

The Lives of Women in the Medieval Manor

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Abstract

Compared to their wealthier contemporaries, relatively little study has been dedicated to the lives of medieval countrywomen, and much debate exists around their social status and involvement in criminality, law, and commerce. This study aims to contribute to current scholarship by shedding light on the lives of peasant women through examination and comparison of evidence from Wakefield, Yorkshire. The main sources examined in detail are the Court Rolls of the Manor of Wakefield, Volume 12 (1338-1340) and Court Rolls of the Manor of Wakefield, Volume 2 (1348-1350), translated and edited by the Yorkshire Archaeological Society. This case study approach allowed a detailed analysis of the source material and by working systematically through the court rolls, an intimate and detailed image of the female population of Wakefield was established. This place and time were chosen for the depth and breadth of evidence available and the court rolls from 1338-40 and 1348-50 as they offer a contrast between pre- and mid-Black Death life. Analysis and comparison uncovered not only evidence of the legal, social and economic situation of rural women in the mid-fourteenth century, but also evidence of how these situations changed during the Black Death.

Information gained through examination of the court rolls is presented and examined in the categories of crime, relationships, land and possessions, and occupation. Other primary evidence is also consulted to create a detailed and well-rounded picture of the lives of rural women in the mid-fourteenth century.

Introduction

In both medieval source material and modern scholarship, the presence of women has often been overlooked, and nowhere is this more apparent than in the case of medieval countrywomen. This study aims to contribute to scholarship by shedding light on the experiences of women in the medieval manor through examination and comparison of the Wakefield court rolls from 1338-40 and 1348-50 and, in doing so, create a detailed picture of their lives.

Medieval England was a 'world of neighbours' where strong relationships with those living in close physical and social proximity were crucial to the functioning of the community.¹ Despite this, it seems that tension arose often from issues such as land disputes, interpersonal conflicts, and more serious criminal activity, and disagreements which could not be solved amicably would have been brought to the manorial court.² The records of these proceedings show a wide and diverse range of legal, social, and criminal activity from which a great deal can be learned about the lives of medieval women.³

Contemporary social, economic, and political factors greatly impacted types of crimes and their prevalence in the court records. The first half of the fourteenth century saw a variety of social and economic pressures for rural England, triggered by population growth and increasing scarcity of fertile land.⁴ Poor weather and crop failure eventually led to the Great Famine of 1315-17 and resulting economic distress triggered a dramatic increase in crime; in Wakefield in 1316, for example, theft increased so dramatically that two juries were required

¹ Warren O. Ault. *Open-field Farming in Medieval England: A Study of Village By-Laws* (London: Routledge, 2015), p. 15.

² Barbara Hanawalt. *Crime and Conflict in English Communities, 1300-1348* (Cambridge: Harvard University Press, 1979), p. 23; Miriam Müller. 'Social control and the hue and cry in two fourteenth-century villages' *Journal of Medieval History* 31 (2005) p. 32.

³ Maureen Mulholland. 'Trials in Manorial Courts in Late Medieval England', in *Judicial Tribunals in England and Europe, 1200-1700: The Trial in History, Volume I* (Manchester University Press, 2018), p. 81-101.

⁴ Larry Poos. *A Rural Society After the Black Death* (Cambridge: Cambridge University Press, 2011) p. 112.

instead of one.⁵ Rural England in the mid-fourteenth century felt the repercussions of this famine whilst also facing considerable challenges brought by the Black Death in 1349.⁶ These factors likely influenced the types of crimes seen in the Wakefield court rolls, and analysis of this can reveal much about the socioeconomic climate of the time.

There are various reasons for women's presence in the manor court, the most obvious being involvement in criminal activity. In the Wakefield court rolls of 1338-40 and 1348-50 these crimes included brewing against the assize, land disputes, debt, theft, trespassing against vert, nuisance crimes, raising the hue, and assault.

Brewing was a widespread by-occupation practised predominantly by women and the most common brewing-related crime was brewing and selling against the Assize of Bread and Ale.⁷ These regulations specified prices and quality of ale which local courts, through employment of aletasters, were expected to enforce.⁸ Since aletasters determined the quality and authenticity (and therefore sale value) of the product, brewers often attempted to avoid this regulation by failing to summon them, creating poor quality ale, or fraudulently adjusting prices.⁹ Brewing commercially was unlikely to have been lucrative; the potential for profit when working within the boundaries of the law would have been limited by the assize and the appeal of brewing and selling against it was therefore the opportunity to make a greater profit or to sell lower quality ale, which may explain the large number of women involved in it repeatedly.¹⁰

⁵ Hanawalt, *Crime and Conflict*, p. 523; Mark Bailey. 'Peasant Welfare in England, 1290-1348' *The Economic History Review* 51:2 (1998) p. 240-241; John Lister. *The Court Rolls of the Manor of Wakefield Volume 4: 1315-1317* (Cambridge University Press, 2013) p. 153.

⁶ Bailey, 'Peasant Welfare' p. 223.

⁷ Eileen Power. *Medieval Women* (Cambridge: Cambridge University Press, 1997) p. 67.

⁸ Judith M. Bennett. *Ale, Beer and Brewsters in England: Women's Work in a Changing World 1300-1600* (New York: Oxford University Press, 1999) p. 4.

⁹ P J. P Goldberg. *Women, Work, and Life Cycle in a Medieval Economy: Women in York and Yorkshire 1300-1520* (Oxford University Press, 2002) p. 141.

¹⁰ Bennett. *Ale, Beer and Brewsters*, p. 21.

Women also presented in court regarding disputes of land, dower, or contracts. Husbands took joint ownership of wives' property upon marriage and although women were generally less active as landholders, their involvement in land-market cases and inheritance rose sharply in periods of economic and agrarian crisis, such as the Great Famine.¹¹ Fourteenth-century evidence from Wakefield shows women exchanging land with relatives of either sex, some of whom were only distantly related.¹²

Women also appeared in cases of debt, which were perhaps influenced by the socioeconomic climate of the period. Brigstock, for example, saw an increase in debt cases in both the early fourteenth century and the years following the Black Death, and disputes often arose from grain and livestock sales.¹³ Marital status seems to have influenced women's appearance in debt cases; no married women appeared at Brigstock alone in pleas of debt and only 7% of debt plaintiffs in Writtle between 1382 and 1490 were female.¹⁴ Furthermore, the majority of women involved in debt at Brigstock were either married or widows, and Holderness' study found the majority of widowed defendants were acting on behalf of late husbands.¹⁵

Related to property disputes is theft. Hanawalt found that 73.5% of serious crime in the first half of the fourteenth century was theft-related, and livestock made up 65.9% of all possessions stolen.¹⁶ Female thieves acted both alone and with accomplices, and normally

¹¹ Judith M. Bennett. *Women in the Medieval English Countryside: Gender and Household in Brigstock Before the Plague* (Oxford University Press, 2011) p. 111; L.R Poos and R.M Smith. 'Legal Windows Onto Historical Populations? Recent Research on Demography and the Manor Court in Medieval England', *Law and History Review*. 2.1 (1984). p. 134.

¹² Helen M. Jewell. 'Women at the Courts of the Manor of Wakefield, 1348–1350' *Northern History*. 26.1 (1990) p. 79.

¹³ Bennett, *Brigstock Before the Plague*, p. 14.

¹⁴ Bennett, *Brigstock Before the Plague* p. 111; E. Clark. 'Debt Litigation in a Late Medieval English Vill' *Pathways to Medieval Peasants*, ed. by J. A. Raftis (Toronto. 1981), p. 252.

¹⁵ R. H. Hilton. 'Women in the Village' *The English Peasantry in the Later Middle Ages: The Ford Lectures for 1973 and Related Studies* (Oxford University Press, 1975) p. 103-104; *Brigstock Before the Plague* p. 111; B. A. Holderness, 'Widows in Pre-industrial Society: An Essay upon Their Economic Functions' in *Land, Kinship and Life-Cycle*, ed. by Richard M. Smith (Cambridge University Press, 2002) p. 423-442.

¹⁶ Karen Jones. *Gender and Petty Crime in Late Medieval England: The Local Courts in Kent 1460-1560* (Woodbridge: Boydell Press, 2006) p. 34; Hanawalt, *Crime and Conflict*, p. 66 (table 3), 70.

stole low value goods such as foodstuffs, which made up 30% of goods taken illicitly by women.¹⁷ It seems reasonable to assume that many women committed such offenses to feed themselves and their families, and multiple examples exist of women stealing grain and vegetables, especially at harvest or other opportune times.¹⁸ These civil litigation crimes often came under the category of trespass; that is, a wrong committed against the individual for which the damaged party sought redress, and these crimes could include a wide variety of economic and social actions such as assault, rape, theft, and debt.¹⁹

For both genders, crimes such as obstructing roads, escape of animals, and damaging crops were common, and marketplaces in particular seem to have been rife with such crimes.²⁰

Fourteenth-century records from Nottingham include an extensive list of marketplace-related incidents, including cooks selling badly prepared food, spicers using fraudulent weights, and tanners causing pollution.²¹ Women were less likely to be involved in these types of nuisance crimes; at Brigstock they made up just 27%.²² That said, nuisance behaviour connected predominantly with women was ‘common scold’, an ambiguous crime never clearly defined in the context of medieval law but used to punish acts such as gossiping maliciously or arguing loudly.²³

Women also presented in court regarding the crime of trespassing against venison and vert.

These laws prevented cutting branches, felling trees, and hunting deer within the forest.²⁴

Women were regular defendants in vert cases and although they do not appear to have been

¹⁷ Barbara Hanawalt. ‘The Female Felon in Fourteenth-Century England’ *Viator* 5 (1974) p. 262.

¹⁸ Bennett, *Brigstock Before the Plague* p. 41; Wakefield Court Rolls Volume 4: 179.

¹⁹ Phillip R. Schofield. ‘Trespass Litigation in the Manor Court in the Late Thirteenth and Early Fourteenth Centuries’ in *Survival and Discord in Medieval Society Volume 4* ed. Richard Goddard, John Langdon, and Miriam Müller (Brepolis, 2010) p. 146-148.

²⁰ Jones. *Gender and Petty Crime*, p. 62.

²¹ W. N. H. Stevenson (ed.) *Records of the Borough of Nottingham 1155-1399* (London: Bernard Quaritch, 1882) p. 268–73 and p. 316–19.

²² Bennett, *Brigstock Before the Plague* p. 105, table 5.1

²³ Jones. *Gender and Petty Crime* p. 95; Sandy Bardsley. *Venomous Tongues: Speech and Gender in Late Medieval England* (University of Pennsylvania Press, 2006) p. 6.

²⁴ Charles Young. ‘Conservation Policies in the Royal Forests of Medieval England’ *Albion*. 10 (1978) p. 96-97.

active poachers, they occasionally received illegally obtained venison, perhaps for the purpose of reselling.²⁵

Women were relatively active in raising the hue: that is, preventing crime by alerting others and aiding in the pursuit of would-be criminals.²⁶ 40% of those responsible for raising the hue in records from Ellington were female and evidence from Brigstock shows fifteen instances of women being found unjust for raising the hue.²⁷ In 1302, for example, Adam Swargere assaulted the daughter of Matilda Coleman, for which Matilda unjustly raised the hue. Although Adam was found guilty of the assault, Matilda's unjust ruling implies her outcry was perceived as premature, malicious, or an overreaction.²⁸ Cases such as this suggest that the manor court and wider medieval society may have overlooked or underplayed the seriousness of female accusations of male violence.²⁹

Regarding assault, women appeared more often as victims than perpetrators, although almost three quarters of assault victims from Brigstock were male and 39% of female victims were attacked by another woman.³⁰ This suggests that violence against women was relatively low, although it can be argued that violence by men towards women was considerably higher than the court records imply. As has been suggested, some instances of male violence against women may have gone unpunished or unreported and therefore court rolls may be limited in their usefulness for understanding these issues.³¹ Similarly, although evidence exists of

²⁵ Jean Birrell 'Who Poached the King's Deer? a Study in Thirteenth Century Crime' *Midland History*. 7.1 (1982) p. 19.

²⁶ Hanawalt, *Crime and Conflict*, p. 19.

²⁷ Albrecht Classen. *Rural Space in the Middle Ages and Early Modern Age* (de Gruyter, 2012); Bennett, *Brigstock Before the Plague* p. 26-27.

²⁸ Bennett, *Brigstock Before the Plague* p. 26-27.

²⁹ Müller, 'Social control' p. 34.

³⁰ Bennett, *Brigstock Before the Plague* p. 26-27.

³¹ Müller, 'Social control' p. 34.

women perpetrating violence against both men and other women, it is unclear how these crimes were viewed or to what extent they may also have been unreported or unpunished.³²

Records of sexual assault are rare. Hanawalt found they made up 0.5% of all male crime, and the scarcity of records, issues of source survival, and unclear prosecution rates make it difficult to draw conclusions.³³ Population density likely increased neighbourhood friction and it has been suggested that sexual violence was more prevalent in urban areas, yet a sample of rape cases from later medieval England suggests urban areas showed only a slight majority.³⁴ Medieval society may have been lenient towards men accused of rape; around 10% of rape defendants were convicted and the presumed connection between sexual pleasure and conception meant that under English common law victims of sexual assault who became pregnant could not press charges.³⁵

Women also appeared in court for non-criminal reasons, mainly exchanging land or paying fines such as merchet and heriot. A tax paid by women in order to marry, merchet could be paid by future husbands or male relatives, although a relatively high percentage of women paid themselves, suggesting access to money and enough income to accrue savings.³⁶ Similarly, leyrwrite was paid by women for engaging in sex before marriage.³⁷ Women also appeared in court exchanging land or paying heriot, the tax for inheriting from a deceased husband or relative. Since the responsibility to pay heriot often fell to widows, the presence

³² Bennett, *Brigstock Before the Plague* p. 39, table 2.4; Hanawalt 'The Female Felon' p. 268, Appendix II.

