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# The 'Golden Age' of Women in Medieval London\*

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If we are to understand the legal position of women who lived in London we have to comprehend something of the legal position of women who lived elsewhere in England and more directly beneath the yoke of feudal law. The privileged customs of London, just as they gave greater freedom to men who lived in the city, in the same way mitigated the harshness of the common law as it affected women in London. By the time that Bracton was writing in the first half of the thirteenth century it was accepted by the common law of England that, on marriage, man and wife became one flesh. This theory of conjugal unity - or 'conglutination of persons' as it was scornfully termed by a sixteenth century critic - meant not that the married pair constituted a new or compound persona but simply that the legal personality of the wife became merged in that of the husband. The wife took her husband's name and was no longer a legal entity.<sup>1</sup>

The extent to which the theory of conjugal unity operated differed somewhat, depending upon whether we are considering real estate (land) or personalty (movable goods or chattels). The common law of England was more concerned about land than about chattels for obvious reasons, for land was the crucial source of wealth and status. The wife had no claims upon her husband's landed property during his lifetime but Magna Carta secured to her a share of her husband's lands at his death as dower, to enjoy until her own death. Moreover she was to be allowed to remain in her late husband's chief mansion for forty days. In the fourteenth and fifteenth centuries there developed the practice of creating jointures: instead of the husband providing for his widow by dower, the two families at the time of marriage, or the two parties to the marriage, purchased an estate to be enjoyed by the couple jointly. This would then pass to the widow for her support -

in lieu of her dower claim - and ultimately to the offspring of the marriage. The widow was always free to reject the jointure and claim instead her dower at common law. Of course the wife might have lands of her own, the marriage portion (or dowry or *maritagium*) which was given to her, usually by her parents, on marriage and any lands which she inherited. Her husband had an estate in these lands which endured until the end of the marriage. In theory the husband could alienate these lands without his wife's consent, but in practice this seems rarely to have happened.<sup>2</sup> With regard to property, therefore, the common law allowed a married woman some freedom of action: she could never act independently of her husband and she had no control over her husband's lands, although she could claim a third of them at his death. Over her own lands she retained at least a right of veto and she could regain control of them when she became a widow.

But when we turn to consider goods and chattels the situation is much more bleak for the married woman. In fact the common law of England was not much concerned with movable wealth being 'so small in value and so fragile in character',<sup>3</sup> although this was clearly much less true in the case of the merchant and artisan classes as we shall see. On marriage the common law transferred all possessions to the husband who could dispose of them as he wished - and also any goods which came to his wife by inheritance during the course of the marriage. The attitude of the common law is succinctly expressed in the judgement in 1305 on Catherine Aleyn found guilty in London of receiving stolen goods. She was hanged with the terse comment 'no chattels, because she has a husband'.<sup>4</sup>

But even if the husband had the free disposal of the goods and chattels of the marriage during his life time, at his death they were subject to *legitim*, that is the division into thirds, one part for the widow, one for the children and the final third to be disposed of as the testator chose - usually for the benefit of his soul in pious works. If there were no children the widow was to receive half the goods. Goods and chattels were devised by testaments which were proved in church courts and it was canon law, derived from Roman law, which originally instituted and enforced the practice of *legitim*. It has been recently argued however that the common law of England never really accepted the enforced tripartite division of the testator's goods and that insofar as the practice had ever existed it had largely disappeared by 1400, except in cases of intestacy. But different customs pertained in

different places and in the northern province, especially in the city of York, and in London, *legitim* operated throughout the medieval period and beyond.<sup>5</sup> We shall consider the implications of this later.

It is obvious from what has been written already that we would not expect to find married women making wills (which dealt with land, or strictly speaking the use of land since all land belonged to the king) or testaments (which deal with goods and chattels). Sometimes we find married women making wills in which they devise their own inherited lands, with the consent of their husbands. The situation with regard to testaments was a little different, not least because they were subject to the jurisdiction of church courts rather than the common law courts. Both Glanvill and Bracton denied that a wife might make a testament since all her goods belonged to her husband, but both admitted exceptions to this which depended upon the decency and fair-mindedness of the husband. Again we do, in fact, on occasion find wives making testaments with their husband's consent.<sup>6</sup>

But on this matter the church courts attempted to combat the attitude of the English common lawyers and to treat the testaments of wives (whether authorised by their husbands or not) as valid. A church council of 1261 declared that those who impeded married women in making testaments should be excommunicated and this injunction was repeated by archbishop Stratford in 1342. This provoked the Commons in Parliament to complain in a petition that the Church's assertion of the right of married women (and incidentally of serfs) to make testaments was contrary to reason. The king did nothing, but it seems to have become accepted in England by the sixteenth century that only the testaments of married women which had been authorised by their husbands, were valid.<sup>7</sup>

In spite of the prevailing concept of 'conjugal unity' the common law did make some provision for the married woman (known as a *femme couverte* in/'couverture') to act independently of her husband. She was allowed to act *sole* (i.e. as if she were a single woman or as a widow) if her husband were permanently elsewhere, for example if he had entered a religious order or abjured the realm. In such cases the common law allowed a married woman to make contracts and to devise her lands as if her husband had died, although in the eyes of the church she remained a married woman. Even the common law of England had to bend sometimes to common sense. In the case of criminal cases husband and wife were not considered to be one flesh and the innocent partner was not held responsible for the other's

crimes.<sup>8</sup> To this extent at least the law of England recognised husband and wife as two people, and if we look at the legal position of married women living under the custom of London we find ideas of conjugal unity to be even less practised than in those parts of England where the common law held sway.

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The custom of London as it related to women may be studied firstly in the city's own customals which were compiled during the medieval period, in particular Darcy's Customal of the 1330s and 1340s,<sup>9</sup> and secondly in the records of the cases and judgements in the city's courts, and in particular in the mayor's court.

London women, like those elsewhere, had no say in the disposal of their husbands' lands. But London custom clearly stated that the husband could not permanently alienate the land which belonged to husband and wife jointly (e.g. *maritagium*/dowry, the wife's inherited lands or lands purchased jointly) unless the wife openly consented in the Hustings court.<sup>10</sup> Such cognizances and confessions by women relating to land were to be recorded, as of record, in the Hustings court.<sup>11</sup> Rather more surprisingly, perhaps, the mayor and aldermen upheld the right of wives, who had purchased tenements jointly with their husbands, to retain possession of them after the husband's death and to grant them as they willed (in one case, at least, contrary to the will of the husband).<sup>12</sup>

London citizens held their lands directly of the king in free burgage (or socage) tenure: these lands were free of the obligation of military service and so could be freely devised, just as if they were chattels. So in boroughs, like London, which enjoyed burgage tenure we find wills of land, recorded here in the Hustings court.<sup>13</sup> But a woman, married to a London citizen, could not make a will unless she came to the Hustings court with her husband and openly declared her will. Where the husband's consent was lacking, the will of the married woman in London was void.<sup>14</sup>

