The Tailors, Drapers, and Mercers of London and the London Commissary and Hustig Court Wills, 1374-1485

by

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Abstract

Scholarly interest in the intimate lives of individuals in late medieval England has been particularly strong over the past thirty years. This interest can be linked to heightened scrutiny of wills and the nature and extent of their utility as access points into testators’ lives, their most intimate relationships, and their varied desires and concerns, particularly in the context of the family and the household. Some scholars have argued that wills present a limited view of testators in a specific moment, rather than encompassing the entirety of the individuals’ legacies. The heavily formulaic nature of the wills enrolled in late medieval English courts have also been considered characteristics that hamper the ability of the documents to reveal testators’ individual personalities and concerns. Others, however, have noted that testators’ adherence to formulaic structure in wills in fact constitutes a community founded on participation in shared traditions, and that the conventions of will-making still allowed testators a certain degree of flexibility to assert their own desires and address their individual concerns. This thesis presents evidence from wills enrolled from 1374 to 1485 in London’s Husting and Commissary Courts. I argue that the conventions and guidelines concerning format, structure, and content of wills in late medieval London indeed were the primary forces in shaping them, but the same guidelines also allowed some room for testators to acknowledge and affirm close relationships and to look after their own spiritual welfare. The thesis demonstrates that testators could and often did negotiate the wills’ structural and legal conventions in singular ways, most often to assert and maintain the supervision of their wives’ circumstances as widows, and also to enact and confirm their own
piety as a measure of ensuring their memory in the larger community and their spiritual welfare following their death.
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# Table of Contents

## Introduction
General Overview: Goals of the Thesis .......................... 1
Sources of This Study: Wills ........................................... 2
The Court System in England: The London Commissary Court in Context .................. 3
The London Husting Court in Context ................................ 6
“Will” Versus “Testament”: Usage of Terms .......................... 9
Wills: Standard Formula(s) and the Will-Making Process in Late Medieval London .......... 11
  From Writing the Will to Probate in Court .......................... 16
  Will Enrollment and Probate Procedure ............................ 19
Methodology, Limitations, and Aims of the Present Study ............................... 22
Wills: Coverage, Caveats .............................................. 24
Wills: Some Limitations as Sources ................................... 26
The Use of Wills as Historical Sources: Historiographical Survey ..................... 28
Wives, Widows, Daughters: Women in the Wills of London .......................... 34
Piety and Charity: Wills as Instruments of Expression ............................. 36
Life in London: Circles of Communities, Aspects of Identities .................... 39

## Chapter One: London in Context: Political, Economic, and Social Development and Organization in the City
Economic Shifts and Movements ...................................... 50
Attaining Citizenship in London ..................................... 54
Guilds, Fraternities, Misteries, and Crafts Versus Trades .................................. 57
  Terminology ................................................................... 58
  Early Beginnings of Corporate Activities and Group Identity: Guilds, Crafts, and Trades ........................................ 59
London’s Tailors, Drapers, and Mercers: From Early Beginnings to Membership in the “Great Twelve Livery Companies” ........................................ 65
  The Tailors of London .................................................. 66
  The Drapers of London ................................................. 70
  The Mercers of London ................................................. 75
Parishes: Communities Within the City ................................ 76
Households and Family Structures: Definitions, Forms, Approaches .............. 81
  Women in the Household: Wives and Widows ........................................ 84

## Chapter Two: Wills from London’s Husting Court
The London Husting Court(s): Beginnings and Development ......................... 90
Husting Court Wills: Jurisdiction, Scope, Conditions for Enrollment of Wills .......... 94
London Borough Law and Customs: Regulations and Provisions for Wives and Children ................................................................. 97
  The Marriage Settlement: From *Maritagem* (Lands) to Marriage Portion (Money) .......... 102
  Dower .......................................................................... 107
  *Legitim* ....................................................................... 109
  Free Bench ..................................................................... 110
Chapter Three: Wills from London’s Commissary Court: Provision for the Family, Instruments of Piety and Charity

London Commissary Court: Context

Commissary Court: Legal Context; Overview of Statistical Content

Provisions for Wives: The Conjugal Relationship in the Commissary Court Wills

Widows: Continuing the Trade

Assigning Widows’ Portions: Restrictions and Provisos

Widows: Liminal Figures? Ambivalence towards Surviving Spouses in the Commissary Court Wills

Daughters and Sons, Servants and Apprentices: Members of the Family, Members of the Household

Parish Church and Clergy

Parish Membership, Parish Church Burials: Claiming One’s Place in the Community

Bequests and Directions for Funeral and Burial Expenses

The “Onus” of Executors and Executrices: Scope and Responsibilities of the Appointment

Executors’ Responsibilities: Debts and Residue, or Last Things and Loose Ends

Succession to the Trade: The Next Generation?

Chapter Four: Case Studies of Prominent Londoners with Wills in the Commissary and Hustings Courts

Adam Fraunceys: Mercer, Mayor, Benefactor

John Northampton: Mayor in a Time of Civic Unrest

Ralph Holland: Tailor Amidst Political Upheaval in Fifteenth-Century London

Robert Drope: Draper, Mayor, Money Lender

Conclusions

Bibliography
List of Figures

Figure 2.1  Conditional Bequests to Wives in Hustling Court Wills  125
Figure 3.1  Bar Chart: Recipients Mentioned in Commissary Court Wills  139
Figure 3.2  Table: Percentages of Commissary Court Wills Mentioning Various Recipients  139
Figure 3.3  Table: Percentages of Commissary Court Wills Mentioning Various Recipients (descending order)  140
Figure 3.4  Tables: Parish Membership in London, By Trade  166
Figure 3.5  Map of Parish Membership in London, By Trade  168
Figure 3.6  Testators’ Appointees to Testamentary Executorship  186
Figure 4.1  London Properties Under John Northampton’s Ownership  217
List of Abbreviations

**BC**  

**HW**  

**Letter Book A, B, C… [etc.]**  

**Pollock and Maitland**  
# List of Appendices

Notes to the Wills in Appendices 1, 2, and 3 264

**Appendix 1: John Northampton, Draper** 265
1a. John Northampton, : Transcription 265
1b. John Northampton: Translation 274

**Appendix 2: Ralph Holland, Tailor: Transcriptions** 281
2a. Ralph Holland, Husting Roll 181, No. 15 281
2b. Ralph Holland, Husting Roll 183, No. 13 283
2c. Ralph Holland, Husting Roll 183, No. 14 287

**Appendix 2: Ralph Holland, Tailor: Translations** 290
2d. Ralph Holland, Husting Roll 181, No. 15 290
2e. Ralph Holland, Husting Roll 183, No. 13 292
2f. Ralph Holland, Husting Roll 183, No. 14 295

**Appendix 3: Robert Drope, Draper: Transcription** 299
Introduction

General Overview: Goals of the Thesis

This thesis aims to contribute to current scholarship on fourteenth- and fifteenth-century London by examining a source so far little-used by scholars: wills enrolled in the Commissary Court of London, studied here in comparison with wills enrolled in the Husting Court. I seek to show how Londoners’ wills express their identities, concerns, desires and anxieties. I focus in particular on what these wills show about the bonds and networks Londoners cultivated within their families (with a special focus on testators’ wives) and their larger communities, especially the relationships formed on the basis of trade groups and geographic neighborhood. I also examine piety and charity which seem to have been major impulses as individuals created their wills. I will illuminate the scope and functions of wills along with the opportunities and limitations that they present in learning about Londoners. For example, wills were framed in the context of London’s customary rules of succession, particularly widows’ rights, so expressions of relations between husbands and wives must be understood within the legal limitations imposed on the testator. By studying wills within the context of borough law as it was defined and applied in late medieval London, I seek to add to the broader scholarly conversation on the nature and use of wills.

Family, local community and piety are the three elements that best illuminate the ways Commissary and Husting wills could convey personal and individual life experiences. In demonstrating how these aspects of the wills could be personalized I hope to refute prior claims that the formulaic format and nature of testamentary instruments limited the insight they could offer us as to the experiences and idiosyncrasies of individuals in late medieval London.

Chapter One will offer context on later medieval London’s political, economic, and social background and the issues at play during the time and place represented by the Husting and Commissary Courts’ testators. Chapter Two will examine the evidence of the Husting Court with particular focus on testators and their wives. Chapter Three will examine evidence from the
Commissary Court, again with focus on testators’ wives. Chapter Four will discuss case studies of prominent Londoners of the fourteenth and fifteenth centuries, namely Adam Fraunceys, John Northampton, Ralph Holland, and Robert Drope, to examine the ways their Hustings and Commissary Court wills function as expressions of their piety and their desire to secure spiritual welfare. In particular, Chapter Four will illustrate the arguments, put forth in Chapters two and three, that the latter is one of the most prominent functions of wills and that it was a feature that testators particularly strove to actualize.

Sources of This Study: Wills

Wills offer a unique entry point into conceptions of “family,” the bonds holding that core group together, and the bonds that unite a community. As documents expressing the wishes of testators at a critical stage in their lives, wills offer a rare glimpse into the concerns, anxieties, and desires of individuals at the moment when they must resolve such feelings by way of the disposition of their estates and any outstanding unfinished business.

Sources of wills for London are ample. Both the Hustings and Commissary Courts—the local lay court and one of the local ecclesiastical courts, as will be explained below—have wills in the several thousands: as Reginald R. Sharpe states, the Hustings Court rolls contain over 4,000 wills enrolled between 1258 and 1658, with most dating before 1500. These numbers can be attributed to the court’s jurisdiction over the probate of wills of the city’s citizens and their widows, which would take place after the testator’s death.\(^1\) The Commissary Court’s holdings are even greater: its records start in 1374, and there are no discernible gaps in the span of the holdings. Commissary Court wills number in the thousands as well, forming a collection significantly greater in size than the body of Hustings Court wills.\(^2\) This thesis focuses specifically on the wills of London’s tailors, drapers, and mercers that were enrolled in the two

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2. An estimate of 62 entries per page at 206 full pages in Fitch’s published index yields a preliminary estimate of 12,772 testators. Admittedly, this is an unscientific count, but it at least provides a basis for the suggestion of thousands of wills kept in the Commissary Court from 1374 to 1488.
courts which I have chosen to examine for this study. As will be explained in greater detail in the “Methodology” section later in this introduction, the body of wills examined in this dissertation consists of 491 tailors’, drapers’, and mercers’ wills were enrolled in the Commissary Court, and 107 wills enrolled at the Husting Court. The next section will provide necessary context on the respective places of London’s Commissary and Husting Courts within England’s larger framework, followed by further explanation of the nature, standard form and content, and various issues involved in the understanding and use of wills as a source in this study.

The Court System in England: The London Commissary Court in Context

London’s Commissary and Husting Courts both occupied distinct places within a larger legal system. This section will briefly outline the larger structure of the court system in England as a whole, followed by an explanation of places that the Commissary and Husting Courts of London occupied within that structure. England’s network of legal jurisdictions was divided into two broad provinces: the Prerogative Court of York, which governed the country’s northern half, and the Prerogative Court of Canterbury, which presided over the southern province. The province of Canterbury encompassed all of England and Wales excepting the dioceses of

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I have been able to determine a preliminary count of 871 total testators whose wills were enrolled in the Husting Court during the period 1374-1485. Based on this total, the grouping of tailors, drapers, and mercers I have worked with from the Husting Court comprises roughly 12% of the total body of Husting Court wills enrolled from 1374 through 1485. Numbers for the Commissary Court are much more uncertain: given the sheer volume of entries documented in Marc Fitch’s index and constraints of time, I was unable to complete a manual count, but if one assumes that the Commissary Court’s records for the period 1374-1488 (the start and end dates for the first volume of Fitch’s index) contain roughly 12,772 testators, as suggested above, my body of testators from that court would comprise about 3% of the Commissary Court’s total number of testators. These numbers, of course, are highly tentative and require further investigation and confirmation.

As this study deals only with material within the broad jurisdiction of the Prerogative Court of Canterbury, discussion here will address the confines of that court. As Brian Woodcock attests, from at least 1279, the Court of Canterbury was permanently established in London; see B.L. Woodcock, Medieval Ecclesiastical Courts in the Diocese of Canterbury (London: Oxford University Press and Geoffrey Cumberlege, 1952), 6-12.
Durham, York, and Carlisle, which were part of the northern province. Each province, in turn, was comprised of a number of dioceses. Within each diocese was the bishop’s court. In London, the bishop had a number of courts held in his name and located in various places throughout the city and diocese. Bishops often delegated the authority to hear cases in their authority to clerics trained in law; he did, however, occasionally hear cases personally, and his court in such cases was termed the Audience Court. Apart from the bishop’s court, which he attended personally, the highest court under his authority was the Consistory, which met weekly, though occasionally bi-weekly as well, in St. Paul’s Cathedral; the judge presiding over the Consistory was termed the official-principal. The bishop’s Consistory held a higher position over the lower courts only by virtue of the Consistory’s lengthier and more formal court procedure. Cases in the Consistory followed a formal three-step process: the (1) *litis contestatio*, or preparatory actions prior to the commencement of a suit; (2) *probatio*, or trial itself, which included formal examination of witnesses; and (3) *sentencia*, or court sentence, which utilized written depositions.

The lower courts, following the Consistory, consisted of the Commissary Court, the Court of the Dean and Chapter of St. Paul’s, the Court of the Archdeacon of Middlesex, and the Court of the Archdeacon of London. The Commissary Court, presided over by the commissary-general, offered more expedient and direct procedures, including direct and non-mediated interaction between judge and litigant, and cases delivered *viva voce* in open court.

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7 Ibid., 7.

8 Ibid., 8.


10 Ibid., 10.
Commissary was an exceptionally busy court and thus convened several times per week, also at St. Paul’s Cathedral.\(^\text{11}\) One other important distinction between the Consistory and the Commissary was the courts’ respective jurisdictions: the Consistory presided over the entire diocese of London, including the city itself, while the Commissary’s authority encompassed only the city and the deaneries of Middlesex and Barking. The commissary-general had authority in two major aspects: he was to apply disciplinary action in cases of crime and excess, i.e. egregious violation of law or morality, and he held full authority over probate of wills in London.\(^\text{12}\)

The lowest level in the ecclesiastical court system for the diocese of London consisted of the Archdeaconry Courts. The diocese had four Archdeaconries: London, Middlesex, Colchester, and Essex. In practice, however, jurisdictional authority between the Commissary and the Archdeaconries of London and Middlesex, in particular, were somewhat complicated, as the jurisdictions for these two Archdeaconries occasionally covered the same area as that of the Commissary. Overlap, however, in jurisdictional authority was not uncommon among various dioceses in late medieval England, and London’s commissary-general and the Archdeaconries showed remarkable cooperation in working together.\(^\text{13}\) One other type of ecclesiastical court should be mentioned as well, namely the Peculiars of the Archbishop of Canterbury, which consisted of the Peculiars of the abbey and chapter of Westminster, the dean and chapter of St. Paul’s, and the hospitals of St. John of Jerusalem and St. Katherine’s by the Tower.\(^\text{14}\)

Generally speaking, an individual with *bona notabilia*, i.e. £5 or more in goods, or £10 in the case of London, within a single jurisdiction could have his will registered by his executors in that jurisdiction’s court. If the testator’s estate was located across the jurisdictions of two or more courts, however, his will was to be proved in the higher overriding court of those in question. Thus, in London, if a testator had goods within one archdeaconry, his executors were

\[^{11}\text{Ibid.}, 13.\]
\[^{12}\text{Ibid.}, 12.\]
\[^{13}\text{Ibid.}, 15-16.\]
\[^{14}\text{Ibid.}, 17.\]
to prove his will in the appropriate Archdeaconry Court.\textsuperscript{15} If the deceased had goods in more than one archdeaconry, the will was to be presented, in most cases, in the bishop’s Commissary Court, as the Commissary’s presiding judge, the commissary-general, held full power over probate of wills in London.\textsuperscript{16} It should be noted that the bishop’s Consistory Court was the superior of the two and held wider jurisdiction, namely over the entire diocese of London, versus the Commissary’s jurisdiction over the city of London alone and the deaneries of Middlesex and Barking. The Consistory could also hear testamentary matters, as well as criminal cases. The Consistory’s chief business, however, was in hearing civil suits, and so probate of wills usually went to the Commissary Court.\textsuperscript{17} In cases where the testator held goods across more than one diocese, the will would be taken to the appropriate provincial court, either Canterbury or York, and should the testator’s goods span both provinces, Canterbury, as the superior provincial court, would preside over the proving of the will.\textsuperscript{18}

The London Hustings Court in Context

The city itself can be conceived as having been mapped on multiple levels: it contained over one hundred parishes, and at the same time was comprised of twenty-five political wards.\textsuperscript{19} These local units would become the backbone of the governing body which the Danes called the Hustings, for the Hustings was comprised of the individuals who were chosen to exercise authority over each ward. Christopher Brooke and Gillian Keir affirm that twenty-four wards were in


\textsuperscript{17} \textit{Ibid.}, 12, 19.

\textsuperscript{18} In addition to the aforementioned courts, the archbishop also had two separate courts in London, namely the peculiars and an appellate court. Little is known, however, about the two courts’ respective business matters; see R.M. Wunderli, \textit{London Church Courts}, 18-19. For a general overview of the process of probate and the corresponding courts’ jurisdictions, see M.M. Sheehan, \textit{The Will in Medieval England} (Toronto: Pontifical Institute of Mediaeval Studies, 1963), 196-214.

existence before 1394, and twenty-five existed before 1550. Based on Ogilby’s seventeenth-century map showing ward layouts, Brooke and Keir argue that the “crystallization and formation” of the ward boundaries were likely established by property boundaries; in this way, ward formation was similar to parishes, but the former likely became established earlier than parishes. As Pamela Nightingale states, it is probable that London’s wards originally served several purposes: to establish the city’s system of defense against attacks by the Danes in the eleventh century, to raise taxes needed to pay the required Danegeld, and also as a way of imposing control upon the people of the city by utilizing the aldermen’s wardmotes, i.e. meetings of the ward’s inhabitants, as a policing force. The division of the city into the twenty-four wards, and the appointment of an alderman, i.e. a member of the Husting in its capacity as the city’s governing body, over each ward, also gave responsibility to the citizens for their own government through the Husting. By the thirteenth century, the ward was, in Brooke’s and Keir’s words, a “military, judicial, and administrative unit,” and a civil rather than ecclesiastical unit.

Since at least 1268 through the fourteenth and fifteenth centuries, i.e. the time period of the present study, the Husting Court of London had assumed responsibility for registering and administering wills containing bequests or directions concerning citizens’ real estate holdings. The term “husting” was a Scandinavian term referring to an indoor assembly or a general meeting; it was rooted in the words “huƒ or house and “ðinʒ,” a “council” or “cause.” The etymological origins thus indicate a court that met in a house, as opposed to open-air courts

22 P. Nightingale, “The Origin of the Court of Husting and Danish Influence on London’s Development into a Capital City,” English Historical Review 102:404 (July 1987), 563.
which were more typical in the Anglo-Saxon period. In the case of London, the first documented usage of the term “husting” occurs in two eleventh-century charters, which seems to be consistent with the arrival of the Danes and Cnut’s reign, but as Pamela Nightingale argues, the usage of the word “husting” merely marks the inception of Danish influence; it is likely that the assembly and body as a form of government existed before the era of Danish involvement.

The Court of Husting was the oldest court of record in the city; it initially was the sole court to handle disputes between citizens. By the time of Edward I, population growth and a concurrent increase in civil litigation cases prompted the need to create separate jurisdictions for purely personal cases (i.e. matters concerning one’s moveable goods and personal possessions) and real and mixed actions (i.e. those involving land and other real estate in whole or in part, respectively). The Mayor’s and Sheriff’s Courts. Two new courts were established to address personal actions, namely the Mayor’s and Sheriff’s Courts, while the Husting Court retained jurisdiction over real and mixed actions.

The Husting had its own process, separate from that of the ecclesiastical courts, for verifying and approving wills dealing with real estate, starting from at least January 1259. An entry from the Maire of Bristowe Is Kalendar by fifteenth-century Bristol clerk Robert Ricart states that wills containing devise of tenements were to be “proclaimed by the serjeant, and there proved by two good and well-known men, who shall be sworn and examined severally.


28 *HW*, I:iii.

29 *HW*, I:iii.

30 Sheehan gives the year 1259 as the year of the earliest probate of a will in the Husting Court; he states, however, that probate of wills as part of the Husting Court’s regular business can be said to have started in 1250; see M.M. Sheehan, *The Will in Medieval England*, 206-7; see pp. 206-211, which this brief summary follows. The question of whether probate was obtained from the ordinary before borough officers in the case of London was still a matter of some debate at the time Sheehan published his monograph; he states that, generally speaking, the ordinary granted probate before borough courts did, but that Sharpe was unconvinced that such was the case for London. See Sheehan, *ibid.*, 209, and *HW*, I:xliii. For the text in question, see *BC*, II:194-195.
concerning all the circumstances of the said will.” The procedure was to take place before the city’s mayor and aldermen in full Husting. 31 In both the Commissary and Husting Courts, then, authorities of the respective courts were to hear the legal instruments and confirm their validity before they were administered.

“Will” Versus “Testament”: Usage of Terms

In theory, the term “will” (uoluntas in Latin or wille in Middle English) was applied to instruments that dealt with the testator’s real estate holdings, while “testament” (testamentum and testament in Middle English) referred to instruments that handled the testator’s moveable goods, or chattels. In practice, however, the two terms were generally used interchangeably, with little distinction made between the two words. 32 Peter Northeast, in the introduction to his edition of fifteenth-century wills from the Archdeaconry of Sudbury, notes that the original distinction between the will and the testament arose from feudal law barring church courts from handling business relating to land, on the one hand, and forbidding testators from bequeathing real estate, on the other. 33 Since the will itself, i.e. the testator’s written wishes concerning his real estate holdings, was beyond the Church’s concern, it was the testament, or disposition of movable goods and chattels, that the ecclesiastical court was to handle for registration and

31 Ricart’s Kalendar was a compilation of Bristol’s history, privileges, and customs. The Kalendar was an important source for London as well: part six of the Kalendar includes a copy of London’s municipal laws, an appropriate measure, given Ricart’s own affirmation that “at all tymes this worshipfull toune of Bristowe hath take a grete president of the noble Citee of Londone in exerciseing there laudable customes” and that his information on London came from “a boke that was maistir Henry Daarcy sometyme recorder of London” during the time of Edward III. See The Maire of Bristowe is Kalendar, by Robert Ricart, Town Clerk of Bristol, 18 Edward IV, ed. L. Toulmin Smith ([London]: Camden Society, 1872). Ricart’s material on London’s customs, prefaced with useful contextual notes by Toulmin Smith, appears on pp. 92-113. For further discussion by Toulmin Smith regarding Ricart’s edition of London’s constitutions, see “Introduction,” xiii-xiv, xx-xxi. As Toulmin Smith explains, Henry Darcy served as Mayor (1337 and 1338), not Recorder of London, and she was unable to locate an extant copy of Darcy’s purported book; see “Introduction,” xx-xxi. For the Husting Court’s procedure as cited in Bateson’s edition, see BC, II:194-195.

32 This is a point that, for instance, Sharpe and Anthony J. Camp make as well: see HW, I:xxxi. Anthony J. Camp observes that it has been common for centuries to combine both moveable goods and property in one legal instrument; Camp adopts the term “will” to refer to instruments that deal with movable goods, real estate, or both, and for simplicity’s sake, this study does the same. See A.J. Camp, Wills and Their Whereabouts (London: Society of Genealogists, 1963), x.

probate. However, by the time of register “Baldwyne” in the court of the Archdeaconry of Sudbury, testaments often contained both real estate and movable goods. The terms “will” and “testament” were used interchangeably, and some also used the term “testament and will” to refer to a single document.

Testators’ free use of both terms can be seen in a number of wills from the Husting and Commissary Courts. Thomas Wellys’s Husting will of 1472, for instance, contains the preamble, “I make, ordene and devyse this my present testament in the fourme folowyng concerning my laste wille as to the dispositioun of my tenement…” Though Wellys uses the term “will” to refer to bequests of real property, his usage of the word “testament” to name the legal instrument framing his will blurs the distinction between “testament” versus “will.” Testators did not necessarily maintain clear distinctions between instruments dealing with real property and those disposing of movable goods and chattels. As shall be mentioned later in this Introduction, a number of testators who enrolled instruments in both the Husting and Commissary Courts enrolled identical documents; others enrolled truncated versions of an instrument in one court and filed a fuller version of the same instrument in the other court. For the sake of simplicity and expediency in this study, I have adopted the word “will” to designate legal instruments written for the purpose of disposing of the testator’s estate, both real property and movable goods; in discussions where it is necessary and illuminative to distinguish between property holdings and personal goods, I have provided contextual explanation to indicate clearly the nature and extent of the distinction and the particular kinds of possessions or property under discussion.

34 Ibid., xlii-xliv.
35 Ibid., xliii.
36 Hustig Roll 203, no. 18.
Wills: Standard Formula(s) and the Will-Making Process in Late Medieval London

As this thesis is based primarily on evidence from wills, an introductory overview of the will-making process in late-medieval London will help discussion and analysis of the testamentary data that will be presented and discussed in the subsequent chapters. From the outset, wills themselves must be understood as a distinct genre of historical documents with its own set of limitations as well as possibilities. First, most extant pre-sixteenth-century wills in England survive as registered copies enrolled in court records; original wills for this period are very rare.

Wills were often written in conformity with a prevailing formula utilized by the court in which the will was enrolled. By 1300, certain standard forms of the will, and ideas about the will’s essential components, had emerged. MS Additional 41201, an early fourteenth-century collection of over thirty-six examples of deeds, accounts, and similar formulae, includes a short treatise explaining the basic elements of a will, the order in which the elements should be presented, and a general template providing the rhetoric and phrases to be used. The text starts with the line, “Here begins the testament and the first way of composing testaments to be made well,” and continues as follows:

In the preamble or introduction of any testament, there are two things to be considered chiefly by any testator before he writes his testament, namely, the debts which he holds of others, and debts which others hold of him. When this is done, [the testator should consider] whether he has a wife or not. If he does not, then he should make his will concerning all his movable and immovable goods unless the custom of his country denies it. If he has a wife and children, then they should be apportioned equally and the third part of all his goods proportionally to the work of the wife, with all his debts settled beforehand, and another third to the support of his children. And the testator makes his will from another third. If he has a wife and no children, then all his goods should be divided into two parts, of which one part will remain to his wife which, [if] she is reluctant and unwilling, he can in no way bequeath, but he must make his will from one portion owed,
with the inventory of all his goods done beforehand before he should make the will out of one portion owed; which begins thus…  

These instructions establish a specific order in the will, and, in doing so, convey certain assumptions about what a “proper” will should address. Concern for addressing and dissolving outstanding debts, both loaned and owed, emerges as the first priority, even before addressing the main body of the document itself. Acknowledgement of the testator’s core family structure, particularly marital status, follows, with disposition of the testator’s estate determined accordingly; execution of an inventory of the testator’s portion of goods is also needed before the will is created, according to the formulary. The instructions, then, demonstrate a clear, well-defined order of issues to be resolved even before the beginning of the actual testament.

The formulary, furthermore, moves beyond simply identifying the essential issues and proper disposition of the testator’s affairs at the outset; it also prescribes a specific formula or rhetoric with which to style the instrument. The formulary notes that “it is to be set forth in this way in the testament” and states the following:

…in the presence of W., parish priest, and N. de C. and A. de B. and many others present and hearing this in that same place. In the name of the Father etc. I, A. de G., make my testament in this way. First I bequeath my soul to God my Redeemer, and my body to my Redeemer to be buried in the cemetery of St. Peter de G. Also 10s for a prayer at Prime mass. Also 5s for a second mass.

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37 “In testamenti cuisslibet exordio uel primordio duo sunt principaliter cuilibet testatoris antequam suum condat testamentum consideranda, uidelicet, debita in quibus aliis tenetur et debita in quibus aliis sibi tenentur. Hoc facto, an habeat uxorem an non. Si non habeat, tunc condere debet testamentum suum de omnibus bonis suis mobilibus et immobilibus nisi consuetudo patrie repugnet. Si habeat uxorem et pueros, tunc resedanda est equaliter et proporcionaliter tercia pars omnium bonorum suorum ad opus uxoris, omnibus suis debitis prius solutis, et alia tercia pars ad alimentum puerorum suorum. Et ex alia tercia parte testator suum condit testamentum. Si habeat uxorem et non pueros, tunc omnia bona sua in duas partes diuidantur, quarum una pars uxori sue remanebit, quam, illa inuita et non spontanea, nullo modo legare poterit, sed ex una debita porcione suum condere debet testamentum, facto prius inuentorio omnium bonorum suorum ex una porcione debita antequam fiat testamentum; quod sic incipit…” Legal and Manorial Formularies, edited from originals at the British Museum and the Public Record Office, in memory of Julius Parnell Gibson, ed. A.J. Collins, S.C. Ratcliff, and B. Schofeld (Oxford: Oxford University Press, 1933), 16-7.

The bulk of the formula following these initial statements enumerates a variety of possible beneficiaries and various gifts. Both the order and types of parties named and the purpose for the bequeathal of specific items to certain parties are significant. Of all the categories of beneficiaries named, the Church is the most prominent presence in the will.\(^{39}\) The template makes multiple references to religious institutions and figures serving, respectively, in roles throughout the will. The document itself is to be produced in the presence of a parish priest; the testator stipulates that his body is to be buried in a specific church cemetery, and the first bequests are made out to specified churches to provide for masses, remission of sins, and burial costs. Organizations such as the itinerant poor and various mendicant orders are also mentioned, even before the testator makes provisions for family members.

Once the testator makes provisions for public works and religious parties, he should then turn his attention to loved ones and family. The length and extent of bequests will vary widely, but the formulary’s concluding statements assert a certain order, with a degree of rigidity that is similar to the preamble. The testator is to entrust any residue from the estate to his executors to dispose of at will; this, of course, necessitates the appointment of executors, which is the final set of instructions provided in the template. The clearest concluding statement is the testator’s action of affixing his seal to the document: “In witness of which matter I have placed my seal upon the present writing with the seal of my executors A. and E. etc.”\(^{40}\) The formulary does allow for additional statements following the affixation of the seal: here, several debts owed by the testator are listed, along with items and amounts to be paid to each. Testators might also include codicils, as did mercer John Fyshyde (1390), draper John Munstede (1403), tailor Robert Knotte (1413), draper John Gravesende (1416), and tailor Hugh Maydeston, who enrolled a second, more complete version of his codicil three years after his original will (1419, 1422).\(^{41}\)

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\(^{39}\) The formula’s extensive acknowledgement of the Church may well be attributed to the cleric’s significant role in the drafting of the will, as described earlier, and so it would be highly useful to compare this formula to a prescriptive model that had been produced for the lay courts in this period. I have not, however, been able to find such a model.

\(^{40}\) “In cuius rei testimonium presenti scripto sigillum meum apposui cum sigillo executorum meorum A. et E. etc.” Legal and Manorial Formularies, 17.

\(^{41}\) John Fyshyde: London, Commissary Court Register 1, fol. 227v; John Munstede: Commissary Court Register 2, fol. 38v; Robert Knotte: Commissary Court Register 2, fols. 237, 238; John Gravesende: Commissary Court
The formulary is highly illuminative in the context of the wills enrolled in the London courts, for the great majority of the Husting and Commissary wills closely follow the template. In fact, the rhetorical pattern of the wills in both courts is sufficiently consistent to establish a general framework, as follows:

In the name of God, amen. On the [day] of [month] A. D. [year]. I, [name], sound in mind and in my good memory, ordain [and] make my testament in this manner. First, I commend my soul to God the omnipotent and my body for burial in [place]. Also I will [bequests]. The residue of my goods I bequeath to [name]. I appoint and ordain my executors, [name(s)] to carry out my will. In the matter of which/this testament I have affixed my seal [with] [names] as witnesses. Dated [day] and in the aforesaid year. 