³³ Hanawalt, *Crime and Conflict*, p. 118, table 5.

³⁴ Caroline Dunn. *Stolen Women in Medieval England: Rape, Abduction and Adultery, 1100-1500* (Cambridge University Press, 2017), p. 66; Barbara Hanawalt. *Of Good and Ill Repute: Gender and Social Control in Medieval England* (Oxford University Press, 1998).

³⁵ Hanawalt, *Crime and Conflict*, p. 61; Shulamith Shahar. *The Fourth Estate: A History of Women in the Middle Ages* (Taylor & Francis, 2013) p. 17.

³⁶ Jan van Houts. *Married Life in the Middle Ages, 900-1300* (Oxford University Press, 2019) p. 50.

³⁷ Louise J. Wilkinson, *Women in Thirteenth-Century Lincolnshire* (Boydell Press, 2007) p. 125-7.

of women in court for this reason provides useful evidence of marital status and familial relationships.³⁸

In short, women were considerably more active in petty crime and non-violent acts; in courts from across the medieval period, they presented regularly and repeatedly for brewing against the assize, and extensive evidence shows them as both plaintiffs and defendants in debt, theft, and land disputes. They were accused often of causing obstructions or being common scolds and were relatively active in raising the hue. Furthermore, although violent crime was vastly dominated by men, there is considerable evidence of women's involvement in assault and whilst men were more likely to be victims of crime, it is likely that many crimes against women when unreported or unpunished.³⁹ It is therefore clear that women presented in manorial courts for a multitude of reasons, including but not limited to criminal activity, and through careful examination of their appearances in court we can begin to understand more about their lives.

In studying gender in the middle ages, however, the relative lack of female voices in the source material presents an undeniable hurdle. Medieval literature was largely created by men about men, and therefore our understanding of gender relations comes mainly from male writers who were, to a greater or lesser extent, outsiders to the female experience.⁴⁰ It is clear that for women as a whole but particularly rural women, we simply do not have the same wealth of archival, communicative, or creative outputs that have been traditionally used to create a link with the past. Our connection must be teased from between the lines of existing literature and it is here that a wealth of information of the lives of medieval women can be found.

³⁸ Zvi Razi. *Medieval Society and the Manor Court* (Clarendon Press, 1996) p. 346.

³⁹ Bennett, *Brigstock Before the Plague* p. 26-27; Hanawalt, *Crime and Conflict*, p. 117.

⁴⁰ Patricia Skinner. *Studying Gender in Medieval Europe: Historical Approaches* (Palgrave Macmillan, 2018) p. 97.

Despite traditional scholarship's tendency to view medieval women through their relationships with men, feminism's emergence from the late nineteenth century encouraged a growing focus on their study, bolstered further in the mid-twentieth century by an expanding interest in social history.⁴¹ Second-wave feminism in the 1960s further encouraged study into topics such as medieval sexuality, women's medical history, and female criminality.⁴² In the 1990s, third-wave feminism promoted greater awareness of social constructs of gender, and focus on interdisciplinarity and cross-cultural research helped gender studies rise to prominence in western universities,⁴³ which Van Djik labelled as 'among the most important developments in medieval studies in the past thirty years'.⁴⁴ Feminism and the emergence of women's and gender studies have therefore helped push medieval studies in new directions and have not only promoted medieval women's experiences as topics worthy of academic study but have highlighted the importance of intersectional and interdisciplinary approaches.⁴⁵ Particularly important to scholarship of medieval countrywomen has been the work of Judith Bennett, and her 1987 case study of Brigstock, Northamptonshire, uncovered invaluable evidence of women's legal, commercial, and personal experiences through examination of fourteenth-century manor court rolls.⁴⁶ This keystone study has contributed to

⁴¹ Skinner. *Studying Gender* p. 4-10; Phillipp R. Schofield. *Peasant and Community in Medieval England 1200-1500* (Palgrave Macmillan, 2003) p. 1-8.

⁴² Miri Rubin. 'A Decade of Studying Medieval Women, 1987-1997' *History Workshop Journal* (1998) p. 214. For example: Susan Mosher Stuard. *Women in Medieval Society* (Philadelphia: University of Pennsylvania Press, 1976); Examples of other works of this time are: Shulamith Shahar. *The Fourth Estate: A History of Women in the Middle Ages* (London: Methuen, 1983) and David Herlihy. *Medieval Households* (Harvard University Press, 1985).

⁴³ Katherine Weikert and Elena Woodacre. 'Gender and Status in the Medieval World' *Historical Reflections/Réflexions Historiques* 42:1 (2016) p. 2.

⁴⁴ Mathilde van Dijk and Renée I. A. Nip. *Saints, Scholars, and Politicians: Gender as a Tool in Medieval Studies* (Turnhout: Brepols, 2005) p. 1.

⁴⁵ Kim Marie Phillips 'Where Should We Be Going with Medieval Women and Gender?' *Journal of British Studies* 39:2 (2000) p. 241; Elizabeth Robertson 'Twenty Years of Medieval Feminist Scholarship: Reflections on the Foundation of the Medieval Feminist Newsletter, the Society for Medieval Feminist Scholarship, and the Medieval Feminist Forum' *Medieval Feminist Forum: A Journal of Gender and Sexuality* 42:1 (2006) p. 21; Elizabeth Robertson, 'Medieval Feminism in Middle English Studies: A Retrospective' *Tulsa Studies in Women's Literature* 26:1 (2007) p. 67.

⁴⁶ Judith M. Bennett, *Women in the Medieval English Countryside: Gender and Household in Brigstock Before the Plague* (Oxford University Press, 1987).

the debate surrounding women's socioeconomic standing in the post-Black Death economy, in which it has been argued by some such as Goldberg and Baron that labour demands led to a 'golden age' of higher wages and greater autonomy.⁴⁷ Mate and Bennett contend this view, questioning the extent and significance of any increases and arguing that any perceived advancements were countered by adaptations of the patriarchal society structure.⁴⁸ Whatever the case, it is clear that further study into the experiences of women in Black Death England is crucial.

The question also remains of how rural women's lives were affected during the Black Death. Contemporary reports describe the plague killing indiscriminately⁴⁹ and debate exists over whether one gender was affected more than the other.⁵⁰ The impact of the Black Death is seen clearly in the Wakefield court rolls, where the nature of court activity reflects the dire situation and yet where, to some extent, normal life and normal crimes continued. Therefore, through comparison and analysis of evidence from 1338-40 and 1348-50, this study hopes to gain an insight into the lives of rural women during the Black Death. This is both relevant and poignant in 2021, where we too face a world emerging from a global pandemic into an uncertain and daunting future.

⁴⁷ Simon A. C Penn. 'Female Wage-Earners in Late Fourteenth-Century England' *The Agricultural History Review*. 35.1 (1987) p. 1-14; Goldberg. *Women, Work, and Life Cycle*; C. M. Barron. 'The 'Golden Age' of Women in Medieval London' *Reading Medieval Studies* 15 (1989) p. 46-7; Poos, *Rural Society*, p. 112.

⁴⁸ Bennett. *Ale, Beer and Brewsters*; Mavis E. Mate. *Daughters, Wives and Widows After the Black Death: Women in Sussex, 1350-1535* (Boydell Press, 1998), p. 56-8; Sandy Bardsley. 'Women's Work Reconsidered: Gender and Wage Differentiation in Late Medieval England' *Past and Present*, no. 165 (1999) p. 3-29.

⁴⁹ For example: Gilles li Muisis, Abbot of St Giles at Tournai, recorded how "no one, rich, middling or poor, was safe, but each one of them spent every day awaiting God's will". Gilles li Muisis from J.J. de Smet (ed) *Recueil des Chroniques de Flandre II* (1841) p. 279-80, translated by Horrox. *The Black Death*, p. 73.

⁵⁰ Mark A Senn. 'English Life and Law in the Time of the Black Death' *Real Property, Probate and Trust Journal*. 38.3 (2003) p. 571; Sharon N. DeWitte 'The Effect of Sex on Risk of Mortality During the Black Death in London 1349-1350' *American Journal of Physical Anthropology* 139.2 (2009) p. 222-234; Sharon N. DeWitte and James W. Wood. 'Selectivity of Black Death mortality with respect to preexisting health' *Proceedings of the National Academy of Sciences Feb 2008*, 105 (2008) p. 1436-1441; Sharon N. DeWitte. 'Age Patterns of Mortality During the Black Death in London 1349-1350' *Journal of Archaeological Science*. 37:12 (2010) p. 3394-3400.

Using manorial court records

The objective of this research was to create a detailed picture of the lives of rural women in the mid-fourteenth century and, in doing so, contribute to current research. This was achieved through examination and comparison of the Wakefield court rolls from 1338-40 and 1348-50, which were analysed for evidence of crime, relationships, land and possessions, and occupation. Through this, a better understanding of rural women's lives and the challenges they faced during the Black Death was established.

The main sources examined were the Court Rolls of the Manor of Wakefield, Volume 12 (1338-1340) and Volume 2 (1348-1350), translated and edited by the Yorkshire Archaeological Society. This case study approach allowed a detailed analysis of the source material which created a in-depth picture of the female population. The Wakefield court rolls were chosen for their rural setting and depth and breadth of evidence, and the years of 1338-40 and 1348-50 for their contrast between pre- and mid-Black Death life. Analysis and comparison of the data not only uncovered evidence of the legal, social and economic situation of rural women in the fourteenth century, but also evidence of how these situations changed in the immediacy of the Black Death.

Since the late nineteenth century, court rolls have been used extensively to uncover a wealth of legal, social, economic, and genealogical data from the medieval period.⁵¹ Despite this, the use of court rolls presents certain limitations. Bennett found that women comprised only 20% of individuals present in court: a drastic underrepresentation if it is assumed that they comprised roughly half the population.⁵² Similarly, Poos and Smith argue that court rolls do

⁵¹ Frederic William Maitland. *Select Pleas in manorial and other seignorial courts* (London, 1889).

⁵² J. Ambrose Raftis, 'Social Structures in Five East Midland Villages: A study of possibilities in the use of court roll data' *Economic History Review*, 2nd series, XVIII (1965) p. 83-100; Bennett, *Brigstock Before the Plague* p. 21-22; Judith M. Bennett. 'Spouses, Siblings and Surnames: Reconstructing Families From Medieval Village Court Rolls' *The Journal of British Studies* 23 (1983) p. 26-46.

not provide enough information regarding topics such as marriage age and life expectancy to make them sufficient evidence of demographics, and it is debatable to what extent legal proceedings alone can reflect the daily lives of the medieval peasantry.⁵³ Yet as Razi argues, ‘all historical sources reflect reality in a partial and distorted way’ and no historical sources alone can provide a wholly transparent insight into medieval life.⁵⁴ Therefore, the limitations of court rolls do not undermine their value; they provide a wealth of social, economic, legal and demographic information that should not be overlooked.

The Wakefield court rolls provide evidence of around 2170 people from 1338-40 and 2250 from 1348-50, and reveal much about relationships, property, occupations, and criminal activity. Women comprised just 24% and 27% in 1338-40 and 1348-50 respectively, and if it is assumed that they were roughly equal in number to men in the wider community, this is a dramatic underrepresentation. Multiple reasons likely exist for this. Wives were perhaps represented by husbands or male relatives, and unmarried women may not have been in possession of the type of land or property that often resulted in disputes.⁵⁵ Furthermore, women appear more often involved in petty criminality or interpersonal disputes, which may have been resolved amicably without the involvement of the manor court.

Information gained through examination of the court rolls is presented and examined in the categories of crime, relationships, land and possessions, and occupation. It could be argued that a limitation of this case study approach is its narrow focus and although it is fair to assume some degree of similarity between lives of rural women throughout England, to what

⁵³ Poos and Smith. *Legal Windows*; Phillipp R. Schofield. ‘Peasants and the Manor Court: Gossip and Litigation in a Suffolk Village at the Close of the Thirteenth Century’ *Past and Present: A Journal of Historical Studies* (1998) p. 6-7.

⁵⁴ Zvi Razi. ‘The Demographic Transparency of Manorial Court Rolls’ *Law and History Review* 5:2 (1987) p. 523; Zvi Ravi. ‘The Use of Manorial Court Rolls in Demographic Analysis: A Reconsideration’ *Law and History Review*. 3.1 (1985) p. 191-200.

⁵⁵ K. M. Troup. *The Court Rolls of the Manor of Wakefield Volume 12: October 1338 to September 1340* (Leeds: Yorkshire Archaeological Society, 1999) p. x. Wakefield Court Rolls are henceforth referred to as WCR.

extent evidence gained can be applied outside of Wakefield must also be considered.

Therefore, other sources have been consulted to produce a well-rounded picture of the lives of women in the manor in the mid-fourteenth century.

When using medieval sources, identifying individuals or families is rarely a straightforward task. Individuals were often labelled differently in separate court cases, and in some areas hereditary naming was still not practised in the late fourteenth century.⁵⁶ That said, surnames in the Wakefield court rolls hint at a wealth of occupational, social, familial, and geographical information. Geographical bynames may relate to specific topographical features (Matilda Attetounend's name, for example, suggests she may have lived at the edge of a settlement), local towns and districts (for example, Isabella de Emeley) or locations further afield (Alice del Temes and Alice de Lynkcolne).⁵⁷ Unfortunately, it is rarely clear whether this referred to a place of birth, residence, or land holding.