In London, as elsewhere, the goods and chattels of the married woman were considered to belong to her husband, at least in theory. But because goods in London, as in other towns, formed a greater part of the estate of a married couple, city custom tended to define more exactly the nature and extent of the husband's ownership. Debts which the wife had incurred before marriage became the responsibility of the

husband after marriage.<sup>15</sup> If goods were stolen from a married woman, the couple had to make a joint plea for their recovery, or the husband might act on his own. In the same way a bill of trespass which alleged assault upon a married woman had to be by joint bill of the husband and wife, affirming the wrong done to the wife. Maud of Rickmansworth sued a writ of trespass against Geoffrey the Goldbeter who, she claimed, in 1376 had stolen substantial goods and chattels from her house in Smithfield. Maud claimed that in this case she could sue Geoffrey independently since she had not been married at the time of the robbery.<sup>16</sup> Conversely, if the wife was accused of a trespass, then although the bill should be sued against the husband and wife jointly, the wife could be expected to answer the bill on her own if the husband failed to appear. If convicted she could be sent to prison until she had provided satisfaction.<sup>17</sup> Thus although the person and goods of the wife were deemed, by conjugal unity, to belong to the husband, so that assaults upon her were considered to be to his damage, and theft of her goods considered to be to the husband's loss, yet the wife could prosecute and be prosecuted independently in city courts, even though the initial bill had to cite both husband and wife.<sup>18</sup> Just as a married woman could not make a will in London without the consent of her husband, in the same way she was bound to record his consent also to her testament.<sup>19</sup>

Although it might seem that the freedoms of married women in London were considerably circumscribed insofar as city custom followed the common law, yet it is clear that a woman who was married to a freeman (citizen) of London was allowed to share in the privileges which he obtained by that status. In 1454 William Bataille, in recognition of his 'long fighting' in Normandy which had reduced him to poverty, was admitted to the freedom of the city so that his wife might be able to keep a shop and trade retail in the city - a privilege reserved for freemen.<sup>20</sup> The married woman in London was frequently to be found pursuing her own 'mystery' or 'craft' and she could take on apprentices to learn her craft. Although the apprentice indenture was made in the name of the husband and wife jointly, it specified that the apprentice was to learn the wife's mystery.<sup>21</sup> Not all such apprentices, moreover, were girls: Maud Picot apprenticed her son for nine years to Robert Sampson, a cordwainer, and his wife Isabel, a tailoress, to learn Isabel's trade.<sup>22</sup>

The married woman in London also had the opportunity of electing to trade as a *femme sole*. The practice may well go back to the early

thirteenth century<sup>23</sup> and is certainly to be found clearly described in Darcy's custumal of the 1340s:

'where a woman, *couverte de baron* (covered by her man, i.e. married) follows a craft of her own in the city in which the husband does not intermeddle, such a woman shall be bound as a single woman as to all that concerns her craft.'<sup>24</sup>

The custumal spells out the implications of such economic independence for a married woman: she could rent a shop or a house in the city and herself be answerable for the rent, for which she, and not her husband, could be sued. She must, 'as if she were a single woman' answer complaints of trespass and actions of account and of debt 'as to that which concerns her trading and merchandise.'<sup>25</sup> In the mayor's court we find cases being prosecuted against married women who were trading sole: the husband was usually named in the plea, but the wife answered the charge. For example in 1444 John Lovell sued Edward Frank and Katherine his wife who traded sole in the art of brewer for a debt of ten shillings and ten pence which he claimed she owed him for four barrels of beer.<sup>26</sup> Katherine denied the debt and was given a day to wage her law - that is she was entitled to come to court with a specified number of men and/or women who would testify to her innocence.<sup>27</sup> Although there are a couple of instances where London widows are described as trading sole,<sup>28</sup> it seems to have been mainly married women who chose to claim the economic status of *femmes soles*; moreover the women whom we know to have traded as *femmes soles* were artisans, embroideresses, cloth weavers, brewers, upholsters, and, predominantly, hucksters.<sup>29</sup> A married woman who chose to act as a *femme sole* enjoyed a measure of economic independence and could, in effect, run her own business, rent a shop, accumulate money (and debts), contribute to taxation and train her own apprentices and servants. The possibilities of the status were entirely economic and in no way political, but they suggest that married women in London, particularly those of the artisan class, were frequently working partners in marriages between economic equals. Indeed there might be financial advantages in being able to shift goods, or cash, from one partner to another in times of economic pressure.

There is no doubt therefore, that in London the common law concept of conjugal unity did not unduly cramp the independence of

married women. It is true that there were legal disabilities and that married women had comparatively little control over property and chattels and could only make wills and testaments with their husband's consent; yet they could, particularly if they were artisans, elect to trade sole and run their own business; they could join their husbands in business, and they could train their own apprentices as well as those of their husbands. But there is no doubt that the opportunities were even brighter for widows and in this case it seems to have been mercantile widows who particularly benefited.<sup>30</sup>

The custom of London, as elsewhere, ensured that the widow had a claim upon her husband's estate: she was entitled to dower which might be a third, if there were children, or a half, if there were none, of his real estate;<sup>31</sup> she was also entitled to *legitim*, that is a third or a half share of her husband's chattels.

Dower in London, as elsewhere in England, was made up of two components. Firstly the widow was entitled to her 'free bench', that is a share in the house in which she and her husband had been living at the time of his death. In 1314 the 'free bench' to which Alice, the widow of John de Harrowe was entitled, consisted of the hall, principal chamber, and cellar together with the shared use of the kitchen, stable, privy and courtyard of her husband's principal tenement - presumably the house which they had jointly occupied before his death.<sup>32</sup> But when, seventy years later, Cristina, the widow of Thomas Clenche was granted her 'free bench' according to 'ancient city custom', she was allowed not a share, but the whole, of her husband's principal tenement. It may have been the relaxation of population pressure in the city which allowed this more generous provision for widows.<sup>33</sup> It seems moreover to have been customary to allow the widow to have not just the rooms, but also their furnishings.<sup>34</sup> The second part of the dower was the third share of the husband's lands or tenements in which the widow would have a life interest and from which she would derive an income.<sup>35</sup>

In the thirteenth century, at least, there seems to have been some uncertainty as to whether the widow in London might retain her dower for life, or only while she remained chaste and unmarried.<sup>36</sup> The confusion arose, perhaps, because the two parts of dower were treated differently and this is made clear in Darcy's custumal. When a widow remarried she forfeited her dower in the free bench, that is her home, but she retained her dower in the lands and tenements from which she had derived her income.<sup>37</sup> The evidence of London wills makes it clear



that London widows were *not* automatically deprived of their dower income on remarriage.<sup>38</sup> The London widow could retain her 'free bench' for life, or until she remarried: this was a more generous provision than the mere forty days which feudal custom allowed to the widow.<sup>39</sup> There were in fact good business reasons, as we shall see, why it might be advantageous in a city like London to allow the widow this extended opportunity to maintain not only her husband's home but also his business.

