastite, or elles but if þei mowe wel doo so þat þei wed hem ... ‘Hit is bettir,’ he seith, ‘wed þen brend.’ ... But þis is to vnderstonde of men & wommen þat beþ in the estate of wydewhode vnbounde to chastite þorgh avow priue or solemþne, for suche þat beþ so bounde may not marye hem & vse þat werk of wedlok wipoute dedly synne ...</p>
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5	<p>is maydenhod. and bet is þe uifte stat of ham þet lokep and habbeþ alneway lokinge and byep alneway in wille to loki al hare lyf hare bodyes yholliche wyb-oute enye corrupcion uor þe loue of god....</p>	<p>is virginite, and is þe fifþe estate, of hem þat kepen hem and alwey han kepte hem and alwey þenken to kepe al here lyues here bodies hole, wyb-oute corrupcion, for þe loue of God....</p>	<p>... of clene virgyns /... / Þe whilk er chast and has ay bene, / And thynkes ay forward kepe þam clene / Fra alle corrupcioun of body / For þe luf of Gode allemygthy; / ...</p>	<p>is clene maydenhode þat neuere was corrupte ne neuere þinkeþ to be, but haueþ so ouercome her flesche for þe loue of God þat þey thinkeþ euere to kepe hem chaste....</p>
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Sources

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Appendix II: The Fiscal Single Woman

A) Salisbury

Table 3: The Classification of Women in the 1379 Salisbury Poll Tax Listing

STATUS	No.	%
<i>sola</i>	117	26
<i>vidua</i>	9	2
daughter	12	3
sister	2	1
companion	1	0
servant	287	65
labourer	1	0
artisan	1	0
no status	9	2
damaged	3	1
TOTAL	443	100

Source: *The Poll Taxes of 1377, 1379 and 1381: Part 2, Lincolnshire-Westmorland*, ed. C.C. Fenwick, *Records of Social and Economic History*, new ser. 29 (forthcoming), pp. 114-22; I am indebted to Carolyn Fenwick for her generosity in sending me the page proofs.

B) Derby

Table 4: The Classification of Women in the 1379 Derby Poll Tax Listing

STATUS	No.	%
Occupation	64	43
Servant	59	40
Widow	6	4
Mother	1	1
Daughter	16	11
No Status	1	1
TOTAL	147	100

Source: *The Poll Taxes of 1377, 1379 and 1381: Part 1, Bedfordshire-Leicestershire*, ed. C.C. Fenwick, *Records of Social and Economic History*, new ser. 27 (1998), pp. 97-100.

C) Bishop's Lynn

The purpose of the following tables is to indicate trends only. First, not all of the return for Bishop's Lynn survived. Second, the tables do not purport to include all the extant entries; those that were damaged to the extent that they could not be divided into or male and *sol'*, *con'* or no marital status, or female and *sol'*, *vidua*, *puella* or no marital status - about twenty percent of all extant entries - have not been included.

Table 5: The Correlation of Categories Describing Men in the 1379 Bishop's Lynn Poll Tax Listing

STATUS	<i>Solus</i>	<i>Coniugatus</i>	No Marital Status	TOTAL
Servant	97	-	7	104
Occupation	20	369	8	397
Son	3	-	-	3
No Other Status	3	1	5	9
Damaged	-	2	-	2
TOTAL	123	372	20	515

Source: London, PRO, EXT 6/99/156.

Table 6: The Correlation of Categories Describing Women in the 1379 Bishop's Lynn Poll Tax Listing

STATUS	<i>Sola</i>	<i>Puella</i>	<i>Vidua</i>	No Marital Status	TOTAL
Servant	102	-	-	10	112
Occupation	12	-	-	1	13
Daughter	5	6	-	-	11
Mother	1	-	-	-	1
No Other Status	15	-	28	-	43
Damaged	2	1	-	-	3
TOTAL	137	7	28	11	183

Source: EXT 6/99/156.