Occupational bynames also exist, such as Juliana Spicer and Cecily Carter.⁵⁸ Again, this is rarely straightforward and may refer to the occupations of husbands or family members.

Furthermore, bynames often referred to familial or marital relationships. Women were frequently referred to only as 'wife of' their husbands and patronyms were common, such as in the cases of Agnes Perkyndoghter and Isabella Jondoghter. Particularly interesting is Alice Liteldikdoghter. 'Dick' was being used as a diminutive for Richard by at least the thirteenth century and while nothing explicitly links them, a certain Richard Short appears multiple times in court in the same year as Alice.⁵⁹

⁵⁶ Richard McKinley, *A History of British Surnames* (London: Routledge, 1990) p.32.

⁵⁷ WCR 2: 166, 170 (Matilda Attetounend); WCR 12: 19 (Isabella de Emeley); WCR 12: 58 (Alice del Temes); WCR 2: 77 (Alice de Lynkcolne).

⁵⁸ WCR 2: 34, 113, 228; WCR 12: 122 (Juliana Spicer); WCR 12: 219 (Cecily Carter).

⁵⁹ Cecily Clark, 'English Personal Names ca. 650-1300: Some Prosopographical Bearings' *Medieval Prosopography* 8:1 (1987) p. 43.

That said, familial and marital links are not always clear. Couples were sometimes referred to with different surnames, and there were frequent variations in how names were recorded, such as Adam son of Jordan and Adam Judson, which both refer to the same individual.⁶⁰

Multiple scribal inaccuracies can also be found in the recording of names. For example, Alice and Agnes appear to have been confused often, perhaps due to scribes mishearing these similar-sounding names. This is seen also in relationships: wives were sometimes inaccurately recorded as daughters or sisters.⁶¹ These errors were only occasionally corrected by the scribe, resulting in some confusion, further complicated by the fact that names such as Matilda and Agnes were common.⁶²

These issues make it impossible to create an entirely accurate list of all individuals present in court.⁶³ Furthermore, the sheer amount of data in the Wakefield court rolls presents an undeniable hurdle, exacerbated by the inaccurate science of attempting to produce quantitative data from highly qualitative data. One example of this is that crimes were not always clearly defined and there is often much overlap or confusion, such as in cases of theft, debt, and detention of goods. Forcing certain crimes into somewhat arbitrary categories is necessary for creating a quantitative overview of the data but may not always reflect the legal or social reality of the case and may obscure a great deal of useful information. To remedy this, specific cases, especially those not easily categorised or otherwise noteworthy, are discussed and analysed individually.

⁶⁰ WCR 12: 99 (Agnes Hog and Thomas Prest); WCR 2: 162, 164, 184, 186 (Adam Judson).

⁶¹ For example, WCR 12: 222.

⁶² For example, Alice wife of John de Heton and Agnes wife of de Heton appear to be the same person, which is confirmed by a scribal amendment in one instance (WCR 2: 5, 8, 17, 157). Another example is Matilda Pollard, inaccurately recorded as 'Margery Pollard' which is corrected (WCR 2: 125).

⁶³ Jewell, 'Manor of Wakefield' p. 59-81.

Chapter One – Wakefield Court Rolls 1338-40

The court rolls from 1338-40 record a total of forty-seven court baron sessions and sixteen tourns, held from October 1338 to September 1340. During this time, around 517 women and 1651 men were present in court. Women presented most frequently for brewing-related crimes, and the number of women involved in this was more than twice those involved in the next most common crime. Furthermore, around seventy-three women were involved in other civil matters, including paying merchet or heriot, or exchanging land.

Criminal activity	Number of women involved	% of women in court
Brewing-related	164	32%
Assault	72	14%
Debt, theft, detention of goods	66	13%
Land, dower, contracts	44	9%
Vert	44	9%
Trespass	36	7%
Raising hue	30	6%
Public nuisance	22	4%
Other civil matters		
Exchanging land	71	14%
Merchet	3	0.6%

Table 1. Women's involvement in the Wakefield court 1338-40.

1.1 Brewing-related crimes

164 women were involved in brewing-related crimes, making up 32% of all women in court.

Many were repeat offenders: Thomas Smyth's wife, for example, appears to have been

amerced on at least seven occasions for brewing against the assize.⁶⁴ The majority of women accused of this crime were referred to only by their husband's name, even if they were referred to by their own first name in other cases. Seven were referred to by the name of their father, and forty-one by their own surnames, without any connection to a male relative, suggesting they were unmarried.

The specifics of the crime were occasionally mentioned. For example, seven women were amerced for failing to send for ale-tasters. Of these, Alice de Wyk seems to have been especially fearless: in December 1338, she was amerced 3d for failing to send for ale-tasters, not putting out a sign, and brewing weak ale. In July 1339, she was again amerced for failing to send for ale-tasters, and then again a few months later for the same crime.⁶⁵

Numerous examples also exist of women being pardoned. Alice Bothe was pardoned because she was poor, and Beatrice daughter of William because she only committed the crime once. Around 60% of the 164 were in charged once for brewing offences, so Beatrice was not unique. Perhaps her father, William, was of considerable social standing or Beatrice was especially young. Isabella Spilwode and the wives of Henry de Swilington and Henry Clericus were also pardoned without reason.⁶⁶ In the case of Henry Clericus' wife, the fact that he was a clerk may have played a role. Evidence for this can be seen in other crimes: for example, in a false plea of land, her husband being a clerk is given as the reason for Margery Lepton's pardon.⁶⁷

1.2 Land, dower, and contracts

⁶⁴ WCR 12: 12, 72, 118, 120, 122, 123, 200, 203. Since Thomas Smyth is a relatively common name, it is not entirely clear whether this is one woman or several.

⁶⁵ WCR 12: 37, 99, 139.

⁶⁶ WCR 12: 17-18 (Alice Bothe); 18 (Beatrice daughter of William); 118 (Isabella Spilwode), 78-9 (wife of Henry de Swilington), 222 (wife of Henry Clericus).

⁶⁷ WCR 12: 223.

Forty-four women appeared in court relating to pleas of land, dower, or covenant, thirty-seven of whom were mentioned in relation to dower or pleas of land. Some of these disputes seem to have been settled in a relatively straightforward manner but others involved numerous parties and took months to resolve. Particularly significant was the case of Beatrice, widow of Richard de Colley, who appeared in court in a plea of dower against nine men.⁶⁸ Seven women appeared in court relating to land being taken or received without leave, which offers evidence of women acting individually in the leasing of land. For example, Robert Stut was amerced 4d for leasing a cottage to Amabel White without leave of the court, John Sclater 4d for leasing land to Alice Sourmilk who was amerced 2d for taking it, and Richard son of the clerk of Heptonstall 6d for leasing to Magot del Brigge without leave, for which Magot was amerced 3d.⁶⁹

Two women, Alice, widow of Richard Horner, and Joanna de Heton appeared in the court regarding broken contracts. Alice's case seems to have been connected to land and dower, and Joanna appeared alongside her brother as defendants against Jordan Strenger in a plea of covenant. They were accused of breaking an agreement with Jordan concerning Joanna's son whom Jordan agreed to train for the cost of 10s.⁷⁰

1.3 Debt, theft, and detention of goods

Sixty-six women were involved in cases of debt, theft, or detention of goods. Of the forty women who were involved in debt cases, roughly half appeared as defendants and only a handful of cases involved women standing against other women. Although rarely specified, amounts mentioned seem to vary. Particularly noteworthy were the claims by the Lepars

⁶⁸ WCR 12: 4.

⁶⁹ WCR 12: 148 (Amabel White); 64 (Alice Sourmilk and Magot del Brigge).

⁷⁰ WCR 12: 92, 96, 101, 106 (Alice widow of Richard Horner); 241, 250 (Joanna de Heton). Jordan Strenger's surname suggests he may have been an ironworker, and this is perhaps the trade he was teaching to Joanna de Heton's son. See: George Redmonds, David Hednay, and Turi King. *Surnames, DNA, and Family History* (Oxford University Press, 2015) p. 30.

that the Pokets owed them 10s, and that Hugh de Stanley owed Alice Lepar the hefty amount of 21s that she had apparently lent his wife.⁷¹

Twenty-four women were involved in cases of theft or detention of goods and although the possessions were not always mentioned, they provide useful information regarding women's ownership of property. Joanna Trubbe, for example, claimed that Henry Peny detained from her money, a shirt, and shoes; Alice de Heton was amerced for stealing a beehive; and Modesta de Totehill was in court seeking money for oats she had sold.⁷²

In cases of theft and detention of goods, women appeared both alone and with male relatives. One case, for instance, pertains to Adam Isbel unjustly detaining forty-two quarters of coal from William Isbel and his wife, Elizabeth.⁷³ Adam seems to have been no stranger to the court: he was involved in numerous cases of theft and unjust detention of goods and, in 1339, his wife Agnes was present in court alongside him as a defendant in a theft case.⁷⁴

Considering her husband's prevalence in theft and detention of goods, it would not be illogical to suggest she may have been acting as an accomplice. A clearer example of a woman acting as an accomplice is the case of William Danyel and John Favour. The two men were accused of being 'common thieves of sheaves' and Cecily Danyel was amerced 4d for being a receiver of their stolen goods.⁷⁵ Her relationship to the men is unclear, but her surname suggests she was a relative of William.

1.4 Trespass

Thirty-six women were involved in trespass cases, with roughly half appearing as defendants. Cases that offer context seem related to assault, insult, property, debt, and depasturing. An

⁷¹ WCR 12: 247.

⁷² WCR 12: 38 (Joanna Trubbe); 97 (Alice de Heton); 13 (Modesta de Totehill).

⁷³ WCR 12: 84.

⁷⁴ WCR 12: 82, 85 (Agnes wife of Adam Isbel); WCR 12: 2, 4, 8, 22, 25 (examples of Adam Isbel's crimes).

⁷⁵ WCR 12: 125.

example of a trespass case is that of John and Joanna Graunt. In January 1340, Robert Deusom sued the Graunts in a plea of trespass, for which they were found guilty. Although no further details were given, Joanna appeared alone in court against Robert Deusom five months later having raised the hue unjustly on him which perhaps suggests bad blood between the two parties or some lingering resentment after their trespass case.⁷⁶

1.5 Vert

Forty-four women were involved in vert cases, compared to 317 men. Twenty-seven were charged with taking vert, eleven for dry wood, and one for taking both. Alice Warddogher carried off hedging, and Ellen de Longelay and Isabella and Margery, daughters of Jordan, cut holly. A related case not explicitly labelled as ‘vert’ is that of Alice del Henys, who was amerced 3d for her involvement in trespassing in the wood. No details were given but she appeared alongside twenty-five men and may have been a receiver of illegally obtained venison.⁷⁷

1.6 Nuisance crimes

The individual crimes of obstructing highways/markets, damage caused by escaped animals, insult, and being a common scold have been categorised in this study as ‘nuisance crimes’: that is, petty crimes that disturb public order and peace. These crimes are relatively rare in the Wakefield records, although they were likely common and perhaps often resolved amicably without the need to involve the court. Twenty-two women appeared in relation to public nuisance crimes in 1338-40, of whom fifteen were defendants.

Seven women were involved in creating obstructions. Margery widow of Richard allowed a branch to hang ‘beyond her house’, Alice del Abbay did not clear ‘fallen branches’ and

⁷⁶ WCR 12: 150, 156, 161, 222 (Joanna Graunt).

⁷⁷ WCR 12: 48 (Alice Warddogher); 71 (Ellen de Longelay, and Isabella and Margery, daughters of Jordan); 118 (Alice del Henys).

Mariot Skayf broke palings. Juliana Gurdon and sisters Ellen and Margery Arthur obstructed the highway with dung, and Mariot daughter of Alan left 'dung as a nuisance to the market'.⁷⁸

All seven women were in court only once relating to obstruction-related crimes and, aside from Margery widow of Richard who was amerced 6d, they were amerced 2d each.

Ellen Arthur appeared again in court for the crime of being a common scold, this time alongside another sister named Joanna. No further detail is offered, although the other case of common scold offers a little more context: in June 1340, Juliana de Sandale was amerced 6d for raising the hue unjustly on John Bui, for which she was labelled a common scold.

Although women were often charged with raising the hue unjustly, Juliana was the only case of an individual consequently being labelled as a 'scold', perhaps suggesting she was found to have been especially rowdy.⁷⁹

Four women appear in the records charged with the crime of insult. Joanna wife of Adam was accused alongside her husband of calling Agnes Hughet a 'false thief'. Similarly, in an ongoing case against Henry de Stanley and his wife Joanna, Christiana and her husband Henry Bronsmyth appeared as plaintiffs claiming that Henry and Joanna assaulted Christiana, called her 'false and a thief', thereby destroyed her good name.⁸⁰

Nine women appeared in court relating to the escape of animals. Matilda Gelledoghter was amerced 4d for allowing Robert Arthur's corn to be depastured due to her own enclosure hedge being damaged, and Adam le Harpur allowed his beasts to depasture the grass and damage the hedge of Cecily widow of William le Eyr. Similarly, Agnes, wife of Robert

⁷⁸ WCR 12: 198 (Margery widow of Richard); 93 (Alice del Abbay); 146 (Mariot Skayf); 20 (Juliana Gurdon); 126 (Ellen and Margery Arthur); 78 (Mariot daughter of Alan).

⁷⁹ WCR 12: 78 (Ellen and Joanna Arthur); 222 (Juliana de Sandale).

⁸⁰ WCR 12: 48 (Agnes Hughet); 95 (Christiana Bronsmyth).