The practice of dividing a dead man's goods and chattels into three parts and allocating them to the widow, the children and to his soul (*legitim*) seems to have become established as London custom during the course of the thirteenth century.<sup>40</sup> Daarcy's custumal of the 1330s clearly defines the London practice of *legitim*:

Let it be stated that where a citizen of the city has wife and children, all the goods and chattels of the dead man, after his debts are paid, should be divided into three parts, of which one part rests with the dead man and should be distributed for his soul, another part shall be for his wife and the third part to his children to be divided among them equally notwithstanding any devise made to the contrary.<sup>41</sup>

In the fifteenth century, Londoners are to be found bequeathing goods and chattels to their wives with the proviso that if the wife does not consider the bequest sufficient she is simply to have her third part and no more.<sup>42</sup>

The mayor and aldermen seem to have interpreted *legitim* in a way which was particularly advantageous to second wives. In 1369 Lucy, the widow and second wife of Henry Bretforde, secured half of his goods at his death since there had been no children of their marriage, although there *were* children from his earlier marriage. This ruling was later challenged and the words 'no such custom' written in the margin in a later hand.<sup>43</sup>

The practice of *legitim* had ceased in much of England by the fifteenth century and men were devising their goods and chattels as they wished; and yet the practice persisted in York, in Wales and in London. It is difficult to be sure why *legitim* should have persisted in these places while testamentary freedom flourished elsewhere. In Wales it may have been local traditionalism and in London and York the custom may have been seen as a way of preventing the dissipation

of the testator's goods outside the city.<sup>44</sup> The custom of *legitim* was only enforced upon London citizens, and some writers in the seventeenth century came to believe that the existence of the custom deterred men from taking up the freedom. In 1725 the custom of *legitim* was finally abolished by statute in London and the automatic right of widows and children to a share of the goods and chattels of London freemen was extinguished.<sup>45</sup>

But the customs of London in relation to dower and to *legitim* had important consequences for London widows and, on the whole, placed them economically in a more advantageous position than widows elsewhere. A widow was assured of an income for life from a third of her husband's lands and rents and she could live in the family home (and continue thereby to run the business), not simply for forty days but until she remarried. If she chose not to remarry she could run the home and business until her death.<sup>46</sup> But above all the share of her husband's goods, either a third or a half, secured to her automatically by London custom, was particularly important because a considerable portion of a man's wealth was, in London, in his goods and chattels. Quite large sums of money, or valuable goods, could in this way pass to the widow.<sup>47</sup> It is moreover worth remembering that although the widow's dower came to her for her life only and then reverted to her husband's heirs, the goods and chattels which came to her by the custom of *legitim* were hers absolutely.

The widow was free to draw up her own will and her own testament; she was not required to seek the assent of any male relative. By her will she could not bequeath away her dower lands, but she could dispose of the lands which had come to her by inheritance or which she had purchased; hence we find in the records of the Hustings court numerous wills of London widows devising lands as they chose.<sup>48</sup> Moreover London widows could also draw up testaments in which they disposed of quite considerable quantities of money, plate, jewellery, furnishings and, on occasion, books.<sup>49</sup> In this way it can be seen that quite a large amount of the movable wealth of London was distributed through the testaments of London widows who, unlike their husbands, were not bound by any rules about their distribution. The London widow benefited from the custom of *legitim* but was not forced to practice it, hence the greatest testamentary freedom in London was exercised by single women and widows.

But power did not come to London widows only at the point of death; we find them appearing in the city's records as 'freewomen' of

London and it is worth attempting to discover how such a status was achieved and what privileges it conferred.

A man acquired the freedom in one of three ways, by apprenticeship, by patrimony (i.e. inheritance from his father) and by redemption (i.e. purchase). We have seen that girls served apprenticeships in London and that their indentures of apprenticeship were duly enrolled but where we have lists of entries to the freedom (for 1309-1312 and 1551-1553) on completion of the apprentice term, no woman is listed as taking up the freedom.<sup>50</sup> The reason for this may well be that the cost of taking up the freedom was not justified by the meagre privileges which it conferred on a woman; she could not exercise the political privileges, and the economic advantages (e.g. having her own shop) she could enjoy through marriage to a freeman - and most London women do seem to have married. But it was clearly not through apprenticeship that women became freewomen of London.

Entry by patrimony seems to have been just as rare. Alice Bridenell was admitted to the freedom in Mercers' company on payment of twenty shillings, because her great grandfather had been a mercer.<sup>51</sup> But this seems to be a somewhat exceptional case. On occasion we find women purchasing the freedom, perhaps because they were outsiders who were not married to freemen, nor were they the widows of freemen, and yet wished to enjoy the economic advantages of the freedom. But such cases were extremely rare: the names of about 2000 people who bought the freedom between 1437 and 1497 are recorded in the city's recognizance rolls: three of them are women.<sup>52</sup> It seems, in fact, that the route of most women to the freedom was via matrimony, that is, most of the women whom we find described as freewomen of London were, in fact, the widows of London freemen. Indeed in 1465 the court of aldermen declared it to be the 'ancient custom' of the city that every woman who was married to a freeman and living with him at the time of his death might be made free of the city after her husband's death, provided that she lived sole in the city and remained a widow.<sup>53</sup> What is clear however is that she could not bestow the free status on a new husband who was not himself a freeman of London. Whether the freeman's widow had to pay to take up the freedom is not clear but the implication is, perhaps, that she did not, since no fee is laid down by the court. It would appear, however, that widows who wished to be free of the city had to claim such status in a public court. In August 1449 Margaret,

who described herself as the daughter of John Cruse, late tailor, and widow of John Spenser, brewer, drew up her will and declared that she was a freewoman of the city having been admitted to the freedom on 20 May 1449.<sup>54</sup> The implication here is that the date of Margaret's entry to the freedom was in some way verifiable; perhaps there was once a register of 'widow's freedoms' kept at Guildhall and now lost.<sup>55</sup>

It is very rare to find women in London described as freewomen of London and not, apparently, widows.<sup>56</sup> Almost all the examples of freewomen which appear in the city's records come from the later fourteenth and fifteenth centuries and refer to the widows of freemen. In 1369 Alice, the widow of Simon de London, was supported by the mayor and aldermen of the city in her claim to be quit of the payment of toll in other English towns since she was a 'franche homme' of London,<sup>57</sup> and in 1384 Mathilda the widow of Hugh Holbech claimed the right to wage her law as a freewoman of the city.<sup>58</sup> But it is most frequently in wills that we find London widows describing themselves as freewomen of the city and their concern may have been to secure for their wills due execution and recording in accordance with London custom.<sup>59</sup> There were therefore, for the widows who wished to continue to run a business and to trade, considerable advantages in claiming the freedom of the city.