Peter Northeast usefully breaks down the components of the legal instrument into the following parts: the invocation (e.g. “In the name of God, Amen”), date of the will’s creation, testator’s self-identification and state of mind, commendation, place of burial, unpaid debts, if any, and burial. Bequests usually followed these initial declarations; they were made to churches and their interiors, priests’ services, religious houses, guilds, charitable giving, indulgences, the household and its exterior surroundings, and any possessions associated therewith. Bequests were followed by assignment of the residue of the estate, then the testator’s appointment of executors, and finally a declaration of the sealing of the will. That scriveners frequently might have taken part in the process is suggested in the records of at least one scrivener from Bury St. Edmunds; the widespread uniformity of the Commissary and Husting wills indicates that the drawing up of the

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42 “In dei nomine amen. Die _ mensis _ anno domini millesimo _ . Ego, __ , sanus mente et in bona mea memoria, confo facio meum testamentum in hunc modum. In primis commendo anima mea deo omnipotenti et meum corpus ad sepeliendum __. Item lego __ __. Residuum omnium bonorum lego __. Constituo et ordino executores meos __ ad faciendum testamentum meum. In cuibus rei testamenti sigillum meum apposui testibus __. Datum __ die et anno supradictis.” See, for instance, the will of tailor John Cowper (1475), Commissary Court Register 6, fol. 180.

43 Peter Northeast, “Introduction,” Wills of the Archdeaconry of Sudbury, 1439-1474, liii. Sharpe emphasizes the importance of the testator’s seal; he cites Edward I’s proclamation of 1302 mandating that no testament be accepted for probate if it lacked the testator’s seal, along with two witnesses who could vouch first-hand for its authenticity. See HW, I:xliv.
wills in these courts also involved third-party mediation. E. F. Jacob affirms that the testator could have obtained a notary to draft the will or, alternatively he could have a certificate attached stating that the will had been produced in his presence. The identities of the notaries are known in several cases: Robert Raulyn, the commissary-general of Canterbury, had John Lovelych provide notarial attestation for his will, and Bishop Edmund Stafford had his instrument notarized and witnessed by the archdeacon of Exeter, the Cathedral’s canons, and the rectors of the dioceses of Exeter and Chichester.

Wills might also be made nuncupatively, that is, verbally, and in these cases, the testator would also engage a third party to write what the testator delivered orally. The bishop of Ely, Philip Morgan, gave his will nuncupatively to William Trewerdowe, his notary. In Morgan’s case, however, Trewerdowe, apparently hampered with other business, had another person write up the will. Jacob notes that testators might choose this option if they felt that death was imminent, or if they were too ill to write or seal the document. In such cases, testators were to have “credible witnesses” present at the time that they declared their will orally.

Following the testator’s death, the will was brought to the appropriate court for enrollment and probate. A testator’s will could not be brought to court for enrollment until after the testator’s decease, and the executor held primary responsibility for deciding in which court the will should be presented. If the will was deemed authentic and acceptable, the presiding official of the court would grant probate, i.e. approve the instrument. The registry clerk would usually add a sentence granting probate after the conclusion of the will. The will of Roger Lunt,

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45 See E.F. Jacob, “Introduction,” in Register of Henry Chichele, xxii.
47 HW, I:xliv. For Morgan’s case, see E.F. Jacob, “Introduction,” xxii.
for instance, is followed by the following sentence granting probate: “This testament was proved in our presence, presiding at the Consistory [Court of] London, 8 Kalends of February AD 1387, and administration was granted, etc., to the executors aforenamed, etc. In witness whereof, etc. Dated [at] London on the day and year aforesaid.”\(^{51}\) Not all wills, however, had corresponding probate sentences.\(^{52}\) The Commissary Court registers also contain numerous statements of administration granting power of execution to certain individuals in cases of intestacy.\(^{53}\)

From Writing the Will to Probate in Court

At what point in their lives did testators compose their wills? Did the tailors, drapers, and mercers, as members of mercantile circles in London, differ from other groups in contemporary contexts in their timeline between the writing and proving of their wills? A brief consideration of data from London’s Commissary Court will provide one point of entry, albeit preliminary, into the discussion. In this study’s Commissary Court evidence, among the wills of tailors, drapers, and mercers in a majority of cases a month or less passed between writing and probate of the will. For tailors, 107 of 241 wills counted for this study (i.e. 44% of Commissary Court wills meeting the criteria necessary to calculate this data) were proved within one month after the date on which the will states that it was signed by the testator. For drapers, 60 out of 122 wills (49%) fell within the same category, and for mercers, 24 out of 73 wills (33%) were also proved within one month after they were written and signed by the testator. For all three groups,

\(^{51}\) “Probatum est hoc testamentum coram nobis presidente, Cons’ Londonie, viij’ Kalens Febr’, anno domini millesimo CCC\(^{mo}\) lxxij, et commissa est administracio etc. executoribus superius nominatibus etc. In cuius rei, etc. Datum Londonie die et anno superscriptis.” Commissary Court, Register 1, fol. 158. Occasionally, as Northeast notes, probate sentences were absent from the registered copy of a given will; the reason for such omissions is not clear. See Wills of the Archdeaconry of Sudbury, 1439-1474, xliii.

\(^{52}\) It is unclear why probate sentences are missing for a number of the Commissary Court wills. As noted in the previous footnote, a similar situation exists for the wills of Sudbury’s Archdeaconry Court, and a satisfactory explanation has yet to be offered.

\(^{53}\) As Rowena Archer and Brian Ferme affirm, in cases of intestacy, the presiding judge assigned administrators to distribute the estate; one difference between the titles of “administrator” versus “executor” was that the ecclesiastical judge appointed the former, while the testator appointed the latter. See R.E Archer and B.E. Ferme, “Testamentary Procedure with Special Reference to the Executrix,” Reading Medieval Studies 15 (1989), 7. It is important to note, as well, that the executor was obligated to comply with the will. My thanks to Barbara Todd for this point.
the wills of most testators were proved in less than one month. The second greatest category, again for all three groups, was the number of wills proven between 1-3 months after their initial date of signature by the testator. As a point of contrast, Rowena Archer and Brian Ferme observe that, among the nobility’s upper tiers, wills were created at an early stage, and intestacy due to a simple failure in making a will was rare. Thomas Mowbray, duke of Norfolk, for instance, wrote his will in 1389, ten years before his death.

The relatively short interval between the registration of the will and its probate in the Commissary Court indicates that most testators were quickly approaching death when their wills were written and signed. Probate information from other contemporary courts suggests that waiting until one’s final days, so to speak, was not completely unusual: Judith Bennett and Christopher Whittick report a similar trend for wills from the Prerogative Court of Canterbury, noting that the Prerogative Court of Canterbury wills were often proved within days of their composition. Information compiled from the wills proved before Henry Chichele, Archbishop of Canterbury (1414-1443) at the Prerogative Court of Canterbury are, indeed, fairly consistent with the rates of probate demonstrated with the Commissary Court wills: of the wills proved under Archbishop Chichele, 18 out of 43 (42%) were granted probate within one month; 15 out of 43 (35%) were given probate within one to three months’ time. Such speed in the granting of probate sits somewhat at odds with Henry Swinburne’s views on the appropriate interval in which probate should follow the testator’s passing. Swinburne held forth that probate should not be granted until fourteen days after the testator’s death; moreover, Swinburne argued, the widow or next of kin should be given the opportunity to contest the will, if they so chose, before probate

54 Interestingly, this correlates closely with E.F. Jacob’s findings for Archbishop Chichele’s tenure at Canterbury: during Chichele’s term, as Jacob found, probate was granted in less than a month for nearly half of the cases Jacob documented. See Register of Henry Chichele., II:xxxv. Jacob also notes that the usual limit for administration of wills and discharge of executors was one year, and that most of the wills under Chichele’s administration were proved well within two months; see ibid.


57 See Appendix II in Register of Henry Chichele, II:lx.
should be allowed.\textsuperscript{58} This might have been the ideal, but reality for London burghers was quite different.

The Hustings and Commissary Courts differed somewhat in the legal language each court used to frame the testaments and wills, respectively, that they recorded, as well as their procedures for probate and administration. Given that wills in the Hustings Court tended to emphasize the components of the will concerning the testator’s real estate holdings, they might in some cases be truncated versions of a will enrolled elsewhere. Thus, a distinctive feature of Hustings wills was the inclusion of a standard preamble introducing the legal instrument itself. Here, too, Roger Lunt’s will provides a useful example. The preamble to his Hustings will states: “On the said day and year came Sarra, relic [i.e. surviving spouse] of Roger Lunt, citizen and tailor of London, and William Balle, executors of the testament of the same aforesaid Roger, and they caused to prove the testament of the same Roger as to the relevant lay fee articles by Simon Swyft, ‘steynour,’ and Robert Blythe, saddler, who, having been lawfully and diligently examined, stated that they had been present where the said Roger composed his testament in this manner.”\textsuperscript{59} The preamble is immediately followed with the identical instrument that appears in the Commissary Court.

Reginald R. Sharpe attests that only wills dealing with lands necessarily had to be brought for probate to the Hustings Court, and this had to be done in a certain sequence. Such wills dealing with lands were to be presented to the ordinary first, and then enrolled in the Hustings Court. However, as Sharpe notes, there is little evidence to confirm that wills enrolled in the Hustings had, in fact, followed that sequence.\textsuperscript{60} This study has identified thirty testators whose

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\textsuperscript{58} Henry Swinburne, \textit{A treatise of testaments and last wills: compiled out of the laws ecclesiastical, civil...} 7th ed. (Dublin, 1793), I:88-89.

\textsuperscript{59} “Dictis die et anno uenerunt Sarra, relictâ Rogeri Lunt, ciuis et cissoris London’, et Willelmis Balle, executores testamenti predicti eiusdem Rogeri, et probare fecerunt testamentum eiusdem Rogeri quoad articulos laicum feodi tangentes per Simone[m] Swyft, steynour, et Robertum Blythe, sadeler, qui jurati et diligenter examinati, dixerunt quod presentes fuerunt ubi predictus Rogerus suum condidit testamentum in hunc modum.” Hustings Roll 116, no. 79.

\textsuperscript{60} See \textit{HW}, I:xlii-xliii.
\end{footnotesize}
wills were enrolled in both the Commissary and Husting Court records. Of this group, executors of fifteen testators enrolled identical or near-identical copies of the testators’ wills in both courts. In the case of four testators, on the other hand, the executors enrolled what appears to be the same will registered in both courts, but with one will containing a truncated version, having omitted material that was included in the other instrument by the same testator. The wills of nine testators fall into a third category: in the cases of these testators, their executors had a different instrument enrolled in each of the two respective courts. As a final category,

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61 A number of additional testators who might have enrolled instruments in both courts as well have been excluded, as I was not able to obtain usable or complete records: Roger Abbot (Commissary Court, Register 1, fol. 342v, Husting Roll 124, no. 58); Andrew atte Vyne (Commissary Court, Register 2, fol. 80; Husting Roll 134, no. 44); Richard Scraynham (Commissary Court, Register 3, fol. 504; Husting Roll 167, no. 19).

62 By “near-identical” I mean that any variations between the two copies were sufficiently small to assume that the two copies were virtually identical. The fifteen testators are as follows: Richard Claveryng (Commissary Court, Register 1, fol. 34v; Husting Roll 103, no. 193); John Benyngton (Commissary Court, Register 1, fol. 47; Husting Roll 105, no. 48); William Knyghtcote (Commissary Court, Register 1, fol. 94v; Husting Roll 112, no. 8); Roger Crede (Commissary Court, Register 1, fol. 33v; Husting Roll 114, no. 56); Roger Lunt (Commissary Court, Register 1, fol. 158; Husting Roll 116, no. 79); Thomas Vinent (Commissary Court, Register 1, fol. 275; Husting Roll 122, no. 67); Robert Somerset (Commissary Court, Register 1, fol. 447v; Husting Roll 129, no. 54); Thomas Sibsay (Commissary Court, Register 2, fol. 57; Husting Roll 133, no. 46); Robert Guppey (Commissary Court, Register 2, fol. 230v; Husting Roll 140, no. 29); John Northampton (Commissary Court, Register 1, fol. 406; Husting Roll 126, no. 118); Robert Knotte (Commissary Court, Register 2, fol. 237v (also Register 2, fol. 238, which may, however, be a statement of administration); Husting Roll 133, no. 30); Thomas Elsyng (Commissary Court, Register 3, fol. 35; Husting Roll 147, no. 45); John Cosham (Commissary Court, Register 3, fol. 24; Husting Roll 148, no. 7); Stephen Bugge (Commissary Court, Register 3, fol. 218; Husting Roll 158, no. 39); and Roger Kelsey (Commissary Court, Register 5, fol. 241; Husting Roll 186, no. 29).

63 The four testators and their instruments are: Simon Worsted (Commissary Court, Register 1, fol. 155 [truncated]; Husting Roll 94, no. 105 [more extensive]); Thomas Stable (Commissary Court, Register 2, fol. 345v [more extensive]; Husting Roll 145, no. 30 [truncated, largely omitting movable bequests]); Thomas Elsyng (Commissary Court, Register 3, fol. 274 [more extensive]; Husting Roll 160, no. 17 [truncated, omitting cash bequests to clergy]); and Thomas Sutton (Commissary Court, Register 3, fol. 381v [more extensive]; Husting Roll 165, no. 30 [truncated, omitting Commissary Court version’s initial section on cash sums and movable goods]).

64 The nine testators are: John Bosham (Commissary Court, Register 1, fol. 295v [largely movable goods and cash]; Husting Roll 122, no. 86 [sums from quitrents; other directions regarding real estate]); William Kyng (Commissary Court, Register 1, fol. 323 [largely cash sums; mention of real estate on Cordwainer Street]); Husting Roll 123, no. 40 [cash sums from quitrents; other directions regarding real estate]); John Claveryng (Commissary Court, Register 2, fol. 11 [cash and movable goods to wife Agnes]; Husting Roll 136, no. 65 [directions largely regarding real estate in Cornhill and Cobham College]); Husting Roll 150, no. 11 [directions include cash sum from quitrent from tenement in Cornhill, St. Christopher parish, to go to Claveryng’s son John and John’s wife Margaret]); John Ulsthorp (Commissary Court, Register 3, fol. 356 [largely movable goods]; Husting Roll 162, no. 46 [directions concerning real estate in St. Bride parish]); Thomas Aleyon (Commissary Court, Register 3, fol. 508 [largely cash and movable goods]); Husting Roll 176, no. 18 [directions regarding real estate])); Geoffrey Guybon (Commissary Court, Register 4, fol. 129v [cash and movable goods]; Husting Roll 185, no. 18 [largely real estate])); Richard Fordell (Commissary Court, Register 5, fol. 340v [detailed directions regarding religious services, cash sums]); Husting Roll 193, no. 16 [real estate])); Thomas Cressy (Commissary Court, Register 6, fol. 184 [cash sums, arrangements for
the executors of two testators enrolled three instruments, with two identical versions and a third
different version, and one testator’s case involved the enrollment of four instruments, two each in
the Commissary and Hustig Courts, with the two Commissary instruments each matching a
separate Hustig Court instrument. The present evidence indicates that testators and their
executors had some flexibility in their options for how the documents dealing with movable
goods and real estate could be written and enrolled, at least where the Hustig and Commissary
Courts were concerned.

**Will Enrollment and Probate Procedure**

The Church’s involvement in testamentary business was fundamentally based on its
concern to oversee matters connected to the deceased’s burial, the disposition of their estate, and
presumably their spiritual welfare following death. The first two matters, in turn, were
connected to their spiritual welfare, particularly in the sense that the testament’s pious legacies
and works of charity were considered its fundamental purpose. As Pollock and Maitland note, a
will was written, not because the testator was "dissatisfied with the law of intestate succession,
but [because] he wished in his last hour to do some good and to save his soul." The association

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funeral and services, goods to wife Alice; in Latin]; Hustig Roll 202, no. 13 [real estate to wife Alice, who is
charged with maintenance of chantry; in English]); and Thomas Wellys (Commissary Court, Register 6, fol.136v
[cash sums, instructions for funeral and services]; Hustig Roll 203, no. 18 [life interest in various properties to wife
Agnes, who is charged with maintenance of chantry]).

65 The three testators in question are: Thomas Noket (Commissary Court, Register 1, fol. 375 [cash bequests, no real
estate]; Commissary Court, Register 1, fol. 376v; Hustig Roll 125, no. 44 [primarily real estate; identical to
Commissary Court, Register 1, fol. 376v]); John Fressh (Commissary Court, Register 1, fol. 399v; Hustig Roll 127,
no. 64 [movable goods and real estate; identical to Commissary Court, Register 1, fol. 399v]; Commissary Court,
Register 1, fol. 403v [cyclic to preceding instruments]); and John Shadworth (Commissary Court, Register 3, fol.
234; Hustig Roll 159, no. 15 [identical to Commissary Court, Register 3, fol. 234; both discuss bequests connected
to real estate, attached to directions regarding religious services]; Commissary Court, Register 3, fol. 240; Hustig
Roll 159, no. 11 [identical to Commissary Court, Register 3, fol. 240; both contain directions regarding real estate to
churches including St. Mildred Bread Street, as well as to the Abbess and convent of minoresses of St. Clare (i.e.
Franciscan nuns) outside Aldgate in London]).

66 R.E. Archer and B.E. Ferme, “Testamentary Procedure with Special Reference to the Executrix,” Reading

67 Pollock and Maitland, II:332. Other scholars have made note of an underlying desire to do acts of charity and
piety, often in the interest of aiding one’s spiritual welfare, as one of the strongest and most common motives for
of wills and testaments with the Church and spiritual interests, then, were the basis of the ecclesastical courts’ attainment of jurisdiction over grants of probate and administration, though their authority applied only to matters concerning personal estate.\(^6\)

As Archer and Ferme state, the instrument had two primary objectives, namely, to determine the wishes of the deceased regarding the distribution of his estate, and then to ensure that they were carried out.\(^6\) Once the testator had composed his legal instrument, following his death, the appointed executors were to present it to an ecclesiastical judge for approval and grant of execution to the appointees. Any dispute arising about the will’s validity or execution was to be settled by the ecclesiastical judge.\(^7\) The probate sentence consisted of the statement granting power of administration; in some cases where individuals appointed to the executorship by the testator were absent, the probate sentence included a phrase stating that power was reserved to those who were absent. The phrase “power reserved” indicated that the court retained authority to grant power of administration to the other executor(s) should they appear and accept the appointment.\(^7\) Once probate was granted, the executors commenced their work. Upon completion of their responsibilities, they would return to the ecclesiastical court that had granted probate and give an account of their activity. Once the account was accepted, the executors were acquitted, either by the bishop himself or by his delegated official.\(^7\)

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\(^6\) W.S. Holdsworth, *A History of English Law* (London: Methuen, 1903, repr. 1922), I:625. Holdsworth does note that the precise origin of the ecclesiastical courts’ jurisdiction is unclear, as such jurisdiction was not sanctioned by civil or canon law; see *ibid.*, 625-632 for further discussion on the subject.


\(^7\) *Ibid.*

Methodology, Limitations, and Aims of the Present Study

The objective of this study is to explore London’s Commissary and Hustig Court wills as a way of gaining a glimpse into the testators’ highest priorities, concerns, relationships, and the connections that they felt to be either most necessary or most urgent as they faced the end of their lives. I chose the Hustig and Commissary Court records for London in the hope that I would be able to discuss bequests of both movable goods, also referred to as chattels, and real property, also described as immovable property, in a complementary manner. Since the Commissary Court wills dealt extensively with goods and money and the Hustig Court handled wills that specifically dealt with real estate, I was very interested, from the initial conception of my project, in working with the records from both courts.\textsuperscript{73} The availability of Reginald R. Sharpe’s calendar of the Hustig wills and the index of Commissary Court wills for the period 1374 to 1485 that had been edited by Marc Fitch and published by the British Record Society facilitated my choice as well.

I had originally hoped to examine all wills enrolled in both courts within a time period of at least 100 years, specifically 1350-1450, but the large number of wills this presented me with, particularly in the Commissary Court, meant that such an approach would prove to be too unwieldy and would result in compromising my ability to present coherent and reliable results, given the constraints of time and resources. A second complication was that while the Hustig Court will records easily accommodated such a date range, given that its testamentary records started from 1258, the Commissary Court’s testamentary records were only available from 1374. Moreover, as my initial exploratory and preparatory work relied heavily on the index of Commissary Court wills edited by Marc Fitch, it was necessary to work in accordance with the index’s date limits of 1374 to 1485. Therefore, to accommodate the respective characteristics and attendant complications of both the Hustig and Commissary Court records, I limited my study of both courts’ wills to the period 1374-1485.

\textsuperscript{73} The category “moveables/chattels” designates goods such as clothing, books, household paraphernalia such as bed linens, bowls, cups, silverware, furniture, and other items which might be regarded as pertaining to an individual’s body or personal use. The category “immovable property” designates real property, principally lands and tenements. Chapter two will offer some further discussion on the usage of the respective terms “lands” and “tenements.”
Regarding the first point of difficulty, i.e. culling the sheer volume of testators to a manageable size for this study, I felt that an interesting possibility would be to analyze both courts’ wills according to the testators’ trades. As one’s trade profession, and level of investment in it, in medieval London was so closely tied with one’s identity in that city, I was interested to see to what extent the individual testators’ professions permeated and shaped their identities and the circles within which they lived, worked, and socialized. Most of all, I hoped to see if, and to what extent, their professional identities were signal forces in shaping and perpetuating their most intimate circles, namely their families, households, and communities.

I chose to examine three particularly prominent trades with links to the wool and cloth industries—among England’s strongest in the late medieval period—as well as strong forces in late medieval London’s social and political history. The tailors, drapers, and mercers of the city each were members of the “Great Twelve,” that is, the twelve most prominent and influential trade groups of the city, and each of the three played a unique role in the development of the city and its communities. With the delimiting factors regarding type of testator and time period combined, my final tally was 491 Commissary Court testators (263 tailors, 154 drapers, and 74 mercers) and 107 Husting Court testators. In order to be as careful and deliberate about studying each trade as a trade, I included only those testators who specifically identified themselves as tailors, drapers, or mercers.

In choosing to focus on three specific trades, however, I encountered my share of limitations. A particularly visible one is that, in selecting testators according to the trade with which they identified, my study inevitably presents information on male subjects in the first instance. Such an emphasis was not by design: it is clear that women played significant roles in testators’ lives and in the domestic, kinship, and local community circles which testators outlined in their wills.

74 In other words, 598 testators total, if the number of testators for both the Commissary and Husting Courts are combined. In calculating the numbers of testators for the Commissary and Husting Courts, I also excluded subsequent wills (i.e. second, third, and so on) enrolled by a testator whose first will had already been included in the count.
Due to this condition that testators to be included in this study had to explicitly identify themselves as tailors, drapers, or mercers, women were not included in the final groups of testators analyzed in this thesis. In the interests of including as much potential information as possible, I had initially also kept information for widows who identified themselves as the surviving wife of one of the aforementioned trade practitioners. It turned out, however, that the numbers of widows was very small, namely nine tailors’ widows, six drapers’ widows, and seven mercers’ widows; their inclusion in the total numbers presented more of a statistical complication than anything else. For the statistical figures presented throughout this thesis, then, I have included only testators who specifically identified themselves as tailors, drapers, or mercers; the numbers are inevitably comprised wholly of male testators, but where possible, I included discussion of widows’ issues on an anecdotal basis.

The frequency with which testators named their wives, daughters, and other female kin in their wills, as well as the significant responsibility and trust testators often placed upon women, stands as compelling witness to women’s importance in the testators’ lives. Chapter Two, in particular, will explore the options and rights available to women in greater detail, with reference to real property.

Nearly any research study or project has its inevitable limitations, and this dissertation is not an exception. Constraints in time and access to documents, as well as the scope and condition of the documents themselves, limited the extent of this project. I had hoped, for instance, to examine probate inventories in tandem with wills, but the scarcity of inventories prior to the sixteenth century made this a largely futile prospect. Another potential future project is a comparative analysis of the wills and suits filed by recipients of bequests and other individuals connected to the testator following the registration and execution of the wills in question. Suits of dower would be an especially promising line of analysis, as would suits related to inheritance and recovery of property and other parts of a testator’s estate.

**Wills: Coverage, Caveats**

It is a fundamental assertion of this thesis that wills offer a good deal of useful insight on this study’s major themes, including testators’ networks of family and friends and relationships
with spouses and children. At the same time, however, one must exercise caution with the source material. The testator’s voice was usually mediated by the scrivener or clerk who recorded the wills into the court registers; they might have had some hand in shaping the phrasing, and, as Barron suggests, perhaps the nature of the bequests themselves.\footnote{C.M. Barron, “The Widow’s World,” xvi.} At a certain point between the testator’s initial conception of the will and the executors’ presentation of the instrument in the relevant court, the will was also typically translated from the language the testator initially used, usually English, into Latin.\footnote{Some wills, particularly in the earlier part of this study’s date range, might be presented to the court of record in French in either whole or part. The Husting Court will of Robert Rous, a knight, dated 1383 and presented to the court in 1389, used both Latin and French, namely Latin for the main will itself and French for the codicil. See \textit{HW}, II:277-78 for Sharpe’s entry on the will’s contents. The number of French-language wills in this study’s body of wills in either court, however, was too small to be of statistical significance. I was not able to find any Commissary Court wills in French among the wills I studied; among my group of Husting Court wills, the only one written in French, and only in part at that, was that of Henry Ancroft, mercer (enrolled 1391, Husting Roll 199, no. 96; will in Latin, codicil in French. See \textit{HW}, II:285-86.} The will was thus at least twice removed from the testator’s direct voice, as the steps and parties involved between the initial drafting of the will and its enrollment in court usually meant that the will passed through at least one intermediary, if not more, before it attained its final, registered form. When reading the wills, then, one must approach and handle issues of syntax, grammar, and other linguistic aspects with caution, remembering that the form of the wills in those senses can be attributed, for the most part, to their adherence to standard formulas, at least for the Commissary and Husting Courts.

In the period examined in this study, however, the presumed likelihood of distance or deviation implied by translation into Latin tended to decrease, especially from the mid-fifteenth century onwards. English appeared with some greater frequency, particularly from the 1440s on. Sharpe states that the first sentence in English among the Husting wills occurs in William Cresewyk’s will, enrolled in 1407.\footnote{Husting Roll 134, no. 105; see \textit{HW}, II:371-74. The will is primarily written in Latin, but Cresewyk includes directions for a chantry priest to recite specific statements in English during daily mass.} The first Husting will written fully in English is that of tailor Alexander Farnell, enrolled at the court in 1440.\footnote{Husting Roll 168, no. 39. See \textit{HW}, II:490.} I have been able to identify three English wills among the tailors’, drapers, and mercers’ Husting Court documents that I have

\begin{footnotes}
\item[75] C.M. Barron, “The Widow’s World,” xvi.
\item[76] Some wills, particularly in the earlier part of this study’s date range, might be presented to the court of record in French in either whole or part. The Husting Court will of Robert Rous, a knight, dated 1383 and presented to the court in 1389, used both Latin and French, namely Latin for the main will itself and French for the codicil. See \textit{HW}, II:277-78 for Sharpe’s entry on the will’s contents. The number of French-language wills in this study’s body of wills in either court, however, was too small to be of statistical significance. I was not able to find any Commissary Court wills in French among the wills I studied; among my group of Husting Court wills, the only one written in French, and only in part at that, was that of Henry Ancroft, mercer (enrolled 1391, Husting Roll 199, no. 96; will in Latin, codicil in French. See \textit{HW}, II:285-86.
\item[77] Husting Roll 134, no. 105; see \textit{HW}, II:371-74. The will is primarily written in Latin, but Cresewyk includes directions for a chantry priest to recite specific statements in English during daily mass.
\item[78] Husting Roll 168, no. 39. See \textit{HW}, II:490.
\end{footnotes}
studied here for the period 1374-1485. The Commissary Court had a significantly greater number of English-language wills than the Husting Court did. Among the wills that I examined, the first Commissary Court will in English is that of tailor John Skylgate, dated 27 September 1448 and enrolled in the Commissary Court in 19 October of the same year.\footnote{Commissary Court, Register 4, fol. 248v.} I could not find any English-language wills prior to Skylgate’s document among the Commissary Court documents in this study; from 1440 to 1485, however, I found that 34% of the court’s wills that I examined were written in English.

The Commissary and Husting Court wills continued to rely on Latin terms, even when wills were written in English; this continued prevalence of Latin thus necessitates exercising extra caution in certain aspects of analysis of the historical material. One of the most significant areas of analysis affected in this study is our understanding and interpretation of the Latin term *dos* in these legal instruments. Chapter Two will argue that a tendency among the wills to apply *dos* to refer to several different components of widows’ legal entitlements has created a basis for some confusion in scholarship on the subject, and the chapter will offer clarification on the term and on provisions for widows according to London’s laws.

### Wills: Some Limitations as Sources

As demonstrated in the previous section, wills are certainly not without their limitations and must be treated with caution; I have already discussed the issue of intermediaries and translation. As noted earlier, Clive Burgess’s work has been cited copiously by other scholars as a reminder of the limited extent to which wills might be interpreted as reflections of testators’ wishes, priorities, and individual character. Valid concerns include Burgess’s warnings that wills reflect the wishes and intentions of the testator alone, obscuring possible influences or roles that others might have had in shaping the individual’s concerns, or, indeed, the actual outcome following the testator’s death, registration of the will, and grant of administration. Philippa Maddern notes that those closest to the testator might not have been mentioned in the will at all, precisely because their needs had already been taken care of according to English legal
provisions or via property transfers completed prior to the drafting of the will. Other concerns or priorities, even outside the testator’s closest circles of associates, might have been settled prior to the will as well, e.g. “in vivo charity to institutions,” in Maddern’s words, while other significant property transfers could also be settled at a point in time significantly post-dating the creation of the will.80 Nigel Goose and Nesta Evans, writing about wills for late-medieval to early-modern England, observe that the survival of wills in the said period reflects only a portion of the full population, and that survival favored certain segments of the population based on age, gender, and social grouping.81 Similar caution must be exercised with the Husting and Commissary Court wills discussed in this study. Enrollment of wills in either court was a privilege predicated on certain conditions: one had to have an estate totalling at least £10 to enroll in the Husting Court, and in the case of the Commissary Court, the testator had to own properties in more than one archdeaconry in order to register a will. Wills from the Husting and Commissary Courts, then, required a certain minimum of wealth. Of course, not all inhabitants of London would have been able to meet the stated criteria, and so it is clear that the two courts from which this study draws its evidence are silent regarding certain members of London’s society.

Nevertheless, a number of scholars have affirmed the usefulness of wills despite their limitations. Shona Kelly Wray, for instance, argues that though the legal process subsequent to the enrollment of a will might set the outcome at odds with the original intentions expressed in the document, contestation of wills was, in reality, notably rare. Kate Kelsey Staples notes that even if wills reveal only part of the picture in terms of the population represented, the testator’s full provisions for close associates, and the testator’s own concerns and priorities, the information that is provided by wills can still yield highly illuminative information on aspects such as inheritance patterns, social networks, and the testator’s personal relationships.82

subsequent section will briefly survey the trajectory of scholarship and thought on the subject of wills, both in the medieval period and in scholarship from the nineteenth century to the present, including Kelly Wray’s and Staples’s respective research.