Deusom, claimed her oats had been trampled by Hugh de Stanley's animals before she was married.⁸¹

1.7 Raising the hue

Thirty women were involved in cases of raising the hue, compared to sixty men. Seventeen of these women raised the hue against men and six of these were found unjust. Thomas Cussyng and his wife, for example, were found to have unjustly raised the hue on John Attehall, for which they were amerced 6d.⁸² Evidence also exists of individuals raising the hue on relatives, such as Agnes Aubray who unjustly raised the hue on Geoffrey Aubray's wife, who may have been her sister-in-law.⁸³

1.8 Assault

Seventy-two women (14% of all women in court) presented in assault-related cases and out of these, forty-four were victims. Most cases give little detail beyond 'drawing blood' but others offer more insight, such as the case of John Anot who 'beat and ill-treated' Margery de Morlay, and Nicholas and Juliana del Stockes who allegedly beat Alice, daughter of Joanna Gyge, until she was unable to work.⁸⁴ Examples also exist of assault cases between family members. The wife of John Edelot, for example, was amerced 12d for drawing blood from her husband, and Robert son of William de Criggeleston was amerced 4d for assaulting his sister. Hugh Molendinarius was amerced 12d for attacking Richard son of Alice, and Richard's sister, Isabella, was amerced the same amount for drawing blood from Hugh in retaliation to her brother's attack. Furthermore, the court rolls record one instance of rape,

⁸¹ WCR 12: 97 (Matilda Gelledoghter); 239 (Cecily Eyr); 146 (Agnes Deusom)

⁸² WCR 12: 125.

⁸³ WCR 12: 20.

⁸⁴ WCR 12: 234 (Margery de Morlay); 111 (Joanna Gyge).

wherein Robert Lepar accused Hugh de Stanley of breaking into his house, attempting to murder him, and raping and abducting his wife.⁸⁵

1.9 Merchet, heriot, and exchanging land

Three women appeared in court paying merchet: Magot de Elwardhuls, Agnes daughter of Henry Bothem, and Alice daughter of William Albray. Agnes and Magot paid their own merchet, costing them 12d each. In the case of Alice, however, it was her father, William Albray, who paid for her to ‘marry whomsoever she wishes’, which cost him 2s, double the amount paid by Agnes and Magot.⁸⁶

Twenty-six individuals paid heriot, of whom six were women. Since this was normally paid by widows or heirs, heriot provides a wealth of genealogical information, such as in the case of the Strekays family. In October 1338, Margery Strekays and Matilda de Oldefeld paid heriot for the land of their dead brother, William Strekays. Emma and Alice Strekays similarly paid heriot for the land of William, who was their uncle. These women being heirs of William suggests he had no brothers or children, and all four subsequently surrendered this land in court to be granted to relatives. This provides further information regarding their familial and marital connections: for example, Alice surrendered the land alongside Adam de Hogley, her husband, and Geoffrey Moldeson was referred to as the son of Matilda de Oldefeld.⁸⁷

Aside from heriot, sixty-eight women were involved in land exchanges, thirty-three of whom surrendered land to the lord to be granted to others. Thirty-one women received land, and half of these received it alone, not as part of a married couple. The relationship between the giver

⁸⁵ WCR 12: 221 (wife of John Edelot); 79 (Robert son of William); 200 (Hugh Molendinarius); WCR 12: 43 (description of rape case).

⁸⁶ WCR 12: 99 (Magot de Elwardhuls); 230 (Agnes daughter of Henry); 161 (Alice Mixenden).

⁸⁷ WCR 12: 16-17.

and receiver is rarely clear. For example, Margery del Stones granted land to Alice Mixenden, and Thomas Clericus granted land to Ellen daughter of Thomas Torald. In cases where the relationship is specified, it is most often received from husbands or fathers, with one instance of a woman receiving land from her sister.⁸⁸

⁸⁸ WCR 12: 10 (Margery del Stones); 57 (Ellen daughter of Thomas); 121-122 (Evota).

Chapter Two – Wakefield Court Rolls 1348-50

The court rolls from 1348-50 record a total of fifty-five court baron sessions and sixteen tourns, held from September 1348 to September 1350. During this time, around 606 women and 1643 men were present in court and although no direct reference was made to the plague, the nature and description of cases reflect high levels of mortality. Brewing-related crimes were found to outrank other reasons for women's appearances in court, and around 170 women were involved in civil matters such as exchanging land or paying merchet or heriot.

Criminal activity	Number of women involved	% of women in court
Brewing-related	186	30%
Debt, theft, detention of goods	130	21%
Trespass	34	6%
Assault	24	4%
Land, dower, contracts	24	4%
Public nuisance	22	4%
Vert	21	3%
Raising hue	13	2%
Other civil matters		
Exchange land	165	27%
Merchet	8	1%

Table 2. Women's involvement in the Wakefield court 1348-50.

2.1 Brewing-related crimes

186 women were involved in brewing-related crimes, an increase of twenty-two from 1338-40. Many women were repeat offenders: the wives of Roger Spilwode and Robert Nelleson,

for example, were amerced on at least four separate occasions for this crime.⁸⁹ The majority of women were referred to only by their husband's name, although twenty-six were referred to by the name of their father, six as maids or servants, and thirty-two by their own surnames.

Of the 186, twenty appear to have been pardoned. The reasons for this were rarely given. In May 1349, the wife of John de Halifax was condoned because her husband was the grave. In November of that year, she was condoned again without reason and five months later, she was condoned because it was found that she 'did not brew'. Similarly, five women appear to have been treated leniently because they were 'paupers'.⁹⁰

2.2 Land, dower, and contracts

Twenty-four women appeared in court relating to pleas of land, dower, or contracts. Of these, twenty were involved in cases relating to dower or land, half of whom were plaintiffs. Two of these were found false: Anota Swyft was amerced 1d for false claim against Adam Hancokson and an inquiry found Agnes del Lone had not been deforced of land by Thomas son of William as she had claimed.⁹¹ Furthermore, five women were involved in varying cases of broken contracts. For example, Adam and John del Stockes were amerced 2d each for breaking an agreement with Margaret, widow of Thomas de Sheplay. Richard de Southwod and his wife Joan broke an agreement to keep their neighbour's livestock, and Matilda daughter of Henry Poket failed to uphold her agreement to plough with Thomas de Seyntswythanes, for which she paid 12d compensation.⁹²

2.3 Debt, theft, and detention of goods

⁸⁹ WCR 2: 55, 114, 210, 245 (wife of Roger); 55, 114, 210, 245 (wife of Robert)

⁹⁰ WCR 2: 32, 116, 177 (wife of John); 115 (paupers).

⁹¹ WCR 2: 246 (Anota Swyft); 108 (Agnes del Lone).

⁹² WCR 2: 61, 78 (Margaret de Sheplay); 179 (Joan wife of Richard); 172 (Matilda daughter of Henry).

130 women were involved in cases of debt, theft, or detention of goods, making it the most common crime for women aside from brewing against the assize. Eighty-six women were involved in debt, of whom thirty-four were defendants. Many of these cases involved women taking responsibility for debts of their late husbands, fathers, or other relatives. For example, an inquiry found that Alice, widow and executor of Matthew Symson, had unjustly detained 3s from Margaret, widow and executor of the will of William de Birstall. The fact that these women were referred to as executors of their late husbands' wills implies this was money owed to William by Matthew before their deaths which the executors of Matthew's will were expected to pay. Similarly, Matilda and Isolda, daughters and executors of Henry Poket, were charged with detaining 8s 6d from John Isbell, which was described as 'a debt of their father's'. Another example shows a woman attempting to recover money that had been owed to her late husband's relative: Matilda, widow of Robert de Holand and executor of the will of Isabella de Holand, appeared as a plaintiff in a debt case against four men in March 1349. This case was never resolved; by July 1349, the plaintiff had died, and the case was voided.⁹³

Sixty-two women were involved in cases of theft or detention of goods, of which around twenty-three were defendants. The most commonly disputed goods were oats, rye, wool, ale, and hay. For example, Robert Malyn was amerced for detaining oats from Alice Kyd, and Hawise daughter of Simon was accused of stealing twelve sheaves of oats from Richard de Meltham. In a case of burglary, Margery, widow of Robert Gunne, was amerced for stealing rye worth 10d from Robert Wolf's house.⁹⁴

In a theft case from October 1348, an inquiry found Henry Poket and his wife Alice had broken into the home of Thomas son of John de Sancto Swithynno 'while he was in the king's service at Calais', and had stolen possessions including a robe worth almost 7s. Henry

⁹³ WCR 2: 249 (Alice Symson); 161 (Matilda and Isolda); 91, 97, 105, 127, 132, 144 (Matilda de Holand).

⁹⁴ WCR 2: 81 (Alice Kyd); 213 (Hawise daughter of Simon); 152 (Margery, widow of Robert Gunne).

and Alice paid 60s damages and were both amerced 6d.⁹⁵ Such detailed theft cases are useful as they provide evidence of possessions, both owned and desired. In a case from March 1349, John Oxhird was amerced for detaining from a certain Cecilia various goods including a basket and a feather bed. Interestingly, this was not the only mention of a much-coveted feather bed: in February 1350, Matilda daughter of William Attounend claimed that Joan wife of William Gerbot had bequeathed her a feather bed. It seems Matilda was trying her luck as the case was found false, she was amerced 2d, and the bed remained with its rightful owner.⁹⁶

2.4 Trespass

Thirty-four women were involved in trespass cases, of whom eighteen appeared as defendants. Cases that provide context were related to assault, debt, depasturing, theft, and detention of goods. For example, Agnes del Bank and Adam Lorimer were involved in a trespass case relating to debt, and Agnes Bele struck Nicholas de Wyronthorpe's wife with 'a certain stick', causing 6d of damages. Another example is William son of William de Thornes who was summoned in October 1348 to answer Thomas Torald's daughter Ellen in a plea of trespass. It was not until six months that it was revealed he had wounded and ill-treated Ellen, causing her 40d of damages.⁹⁷

2.5 Vert

Twenty-one women were involved in vert cases, compared to seventy men. The vast majority of women were involved in taking vert or unspecified trespass in the forest, but John Colinson's wife was amerced 2d for cutting birches and Juliana Dikwife 2d for cutting alders and hawthorn.⁹⁸

⁹⁵ WCR 2: 16.

⁹⁶ WCR 2: 84 (Cecilia); 166, 170 (Matilda Attounend).

⁹⁷ WCR 2: 73, 79 (Agnes del Bank); 22 (Agnes Bele); 25, 42, 64, 76, 87, 95 (Ellen daughter of Thomas).

⁹⁸ WCR 2: 98-99.

2.6 Nuisance crimes

Twenty-two women were involved in nuisance crimes, of which none caused obstructions or were common scolds, and only one was involved in an insult case: in November 1348, Nicholas de Wyronthorpe was amerced 2d for falsely claiming Agnes Bele had defamed him.⁹⁹

All other nuisance crimes involving women were related to depasturing and escapes. Of these twenty-one women, thirteen appeared as defendants. For example, Alice widow of John de Helay was amerced 12d for the escape of six horses; William del West accused Christiana de Flansawe of having damaged his crops; and a case from 1349 records that seven women appeared as part of a group of twenty-eight individuals accused of depasturing and trampling the grass of William de Gayrgrave, as well as breaking his hedges and stealing his wood. Unfortunately, it is unclear whether these were crimes committed separately by these individuals or if this is an instance of a larger criminal operation.¹⁰⁰

2.7 Raising the hue

Thirteen women were involved in raising the hue, compared to around thirty men. All thirteen raised the hue against men, and there appear to be no instances of a woman having the hue raised against her. Three of these cases were found to be unjust: the wife of William de Southwod against John Mariotson, the wife of John Souter against John Sonman, and Olivia de Haldworth who raised the hue unjustly on her own sons. Another example of a woman raising the hue on a relative was Alice daughter of Joan de Collersley, who raised the hue justly on Robert de Collersley. A few cases offer context beyond simply ‘raising the

⁹⁹ WCR 2: 22.

¹⁰⁰ WCR 2: 180 (Alice de Helay); 190, 192 (Christiana de Flansawe); 72-3, 79-80, 84, 92, 99 (William de Gayrgrave case).

hue'. For example, Thomas Antoyne was amerced 6d for attacking Agnes Perkyndoghter, who in response raised the hue justly on him.¹⁰¹

2.8 Assault

There is a significant decrease in violence involving women between the two sets of data: no rape cases were mentioned from 1348-50 and twenty-four women were involved in cases of assault, compared to the earlier number of seventy-two. Most cases give little detail beyond 'drawing blood' but others offer more insight, such as the case of William son of William de Thornes who assaulted, wounded, and ill-treated Ellen Torald, causing her harm valued at 40d. Examples also exist of assault cases between relatives, such as William Attekyrk who drew blood from his sister, and Alice Maunsel who attacked Walter Maunsel. The relationship between Alice and Walter is unclear, but they seem to have had a long-standing issue with one another: in April 1350, Alice was accused of stealing and detaining money from him, for which she was amerced 2d.¹⁰²

2.9 Merchet, heriot, and exchanging land

Eight women paid merchet in 1348-50, of which only one did not pay herself. John Bothem appeared in court to pay 12d merchet for his daughter, who had been married without licence. Similarly, four other women appeared in court regarding previously unlicensed marriages. Matilda daughter of Henry Poket, for example, paid 2s merchet in May 1350 for having married John del Haylyghes without licence and this John seems to have died, as Matilda appeared again in court three weeks later to pay 18d to marry William Forman.

¹⁰¹ WCR 2: 116 (wife of William); 158-9 (wife of John Souter); 114 (Olivia de Haldworth); 249 (Alice daughter of Joan); 177 (Agnes Perkyndoghter).