What is interesting is that the widow of a London freeman was not merely *allowed* to continue her husband's business, but was, indeed, expected to do so. It was for this reason that, as we have seen, city custom secured to the widow the whole or part share of the 'principal mansion' of her husband not for a mere forty days but until she chose to remarry. In return for this privilege, the law and custom of the city expected the widow to maintain the household and to continue to instruct her late husband's apprentices. When the widow failed to do this the aggrieved apprentice might complain to the mayor's court. In 1429 John Haccher told the court that when his late master, the ironmonger Richard Gosselyn, had died his widow Beatrice had dismissed his household and refused to maintain him or to teach him 'to his manifest danger of falling into destruction and desolation'.<sup>60</sup> If the widow did not wish to maintain her husband's business household she was expected to make arrangements for the apprentice to be transferred to another master to complete the term of his indenture. But it is clear that many widows did maintain their husband's households and did see to the continued training of the apprentices. Mathilda Penne, the widow of a London skinner continued to train her

husband's apprentice, and of the 1000 apprentices presented for the freedom in 1551-53 on completion of their terms, fifty, or 5%, were presented by their late masters' widows.<sup>61</sup>

For the woman who wished to run her own business and control her own destiny, widowhood offered many possibilities, particularly if she were the widow of a London freeman. City custom secured to her a house, an income for life and a considerable share of her husband's movable wealth. She could take up the freedom which, while it conferred on her no role in city government, yet entitled her to continue to run her husband's business, to open a shop, to be free of toll throughout England, to wage her law in city courts, to train her husband's apprentices and present them in their turn for the freedom and to ensure that the provisions of her will were executed according to city custom. These opportunities were not open to the widows of non-freemen and they are likely to have been seized more frequently higher up the social and economic scale.<sup>62</sup>

At the furthest point of the life cycle we have the unmarried woman, the spinster. We know that there were numbers of single girls apprenticed by their parents to learn crafts in London. The lengths of such apprenticeships ranged from seven to nine years and precluded matrimony during that time.<sup>63</sup> Since a girl was unlikely to be apprenticed before she was ten,<sup>64</sup> this would suggest that there were quite large numbers of unmarried girl apprentices between the ages of 10 and 20 in London, but their failure to take up the freedom - as we have seen earlier - on the completion of their apprenticeship, would suggest that most of them married. When women appear in the city records they are usually identified as wives or widows, but one cannot be sure that those who are not so designated are not in fact married. Unfortunately there are no poll tax lists for London but in Southwark, single women described as 'hucksters', who might be married, and as 'spinsters', who never were, occur in quite large numbers.<sup>65</sup> Recent work on northern towns in the late fourteenth century has suggested not only that women did not marry until their twenties but that a significant proportion may never have married.<sup>66</sup> Those who did not marry tended to be poor and most women seem to have sought security in matrimony. A young woman who did not wish to marry could, if she were well enough endowed, enter a religious house as a nun or, if she were poorer, work as a lay sister or nurse in such a house.<sup>67</sup> She might, of course, become a prostitute.<sup>68</sup>

In this survey we have found women working in their teens, in

middle age and in old age; we have found them in a social cross section of society ranging from poor hucksters, through artisans to merchants; we have found them single, married and widowed. In these circumstances it is not surprising that they are to be found at work in every kind of trade and craft. The range and variety of activities in which we find women engaged in London in the fourteenth and fifteenth centuries need not surprise us.<sup>69</sup> There seem to have been certain activities where women were particularly active. Much of the buying and selling of food and of small items, selling which took place in the streets of London rather than in shops, was carried on by women known as hucksters. Half the women who occur among the original bills of the Mayor's court in the fifteenth century sued as *femmes soles* were trading as hucksters.<sup>70</sup> Moreover women were particularly active in the sale of fish: in 1379 all the 18 stalls at the standard in Cheapside and at the north door of St Paul's were leased to women.<sup>71</sup> Women seem often to have kept ale houses or inns and, in connection with this, to have brewed beer. In 1418 of the 234 members of the Brewers' Company, 39 were women.<sup>72</sup> In their wills London women, like Mathilda de Mynns (who was not only a brewster but also a painter) bequeathed their brewing utensils.<sup>73</sup> Obviously women were to be found in many aspects of the clothing trade and in the various processes of making woollen cloth but, above all, as silkwomen. In practising this craft they formed a guild in all but name and displayed a certain amount of collective activity. But it is likely that they always remained to a certain extent under the protective and protectionist wing of the Mercers' Company.<sup>74</sup> But there is no doubt that a skilled silkwoman of London was able to live a rich and prosperous life: Alice Claver, silkwoman, for thirty years a widow, made twelve tufts of silk and gold to decorate the coronation gloves of Richard III, laces of purple silk and gold thread for the coronation mantles of the king and queen and white silk and gold lace for Queen Anne's vigil mantle. Her household contained a girl apprentice, Katherine Claver, and boys whom she apprenticed elsewhere (possibly her husband's apprentices), two servants and a little boy and girl whom she took in out of charity. Her will provides a clear indication of the purposeful self-sufficiency of London widows in the fifteenth century.<sup>75</sup>

The picture of the lifestyle of women in medieval London is quite a rosy one; their range of options and prospects differed only slightly from those of the men who shared their level of prosperity.<sup>76</sup> But it is

clear that the situation began to change in the course of the sixteenth century although elsewhere the deterioration in the position of women seems to have come earlier.<sup>77</sup> By 1570 the Drapers' Company refused to allow Mr Calverley and his wife to take on a 'mayden' as an apprentice 'for that they had not seen the like before', and only after they had taken further advice did they allow the girl to be enrolled.<sup>78</sup> This case indicates that by 1570 girl apprentices (as opposed, perhaps, to servants) were rare and points clearly to a change in the formal economic role of women in London. This change is confirmed by a study of London apprentice records covering the years 1570-1640 which revealed that among 8000 apprentice enrollments not one was a woman - and this survey covered a wide range of companies.<sup>79</sup>

This erosion of the economic opportunities open to women has been noticed elsewhere, not only in other English towns, but in Europe also.<sup>80</sup> It may be that the 'visibility' of women in English towns in the later middle ages was caused by the ravages of the Black Death which threw women into the manpower breach caused by endemic plague. But as the recession began to bite into the economy in the fifteenth century women's work began to be pushed to the margins. Obviously this discrimination against women appears first in the 'more vulnerable' towns where the economy was based on the export of textiles.<sup>81</sup> London was to some extent immune from this recession, since its economy was more diversified, but by the sixteenth century the demographic rise had wiped out a labour shortage and replaced it by a labour glut. For this reason women were pushed out of the skilled labour market and they were no longer to be found in London enrolling to be trained as apprentices to learn a craft skill. Of course they continued to work but largely in informal and dependent positions, rather than as apprentices. It also appears that at the other end of the social scale merchants were increasingly turning themselves into country gentlemen and it was no longer compatible with their gentlemanly status for their wives to trade sole, to train apprentices or to carry on their own businesses.<sup>82</sup>

What is clearly the case, however, is that women in the period - say 1300-1500 - when they exercised economic 'clout' in London, failed to seize for themselves a public or political role. It would, probably, have been surprising if they had done this; but the fact remains that although we have seen women exercising the legal privileges and economic opportunities accorded to them by the customs of London, they never pursued the political privileges of



freemen. They are not to be found in wardmotes nor holding any ward office;<sup>83</sup> they had a role in city companies but not a governing role;<sup>84</sup> they played an important part in parish fraternities but never served as masters or wardens.<sup>85</sup> Hence when the economic pressures came in the sixteenth century, when the growth in the population militated against the employment of women and when there were moves towards more capitalistic methods of production, then in London and all the other English towns, women were not in the political positions where they might have been able to control or influence these developments. In some senses women lost ground in the sixteenth century in the City of London which has still to be recovered.