The Use of Wills as Historical Sources: Historiographical Survey

Theories on the form, function, and utility of wills and testaments have been under consideration from at least the twelfth century through the present. This section will briefly explain the trajectory that the study of wills has taken from the medieval period through recent seminal scholarship which has shaped the general understanding and debate in the research on wills.

The will itself had been a concept and instrument recognized in the medieval period, most notably in twelfth-century jurist Ranulf de Glanvill’s Tractatus de legibus et consuetudinibus regni Angliae and, approximately 200 years later, in Henry de Bracton’s De legibus et consuetudinibus Angliae and in the anonymous late thirteenth-century common-law treatise Fleta, as well as in subsequent works including the fourteenth-century Provinciale, a commentary by William Lyndwood, bishop of St. David’s in present-day Pembroke, Wales, and Henry Swinburne’s sixteenth-century treatise entitled A brief treatise of testaments and last wills. Testamentary procedure (and the place of wills in this process) was also a commonly-treated subject in most of the broader surveys on English legal history from at least the early twentieth century onwards: for instance, Pollock and Maitland’s landmark two-volume study (first published in 1895) of the English historical legal tradition included a separate section addressing testamentary jurisdiction and matters, as did William Holdsworth’s multi-volume publication of 1903 on England’s legal system. Of note, however, particularly for this study, is the fact that Holdsworth and Pollock and Maitland dealt primarily with common and canon laws.

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83 See W.S. Holdsworth, A History of English Law, I:625-29; for Pollock and Maitland’s discussion of testamentary matters, see Pollock and Maitland, II:314-56, titled “The Last Will.” This section is contained within Ch. 6, “Inheritance”; the other sections in the chapter, namely “Antiquities” (240-60), “The Law of Descent” (260-313), and “Intestacy” (356-63) are also pertinent.
Doing so meant that the authors in question could address legal traditions and procedures that applied to the country generally, but it also meant that local customs, especially those that varied from canon or common law, often received much less attention.

Context on local customs is particularly important in the case of London, which operated independently from the crown, having received confirmation, in Henry I’s coronation charter (c. 1191), of the city’s rights to appoint its own sheriff, hold a weekly assembly, adjudicate debts and pleas pertaining to its citizens, and other matters. The city’s rights in this regard meant that it was not necessarily obligated to follow civil and canon law as applicable to the country as a whole.

The nineteenth and early twentieth centuries witnessed the publication of documents critical for the study of local customs and laws pertaining to boroughs: for London, these included Robert Ricart’s *Kalender*, as discussed earlier. Another important source produced in this period was the *Liber albus*, *Liber custumarum*, and *Liber horn*, edited as a three-volume set entitled *Munimenta Gildhallae Londoniensis* by Henry Thomas Riley and published in London (1859-62). It was not until Mary Bateson’s two-volume compilation and discussion of English borough customs, published by the Selden Society in 1904 and 1906, that legal practices specific to various boroughs throughout the country were addressed in a comprehensive fashion. Bateson’s work remains one of the standard reference texts on borough customs. In the same year, Adolphus Ballard produced his brief monograph titled *The Domesday Boroughs*; as Ballard

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85 Generally, a borough was an established community possessing the means for self-government. The term “borough” itself is admittedly difficult to define when drawing on medieval records: as Pollock and Maitland note, several Latin terms, including *ciuitas*, *communitas ciuium*, *communitas burgensium*, and *uillata* and *communitas uillae* might all appear in various records interchangeably with *burgus* and its various forms. See Pollock and Maitland, I:634.

stated in his Preface, the book was based on Frederic Maitland’s section on boroughs in his work *Domesday Book and Beyond*. Ballard’s monograph was followed roughly ten years later by his subsequent work titled *British Borough Charters, 1042-1216*, and then by James Tait’s *The Medieval English Borough*, published in 1936. It is within the context of London’s rights, privileges, and operations as an independently-governed body, then, that this study’s investigation of wills and, in a larger sense, social and legal customs and options available to the individuals and communities examined here, must be presented and discussed.

Regard for wills as sources for English social history, in turn, is not new among historians. The mid- to later nineteenth century, particularly in England, witnessed the publication of several collections of medieval wills, though each varied in terms of scope, principles of compilation, and style and extent of conveying the information contained in the documents. As early as 1836, James Raine published wills from a number of probate registers in York, the northern and complementary province to the southern province of Canterbury. In 1882, Frederick Furnivall published transcriptions for a collection of the then-known earliest English wills, while E. F. Jacob published transcriptions in 1938 for wills approved for administration under the aegis of Henry Chichele, fifteenth-century archbishop of Canterbury. As noted earlier, Pollock and Maitland included consideration of wills as part of the inheritance process in their seminal history, first published in 1895, of English civil and canon law. Reginald R. Sharpe’s publication of 1889-90 focused more specifically on the London Husting Court’s wills from 1258 to 1688, the period for which the court’s documents survive; his

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90 For Furnivall’s work, see *The Fifty Earliest English Wills in the Court of Probate, London: A.D. 1387-1439, with a priest’s of 1454*, ed. F.J. Furnivall (London: Trübner for the Early English Text Society, 1882); for Jacobs’s work, see volume II of *Register of Henry Chichele*.
calendar serves primarily as a reference tool for further scholarly research, but his critical commentary offers highly illuminative insight into the workings of the court and the place of the wills in the lives of London’s citizens and the city’s property administration. In 1930, roughly fifty years after Sharpe, Dorothy Whitelock produced an edition of Anglo-Saxon wills. Harold D. Hazeltine’s preface to Whitelock’s volume argued for the evidentiary nature of the early medieval will, of the written document as confirmation of a prior and usually oral act.

Michael Sheehan’s monograph of 1963 marked a significant turning point in the study of wills. Sheehan’s work offered a comprehensive critical study of this type of document as a source for medieval English history, and it specifically aimed to fill a conspicuous lacuna in scholarship by tracing the development of the canonical will from the Anglo-Saxon period, already well-covered by others such as Whitelock, to the late thirteenth century, when, as Sheehan notes, most fundamental tenets of the will according to English common law had been established.

Even Sheehan’s monograph, however, had its inevitable limitations. First, it focused primarily on wills produced in the ecclesiastical and common law courts throughout England and, by way of comparison, to certain regions in continental Europe; in doing so, it left largely unexplored the unique cases of customary or borough law that set apart specific local regions in England, particularly urban areas such as London, though he did make occasional reference to several such laws and customs. The present thesis aims to address this lacuna by considering the evidence from London’s Husting and Commissary Courts specifically in light of the customs and laws that applied specifically to London itself. Focusing on the city’s unique set of customs in analyzing the evidence of the wills and testaments from these two city courts will offer a useful and often-overlooked counterpoint to the studies on wills, such as Sheehan’s seminal work, that, though invaluable, have used common law as the primary reference point in interpretation and analysis.

A number of studies have adopted a slightly different angle on the study of wills by focusing on London itself and drawing on the Husting wills as a basis for the analysis of demographic, economic, and social aspects of individuals’ experiences in the city. In his article of 1971, George H. Martin included mention of wills, particularly in the Husting Rolls, as sources for property title holdings in medieval English boroughs. Harry Miskimin’s study, published in 1977, of the court’s wills from 1259 to 1330 found that testators tended to utilize the wills as records of property transfer, and that mention of monetary bequests were infrequent. John M. Jennings’s study, also published in 1977, argued that testators prioritized families, religion, and, as a distant third, the poor in their bequests of wealth from their landed properties. Approximately twenty years after Miskimin and Jennings, Barbara Megson used the wills to examine mortality rates among the elite after the first outbreak of the Black Death.

Scholars of London history utilized wills from other courts besides the Husting Court: Jens Röhrkasten’s work in 2001 affirmed the utility of incorporating material from the four principal series of enrolled wills, namely the Prerogative Court of Canterbury, the Commissary Court, and the Archdeaconry Court, as well as the rolls from the Husting Court. Röhrkasten argued that the patterns of increase and decrease in the Husting wills around the years of plague outbreaks in the city, i.e. 1361, 1368, 1375, and 1382, closely reflected the onset, peaks, and

93 Martin did note, however, that the Husting Rolls’ deeds of titles offered more information than the wills did in both number and detail. He states that the Husting Court’s records of deeds, at approximately 3,000 by the end of Edward I’s tenure, greatly outnumber the wills enrolled in the same court; see G.H. Martin, “The Registration of Deeds of Title in the Medieval Borough,” in The Study of Medieval Records: Essays in Honour of Kathleen Major, eds. D.A. Bullough and R.L. Storey (Oxford: Clarendon Press, 1971): 151-73, especially 158.

94 Miskimin found that cash amounts appeared in only 12.5% of wills after 1300 and were rare even before then; see H.A. Miskimin, “The Legacies of London, 1250-1330,” in The Medieval City, eds. H.A. Miskimin, D. Herlihy, and A.L. Udovitch (London and New Haven, CT: Yale University Press, 1977), 223.


eventual ends of the respective outbreaks, and that the evidence thus indicated that the plague was the primary cause for mortality in the periods noted.  

Röhrkasten, however, was not the first to consider testamentary material from multiple sources. At least thirteen years earlier, in 1985, J. A. F. Thomson brought together evidence of wills from the Prerogative Court of Canterbury and the London Consistory Court, together with other records from both within London, such as the Letter Books and Plea and Memoranda Rolls, as well as from areas other than London itself, such as Coventry’s leet book and Nottingham’s borough records. Thomson’s analysis of his collected sources led him to the view that merchants in fourteenth- and fifteenth-century London balanced a general and, indeed, genuine desire for Christian spirituality and piety with strong, persistent, and occasionally conflicting ambitions for mercantile advancement.  

The above-mentioned works and scholars have each made critical contributions to the study of wills; this section has introduced them to provide a sense of the broad framework and status of the historical and current theoretical and philosophical understanding and research in this historical genre. Even with the extensive work that has been devoted to the study of wills, several important lacunae can be identified. Perhaps the most significant gap in scholarship in this field is that the bulk of work has focused on wills and testaments in common law. The present study shall analyze wills within the context of borough law as it was defined and applied in late medieval London, and in doing so, it seeks to add to the broader scholarly conversation on the nature and use of wills. As part of its analysis of testators’ wills and their personalities, concerns, and relationships, this thesis will also explore in the wills the themes of women, particularly testators’ wives and spousal relationships, testators’ expressions of piety and spiritual virtue, and the communities which testators built, supported, and acknowledged. The following sections shall introduce each of these themes in greater detail.

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Wives, Widows, Daughters: Women in the Wills of London

Studies of late medieval London, whether concentrating specifically on testamentary records or incorporating wills as part of a broader body of evidence, have pursued questions in a number of different subject areas. One topic of particular interest has been the place of women and the options and rights available to them, particularly by legal provision. My thesis will discuss women as heirs in some detail, especially in Chapter Three, because they are significant beneficiaries of the testators studied here. In my use of the term “dower” here, I refer specifically to the widow’s entitlement, under London law, of one-third of her husband’s real estate holdings. I use the term *legitim* throughout the thesis to refer to the widow’s right, again according to London law, to one-third of her husband’s movable goods and chattels, e.g. clothing, furniture, books, etc. Unlike properties the widow held by right of dower, the goods she received as *legitim* were hers absolutely. In hopes of minimizing potential confusion between these and other aspects of widows’ entitlements in late medieval London, I will apply these terms as precisely as possible, and I will also use the term “widow’s portion” or “widow’s provision” to refer to widows’ legal entitlements as a whole. There seems to have been some confusion in previous discussions of rights and provisions for widows, much of it stemming from flexible usage of the term “dos” in contemporary sources. Chapter Two will discuss the subject of widows’ provisions under London’s laws in an effort to provide clarification on the subject.

Barbara Hanawalt has examined the issues concerning women in a number of different contexts: her monograph of 2007, *The Wealth of Wives: Women, Law, and Economy in Late Medieval London*, utilizes the Hustings Court wills, together with records of suits for dower filed by widows in the Hustings Court of Common Pleas to argue that women, especially wives, served as transmitters of property and capital. In serving as conduits, Hanawalt argues, women facilitated the movement of wealth from their birth to their conjugal families, but wives, especially as widows, exercised some control of the property in their own right through the city’s dower system, which granted widows the life use of one-third of the conjugal estate.99 A widow

99 In my use of the term “dower” here, I refer specifically to the widow’s entitlement, under London law, of one-third of her husband’s real estate holdings. I use the term *legitim* throughout the thesis to refer to the widow’s right, again according to London law, to one-third of her husband’s movable goods and chattels, e.g. clothing, furniture,
could also take her life use into a subsequent marriage, where it would pass into her new
husband’s control unless he granted continued control to her. Widows’ roles in the transfer of
property thus also allowed wealth to move laterally within London’s social structure, especially
between colleagues within trades.\textsuperscript{100}

Kate Kelsey Staples’s study, published in 2011, of bequests to daughters in the Husting
wills argues that daughters enjoyed greater economic leverage and opportunities than
scholarship has recognized, particularly as the women received real estate, as well as cash and
movable goods, more frequently than scholarship has often perceived.\textsuperscript{101} Valerie Emanoil’s
doctoral dissertation (Ohio State University, 2008) argues that though male testators, by and
large, adhered to the city’s borough custom of granting surviving wives a life interest in one-
third of their husbands’ property holdings, and widows, in turn, bequeathed property they
possessed through inheritance or sale (either alone or together with their husbands), widows
relied on their dowered property more as a source of economic security than as a source for
extensive investment in the land market.\textsuperscript{102} Sharon Teague’s doctoral thesis, completed at the
University of Toronto in 2013, examined marital relationships and bonds within the conjugal
family as evidenced in the Husting wills. Teague’s work attests that the wills can and did reflect
the testators’ own voices and personas, particularly their efforts at presenting a public persona
through pious and charitable acts, affirming networks of their closest associates, and, within

books, etc. Unlike properties the widow held by right of dower, the goods she received as \textit{legitim} were hers
absolutely. In hopes of minimizing potential confusion between these and other aspects of widows’ entitlements in
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London’s laws in an effort to provide clarification on the subject.

\textsuperscript{100} See B.A. Hanawalt, \textit{The Wealth of Wives: Women, Law, and Economy in Late Medieval London} (Oxford:
Oxford University Press, 2007).

\textsuperscript{101} See K.K. Staples, \textit{Daughters of London: Inheriting Opportunity in the Late Middle Ages} (Leiden and Boston:
Brill, 2011).

\textsuperscript{102} See V. Emanoil, “’In My Pure Widowhood’: Widows and Property in Late Medieval London” (Ph.D diss., The
Ohio State University, 2008) (accessed 6 May 2014).
these networks, acknowledging the trustworthiness and upstanding character of certain individuals in their appointments as executors of the testators’ wills. Others who have discussed women and wills in an English context include Janet Loengard, Ann J. Kettle, and Kathryn Lewis. The present thesis supports and illustrates Teague’s argument that wills can express testators’ individual concerns and character. The analysis in Chapters Two and Three will also draw upon Hanawalt’s and Staples’s observations of women’s spousal relationships and the active roles they might play in continuing the family’s legacy via transmission of goods and real property.

Piety and Charity: Wills as Instruments of Expression

Another prominent theme of this study is the extent to which testators employed their wills as a means of expressing piety and actively engaging in works of charity and spiritual virtue. Piety and charity have also been prominent areas of inquiry in studies utilizing wills, along with other types of records. Clive Burgess has written extensively on themes relating to piety and parishes, particularly in the context of Bristol. Among his publications, his article on pious bequests in the wills of testators from Bristol, enrolled in the Prerogative Court of Canterbury, the Bristol Record Office’s Great Orphan Book, and the Great Red Book of Bristol, edited by Elspeth Veale, and his article on expressions and conventions of piety in wills have

103 See S. Teague, “Patterns of Bequest within the Family: Testamentary Evidence from the Ecclesiastical Registers of Canterbury and York c. 1340-1440” (PhD diss., University of Toronto, 2013). I am deeply grateful to Dr. Teague for graciously giving me access to a copy of her dissertation.

been utilized in subsequent scholarship as reference points on the limitations of wills. Peter Heath has considered lay piety in late-medieval wills from Hull, while Joel Rosenthal has written on piety and spirituality in an aristocratic context.

Wilbur Kitchener Jordan’s classic three-volume study on charitable benefactions, *Philanthropy in England 1480-1660* (1959), *The Charities of London, 1480-1660* (1960), and *The Charities of Rural England, 1480-1660* (1961), drew upon wills enrolled in ten counties. Among Jordan’s findings from the study, he argued for a shift from religious to primarily secular concerns, as well as a dramatic increase in acts of philanthropy itself. Jordan’s work has been used extensively by subsequent scholarship as a seminal point in the ongoing debate on the nature and evolution of charity and poor relief in late medieval and early modern England. Findings for some have differed to certain degrees from Jordan’s: J. A. F. Thomson, for instance, saw ways in which the Church and the merchants of London worked towards similar values and ideals, which suggested a closer compatibility between religious and secular motives than Jordan’s work seemed to indicate. Along similar lines, J. M. Jennings argued for the difficulty of distinguishing between secular and religious interests.

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105 C. Burgess, “‘By Quick and by Dead’: Wills and Pious Provision in Late Medieval Bristol,” *English Historical Review* 405 (1987): 837-58. See also C. Burgess, “Late Medieval Wills and Pious Convention: Testamentary Evidence Reconsidered,” in Profit, Piety and the Professions in Later Medieval England, ed. M. Hicks (Gloucester: Sutton, 1990): 14-33; the latter article, in particular, offers useful points on various ways by which wills should be used with caution.


109 J.M. Jennings, “The Distribution of Landed Wealth,” 278. A number of issues have been noted regarding Jordan’s data, as explained by William G. Bittle and R. Todd Lane. Among the greatest of the concerns is the lack of adjustment for inflation in Jordan’s data, though Jordan himself readily acknowledged this limitation; see, for
Scholarship utilizing wills in Continental contexts have also yielded rich information regarding testators, inheritance patterns and priorities, and interpersonal networks surrounding and cultivated by the testator. Steven Epstein’s study of wills and testaments in twelfth- to thirteenth-century Genoa was one of the earlier full-length studies to approach the subject and the material from the point of view of social history. In his examination of the Genoese notarial material which forms the basis of his evidence, Epstein addresses issues such as intra-familial relationships, provisions for family members and others within the testators’ kinship circles, concerns related to religious belief. More recently, Teofilo Ruiz has drawn upon wills, as well as other sources including charters, property inventories, and legal codes, to argue that twelfth- to fourteenth-century Castilian society witnessed a significant mental shift away from a focus on the otherworldly in favor of more pragmatic attitudes towards inheritance, property transfer, and issues such as poor relief and support of, as well as services from, ecclesiastical institutions. Martha Howell explored wills, together with marriage contracts and other material for their insight on social ties and family structures and relationships in medieval Douai. Howell perceived major shifts in inheritance practices and property transfer, most notably a shift in prioritization from the conjugal pair to linear descent in property law, and thus a diminution in perceptions of widows’ inheritance rights. Continental scholarship on wills in languages other than English should not be overlooked either: Marie-Thérèse Lorçin, for instance, has drawn on testamentary material recorded at Lyons and Forez during the period 1300-1510 to examine demographic patterns, family structures, and inheritance customs in the French province.
of Lyonnais. In a more recent study, Lisane Lavanchy’s analysis of fifteenth-century wills from Lausanne offers insight on the ways testators might use the occasion and the document to ensure care for their own souls, as well as illuminate testators’ personalities and concerns on an individual basis. Martin Bertram has explored issues of gender, especially in terms of male/female testator ratios in fourteenth-century Bolognese wills, while Johannes Schildhauer has applied testamentary evidence to examine daily urban life in the late medieval Hanseatic context. The work of Lorçin, Lavanchy, Bertram, and Schildhauer, among others, indicates ample ongoing interest and research in the ways that wills continue to contribute to historical scholarship’s understanding of late medieval societies, particularly individual personalities, customs, everyday life, and relationships within families and between colleagues, friends, and other close associates within communities. My own analysis in the present study shall further enrich the field by exploring the information that the London Commissary and Husting Court testamentary records offer concerning testators’ idiosyncrasies, concerns, and relationships, along with various practices and loyalties within the communities that formed in fourteenth- and fifteenth-century London.

Life in London: Circles of Communities, Aspects of Identities

Londoners’ identities were comprised of a composite of elements: characteristics of their personal achievements and standing, as well as the circles of communities within which they interacted and carried out their lives, even the geographic spaces where they lived. Wards, as

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discussed earlier in this Introduction, and parishes were both instrumental in determining London’s geographical layout, and the influence that the two administrative systems held in shaping local communities and their boundaries made increased the likelihood that either, or perhaps both, would comprise a major component of individuals’ sense of self and membership in the city.

This thesis will argue that parishes, in particular, held considerable influence in testators’ lives and in their sense of selfhood and community. As noted earlier, wards were closely linked with the development of the system of aldermen as authorities to govern specific jurisdictions within the city. Parishes, on the other hand, are defined by Brooke and Keir in the first instance as a “bundle of rights,” particularly rights of burial, baptism, and tithes, according to canon law.116 Beat Kümin argues that the key function of this “local ecclesiastical network” was to guarantee proper administration of the sacraments, especially burial and baptism.117 The key aspect and foundation of a parish was a church, usually built under private ownership, such as a privately owned chapel on a tenement or an edifice connected to a prominent residence.118 A group of men engaged in the same occupation might also choose to construct a church and support a priest for the said church to enable them to worship in it. The community that formed as a result could thus be a specific one, but one that was essentially voluntary.119 In a similar sense, various members of a given community might tacitly affirm their identification with that community by affiliating themselves with a specific, known and trusted individual or institution. During the period 1461 to 1489, for instance, at least seven tailors called on George Haydiff, the vicar of St. Dunstan West (Fleet Street) parish church to perform various responsibilities on their behalf, including executor, witness, and chaplain performing masses for their spiritual benefit.

116 C.N.L. Brooke and G Keir, London 800-1216, 129. Brooke and Keir acknowledge, however, that Londoners had freedom to be buried wherever they wished, and so rights of burial were not a mandatory aspect of parish prerogatives; the issue of tithing took precedence over burial and baptism, see ibid., 130 and 131.


The church’s physical location and responsibility for its upkeep played important roles in the formation of a parish community, but it was one’s participation in the community by one’s own volition, rather than by requirement, that was a key aspect of the parish. By 1200, there were more than 100 parish churches in the city; from 1300 on, the number of parish churches in London had reached around 108, and the number stayed more or less so until 1540.

Individuals whose wills were enrolled in the London Commissary and Husting Court records identified themselves in two major ways: by legal status, i.e. citizen or non-citizen, and by trade occupation or membership. In some cases, efforts were expended to identify and keep track of even those who might be categorized in present-day terms as transient groups, such as the wandering poor, the homeless, or those deemed alien to the city. Legitimate identity and membership were important aspects of life as a Londoner. As noted earlier, the emphasis and significant consciousness placed on the obtainment of identity and legitimation by claiming membership as a citizen (or at least identifying oneself as a non-citizen) and as a member of a specific craft indicates that such identifying elements, and the achievements that they intimated, were of great significance to the late medieval Londoner. The vast majority of Commissary Court wills for all three occupational groups examined here, i.e. the tailors, drapers, and mercers, identified the testator as both citizen and trade practitioner: only thirty (11%) out of 263 tailors’ wills, three (1%) out of 154 drapers’ wills, and six (8%) out of 74 mercers’ wills failed to name the testator as a citizen along with his trade as either a tailor, draper, or mercer.

This Introduction has highlighted the key issues and subjects surrounding the main elements at the heart of this dissertation, namely wills, especially wills in the context of fourteenth- and fifteenth-century London. Chapter One will provide more specific contextual information on London’s social and economic circumstances by the fourteenth and fifteenth

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120 See C.N.L. Brooke and G. Keir, *London 800-1216*, 132, for an example of a deed granted by S. Paul’s to the church of S. Augustine, for a sum of 20s per year for a six-year term. The deed granted the church permission to construct a building on the property, and the property’s geographical bounds were also noted in the document. See C.N.L. Brooke and G. Keir, *ibid.*, 132.


centuries, as well as the historical development of the city’s tailors, drapers, and mercers as trade-based groups in the late medieval period.
Chapter 1
London in Context: Political, Economic, and Social Development and Organization in the City

This chapter will provide a brief overview of major economic and social currents and circumstances that shaped and influenced London’s internal and external development as a city, as a community comprised of competing groups and interests within its walls, but also as a corporate body protecting its interests within a larger political, social, and economic arena. Chapter One will also introduce contextual background for London’s tailors, drapers, and mercers. In doing so, the discussion will situate the respective positions of the three trades within the city’s affairs and will elucidate the trades’ contributions to and influence upon London’s social and economic developments and governance. The discussion provided in this chapter will identify a number of factors that will inform and nuance the analysis provided in Chapters Two, Three, and Four.

In order to provide sufficient context for the fourteenth- and fifteenth-century circumstances of the tailors, drapers, and mercers in London, it is necessary to first explain a number of factors with some bearing upon these three trade groups: the city’s social and economic situation; the fortunes of the English wool industry and London’s participation in the same wool industry; and clarification of specific terms that have been critical to the scholarly discussion on the topics of these three occupations and the wool trade in later medieval London. This chapter will first address these three larger issues, followed by an introduction to the history of the city’s tailors, drapers, and mercers, respectively. The chapter will then offer a contextual overview of two major themes of this study, namely the position of family, particularly women, in relation to the testators, and ideas of charity and spiritual virtue actualized via the wills.

The governmental and administrative structure and framework of the city of London emerged only through a gradual process of trial and error, as well as through conflict and negotiation between the Crown and the city’s inhabitants. By the end of the fourteenth century,
the prominence of England’s wool on the international market and London’s roughly 30% and 50% share of the country’s wool and cloth export activity, respectively, encouraged trade with European merchants, particularly with Italy and the Low Countries.123

The city demonstrated its worth on several fronts, with its commercial activity comprising the largest, but by no means sole, component in its functions.124 It is perhaps small wonder that it attracted

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123 C.M. Barron, London in the Later Middle Ages: Government and People, 1200-1500 (Oxford: Oxford University Press, 2004), 98, 100-1. The English merchants’ position in the international wool trade market was not always a consistently strong one; as Barron, John Munro, and Michael Postan, among others, observe, the English export trade experienced dramatic ebbs and surges between the thirteenth through sixteenth centuries. Perspectives seem to differ somewhat on the particular pattern of the English trade’s fortunes in this regard: Barron argues that the English wool trade moved from a largely “colonial” phase in the thirteenth century, with alien merchants playing a major role in a free-market economic environment, to a shift towards a protectionist economy favoring English merchants, their recapture of the country’s wool and cloth export market, and a concomitant rise in English wool and cloth exports by the end of the 1300s and into the 1400s, though there was some interruption in the 1330s and 1340s due to Edward III’s aggressive and controversial fund-raising efforts for his military endeavors. Postan perceives English cloth exports as moving from a very small industry at the start of the fourteenth century to a noticeably larger one by mid-century and remaining at that level into the start of the following century; he also observes that wool exports to Italy and Flanders took a dip from the late 13th and 14th centuries to the late fourteenth and fifteenth centuries, though trade in the later end of this range continued without interruption. Munro argues for a 43% decline in English wool and cloth exports from the mid-1300s to 1411-15 due to factors including population decline, depressions, war, and piracy. According to Munro, the London Merchant Adventurers’ success in obtaining direct access to the major markets of Germany and central Europe via the establishment of a cloth staple, or compulsory market, at Antwerp rather than Bruges (thereby circumventing a major roadblock due to Flemish restrictions on English cloth imports) provided the impetus for a sustained long-term growth for the English trade, though briefly affected by a depression in the 1440s to the 1460s, to its peak in the mid-16th century. See C.M. Barron, ibid., 92-117; M.M. Postan, The Medieval Economy and Society: An Economic History of Britain, 1100-1500 (Berkeley: University of California Press, 1972), 193-7; J.H. Munro, “Hanseatic Commerce in Textiles from the Low Countries and England during the Later Middle Ages: Changing Trends in Textiles, Market Prices, and Values, 1290-1570,” in Von Nowgorod bis London: Studien zu Handel, Wirtschaft und Gesellschaft im mittelalterlichen Europa: Festschrift für Stuart Jenks zum 60. Geburtstag, eds. M-L. Heckmann and Jens Röhrkasten (Göttingen: Vandenhoeck and Ruprecht, 2008), 100-2. See also England’s Export Trade, 1275-1547, eds. E.M. Carus-Wilson and O. Coleman (Oxford: Clarendon Press, 1963).

124 London’s location ensured its importance in military and political terms as well. From at least the 10th and 11th centuries, the city gained recognition as the country’s main hub of communication with continental Europe, particularly Normandy and Flanders, which would constitute the major part of England’s overseas activity during the subsequent several centuries. London’s commercial importance thus fostered its political and military significance as well. The city was a key target of the Viking invasions in the ninth and tenth centuries, and it had become Ethelred’s military headquarters by 1014. By the twelfth century, Westminster, and by extension London, succeeded Winchester as the administrative center of England.124 The city assumed significance in terms of ecclesiastical administration as well. As Barron remarks, London had served as a bishop’s seat since the seventh century, and was increasingly used by bishops and abbots as a place of residence which offered several advantages: it ensured their proximity to the king, it provided an ideal venue from which to sell surplus crops from their estates, and it allowed for the supply and storage of materials for distribution to their communities in the hinterlands. For Miller and Hatcher’s discussion of the unique advantages London had, see E. Miller and J. Hatcher, Medieval England, 165. For Caroline Barron’s discussion of the challenges London faced, see C.M. Barron, ibid., 48. For London’s commercial status c. 1300, see G.A. Williams, Medieval London: From Commune to Capital (London:
substantial interest from various parties, particularly royalty. The Crown, indeed, engaged in numerous tug-of-war struggles with the citizenry over the course of the eleventh through sixteenth centuries for administrative, political, and economic authority. That the Londoners managed to withstand royal pressure on many fronts and, further, establish a sizable degree of autonomy and independence from the Crown, operating as an entity in its own right, may be credited at least partially to the assertiveness of those who lived and worked in the city.\textsuperscript{125}

A brief explanation on the distinction between the terms “wool trade” versus “cloth trade” will help clarify some of the more subtle but nevertheless important aspects of the tailors’, drapers’, and mercers’ involvement in London’s commodity import and export activity during the fourteenth and fifteenth centuries. In brief, “wool” refers to the raw material and “cloth” refers to the product manufactured with the wool. Eleanor Carus-Wilson makes it clear that the basis of the distinction between wool and cloth is that of unprocessed substance versus the refined, ready-to-use fabric.\textsuperscript{126} In her discussion of the English merchants’ dealings with the Low Countries, Carus-Wilson explains that the English merchants’ highest priority was sending raw wool exports across the Channel, while the Flemings, on the other side, relied heavily on

\textsuperscript{125}The strength and assertiveness of London’s citizenry in this period is particularly evident in the city’s struggles against Henry III in the mid-1200s. The king attempted to establish control over the city in a number of instances, including the forcible installation of his own appointees for positions in city government (and punishment when the citizens resisted) and several instances of financial extortion upon the citizens, including a sum of £2,000 in 1249. The city’s inhabitants, for their part, fought back; this is perhaps most evident in their cooperation with the realm’s barons in forcing Henry to accept the Provisions of Oxford in June 1258, which established a council of twenty-four men as the city’s governing authority. See R.R. Sharpe, \textit{London and the Kingdom}, I:85-9.