¹⁰² WCR 2: 25, 42, 64, 76, 87, 95 (Ellen daughter of Thomas); 177 (William Attekyrk); 159, 173, 175 (Alice Maunsel). Interestingly, Ellen's assaulter, William son of William, was involved in the only explicit case of homicide in the 1348-50 court rolls: for murdering Robert de Thornes, William was imprisoned in York (WCR 2: 159).

Altogether, 165 women appeared in court relating to exchanging land or paying heriot. 107 women were involved in land exchanges. Of the sixty-six who paid heriot, around half appeared alongside another individual, normally husbands, sons, sisters, or other relatives. Heriot offers an insight into the scale of mortality at this time: for example, Agnes wife of Hugh gave 6s 8d heriot with her brother-in-law for land previously belonging to their relatives, John, William and Robert Pescy, who seem to have died in quick succession. Similarly, Alice and Alma Bateson paid 12d together for the land that had belonged to their sisters, Agnes and Christiana.¹⁰³

¹⁰³ WCR 2: 148 (Agnes wife of Hugh); 201 (Alice and Alma).

Chapter Three – The Lives of Women in the Medieval Manor

3.1 Evidence of the Black Death

The Black Death first reached Yorkshire in early 1349, reaching its height in summer that year.¹⁰⁴ Although no direct reference to plague or sickness was made in the Wakefield court rolls, its devastating impact is seen throughout. By January 1350, for example, the entire vill of Shelf had died, and numerous cases throughout the two-year period were voided due to the death of individuals involved. The pre-Black Death data records five cases ‘void because dead’. This number increases drastically in the Black Death years, where at least thirty-six cases were voided for this reason, the majority of which occurred from summer 1349 onwards. In one passage from July 1349, six of the fourteen individuals involved had died and six of the eight cases mentioned were consequently voided.¹⁰⁵ Another indication of the high mortality rate and its economic impact comes from September 1350, where large amounts of land were recorded as abandoned due to death of tenants and from which the court was unable to collect rent totalling nearly £8.¹⁰⁶ Despite this, death of tenants meant landlords saw a one-off increase in payment of heriot and entry fines, and evidence from Hampshire, for example, suggests this could have been up to ten times greater than normal annual totals before the Black Death.¹⁰⁷

The relationship between the deceased and individuals paying heriot also reflects the unusually high mortality rate. Since an individual’s heirs were normally their children, it is therefore usually children, as well as widows, who would pay heriot. Heriot-payment during the Black Death years, however, reflects a variety of relationships. For example, John Wright

¹⁰⁴ William Rees. ‘The Black Death in England and Wales, as Exhibited in Manorial Documents’ *Proceedings of the Royal Society of Medicine* 16 (1923) p. 29.

¹⁰⁵ WCR 2: 145.

¹⁰⁶ WCR 2: 261.

¹⁰⁷ Mark Bailey. *After the Black Death: Economy, Society, and the Law in Fourteenth-Century England* (Oxford University Press, 2021) p. 94.

paid heriot after the death of his son, and John Grenehod after the death of his three uncles.¹⁰⁸ In these years, the number of women involved in heriot and land exchanges increased by over 132%. This is reflected in women's appearance in court, with their numbers increasing from 517 to 606 and women overall comprising 27% of all those present in court, compared to 24% in 1338-40. Demographically, it is unlikely that women made up only a quarter of the medieval community and therefore they were noticeably still underrepresented, yet considering the dramatic decline in population numbers, it may be that the 606 women present in court during the Black Death years represented a much greater percentage of women in the wider community than they had in 1338-40.¹⁰⁹ Analysis of women's crimes, relationships, land and property, and occupation offers some explanation for this increase and provides a better understanding of their lives during the Black Death.

3.2 Criminality

Criminality has been shown to have increased during times of crisis, such as the Great Famine, and evidence of women's crime from Wakefield may have been expected to show a similar increase during the Black Death.¹¹⁰ In many ways, this does not appear to be the case. Overall stats for criminality show numbers of women involved dropped from 477 to 453, and fewer were involved in cases of assault, raising the hue, vert, and pleas of land or dower. The mortality rate likely impacted the number of women in court and the number of crimes that reached the court. As has been shown, many cases were voided due to death, and it seems likely that some individuals died before ever appearing in court, although the rate at which this occurred is impossible to know. Additionally, despite an overall decrease in women's

¹⁰⁸ WCR 2: 202 (John Wright); 168 (John Grenehod).

¹⁰⁹ Bennett, *Brigstock Before the Plague* p. 21-22; Bennett, 'Spouses, Siblings and Surnames' p. 26-46.

¹¹⁰ Hanawalt, *Crime and Conflict*, p. 523; Bailey, 'Peasant Welfare' p. 240-241.

criminality, brewing crimes increased slightly, and the combined number of women involved in debt, theft, and detention of goods virtually doubled in the Black Death years.

Criminal activity	Number of women involved		% of women in court	
	1338-40	1348-50	1338-40	1348-50
Brewing-related	164	186	32%	30%
Assault	72	24	14%	4%
Land, dower, contracts	44	24	9%	4%
Vert	44	21	9%	3%
Debt, theft, detention of goods	66	130	13%	21%
Trespass	36	34	7%	6%
Raising hue	30	13	6%	2%
Public nuisance	22	22	4%	4%

Table 3. Comparison of women's criminal activity: 1338-40 and 1348-50.

The most common items stolen, detained, or involved in debt cases were foodstuffs. The drastic decrease in population at this time resulted in fewer farmers, more land left untended, and lower availability of crops.¹¹¹ Wakefield was not unique in this; the *Historia Roffensis* describes how in Rochester the Black Death and a late harvest meant that 'crops [were] scanty, barns empty and haystacks small' and 'no workman or labourer was prepared to take orders from anyone'.¹¹² This struggle for labour and produce is reflected the increase of crop prices from late 1349 onwards and it is therefore understandable that in order to sustain themselves, individuals may have stolen, made purchases they could not later afford, or sought to resolve outstanding debts.¹¹³ For women in particular, the increase in such crimes

¹¹¹ Bailey, *After the Black Death*. p. 72.

¹¹² British Library, Cottonian MS, Faustina B V fos 96v-101, trans. by: Rosemary Horrox. *The Black Death*. (Manchester: Manchester University Press, 2013) p. 73.

¹¹³ Bailey, *After the Black Death*. p. 72.

may reflect an attempt to feed the family after the death of a husband, such as may have been the case of Margery, widow of Robert Gunne, who stole rye from Robert Wolf.¹¹⁴

According to Geoffrey le Baker, ‘the healthy fled from the possessions of the dead as being infected, however valuable they had once been’ yet some may have taken advantage of the chaos to improve their own financial situation.¹¹⁵ Robert Magotson, for example, detained a silver brooch from Alice de Sourby, and in the previously discussed case of Matilda daughter of William Attounend, Matilda’s attempt to obtain a feather bed may be indicative of desire more than necessity.¹¹⁶

It seems that many women involved in cases of debt, theft, and detention of goods were widows, and many of their cases revolve around settling their late husband’s debts. John Walot, for example, was owed 2s to Eva widow of Robert Gibson for a horse purchased from Robert, and Juliana, widow of John son of Hugh, was found to have detained 15d for wool her late husband had bought.¹¹⁷ In many cases, the specifics were not stated and it is unclear exactly how many relate to a woman’s personal debt. What is clear, however, is that women appeared in court regarding debts of their late husbands, and this increased dramatically in the Black Death years.

Despite the increasing difficulty in obtaining crops, brewing against the assize increased from 164 to 186. For both sets of data, many women presented multiple times and for most this was their only crime. As has been discussed, selling against the assize was likely an alluring prospect when income from brewing and selling legally was likely relatively modest, and for women who were able to harvest oats themselves, the upheaval of the Black Death may have

¹¹⁴ WCR 2: 152.

¹¹⁵ *The Chronicle of Geoffrey Le Baker*. Trans. by David Preest, ed. by Richard Barber (Boydell & Brewer, 2012) p. 87.

¹¹⁶ WCR 2: 52 (Alice de Sourby); 166, 170 (Matilda Attounend).

¹¹⁷ WCR 2: 161 (Eva Gibson); 147 (Juliana widow of John).

presented an opportunity to increase prices and potentially profit. An account from the *Historia Anglica* may reflect this: 'the threshers, labourers and workmen were so well supplied with cash that they did not need to worry about paying the full price for such foods. And thus, by an inversion of the natural order, those who were accustomed to have plenty and those accustomed to suffer want, fell into need on the one hand and into abundance on the other'.¹¹⁸ Furthermore, it could be suggested that the high mortality rate meant that inexperienced women took the place of those who died, resulting in a lower quality product. As deaths of tenants meant that much rent went unpaid, ale-tasters were perhaps encouraged to be overzealous.¹¹⁹ This may be reflected women being regularly pardoned: some accused of brewing against the assize were found to be innocent, and others were excused without reason or treated leniently because of economic hardship.

Women in both sets of data were involved in land, dower, and contract disputes, which decreased by 45% from forty-four in 1338-40 to twenty-four in 1348-50. Most disputes revolved around dower or other pleas of land but in 1338-40 seven women were amerced for leasing or receiving land without leave of the court. Of these, two were married: Cecily wife of Thomas del Feld and Alice wife of William le Grayve. Alice appeared in court alone and although Cecily and Thomas appeared together, they were amerced separately for leasing land to Hugh Wade, who took an acre from Thomas and third of an acre from Cecily.¹²⁰

Although this may suggest that both single and married women were involved in landholding, women's possessions normally came under the control of their husbands upon marriage and it is not impossible that these illegal land exchanges took place when these two women were

¹¹⁸ H. T. Riley (ed), *Historia Anglica*, 1272-1422, 2 vols, *Rolls Series*, 1863-4, I p. 274.

¹¹⁹ Müller 'Social control' p. 33. Müller argues that the level of crime reported in the manorial court was influenced at least partially by the amount of pressure exerted on communities by the lord, which may have increased in times of population decline or other threats.

¹²⁰ WCR 12: 65 (Alice wife of William); 64-65 (Cecily and Thomas Feld).

single.¹²¹ Whatever the case, clearly in these examples women were held individually responsible.

Although the combined data for land, dower, and contract disputes showed an overall decrease, women involved in violating contracts increased from two to five. Of these seven, five appeared alone in court and of these, four were widows and one unmarried. The two accompanied women were Joanna de Heton, who appeared in court alongside her brother, and Joan, who appeared alongside her husband, Richard.¹²² The fact that out of the seven examples of women involved in contractual disputes across the two sets of data, only one was married and that she was accompanied by her husband may suggest it was predominantly widows or unmarried women who were involved in contracts and after marriage husbands took responsibility for these matters. This reflects the findings of Bennett's Brigstock study, where women involved in contract disputes were either unmarried or acting jointly with husbands.¹²³

In 1338-40, around 360 individuals were involved in illegally cutting trees or stealing wood, of whom 12% were women. This suggests that men were more involved in vert-related crimes, which is perhaps explained by division of labour. Outside of harvest time, it seems that women mainly worked closer to home in tasks such as raising livestock, brewing, or weaving, whereas men's labour may have involved more work in outlying forests and fields.¹²⁴ Therefore, it is likely that men had the means and opportunity to commit such crimes.¹²⁵ That said, the forty-four women involved in 1338-40 made up 9% of all women in

¹²¹ Bennett, *Brigstock Before the Plague* p. 28.

¹²² WCR 12: 241, 250 (Joanna de Heton); WCR 2: 179 (wife of Richard de Southwod).

¹²³ Bennett, *Brigstock Before the Plague* p. 28.

¹²⁴ Bennett, *Brigstock Before the Plague* p. 116; P J. P. Goldberg, *Women in England c.1275-1525* (Manchester University Press, 2013) p. 26.

¹²⁵ Jean Birrell. 'Peasant Craftsmen in the Medieval Forest' *The Agricultural History Review* 17:2 (1969) p. 94; Shelley E. Roff "'Appropriate to Her Sex?'" *Women's Participation on the Construction Site in Medieval and Early Modern Europe* ed. by Theresa Earenfight (Palgrave Macmillan, New York: 2010) p. 109. An example of taking wood for construction is John Gerbot, who was amerced for taking wood illegally for the purpose of building (WCR 2: 24).

court, suggesting they were relatively active in these sorts of crimes. Wood was also important as fuel and certain wood was used as fodder for livestock, making it unsurprising that women were involved to some extent.¹²⁶ Of those involved in 1338-40, only five appear to have been married, suggesting that women's involvement in this crime may have been out of necessity and that men may have been involved on behalf of their families.

During the Black Death years, the number of women involved in forest-related crimes dropped by 52% to twenty-one. As with other criminal activity, the reduced population likely meant fewer individuals to commit offenses and to report them. Similarly, in the upheaval of the Black Death, it may have been easier or preferable to steal wood closer to home. For example, Alice Maunsel stole wood from Walter Maunsel and Margery Gunne stole from Alice Gunne.¹²⁷ Of these twenty-one women, nine were married, compared to only five married women in the earlier data. This suggests that married women were more likely to have been involved in vert-crimes during the Black Death, perhaps due to labour shortages that pushed them into work normally left to husbands.

Twenty-two women were involved in public nuisance crimes in both 1338-40 and 1348-50, although the nature of the crimes differed. During the Black Death, no women were involved in causing obstructions or being common scolds, and only one example exists of a woman involved in an insult case. The crime of depasturing or allowing livestock to escape, however, increased from nine to twenty-one.