#### NOTES

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<sup>1</sup> This paragraph and the following six are based upon a number of works: G.D.G. Hall (ed.), *Treatise on the Laws and Customs of the Realm of England commonly called Glanvill* (London, 1965); Samuel E. Thorne (ed.), *Bracton on the Laws and Customs of England*, vol. ii (Cambridge, Mass. 1968); [T.E.] *The Lawes Resolutions of Womens Rights or the Lawes Provision for Women* (London, 1632); C.S. Kenny, *The History of the Law of England as to the effects of marriage on Property and on the wife's legal capacity* (London, 1879); Frances Griswold Buckstaff, 'Married womens property in Anglo-Saxon and Anglo-Norman law and the origin of the Common law Dower', in *Annals of the American Academy of Political and Social Science* vol. iv (1893-4), 223-64; F. Pollock and F.W. Maitland, *The History of English Law*, 2 vols. (Cambridge, 1898), esp. vol. ii; F. Joüon des Longrais, 'le statut de la Femme en Angleterre dans le droit commun medieval', in *Recueils de la Societé Jean Bodin pour l'histoire comparative des institutions*, vol. xii *La Femme*, part ii (Brussels, 1962), 135-241; Ruth Kittel, 'Women under the law in Medieval England 1066-1485', in Barbara Kanner (ed.), *The Women of England from Anglo-Saxon times to the present: interpretive bibliographical Essays* (Hamden, Conn., 1979), 124-37; Janet Loengard, 'Legal History and the Medieval Englishwomen: A Fragmented View', *Law and History Review*, vol. iv, (1986), 161-78; Richard M. Smith, 'Some developments in womens' property rights under customary law in the



thirteenth and fourteenth centuries', *Trans. Roy. Hist. Soc.*, vol. xxxvi (1986), 165-94.

<sup>2</sup> Pollock and Maitland, *History of English Law*, ii, 404, 410. The common law provided a writ, *cui in vita* which enabled the widow to recover land which had been alienated by her husband without her consent. The 'curtesy of England' allowed a widower to enjoy his wife's lands, provided that a child survived of their union, until his own death. The lands then passed to the wife's heirs, who might not be the husband's heirs if their children had not survived.

<sup>3</sup> Kenny, *History of the Law of England*, 63.

<sup>4</sup> Ralph B. Pugh (ed.), *Calendar of London Trailbaston Trials under Commissions, of 1305 and 1306*, (HMSO, 1975), 72.

<sup>5</sup> R.H. Helmholz, 'Legitim in English Legal History', *University of Illinois Law Review*, (1984), 659-74.

<sup>6</sup> Pollock and Maitland, *History of English Law*, ii, 428.

<sup>7</sup> Michael Sheehan, *The Will in Medieval England* (Toronto, 1963), 234-41.

<sup>8</sup> Mary Bateson (ed.), *Borough Customs*, 2 vols. (Selden Society, 1904, 1906), vol. ii, cxiii-cxiv; Pollock and Maitland, *History of English Law*, ii, 434.

<sup>9</sup> The London customals which contain information about the position of women are the following: B.L. Additional Ms. 14252 edited by Mary Bateson as 'A London Municipal Collection temp. John', *Eng. Hist. Rev.* xvii (1902), 480-511; Darcy's Customal which was compiled in the 1340s but is now lost. It was copied extensively by John Carpenter when he compiled *Liber Albus* in the early fifteenth century, see H.T. Riley (ed.), *Munimenta Gildhallae Londoniensis: Liber Albus, Liber Custumarum et Liber Horn*, 3 vols. (Rolls Series, 1859-62) also H.T. Riley (trans.), *Liber Albus: the White Book of the City of London* (1861); William Kellaway, 'John Carpenter's Liber Albus', in *Guildhall Studies in London History*, iii (1978), 67-84 demonstrates that much of Carpenter's customal was copied, or actually lifted, from earlier city customals; Darcy's Customal was also borrowed and copied by Robert Ricart when he compiled, c.1480, *The Maire of Bristowe is Kalender*, ed. Lucy Toulmin Smith (Camden Soc., 1872). These two fifteenth century customals therefore preserve much of the custom of early fourteenth century London.

<sup>10</sup> For cases where the wife made a joint alienation with her husband in the Hustings court see H.M. Cam (ed.), *Eyre of London 14 Edward II A.D. 1321* (Selden Society, 1968), lxxi, 288-91 and Martin Weinbaum (ed.) *The London Eyre of 1276* (London Record Society, 1976), 105. If a husband made a final concord without his wife's consent, it would hold good only during his lifetime and after his death the widow might sue for recovery, *Liber Albus*, 71. Darcy's customal records, however, that a husband might, on his own, devise the reversion of tenements which he held jointly with his wife, Ricart, 97. For the practice in other boroughs, see Bateson, *Borough Customs*, ii, c-

ciii. There is no evidence that the 'curtesy of England' (see above n.2) applied in London, although it was practised in other boroughs in order to maintain a home for the 'unemancipated children', *ibid*, ii, cvii-iii.

<sup>11</sup> Ricart, 99.

<sup>12</sup> Bateson, *Borough Customs*, ii, 106-7; R.R. Sharpe (ed.), *Calendar of Wills Proved and Enrolled in the Court of Husting London 1258-1688*, 2 vols. (London 1889-90) (hereafter *HW*), vi-vii; A.H. Thomas (ed.), *Calendar of the Plea and Memoranda Rolls of the City of London 1323-64*, (Cambridge, 1926) (hereafter *CPMR*), 53. In this case, in 1328, the widow granted the tenements to her daughter although her husband wanted them to go to the son. In a similar case the royal judges upheld the right of Helen, widow of Robert Turk, fishmonger, to grant a house to the Bardi which she and her husband had acquired jointly, in spite of attempts by the son to gain possession, Cam, *Eyre of London*, lxxi, 152-7.

<sup>13</sup> Ricart, 97; see for example *HW*, ii, 599-600. Although, strictly speaking, the London citizen's power of free devise related only to his London lands, by the fifteenth century it is clear that he considered his lands elsewhere to be subject to the same freedom, see E.F. Jacob, *Register of Henry Chichele, archbishop of Canterbury 1414-1443*, vol. ii (Oxford, 1937), xxxvii and n.5.

<sup>14</sup> 1256 decision to this effect recorded, T. Stapleton (ed.), *Liber de Antiquis Legibus* (Camden Soc., 1846), 24, 26. For invalidated wills, see *HW*, i, xlii, 105, 188.

<sup>15</sup> e.g. 1477, the debts of Elizabeth, widow of Thomas Cockayne, became the responsibility of her new husband, Thomas Charles, Esquire, *CPMR* 1437-57, 97, 101-2; William Norton sued Henry Ridell and his wife Egidia for a debt of 10 marks which Egidia had incurred before her marriage, Corporation of London Record Office (CLRO), Mayor's Court Files 3/59.

<sup>16</sup> In fact she failed to prosecute her plea, Cam, *Eyre of London*, 325-6.

<sup>17</sup> *Liber Albus*, 205.