\textsuperscript{126}The process of transforming raw wool to a ready-to-use product, of course, also involved finishing procedures such as fulling (essentially forcing the short fibers of raw wool to mat together into a felted cloth), shearing (trimming raised fibers off the cloth’s surface), and dying. It is unfortunately beyond the scope of this discussion to fully address the finishing trades involved, and so the term “cloth” here refers more generally to material that has undergone processing, i.e. no longer simply raw wool, but not necessarily the product as it would have been in its final, ready-for-consumption form. For more on the finishing processes, see, among others, J.H. Munro, “Textile Technology,” in \textit{Textiles, Towns and Trade: Essays in the Economic History of Late-Medieval England and the Low Countries} (Aldershot and Brookfield, VT: Variorum, 1994): 1-27; see also J.H. Munro, “Medieval Woollens: Textiles, Textile Industry and Industrial Organisation, c. 800-1500,” in \textit{The Cambridge History of Western Textiles}, vol. 1, ed. D.T. Jenkins (Cambridge: Cambridge University Press, 2003: 181-227.)
cloth production from the English wool. She affirms that England’s emphasis on raw wool exports was long established, for it had been an exporter, since the Roman era, of raw materials and foodstuffs. Wool, then, was part, and in fact the chief component, of England’s long-standing export activity.

The earliest-known significant attestation to an established wool trade in England has been identified as the story of the English journey of the canons of Laon in 1113. By the late thirteenth century, England had developed a reputation in the Low Countries and in Europe for high-quality raw wool. English raw wool exports reached their peak in the thirteenth and early fourteenth centuries. By the fifteenth century, England’s exports in raw wool had started to decline, but it was immediately replaced by a rise in exports of domestically produced cloth. The taxes that the Crown charged on raw wool exports in the mid-fourteenth century helped finance Edward I’s wars and the Hundred Years’ War under the tenure of his son, Edward III, but it also encouraged the development of a domestic cloth production industry in England. By the fifteenth century, the country’s cloth exports had supplanted the formerly dominant raw wool exports.

Commercial interests played a substantial part in shaping the city’s physical layout. On a basic level, shared interests and concerns stemming from practicing the same trade apparently

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129 As Peter Sawyer explains, the canons’ and merchants’ ship was attacked by pirates, and the merchants stored their purchased wool in a storehouse at Dover; these details suggest that the wool trade was already established by the time of their travel. For the account of the canons, see Herimann, abbot of St. Martin of Tournai, *De miraculis Sanctae Mariae Laudunensis* (MGH SS 14), 268-69; for Sawyer’s brief synopsis, see P. Sawyer, *The Wealth of Anglo-Saxon England* (Oxford: Oxford University Press, 2013), 105. For an analysis of the story itself, see J.S.P. Tatlock, “The English Journey of the Laon Canons,” *Speculum* 8 (1933): 454-65.
influenced individuals’ living arrangements in various areas throughout London. Christopher Brooke and Gillian Keir observe that, by the beginning of the twelfth century, individuals plying the same craft or trade tended to live near each other, thereby creating clusters of communities identifiable by occupation. In the eleventh and twelfth centuries, for instance, the main commercial centers were located in and around West Cheap, or Cheapside, and the Thames. Trade in meat was located in the Shambles, on the west end of Cheapside; the fish market lay just beyond the Shambles via Old Fish Street and Friday Street, but would move in the thirteenth century to Old Fish Street, on Friday Street’s south end, as well as along the present-day Fish Street in Eastcheap. The Pantry, the bakers’ trade center, was situated at the top of Bread Street. The goldsmiths, for the most part, settled on the east corner of Friday Street, which acquired the name “Aurifabria,” while the Saddlers, as another example, housed their shops around St. Vedast’s at the end of Foster Lane.131

Such tendencies for trade co-practitioners to group together in shared communities applied to London’s tailors, drapers, and mercers as well. The Mercery, home to the mercers’ craft, lay opposite the Mercers’ Hall and St. Thomas Acon. The mercer community stretched along the south end of Cheapside, while the drapers clustered in a district further west.132 From at least the fourteenth to the mid-sixteenth centuries, however, the mercers themselves tended to group around the entrance to Soper Lane, along with the girdlers and silk traders.133 The drapers, originally located adjacent to the mercers, would later move to Candlewick or Cannon Street and St. Swithin’s Lane.134 The tailors, who comprised, as noted in the Introduction, the largest of the

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131 C.N.L. Brooke and G. Keir, London 800-1216, 276-77; see also G. Unwin, The Gilds and Companies of London, 73.
133 This summary description draws upon C.N.L. Brook and G. Keir, London 800-1216, 276-8. See also G. Unwin, The Gilds and Companies of London, 34; Eyre: The London Eyre of 1244, eds. H.M. Chew and M. Weinbaum, vol. 6 ([London:] London Record Society, 1970), 153, no. 485 and 171. For the Goldsmiths, see St. Bartholomew’s Hospital, Cok’s cartulary, f. 246; and Cartulary of St. Mary Clerkenwell, ed. W.O. Hassall (London: Royal Historical Society, 1949), p. 233, no. 350, for their site: the document states that the executors of goldsmith Henry de Edmonton “dispose of 24s quit-rent on a shop at the corner of Friday Street in the goldsmiths’ quarter.” For the Mercery, see Eyre, 141, no. 372, and p. 177. For the drapers, see Eyre, 140-1, nos. 370, 372, and G. Unwin, op. cit., 34, for their later site. Keene seems to place the drapers somewhat further afield, to the west of the Mercers, with
three trade groups among the Commissary Court testators discussed in this study, were scattered throughout the city but also had a noticeable tendency to group on Fleet Street, St. Dunstan in the West parish; this location allowed greater proximity to their “gentleman lawyer and civil-servant customers.”135 The influence that medieval trades exercised in shaping neighborhoods is discernible, as Unwin notes, in the designations of Wood Street, Bread Street, Friday Street, Milk Street, and Ironmonger Lane, all within Cheapside.136 Derek Keene, however, makes the important observation that no trade groups settled exclusively in a single, specific area, even when certain areas in Cheapside acquired designations such as “Drapers’ Row” or “Mercers’ Row.”137

From the thirteenth century onwards, citizens and officials of the city took an active role in establishing key structures that promoted the city’s commercial development. Henry le Waleys, who served as mayor of the city for the terms 1273-4, 1281-4, and 1298-9,138 established the city’s first major covered market, “Le Stokkes,” located next to St. Mary Woolchurch, in 1283 for the buying and selling of meat and fish, with proceeds from its rents to go to the maintenance of London Bridge. Nearly 100 years later, citizen John Churcheman collaborated with the Crown to erect the Custom House for the weighing and storage of wool exports and collection of the wool custom before it was shipped abroad. Though the construction of the Custom House was a collaborative effort between an individual and the groups of saddlers and shoemakers occupying space between the drapers and mercers; see D. Keene, “A New Study of London Before the Great Fire,” 17. I have not been able to consult Cok’s cartulary first-hand.

135 C.M. Barron, London in the Later Middle Ages, 69.
136 G. Unwin, op. cit., 55.
137 See D Keene, op. cit., 18.
138 See De antiquibus legibus liber: cronica majorum et uicecomitum Londoniarum, ed. T. Stapleton (London: Camden Society, 1846; repr. New York: AMS Society, 1968), 161, 171, 226, 240, 247; Memorials of London and London Life, in the 13th, 14th, and 15th Centuries, being a series of extracts, local, social, and political, from the early archives of the city of London, A.D. 1276-1419, ed. H.T. Riley (London: Longmans, 1868), 41; Calendar of Patent Rolls, 1272-1307, vol. 3: 1292-1301 (London: HMSO, 1893-1901), 408, 459, 547. Le Waleys’s probable date of death was 1302; his will was stated to have been enrolled in the Husting Court, but no existing record can be found in Sharpe’s Calendar; see the entry relating to “Henry le Galeys,” Deed A.2179 in A Descriptive Catalogue of Ancient Deeds, 6 vols., ed. H.C. Maxwell Lyte (London: Eyre and Spottiswoode for HMSO, 1894), II:47.
Crown, rather than a genuine civic effort, London did derive some benefit, as the availability of the weighing and storage services in London would encourage merchants and vendors to bring their business to London, as opposed to other ports.

Barron argues that construction for the Custom House may well have been the impetus for the city’s decision to establish a covered market specifically for transactions in woolen cloth. The mayor and city aldermen purchased Blackwell Hall and, by Richard Whittington’s term as mayor (1397-8), a market for the use of non-citizen cloth merchants had been organized. The setup of such a market is telling, for it suggests the city inhabitants’ cognizance, by the late fourteenth century, of three issues: the expansion of the woolen cloth trade, the need for the London merchants to establish control over the trade, and the opportunity to situate London as the berth of the national market in cloth. Other covered markets followed as well, including the Guildhall and Leadenhall, but as a whole, Londoners’ active participation in, and regularization of, the city’s commercial enterprises, both as individual citizens and as a civic body, may be understood as an affirmation of the extent of their rights in, and authority over, the governance, administration, and management of the city.

While the city never attained full financial independence, it did achieve status as a distinct community with its own rights and autonomy established by charter and confirmed by royal decree. Further, the city began to assume power of its own in relation to the Crown, and in the subsequent centuries, the community continued its growth and development. On a number of occasions from at least the early 14th century on, royal authority appointed city aldermen and other similarly prominent individuals to positions such as customs collector and the king’s butler. Barron asserts that the monarchy also came to rely more heavily upon the city as a means of financing its operations, particularly the expenditures of the king’s household and his military ventures. Funds were generally supplied either by the city as a corporate body or by private citizens, but the latter was the more usual case; the loans that individuals provided were subject to interest, but the corporate loans were interest-free and became a significant source of funds for the monarchy. As Barron notes, London provided such loans to the Crown in thirty-eight out of
sixty years of the Lancastrian dynasty’s rule.\textsuperscript{139} Though the monarchy took measures to ensure that it did not make London its exclusive source, the extent of the king’s reliance upon the city’s finances gave the city some leverage in its own right: during the period 1448-60, the city declined seven loans requested by the Crown.\textsuperscript{140}

**Economic Shifts and Movements**

London’s own prosperity as a self-governing body was, of course, not immune to larger trends and upward or downward economic shifts experienced by the country as a whole. The size of England’s population is generally agreed to have risen steadily between the eleventh and fourteenth centuries. According to J. L. Bolton, the period from 1086 to 1300 witnessed a three-fold demographic increase. In sharp contrast, the Black Death in the mid-fourteenth century effected a drastic reduction in population by approximately one-third to one-half; population numbers would not fully recover again until the sixteenth century.\textsuperscript{141}

\textsuperscript{139}  C.M. Barron, *London in the Later Middle Ages*, 13.

\textsuperscript{140}  C.M. Barron, *ibid.*, 14. Sylvia Thrupp offers a slightly divergent viewpoint, arguing that, in fact, fifteenth-century London merchants had somewhat lesser political and financial influence on royal endeavors; she attributes this to a “justifiable distrust of the royal favor.” Thrupp points out that no merchant in London or elsewhere lent more than £2,000 or £3,000 during the reigns of Richard II (1377-99) and Henry IV (1399-1413), and that the government requested loans from individuals only during its weaker periods. Her contention, based on such information, is that wealthier merchants’ political influence had an inverse correlation with the government’s strength, and that the merchants thus experienced a decline in their status towards the latter fifteenth century. See S.L. Thrupp, *The Merchant Class of Medieval London, 1300-1500* (Ann Arbor, MI: University of Michigan Press, 1962, c. 1948), 54-5.

\textsuperscript{141}  Bolton offers a number of hypotheses for both trends. Possible explanations for the twelfth-century increase might reflect, first, an aggregation based on a compound-interest model, where a period of stability, together with relatively successful harvests, would result in a 15% yearly growth rate until its terminal peak in the 13th century. The second possibility proposes a moderate growth rate to 1086, followed by a significant spike to a 43% to 46% per-year growth rate. The third hypothesis posits the inception of the suddenly increased growth rate in the late twelfth- to early thirteenth centuries, continuing on until its fourteenth-century peak and subsequent decline according to Malthus’s theory that fertility was constant and that once a population reached the limits of its subsistence, it would inevitably enter into regulation, either internally or via external factors like famine.

Though he asserts that the third hypothesis seems most plausible, as it best fits the available evidence, Bolton attributes a key reason for population change to the difference between birth and death rates. He places particular emphasis on birth rate as the critical factor, arguing that, contrary to Malthus’s view, fertility varied significantly according to considerations such as age of marriage and availability of land; the latter was particularly important in agrarian societies.
John Hatcher observes that, due to a severe contraction rate of nearly 40% in England’s export trade during the mid-to late-1400s, the country’s economy experienced a drastic, long-lasting and wide-ranging slump, particularly from 1462 to 1471. This depression was only exacerbated by a number of other factors, including the very violence of the downswings, the instability of trade, a roughly, though not exact, parallel slump in England’s domestic and export trade and agricultural economy, disruptions in business activity due to wars and recessions affecting trading partners, and a widespread shortage in money, the “Great Bullion Famine” of 1395-1415. These downward trends caused a number of effects in return: demand for land was significantly reduced, causing falling rents and difficulties in rent collection, a lack of tenants and surplus of vacancies and neglected properties and hence a reduction in distributable income between owner and tenant, and reduced proceeds from crops generated by an individual holding.  

Pamela Nightingale agrees with both Bolton’s and Hatcher’s conclusions that the country experienced a general trend of decline due to the aforementioned recessions and health epidemics, but she draws particular attention to London’s anomalous economic position relative to the rest of England from the end of the thirteenth to the beginning of the sixteenth century. Scholarship, as Nightingale notes, has been divided on the subject of whether London experienced economic decline in the fourteenth through sixteenth centuries to an extent congruous with patterns perceived in other towns throughout England. Some, including Michael Postan and F. J. Fisher, have argued that London actually enjoyed economic growth, while others

More generally, however, Bolton identifies key markers in the economic and demographic conditions of Europe, namely the “Great Famines,” starting in 1315-7 and lasting until 1325. The “Great Famines” resulted in the medieval population’s peak and decline, estimated to be as much as 10%-15%, and gradual fall in prices from 1325 on; the arrival of the plague in 1348 and a subsequent and serious population decline, further complicated by suppressed recovery levels due to the lingering of other diseases. For Bolton’s discussion, see J.L. Bolton, The Medieval English Economy, 56. Hatcher does note that the overseas trade market and economic fortunes showed visible improvement from the 1480s onward, but the population in the early sixteenth century was no greater than half its pre-Black Death levels. Overall, however, Hatcher cautions that the changes in population levels should not be correlated with England’s economic condition, as economic fluctuations do not bear significant relation to demographic factors. See J. Hatcher, “Great Slump,” 240-3.
like Derek Keene maintain that the city underwent decline similar to other towns.\textsuperscript{143} Nightingale argues that even in the midst of nationwide recessions, London enjoyed buoyant economic activity and demographic growth, increasing its proportion of England’s assessed lay wealth from 2\% in 1334 to 8.9\% in 1515.\textsuperscript{144}

According to Nightingale, the larger national downward trends actually worked, counter-intuitively, to the city’s advantage: as she affirms, decline in the provincial towns made it possible for London to claim a greater portion of population and wealth in 1500 than it could in 1300, as well as allowing for a markedly higher expansion rate; in this sense, the depressed economic conditions induced by the onset of the plague and the monetary shortage in fact created conditions ideal for encouraging London’s notable economic and demographic growth in the later medieval period.\textsuperscript{145} Richard Britnell’s evidence concurs with Nightingale’s findings as well: he argues that the shrinkage in population actualized potential that, before 1330, had been hampered by the large contingent of people hovering near the level of bare subsistence. As Britnell affirms, the continuing availability, and even improvement, of technology, organizational techniques, and patterns of craftsmanship, as well as the continuing availability of the legal and credit systems, made it possible to use resources more effectively than before.\textsuperscript{146}

In Nightingale’s estimation, the city’s economic expansion from 1350 onwards was based, first, on economic reorganization stemming from income redistribution after the plague.\textsuperscript{147} Population shrinkage led to wage inflation as demand for food lessened and

\begin{itemize}
\item \textsuperscript{145} Nightingale, “The Growth of London,” 106.
\item \textsuperscript{146} R.H. Britnell, \textit{The Commercialisation of English Society, 1000-1500}, 2nd ed. (Manchester and New York: Manchester University Press, 1996), 168.
\item \textsuperscript{147} \textit{Op. cit.}, 99. The summary discussion that follows is heavily indebted to Nightingale’s explanation in the source cited.
\end{itemize}
landowners suffered reductions in their income; the same trends, however, also increased peasants’ and artisans’ spending power. In addition, the 1350s witnessed rising English wool exports and production in the mints. A confluence of particular events strengthened London’s economic and political status as well, namely Edward III’s suspension of the franchise of the city in 1357, the abandonment of the overseas wool staple in 1353 and concomitant ban on English wool exports which lasted until 1357, and the subsequent establishment of another overseas wool staple at Calais in 1361. Each of these events heightened London’s place as a key participant in England’s wool industry and attracted a greater proportion of the trade to the city itself. By 1401-2, records indicated that London held 51 percent of England’s wool exports. The city’s trades, particularly the tailors, drapers, and mercers, benefited from London’s economic dominance during the periods of this study. As Matthew Davies notes, numbers of members and trade-related activity for all three groups rose significantly by the mid- to late-fifteenth century. Numbers of masters and apprentices among the Tailors doubled from 1425 to 1465; the trade also experienced growth in the number of alien practitioners of the trade within the city as well. Membership for the Drapers’ Company grew 76% between 1413 and 1424, from 96 to 169; by 493, the Company had 243 members. The Mercers, for their part, enjoyed significant wealth. As Nightingale affirms, by 1474-5, roughly 127 years after the initial founding of the Mercers’ Company, the Company had 109 members with assets of at least £100; as a group, the Company was likely larger and wealthier than the Company of Grocers, a rival and dominant trade group of the city in their own right.

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149 Ibid. See also E. Carus-Wilson and Coleman, England’s Export Trade, 77-79.
Attaining Citizenship in London

The poll tax returns of 1377 indicate that London’s resident population at that time numbered between thirty to forty thousand, outnumbering its nearest rivals, York and Bristol, more than three times over.\textsuperscript{153} By roughly 1500, Britnell estimates the population at 50,000-60,000.\textsuperscript{154} The city’s population consisted chiefly of those who lived there and who were also involved in its commercial and industrial activities. These individuals identified themselves by at least one, and often both, of two ways: by their legal status with respect to the city itself, that is, as a citizen of London; and second, by trade or craft membership. To hold citizenship of the city meant access to certain rights and privileges, including rights to participate in the local political process and legal license to buy in the city for the purpose of reselling, and to have shops to sell at retail.\textsuperscript{155}

In order to earn the designation, one was required to swear loyalty to the city’s government and pledge to meet one’s responsibilities in paying taxes and serving public duties.\textsuperscript{156} Citizenship, at least in the early fourteenth century, was usually acquired through the sponsorship of one of the formal craft or trade organizations, which, at that time, were usually termed “crafts” or “misteries,” but would later be referred to as “companies” or “fellowships.”\textsuperscript{157} Due to the importance of the connection between the individual and the trade group through which he had obtained the freedom to the city, it was city custom to identify the person by both citizenship status and occupational membership in legal documents.\textsuperscript{158} This practice applies to

\begin{footnotesize}
\begin{enumerate}
\item S.L. Thrupp, \textit{op. cit.}, 3.
\item S.L. Thrupp, \textit{ibid.}
\item S.L. Thrupp, \textit{ibid.}
\item S.L. Thrupp, \textit{Merchant Class}, 3-4.
\end{enumerate}
\end{footnotesize}
the Commissary and Husting wills as well. The great majority of testators in this study identified themselves as tailors/drapers/mercers and, simultaneously, as citizens.

The city did not treat the conferral of citizenship lightly. In order to attain the legal status of enfranchised citizenship, the individual in question was required to demonstrate his moral, political, and economic suitability, each with separate proofs: he affirmed his political fitness with a formal pledge of loyalty to the king and the city’s government; he also had to submit proof of his sound reputation and ability to make a living through a particular trade.159 Tradesmen could get their former apprentice masters to vouch for them; alternatively, if the individual wished to obtain freedom of the city by purchase, i.e. redemption, he was required to find six citizens willing to act as his financial voucher.160 Those who fulfilled the above requirements were, as Thrupp explains, “by courtesy styled good folk (bons gens) and were to be regarded as men of probity (probi homines).”161 The latter term appears frequently in the Husting Court wills: according to the standard preamble prefacing each of the wills, the executor(s) who bring the testator’s will to the court for grant of administration are “examined by two men of probity,” probi homines, before obtaining approval to administer the will.162

The requirements and ways of attaining citizenship of London underwent some development during the course of the fourteenth century. In its later form, by the mid- to late-fourteenth century, there emerged three basic ways to earn the city’s franchise: (1) by patrimony, 

159 S.L. Thrupp, Merchant Class, 15.

160 S.L. Thrupp, ibid., 15; Letter Book G, p. 211; Liber Customarum, I:268-73. See also Letter Book E, p. 13 for reiteration of the importance of having the applicant’s good character confirmed by craftsmen and merchants of the individual’s desired business of entry.

161 S.L. Thrupp, op. cit., 15.

162 As Christian Liddy explains, the royal exchequer’s receipt rolls from at least the late fourteenth century used the term probi homines synonymously with ciues, homines, and the phrase maior et probi homines. James Tait also observed that the royal chancery used probi homines variously with homines, ciues, and burgenses, which referred to citizens as a corporate body in a manner similar to communitas. The use of the term probi homines in this context suggests that the wills presented to the Husting Court for probate were to be examined by two citizens. See C.D. Liddy, War, Politics, and Finance in Late Medieval Towns: Bristol, York and the Crown, 1350-1400 (Woodbridge, Suffolk: Boydell Press, 2005), 39-40; for Tait’s observation, see J. Tait, The Medieval English Borough: Studies on Its Origin and Constitutional History (Manchester: Manchester University Press, 1936), 244, also referenced in C.D. Liddy, ibid. See also J. Tait, “The Origin of Town Councils in England,” English Historical Review 44:174 (1929): 177-202, especially 178-79.
i.e. as a descendant of a citizen, (2) by apprenticeship to a freeman for a minimum term of seven years, with the master appearing with the applicant to vouch for the latter before the Husting, or (3) by purchase and with a citizen vouching for his character in the presence of the Mayor and several aldermen.\textsuperscript{163}

By at least 1319, namely by Edward II’s charter of 8 June 1319 to the city, aspirants to the privilege had to fulfill certain conditions. Sponsorship by a trade was key: men desiring the franchise of the city had to appear before the mayor and alderman, with six “honest and sufficient” members of the mystery or craft they hoped to join vouching on their behalf. If a candidate belonged to no mystery, he needed the assent of the commonalty to obtain the freedom.\textsuperscript{164} By 1366, apprentices could receive their franchise at the end of their term, with their master testifying on their behalf; this replaced an older ordinance mandating that apprentices desiring the freedom were to have their master and six other members of their mystery present to vouch for their character, and that three aldermen and the city’s chamberlain were to be present as well.\textsuperscript{165} Apprenticeship with a particular craft, then, became highly important, as it offered an opportunity to obtain the needed sponsorship required for citizenship.

\textsuperscript{163} See A.H. Thomas, “Introduction,” in Calendar of Plea and Memoranda Rolls, vol. 2: 1364-1381 (London, 1929), xviii ff. Thomas is not entirely clear on whether women could attain the freedom of the city as well, but he cites a custom of Chesterfield, dated 1294, stating that “sons and daughters were admitted to the freedom either by annual payment or by acquiring a burgage.” For the excerpt from Chesterfield, see A. Ballard and J. Tait, British Borough Charters, 1216-1307 (Cambridge: Cambridge University Press, 1923), 133.

\textsuperscript{164} Liber Custumarum (Munimental Gildhallae Londoniensis, vol. II, pt. 1), ed. H.T. Riley (London: HMSO, 1860), 269-70; for the English translation, see The Historical Charters and Constitutional Documents of the City of London, ed. W. de Gray Birch (London: Whiting, 1887), 46-7. On the requirement of the confirmation of the applicant’s character by merchants and craftsmen of the applicant’s desired trade, see Letter Book E, p. 13. The original Latin phrasing for Birch’s translation of “commonalty” is communatis ciuitatis illius; see Liber Custumarum, 270. A citizen could lose the freedom if he obtained his citizenship through means other than those prescribed or if he was convicted of violating the oath he took or acted “contrary to the state of the city”; see ibid, 47.

\textsuperscript{165} See Letter Book G, pp. 211-12, which states, “The same Monday it was ordained that those who wished to be received into the franchise of the City should come to the Guildhall with six good men of their mistery, and there be received before three Aldermen and the Chamberlain, paying a certain amount of their goods at the discretion of the said Aldermen and Chamberlain, and no one should be compelled to receive the franchise if it be proved by examination of the good men of his mistery and the neighbours of his Ward that he had not sufficient goods— notwithstanding the ordinance made in the time of Adam de Bury to the effect that those received into the franchise should pay 60s, a sum which drove many to leave the City.”
Individuals could also attain citizenship through payment, a process known as redemption. In the time of Adam Bury, the required amount was 60s, but by 1366, the mandated payment was adjusted to simply “a certain amount of their goods” at the discretion of three aldermen and the chamberlain, who were required to be present.\textsuperscript{166} Here, too, the ordinances implied that membership in a mistery was also required, for the applicant needed to bring six men of his mistery to vouch for his character, along with his payment.\textsuperscript{167} One could have the freedom by patrimony, i.e. by inheritance through the father. From 1387 on, citizens by patrimony were also required to take the citizen’s oath.\textsuperscript{168} John Jennings also notes that in order to earn citizenship, individuals were obligated to pledge an oath to the king and the city of London, as well as provide evidence confirming their good reputation and ability to support themselves economically as skilled tradespersons.\textsuperscript{169}

**Guilds, Fraternities, Misteries, and Crafts Versus Trades**

The skill, quality, and sophistication of the London artisans’ and merchants’ workmanship and goods played a critical part in establishing and confirming the city’s prestige in the eyes of others, particularly the Crown and foreign visitors. The various occupation-based groupings that emerged and their operations within London’s economy will be reviewed here, as well as the economic, political, and social impact upon the city’s residents and their way of life.

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\textsuperscript{167} See *Letter Book G*, p. 211, as cited above. I have belabored the point here in hopes of clarifying what seems to be a small point of ambiguity in Thrupp’s discussion of various options for attaining citizenship on p. 15 of her monograph.

\textsuperscript{168} See *Plea and Memorand Rolls*, II:xix-xx; *Letter Book G*, p. 179, *Letter Book H*, p. 310. See M. Bateson, “A London Municipal Collection of the Reign of John (Continued),” *The English Historical Review* 17 (1902), 723, for a case in the *Liber Horn* where an individual, John Bucquinte, was “adjudged to the oath” and, as a result, considered to have attained the franchise of the city. See *Liber Albus*, 117, for a discussion on the possibility of renouncing the franchise of the city; cited in Mary Bateson, *ibid.*, footnote 79.

Terminology

Before embarking on a discussion of the development of London’s occupations and associated groupings, I must comment on the terminology that scholars have used to discuss the development of occupation-based corporate groups. Terms such as “guild,” “fraternity,” and “mistery” have often been used interchangeably or as terms broadly covering a variety of groups and their respective functions. The terms “craft” and “trade” have similarly been applied as blanket terms for occupations by a number of scholars. Unwin, for instance, acknowledged that he applied the term “craft” broadly; he explained that the medieval understanding of the term “craft,” along with “art” and “mistery,” was not limited to the idea of manual labor, but rather “signified a trade or calling generally.” Unwin, therefore, perceived “craft” and “trade” as synonymous terms. Sylvia Thrupp treated both “crafts” and “misteries” as terms referring to “the formally organized trades” through which one could obtain citizenship in the fourteenth century.

More recent scholarship, however, has put forth efforts to clarify distinctions, and similarities as well, between the various terms. Elspeth Veale usefully explains that the terms fraternitas, gilda, compaignie, congregatio, and confrarie are all used interchangeably in contemporary documents to describe the same group: she proposes the term “fraternity.” Her rationale for applying the particular term is the connection that the groups in question often sought with a local church. Veale also addresses the terms “mistery” and “craft.” The former, she states, was derived from the Latin misterium and referred to “all who practised one occupation,” and the latter, arising from the term officium, echoed “mistery,” as “craft” also designated all those who plied one trade, whether a workman, dealer, shopkeeper, or all three. Veale, then, ultimately concludes that “craft” and “mistery” are co-terminous. As one further

170 G. Unwin, Gilds and Companies., 62.
171 S.L. Thrupp, Merchant Class, 3.
point of clarification, Veale notes that a fraternity constituted the nucleus of a mistery: a fraternity could be “identical with [a mistery] or include only some of its members.” 174

Others like Caroline Barron, have maintained some subtle distinctions between terms like “craft” and “trade.” Barron uses the term “craft” to designate occupations involving hands-on activity, such as that performed by the tailors, weavers, burellers, dyers, and fullers. 175 “Trade,” on the other hand, is associated with merchants and mercantile activity rather than manual labor, as in “the greater mercantile trades… the pepperers (later the grocers), the mercers, and the drapers.” 176

This brief discussion has endeavored to illuminate the complexities of the varied terminology with which scholars have engaged in addressing the historical origins and developments of London’s occupations and occupation-based organizations, crafts and trades together. Attention will now turn to the initial movements and groupings of the craft and trade organizations that would play major roles in later medieval London’s political, social, and economic fortunes. In presenting this brief overview, efforts will be made to apply the terminology, as discussed here, in a sensitive and careful manner.

Early Beginnings of Corporate Activities and Group Identity: Guilds, Crafts, and Trades

As the body of wills examined in this study is based on three occupations, namely London’s tailors, drapers, and mercers, some historical context on the trades’ efforts to form organizations and address communal concerns would be helpful. The discussion here will ultimately focus on the tailors, drapers, and mercers. There has been wide acknowledgement among scholars that occupational groups have exercised substantial influence in London’s

174 E. Veale, ibid., 245.

175 See C.M. Barron, London in the Later Middle Ages, 200-2, particularly where she states, “… it is clear that men (and women) who practised the same craft, or traded in similar goods, tended to live near each other” (200) (emphasis mine).

176 C.M. Barron, ibid., 203.
history and political, social and economic development. A number of scholars have emphasized the instrumentality of trade associations and interests in London’s development. There has been some debate regarding the time frame to which the earliest definite emergence of occupational groups acting as corporate bodies can be traced. William Herbert, for instance, perceived the saddlers’ company as Anglo-Saxon in origin. George Unwin, however, distanced himself from Herbert’s position, observing that evidence confirming an Anglo-Saxon origin for English guilds was “meager” and “[lay] in obscurity.”

Subsequent scholars like Elspeth Veale have maintained reservations about Herbert’s argument. Unwin argued, on the basis of fines recorded for various guilds on the Pipe Roll of 1179-80, that organized corporate activity was evident from the twelfth century, in the form of the English Guild of Knights and the Frith Guilds. In his efforts to characterize the early medieval Frith guilds, Unwin pointed to the Judicia ciuitatis Londoniae, the Dooms of the City of London, noting that it “embodied a record of charitable and religious agencies of a voluntary character designed to support a public effort for the preservation of peace and order.” The combination of “national law, local police arrangements on a partly volunteer basis, and moral exhortation” that the document presented could be seen to presage the form that guilds would

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178 W. Herbert, op. cit., I:17.

179 G. Unwin, op. cit., xxiii.

180 Elspeth Veale, for instance, stated that “William Herbert, in his monumental history of the Great Twelve, was eager, as are their members, to emphasize the long history of these institutions, and was even prepared to suggest an Anglo-Saxon origin for the Saddlers’ Company.” See E. Veale, “The ‘Great Twelve’,,” 237.