During the Black Death, much land was 'lying waste and uncultivated' due to death of tenants and it is therefore reasonable to assume that fences and hedges may have fallen into disrepair, enabling livestock to escape.¹²⁸ For example, in May 1350, Juliana Birstall paid

¹²⁶ Birrell. 'Peasant Craftsmen' p. 91; Martin Spray. 'Holly as a Fodder in England' *The Agricultural History Review* 29:2 (1981) p. 97.

¹²⁷ WCR 2: 173 (Alice Maunsel); 170 (Alice Gunne).

¹²⁸ WCR 2: 261.

heriot for the land of her dead sister, Agnes. A month later, she accused Geoffrey son of Matilda of depasturing Agnes' crops. The fact that the land was specified as Agnes', not Juliana's, suggests it may have been depastured at some point between Agnes' death and Juliana inheriting it, and that Geoffrey may have taken advantage of the upheaval of the Black Death to use his neighbour's land while it was unoccupied.¹²⁹ Furthermore, women may have continued to obstruct roads or allowed branches to overhang the boundaries of their property during the Black Death and the absence of such cases may reflect these crimes being underreported.

Thirty women were involved in raising the hue in 1338-40, compared to thirteen in 1348-50. Women were more likely to raise the hue than have it raised against them: in the pre- and mid-Black Death data respectively, 80% and 100% of women in hue cases were responsible for raising it. The fact that the hue was raised by individuals of both genders and that women tended to be involved more as apprehenders than criminals suggests that women played an important role in keeping order in the community. The nature of their involvement in these cases may also suggest they were less likely to be involved in the types of crimes that justified raising the hue, or that they were more easily apprehended without the need to disturb others. Of those who had the hue raised against them, only two women were found just: Agnes Wright had the hue raised justly on her by William son of John, and the wife of Robert de Sandale raised the hue justly on her husband, who also raised it justly against her.¹³⁰ Unfortunately, no further details are given but the case of the Sandale couple may reflect a domestic dispute escalating to such an extent that it required the involvement of the whole village.

¹²⁹ WCR 2: 241-3 (Juliana Birstall).

¹³⁰ WCR 12: 118 (Agnes Wright); 78 (wife of Robert de Sandale).

Reasons for raising the hue are often omitted but from evidence that does exist, they seem to mainly involve violence. When women raised the hue, it often appears to have been in response to being attacked. For example, Annabel Blaunche and Matilda Kelknycter raised the hue when John son of Philip and Robert Theker drew blood from them respectively, and Margery de Morlay when John Anot ‘beat and ill-treated her’.¹³¹ Women also appear to have raised the hue on behalf of husbands or relatives, such as in the case of Richard son of Henry who had the hue raised on him by John Peny’s wife when he attacked John Peny.¹³²

Individuals were sometimes ruled unjustified in raising the hue, and whether a case was determined just or unjust was likely influenced by factors such as class or gender, as certain behaviours were likely viewed by local authorities or communities as acceptable for those of certain gender or social standing but not for others.¹³³ Therefore much can be learned of women’s status in society by their involvement in these cases. Of the twenty-four women who raised the hue in 1338-40, half were ruled unjust, compared to three out of thirteen in the Black Death years. As with just cases, reasons for the hue being raised unjustly are only sometimes provided. For example, the wife of William de Southwod was amerced for raising the hue unjustly against John Mariotson, who seems to have been involved with her husband in a case of theft, and Henry de Stanley’s wife, Joanna, was unjust in raising the hue on Thomas Bate. A month earlier, Henry and Thomas had appeared in court regarding a trespass case for which Thomas was amerced the relatively small amount of 2d.¹³⁴ For unjustly raising the hue, however, Joanna was amerced 6d. This is perhaps an example of Joanna getting involved in business between only her husband and Thomas, or raising the hue for relatively insignificant matters. Raising the hue would have been expensive and disrupted the whole

¹³¹ WCR 12: 20 (Anabel Blaunche); 78 (Matilda Kelknycter); 221, 234, 240 (Margery de Morlay).

¹³² WCR 12: 124.

¹³³ Müller ‘Social control’ p. 30-31.

¹³⁴ WCR 2: 116 (wife of William de Southwod); WCR 12: 113, 125 (Joanna de Stanley)

village and therefore punishment for doing so was likely a way of deterring its unnecessary use.

As similar studies have found, men made up the vast majority of those involved in assault cases, both as victims and perpetrators.¹³⁵ At Wakefield in 1338-40, 251 men were involved in assault cases, compared to seventy-two women. Of the forty-four female victims, twenty-eight had been attacked by men. In comparison, 131 men were attacked by another man, suggesting men at Wakefield were significantly more likely to assault other men.

Of all assault cases involving women across the data, six were between siblings or in-laws, one between employer and employee, and one a wife attacking her husband.¹³⁶ No clear examples seem to exist of men attacking their wives.¹³⁷ This suggests that women were more likely to be attacked by individuals from outside their families and that spousal abuse, where it did exist, was unlikely to reach the manor court. Furthermore, 64% and 81% of female victims were attacked by men respectively, suggesting that women were more likely to have been attacked by men than by other women. The number of women attacked by men may have been considerably higher; some degree of violence against women may have been tolerated or underreported.¹³⁸ Furthermore, various explanations have been offered for the lower level of female involvement in committing violent crimes, including nature, nurture, and lack of opportunity.¹³⁹ One explanation, the idea that women committed the same level of violent crime but were more skilled in concealing it, seems to be based more on gender stereotyping than evidence.¹⁴⁰ Indeed, if this were the case, it seems illogical that so many

¹³⁵ Bennett, *Brigstock Before the Plague* p. 26-27; Hanawalt, *Crime and Conflict* p. 115-117; Müller, 'Social control' p. 41.

¹³⁶ WCR 12: 222: Eva servant of Henry Pecche drew blood from Amice, wife (or perhaps daughter) of Henry Pecche; WCR 12: 221: Matilda, wife of John Edelot, was amerced 12d for drawing blood from her husband.

¹³⁷ WCR 12: 78. The case of the Sandale couple raising the hue justly against each other may suggest a degree of violence between them, but this is not specified.

¹³⁸ Goldberg, *Women in England*, p. 14.

¹³⁹ Hanawalt, *Crime and Conflict*, p. 115-117.

¹⁴⁰ Hanawalt, *Crime and Conflict*, p. 115-117.

women would have been charged with crimes such as brewing against the assize, which may have been arguably easier to conceal than assault or murder. Whatever the case, clearly women were less involved in violent crimes than men and when they were, they were more likely to be victims than perpetrators.

That said, twenty-eight women presented as defendants in assault cases in 1338-40 and eight in 1348-50. In both sets of data, more than 61% of female assailants attacked other women, suggesting women were more likely to attack those of the same sex. There may be multiple reasons for this: women were perhaps more likely to work alongside other women, leading to opportunity for crime and the potential for conflict, and physical differences or a perceived notion that they were inherently more violent may have discouraged women from attacking men. It may also be the case that violence towards men by women did not reach the manorial court. Albeit limited, there were some socially acceptable reasons for female violence, including disciplining children, but in general medieval culture viewed the ideal woman as nurturing and non-aggressive.¹⁴¹ Therefore, being attacked by a woman may have been perceived as unmasculine and a man in such a position may have been keen to avoid drawing attention to it.¹⁴²

As both victims and perpetrators, women were normally alone, although there were some instances of their involvement in assault cases as part of a group. For example, Henry Bronsmyth's wife, Christiana, was assaulted by Henry de Stanley and his wife; Joanna Gyge's daughter, Alice, was beaten by Nicholas del Stockes and his wife; and Joanna, widow of Hugh Forester, worked with her daughter Alice to beat Cecily Fourbour.¹⁴³ One case also

¹⁴¹ Müller 'Social control' p. 42.

¹⁴² Müller 'Social control' p. 39-42.

¹⁴³ WCR 2: 95 (Henry and Joanna de Stanley); WCR 12: 111 (Alice Gyge); WCR 12: 245 (Cecily Fourbour).

records husbands and wives working together to attack another couple; James del Okes and his wife and Thomas de Milnethorp and his wife were charged with attacking each other.¹⁴⁴

For both women and men, assault cases dropped drastically during the Black Death: men's involvement dropped by 57% to 109 and women's dropped by 67% to twenty-four, suggesting a lower level of violence during these years. Crimes of this sort probably relied on individuals witnessing and reporting them, which was likely to have been affected by the reduced population. Similarly, a lower population may have created less potential for interpersonal conflict, which is perhaps reflected in the reduction of hue cases, and individuals may have attempted to avoid others to prevent getting sick. Additionally, the absence of husbands assaulting wives suggests much about the medieval view of domestic violence. Whatever their reasons, men were clearly not averse to attacking women, including relatives, young and unmarried women, and the wives of other men. Forty women were attacked by men across both sets of data and it is therefore unlikely that, in the four years examined, not a single case of wife-beating occurred. Instead, it seems more likely that some extent of violence between married couples was normalised or tolerated. Therefore, violent crime may be seen in the court record to have dropped significantly during the Black Death but it is likely that much violence towards women either did not reach the court or was condoned or trivialised. Similarly, the private nature of domestic violence means it unfortunately often goes undetected, and it is likely that this also happened in fourteenth-century Wakefield to some extent.

The court rolls record one instance of rape, the circumstances of which are particularly harrowing. In January 1339, Robert Lepar and his wife, Alice, alleged that two years previously Hugh de Stanley had illegally entered their house. According to them, he broke

¹⁴⁴ WCR 12: 220 (Okes vs Milnethorps).

possessions worth 40s, attempted to murder Robert, and raped and abducted Alice, whom he detained for over a year. The jury found Hugh guilty, and he was made to pay 40s compensation for damaging Robert's possessions as well as 6d amercement. This case was brought to the court multiple times but the rape was only referred to once and seemed secondary to the other crimes. Although Hugh was made to repay the 40s of damage caused to Robert's possessions, he was only amerced 6d for the whole affair. To a modern audience, Hugh's attempt to murder Robert, as well as his abduction and detainment of Alice for a year, would perhaps have been expected to earn him time in prison. Yet his continued appearance in court suggests that, having paid compensation and amercement for this crime, he was free to continue ill-treating Alice Lepar, which he appears to do on multiple separate occasions.¹⁴⁵ This suggests that sexual violence was not taken seriously, and there may have been little attempt to protect women from repeated assault. Furthermore, the opportunistic and often private nature of sexual violence suggests it was unlikely to have only taken place in such dramatic circumstances as this case, and therefore its absence in the court rolls perhaps implies it often went unreported or, when it did reach the manor court, was downplayed.¹⁴⁶ Other instances of sexual violence may be seen in the fact that two women were amerced 12d for having been deflowered.¹⁴⁷ Some medieval sources made a connection between leyrwrite and violence, and female servants were sometimes made to pay leyrwrite after premarital intercourse with their employers, which likely reflected rape or at least physical or economic coercion to some extent.¹⁴⁸ In the Wakefield cases, however, the lack of context makes it

¹⁴⁵ WCR 12: 43 (description of rape and abduction case); 43, 78, 221, 252 (Hugh de Stanley's violence against Alice Lepar); 49, 52, 56, 61, 73, 80, 83 (Hugh de Stanley's children vs the Lepars); 60, 162, 247 (debt case between Hugh de Stanley and the Lepars).

¹⁴⁶ Hanawalt. *Of Good and Ill Repute*, p. 131.

¹⁴⁷ WCR 12: 18 (Alice daughter of Henry); 69 (Isabella daughter of Simon).

¹⁴⁸ Judith M. Bennett. 'Writing Fornication: Medieval Leyrwrite and Its Historians: The Prothero Lecture.' *Transactions of the Royal Historical Society* 13 (2003) p. 149-151; Fiona Shapland, Mary Lewis & Rebecca Watts. 'The Lives and Deaths of Young Medieval Women: The Osteological Evidence' *Medieval Archaeology* 59:1 (2015) p. 282-283.

impossible to tell whether this premarital sex was consensual, although it is clear that these women were held accountable regardless.

3.3 Relationships

The number of women in court for non-criminal activities such as exchanging land and paying heriot or merchet increased by 134% to 173. These court appearances, as well as their involvement in criminal activity, can reveal much about their relationships.

Civil activity	Number of women involved		% of women in court	
	1338-40	1348-50	1338-40	1348-50
Merchet	3	8	0.6%	1%
Heriot	6	66	1%	11%
Exchanging land	68	107	13%	18%

Table 4. Women's civil activity: 1338-40 and 1348-50.

It is difficult to know exactly how many women were single, married, or widowed. Many cases offer no contextual evidence or description of relationships between individuals, and women could be referred to by different bynames in different cases, such as Margery Strekays who appears to have been the same individual as 'Margery wife of Adam Tailliour'.¹⁴⁹ Similarly, women were often referred to by forename only, and in many cases their names were omitted entirely.¹⁵⁰

Women were most commonly named in the court rolls with reference to their relationships with men, usually a husband or late husband. Additionally, seventy-seven women were

¹⁴⁹ WCR 12: 17.

¹⁵⁰ For example, Robert Lepar's wife was normally referred to as 'Alice wife of Robert Lepar' (WCR 12: 31, 41, 43, 46, 47, 49, 50, 52, 56, 61, 73, 80, 162, 166, 172, 178, 186, 191, 214, 225, 231, 237, 252) but was once referred to as 'Alice Lepar' (WCR 12: 221). Context makes it clear these were the same women.

referred to by their familial relationships in 1338-40 and 144 in 1348-50. The majority were described as daughters, such as Agnes daughter of Henry Bothem and Isabella daughter of William Broun, but many examples also exist of sisters, such as Alice, sister of Ralph Clement.¹⁵¹ Many such women appear to have been single. Furthermore, around 24% and 29% of women respectively were not referred to in relation to any man and also seem to have been single, although it is impossible to know to what extent due to issues of naming conventions. Regardless, this data does suggest that more single women were in court during the Black Death years than a decade previously, an increase which was likely influenced by the high mortality rate and increase in women paying heriot and exchanging land.