<sup>18</sup> It would seem that women cited in city courts often acted through professional attorneys, e.g. the cases of Margery, widow of William Crowche, in 1454, and Joan widow of Richard Bokeland in 1457, *CPMR* 1437-57, 149, 155. When it was necessary to provide information on oath in city courts, husbands usually deposed on behalf of their wives, e.g. case in 1439, *ibid*, 11-12. Married women could, however, wage their law in city courts to prove their innocence, see below, n.27. In the early thirteenth century women whose husbands were absent might swear as to their tax assessment, and also pay it themselves, Bateson, *Eng. Hist. Rev.*, 509.

<sup>19</sup> Alice Benyngton in 1395 was licensed by her husband to make a testament which was proved in the Archdeaconry Court in 1403, see Guildhall Library Register Ms. 9051/1 1403 f.8v. In fact among the 1390 testaments from the years 1380-1415 proved in the Archdeacon's Court, only three are those of married women. I owe this information to the kindness of Robert A.

Wood.

<sup>20</sup> CLRO Journal 5 f.210v.

<sup>21</sup> 'And married women who use certain crafts in the city by themselves without their husbands, may take women as their apprentices to serve them and to learn their crafts, and such apprentices shall be bound by their indentures of apprenticeship to the man and his wife to learn the mystery of the women, and such indentures shall be enrolled, whether for women or for men', Ricart, 103.

<sup>22</sup> Isabel was sued by Maud Picot because she had failed to teach her apprentice, or to provide him with his keep, CLRO Mayor's Court Files 1/50. In 1309/10 John de Staundone, cornmonger, was admitted to the freedom having been apprenticed to Agnes de Eure, the wife of John Coventry, for seven years, R.R. Sharpe, *Calendar of Letter Books of the City of London: Letter-Book D* (hereafter *LBA/L*), (London, 1902), 109-10; Matthew Wynefeld, who was apprenticed to Agnes Pykerell ran away to Carlisle in 1366, R.R. Sharpe, *Calendar of Letters from the Mayor and Corporation of the City of London 1350-1370*, (London, 1885), 125.

<sup>23</sup> The early thirteenth-century city custom has a section dealing with the raising of a tax on rents in the city. Each man was to swear to his assessment, for himself, his wife and his children, 'and every woman who trades is treated similarly if she is by herself and trades openly'. The clause is a little ambiguous and does not make it clear whether it refers to single women and widows, or to wives who have chosen to trade on their own, Bateson, *Eng. Hist. Rev.*, 509.

<sup>24</sup> *Liber Albus*, 204-5.

<sup>25</sup> *Ibid*, 205-6, 218-9.

<sup>26</sup> CLRO Mayor's Court bills 3/210.

<sup>27</sup> *Liber Albus*, 203-5 where it is recorded as city custom that women might wage their law in the city with the help of men or women as they pleased. Isolde de Tatershall, a householder in London but not necessarily a woman who traded sole, successfully waged her law when accused of inciting two people to murder and arson, Helena M. Chew and M. Weinbaum (eds.), *The London Eyre of 1244* (London Record Society, 1970), 57-8; in 1365 Adam, the gaoler of Newgate and his wife Alice were jointly sued for twenty shillings which had been entrusted to Alice. The couple denied the debt and Alice, with the consent of her husband, successfully waged her law. Although there is no indication that Alice traded sole, yet the case shows that married women could wage their law independently, *CPMR 1364-81*, 23.

<sup>28</sup> William North, clerk, brought a suit against John Northey, poulterer, and his wife Margaret for a debt of £40 which she had incurred while she was sole, in the name of Margaret Carpenter, widow, CLRO Mayor's Court bills 3/242. In 1440 Margaret, the widow of John Salisbury, asked the court to recognise her status as a 'merchant sole' within the city and to allow her the

benefit of custom relating to that condition. In this case it appears that Margaret, who was supported by two fishmongers, may in fact have been claiming the status of a freewoman of London (see below), *CPMR 1437-57*, 35-6.

<sup>29</sup> Women trading as *femmes soles*, as dealers in white silk, as a shepster, as a upholster and as a huckster, CLRO Mayor's Court bills 1/123; 3/66; 3/80; 3/273; 3/377. In 1382 Isabelle Yerdele made and sold woollen cloths as a *femme sole*, *CPME 1381-1413*, 20.

<sup>30</sup> See Maryanne Kowaleski, 'The history of urban families in England', *Journal of Medieval History*, xiv, (1988), 44-63, esp. 55-7 and references there cited.

<sup>31</sup> It was very rare, outside towns, for a husband to create a dower for his wife out of movables, Kenny, *The History of the Law*, 63; in 1246 Margery, the widow of John Vyel, had been allocated a specific dower by her husband's will and tried to claim instead a third of her husband's chattels. The mayor and aldermen decided that where a wife had been assigned a specific dower - whether in land or chattels - she could not then claim more from his chattels than had been allocated to her under his will, *Liber de Antiquis Legibus*, 12-16. Bracton clearly knew of this judgement and glossed it approvingly for this would leave the husband free to bequeath something extra to the widow depending upon her behaviour towards him during his lifetime, Bracton, ii, 180; in 1391 Alice, the widow of William Ancroft, mercer, received 500 marks from her husband's estate as dower, together with her clothing and the furnishings of her chamber, *CPMR 1381-1413*, 177 and n.; John Wakele, vintner, left his wife certain lands and tenements for life (as dower) on condition that she was content with the portion of goods and chattels which he had left her. If she was not content then she was to have only the dower in his chattels (i.e. no lands and rents) allowed to her by the law and custom of the city, *HW*, ii, 371.

<sup>32</sup> *LBE*, 33-34; *Liber Albus*, 68, 393. This decision seems to have been known to Darcy when he compiled his custumal, Ricart, 102.

<sup>33</sup> *LBH*, 253.

<sup>34</sup> See the wills of John de Knopwed and 1341 and John Hammond in 1349, *HW*, i, 448, 516 and n.31 above.

<sup>35</sup> *HW*, i, xxxviii and n.4. In 1384 it was clearly stated that Cristina, the widow of Thomas Clenche, was to have her free bench together with a third of the tenements and rents in the city of which her husband had died seised as dower, *LBH*, 253. In 1397, however, it was clearly stated that a man might not devise to his wife more than a life interest in his tenements, i.e. the widow's heir, as distinct from the husband's heir, had no claim on her dower lands, *CPMR 1381-1413*, 256-57; see also the case which came before the royal justices, Cam, *Eyre of London*, lxxii, 157-62; in 1282 Alice, widow of William Bokerel, exchanged the third part of a house to which she was

entitled as dower for 8 marks and a gown worth 20 shillings, *LBA*, 52.

<sup>36</sup> Bracton wrote that according to London custom the widow only retained her dower until she remarried, Thorne, *Bracton*, iii, 400; but Britton argued that although this used to be London custom, it was no longer operative, F.M. Nichols (ed.), *Britton* (Oxford, 1865), ii, 291.

<sup>37</sup> Darcy, Ricart, 102. For a clear statement of the two parts of dower in London see case of Cristina Clenche, n.35 above.

<sup>38</sup> *HW*, i, xxxix and n.6.