181 See G. Unwin, Gilds and Companies., 47-8.

182 G. Unwin, ibid., 23.
take in subsequent centuries. Unwin noted that the Guild of Knights shared largely the same social and religious features as fourteenth-century parish guilds. 183

Unwin was careful, however, to distinguish between activity from such groups which he termed “unlicensed or ‘adulterine’ gilds,” and craft fraternities, which he characterized as “under the protection of the Church” and therefore more capable of “steady expression” and “persistent common action.” 184 Unwin thus regarded the fraternity, rather than the “unlicensed or ‘adulterine’ gilds,” as the foundational body from which the practitioners of a given occupation, at least among the greater “crafts,” eventually developed into the corporate organization that would eventually attain authorized status as a livery company. 185

Unwin’s discussion of the 1179-80 Pipe Rolls and the documentation of their activity from occupational groupings styled as “gilds” also stops short of arguing that the appearance of the said guilds was definitive proof of the establishment of sustained, long-term occupational groups. 186 In Unwin’s view, it was the fraternities, that is, the occupation-based associations with clear links to churches, that served as the foundation of the companies, for, as Unwin argued, the occupations that obtained royal charters and subsequent influence in London owed their success to the fraternities that operated on their behalf. 187

Lucy Toulmin Smith took an even stronger position on the role of guilds in the city’s development, stating that records suggest that London’s constitution was, indeed, based on that

183 G. Unwin, Gilds and Companies, 25-6. Christopher Brooke and G. Keir note that the Cnhtengild initially exercised a predominantly military role, as its original function apparently was to protect London against attack from the east; by at least the 12th century, however, it exhibited a discernible religious and charitable character as well. See C.N.L. Brooke and G. Keir, London 800-1216, 96-9.

184 G. Unwin, Gilds and Companies, 47-8, 93-4.

185 G. Unwin, ibid., 93-7.

186 G. Unwin, ibid., 47-8.

187 G. Unwin, ibid., 95-6.
of a guild.\textsuperscript{188} Even at this early stage, guilds exhibited certain distinctive features which would acquire significance in guilds of the later medieval period.

Caroline Barron affirms that guilds were present in Saxon London; as the city’s population grew, numbers of guilds and other similar types of associations increased as well, which suggests that guilds were indeed a highly useful instrument of urban life and likely contributed greatly to the activities of the city and its inhabitants. Moreover, such groupings could and did serve a variety of purposes. The increase of London’s population in the twelfth century created a surplus of laborers and shortage in available work, which, as Barron attests, may help explain why certain workers, including the weavers and bakers, established their own groups: their common association would help protect and sustain their means of subsistence through the use of exclusionary measures.\textsuperscript{189}

The organizations also recognized the advantage of utilizing a corporate body to present a strong collective voice on political issues and interests. The London Mercers’ Company’s payment in 1457 to Company member Hugh Wyche “for one livre of parchment containing 20 quires with divers statutes made by Parliament,” showed interest in collecting information about current statutes, presumably with an eye towards possible lobbying efforts in Parliament.\textsuperscript{190}

Concern for one’s personal religious welfare was another common impetus. The saddlers of the city obtained a charter from the canons of St. Martin le Grand, which confirmed that the church would inter the deceased craftsmen in the abbey, say prayers for them, and provide “aid and counsel,” while the saddlers, in return for these benefits, would attend masses and include the canons in their wills. Nor were the saddlers the only ones to make such arrangements:


\textsuperscript{189} C.M. Barron, \textit{London in the Later Middle Ages}, 200.

craftsmen such as butchers, bakers, and goldsmiths also performed similar activities as a corporate body. But as important as spiritual needs were, economic and social concerns proved to be equally powerful incentives for guild activities and provisions. The Fraternity of London Tailors left records of regular yearly alms collections and payments to its almsmen, i.e. members of the trade who had fallen into financial difficulty and for whom the Fraternity therefore provided charity, between 1400 and 1475, with the distributions to almsmen almost always comprising a greater amount than the alms collected. As Matthew Davies points out, however, the fraternity’s motive was not primarily to address poverty, but rather to “maintain the status and dignity of liverymen.”

Unwin considered the organized power of the crafts and trades as one of the defining aspects of the development of civic life in the medieval era. Broadly speaking, a given occupation would have at least three major groups of participants. Apprentices were those who were in the process of training, via contracts and often for seven to ten years, under masters of the craft. Masters, in turn, were those who had attained membership in the craft guild and owned their own shop. Journeymen occupied a position between apprentices and masters. As Gary Richardson explains, some were so because they were unable to set up their own shops; others might have been blocked from promotion, perhaps due to anxieties about protecting the prestige of the organization and trade. Journeymen were often itinerant practitioners, taking successive series of limited-term engagements under masters of the craft.

Concerns about needing to preserve the prestige of the master craftsman became manifest in London at least by

191 C.M. Barron, ibid., 201.
192 M.P. Davies, “The Tailors of London: Corporate Charity in the Late Medieval Town,” 172. For Davies’s chart detailing average annual alms collections and payments by decade during the period 1400-1475, see ibid., 170.
193 G. Unwin, ibid., 64.
194 See B.A. Hanawalt, Growing Up in Medieval London: The Experience of Childhood in History (New York and Oxford: Oxford University Press, 1993). 129. The requirement that masters had to be freemen was made explicit in the regulations of the joiners’ guild during the fourteenth century; see G. Williams, Medieval London, 179-180, especially p. 180, footnote 1, where he cites the Liber Custumarum, 80, 81.
the seventeenth century in the form of the “masterpiece,” a time-consuming, expensive, and complex device by which an applicant to the membership of a craft was to prove his competence in the trade.\textsuperscript{196}

Scholars such as Elspeth Veale and Caroline Barron make the point that the individual histories of the various trade and craft groups were each subject to unique combinations of factors in their development, and so one cannot point to specific influences or forces that applied uniformly to the emergence of all. Veale states that the nature of collaboration between merchants of a given trade was borne from various factors contingent on each trade’s particular circumstances. For some trades, proximity within a certain area of the city might provide the basis for an emergent network of contacts, which might, in turn, foster a shared outlook among the trade practitioners. Such seems to have been the case for the fishmongers and goldsmiths, according to Veale.\textsuperscript{197} In other cases, external pressure, such as from the crown, might draw members of a particular occupation together towards a shared cause. The goldsmiths, for instance, were subjected to royal pressure due to the craft’s responsibility for ensuring the consistent quality of gold and silver coinage, while the skinners applied internal pressure to ensure quality control over their products, as well as to assert control over journeymen and “lesser” craftsmen.\textsuperscript{198}

Overall, there is general consensus among scholars that a number of occupation-based groupings were acting as corporate bodies from the thirteenth century onwards.\textsuperscript{199} By the thirteenth and fourteenth centuries, occupation-based organizations grew in both number and influence, eventually assuming control over regulation within their own professions. Apprenticeship became the most usual route to freedom of the city, and membership in a craft-

\textsuperscript{196} G. Unwin, \textit{Gilds and Companies}, 264-265.
\textsuperscript{197} E. Veale, “The ‘Great Twelve,’” 240.
\textsuperscript{198} C.M. Barron, \textit{London in the Later Middle Ages}, 202-3.
\textsuperscript{199} See, for instance, C.M. Barron, \textit{London in the Later Middle Ages}, 202. Veale observes that evidence points to flourishing economic circumstances for London in the eleventh and twelfth centuries, but the thirteenth century offers more evidence of trade activity among the city’s most prominent men. See E. Veale, “The ‘Great Twelve,’” 239.
or trade-based grouping became closely tied to citizenship. The mercers’ records from the late fourteenth and early fifteenth centuries illustrate the importance of apprenticeship in the attainment of citizenship. According to the mercers’ accounts, 1,047 men attained the freedom of the city via the mercers’ company during the period 1391-1464, and the records underscore the importance of apprenticeship in this regard. Of the 1,047 men, 93% (978 men) earned the freedom via apprenticeship, while only 7% (69 men) purchased the freedom. By the early 1300s, leaders among the great mercantile groups, for instance, the grocers, fishmongers, mercers, and drapers, began to gain significant power and hence started to make inroads into the inner workings of London’s administration and government.

**London’s Tailors, Drapers, and Mercers: From Early Beginnings to Membership in the “Great Twelve Livery Companies”**

All three of the occupations considered in this study, that is, the tailors, drapers, and mercers, belonged to the emergent group of merchant and artisan elites which eventually would distinguish itself from other, less prestigious occupations and gain recognition from the early fifteenth century on as “the Great Twelve Livery Companies” of London. By 1531-32, the twelve companies, in order of precedence, were the Mercers, Grocers, Drapers, Fishmongers,

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203 I use the term “elite” here as in the sense that the trades counted among “the Twelve” generally had greater wealth and sent more representatives to the Common Council than the other trade professions recognized by the city. As for dates to which the origin of “the Twelve” as a designation can be traced, Herbert affirms that a petition dated 4 Henry IV (1402) from John Cavendish to Parliament listed seven of the eventual twelve members of the group, noting, for each trade named, at least two individuals who had been sent to the city’s Common Council. The seven named in Cavendish’s petition were the mercers, grocers, fishmongers, ironmongers, “taillours,” salters, and drapers. As further confirmation of the prestige accorded to “the Twelve,” Herbert notes that the city’s mayors were chosen exclusively from the ranks of “the Twelve” in uninterrupted succession lasting several hundred years, from Henry Fitz Alwyn (1189) to Robert Wilmot (1743), among other honors; see W. Herbert, *Twelve Great Livery Companies*, 37 and footnotes.
Goldsmiths, Skinners, Merchant Taylors, Haberdashers, Salters, Ironmongers, Vintners, and Clothworkers. Each had slightly different origins, concerns, and characteristics, so a brief discussion of each will help to inform and illuminate later discussion, especially in Chapter Four.

The Tailors of London

One cannot discuss the tailors of London without mentioning the Fraternity of John the Baptist, the religious fraternity from which the craft guild of London tailors developed and with which the body of tailors maintained strong ties. Matthew Davies has explained that members of the Fraternity, whose origins dated back to at least 1300, consisted of liverymen of the body that would become the Merchant Taylors’ Company. Stowe affirmed that the Fraternity had been “of St. John Baptist, Time out of Mind,” and Lambert notes that nearly all tailors adopted John the Baptist as a patron saint; the reason they made this choice in the first place is unclear. The real connection, Lambert argues, lies in the use of a lamb “in glory” on the craft’s crest, as the fleece bore a clear link to the craft. As Matthew Davies notes, a guild, usually dedicated to a patron saint representing the body’s needs and aspirations, was often established as the governing authority of a craft in London. Davies also notes that, though pre-1300 evidence of the London tailors as a clearly-defined corporate body is rare, Robert de Mounpeillers’s will of 1278 indicates that a governing body existed by then, as Mounpeillers granted to his sons a quitrent on a shop and solar belonging to the tailors.

By at least 1320, the Fraternity of John the Baptist was named as the craft’s authoritative head. Initial licenses referred to the Fraternity by several names, most often aligning the term

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207 J.M. Lambert, ibid.
208 M.P. Davies, “Corporate Charity,” 164.
209 M.P. Davies, “Corporate Charity,” 166; HW, I:38.
“cissor” with “armurar[us]” or armourer, as in “Cissoribus et Armurarijs linearum Armurata Civitat’ Lond’.” As Herbert notes, this was due to the craftsmen being cutters and makers of the inner padding and lining for armor as well as manufacturing clothing as tailors. The first license, according to the *Survey of London* (1598) by English historian John Stowe (c. 1525-1605), dated 28 Edward I (1300), formally identified them as “Taylors and Linen Armourers of the Fraternity of St. John the Baptist.” Several royal charters followed: the first was granted in 1 Edward III (1327), recognizing them as “Taylors and Linen Armourers,” and a new one was issued in 1440. By 1503, or 18 Henry VII, the company dropped the reference to linen armourers and became the “Men of the Art and Mystery of Merchant-Tailors of the Fraternity of St. John the Baptist.” This change in name, as Herbert suggests, reflected the company’s aspirations to move from a “servile origin” to merchant status.

It is difficult to calculate precise numbers of members in the craft as a whole for the fifteenth and sixteenth centuries, as no complete lists of freemen exist, at least for that period. Matthew Davies and Ann Saunders estimate that the Merchant Taylors’ Company consisted of approximately 900 freemen in the 1460s and 3,000 in the 1560s. The group’s dramatic growth by the mid-sixteenth century highlights two points of information: first, the Company experienced significant growth in the sixteenth century, and second, the Company was one of the largest in the City in this period. During the years 1551-53, 148 out of 1,123 total men (13%) sworn in as London citizens did so as freemen of the Merchant Taylors, comprising the largest

210 W. Herbert, *Twelve Great Livery Companies*, 384.
211 W. Herbert, *ibid.*, 384-5.
212 John Stowe, *A survey of the cities of London and Westminster, and the Borough of Southwark*, 2 vols. (London, 1754-55), II:247. Matthew Davies notes, however, that there is no evidence that the tailors received the letters patent that normally would have been necessary to confirm such a license; see M.T. Davies and A. Saunders, *The History of the Merchant Taylors’ Company* (Leeds: Maney, 2004), 9.
214 W. Herbert, *ibid.*, 384-8.
216 Ibid.
percentage of newly-admitted freemen associated with any of the city’s companies.\textsuperscript{217} The Fraternity of John the Baptist enjoyed a sufficiently prestigious reputation to attract a fair number of members outside the craft, including several nobles and royalty. Fraternity accounts available for the periods 1398-1445 and 1453-1473 indicate that, of 1,883 people who joined, 1,228, 65%, were not tailors. Of the non-tailors, 448, or 37%, belonged to other occupations in London, particularly the “Great Twelve” companies. This included forty-two grocers, thirty-seven drapers, and twenty-eight mercers and vintners each, besides the 655 tailors counted within the total figure of 1,883 fraternity members.\textsuperscript{218} In addition, the fraternity counted aristocracy such as the Nevilles, Staffords, and Beauforts in its membership. Henry V and Henry VII themselves also joined the fraternity.\textsuperscript{219}

The London tailors were noticeably active in city politics and indeed were involved in some controversial political activity, as will be seen in the discussion of tailor Ralph Holland in Chapter Four. They inhabited a number of areas throughout the city, with a particularly strong presence in the parish of St. Dunstan in the West, followed by the parish of St. Bride.\textsuperscript{220} In addition to this, the tailors’ fraternity established one of its most significant parish connections when prominent grocer and city alderman John Churchman granted them the advowson of the church of St. Martin Outwich together with four messuages and seventeen shops in that parish.\textsuperscript{221} This gift, situated near the Tailor’s Hall between Bradstrete and Cornhill, allowed the tailors to establish a site for administering deceased members’ chantries and to provide housing for its almsmen.\textsuperscript{222}

\textsuperscript{218} M.P. Davies, “The Tailors of London and Their Guild,” 28-30.
\textsuperscript{221} M.P. Davies, “The Tailors of London and Their Guild,” 54.
As noted above, the craft had its fair share of disputes and controversy. Despite the wealth and prestige of the tailors’ guild, it fell surprisingly short in acquiring positions of influence in city government. No tailors became aldermen or mayors in the period 1327-1435. The drapers, in contrast, supplied thirty-four aldermen and fourteen mayors during the same period. Mercers, as well as grocers, fishmongers, and goldsmiths, among others, also had members elected as aldermen.\textsuperscript{223} Caroline Barron argues that this situation may well be due to the type of work associated with the tailors: unlike mercers and especially drapers, who were involved in the sale of cloths, the tailors literally worked first-hand with the cloth. This was particularly evident in relation to the drapers: as the drapers held virtually exclusive control over the sale of woollen cloth in the city, the tailors were, by necessity, dependent on, and thus subordinate to, the drapers.\textsuperscript{224}

By 1435, the city’s tailors and drapers were struggling for the upper hand in establishing their craft’s right to search for defective cloth. The right of search over inferior cloth in London became a particularly contentious issue between the city’s tailors and drapers, particularly during the 1430s and 1440s, as it essentially constituted the tailors’ encroachment upon a prestigious privilege that had traditionally been the drapers’ domain.\textsuperscript{225} “Wins” went back and forth over the next few years: in November 1438 the drapers obtained royal letters patent which reconfirmed the company’s charter but did not go as far as explicitly granting the power of searching for defective cloth. They did, however, have two drapers named as city aulnagers, or collectors of tax due to the king per piece of woollen cloth.\textsuperscript{226} The tailors countered with letters patent in 1439 which not only confirmed their earlier charter but also granted the company’s

\textsuperscript{224} \textit{Ibid.}, 162.
\textsuperscript{225} See M.P. Davies and Ann Saunders, \textit{The History of the Merchant Taylors’ Company} (Leeds: Maney, 2004), 64.
\textsuperscript{226} C.M. Barron, \textit{London in the Later Middle Ages}, 166; see also M.P. Davies, “The Tailors of London and Their Guild,” 120-32.
master and wardens the rights of search, a notable position of power above the drapers’ privileges.\textsuperscript{227}

Disputes stemming from these events continued until at least 1450, when the king intervened and a compromise was achieved, partly due, perhaps, both to weariness and to the need to work together against a new challenge, this time from the shearmen.\textsuperscript{228} This was not the first and sole instance of political involvement at the city level: the tailors were also active players in the controversy arising over mayor Nicholas Brembre’s prospective re-election and proposed undoing of policies introduced by previous mayor John Northampton in the 1380s, as will be further explored in Chapter Four. Representatives from the guild, along with members of the goldsmiths, armourers, and mercers, vigorously and aggressively voiced their opposition to Brembre and support for Northampton through participation in investigations and petitions to the king and Parliament.\textsuperscript{229} Matthew Davies argues that the tailors’ political and civic activities, both contentious and non, indicate that they were “ambitious seekers after political power” which their essentially artisan character denied them.\textsuperscript{230}

\textbf{The Drapers of London}

In contrast to the tailors, the drapers’ identity as merchants rather than artisans was much more clear. At least one mention in the Letter Books and Rolls of Parliament states, “The manner of drapers is to make their purchases of cloth at home and abroad... and to make liveries for great lords and others of the Common,” so certainly some drapers engaged in manufacture of clothing to some extent.\textsuperscript{231} A. H. Johnson argues that they may well have supervised other artisans’ activities in this, such as making, shearing, and dying the cloth, but records describing

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\textsuperscript{227} C.M. Barron, \textit{London in the Later Middle Ages}, 166.

\textsuperscript{228} C.M. Barron, \textit{ibid.}, 182, footnote 112.

\textsuperscript{229} M.P. Davies, “The Tailors of London and Their Guild,” 118-30; see also S.L. Thrupp, \textit{Merchant Class}, 376.

\textsuperscript{230} M.P. Davies, \textit{op. cit.}, 132.

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drapers in this capacity are too scarce to suggest that this was their primary function. Records indicate, instead, that drapers engaged in the import, export, and sale of cloths, and also sold cloth as retailers.

As noted above, much of the drapers’ history during this period, particularly in the mid-to late fifteenth century, was characterized by their ongoing rivalry with the tailors. But besides this dispute, the drapers enjoyed considerable prestige and social prominence in their own right throughout this period. Gwyn Williams states that for the period 1216 to 1340, drapers were “easily the strongest single trade group among aldermen,” and, if woolmongers were grouped together with them, their numbers were double that of any other group.232

There is no firm date marking the drapers’ first emergence as a guild or fraternity, but several record entries acknowledge corporate action of one sort or another starting at least in the early fourteenth century. Both Sharpe and Johnson note that the drapers, along with the mercers and vintners, appeared in special livery in 1312 at Edward III’s birth.233 An entry in the city’s letter book for the same year also alludes to the existence of the drapers’ mistery: according to the record, the mistery protested the admission to the freedom of John Simeon, a “merchant stranger” and draper.234 By 1351 the Company referred to itself as a collective entity in its petition opposing the Statute of the Cloth.235 The preamble to the drapers’ ordinances of 1405 specify that the Fraternity was established in 1332.236 The aforementioned dates notwithstanding, the earliest definite date of the drapers as a corporate body is 1364, for in that year Edward III granted letters patent that addressed “the Mystery of Drapery” and also granted the drapers exclusive rights to buy cloth.237

237 Two years prior, the Calais Staple had been established: in essence, Calais was the successor to the Bruges Staple, which had originally been established by the Crown to consolidate wool export and sales in the 1320s. The
The following year, the mayor repealed the drapers’ exclusive rights in purchasing cloth, but the issue of Edward III’s grant, and even the actions countering it, especially from the tailors, shows the extent of the drapers’ involvement in city politics and economy. A fair number of company members held prominent positions as well: in the period 1301-64 alone, seven members served as mayors, five as aldermen, and eight as both sheriffs and aldermen. Tom Girtin makes the argument that a group’s investment in real estate suggests the group’s own wealth and financial stability. If so, records suggest that the drapers were relatively comfortable by at least the late fourteenth century. The company’s earliest purchase of property, located on St. Swithin’s Lane near London Stone, is dated to 1385. If the tailors were concentrated in St. Dunstan in the West and St. Bride parishes, the drapers were generally inclined towards Cornhill, first around Burcheor (Birchin) Lane, then Candlewick (Cannon) Street by Henry V’s period.

Records maintained by the mystery of drapers themselves survive only from the fifteenth century on, namely the ordinances of the “Assemblage of the Fellyship of the Gild or Fraternity of our blessed Lady of Drapers” (1405 and 1418), and the Wardens’ Accounts, which offer information in fragmented periods between 1413-14 and 1441-42. The records contain useful data on membership figures for this period even with the gaps in coverage. For the year 1413-14, the Accounts documented ninety-six members who held the freedom of the city and who

staple at Bruges provided a useful node for the simultaneous export of English wool, one of the country’s strongest products, and import of Mediterranean spices and other goods such as cloth, dyes, and wax. As Nightingale notes, the connection that London and Bruges shared made the port the primary exchange point for the northern Italian merchants’ trade activities. James Murray also affirms that even apart from the formal title of staple, Bruges sought to establish itself as the primary market for the export of English wool in Europe. See P. Nightingale, *A Medieval Merchant Community*, 122, 162; see J.M. Murray, *Bruges, Cradle of Capitalism, 1280-1390* (Cambridge: Cambridge University Press, 2005), 236-37.

238 A.H. Johnson, *Worshipful Company*, 87; see *ibid.*, 95-103 for a description of circumstances surrounding the Drapers and the letters patent.

239 A.H. Johnson, *ibid.*, I:91. Johnson argues that the accounts of 1429 suggest that by that date, the drapers seem to have been roughly equally divided between Cornhill and Candlewick Street, based on mention of churches in the two wards and an ordinance in MS Guildhall 142, which contains a reference to “drapers of Cornhill.” See A.H. Johnson, *ibid.*, footnote 1.

240 The earliest Wardens’ Accounts for the drapers cover the following periods: 1413-14 to 1425-6; 1428-9 to 1429-30; 1433-4 to 1434-5; and 1439-40 to 1441-42; see A.H. Johnson, *op. cit.*, 104. For the Wardens’ Accounts in full and a description and abstract of the ordinances, see A.H. Johnson, Appendices, vol. 1, nos. XVII and XVIII.
either paid or owed the 3d quarterly fee. In 1423-24, the Accounts recorded 106 such members, and by 1441-42 membership per the Accounts had grown to 116. Membership for the drapers might have been even higher, for according to the Wardens’ Accounts for 1413-14, 127 members paid 4d each to ride with the city’s sheriff, and in 1424-25, 169 members paid the same sum individually for the privilege of riding with the mayor at his procession.

As early as 1319, the subsidy rolls for that year indicated that drapers, as individuals, tended to be among the wealthiest merchants of the city, along with fishmongers, goldsmiths, grocers, skinners, and woolmongers. The groups formed by members of these trades would eventually comprise the initial core of the Great Twelve Companies. A. H. Johnson also affirms the drapers’ wealth, noting that drapers were responsible for numerous bequests to churches, chantries, and works of charity. As further confirmation of their wealth and influence, several drapers are noted in the Subsidy Rolls as possessing a significant amount of money, even as early as 1319 and 1322: in 1319, Stephen de Abingdon and Henry Nazard, both drapers, were assessed at £100 each. In the subsidy of 1332, Thomas de Swandlond paid 26s 8d, John de Weston paid 6s 8d, and William de Macchyng paid 4s. According to Tom Girtin, the cloth trade grew dramatically during the late fourteenth century, with broadcloth production jumping from 4,500 cloths in 1348 to an average of 43,000 cloths per year from 1392 to 1395.

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241 A.H. Johnson, *Worshipful Company*, I:104-5. As Johnson himself concedes, the numbers provided here cannot be considered conclusive, as not all members may have paid the quarterly fee and not all those with payments in arrears may have been noted in the Accounts. Nevertheless, they offer a sense of the approximate size and patterns of growth or contraction in numbers for the drapers in this period.


245 T. Girtin, *The Triple Crowns*, 38. Broadcloth was a heavier type of woolen cloth, as opposed to, for instance, worsteds, which were a relatively lighter woolen cloth. John Oldland estimates that production of one broadcloth in 1300 required 50 lbs of wool; by the mid-sixteenth century, it took closer to 84 lbs of wool to make a single broadcloth. See J. Oldland, “Wool and Cloth Production in Late Medieval and Early Tudor England,” *Economic History Review* 67:1 (2014), 29-30.
The extent of the drapers’ prosperity is further confirmed by their occasional lending activity as well: they made several loans to Edward I and Edward III, in 1309 and 1336, 1339, 1350 and 1363, respectively. These royal connections bolster the impression that, even in the early- to mid-fourteenth century, the drapers were already a group not only possessing substantive wealth, but also wielding some leverage in their own right. The drapers’ involvement as retailers, rather than manufacturers, in the cloth trade would become a key factor in the development of tensions in the city during the latter half of the fourteenth century. By the 1350s, and certainly in the subsequent decade, the drapers, along with the skinners, fishmongers, mercers, and grocers of the city, would become embroiled in an often-violent struggle with the Crown and with alien merchants, particularly Flemish and Italian retailers and distributors, for commercial privileges that had formerly reserved priority in trade to those who were enfranchised of the city. The case of John Northampton, a draper by trade, twice mayor of the city, and a figure connected to one of the most divisive political and social episodes in late fourteenth-century London, is closely tied to the events of the struggle for control of the cloth trade. Further details of the conflict between the Crown, the city, its denizens, and foreign merchants therefore will be discussed at greater length in Chapter Four.


247 See Pamela Nightingale’s discussion in P. Nightingale, A Medieval Mercantile Community, 200ff. Further discussion in the more specific context of John Northampton and his role in the struggle will follow in Ch. 4. The plague, starting in 1349, was a major, if not chief, factor in the onset of the commercial crisis that eventually gave rise to the struggle between enfranchised and alien merchants in the city. As Nightingale explains, the resulting shortage in skilled craftsmen gave them significant leverage in negotiating for higher wages, eventually prompting masters to petition the city to establish fixed wage rates for craftsmen’s employees. In the immediate aftermath of the plague, organized misteries also asked the city to enforce ordinances barring outsiders from establishing businesses without first acceding to the misteries’ authority. A number of servants and craftsmen, however, acted in defiance of the wage and price regulations; significant price inflation of nearly 100% occurred over six years, compelling the parliament at Westminster in 1351 to strip the city of the commercial privileges, such as its exemption from the Statute of York, which prevented aliens and provincial merchants from trading freely in the city. The city’s misteries thus lost their privileges in London’s commercial economy, which, in turn, may have been a factor in an increased influx of immigrants to the city and surrounding region. The demographic, commercial, social, and economic developments subsequent to the afore-mentioned series of events established settings in which the significant unrest and conflicts of the final quarter of the fourteenth century would occur and culminate with the affray between Nicholas Brembre and John Northampton, resulting in the latter’s arrest, trial, and banishment. See P. Nightingale, A Medieval Mercantile Community, 200-201. For the master craftsmen’s petition to the city to set their employees’ wage rates, see H.T. Riley, Memorials of London, 250-1; for the mayor and aldermen’s wage and price list, see H.T. Riley, Memorials of London, 253-8.
The Mercers of London

Of the three occupations studied here, it is the mercers who stand out as the most prosperous and illustrious group. By the period of fifteenth-century London, mercery referred to various cloths such as silk, linen, and fustian, and to various piece-goods, particularly sartorial accessories, bedding, and other small luxury items. In some contexts, spices might also be considered part of mercery, and regulations regarding the use of weight scales also suggest that mercery goods were limited to items which could be weighed. Implications that mercery goods were high-quality, high-value items, however, must not be taken as an indication that the industry dealt wholly and exclusively with significantly wealthy and socially prestigious tradesmen and clients; as Anne Sutton observes, a fair number, indeed possibly the majority, of mercers were of “a middling prosperity.”

The earliest known reference to a mercer of London is Stephanus mercer, who was named as one of several witnesses to a charter in the city sometime between 1123 and 1130. The first known mention of a specific area within London identified as the “Mercery” has been traced to a property deed of 1235, which confirmed that Serlo le Mercer held property there.

Politically speaking, the mercers, unlike the tailors and drapers, and indeed other companies like the grocers, remained largely uninvolved in the city’s various episodes of unrest and controversy. A number of company members, however, were active participants and visible supporters of a particular authority figure or perhaps instigator in city events. Adam Fraunceys, a prominent mercer, was a consistent and major lender to Edward III. Fraunceys also maintained

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248 A.F. Sutton, *Mercery of London*, xv, 3. Fustian was an ancient Middle Eastern cloth comprised of flax and cotton; see op. cit., 4.


an illustrious and honorable reputation in his own right, as will be argued further in Chapter Four. Thomas Austyn, another mercer, was drawn into a series of contentious allegations challenging his support for John Northampton, the highly controversial draper and city mayor.

A third mercer, Richard Whittington, established a career and reputation as one of London’s most successful mayors, serving three and a half terms in the position.\(^{253}\) He also bestowed upon the mercers one of their most important endowments, a college of priests and an almshouse on land owned by Whittington near his parish church of St. Michael Paternoster Royal. Both foundations were furnished by December 1424, and the property thus amassed made the mercers the wealthiest landlord of the London companies.\(^{254}\) For their own part, the mercers’ first main “home” area centered on Cheapside, surrounded by the parishes of All Hallows Honey Lane, St. Lawrence Jewry, St. Martin Pomary, St. Pancras, and St. Mary le Bow, which operated as the drapers’ main parish. The mercers were thus situated adjacent to the drapers, also in Cheapside.

**Parishes: Communities Within the City**

One more component of local life in London, the parish, warrants discussion here as well. By 1300, the city had 108 parish churches; each parish was anchored and defined by its particular geographic location and certain spatial boundaries.\(^{255}\) Scholars such as Eamon Duffy, Katherine French, Clive Burgess, and Beat Kümin have recognized that the urban parish served more than strictly religious or spiritual functions, and that, in fact, it served as a prominent social

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253 Whittington’s terms were as follows: 8 June-12 October 1397 (Richard II appointed Whittington to serve the remainder of Adam Bamme’s term as mayor after Bamme’s sudden death in office on 6 June 1397); 12 October 1397-12 October 1398; 13 October 1406-12 October 1407; and 13 October 1419-12 October 1420.


hub of community activity and identity.\textsuperscript{256} In this way, it was at least on par with craft company identities and community solidarity.

Awareness among testators of a sense of membership in specific parishes is overwhelmingly evident in the Commissary and Husting Court wills: the vast majority of Commissary Court testators named a parish church for burial and/or named a parish church as a recipient of money or goods for its benefit, whether for the church fabric, overdue tithes and offerings, masses, or, in the case of wealthier testators, chantries for the testator’s soul. A number of testators identified themselves as members of particular parishes as well: William Luchelade, a mercer writing his will in 1392, requested burial in the church of St. Alban, Woodstreet, “cuius sum parochianus.”\textsuperscript{257} A draper, Elias Bokkyng, drawing up his will in 1410, gave his executors specific directions regarding his tenement in the parish of St. Swithin, Candlewick Street, “de qua ego, prenominatus Elias, iam parochianus existo.”\textsuperscript{258}

Nor are parish communities necessarily at odds with trade-related corporate identities, such as guilds like the tailors’ Fraternity of John the Baptist. Recent scholarship has taken a range of positions on this matter. At one end of the debate, Gervase Rosser perceives a clear separation, even opposition, between parish and guild: he argues that parish membership was involuntary, as it was determined by the geographic location of one’s residence, whereas guild membership came about by conscious choice.\textsuperscript{259} Eamon Duffy takes a more moderate stance,


\textsuperscript{257} Commissary Court, Register 1, fol. 272.