Appendix III: Being the Single Woman

Editorial Conventions

The texts below have been transcribed from the originals in the Public Record Office. In some instances ultraviolet light was needed. Editorial intervention has been limited to the following: some modern punctuation has been added; obvious contractions have been silently expanded; other flourishes which may represent contractions have been signalled by means of an apostrophe; square brackets indicate where there is a hole in the document and contain conjectured readings; the original line divisions have not been recorded; line numbering has been added.

A) The Petition of Joan Norman

To the right reverent fader in god the Bisshop of Lincoln' Chaunceller of Englon¹

Mekely besechith your good and gracieux lordeship your humble and inwardly pore oratrice
 Johane Norman, of London, senglewoman, that where oon John Haliday of London, hostiller,
 of his mere malice and for evill will which he then hadde and yit hath to your said oratrice, for
 5 certeyn grugge which then were and yit been hangyng bitwene theym, and also bitwene the
 same your oratrice and oon Thomas Swynley of London, taillour, then her maister, by covyn
 hadde bitwene the same John Haliday and Thomas Swynley, and in especiall by the
 mayntenaunce of the said Thomas Swynley, toke an action of trespasse ayenst your said
 oratrice in the Sherifs Court of London, supposyng that your said oratrice shuld breke his
 10 cheste,² and take oute therof certeyn goodes to the value of xl.s, wherof she was never gilty as
 knoweth god. And upon that action your said oratrice was arosted in London. And for asmoch
 as she was an inwardly pore woman and levith by her grete labour and cowde fynde noon other
 suerte she labored, praied and caused the said Thomas Swynley, then her maister, to be her
 suerte and also besought hym at the reverence of Our Lady, comfort of all women, to be from

¹This dates the petition to between 1475-80 or 1483-5.

²I.e. Haliday's.

15 thensforth her goode maister accordyng to right on that behalf. And upon trust therof and for
 his indempnyte in that behalf your said inwardly pore oratrice havng noon other goodes but
 oonly an herneised girdell' to the value of xi.s, which is all the introste of her grete labour all
 the tyme of her lyfe, delyvered the same girdell' to her said maister. And nowe the said John
 Haliday, seyng that your said oratrice is a sengle woman levng in poverte, and by grete
 20 laboure, and is desolate of frendes, and havng noon aide, help nor comforte nor other goodes
 where with to gete her counsell' nor to pay the fees of the court, but oonly the said girdell
 which, by his subtile meanes and her said maisters, is come to his possession,³ which she
 delyvered unto hym upon grete trust that he shuld defende her in her right accordyng to the
 lawes and conscience. And nowe her said maister, contrarie to the grete trust which your
 25 inwardly pore oratrice put in hym, not oonly maynteyneth the said John Haliday ayenst her, but
 also, by collusion bitwene theym, seyng her grete miserie, entende by the said subtile and
 synystre meanes to have her condempned in the said action, to thentent that the said John
 Haliday may then have his wille ayenst her, and her said maister to have her service at his wille
 for litle or nothyng, or ells thei woll reteyne her still in prisone to the extreme undoyng of your
 30 said inwardly pore oratrice. That it may pleas your said good and gracieux lordeship the
 premysses considered to graunte a writte of *certiorari* to be directe to the maire and Sherifs
 of London comaundyng theym to certifie the Kyng in his courte of chauncerie of and upon the
 premysses at such day as it shall pleas your lordeship to assigne. And your said pore oratrice
 shall' dailly praie to god for the confirmation of your gracious lordeship.

[On the dorse of the petition is a Latin endorsement noting that Joan was dismissed from the court, quit of service, with the agreement of John Haliday.]

Source

PRO, C 1/66/368.

B) The Petition of Joan Fowler

To the ryght reverend' Fader in god and full' good and gracious lord the Bysshop of Lincoln
 Chaunceller of Englon⁴

³I.e. Swynley's.

⁴This again dates the petition to between 1475-80 or 1483-5.