<sup>39</sup> Bateson discussed the variety of borough practice in relation to dower lands and freebench. It would seem that London custom was particularly generous to widows, *Borough Custom*, ii, cvii-cx.

<sup>40</sup> See above; Sheehan, *The Will in Medieval England*, 294; see the will of Henry de Enfield of 1290 where the tripartite division is clearly made, W.O. Hassall (ed.), *Cartulary of St Mary Clerkenwell* (Camden Society, 1949), 256-57.

<sup>41</sup> Ricart, 100. The wife and children, if deprived of their appropriate share, might sue for recovery before the mayor and aldermen.

<sup>42</sup> Jacob, *Register of Henry Chichele*, ii, xxxvii; see also the will of John Woodcock, mercer, in 1408, *HW*, ii, 398.

<sup>43</sup> *LBG*, 250 and n.1. This decision was copied into *Liber Albus*, i, 392-93 in the fifteenth century. In the sixteenth century it was ruled that the custom of giving the widow of a second marriage half the goods only applied when the children of the first marriage had already been advanced by their father.

<sup>44</sup> Kenny, *The History of the Law*, 66-68; Helmholz, 'Legitim in English Legal History' (see n.5 above); an anonymous discourse of 1584, attributed to Henry Middleton, defended *legitim* on these grounds, cited K.E. Lacey, 'Women and work in fourteenth and fifteenth century London', in L. Duffin and L. Charles (eds.), *Women and Work in Pre-Industrial Britain* (London, 1985), 24-78 esp. p.38.

<sup>45</sup> *HW*, xxxiii-xxxiv; the custom was abolished by statute in York in 1693 and in Wales in 1696, Pollock and Maitland, *History of English Law*, ii, 349-56.

<sup>46</sup> See for example the case of Margaret Whitby, a widow of London, who submitted a bill for wax and tapers supplied to Dame Elizabeth Stonor in 1477-78, amounting in all to 21s 6d, C.L. Kingsford (ed.), *The Stonor Letters and Papers* (Camden Society, 1919), ii, no.227.

<sup>47</sup> Felicia, the widow of John Woodcock, mercer, received 2000 marks and the contents of their houses, as well as a quantity of silver plate, *HW*, ii, 398.

<sup>48</sup> 25% of all the wills enrolled in the Hustings Court between 1271 and 1501 are those of women, most of whom were probably widows.

<sup>49</sup> For examples both of largesse and of post mortem control by widows see the cases of Adeline Claidich, *CPMR 1437-57*, 125; Margaret Bate, *CPMR 1458-82*, 43; Dame Alice Wyche, *ibid*, 101-4; at the end of the sixteenth century the 'diffuseness' (i.e. the recognition of distant kinship ties and the importance of friends, neighbours and servants) of the wills of London widows has been noted, Vivien Brodsky, 'Widows in late Elizabethan London: remarriage, economic opportunity and family orientations', in L. Bonfield, R. Smith and Keith Wrightson (eds.), *The World we have Gained* (Oxford, 1986), 148-52.

<sup>50</sup> 1309-12, *LBD*, 96-179; 1551-53, C. Welch, *Register of the Freemen of the City of London* (London, 1908).

<sup>51</sup> Jean Imray, 'Les Bones Gentes de la Mercerye de Londres: a Study of the Membership of the Medieval Mercers' Company', in A.E.J. Hollaender and William Kellaway, *Studies in London History presented to Philip Edmund Jones* (London, 1969), 155-78, esp. 163.

<sup>52</sup> CLRO Recognizance Rolls nos. 13-25; 25 June 1448 Agnes Hille, upholster, Roll 17 m.2d; 8 May 1451 Anne Boston, widow, mercer, Roll 19 m.4d; 19 April 1453 Elena Style, widow, vintner, Roll 21 m.4; 1309-12, of the hundreds of purchases of the freedom recorded in *LBD*, 35-96, only two of the purchases are made by women, see 51, 75. M.K. Dale suggested that women who had acquired the freedom before marriage had it suspended during *couverture* and then resurrected it when they became widows, 'Women in the Textile industries and trade in 15th-century England', unpublished London M.A. thesis, 1929, 35. But there is really no evidence that women took up and exercised the freedom before marriage.

<sup>53</sup> CLRO Journal 7 f.89.

<sup>54</sup> *HW*, ii, 520; see also the case of Margaret, widow of John Salisbury, n.28 above.

<sup>55</sup> That there may have been a register of such freedom entries (possibly simply entered alongside those of men) is also suggested by the fact that the mayor was able to certify, in response to a royal writ in 1389, that Margery, the widow of Hugh Bromhill, pinner, was a citizen of the city according to custom, *CPMR 1381-1413*, 151.

<sup>56</sup> In 1382 Margery at the Copped Hall (possibly an inn-keeper) claimed her rights as a freewoman, and two wills drawn up in 1387 and 1408 describe the testators simply as 'citizen and freewoman', *CPMR 1381-1413*, 19; *HW*, ii, 263, 381. Thomas Myrfyn, skinner, in his will made a bequest to six poor women, free of the craft of skinners, which might imply that they were singlewomen or, more likely, the widows of skinners actively engaged in the craft, E. Veale, *The English Fur Trade in the Later Middle Ages*, (Oxford, 1966), 100.

<sup>57</sup> Sharpe, *Calendar of Letters*, 170.

<sup>58</sup> In this case her oath helpers were six women, *CPMR 1381-1413*, 51. In

1454 Margery, widow of William Crowche, when sued for debt claimed her right to wage her law as a freewoman of the city, *CPMR 1437-57*, 149-50; see n.27 above.

<sup>59</sup> Six wills of London widows and freewomen are enrolled in the Husting Court between 1477 and 1537, *HW*, ii, 589-90, 603, 604, 618-19, 641-42, 644. Joanna Fastolf was described as a freewoman of London in a case before the king's justices in 1420, but she is not so described in her will, *LBI*, 221; *HW*, ii, 419.

<sup>60</sup> 7 March 1429, since John Haccher had already served nine years of his apprenticeship, he was admitted to the freedom, *CPMR 1413-37*, 230-31. In a similar case William Skydmore, who had served fourteen years of an apprenticeship to Thomas Fauconer, mercer, but found that after his master's death his widow, Philippa, failed to provide for him or to teach him was released from his indentures, 9 November 1434, *ibid*, 280. See the suits brought against the widow by aggrieved apprentices in the Mayor's Court, CLRO, Mayor's Court bills 3/290, 3/295.

<sup>61</sup> Veale, *The English Fur Trade*, 100; Welch, *Register of Freemen*. There are clear signs, however, that by the end of the sixteenth century London widows were much less commonly maintaining their husband's households and presenting apprentices for the freedom, Brodsky, 'Widows in late Elizabethan London', 141-43.

<sup>62</sup> Brodsky demonstrated that in late sixteenth-century London the very poor widows had little chance of remarrying and also that the social elite, the widows of the London aldermen, remarried comparatively infrequently, therefore it was women from the middling ranks, from craft and trade backgrounds, who remarried most frequently, *ibid*, 123-24, 128.