Thirty-six women in 1338-40 and eighty-six in 1348-50 were mentioned as being widows. Similarly, in 1338-40, thirteen individuals were executors of wills, four of whom were executors for their dead husbands.¹⁵² During the Black Death years, the number of executors jumped by 446% to seventy-one. Of these, thirty-one were women, with eighteen acting on behalf of dead husbands, three for fathers, one for an employer, one for a sister, and eight for unspecified relations. In the pre- and mid-Black Death data, the fact that women made up 31% and 44% respectively of all executors shows that it was not uncommon for them to be appointed as such. Appointing wives as executors may have been both impractical, as they were perhaps less familiar with legal proceedings, and legally unnecessary, as widows were not required be executors to claim their dower.¹⁵³ Therefore, the appointment of wives as executors may suggest that many husbands trusted them in managing their affairs and that for some couples marriage was not simply a practical and sometimes hostile arrangement but a partnership.¹⁵⁴ Unfortunately, little literary evidence exists of the romantic lives of medieval

¹⁵¹ WCR 12: 230 (Agnes daughter of Henry); 77 (Isabella daughter of William); 5, 8, 23, 27 (Agnes sister of Ralph)

¹⁵² WCR 12: 195, 198, 201.

¹⁵³ Bennett, *Brigstock Before the Plague*, p. 102-103.

¹⁵⁴ Lawrence Stone. *The Family, Sex and Marriage in England 1500-1800* (London: Weidenfeld & Nicolson, 1977) p. 117.

peasants but the Wakefield court rolls provide much evidence of men giving land to their wives and women appear to have had at least some input in choosing marriage partners, which may be seen in the case of William Albray, who paid merchet for his daughter to 'marry whomsoever she wishes'.¹⁵⁵

Remarriage is mentioned often, especially in the Black Death data, and this is seen in many cases of land exchange from May 1349 onwards. For example, in September 1349, Joan, widow of John de Ossett, surrendered land which was then granted to herself and her new husband, John Raynald.¹⁵⁶ Her late husband accompanied her in court just a month earlier, suggesting that Joan remarried very quickly.¹⁵⁷ Widows may have been keen to remarry for many reasons. Managing and working inherited land may have been a daunting prospect for a lone woman, and during periods of agricultural or socioeconomic upheaval, they may have been encouraged to remarry quickly so lords could collect marriage fines.¹⁵⁸ This may be seen in the fact that many women appeared in court paying merchet for having previously married without license. Similarly, for men, marrying a widow may have been an attractive prospect as their dower could support a new husband and family.¹⁵⁹

The patriarchal society of medieval England made women subordinate to their husbands in many ways, and their treatment in court seems to reflect gender ideals and an attempt at controlling women's behaviour.¹⁶⁰ As has been discussed, the court rolls seem to record two instances of leyrwite and for these unmarried and potentially young women charged with having been deflowered, the 12d amercement would have been a considerable fine.¹⁶¹

¹⁵⁵ WCR 12: 99 (Magot de Elwardhuls); 230 (Agnes daughter of Henry); 161 (Alice daughter of William).

¹⁵⁶ WCR 2: 232.

¹⁵⁷ WCR 2: 196.

¹⁵⁸ Barbara Hanawalt, *The Ties That Bound: Peasant Families in Medieval England* (Oxford University Press, 1986) p. 224; Schofield, *Peasant and Community*, p. 108-109.

¹⁵⁹ Hanawalt, *Peasant Families*, p. 224; Rosamond Jane Faith. 'Peasant Families and Inheritance Customs in Medieval England' *The Agricultural History Review* 14:2 (1966) p. 90.

¹⁶⁰ Van Houts. *Married Life in the Middle Ages*, p. 124.

¹⁶¹ WCR 12: 18 (Alice daughter of Henry); 69 (Isabella daughter of Simon).

According to Bennett, female labourers were unlikely to earn more than 1d a day and additional penalties, including seizing of land, were occasionally issued alongside leyrwite, suggesting an attempt to discourage women from engaging in pre-marital sex.¹⁶² Similarly, although there appear to be no instances of husbands assaulting wives in the Wakefield court rolls, evidence from the medieval period suggests that some degree of violence towards wives was tolerated, especially if husbands were expected to discipline them.¹⁶³ Butler's study of the fourteenth-century coroner rolls from Wakefield found women being treated more harshly for killing husbands than vice versa, which perhaps suggests that although some degree of male violence was expected, women's deviancy from the passive, nurturing ideal was very strongly discouraged.¹⁶⁴

Women's legal subordination to men is also perhaps reflected the fact that husbands were sometimes held accountable for their wife's crimes. For example, from a 1302 record from Halesowen manor court, 'Richard the son of Malle put himself at mercy for his wife's wrongdoing.'¹⁶⁵ In an example from Wakefield, William Hardy and his wife were accused by Ralph Clement and his sister of detaining a chest. When the case was brought to the jury, William Hardy's wife was not mentioned and only William was amerced. His wife seems to have been forgotten in the court process, perhaps suggesting that he was held accountable for her actions.¹⁶⁶ That said, there is much evidence of women being held responsible for their own crimes, and some cases record them being held accountable individually even when committing a crime alongside their husbands. For example, in a debt case between Henry and

¹⁶² Bennett. 'Writing Fornication' p. 151-152; Elaine Clark 'Mothers at Risk of Poverty in the Medieval English Countryside' *Poor Women and Children in the European Past*, ed. John Henderson and Richard Wall (London: Routledge, 1994) p. 150-151.

¹⁶³ Van Houts. *Married Life in the Middle Ages*, p. 132; Goldberg, *Women in England* p.14. Hanawalt *Crime and Conflict*, 115-116.

¹⁶⁴ Sara M. Butler 'Spousal Abuse in Fourteenth-Century Yorkshire: What Can We Learn from the Coroners' Rolls?' *Florilegium* 18:2 (2001) p. 71; Müller 'Social control' p. 42; Hanawalt. *Of Good and Ill Repute*, p.5.

¹⁶⁵ Translated by Goldberg from Wilson, et al. *Court Rolls of the Manor of Hales* in Goldberg, *Women in England*, p. 172.

¹⁶⁶ WCR 12: 5, 8, 23, 27.

Alice Poket, plaintiffs, and Robert and Alice Lepar, defendants, Robert appears in court, but Alice Lepar does not, for which she is separately amerced 2d and order is given to distrain her.¹⁶⁷

It is not always clear whether women were accompanied in court, and the number of women appearing alone is skewed by the vast number involved in brewing crimes, of whom virtually all seem to have been alone. Brewing aside, married women usually appeared in court alongside their husbands, even in cases pertaining to crimes that occurred before their marriage. For example, John Bothem and his wife, Beatrice, appeared in court regarding a debt Beatrice accrued before her marriage, and Robert Deusom accompanied his wife, Agnes, in her complaint about her crops having been trampled by Hugh de Stanley when she was single.¹⁶⁸ That said, this is not necessarily only an indication of women's legal subordination; Hugh de Stanley appears to have been a hardened criminal and there may have been an element of emotional support between the Deusoms.¹⁶⁹

3.4 Land and possessions

Women's involvement in both criminal and civil activity reveals much about their land and possessions. Seventy-four and 165 women appeared in court in 1338-40 and 1348-50 respectively regarding exchanging land and paying heriot, and thirty-seven and twenty regarding land and dower disputes. Therefore, there is clear evidence of many women inheriting land in Wakefield even before the Black Death.

Aside from paying heriot, 107 women in the Black Death years presented in land exchanges, and entry fines seemingly varied depending on the size and condition of land. For example,

¹⁶⁷ WCR 12: 13, 68, 75, 81, 84, 89, 94, 100, 104, 110, 127, 133, 139 (Modesta Tothill vs. Henry Bythebrok and Thomas son of Juliana); 41 (Pokets vs Lepars).

¹⁶⁸ WCR 12: 11 (Beatrice Bothem); WCR 12: 146 (Agnes Deusom).

¹⁶⁹ Hugh de Stanley appeared as a defendant in at least eight other cases, regarding theft, trespass, debt, and improper appearance in court (e.g. WCR 12: 21, 44, 47, 50, 221) and the ongoing burglary, attempted murder, rape, debt, and assault cases involving the Lepars (e.g. WCR 12: 43, 221, 252).

Annabel de Smallegh paid 8d and ‘not more because the land [was] barren and stony’ and similarly Agnes del Wro paid 40d alongside her husband ‘not more because the land [was] barren’.¹⁷⁰ The financial position of women involved in land exchanges also seems to have influenced entry fees. For example, Matilda daughter of Margery paid just 4d and ‘not more because she [was] a poor little thing’.¹⁷¹

Furthermore, in 1338-40 seven women were amerced for having leased out or received land without leave of the court, suggesting that women exercised some degree of freedom in land exchanges. That said, the majority of these women were single; women’s possessions normally came under the control of their husbands upon marriage and therefore it seems that when women married, it was predominantly their husbands who dealt with such matters.¹⁷²

These heriot and land exchanges are especially useful in that they allow a picture to develop of individual relationships and families, and hint at the anxiousness surrounding inheritance in a time when high mortality rates often led to disputes.¹⁷³ An exceptionally detailed instance of this is the case of William Filche. In July 1349, William granted land to his wife, after whose death it was specified to pass to William’s son, Henry. If Henry were to die without a legitimate heir, the land would pass to his brother, John. If John died, it would pass to William Filche’s daughter, Matilda, and if she were to die, it would pass to his daughter Margaret. This line of succession continues in a similar manner and lists a further four individuals who would inherit the land should they die without heirs.¹⁷⁴ Although this shows clearly that women inherited often, it implies a social hierarchy in which sons inherited before daughters and older siblings before younger, although it does suggest that William

¹⁷⁰ WCR 2: 5 (Annabel de Smallegh); WCR 2: 5-6 (John and Agnes del Wro).

¹⁷¹ WCR 2: 29.

¹⁷² Bennett, *Brigstock Before the Plague* p. 28.

¹⁷³ Jewell, ‘Manor of Wakefield’, p. 70.

¹⁷⁴ WCR 2: 170 (Joan daughter of Robert); 142-3 (William Filche case).

Filche's own daughters were valued higher in this case of inheritance than the subsequently listed men who were more distantly related.

Many land disputes also provide evidence of women inheriting from parents and relatives.

One particularly interesting case is that of John son of Nicholas de Bateley who alleged that sisters Margery and Alice de Bateley had deforced him of land. He claimed that his grandfather, Robert de Bateley, had given land to Richard and Elizabeth Longshang, so that after the death of this couple the land should have gone to their legitimate heirs. Although the sisters claimed to be legitimate heirs, John argued they were instead the daughters of William Isbell, Elizabeth's previous husband. The court rolls from 1338-40 reference William Isbell granting land to his daughter, Margery, and Margery likewise giving land to her father, suggesting the sisters' claim to be daughters of Richard was likely an intentional lie and not a case of ambiguous parentage.¹⁷⁵ The court found that the sisters were indeed the daughters of William Isbell, not Richard Longshang; the women were amerced 3d each for deforcement and John son of Nicholas paid heriot to at last take the land that was rightfully his.¹⁷⁶

The court rolls also offer much evidence of women's possessions, and especially useful in this are cases of debt, theft, and detention of goods. As has been discussed, foodstuffs made up the majority of possessions involved in such disputes, but women were sometimes involved in cases surrounding clothes, utensils, weapons, or other possessions. For example, Adam Nelleson detained a buckle and axe from Alice del Eves;¹⁷⁷ alongside her husband, Emma Attebare detained a helmet from Richard Whithundes;¹⁷⁸ and Adam Judson detained Alice de Birkynschagh's table.¹⁷⁹ Most female plaintiffs in debt, theft, and detention of goods cases that involved property appear to have been single, such as Joanna daughter of Matilda

¹⁷⁵ WCR 12: 229-30.

¹⁷⁶ WCR 2: 163.

¹⁷⁷ WCR 12: 198.

¹⁷⁸ WCR 12: 62, 73.

¹⁷⁹ WCR 2: 184.

Trubbe who accused Henry Peny of detaining from her a shirt and a pair of shoes.¹⁸⁰ The implication of this is that young, unmarried women had possessions of their own for which they were personally responsible. Furthermore, these possessions were occasionally luxury items, as is seen in the case of Cecilia daughter of John who claimed a feather bed, a trough, a basket, a boss, and a chest, totaling almost 5s had been detained from her, and Alice de Sourby who had her silver necklace detained by Robert Magotson.¹⁸¹

On the other hand, married women were more likely to appear in court alongside their husbands and were more often defendants in such cases, reinforcing the idea that possessions came under joint ownership of husbands upon marriage.¹⁸² Similarly, some of these items were perhaps not women's personal possessions but rather items relating to their own or their husband's occupation. For example, Alice de Heton was amerced 18d for stealing a beehive, and John Couper accused Adam Isbell of withholding payment for a tunic Adam had purchased from John's wife, suggesting she may have worked in textile production to some extent.¹⁸³

3.5 Occupation

Although the court rolls rarely mention occupation directly, much evidence can still be found of women's work in the fourteenth century. The large number of women amerced for brewing against the assize suggests that brewing was a very common by-occupation which may have increased in popularity during the Black Death. Yet these cases only represent those who did so illegally, meaning that the number of women involved may have been considerably higher. Reference is also made to other by-occupations: women were sometimes amerced for breaking agreements to plough and, in a case between two men in 1340, the

¹⁸⁰ WCR 12: 39.