\textsuperscript{258} Husting Roll 137, no. 37.

\textsuperscript{259} G. Rosser, “Communities of the Parish and Guild in the Late Middle Ages,” in \textit{Parish, Church, and People: Local Studies in Lay Religion, 1350-1750}, ed. S.J. Wright (London: Hutchinson, 1988), 35-7; E. Duffy, \textit{The Stripping of the Altars: Traditional Religion in England, c. 1400-c. 1580} (New Haven: Yale University Press, 1992), 144, note 34. One could argue that one’s place of residence could also be by choice, and so parish membership could be a conscious choice to some extent as well.
pointing out that while certain observed differences between guild and parish are valid, the two types of institutions could come together in certain ways. He notes, indeed, that most guilds “worked within and for the structure of the parish.”

Katherine French, on the other end of the debate, argues that parish communities, far from existing simply as de facto geographic groupings, actively shaped, cultivated, and perpetuated a corporate identity, and that this was evident in a wide range of activities from individuals’ numerous and generous contributions of money and material to the parish, construction and maintenance of parish buildings, especially the church, maintenance of accounts, and sustained fundraising efforts for the parish. Parish membership and communities, therefore, deserve equal attention along with trade occupation in this study’s exploration of testators’ identities and construction of communities. The tailors, drapers, and mercers examined in this study showed noticeable tendencies to assert their affiliation with certain parishes and support the same parishes in their wills. Chapters Two and Three will explore the ways in which testators provided for their parish communities and incorporated their parishes as important components of their own identities.

The importance of the parish as a community in medieval London therefore cannot be overlooked. Francis Gasquet argued, in his monograph of 1907, that a parish was, at its foundation, a corporation under the ultimate authority of the Church. As such, according to Gasquet, it was free from the will of more immediate political or administrative and governmental powers. In London’s case, the question arises of the relation between boundaries pertaining to ward, on the one hand, and parish on the other. The two systems developed independently of each other, for the most part, with the former most likely preceding


the latter. Perhaps because of their independent development, it was not uncommon for ward and parish boundaries to intersect or overlap, or for real properties to cross over parish boundary lines; as Gary Gibbs suggests, such frequency in crossing ward and parish boundaries indicates that ties between civil and ecclesiastical institutions were loose, at best.²⁶³ Even if the two systems were largely separate, however, some occasional conflation between the two might occur. Gwyn Williams, for instance, draws attention to the fact that, in some anomalous instances contained in early ward lists, several wards were identified by names of parishes. Tax returns from the 1290s also used both ward and parish designations to identify territories.²⁶⁴

Gasquet stated that the assumption of shared religious beliefs, namely “that every soul in the parish worshipped in the same church and in the same way [and] that all kept the same fasts and feasts and were assisted by the same Sacraments” gave the parish a particularly tight unity that was nearly unparalleled by subsequent corporate bodies.²⁶⁵ Gasquet’s work is especially significant in its early recognition of a “community of purpose of pastor and people,” which he perceived as clear commitment to social causes like hospitality and poor relief.²⁶⁶ More recent scholarship has continued to recognize the fundamentally religious function of parishes, while drawing attention to the ways ecclesiastical interests harmonized with secular functions. Beat

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²⁶⁴ G.A. Williams, Medieval London, 32-33. Williams notes that ward boundaries were probably determined in a wide variety of ways: some likely by property boundaries, others by “axial thoroughfares, gates and street-markets,” and still others with “no apparent meaning.” See G.A. Williams, ibid., 33. Caroline Barron perceives wards, along with wardmotes and aldermen, the civic office rooted in the ward system, as the “essential substructure of city government,” as opposed to the parish, which Barron categorizes as a sub-unit of municipal government. See C.M. Barron, London in the Later Middle Ages, 121-2. Sarah Rees Jones joins Barron in emphasizing the importance of wards in administration of towns, though Rees Jones’s point of concern is their importance over the “embryonic specialist craft and trade associations found in some towns (and most notably in London) before 1350.” As Rees Jones notes, since the latter were still voluntary, elitist, and “often owed their existence to the rival patronage of the church,” they could supplement, but not supplant, the foundational, secular administrative services that the borough courts provided. See Sarah Rees Jones, “Household, Work and the Problem of Mobile Labour: The Regulation of Labour in Medieval English Towns,” in The Problem of Labour in Fourteenth-Century England, eds. J. Bothwell, P.J.P. Goldberg, and W.M. Ormrod (York: York Medieval Press, 2000), 137.

²⁶⁵ F.A. Gasquet, Parish Life in Mediaeval England, 8.

²⁶⁶ F.A. Gasquet, ibid., 8-9.
Kümin, for instance, acknowledges that, while the fundamental purpose of local ecclesiastical networks was “to ensure an adequate administration of sacraments” such as baptism, burial, and remembrance of the dead, many parishes did not perceive a clear divide between secular and ecclesiastical activities.²⁶⁷

Eamon Duffy’s seminal study, *The Stripping of the Altars: Traditional Religion in England, 1400-1580*, refutes prior scholarship that drew divisions between the elite and non-elite groups among the laity. Duffy proposes, instead, that Christian religious practices in late medieval East Anglia served to unite parishioners and create a sense of community and corporate identity across social lines, rather than to emphasize economic or social ruptures within parish communities. In Duffy’s view, parish communities, and religious practice itself, have great significance as studies of social transformation, integration, and group identity within and across specifically defined regions. Beat Kümin’s study, *The Shaping of a Community: The Rise and Reformation of the English Parish, c. 1400-1560*, published several years after Duffy’s monograph, offers a broader survey of ten parishes throughout England. In doing so, Kümin discusses patterns and areas of commonality shared by the parishes at large, but he also takes note of size and wealth and their effects upon the parish communities.

For Kümin, demographic and economic considerations offer additional information that is invaluable in further nuancing our understanding of parish communities and their function as governmental, political, and economic, as well as religious, units. He usefully illustrates the ways parish communities could and did act as political and administrative bodies: at parish assemblies, the community’s principal occasion for conducting administrative and governmental business, order and placement in seating was overtly political. The common male householder or widow constituted the “backbenchers” who typically held rights to participate in elections and attend audits. The “frontbenchers” were comprised of a more elite group, usually determined by wealth and social prestige. It was the “frontbenchers” who usually formed the core of the community’s highest administrative bodies, described by Kümin as the “small inner cabinets emerging in

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many communities.”268 Individuals located closer to the fringes of society, such as the poor, servants, maidens, and others, sat in the margins of the assembly space, usually the “galley.”269 As Kümin argues, “[C]ommunities had not just one corporate face. As multifunctional bodies, they appeared in varying, sometimes overlapping configurations, depending on context, occasion, and location.”270

Katherine French proposes a view of the late medieval parish community as one in which religion was, for the laity, “not so much a set of ideological concepts as it was certain sets of activities and prescribed behavior.”271 French defines religious practice and parish involvement as participation that promoted worship, but could well extend beyond attendance at services and ritual observance to do so. For French, participation could vary according to one’s gender, social status, and economic resources, and so the culture of the parish could be a deeply complex and multifaceted one.272 Chapter Three will explore ways in which testators remained mindful of their parishes and the ways in which they engaged with, and contributed to, their parish communities through their wills.

Households and Family Structures: Definitions, Forms, Approaches

An important element of this thesis is the shape and reach of the household and family through the example of testators and their wives in the Husting and Commissary Court wills explored in this study. It is important to offer, wherever possible, some basic points of definition as initial guidelines as to the forms and shapes of the household in the context of late medieval England and specifically London.

269 B.A. Kümin, ibid.
270 B.A. Kümin, op. cit., 89.
272 K.L. French, ibid.
How large was a household? What criteria determined membership—whether biological relation, co-residence, dependence on the household head for material sustenance and support—and what was the purpose of the household? Today's use of the term “family” usually refers to the nuclear biological kin group. Household, on the other hand, generally refers to a group of co-resident individuals. The nucleus of the household is usually the nuclear family, but the household also includes individuals such as servants and apprentices who often live with, but are not necessarily related by blood to, the nuclear family. Most scholarship on the household and family in medieval England, and indeed Europe more generally, makes reference to John Hajnal’s article of 1965, “European Marriage Patterns in Perspective,” as a widely recognized starting point for work on this subject. In his article, Hajnal argued for a “European pattern” of marriage characterized by two main factors, namely (1) a relatively late age at marriage, and (2) a high percentage of people who never married. Hajnal’s subsequent publication, “Two Kinds of Pre-Industrial Household Formation System,” which first appeared in 1982 and again in 1983, centered his work in northwest Europe, defined as the area starting from the Scandinavian peninsula including Iceland but not Finland, and extending west to cover the present-day United Kingdom, Low Countries, German-speaking territories, and northern France. During the “pre-industrial” period of the seventeenth and eighteenth centuries, he argued, northwestern European societies were primarily composed of of simple household systems (i.e. households that featured only one married couple or none at all) which followed three rules: (1) Late marriages for both men and women, with ages broadly approximated as over twenty-six for males and over twenty-three for females; (2) couples constituting their own households after marriage, with the husband as household head; and (3) the circulation of young unmarried people as servants. Hajnal posited that a household’s defining characteristic was the consumption of meals together by the members of the unit, or at least consumption of meals coming from the same stock of food.


275 J. Hajnal, “Two Kinds of Pre-Industrial Household Formation System,” 481.
Hajnal’s thesis has been challenged and revised by subsequent scholarship on a number of aspects. Peter Laslett drew attention to the extent of variance of family patterns that could be found throughout Europe in previous centuries, arguing that, even in a paradigm of family structures categorized as four broad geographic regions in Europe, characteristics for one region might well appear in another geographic area, or family groups might display characteristics of more than one type of family structure at once. Others, like Dan Scott Smith, critiqued specific elements of Hajnal’s theory, arguing that characteristics like late age at first marriage and high rates of permanent celibacy could be attributed to external factors such as cultural values, and hence were not intrinsically linked to family and household structures. Following Hajnal, David Herlihy’s *Medieval Households* (1985) provided some useful further guidelines. He argued that households had two principal goals: reproduction, i.e. producing and raising children, and production, or providing material sustenance for the members of the household.

Others have also advocated greater fluidity in approaches to studies of the household. P.J.P. Goldberg has proposed a view of the household as “organic units for the organization of labor,” arguing that the status of individual members must be considered in terms of age and life stage, as in the case of young single women who worked as servants in other households and, in that role, built the financial resources as well as social skills critical to a future formation of her own household. Sarah Rees Jones re-examines the very definition of the household as a co-resident group of people, arguing that legal court records, particularly from Norwich, suggest

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that the status of a householder was fundamentally based on property ownership, and that, by virtue of property ownership, in the courts’ eyes, a householder could then exercise authority over the coresident group, essentially creating a “place of private government” that could be acknowledged by the legal system. It was this power of authority that gave the householder respectability and separated him or her from those who were aliens and/or itinerant and therefore regarded as suspicious.  

Women in the Household: Wives and Widows

This thesis focuses specifically on the position of wives and widows as a particularly illuminative aspect of the household in late medieval London. There has been a good deal of scholarly debate on the subject of women across a variety of contexts, both within the marital context and outside of it, in rural as well as urban England, and occupying a range of positions. Scholarly attention on women in specific contexts can be traced at least to the nineteenth century: E. Dixon offered a close study of women’s involvement among crafts in thirteenth-century Paris in her article “Craftswomen in the Livre des métiers,” published in 1895. Annie Abram, who cited Dixon in her own work, devoted a chapter to the options available to women as wives and tradespeople in her monograph Social England in the Fifteenth Century, published in 1909. Abram followed her monograph with an article, published five years later, on female traders in London. Eileen Power’s monograph of 1922 on women in the context of the convent is still considered a seminal text.

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284 See E. Power, Medieval English Nunneries, c. 1275 to 1535 (Cambridge: Cambridge University Press, 1922).
Richard Helmholz drew attention to the subject of relations between husbands and wives in his monograph of 1975, which discussed several different types of suits that spouses pursued in English ecclesiastical courts during the thirteenth through fifteenth centuries. Helmholz’s work has been followed up more recently with that of Michael Sheehan, Shannon McSheffrey, Frederik Pederson, and Conor McCarthy, who, in their respective monographs, address the roles and legal rights of women in marriages. Michael Sheehan, examining the nature and processes of marriages in a latter fourteenth-century Ely consistory court, argued that the records of matrimonial suits revealed markedly individualistic attitudes and approaches to matrimony and its various issues, with little evidence of input from family, especially parents, or seigneurial authorities concerning choice of spouse or time of betrothal. Shannon McSheffrey draws the historiographical discussion into the more immediate context of marriage-making and its role in household formation in late medieval London. Unlike Sheehan or P.J.P. Goldberg’s findings from the context of early fifteenth-century York, McSheffrey’s evidence suggests that there was greater concern and supervision over household governance and especially in marriage formation in metropolitan areas of England in the latter part of the fifteenth century. McSheffrey attributes such heightened concern for supervision to trends of economic contraction, particularly diminished work opportunities for women, greater socioeconomic gaps dividing the wealthy from the less affluent, heightened anxieties concerning order and (mis)behavior, and the development of a “confident civic Christianity” which spurred prominent members of society towards tighter policing of their neighbors and fellow city dwellers.


The question of options and opportunities for wives and widows has also spurred intensive and wide-ranging exploration over the past thirty years. Judith Bennett’s study of the experience of women in a rural English community, based on court records from the manor of Brigstock, Northamptonshire during the period 1287-1348, suggested that while women before and after marriage enjoyed a certain measure of autonomy and independence in the larger community, wives were absorbed into the public and legal persona of their husbands.\(^{289}\) Widows, as Bennett argued, had a greater degree of agency and visibility in the public sphere of the community than wives, although widowhood had its share of hardships as well. Barbara Hanawalt’s findings on the English peasant family in her seminal monograph *The Ties that Bound* offered a different view of the spousal relationship. Hanawalt argued that the conjugal relationship was a partnership between the spouses.\(^{290}\)

Perspectives on widows’ positions within their communities in England have been mixed. Janet Loengard’s examination of writs of dower *unde nihil habet* in the king’s court in 1200 indicated that widows attempting to sue for their legal dower in that court faced vigorous opposition in most cases.\(^{291}\) Jo Ann McNamara argued that due to fundamental changes in the structure of the Church after the year 1000, wives lost power that they had formerly held prior to 1000.\(^{292}\) Caroline Barron’s study within London’s legal context, on the other hand, found that opportunities for women during the period 1300-1500 in London were only slightly different from men at the same prosperity levels, and that women had a number of options open to them, including the abilities to share in the privileges granted to their husbands through the freedom, to practice a craft or trade as a *femme sole*, and to draw up wills in their own right, though they did


have to obtain permission to do so from their husbands. Ann Kettle, who, like Loengard, was basing her study on common law rather than borough or customary law, concluded, along with Barron but somewhat differently than Loengard, that widows received more favorable provision via their husbands’ wills than common law principles indicated. \(^{293}\) Hanawalt, in her study of dower in the context of late medieval London, also agreed with Barron that dower provisions for widows were generous and afforded the widows a significant degree of freedom. \(^{294}\) This study situates itself with Barron and Hanawalt: the findings from the Commissary and Husting Courts suggest that, overall, the male testators represented in the data examined here acknowledged and respected the legal provisions that London’s law mandated for their widows; in taking this position, however, I will also argue that in some cases, male testators also attempted to exert a measure of control over their wives and the wives’ legal allowances.

The Husting and Commissary Court wills presented a structured format and convention which testators necessarily followed, namely a specific and highly rigid formula, the presence of a third party, most likely a priest, who would transcribe and format the testator’s bequests into the aforesaid formulaic structure, and perhaps even occasionally influence the very bequest itself. This thesis will argue that the wills in this study were firmly established within these conventions, but the same structures and guidelines also allowed some room for testators’ own unique and idiosyncratic expression, and that this expression most often manifested itself in testators’ use of their wills to articulate, demonstrate, and enact their own piety in the interests of ensuring their spiritual welfare.

This chapter provides a general backdrop and context to the city of London and its parishes and communities in the late medieval period. It also provides a survey of the political, economic, and social milieu in which the city’s tailors, drapers, and mercers of London lived, carried out their day-to-day activities, and set precedents and patterns for the generations


following their own. The following two chapters will offer a closer focus on the Hustling and Commissary Court testators through an analysis of various aspects of their wills, including recipients, types of goods bequeathed, and affiliations with parishes. These will explore the types of local communities they established and the different kinds of affective, familial, and even quasi-familial relationships they established.
Chapter 2
Wills from London’s Husting Court

The Introduction and Chapter One have provided contextual background before commencing detailed examination of the evidence of London’s Commissary and Husting Court wills. The Introduction has focused on explaining the present study’s main goals, questions, methodology, sources, and scope, while Chapter One has discussed the broader context of the economic and social history of fourteenth- and fifteenth-century London. Chapters Two and Three will turn to the Husting and Commissary Court material, respectively, drawing upon the contextual information provided in the Introduction and Chapter One to illuminate the analysis of the wills in each court. Chapter Two will analyze testamentary material from the London Husting Court, i.e. the wills of tailors, drapers, and mercers that were proved in the court during the period 1374-1485. In both of the latter chapters, the discussion of the courts will focus primarily on the testator himself and his wife, on the premise that the marital couple, as the core of the nuclear family, are the ideal starting point for this study’s objective of exploring the testamentary material preserved in the two courts’ records. The present chapter will explain the origins and early development of London’s Husting Court and thus clarify the nature and context of the wills enrolled therein, followed by an overview of entitlements and provisions for wives and widows according to London’s laws. The chapter will then discuss the evidence of the Husting Court wills, focusing chiefly on testators’ provisions for their wives and the extent to which they either adhered to or deviated from London’s legal mandates.

As discussed in Chapter One, the wills enrolled in the Husting Court were governed by well-defined precedents and guidelines as to the format of the instrument itself, legal

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295 This is not at all to imply that children are not significant. Their position as integral members of the family cannot be overstated, and extensive entitlements accorded to them in London’s laws attest to their importance. Constraints in time, initial planning, and research scope have prevented me from accomplishing a sufficiently thorough investigation of children mentioned in the Husting and Commissary wills studied here; I hope to give this subject the full analysis it deserves in research to follow in the near future.
entitlements for the testator, his wife, and his children, if any. The registered wills consistently followed a specific formula, from the preamble stating the names of the executors who appeared and the court-appointed officials who granted probate of the will, to the bequests, which, by virtue of the Husting’s jurisdiction over real estate, included mention of property but could include movable goods as well, and finally the testator’s appointment of his executors and his seal.

Within these various guidelines and legal provisions, testators still had a moderate degree of opportunity to make their own concerns and desires known, even when they deviated from London’s laws. Chapter Two will highlight several examples from the Husting wills where testators succeeded in adhering to the formulas and general guidelines that were in effect in the court but also, at the same time, moved in subtle but discernible ways beyond London’s legal guidelines for provisions to testators’ family members. Testators’ wives usually featured most prominently in the wills, and the extent to which testators followed or deviated from London custom in the provisions they assigned to their wives offers a particularly rich source of discussion and illustration of the ways testators could balance their particular wishes regarding the disposition of their property with London’s legal precepts governing widows’ entitlements.

**The London Husting Court: Beginnings and Development**

London’s Husting Court is generally considered to have originated in considerable part from business and consequent needs between the city’s citizens and Scandinavian traders. F. M. Stenton put forth this view, and subsequent historians, including Christopher Brooke and Gillian Keir, H. R. Loyn and John Schofield, and A. Dyson, supported and built upon Stenton’s work. The first mention of the court has been traced to a later Latin translation of a tenth-

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297 P. Nightingale, “Origin of the Court of Husting,” 559, footnote 1. See also Penny Tucker, *Law Courts and Lawyers in the City of London 1300-1500* (Cambridge: Cambridge University Press, 2007), 93 regarding the fact that the Husting Court was extant by the 10th century.
The term “husting” originally referred to an indoor assembly; the court’s original business apparently involved acting as an “authority for weight standards”, but can be characterized more broadly as a general-purpose body that “dealt collectively with all manner of administrative and judicial work like the shire and hundred courts.”

This view of the court as a venue addressing a wide range of business and administrative matters has been broadly supported by others, including Reginald R. Sharpe and George Knott, since at least the late 19th century. A. H. Thomas argued that the Hustings Court initially handled all pleas except those falling within the Crown’s jurisdiction; according to Thomas, this was the case in the early thirteenth century, but by the beginning of the fourteenth century, the court had narrowed its focus nearly exclusively to writs of right and related action; in other words, suits involving defendants claiming to be the rightful heir to a specified property. In his introduction to the Calendar of Wills Enrolled in the Court of Hustings, Sharpe notes as well that there is no conclusive evidence to confirm when the court first came into existence in the city. It hosted at least one session of the royal Exchequer (18 Edward I), but in general the Hustings, at least approximately until Edward I’s reign, served as the county court for the city and was the city’s oldest court of record. Again, initially, it likely handled, in Caroline Barron’s words, both a “governmental and judicial role” and also, in the earlier part of its history, was the only court charged with hearing disagreements between citizens, except for those relating to the Crown, as they constituted the more serious offenses.

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298 This charter has been published as Chronicon Abbatiae Rameseiensis, ed. W.D. Macray (London: Longman and Co., 1886), 58.
302 C.M. Barron, London in the Later Middle Ages, 128.
The growth in population, however, necessitated the development of new courts to handle the concomitant rise in business, and the Husting Court began to focus specifically on real and mixed actions, i.e. those involving both personal and real property. From about the mid-thirteenth century on, or at least by the eyre of 1244, business that formerly had been within the jurisdiction of the Husting alone was split into separate allocations of time or designated to one or more of the new courts altogether.\(^{303}\) One of these newly-established courts in particular, namely the Mayor’s Court, took on the duty of hearing “personal actions and actions by plaint.”\(^{304}\) In the meantime, the Husting Court moved toward a primary focus on business, including pleas, transactions, and wills, all involving real estate in some form.\(^{305}\) Nearly all the wills discussed in this study thus contain bequests that can be grouped into two broad categories: (1) real property, often referred to under the general term “tenements,” rents, and income generated from property ownership; and (2) a life interest or other privilege of occupying the property the testator held as his or her own.\(^{306}\) The Mayor Court and the Husting Court also convened to conduct their respective business on specific days of the week, with the Mayor’s Court following the Husting Court’s lead. The Husting Court generally met on Mondays, along with Tuesdays for business that necessarily carried over from the Monday. The Mayor’s Court took on business delegated from the Husting Court, and so was wont to meet on any day necessary to hear and resolve the matters in a timely fashion.\(^{307}\)


\(^{304}\ G.A. Williams, *Medieval London*, 36. Williams does note that it becomes very difficult to distinguish between the business of these three courts; see p. 36.


\(^{306}\) The terms “lands” and “tenements” may have been used in these records with some overlap between them. In Henry Calthrop’s seventeenth-century treatise on London customs, for instance, he uses both terms, as well as “rents” and “services,” separately. Later in the same treatise, however, Calthrop seems to use the term “tenement” in a broader sense to refer to real property as a whole; see Henry Calthrop, *Reports of special cases touching several customes and liberties of the city of London* (London: Printed for Abel Roper, 1670), pp. 104, 105 and 113 respectively, for use of the term “tenement” in varied contexts. Given the broad application of the term “tenement” in the early modern period, I have chosen to consider usage of the term “tenement” in the Commissary and Husting Court wills as references to real property as a whole, rather than in the narrower sense of a specific built structure serving as a domicile. I am very grateful to Barbara Todd for the useful reference.

\(^{307}\) *Liber Albus* III:17; *CEMCR*, x, xiii, xxi.
By 1300, the Husting was counted alongside the Mayor’s and the Sheriff’s Court as one of the three main courts of London. By this time as well, the court itself had two distinct sessions, the Pleas of Land and the Common Pleas. Both courts met bi-weekly on Mondays and, if needed, the next day as well, with the Common Pleas and the Pleas of Land meeting on alternating weeks. Sharpe notes that two distinct series of rolls were maintained for the respective proceedings. The Husting of Pleas of Land handled common recoveries and writs of right regarding real property, where the plaintiff bringing the case forward wished to confirm that s/he was the rightful heir to a specific property in question. The Husting of Common Pleas, on the other hand, adjudicated a wide variety of mixed or property-related cases. Issues that the Common Pleas handled included writs of *ex graui querela* (claims regarding tenements withheld), dower *unde nihil habet* (a widow’s suit for her third of her husband’s land), *gauelet* (a *cessauit*, or suit for recovery of lands, for rent in arrears), and *quid juris clamat* (suit, by a grantee to reversion of real estate, to compel the tenant to turn over the property in question), among others. A range of business matters, on the other hand, could be handled by either court, such as hearings of foreigners seeking admission to the franchise of the city. Wills were among the items of business that appeared in both the Husting of Pleas of Land and the Husting of Common Pleas.

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308 *HW*, xvii.


311 *Liber Albus*, 20ff; see also *HW*, xvii-xix.

312 *HW*, xx-xxi.

313 For instance, the will of John Worstede, mercer (Husting Roll 96, no. 154) appears in the Husting of Pleas of Land dated the Monday immediately preceding the feast of St. Luke Evangelist (18 October), 42 Edward III (i.e. 16 October 1368), while the will of Simon Benyngton, draper (Husting Roll 96, no. 214) appears in a sitting of the Husting of Common Pleas dated the Monday following the feast of St. Andrew (30 November), 42 Edward III (i.e. 4 December 1368). For calculations of dates, see *A Handbook of Dates for Students of British History*, ed. Christopher R. Cheney (London: Royal Historical Society, 1978).
Husting Court Wills: Jurisdiction, Scope, Conditions for Enrollment of Wills

As noted in the Introduction, testators in the city of London had several possible venues where they could enroll wills. The most appropriate court for an individual testator depended on the total value and location(s) of his estate, as well as his status as a citizen. The jurisdiction of the ecclesiastical courts included testators’ personal goods, but did not extend to real property interests. Pollock and Maitland affirm that Bracton regarded a burgage tenement as a “quasi chattel,” but boroughs, including London, argued differently. Several of the larger boroughs eventually developed a general procedure where wills dealing with burgage tenements had to be presented at, and enrolled in, the borough court. As early as 1268, London’s citizens argued that wills dealing with burgage property had to be proved in the Hustings.

It was the Clerk of the Husting or the Clerk of the Enrollments who held the responsibility of ensuring that all deeds and wills were enrolled at the Husting Court. This position was held by one of the two attorneys who customarily served concurrently at the Husting Court and the Mayor’s Court. In particular, it was the individual designated as the second of the two attorneys who served as the clerk in question. By the beginning of the fifteenth century, those enrolling wills were required to pay 6s 8d for the procedure; in

314 See W.S. Holdsworth, A History of English Law, vol. 1 (London: Methuen, 1903, repr. 1922), 625, as referenced in the Introduction of this study (footnote 46).
316 HW, I:xiii.
317 HW I:xiii.
comparison, deeds and charters carried a cost of 3s 4d. The city’s Common Sergeant at Arms, also known as the Common Crier, also received a payment of four pence per testament proclaimed in the Husting.

It has already been noted that the testators whose wills were enrolled in the Husting represented a relatively select and elite minority of the city’s total population. In order to register one’s will in the Husting Court, the testator was required to meet two conditions: he had to be a citizen of London, and he had to hold land. Citizenship, or the freedom, of the city was not granted automatically or universally to all who resided in the city or who owned land within the city’s bounds. As Thrupp states, aspirants to the franchise of the city needed to demonstrate that they were politically capable, of sound character, and able to support themselves through a certain trade.

Once one obtained the franchise of the city, one had to comply with certain requirements thereof, including being in scot and lot, i.e. paying taxes regularly, and accepting a fair share of responsibilities to keep the city running smoothly. Any violation of the said terms could result in the loss of one’s freedom. In addition to these basic criteria, testators also had to pay a fee to enroll their will in the Husting Court. Any body of evidence drawn from the Husting Court, therefore, is inevitably representative of a selection of the city’s inhabitants that is above the norm in terms of economic wealth and social prestige. As Barron notes, by 1450, London’s total population was around 40,000; half of that number, i.e. 20,000, would have been male. Based on these numbers, roughly 7,000 males would have been in their minority, i.e. under fourteen years.

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318 See Letter Book I, fol. 121; Sharpe also cites H.T. Riley, Memorials, 589-91; see HW, I:xv. Sharpe attributes these costs to the city’s need to raise additional funds for “the New Work of the Guildhall”; see HW, I:xiv-xv.

319 HW, I:xv-xvi.


321 S.L. Thrupp, Merchant Class, 15.

322 G.A. Williams, Medieval London, 44-45.

323 See HW, I:xiv-xv.
of age, and a further 1,000 would have been aliens, clergy, or members of royal or aristocratic households. Approximately a quarter or 3,000 of the remaining 12,000 males would have been citizens.\textsuperscript{324} In sum, roughly fifteen percent of London’s total male population would have been citizens. The relatively select percentage that the Husting wills represented of the city’s total male population must be kept in mind.

Women could also attain the franchise of the city. The custom of London affirmed that a widow of a citizen became free on the occasion of her husband’s death; she could “continue as his widow” and reside in the city.\textsuperscript{325} By at least 1570, according to William Dummer, a former warden of the company of Drapers, there was no legal impediment for women to attain the freedom of London. Even so, at least for the early modern period, few women obtained citizenship.\textsuperscript{326} In fifteenth-century London, most women who enjoyed the franchise of the city attained citizenship through their position as widows of freemen.\textsuperscript{327} In 1465, the Court of Alderman affirmed that every woman married to, and cohabiting with, a freeman at the time of his death could earn the freedom herself, on condition that she remain a widow and live sole in the city.\textsuperscript{328}

Other routes to the franchise of the city for women existed as well. Entry by patrimony, for instance, was possible, but documentation of actual occurrences is exceedingly rare. Females could and did serve apprenticeships in the city, but here, too, documented instances are difficult


\textsuperscript{325}See A. Abram, “Women Traders in Medieval London,” 282 and footnote 11. Abram cites from \textit{Journals}, vii, fol. 89: “Recorded as an ancient custom: that every Woman married to a Freeman of the city, is after the death of her Husband a Freewoman so long as she continues his Widow and resides within the city.”


\textsuperscript{327}C.M. Barron, “‘Golden Age’ of Women in Medieval London,” \textit{Reading Medieval Studies} 15 (1989), 44.

\textsuperscript{328}C.M. Barron, “‘Golden Age’ of Women,” 44.
to find. Barron was not able to identify any instances of women attaining the freedom on either of the extant lists of entries to the freedom to the city, i.e. 1309-1312 and 1551-1553.\(^{329}\)

**London Borough Law and Customs: Regulations and Provisions for Wives and Children**

Provisions for nuclear family members were among the most prominent areas of concern demonstrated by testators in the Husting wills. This chapter will focus particularly on treatment of wives in the wills as an initial exploration of testators’ priorities and concerns, the tenor of the conjugal relationship, and the extent to which testators adhered to London custom. Before examining the material itself, however, some prefatory discussion of London legal custom and law is necessary, as London followed borough law rather than common law which adhered across England more generally.