<sup>63</sup> Margaret Bishop of Sleaford in Sussex entered into indentures on her own behalf for seven years in 1378, Westminster Abbey Muniments, 5966; Elizabeth Eland from Lincolnshire was apprenticed by her father for seven years in 1454, PRO E210/1176; in 1447 Eleanor, the daughter of Simon Fincham was apprenticed to a London silktwister, Norfolk Record Office, Hare Mss. no.2091 (I owe this reference to the kindness of Dr Roger Virgoe.) Not all female apprentices came from outside London: in 1375 John Reyner, a London citizen, left 10 marks to pay for his daughter's apprenticeship, *LBH*, 3; parents from Southwark apprenticed their daughter to a London capper for nine years, CLRO Mayor's Court bills 2/3.

<sup>64</sup> The father of Katherine Lightfoot who was less than fourteen years old, claimed that she had been apprenticed to a carpenter and his wife against her will and under age. The Mayor's court agreed and exonerated her from the apprenticeship, *CPMR 1413-37*, 229.

<sup>65</sup> P. Jeremy P. Goldberg, 'Female Labour, Status and Marriage in Late Medieval York and other English towns', unpublished Cambridge PhD, 1987, Tables 2:1 and 2:2 and 'Female labour, service and marriage in the late



medieval urban North', *Northern History*, xxii (1986), 18-38.

<sup>66</sup> Single women appear usually to have been poor and often lived together in 'spinster clusters' on the poorer fringes of towns, *ibid.*, 20-21.

<sup>67</sup> The wills enrolled in the Hustings court reveal at least thirty instances of the daughters, or neices, of London citizens entering religious houses. The most popular houses were those around London, Halliwell, Clerkenwell, the house of Minoreesses, St Helen's Bishopsgate, Kilburn, Stratford, Barking and Syon. Isabella, the orphan daughter of Robert Westmelne, a tailor, was handed over to the Prioress of Halliwell, together with her share of her father's estate. On reaching the age of fourteen she was to be allowed to choose whether to stay in the house or not, *LBG*, 152.

<sup>68</sup> On prostitution in London see J.B. Post, 'A Fifteenth-Century Customary of the Southwark Stews', *Journal of the Soc. of Archivists*, v (1977) and Ruth Mazo Karras, 'The Regulation of Brothels in Later Medieval England', *Signs: Journal of Women in Culture and Society*, xiv (1989), 399-433.

<sup>69</sup> For a survey of the economic activities of London women see Annie Abram, 'Women traders in medieval London', *Economic Journal*, xxvi (1916), 276-85, and see also her *English Life and Manners in the Later Middle Ages* (London, 1913), 31-45, 291-96; K.E. Lacy, 'Women and Work', 51-56.

<sup>70</sup> See also the prevalence of hucksters in northern towns, Goldberg, 'Female labour, service and marriage', 29-30.

<sup>71</sup> H.T. Riley, *Memorials of London Life* (London, 1868), 435.

<sup>72</sup> Guildhall Library, MS 5440 f 105-7; the Brewers' ordinances also envisaged that there would be female members of the craft and their almshouses provided for both sexes, R.W. Chambers and M. Daunt (eds.), *A Book of London English 1384-1425* (London 1931) 152, 175. See also Annie Abram, 'Women Traders', 279. The role of women in brewing may have declined as it became less a household craft and more a commercial business, and this in turn may have been due to the use of hops.

<sup>73</sup> *HW*, i, 576.

<sup>74</sup> M.K. Dale, 'London Silkwomen in the fifteenth century', *Econ. Hist. Rev.*, (1933), 324-35 and see Maryanne Kowaleski and Judith M. Bennett, 'Crafts, Guilds and Women in the middle ages: fifty years after Marian K. Dale', *Signs* XIV (1989), 474-501; Annie Abram, 'Women Traders', 278; Anne F. Sutton, 'Alice Claver, silkwoman of London and maker of mantle laces for Richard III and Queen Anne', *The Ricardian*, v (1980), 243-47. For comparison, see Margaret Wensky, 'Women's Guilds in Cologne in the Later Middle Ages', *Journal of European Economic History*, xi (1982), 631-50.

<sup>75</sup> Anne F. Sutton, 'Alice Claver', 246-47.

<sup>76</sup> Historians have recently questioned the existence of a 'golden age' for women in the medieval period and have pointed out the many disabilities under which women worked in this period; for an excellent survey of the



issue see Judith M. Bennett, 'History that stands still: Women's work in the European Past', *Feminist Studies*, xiv (1988), 269-83. But it is worth remembering that the working conditions were rarely golden for men in the middle ages and that, whatever the economic opportunities were for women in the later middle ages, the situation certainly deteriorated in the sixteenth-century.

<sup>77</sup> Goldberg, 'Female labour, service and marriage', 34-38.

<sup>78</sup> Guildhall Library, Drapers' Minute Books (1567-74), f.97. I owe this reference to the kindness of Professor Mark Benbow.

<sup>79</sup> V.B. Elliott, 'Singlewomen in the London marriage market: age, status and mobility 1598-1619', in R.B. Outhwaite (ed.), *Marriage and Society*, (London, 1981), 81-100, esp. 91.

<sup>80</sup> Goldberg, 'Female labour, service and marriage' chapter 8; Merry E. Wiesner, 'Women's defense of their public role', in Mary Beth Rose (ed.), *Women in the Middle Ages and the Renaissance*, (Syracuse, 1986), 1-27; Merry E. Wiesner, *Working Women in Renaissance Germany*, (New Brunswick, 1986); Kathleen Casey, 'The Cheshire cat: reconstructing the experience of medieval women', in Bernice Carroll (ed.), *Liberating Women's History*, (Urbana, 1976), 224-49; Barbara A. Hanawalt (ed.), *Women and Work in Preindustrial Europe*, (Bloomington, 1986); Judith M. Bennett, 'History that stands still'.

<sup>81</sup> Goldberg, 'Female labour, service and marriage', 35.

<sup>82</sup> Kathleen Casey, 'The Cheshire Cat', 239 noted that in developing non-European economies, a rise in urban incomes has usually reduced the proportion of women active outside the 'marital-maternal' role.

<sup>83</sup> In 1291 Edward I wanted the aldermen of the city of London to appoint Jacobina la Lumbard, described as a citizen of London, to the office of keeper of the Small Beam, used for weighing silk. The king's request was refused on the grounds that the office had already been granted to someone else, H.T. Riley, *Memorials*, 25-6; in 1421 the jurors of Queenhythe ward complained that John of Ely, the oyster-meter, had let his office to farm to women who did not know how to do it 'nor is it worship to the city that women should have such things in governance', *CPMR 1413-37*, 138.

<sup>84</sup> See for example the Carpenters Company which had a tablet on which the names of the brothers and sisters of the craft were recorded, Bower Marsh (ed.), *Records of the Worshipful Company of Carpenters* (Oxford, 1914), ii, 70, 141; for the role of women in the Skinners' and Brewers' Companies, see notes 56 and 72 above.

<sup>85</sup> Caroline M. Barron, 'The Parish Fraternities of Medieval London', in C.M. Barron and Christopher Harper-Bill, *The Church in Pre-Reformation Society* (Woodbridge, 1985), 13-38, esp. 30-32.