¹⁸¹ WCR 2: 84 (Cecilia daughter of John); WCR 2: 52 (Alice de Sourby).

¹⁸² Poos and Smith. 'Legal Windows Onto Historical Populations?' p. 134.

¹⁸³ WCR 12: 98 (Alice de Heton); WCR 12: 54.

object for which one party failed to pay was medicine made by Alice de Waddesworth.¹⁸⁴

Young women may have also been employed as maidservants, and twelve women across the data were referred to as such. Life as a maidservant may have been difficult: three of the four maidservants in 1338-40 appeared in assault cases.¹⁸⁵ That said, the court rolls from the Black Death years also record the case of Maurice de Wrenthorp's maidservant, Margery, who was the executor of her late employer's testament and was held responsible for ensuring his debts were paid. This suggests a close relationship between herself and Maurice in which he trusted her to take responsibility of his affairs after his death.¹⁸⁶ This closeness between servants and employers can be seen in other sources: for example, in 1408, Agnes de Kyrketon of York left ten silver marks to her maidservant, Margaret.¹⁸⁷

The prevalence of debt cases suggest that women were trading solely to some degree, although most of these women appear to have been single or widows. Modesta, widow of Thomas Tothill, for example, had various ongoing debt claims; her long-lasting cases against Henry Bythebrook and Thomas son of Juliana, for example, relate to 20d that Henry and Thomas each owed Modesta for oats purchased from her.¹⁸⁸

Evidence for occupation may also come in the form of bynames. Although brewing has been shown to be a common by-occupation, woman referred to with the surname of Brewster are very rare.¹⁸⁹ Evidence suggests that the majority of women were likely to already have been brewing for their own household and may have taken up brewing commercially as casual work that supplemented income.¹⁹⁰ Therefore, the relative absence of the Brewster surname

¹⁸⁴ WCR 12: 197, 209.

¹⁸⁵ WCR 12: 222 (Eva, servant of Henry Pecche); 20 (maids of Robert Arthur and Robert Wolf).

¹⁸⁶ WCR 2: 148.

¹⁸⁷ Translation by Goldberg of YML, C/C Reg. 1 fo. 151 in Goldberg, *Women in England*, p. 88.

¹⁸⁸ WCR 12: 13, 68, 75, 81, 84, 89, 94, 100, 104, 110, 127, 133, 139.

¹⁸⁹ WCR 3: 79, WCR 4: 138, WCR 12:77 (Alice Breuster); WCR 2: 158 (Beatrix Brewster)

¹⁹⁰ Marjorie K. McIntosh. *Working Women in English Society 1300-1620* (Cambridge University Press, 2005) p. 73; Mate. Daughters, *Wives and Widows* p. 39-40.

perhaps emphasizes how common an occupation brewing was: since so many women were involved, distinguishing them as brewsters would not have been helpful. Furthermore, individuals with occupational bynames were rarely in court for crimes related to these occupations, and it seems that many people practiced occupations different to those that their name indicated, suggesting that surnames to some extent were hereditary at this time.¹⁹¹ In the Wakefield court rolls, for example, William Wright was mentioned as being a skinner.¹⁹² It also seems likely that many individuals, especially in rural England, sought income wherever they could and may have worked in a variety of ad hoc jobs, as opposed to working as specialists. Even those who specialized performed many different jobs: butchers, for example, made candles and innkeepers may have been brewers and grain-dealers.¹⁹³

That said, there may have been an element of truth to some occupational bynames, and they still offer much evidence of livelihoods in the mid-fourteenth century. Juliana Spicer, for example, was mentioned in both sets of data for brewing against the assize.¹⁹⁴ In the Middle Ages, spice was a luxurious, high-value product, normally transported and sold by men, although there is some evidence of women working as spicers, meaning that her role as a female spicer is not implausible.¹⁹⁵ However, the Wakefield court roll from 1331-1333 mention Juliana as the wife of William Spicer, suggesting this was her husband's occupation or at least that the couple worked together.¹⁹⁶ Similarly, since spice was a high-value commodity, Juliana may have gained some degree of reputation as the wife of a spice-dealer, meaning that there was no need to refer to her husband when speaking about her.¹⁹⁷

¹⁹¹ James Davis. *Medieval Market Morality: Life, Law and Ethics in the English Marketplace, 1200-1500* (Cambridge University Press, 2012) p. 280-281.

¹⁹² WCR 12: 20.

¹⁹³ McIntosh. *Working Women*. p. 192; Davis. *Medieval Market Morality*. p. 7.

¹⁹⁴ WCR 2: 34, 113, 228; WCR 12: 122.

¹⁹⁵ Davis. *Medieval Market Morality*. p. 6; Goldberg, *Women, Work, and Life Cycle*, p 88-92; McIntosh. *Working Women*. p. 198.

¹⁹⁶ WCR 3: 74, 139, 192.

¹⁹⁷ Davis. *Medieval Market Morality*. p. 6.

Interestingly, no mention was made to William Spicer in either 1338-40 or 1348-50, and Juliana continued to appear alone in court in 1350-1352, so it could also be suggested that she took over her husband's business after his death.¹⁹⁸

Similarly, Alice Coke may have been a cook and although her relative, Walter Coke, was referred to as being a 'cobbler and tanner', it could be suggested that working with leather provided access to meat, which allowed these individuals to earn a living through cooking and selling food.¹⁹⁹

Many surnames relate to farming, livestock, and agriculture. Women appear to have been involved in all stages of textile production in the Middle Ages, especially sheep farming and spinning and carding wool, which is perhaps reflected in the surnames of Amabel, Alice, and Ellen Webster.²⁰⁰ Dairy and poultry products also played an important role in women's economic and commercial activity, and Alice, Annabel, and Agnes Sourmilk's surnames could reflect a reputation for selling sour milk.²⁰¹ Matilda Hog and Emma le Swynlibber's surnames suggest they worked with swine, and may have been involved in gelding, as 'hog' appears to have been used often to refer to castrated swine and 'libber' to the act of castrating.²⁰² Denise Lambhird, Cecily Shephird, and Agnes Lamb may have worked with sheep, and Joanna Tup perhaps with rams.²⁰³ However, it could also be suggested that animal-related bynames referred not to occupation but to personal attributes. For example,

¹⁹⁸ WCR 6: 58-59.

¹⁹⁹ WCR 12: 36, 40 (Alice Coke); WCR 12: 20 (Walter Coke); 'One who prepares and cooks food in a household, a cook; one who prepares and sells cooked articles of food' from Frances McSparran et al. *Middle English Dictionary, Online Edition* (Ann Arbor: University of Michigan Library, 2000-2018) <<http://quod.lib.umich.edu/m/middle-english-dictionary>> [Accessed 20 September 2021].

²⁰⁰ 'One whose occupation is weaving, a weaver' from McSparran, *Middle English Dictionary*; Goldberg. *Women, Work, and Life Cycle*, p. 118-120; WCR 12: 163. WCR 2: 73, 99 (Alice Webster); Ellen Webster (85).
²⁰¹ McIntosh. *Working Women*. p. 196; WCR 2: 55, 114 (Annabel Sourmilk); WCR 12: 2 (Agnes Sourmilk); 64 (Alice Sourmilk).

²⁰² WCR 2: 45 (Matilda Hog); WCR 12: 25, 29 (Emma le Swynlibber). For etymology of hog/lib: George Redmonds et al. *Surnames, DNA, and Family History*, p. 24-25.

²⁰³ WCR 2: 99 (Denise Lambhird). WCR 12 (Cecily Shephird); 161, 166, 172 (Agnes Lamb); WCR 2: 115, WCR 12: 184 (Joanna Tup). 'Tup(pe): a male sheep, ram; also, a ram's skin' from McSparran, *Middle English Dictionary*.

although Juliana Hare's surname may refer to work as a trapper, it could also have referred to her personality or appearance.²⁰⁴ Similarly, Matilda Mous may have been named so because she worked in vermin control or because she was particularly 'mouse-like', although the fact that she assaulted another woman perhaps suggests she was not especially meek.²⁰⁵

Some names, such as Cecilia Waller and Annabel Waynwright, hint at occupations in construction work, although these surnames may have referred to the jobs of husbands or families.²⁰⁶ Evidence exists of women working on construction sites in the later Middle Ages, especially seasonally, and they were likely present in the workshops of their husbands and families, although it is hard to find evidence of this as tax records normally only recorded the occupation of the head of the household.²⁰⁷ Similarly, women involved in construction work in the Middle Ages seem to have worked mainly in transporting materials and water, and the surnames of women such as Juliana and Cecily Carter may hint at this.²⁰⁸ Furthermore, in the Middle Ages, women appear to have been moderately active in metal working, both alongside husbands and as widows taking over responsibility for businesses, and examples such as Alice Smith and Agnes Tyngel may reflect this.²⁰⁹

Further evidence of women's employment comes from a case in April 1339, in which John Eliot was accused of detaining 6d from Robert Eliot for Robert's wife's wages.

Unfortunately, little context is given of this woman's occupation and she does not appear to have been present in court herself, although it is interesting to note that this case was initially described as a debt case between John and Robert Eliot, without mention of a wife.²¹⁰ This

²⁰⁴ WCR 2: 234.

²⁰⁵ WCR 12: 42, 125.

²⁰⁶ WCR 2: 223 (Cecilia Waller). WCR 2: 260, WCR 12: 41, 65 (Annabel Waynwright).

²⁰⁷ Roff, 'Appropriate to Her Sex?' p. 109-113.

²⁰⁸ Roff, 'Appropriate to Her Sex?' p. 113; WCR 12: 123, 220 (Juliana Carter); 219 (Cecily Carter).

²⁰⁹ Goldberg, *Women, Work, and Life Cycle*, p. 127-128; 'Tingel: one of the smallest types of nail, a tack' from McSparran, *Middle English Dictionary*; WCR 2: 251 (Alice Smith); WCR 2: 57, 225, 249, WCR 12: 14, 69, 203 (Agnes Tyngel).

²¹⁰ WCR 12: 74.

may suggest that wages were paid to the husband, not the woman directly, and that men had some degree of control over women's employment, at least when they were married.

Conclusion

The vast and varied range of cases recorded in court rolls of the manor of Wakefield in 1338-40 and 1348-50 portray a rich tapestry of female experience that was interwoven tightly with that of spouses, relatives, neighbours and the wider medieval community, and influenced by both the socioeconomic climate and contemporary ideas of gender. Analysis and comparison of the records from these four years has revealed much about the legal, social and economic situation of rural women in the fourteenth century, allowing a picture to emerge of their lives both before and during the Black Death.

Criminal activity was the leading reason for women's court appearances; they were mainly active in petty, nuisance, or opportunistic crimes and less likely to be involved in violence, either as perpetrators or victims. Women also presented regularly in court for non-criminal activities, namely exchanging land or paying merchet or heriot, and examination of both their criminal and non-criminal activity has revealed much evidence of their relationships, land and possessions, and occupations. The prevalence of debt cases suggests women were active in commerce, and their involvement in dower and land disputes show they inherited land and owned property. Evidence of occupation also suggests that women were likely active in textiles, farming, metal work, and as maidservants, and their presence in court paying their own merchet suggests access to money and the means to accrue wealth. Despite this, although it is likely that women of all ages and marital statuses worked in these occupations, it is predominantly from single and widowed women that we find this evidence, reinforcing the idea that at Wakefield, as in other parts of England, women's property came under the control of their husband upon marriage. Evidence exists also for their legal subordination as part of this patriarchal medieval society: married women normally appeared in court alongside husbands, who sometimes took responsibility for their wife's crimes, and although many women appear to have been shown leniency for petty criminality, it seems that more

serious crimes against them may have been unreported or underplayed. In particular, the absence of assault between husband and wife suggests that violence against women was tolerated, and the court's response to certain cases such as the rape of Alice Lepar suggests medieval society did not always take accusations of male violence against women seriously. Furthermore, some punishments such as leyrwite appear to have been aimed at controlling women or encouraging gender-appropriate behaviour. That said, marriage appears to have been a partnership for many and although little evidence survives of the romantic lives of the medieval peasantry, many cases show men giving land to wives or trusting them as executors.

The arrival of the Black Death impacted life dramatically for the women of Wakefield in the mid-fourteen century, with the courts seeing a greater percentage of women in these years.

The number of widows increased considerably, many women appeared in court to settle debts of dead husbands or to inherit land from relatives, and much evidence exists of remarriage at this time. Far fewer women were involved in land and dower disputes, raising the hue, and assault, and death of husbands seems to have encouraged married women to become involved in crimes previously committed mainly by single women, such as vert. The court rolls record a dramatic increase in land exchanges and debt, theft, and detention of goods, likely reflecting the socioeconomic upheaval and uneasiness surrounding inheritance at a time when the high mortality rate likely led to many disputes. Yet many aspects of life appear to have continued relatively undisturbed; many women continued to brew against the assize, perhaps further encouraged by the opportunity for greater profit, and evidence exists of women's continued involvement in commerce and contracts. At a time when mass mortality may have encouraged many to avoid the manor court, the continued and repeated presence of women, sometimes in seemingly trivial cases, offers a testament to human resilience.

In conclusion, this examination of the Wakefield court rolls from 1338-40 and 1348-50 has revealed much of the legal, social and economic situation of rural women in the mid-

fourteenth century which, alongside other such case studies, offers much potential for comparative study. Going forward, further examination of evidence from both Wakefield and other manor courts, as well as other documentary, artistic and archaeological sources, will allow an even more detailed and intimate picture to emerge of the lives of women in the medieval manor.

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