Mekely besechith your good lordschyp your dayly oratrice and powre maydyn Johanne Fowler
 that where she be long tyme was servant and contynuyd in service wyth one Mawde Wryxam
 5 gentilwoman at Barkyng in the counte of Essex un to the tyme that your seyde oratrice by the
 good wyll and consent of hir seyde mastres departyd furth of servyce of hir seyde mastres. At the
 which tyme of departir youre seyde powre oratrice, remembryng her self specially that she was
 but a poure maydyn havynge few fryndys and no help but oonly of almyghty god throwe hyr
 vertuys lyvyng and maydynly dysposicion, besowght and prayed hir seyde mastres to be her
 10 good mastres and to reporte youre seyde oratrice accordyng to hir trwe demener and servyce
 and in none otherwyse. And overthat at the same tyme your seyde oratrice of hir trwe maydynly
 disposicion besowght hir seyde mastres to see all such stuf and goodys as your seyde oratrice then
 shuld trusse and cary wyth heer to the intent that it shuld be reported that she took no goodys
 but only suche as to hir of ryght belongyd. And accordyngly hir mastres sawe all such goodys
 15 as your seyde oratrice toke wyth hyr at the tyme of hir departtyr and therwyth was pleased. And
 afterward hir seyde mastres of hir froward dysposicion, wyth owte any cause resonable, hath
 affermed a playnt of trespas ayenst your seyde oratrice before the shyrrrefs of London and by
 force therof hath causyd your seyde oratrice to be arestyed and kept in pryson surmysyng that
 your seyde oratrice certen day yere and parysshe in London shud take and bere away certen
 20 plate to the value of xxx.li. And by such untrwe surmys kepyth hir in prison and there your
 powre oratrice lyth lykly to perysshe for lak of sustinance havynge no thyng to lyfe by, ne for
 to sue wyth for to come to hir answer, but only of the charytabull almes of trewe crysten
 people. And by meane of suche poverté and untrewé surmys of the seyde mastres your powre
 oratrice is lykly to be undon and wythoute remedy by the comen lawe wythoute the gracious
 25 eyde of your good lordshyp be to her shewyd in the premysses. Therfor that it may please your
 lordshyp the premysses considerid to graunt a *corpus cum causa* to be dyrecte to the shyrrreffys
 of London commanndyng them by the same to bryng up the body and cause of the seyde Jane
 to fore your lordschyp in the kyngs chauncerye, ther to be examyned accordyng to right
 trowthe and good conscyens at the reverens of god and in way of charyte.

[A Latin endorsement, on the dorse of the petition, notes that the case was to be heard in Chancery on the following Wednesday.]

Source

C 1/66/205.

C) The Wyndes v. Margaret Clerk

As this is a longer case, only select passages have been transcribed.

i) The Petition of Thomas Wynde and Jane his wife

[The Petition is addressed to the Archbishop of Canterbury as Chancellor and so can be dated to 1493-1500.]

Humbly sheweth to your goode and gracious lordship your contynuell oratours Thomas Wynde and Johane his wyf, that where before this tyme the seid Johane beyng a Single Woman' of thage of xvij yeres and more uppon' a comunicacioun and aggrement had bitwene the seid Johane your oratrice and certen' of her Frenedes and oon' Margaret Clerk of Ramsey the seid

5 Jane was put to serve with the seid Margaret Clerk in the occupacioun of brewing and by reason therof served to the seid Margaret by the tyme and space of vj yeres and a half. And the same Jane and her Frenedes by alle the same tyme founde to the seid Jane all' maner apparill' and also the same Jane [t]he same tyme delyvered to [the] seid Margaret xxx elles of linnen' cloth made of Flex and stuff provyded at the costes and charges of the Frenedes of the seid Jane.