London borough law established clear requirements and guidelines for the testator’s family members, particularly the testator’s wife and children. The testators, then, when drawing up their wills, had certain legal obligations already in place that guided and shaped the ways they were to dispose of their estate. This chapter’s discussion pays special attention to the real estate aspect of each testator’s legacy.

The city’s borough customs for the testator’s wife are, arguably, the most extensive and complex of the laws governing disposition of properties and possessions for the nuclear family members for whom the law provided. The surviving widow, or *relict*
* re, as she was often referred to in the wills, indeed had certain entitlements. There were several sets of provisions distinguished by type of property (i.e. movable or immovable), the widow’s present and prospective future marital status, and the number of children who also stood to receive something from the testator.

\(^{329}\) C.M. Barron, “‘Golden Age’ of Women,” 44. For the years 1309-1312, see *Letter Book D*, pp. 96-179; for the years 1551-1553, see *Register of the Freemen of the City of London in the Reigns of Henry VIII and Edward VI*, ed. C. Welch (London: London and Middlesex Archaeological Society, 1908); also cited in C.M. Barron, “‘Golden Age’ of Women,” 44 (see p. 55, footnote 50 for the reference itself).
A discussion of spousal arrangements as initially settled on the occasion of a couple’s marriage enables us to fully understand the various components and basis of the surviving widow’s entitlement. London law accorded widows certain allotments in both real property and movable goods and chattels under the following terms: dower; freebench; *legitim*; and jointure. In hopes that the effort to be as precise as possible will forestall confusion in a complex subject area, the term “widows’ provisions” will be used here to refer collectively to the interests and possessions in both real estate and movable goods that London’s laws allowed for widows. This discussion will also apply each of the individual terms dowry or *maritagium*, dower, freebench, *legitim*, and jointure specifically and solely as they are defined in the subsequent explanations. In addressing dowry or *maritagium*, both being terms describing what the bride brought to the marriage, as opposed to what widows were to receive following their husbands’ death, the intent here is not to confuse the bride’s portion with widows’ entitlement, but rather to provide context for the widow’s portion.

Provisions for widows following their husband’s death, as noted earlier, included both real estate and movable goods. For the sake of clarity, “dower” will refer to the widow’s life interest in her husband’s real estate holdings, while “freebench” will refer only to her right, by London custom, to the use of the parts of her spouse’s principal residence which they had jointly occupied, including the hall, the main chamber, and the cellar; this portion was also known as the “widow’s chamber.” The word *legitim* will be used in this discussion to clearly delineate the widow’s provisions concerning movable goods but not immovable property.

As will be seen from the discussion to follow, each component of the widow’s provision, i.e. dower, *legitim*, freebench, and jointure, was governed by a specific and discrete set of conditions. It is thus critical to be as precise and rigorous as possible when discussing the various components of the widow’s provision so as to avoid confusion between the various components. Maintaining the necessary distinctions between the different categories of the widow’s provision, however, has been particularly, though understandably, difficult for scholars.

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^330 *HW, I:xl-xli*. It must be noted that in a number of the Husting wills examined, here, testators often used the Latin term “camera” to refer to movable goods in the respective rooms of the principal residence as well as the rooms themselves. The point will be discussed later in this chapter.
over the course of research on the subject, and there has thus been some confusion in the body of scholarly research as to what component of the widow’s provision is being referred to at a given point in various studies on the subject.

One especially prominent point of confusion has arisen regarding the term “dower.” In general, the term has been used by many scholars as an umbrella term to refer to the widow’s provision as a whole, that is, the widow’s life interest in her husband’s real property holdings, her portion of her husband’s movable goods and chattels, her right of freebench, and her right of jointure when applicable. I propose here that use of the term “dower” has introduced significant confusion because various studies in the body of scholarship have also used “dower,” both by itself and as part of other phrasing (e.g. “dower rights in property”) to refer specifically to discrete components of the widow’s provision, as opposed to the whole package, so to speak. The issue here, of course, is that legal conditions differed depending on the particular component at hand. One particularly important difference is that between the widow’s rights in her husband’s real property versus her rights in her husband’s movable goods and chattels: she has only a life interest in the former, but she has absolute possession of the latter.

To illustrate the complications involved in current scholarship’s use of the term “dower” in discussions of widows’ entitlements in late medieval London, an example from recent research will be analyzed at some length here. Caroline Barron’s article “The ‘Golden Age’ of Medieval Women” defines dower as “a third, if there were children, or a half, if there were none, of his real estate.” This definition is immediately followed up with the further specification that dower is comprised of two components, namely free bench (described as a share in the couple’s residence at the time of her husband’s death) and the widow’s third share of her spouse’s lands or tenements, which she was to hold for life and from which she was to derive a subsistence income. According to these statements, the study links the term “dower” with the widow’s rights related to her share of specific portions of her husband’s real estate holdings. The association of “dower” with real estate is set in contradistinction to the widow’s rights in chattels: a statement on the same page states that the widow “was also entitled to legitim, that is a

331 C.M. Barron, “‘Golden Age’ of Women,” 41.
third or half share of her husband’s chattels.” If “dower” is connected to real estate, then *legitim* is linked to chattels.

The application of the term “dower” as an umbrella term for the widow’s rights in both free bench and her life interest in a third share of her spouses’ real estate holdings creates a potential complication: it obscures the fact that the widow forfeited her right of free bench if she remarried, whereas her life interest in the third share of her husband’s real estate holdings remained hers for life whether she remarried or not. The additional discussion in the paragraph’s accompanying footnote, moreover, employs the term “dower” in ways that now encompass both real estate and chattels. Footnote 31 on page 53 describes the case of Margery, widow of John Vyel, and recounts a pronouncement made by the city’s mayor and alderman concerning a wife’s dower, “whether in land or chattels.” Here, the assumption is that “dower” refers to the widow’s provisions in their entirety, including her rights in both real estate and chattels. This use of “dower” as a blanket term is reinforced with references, towards the end of the footnote, to the case of John Wakele, who “left his wife certain lands and tenements for life (as dower)” but also made alternate provisions, namely “the dower in his chattels (i.e. no lands and rents).” The complication in this broader application of the term “dower” is that it mutes the significant difference between the widow’s respective entitlements to her third share in her husband’s real estate holdings versus her third share in her husband’s chattels: again, as said before, she held the former only for her lifetime, but she held absolute possession of the chattels in question. The study makes the erroneous statement that the widow’s dower (i.e. life interest in a third of her husband’s real estate) could be as much as one half if there were no children. I have not been able to find confirmation in contemporary sources of the possible entitlement to a life-interest half share in the husband’s real estate. I propose here, then, that the reference to the entitlement of a half share might be attributed to a partial conflation of the rights of *legitim* and the widow’s life-interest in a third in her husband’s real estate. It seems to me that this error might stem from the broader application of the term “dower” and the partial blurring that the use of this term may

332 C.M. Barron, *ibid.*, 41.

cast over the distinctions between the conditions governing the wife’s entitlements to her respective shares in her husband’s real estate holdings and his goods and chattels.

It is the belief here that the principal basis for the confusion as described above is a misalignment in translation between English and Latin. The nuances in legal conditions that define each of the components (i.e. dower, legitim, free bench, jointure) comprising the widow’s provision necessitate the use of separate terms, at least in English, along with rigor and consistency in applying such terms when discussing each of the components. The Latin-language source material on this subject, however, relies primarily on the term dos in conjunction with contextual description to clarify the specific components under discussion. This is not to suggest, of course, that the testators themselves were necessarily Latinate and initiated the confusion by using dos as a blanket term.\(^{334}\)

Because of the importance of recognizing distinctions between the widow’s life interest in her portion of her husband’s real property holdings and her absolute ownership in her portion of her husband’s goods and chattels, it is my suggestion here that one way to minimize confusion would be to (1) use the term “dower” to refer solely to the widow’s life interest in her husband’s real property holdings, (2) apply the term “legitim” to refer specifically to the widow’s absolute possession of her portion of her husband’s goods and chattels, and (3) use a different term altogether to refer to the “whole package” of the widow’s legal entitlement. Here, I propose the use of the term “widow’s provision” or “widow’s portion.” I have applied these guidelines in my own discussion of the widow’s entitlement that follows here.\(^{335}\)

For our purposes, understanding the subtle differences between each of the above-mentioned categories is critical to our comprehension of the ways and degrees to which London

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\(^{334}\) The contextual description accompanying the term dos in the Latin material indicates that the testators and those involved in the production of the will, such as scriveners and notaries, took care to recognize and maintain the legal distinctions involved in each of the components comprising the widow’s provision. The main source of the confusion, again, lies in the translation from the testators’ English that the testators originally used to the legal Latin and its reliance on the term dos.

\(^{335}\) Scholars on the subject clearly have full command of the differences and the discrete categories comprising the widow’s provision, and certainly a much more nuanced understanding than I can offer. I can only hope here to present a suggestion for clarification that will be of some use to others on this subject.
custom regarding widows’ provisions differed from the rest of the country at large, and what the differences suggest about relative conditions for widows in the city during the late medieval period. This discussion will therefore address the widow’s provisions in real estate and her provisions in movable goods as separate portions in order to ensure as much clarity as possible in understanding the various components of the widow’s portion according to London custom versus common law. As will be discussed in more detail below, a particular basis for confusion is the tendency, on the part of both the medieval records themselves and, at times, during the course of scholarly discussion on the various components of widows’ provisions. The main aspects of provisions for widows, and the occasional points of confusion surrounding them, are the subject of what follows.

Each of the sections below on property and inheritance entitlements for women discuss practices outside London. In addressing customs outside London, this discussion argues that the provisions and options that London made available to women were more generous and accommodating than was generally the case in areas elsewhere. London’s laws provided an unusually extensive degree of protection for widows, in particular. The city’s laws, however, did retain some restrictions for widows: women holding real property in dower could only do so for the duration of their lives. Such a condition made it impossible for women to exercise full agency in transmitting property.

The Marriage Settlement: From Maritagium (Lands) to Marriage Portion (Money)

It is the intent of this section’s discussion of maritagium and the marriage portion to provide context that would allow a fuller understanding of the place and function of widows’ provisions in the conjugal relationship. This study will approach the marriage portion and maritagium as separate from widows’ provisions.

Brides customarily did not enter marriage empty-handed; rather, they usually brought with them either a sum of money, goods, some sort of ownership or stake in real property, or a combination of one or more of these. In other societies from the Roman to the early Italian Renaissance context, the function and meaning of the dowry were also open to various
possibilities. It might be regarded as a sort of nest egg or foundation for savings from which to build the couple’s new life; it might, on the other hand, be treated as payment, compensation, or a sort of pre-emptive financial assistance paid directly to the groom in recognition of the initial expenses facing the couple; or it might even be seen as compensation to the groom, with the implication that he was taking on a certain financial responsibility in marrying his bride.\(^{336}\)

A point of clarification would be helpful at the outset of this discussion to explain the use of terminology by both present-day scholars and medieval contemporaries in describing the transfer of assets, initially land but eventually transitioning to cash payments, from the bride’s family to the groom’s family. A number of scholars, including K. B. McFarlane, Ann Kettle, and Joseph Biancalana, use the term *maritagium* to refer to grants of land that the bride’s father would give to the groom or the groom’s father at the time of the marriage. As all three scholars concur, *maritagium*, or grants of land at the time of marriage, was the convention until the thirteenth century, at which point grants in money began to supplant the older tradition of land grants. Mcfarlane, Kettle, and Biancalana are all consistent in using separate language for both types of grants: all three describe the newly emergent grant of money as “marriage portion.” To make things more confusing, the testators in the Hustig records use the term *maritagium* when giving sums of cash intended for maidens’ marriages, which is the most common use of the term that appears in the wills. The discussion here will keep the terms separate to avoid potential confusion. “Marriage settlement” will refer to the grant of assets that accompanies the bride at the time of the marriage—the term will serve as an umbrella term to govern both *maritagium*, the grant in land, and “marriage portion,” the grant of money. A brief survey of McFarlane’s, Biancalana’s, and Kettle’s views on the shift from *maritagium* to marriage portion follows.

As part of the nuptial negotiations, the bride’s family often gifted her with a dowry, often referred to as *maritagium*, at least until the early 14th century. K. B. McFarlane suggests that among the aristocracy towards the end of the thirteenth century, *maritagium*, which he defines as a transfer of land from the bride’s family to one or both members of the new conjugal pair, was eventually replaced by the marriage portion, which was a more direct cash payment from the bride’s family to the groom’s. Joseph Biancalana states that prior to 1200, the bride’s father would give the groom land as *maritagium* together with the bride. From 1200 to 1320, however, the nature of the marriage settlement changed: the bride’s father now gave the groom or, more often, the groom’s father, the marriage settlement in money. Biancalana argues that a number of factors influenced the shift from *maritagia*, i.e. a grant in land, to the marriage portion, i.e. sums of money. One compelling reason was that grants of money to daughters and land to sons meant that real property could stay in the family of the estate holder; another was the greater prevalence of debt in the thirteenth century, which, Biancalana argues, encouraged a growing inclination towards establishing the marriage settlement with money instead of land during that period. By the fourteenth and fifteenth centuries, then, i.e. the time of this study, the marriage settlement generally consisted of a money payment rather than a gift of land. This payment, “less a portion for the bride and more a payment for a son-in-law,” usually went directly to the

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340 See J. Biancalana, *Fee Tail*, 142-60, esp. 147-50 on the subject of the spread of debt during the thirteenth century.
groom’s father. The term “marriage portion” is, of course, a well-known and oft-used one, and Ann Kettle joins others in applying it to refer to money payments settled on the bride at marriage. With the understanding of the term *maritagium* as linked to land and “marriage portion” associated with payments of money, Kettle has argued that the practice of giving *maritagia* was limited to the thirteenth and fourteenth centuries and was eventually replaced by marriage portions, or gifts of money to the bride.

In the Husting Court wills examined for this study, bequests to women “ad maritagium” appear only occasionally, but they are consistently comprised of cash amounts; the testators’ consistent use of *maritagium* to refer to cash payments illustrates the flexibility with which certain terms might be applied in the records. The testators in this study who confer bequests “ad maritagium,” moreover, usually phrase the bequests as gestures of charity. Mercer Thomas Stable’s will of 1416, for instance, directs his executors to sell certain properties and use part of the proceeds to fund marriage portions for poor maidens. In other instances, the recipients of bequests of *maritagia* usually fall within the testators’ circles of friends or associates, but still outside of the testator’s immediate nuclear family. Mercer Elias Davy, drafting his will in 1455, bequeaths to Idonea, daughter of Henry Ryslep, £40 for her marriage portion, along with certain household utensils which had belonged to her parents, Henry and Joanna, and which were now in Davy’s possession. The evidence discussed here clearly suggests that *maritagium* as a custom

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342 The slippage of the term *maritagium* in the records, as noted here, calls for greater caution and need for clarification on the part of scholars when pursuing and discussing the topic of testamentary bequests and legal language.

343 “… lego et uolo quod omnia predicta terras et tenementa cum omnibus et singulis pertinentiis per executores meos uel executores eorundem executorum meorum… uendantur et quod pecunia inde prerecepta… maritagia pauperum puellarum et alijs operibus caritatiuis disponat…” Husting Roll 145, no. 30.

344 “Item lego ad maritagium Idonie, filie Henrici Ryslep, quadraginta libras sterlingorum meum optimum primiariurn[?] et certa domiciliij utensilia iam in possessione mea existentes que nuper fuerunt predicti Henrici et Johanne uxoris eius, parentum eiusdem Idonie…” Husting Roll 192, no. 16.
continued well into the fifteenth century and that the use of the term *maritagium* referred primarily to money payments rather than interests in land.\textsuperscript{345}

It has been argued that marriage-making and household management in England, particularly its urban regions, became more tightly controlled in the later fifteenth century.\textsuperscript{346} The arrangement of the dowry, whether regarded as the means by which the bride’s family supplied her with a solid economic foundation upon which to build a family, or, as Kettle affirms, the father’s payment to his new son-in-law, long pre-dated the trend towards heightened supervision that Shannon McSheffrey sees, but it would be useful, nonetheless, to consider the conferral of a dowry upon the newly-established conjugal relationship as one manifestation of parental supervision as well as support for the new bride and groom. Dowry, as a component of marriage-making, could thus carry certain shades of meaning.

The testators’ use of the term *dos* was flexible as well. Most of the testators relied on the term *dos* to designate both dower and legitim as defined at the beginning of Chapter Two. John Fressh’s will, for instance, illustrates language typical of bequests of dower and legitim: Fressh granted his wife, “… by the name of her dower or portion belonging to her from all of my goods… a moiety of all utensils and hustilments of my house.”\textsuperscript{347}

A number of testators used *dos* to refer to movable goods: John Heylesdon used the term *nomine dotis* to designate both a life interest in real estate and movable goods which he bequeathed to his wife Johanna. Heylesdon’s will stated that Johanna was to have her life interest, *nomine dotis*, in his lands and tenements in All Hallows Grasschurch. Johanna was also to have £200 sterling, *nomine dotis*, in addition to her entire chamber, ornaments, and personal

\textsuperscript{345} See C. McCarthy, *Marriage in Medieval England*, 55-57 for a more detailed discussion of *maritagium* within a broader context of dotal transfer practices.

\textsuperscript{346} See Shannon McSheffrey’s argument on this point in S. McSheffrey, *Marriage, Sex, and Civic Culture*, 8.

\textsuperscript{347} “… nomine dotis sue siue proportis sibi contingentis de omnibus bonis meis… medietatem omnium utensilium et ustilmentorum domus mee.” Husting Roll 127, no. 64.
clothing. If she was not content with the bequest and refused it, she was to have what the law deemed appropriate to give her.\textsuperscript{348}

As the preceding examples have illustrated, contemporary records did not necessarily apply separate terms, let alone in a consistent manner, for dowry, dower, or legitim. The desire to maintain distinct categories may be more a reflection of modern rather than medieval sensibilities: the context in which the terms dos and nomine dotis were applied made clear the type and nature of the property or goods at hand. The need for scholars to maintain rigor in using these terms, however, as discussed earlier, is not to be overlooked. The various components of provisions for the widow following her husband’s death will now be addressed in an itemized fashion.

Dower

Under common law, the term “dower” designated the wife’s life interest in either one third of the husband’s real property, or in specific properties named by the husband, in the event that she should outlive him, as a way of ensuring that the wife would be adequately provided for in the event of the husband’s death. Glanvill argued that the husband should settle his wife’s dower at the time of marriage.\textsuperscript{349} If the husband did not name specific properties or “nominate dower,” the widow would receive one-third of the entirety of the properties in which her husband was seised in demesne, i.e. held in absolute ownership. Her right, however, was limited to the duration of her life; the property was not hers to bequeath in her own right. Upon her death, the said property would revert to the husband’s heir.

\textsuperscript{348} “Item lego omnia tenementa mea sic onerata et omnia alia terras,redditus, et tenementa mea cum pertinentiis que habeo tam in ciuitate London’ quam in suburbis eiusdem ciuitatis Johanne, uxori mee, nomine dotis sibi contingents de omnibus alijs terris, redditibus, et tenementiis meis in quibus illa non existat feoffata, habenda et tenenda eidem Johanne ad terminum uite sue de capitalibus dominis feodi illius per seruicia inde debita et de iure consueta. Item lego eidem Johanne, nomine dotis sibi contingentes de bonis meis mobilibus, ducentas libras sterlingorvm. Item lego predicte Johanne cameram suam integram ornamenta et omnia indumenta pro corpore sue proprio usualia. Et si predicta Johanna dictum legatum meum nomine dotis ut predictum est recusauerit et se inde contentam non habuerit, tun uolo quod stet et habeat hoc quod lex sibi adiudicare uoluerit.” Husting Roll 133, no. 1.

Over the course of the thirteenth century, common law dower underwent several changes. One important issue was to determine which of the husband’s properties, both past and future, should be counted as part of the widow’s dower. As Janet Loengard notes, pre-thirteenth-century rules indicated that the widow’s dower should apply to the land which the husband held on the day he died.\footnote{350}{J.S. Loengard, “‘Rationabilis Dos,’” 62.} Glanvill argued that the husband could include up to one-third of his later acquisitions, but only if he made note of the possibility at the time that he assigned the dower. If he did not mention future acquisitions at the time of the original endowment, nothing of the subsequent acquisitions could be included in the dower, and his wife would be entitled to no more than one-third of the land the husband held at the time of the marriage.\footnote{351}{Glanvill, VI.2 (pp. 59-60).}

London law closely followed common law guidelines for dower provisions. Like common law, London custom decreed that a widow was entitled to a life interest in one-third of her husband’s real estate, and she could take her life interest in the said properties into a subsequent marriage.\footnote{352}{Caroline Barron states that the custom of London accorded the widow a third of her husband’s real estate for her dower, or half of his real estate if there were no children; no direct evidence is given in Barron’s corresponding footnote to confirm the possibility of the widow’s entitlement of a moiety in the absence of children, so the basis of the widow’s claim to a moiety is unclear. See C.M. Barron, “‘Golden Age’ of Women,” 41, footnote 31. Pollock and Maitland note that at a certain point it seemed to be common, indeed nearly common law, for a socager’s widow to claim half of her husband’s estate. As they state, however, the aristocratic practice of the one-third dower prevailed, with the dower of half, or a moiety, allowable only by local custom. See Pollock and Maitland, I:421-422.} It is worth noting, moreover, that London specifically defined dower as comprised of tenements and rents, as opposed to movable goods and chattels.\footnote{353}{Liber Albus, 404.} London law echoed common law in that the widow’s right to the real property lasted only for the duration of her lifetime. Both common law and London custom restricted the widow from devising the property to her own heirs; upon her death, the property reverted to the heirs of her husband.

Draper John Mitford’s Husting will, written in 1375, assigned his wife Johanna all of his lands, tenements, and rents in London and its suburbs, with their appurtenances, for the term of her life. After Johanna’s death, the properties were to go to Mitford’s daughter Juliana in tail,
with the remainder then going to the rector and parishioners of the church of S. Mary Magdalen, Milk Street, for the establishment and maintenance of chantries in Mitford’s memory.\textsuperscript{354} It is difficult to tell how many properties Mitford actually had in London, given the lack of specificity in Mitford’s language, but Johanna’s will, enrolled shortly thereafter, mentioned only one parcel of real estate, a tenement with shops, solars, cellars, and other appurtenances located in the parish of S. Mary Magdalen, Milk Street. She held the property by jointure, as she stated that she had acquired the tenement jointly with her husband John. Johanna gave the property to her daughter, Juliana, for the term of her life; afterwards, it was to be sold by the rector and four parishioners of good repute of S. Mary Magdalen parish church, with the proceeds of the sale to go to the celebration of masses and other pious and charitable works.\textsuperscript{355} As the only property that Johanna Mitford bequeathed in her own right was hers by jointure, and therefore was a legally valid grant, Johanna Mitford’s will suggests that whatever properties she received from her husband in dower followed London custom and reverted to the heirs in tail without incident.

\textbf{Legitim}

London law concerning inheritance decreed that the testator’s estate in movable goods and chattels was to be split and distributed in three parts: one third was due to the wife, one third went to the deceased’s children or heirs, and the final third was reserved to the testator himself for distribution for the good of his soul however he should see fit. The children were to receive equal shares of their third, and a mid-fifteenth-century ruling in the Mayor’s Court protected the children’s share:

\begin{quote}
It was immemorial custom of the city that the children born in matrimony of freemen [citizens] of the city, if they had not been advanced in their father’s lifetime, should on his death have a third part of their father’s goods, chattels, and money, and that when one of the children had so been advanced [through an \textit{inter uivos} settlement], the other [remaining] children or child should have the third part.\textsuperscript{356}
\end{quote}

\textsuperscript{354} Hustng Roll 103, no. 216.
\textsuperscript{355} Hustng Roll 111, no. 164.
\textsuperscript{356} Calendar of Early Mayor’s Court Rolls, vol. 4, p. 6. For regulations concerning the extent of widows’ entitlements to their husbands’ estates, see Maire of Bristowe Is Kalendar, by Robert Ricart, ed. L.Toulmin Smith (London: Camden Society, 1872), 97-99. See also B.A. Hanawalt, The Wealth of Wives: Women, Law and the
Legitim and dower, then, were both based on the principle of tripartite division, but two major differences should be noted: first, legitim dealt with movable goods and chattels, while dower, as defined in this discussion, addressed the husband’s real estate. The distinction here is important because the wife’s respective interests in movable goods versus real estate had a particularly significant point of difference: the widow’s entitlement in legitim was absolute, while her rights in her husband’s real estate, as noted above, were strictly for the term of her life, i.e. terminated upon her death. In other words, the goods she received as legitim were hers to bequeath to her own heirs; the real estate interests she received as dower, however, reverted to her husband’s heirs upon her death.

London’s interpretation of the rights of legitim was particularly favorable to second wives: an entry in the Liber Albus affirmed that if a man and his second wife had no children, the second wife should have half of her husband’s goods and chattels, even if the husband had surviving children from his first marriage. The significance of the favorable terms of the widow’s right to legitim is compounded, moreover, because, as Caroline Barron observes, in London, a significant portion of a man’s wealth was comprised of his goods and chattels. A considerable amount of wealth, then, could be transmitted to the widow in the form of movable goods and money.

Free Bench

The widow’s life interest in one third of her husband’s real estate, however, was not her sole entitlement in real property. London custom also granted the widow a portion termed free bench. In general, free bench was a practice most often found among manor customs. Lloyd

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Economy in Late Medieval London (Oxford: Oxford University Press, 2007), 19; all bracketed inserts are Hanawalt’s explanatory additions.

See BC, II:136-7, for London custom on legitim; Maire of Bristowe Is Kalendar, 100.

BC, II:137. Caroline Barron also makes this point: see C.M. Barron, “‘Golden Age’ of Women,” 42.

See C.M. Barron, “‘Golden Age’ of Women,” 43.
Bonfield describes it as “customary law’s equivalent to common law dower.” Some variation in the exact nature of free bench was possible, depending on locale. Richard Smith observes that some manors gave the widow her full life interest in her use of her husband’s property, while a large number of others required the widow to remain unmarried and abstinent. Still others diminished or removed the widow’s free bench altogether when the heir reached the age of majority. London’s own definition of free bench takes a relatively moderate place among such variant positions: under the city’s regulations concerning free bench, the widow was entitled to her use of a certain share of the principal residence that the widow had shared with her husband, including the hall, main private chamber, and cellar, all in whole, and her use of the kitchen, stable, privy, and curtilage, with “other necessaries appurtenant thereto” for the term of her life. An important aspect of note concerning London’s practice of this entitlement is that in the city, free bench was more limited than the widow’s dower, i.e. her life interest in one-third of her husband’s real estate. Under London’s regulations, if she were ever to remarry, she would forfeit her free bench, and when she died, the event would also mark the termination of the free bench. Remarriage, however, did not mean the loss of the entirety of the widow’s rights in real estate: she would forfeit her free bench, but she retained her right in her dower, i.e. the life interest she held in one third of her husband’s property holdings.

**Jointure**

Another arrangement, jointure, offered an alternative for husbands who did not own sufficient property in their own right which would enable them to provide a dower for the widow, i.e. a life interest in real property upon which she could support herself. The groom’s

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362 *BC*, II:126; see also *Maire of Bristowe Is Kalendar*, 102. The original French for the phrase “other necessaries appurtenant thereto” is “autres necessaries a luy appart[en]aunts.”
family could give the new couple part of the husband’s inheritance at their marriage, with the 
bride’s family contributing money and movable goods in turn.\(^{363}\) The couple could then have a 
deed drawn up that named both the husband and wife as holders of the property and allowed it to 
pass on to their heirs afterwards. Under a jointure arrangement, the wife, as well as the husband, 
held title to the property, and so if her husband predeceased her, she could take it with her into a 
subsequent marriage, as well as devise it to her heirs. Another important aspect that jointure 
offered, but that dower did not, was that property that a husband and wife held in jointure would 
transfer to her without dispute upon her husband’s death; the widow, therefore, did not have to 
worry about a battle in court to claim the property.\(^{364}\)

The use of jointure rose in the fourteenth century, and Barbara Hanawalt argues that this 
trend may be a basis for an apparent growing preference on the part of parents, guardians, and 
benefactors at large to bestow movable goods and money, rather than land, on young, 
marrigeable women. It may also explain a tendency for fathers to give real property to sons 
over daughters. Such arrangements would have the advantage of equipping the son, as a 
husband, to provide an adequate dower for his wife and thus support his spouse and children.\(^{365}\) 
The widow’s portion included movable goods, chattels, and money, but the ability to offer real 
property for the wife’s dower would make the aspiring husband a more attractive and desirable 
match.

Context on Provisions for Widows

It is worth noting that it was not strictly necessary to include the dower in a will, or 
freebench or *legitim* for that matter, as they were already protected by London law. Taking the

\(^{363}\) B.A. Hanawalt, *Wealth of Wives*, 64. Much of the overview in this section is heavily indebted to Hanawalt’s 
discussion in her monograph.

\(^{364}\) See *BC*, II:106-7. Kate Kelsey Staples also affirms this argument in K.K. Staples, *Daughters of London*, 88, 
footnote 56. Staples cites Peter Fleming, *Family and Household in Medieval England* (Palgrave, 2001), 40. It is not 
the intent to suggest here that widows invariably faced court battles to obtain their dower; it was a possibility, but 
not the norm. Cases of named dower, in particular, were even less likely to involve litigation for widows.

\(^{365}\) B.A. Hanawalt, *Wealth of Wives*, 64.
precaution to do so, however, was helpful as it ensured protection and possibly even enhancement of what was allowed to her by London’s regulations concerning dower.\(^{366}\)

London operated according to borough customs established for the city in its own right, so the specific rules the city followed did not necessarily apply elsewhere in England, though urban regions such as Bristol and Oxford did often draw from London’s example. Bristol, in fact, adopted most, if not all, of its own customs from that of London. Richard Ricart, a town clerk of Bristol, compiled that city’s history and customs in his *Kalendar* between 1479 and 1508. He states in his introduction to the volume that “this worshipfull Toune of Bristowe hath alweis vsed comenly to execute his fraunchisez and libertees accordinge in semblable wise as the noble Citee of London hath vsed, and a grete part hath take his president of the said Citee in exercising the same.”\(^{367}\) Nor was Bristol alone in looking to London as a model: as James Tait notes, Oxford “enjoyed the liberties of London, and a charter issued by King John for the vill of Lynn (to which he granted the liberties of Oxford) contains a referral to London should there be any need to resolve any issues arising from a judgment given.”\(^{368}\)

At large, however, England operated according to common law. Principles of borough law were more the exception rather than the standard and were restricted to particular urban communities, each of which, as noted above, might have its own procedures, or might borrow from another such as London. Borough laws, though local by their nature, might be recorded in various places and thus scattered among documentary sources. London’s customs, in particular, are interspersed among sources including the Domesday Book and statutes of the realm, as well as in the charters issued by Henry III and Edward I.\(^{369}\) Two of the main sources containing English common law are Bracton’s *De legibus et consuetudinibus Angliae* and Glanvill’s


\(^{367}\) Ricart, *Kalendar*, 5-6.


\(^{369}\) See *BC*, I:xiii-xv.
In terms of dower and other provisions for widows, common law did make special provision for the wife, describing *dos* as a gift from the husband at marriage “because of the burden of the matrimony… for the maintenance of the wife and the nurture of the children” in the event that the wife outlived her husband. As Janet Loengard affirms, this gift from the husband to the wife was a long-established one, traceable in England to before the Norman Conquest.