10 And so it was that the seid Jane made not covenau[n]te ne premys to serve the seid Mar[g]arete for the seid yeres ne for eny tyme certen', nether covenante made bitwene them what certen' som' of money or other thinges the seid Jane shold have for her service, but the same Margarete, then' or yet havng no childe of her owne, feithfully promysed to take the seid Jane, your seid Oratrice, as her daughter and childe, and do to her as she wold to her doughter or

15 childe, yf she had eny of her owne. And after that the same Margaret Clerk', accordng to her seid premys, sore seke as at the paynt of naturall' dethe, made her testament and last wille and by the same she fully gave and biquethed to your seid Oratrice her best furred gowne, 1 maser, 1 hernes gyrdyll, dyverse beddyng and napry, dyvers utensills with many and divers thynges of her household to a grete value and also certen' bruyng vessells and certen' malte to the value

20 by estimatioun of vj. or vij. marc' or above, as in the seid testament more pley[n]ly it appiere and also willed your seid oratrice to haue her hous, and the residue of her bruyng' vessells, uppon' a reasonable price afore alle other. And in trust that the seid Margarete wold have truely kept and perfourmed her seid promises your seid Oratrice well' and truely served the seid Margaret Clerk duryng the seid terme unto the tyme your seid Oratrice was married, tekyng no wages no

25 yet apparail' of the seid Margaret Clerk for any parte of the seid tyme, but trusted her promyses and aggrement to have be perfourmed. And after the seid terme of vj yeres and after your seid Oratrice was married her seid husbond and she have dyvers tymes requyred the seid Margarete Clerk to geve unto then a compotent som' of money or oder reasonable for the premisses afore rehersed ...

[The petition ends with the usual prayers for the Chancellor.]

Source

C 1/234/43.

ii) Margaret Clerk's Answer

[This begins by outlining why the case should not be considered by Chancery: that the matter is both feigned and determinable at common law. I have started at the point where the answer turns to the detail of the case.]

... the seid Margarete seith' that long tyme before the seid Jane was dwellyng with the seid Margarete that oon' Sir William Conyngton prest, uncle unto the same Jane, was reteyned in the servyce of the same Margarete to synge masse and praie for hir and the soules of hir fader and moder and other of hir frendys. And he so beyng [in hi]r servyce desired the same

5 Margarete to take to hir howse the seid Jane to serfe hir, for all the tyme she were abydyng with hir mete and drynk' and all other charges to hir he wold bere hym silf, for she shuld among doo service to the same Sir William. And so she did and at his desire she toke the seid Jane unto hir under the same covenaut and condicoun. And after thys the seid Margarete bought flaxe and other stuffe to make yerne withall' and set the same Jane a werk to spynne the same.

10 And when it was sponne thenne at the cost' and charge of the same Margarete it was wrought and made xxx ellys, the which cloth afterward she gave unto the seid Jane and many other thynges she gave hir while she was yn hir servyce. And after this for the favour and godewille she bare to the same Jane, on a tyme when she was sike, she then', by hir wille, bequested to the same Jane dyvers parcelles of hir gods, and if she had thenne died she shuld have had

15 theym. And afterward the same Jane departed unkyndly from hir, ayenst hir pleasur, wherfor

she withdrewe her favour from hir. Without that⁵ the stuffe of the xxx^d ellis of lynen cloth was bought by the frendys of the seid Jane, or that the same clothe was wrought and made at the costes of hir frendys yn maner and forme as she hath by hyr seid bille emytted. And without that the seid Margarete yave unto the seid Jane for hir servyce the godys specified yn the seid bille
 20 or that ever she gave her godes to hir but by hir wille, aftir her decese, the whiche she maye chaunge at hir pleasure. And hath made a latter wille and intend to performe it or chaunge it at hir pleasure ...

Source

C 1/234/44.

⁵“Without that” is a legal phrase introducing an exception. According to the *OED* it is “A form, obsolete since 1852, whereby a defendant asserted special matter of exception or justification against the plaintiff’s claim while reserving his denial of the whole cause of action”: *OED*, without (conj.), C.1.d. Their first example is from 1518, from a published edition of Star Chamber cases.