English common law principles on the meaning and parameters of *dos* itself differed somewhat from Continental practice. Glanvill notes that, in Roman law, the term *dos* referred to what, in England, was understood as *maritadium*, namely the marriage portion or the gift that accompanied the bride when she joined her husband. The Roman usage of the term *dos* differed from English usage, according to Glanvill, in that English common law defined *dos* as the husband’s gift to the wife at the time of their marriage. In short, while Roman law decreed that the *dos* was given by the bride’s father to the husband, under English law the husband was the one expected to provide it. Glanvill’s description also affirms several other important points: in 1200, the English definition of *dos* meant only a life interest for the widow. It would ultimately pass to her husband’s heirs, and therefore was not hers to bequeath. Should the marriage prove invalid or be dissolved for certain reasons, for instance, in cases of consanguinity or if the woman was found responsible for committing a “shameful act”

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373 Glanvill, VII:I. Both this and the subsequent reference are from J.S. Loengard, *ibid.*, footnote 3.

374 Glanvill, VI:I.
(turpitudo), or even if the marriage was valid but created in secret or at the deathbed (because the latter two instances did not meet the criterion of having the dos declared at the church door at the time of the marriage), for all of these cases, any dos given would be deemed invalid.\footnote{375}

Additionally, under thirteenth-century common law, dower could be comprised of the widow’s life interest either in property specifically designated as such, or else, more generally, in a third of the land which the husband possessed at the time of marriage.\footnote{376} The life interest via dower could not total more than one third of the husband’s total estate and if it consisted of specifically-named property, it could total less. London custom adhered to common law in its allowance to widows of their life interest in one third of the estate. In general, customary law, both rural and urban, tended to be more generous than common law, even with regional variations.\footnote{377}

Shifting one’s identity from wife to widow involved, of course, a change in legal status as well as presumably one’s day-to-day living circumstances, relations with other surviving family members, and perhaps one’s position and interaction with the local community. Even with the right of free bench, this new arrangement might still have meant a reduction in access to the domestic space as a whole, and the awareness of the limitations inherent in free bench could have weighed on the widow’s mind as well. But how did London’s law and custom define and position the widow?

Under English common law, upon marriage, women acquired a status subordinate to, and dependent upon, their new husbands.\footnote{378} This status, termed \\textit{femme couverte de baron}, meant that the wife’s existence was subsumed within that of her husband. In short, she had no legal identity separate from his, and her invisibility in this regard held true by default even if she were

\footnote{375}{J.S. Loengard, \textit{ibid.}, 217-18, footnotes 6 and 7.}
\footnote{376}{J.S. Loengard, \textit{ibid.}, 220.}
\footnote{378}{E.F. Jacob does note that the Provincial Council of London in 1342 mandated excommunication against anyone who would act to block the “free testation of women”; on the other hand, common law apparently disapproved of this allowance. See Pollock and Maitland, II:429, and W.S. Holdsworth, III:542; both also cited in E.F. Jacob, “Introduction,” \textit{Wills Proved Before the Archbishop}, xxxviii.}
conducting her own business activity. All legal and business actions had to be conducted and resolved through her husband. The wife was also unable to contract independently, though she had limited ability to contract on her husband’s behalf. Her spouse was also liable for any debts she incurred, whether they existed before the marriage or afterwards.

London, however, and a few other urban communities did recognize and make available to married women a legal status termed *femme sole*. *Femme sole* status gave working wives a valid legal identity in their own right, enabling them to trade as an autonomous legal identity independent of the husband. As a *femme sole*, a married woman could engage in making agreements and contracts without her spouse’s involvement, establish credit relationships, which was particularly useful in purchasing trade equipment, and take apprentices at her will. This responsibility also applied to any potential liabilities the woman might incur: if legal disputes arose, proceedings would be based on the wife’s activity, and she would take the full weight of any penalties resulting from legal actions. *Femme sole* status became an emergent possibility in London from at least 1300; by the 1400s, other urban areas were adopting the status as well.

Singlewomen and widows retained a measure of independence married women could not, aside from the wives who did obtain *femme sole* status. Unlike a wife bound by the laws of *femme couverte*, both singlewomen and widows were recognized with specific legal designations for tax and legal purposes. The poll tax of 1379 levied by the Exchequer identified taxpayers

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380 See Pollock and Maitland, II:405-407.


382 M.K. McIntosh, “Benefits and Drawbacks,” 413. See also B. Gastle, “‘As if she were single’: Working Wives and the Late Medieval English *Femme Sole*,” in *The Middle Ages at Work*, eds. K. Robertson and M. Uebel (New York: Palgrave Macmillan, 2004), 41-64, for further discussion of *femme sole* status in England. Additionally, see M.K. McIntosh, *Working Women in English Society, 1300-1620* (Cambridge: Cambridge University Press, 2005) for a highly useful survey of the range of roles, trades, and industries in which women participated.

and the rates they owed according to the “individual’s estate and degree,” as laid out in a
schedule.\textsuperscript{384} The 1379 tax return for Bishop’s Lynn (Norfolk) grouped taxpayers by marital
status, namely as \textit{conjugatus}, or married; \textit{solus/a}, single; \textit{vidua}, widow; or \textit{puella}, maiden or
girl.\textsuperscript{385} It is particularly interesting that the feminine adjectival form for “married,” \textit{conjugata},
appears to have been largely absent from the return. The conspicuous absence of the feminine
form mirrors the disappearance of the wife’s legal identity.

London, however, offered a greater degree of autonomy to married women under \textit{femme
couverte} status than common law did. By London custom, a married woman could trade under
the legal designation \textit{femme sole}. The \textit{Liber Albus} also affirmed that should a married woman
rent a house or shop in the city as if she were a single woman, she would be held liable and
subject to legal procedures as a single woman, despite her status as \textit{femme couverte}.\textsuperscript{386}

Widows, on the other hand, were legally independent. They were not totally free from a
pronounced anxiety, evinced particularly in contemporary literature, surrounding the non-
mARRIED woman, but they enjoyed a fair measure of autonomy in their own right. Provision for
widows, as discussed earlier, was protected in both common law and borough customs, it was
recognized as a distinct status in law, and they had a number of options available from which to
choose freely. Remarriage was one popular option: Joel Rosenthal’s research indicates that
among fifteenth-century peeresses, fifty-four percent chose not to remarry, while roughly forty-
six percent did; overall, Rosenthal estimates that approximately a little over half of younger
widows remarried, with the rate of remarriage diminishing with age.\textsuperscript{387} This fifty-fifty rate

\textsuperscript{384} See \textit{The Poll Taxes of 1377, 1379 and 1381}, ed. Caroline C. Fenwick (Oxford: Oxford University Press for the
British Academy, 1998), I:xiv; C. Beattie, \textit{Medieval Single Women:The Politics of Social Classification in Late

\textsuperscript{385} C. Beattie, \textit{Medieval Single Women}, 66. According to Beattie, \textit{conjugatus} and \textit{solus/a} usually appeared in the
records as \textit{con} and \textit{sol}, respectively. Beattie also points out that many of the taxpayers had a second identifier along
with this first, usually designating occupation or relation such as son/daughter, servant, etc.


\textsuperscript{387} J.T. Rosenthal, “Fifteenth-Century Widows and Widowhood: Bereavement, Reintegration, and Life Choices,” in
suggests that remarriage indeed must have held certain attractive opportunities; as Rosenthal
points out, among them was “the convenience if not the pleasure of a marital partner.”

It also suggests, on the other hand, that remaining “in pure widowhood” also held some
advantages. The law recognized single widows as household heads in their own right, and they
could hold real property and conduct business as independents, both of which they would not
have been able to do as femmes couvertes during their marriage. With this independence,
however, naturally came the risk of financial, and perhaps social, misfortune. Rosenthal cites a
particularly pitiable case of a Humberside widow’s victimization: “With force of arms… [local
bullies]… made an assault upon her… and beat, wounded, and ill-treated her and took and
carried off her goods and chattels.”

Hanawalt also observes that, though a fair number of widows must have received their
dower without any trouble, records do document a solid number of widows who were obliged to
fight for their allotment in court suits. Sue Sheridan Walker’s research on widows’ suits in
royal courts, particularly the Court of Common Pleas, c. 1272-1350, reveals that suits for dower
were a common occurrence, and that widows might face opposition to granting dower from
defendants based on a range of claims from challenges that the widow’s marriage to the grantor
of the dower had not been valid, or even that the husband’s death could not be confirmed (as in
cases of death in battle, which required witnesses or confirmation from royal records) to attacks
on the widow’s character, including claims that the woman had committed adultery.

Such suits often involved family members in a potentially adversarial manner: as Walker explains,
wrts of dower often named occupants, namely tenants, of the property as the defendant, as the
procedure required the presence of the occupant, who was not necessarily the heir in the first
instance. The tenant-as-defendant would often vouch the heir to warranty, thus putting the

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388 Yearbook of Richard II: 11 Richard II, 1387-88, eds. I.D. Thornley and T.F.T. Plucknett ([Cambridge,
not been able to access Thornley’s and Plucknett’s edition directly. Henry III issued protection for the widows’
portion in his charter to the widows of London (1268), Letter Book C, pp. 36-7.


390 S S. Walker, “Litigation as Personal Quest: Suing for Royal Dower in the Royal Courts, circa 1272-1350,” in
Wife and Widow, 83, 86-88.
warrantor, i.e. the heir, in the position of either granting or denying the dower. Family and kinship dynamics thus were likely drawn into many cases of dower litigation, expanding the potential for inter-familial discord in cases where either relations or the case itself might be contentious.\textsuperscript{391}

In London, widows who received less than, or perhaps none of, their full dower had the option of pursuing a writ of dower, \textit{unde nihil habet}, in the Hustig Court of Common Pleas, for which records exist from the late thirteenth to fifteenth century.\textsuperscript{392} Hanawalt’s analysis of 299 total cases over the period 1301-1433 supporting this point indicates that the process of dower recovery would take an average of 11 months, but could last as long as several years.\textsuperscript{393} Although it is not possible to determine what percentage of total widows the 299 suits of dower represent, of the fourteenth century cases 56\% to 83\% reached resolution, while only one third of the fifteenth-century cases were resolved.\textsuperscript{394} The dower pleas most often consisted of the widow pursuing rights to real estate, about 90\% percent; suits for money were far less common.\textsuperscript{395} Defendants who were most often men (roughly two-thirds to three-fourths) or couples (49 percent in 1301-6, subsequently dropping to 15 percent) could bring a variety of counter-arguments to contest the suit; in 70 percent of the cases, the defendants claimed that the husband did not possess the property’s title at the time of the marriage.\textsuperscript{396}

\begin{itemize}
\item \textsuperscript{391} S.S. Walker, \textit{ibid}, 85.
\item \textsuperscript{392} Matthew Stevens affirms that London’s Court of Common Pleas was designated particularly to hear business pertaining to rights concerning property, including \textit{naam} and dower; see M.F. Stevens, “Londoners and the Court of Common Pleas in the Fifteenth Century,” 237.
\item \textsuperscript{393} B.A. Hanawalt, \textit{Wealth of Wives}, 99. For the writ of dower \textit{unde nihil habet}, see the Statute of Westminster I., C. 49; cited in J.S. Loengard, “’Rationabilis Dos’,” 62.
\item \textsuperscript{394} Hanawalt’s evidence shows a wide variance in the percentages of cases reaching resolution during the 14th century: she explains that in the period 1301-6, fifty-one cases (44 percent) dropped out and sixty-six cases (56 percent) reached resolution; in 1374-79, five cases (16 percent) dropped out and twenty-seven cases (84 percent) were resolved. See footnote 23 in B.A. Hanawalt, \textit{Wealth of Wives}, 100, for a fuller discussion of the evidence.
\item \textsuperscript{395} B.A. Hanawalt, \textit{Wealth of Wives}, 100.
\item \textsuperscript{396} B.A. Hanawalt, \textit{Wealth of Wives}, 101.
\end{itemize}
In other instances, defendants might argue that the plaintiff had renounced her dower. Loengard, working with common law dower lawsuits from the royal courts in the early thirteenth century, also found at least nearly a thousand cases in the 1209/10-12 and 1227-30 Curia Regis rolls relating to dower. A number of statutes issued by Henry III indicate that the crown did exercise concern to protect widows’ rights. Loengard’s discussion of the various amendments and modifications made by the government to the Magna Carta between 1215 and 1236 suggest that, though at times protection for widows might have become more unstable and limited from the various changes, the widow’s position saw an overall improvement, at least for the first part of the 13th century; at the same time, however, Loengard reminds us that the continued proliferation of dower suits in the plea rolls indicates that defendants against the dower suits continued to be active in contesting and resisting the widows’ claims, whether “by simple inaction, by negotiation, by collusive suit, by violence, if necessary.”

Even faced with these various difficulties, widows could offer quite attractive prospects to others, particularly potential subsequent husbands. Widows with comfortable dower arrangements and inheritances could present an advantageous marriage prospect; this potential, however, might have been somewhat at odds with at least several testators in the Husting wills. A number of Husting Court testators, and Commissary Court testators as well, voiced some resistance to the thought of their spouses’ remarriage by including, in their wills, clauses limiting, in part or whole, their wives’ portion should she remarry. John Ulsthorp, a tailor who drew up his will in 1432, gave to his wife Isabella certain messuages and tenements, but under the condition that she remain unmarried. If she did find another husband, the said properties were to go to the rector and wardens of the church of St. Bride. At least for these husbands, these stipulations suggest both anxiety and discomfort at the possibility of their wives’

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397 J.S. Loengard, “Rationabilis Dos,” 72.

398 See Table 2.1 for other Husting Court testators who made the same stipulation; this point is discussed further at a later point in this chapter.

399 “... uolo quod predicta Isabella, uxor mea, habeat, quamdiu ipsa sola fuerit et non maritata post decessum meum, omnia messuagia et tenementa mea predicta... prouiso semper quod ipsa Isabella fuerit post decessum meum non maritata, uel si ipsa fideliter non perimpleuerit et fecerit omnia et singula onera predicta, tunc bene liceat prefato rectori et successoribus suis ac custodibus bonorum dicte ecclesie Sancte Brigide in omnia predicta messuagia et tenementa mea intrare et possidere secundem formam legati mei predicti.” Husting Roll 162, no. 46.
partnering with a new spouse. One possible source of anxiety might have been the thought of goods and chattels and other parts of the widow’s inheritance passing into the ownership of another husband and family during the term of her life interest, whether in part or for the entire term.

Widows’ legal entitlements in dower inheritance and in their own position as a legally independent entity could potentially create some inconvenience for others who might have ties or interests in the properties in which the widows held their life interest. Rowena Archer’s examination of provisions for widows among the English nobility from the thirteenth through fifteenth centuries suggests, for instance, that late-medieval dowagers’ life interests in estates could and did cause major disruption in several ways, including hampering lines of succession and potential waste of the dower, as might happen at the hands of second husbands interested in maximizing potential profit from the estates at hand. One might also consider that remarriage and the consequent creation of a new household might engender anxiety, perhaps insecurity and feelings of ambivalence as well, on the part of the members of the widow’s former household, together with those of the new household who might be compelled to adjust to an unfamiliar person or simply an outsider to an already established household.

Consideration of the pros and cons of a new marriage for the widow are further complicated by the fact that a new spouse could offer a number of compelling advantages and benefits for the widow. A new husband could well contribute his own wealth and assets to the newly formed household; he could also provide stability and comfort for the widow, as well as aid in rearing young children. In March 1376, Margaret Stodeye, the daughter of a prosperous London vintner and a new widow pregnant with her third child, married John Philipot, a popular fishmonger who enjoyed a rapid ascent to prominence among the city’s leading political figures up until his death in 1384. Thanks to Philipot’s wealth, particularly his willingness to give Margaret a life interest in nearly all of his properties in London and Middlesex, as well as his political prominence, Margaret, now Lady Philipot, enjoyed a reputation as the widow of one of

London’s most acclaimed citizens. In sum, the widow occupied a place of uncertainty and instability, poised between the dissolution of a former household or familial grouping and a number of possible new positions, for instance as the head of the household in her own right, as a new wife about to enter yet another household partnership and grouping, or even other possibilities such as taking a vow of chastity and entering into a religious community.

From Husband to Wife: Testators and Provisions for Widows in the Husting Court

London custom was relatively flexible and generous in the options it made available to women. The city’s laws, particularly in dower and free bench, also went further to protect widows and ensure that they had means to support themselves. At the same time, however, the restriction to life term only for widows holding real property in dower (and the effective end of the right upon remarriage, in the case of free bench) cut short the potential for widows to exercise control over the transmission of property in their own right.

This section will introduce and explore data from the group of 107 wills, as discussed earlier, enrolled at the Husting Court in London from 1374 through 1485. Due to the prominence of wives in the Husting Court wills examined here and the testators’ varied responses in addressing the entitlements that London’s regulations accorded to widows, this study will pay particular attention to testators’ provisions for wives as an entry point towards studying connections and dynamics within the conjugal unit in late medieval London.

The majority of testators in this body of Husting wills followed London custom regarding widows’ entitlements. Testators’ instructions recognizing and confirming the wife’s entitlement to a portion of their estate was a consistent and prominent component of the Husting Court wills. In a number of cases, it is difficult to ascertain precisely whether the properties a testator bequeathed to his wife represented the mandated third of the entirety of his real estate. For

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401 See C. Rawcliffe, “Margaret Stodeye, Lady Philipot (d. 1431),” in Medieval London Widows 1300-1500, eds. C.M. Barron and A.F. Sutton (London and Rio Grande: Hambledon Press, 1994): 85-98, esp. 88-91 for Margaret’s marriage to Philipot, which was her second out of four marriages total.
instance, John Hamerton, a tailor, bequeathed to his wife, Colette, “all of my tenements with
their appurtenances which I have in the parish of St. Botulph without Aldgate, London… for the
term of her life.” In Hamerton’s case, it is unclear whether the tenements named in St.
Botulph parish constitute the entirety of his real estate holdings, or whether, for instance,
Hamerton had real estate elsewhere, and had assigned his holdings in St. Botulph parish alone to
Colette because they comprised a true third of his total real estate. Thirty-one out of 107 Husting
testators fell within this category, where they assigned to their widows all of their real estate
“within X locale,” thus making it difficult to determine whether the testator had additional real
estate outside the specified locale. It is possible, however, that the testators were simply taking
extra care to specify the location of the properties named in the interests of the greater protection
that the Husting Court was supposed to offer for wills containing real estate. Enrollment of the
will at the Court of Husting was a protective measure against disputes that might arise later on.

Most of the testators who (1) had surviving wives and (2) assigned properties to their
spouses did so with the recognition that their wives would have a life interest in it—no more and
no less. Draper Richard Claveryng, for example, stated in his will of 1375 that his wife Denise
was to receive one of his tenements in Cornhill “per totum terminum uitae sue,” for the full term
of her life. Such wording was the standard phrase used to acknowledge the widow’s full life
interest to the use of the property. On the one hand, the same phrasing might also affirm that the
husband was striving to ensure that his spouse would be well and sufficiently cared for. On the
other hand, the same phrase carries the implicit reminder that the right to this usage has a finite
term; in most cases, this affirmation of the widow’s entitlement was immediately followed with
directions specifying who should receive the property after the widow’s decease. Claveryng, for
instance, specified that after his wife Denise’s passing, the property then under her possession
would pass to his daughter Alice and her heirs. This consideration of subsequent recipients also

402 “Item do et lego Colette, uxor mee, omnia illa tenementa mea cum suis pertinentiis que habeo in parochia
Sancti Botulphi extra Algate, London’, habenda et tenenda dicta tenementa cum omnibus suis pertinentiis prefate
Colette ad terminum uite sue.” Husting Roll 141, no. 73.

403 J.M. Jennings, “The Distribution of Landed Wealth in the Wills of London Merchants 1400-1450,” Mediaeval

404 Husting Roll 103, no. 93.
confirms the impermanent nature of the widow’s dower. In the end, the property would never be hers to give away under her own authority.

From one standpoint, the instructions and language in the wills indicate that the testators often readily, even proactively, took measures to ensure that their spouses would receive their full and rightful entitlement of the estate under London law. One must remember that the rights of dower, *legitim*, and free bench were firmly established even if the will in question did not address these rights; the conscious effort many testators put forth in explicitly fulfilling these entitlements suggests a clear desire on the testator’s part to emphatically affirm these rights and see them to fruition.

Consideration of other evidence from the wills, however, introduces an intriguing counterpoint to this apparent general desire to provide for surviving spouses and honor London’s inheritance customs. The Husting wills did not uniformly grant these entitlements in an unconditional manner. At least seven testators in the present body of 107 Husting wills (i.e. 7%) specified certain conditions that their spouses had to meet to obtain properties bequeathed to them. William Kyng, whose case will be discussed in more detail below, stated that his wife must remain unmarried “in pura uiduitate,” must accept what he has given her, and must not seek anything further from his estate.405 Another draper, John Godestone, gave to his wife Lucy “her entire chamber, with its apparatus and all [of] its utensils… and vessels appertaining to his house and forty pounds sterling by way of dower with which, if she be not content, she is to take nothing but what the law allows her for dower.”406 The seven testators noted here took explicit care to set conditions and parameters for their surviving spouses’ use of their property. Stipulations set forth by testators were as follows:

405 “…so long as she remains single and assents and agrees to the things which I have given to her by way of her portion of all my goods.” “… dummodo seipsam solam habuerit et asentauerit[?] ac agreeauerit ad ea que sibi legau integram proportis sue omum bonorum meorum prout in quedam alio testamento meo de mobilibus meis plenius continetur.” Husting Roll 123, no. 40.

406 “Item lego Lucie, uxori mee, cameram suam integram cum omnibus apparatibus suis et omnia utensilia mea ac uasa argentia stane[?], enea, plumbea, ferrea, et lignea domui mee spectancia ac quadraginta libras sterlingorum nomine dotis sue bonorum meorum. Si autem ipsa Lucia inde non se tenerit contentam pro sua dote, sumat quis sibi legatis nisi ea que lex uluuerit.” Husting Roll 83, no. 66.
## Figure 2.1: Conditional Bequests to Wives in Hustung Court Wills

<table>
<thead>
<tr>
<th>Hustung Roll (Number)</th>
<th>Testator’s Name (Occupation)</th>
<th>Bequest</th>
<th>Recipient</th>
<th>Condition for Keeping Bequest (T=testator; W=wife)</th>
</tr>
</thead>
<tbody>
<tr>
<td>116 (79)</td>
<td>Roger Lunt (tailor)</td>
<td>Life interest in tenement near Fleet Bridge</td>
<td>Sarah (wife)</td>
<td>W to remain unmarried</td>
</tr>
<tr>
<td>123 (40)</td>
<td>William Kyng (draper)</td>
<td>Life interest in all of Kyng’s tenements and rents in city of London</td>
<td>Alice (wife)</td>
<td>W to remain unmarried and accept bequest (per other testament) as her share of T’s movable goods</td>
</tr>
<tr>
<td>123 (41)</td>
<td>William Kyng (draper) (same individual as above)</td>
<td>200 marks and all of Kyng’s utensils and hustilments of the house, excepting utensils of his shop and the things Kyng bequeaths subsequently (in the same will)(^{407})</td>
<td>Alice (wife)</td>
<td>If W is not content with T’s stated bequest, W receives only what the law mandates.</td>
</tr>
<tr>
<td>124 (58)</td>
<td>Roger Abbot (draper)</td>
<td>Enjoyment of rents and profits of lands and tenements in “Petiwales,” All Hallows Barking</td>
<td>Agnes (wife)</td>
<td>W to enjoy said rents and profits until one of T’s three daughters marries</td>
</tr>
</tbody>
</table>

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\(^{407}\) “Item lego Alicie, uxori mee, nomine dotis sue et purpartis omnium bonorum meorum, ducentas marcas argenti necnon omnia et singula utensilia et hustilmenta domus praeter quam utensilia shope mee et ea que per me inferius legantur, habendum eidem Alicie sub tali condicione quod ipsa de bonis meis amplius non petat seu clamet nisi ea sibi superius legata. Si autem dicta Alicia, uxor mea, inde se non contentauerit nomine dotis sue et purpartis bonorum meorum, ex tunc uolo quod totaliter amittat ea que sibi superius legantur et habeat partem suam prout lex exigat et permittat.” Hustung Roll 123, no. 41.
<table>
<thead>
<tr>
<th>No.</th>
<th>Testator</th>
<th>Tenure</th>
<th>Testator’s Description</th>
<th>Wife’s Name</th>
<th>Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>125 (44)</td>
<td>Thomas Noket (draper)</td>
<td>Life interest in all of Noket’s lands and tenements in city of London</td>
<td>Margery (wife)</td>
<td>W to remain unmarried for life</td>
<td></td>
</tr>
<tr>
<td>142 (6)</td>
<td>John Creek (tailor)</td>
<td>Life interest in lands, tenements, and rents</td>
<td>Johanna (wife)</td>
<td>W to remain unmarried</td>
<td></td>
</tr>
<tr>
<td>162 (46)</td>
<td>John Ulsthorp (tailor)</td>
<td>Messuages</td>
<td>Isabella (wife)</td>
<td>W to remain unmarried and maintain T’s chantry</td>
<td></td>
</tr>
<tr>
<td>185 (29)</td>
<td>John Lyttelton (mercer)</td>
<td>Life interest in lands and tenements</td>
<td>Alice (wife)</td>
<td>W to maintain T’s chantry</td>
<td></td>
</tr>
</tbody>
</table>

The most common stipulation, for four out of seven testators, was that, in the case of dower, the wife could occupy the property only so long as she remained unmarried. As noted above, William Kyng seemed particularly preoccupied with this provision in London law. His Husting will states that he will grant his wife Alice the entirety of his tenements and rents for life “so long as she remains single and assents and agrees to the things which I have given to her by way of her portion of all my goods.” Kyng continues, “And if the same Alice dies or does not remain without a husband or refuses my bequest by way of her portion of my goods and chattels, as is noted in another testament, all my aforementioned tenements and rents are to be sold.

The strict limitations Kyng sets regarding Alice’s access to the property evinces Kyng’s desire to maintain control over the disposition of his properties, especially if Alice’s marital status or personal circumstances were to change. Interestingly, however, Kyng’s bequeathal of all of his tenements and rents to Alice, on condition that Alice remain unmarried, diverges from

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408 “… dummodo seipsam solam habuerit et assentauerit[?] ac agreauerit ad ea que sibi legaudi nomine proportis sue omnium bonorum meorum prout in quedam alio testamento meo de mobilibus meis plenius continetur.” Husting Roll 123, no. 40.

409 “…et si eadem Alicia obierit uel ipsa se solam non tenuerit siue marito uel ipsa recusauerit legatum meum nomine proportis sue de bonis et catallis meis prout in alio testamento notatur, tunc uolo quod omnia tenementa et redditus mea predicta uendantur…” Husting Roll 123, no. 40.
London’s custom concerning dower in two ways: first, unless the “entirety of [his] tenements and rents” constituted, in fact, one-third of Kyng’s full real estate holdings, he was giving Alice beyond the legal one-third allowed by London law. Second, his condition that she remain unmarried in order to have her use of the aforesaid tenements and rents also diverges from London law, which allowed widows to have their dower for life and even take the dower into a subsequent marriage. Remarriage for widows, according to London’s laws, would not affect their dower rights; the widow’s right in free bench was the only provision that ended upon the widow’s subsequent marriage. William’s conditions were therefore legally untenable according to London’s laws.

The same William, however, seems to have had a prompt change of heart. In a second Hustig Court will immediately following the previous one, and in his Commissary Court will, both of the same date as the first Hustig Court will, i.e. 14 September 1393, he stipulates conditions that conform more closely to dower provision as allowed under London law. Both his Commissary and Hustig Court wills grant Alice, by way of her dower and her part of all of Kyng’s goods, 200 marks and all and sundry utensils and hustilments of the house “…under such condition that she not seek or claim anything further except those things bequeathed above to her.” He continues, warning that if she is not content with her dower and portion, then she is to lose everything bequeathed thus far, and she must have her portion as the law provides.

In this second will, Kyng does not specifically mention his real property as part of Alice’s dower, but he did not need to. By London’s legal provisions, Alice was entitled to her dower in his land whether he specifically assigned it to her in his will or not. With the understanding that Kyng’s widow was entitled to her dower provision in Kyng’s real property regardless of its inclusion (or omission) in his will, Kyng’s second will represents a visible effort to conform more closely to London’s provisions for widows.

410 “… sub tali condicione quod ipsa de bonis meis amplius non petat seu clamet nisi ea sibi superius legata.” Hustig Roll 123, no. 41; Commissary Court, Register 1, fol. 323.
411 “Si autem dicta Alicia uxor mea inde se non contentauerit nomine dotis sue et propartum bonorum meorum, ex tunc uolo quod totaliter amittat ea que sibi superius legantur et habeat partem suam prout lex exigat et permittit.” Hustig Roll 123, no. 41.
Kyng’s case is a more specific example of a testator attaching extra-legal conditions upon his bequest to his spouse, but he was certainly not alone. Another draper, Thomas Noket, also assigns a moiety, i.e. half, of his lands, rents and appurtenances to his wife Margery “under such condition that she will not marry any man during her life.” As in Kyng’s case, Noket’s wish to make remarriage a prohibitive condition of Margery’s access to her dower conflicted with London’s laws governing widows’ provisions. Wills that technically contravened legal guidelines could still be enrolled and proved. In the case of such wills, it was up to the recipient in question to challenge the terms of the legal instrument in court.

Kyng’s and Noket’s anxieties concerning the possibility of their wives entering into subsequent marriages were not uncommon: some testators from both the Husting and Commissary Courts restricted or reduced provisions to wives should they remarry. Such anxieties concerning remarriage were not unfounded: remarriage was, in fact, a real possibility. In her study of dower suits that widows brought to the mayor of London’s court of Common Pleas between the years 1301 to 1433, Barbara Hanawalt found a 34% remarriage rate among plaintiffs who remarried during the course of the dower suit. The remarriage rate for widows with minor children during the period 1309 to 1458 was even higher at 57%.

A widow’s right to carry it into a subsequent marriage meant that her new husband could benefit from the property as well. Sylvia Thrupp noted an instance where John Welles, a fifteenth-century grocer and alderman, married a widow who brought with her a dower of £764. He obtained guardianship of the widow’s three children and therefore was able to trade with their patrimony, which was also equivalent to the widow’s dower. In sum, as Thrupp states, by virtue of the remarriage, Welles gained access to two-thirds of a substantial business, at least during his new wife’s lifetime and until the children reached their ages of majority. Another grocer,

412 “…sub tali condicione quod predicta Margeria uxor mea non se maritabit alicui uiro durante uita sua.” Husting Roll 125, no. 44.

413 See B.A. Hanawalt, “Remarriage as an Option,” 149-50. Hanawalt notes that remarriage rates increased in the immediate aftermath of the Black Death in 1348-49, but dropped again in the 1400s; the spike in rates, as Hanawalt suggests, might be attributed to widows’ desire for the security that a conjugal partnership would provide in such uncertain and economically challenging times; see ibid., 151.

414 B.A. Hanawalt, “Remarriage as an Option,” 151.
George Irlond, gained access to nearly £3,000 by marriage under similar conditions as well.\footnote{415 Both cases are cited in Sylvia L. Thrupp, \textit{Merchant Class}, 207; Welles’s case is also cited in B.A. Hanawalt, \textit{Wealth of Wives}, 208. A brief biographical sketch for both Welles and Irlond are included in Appendix A, S.L. Thrupp, \textit{Merchant Class}, 373 and 350 respectively.}

For a testator reflecting on how best to provide for his wife and children once he was no longer able to be with them, it must have been disconcerting or possibly upsetting to envision the prospect of another man taking his place as the wife’s partner and putting assets intended for the wife to his own use. A testator’s objection to his wife remarrying, in light of such possible scenarios, is not unreasonable, given the complications and obstructions to the succession of property that a new husband and the formation of a new household might create. In attempting to forestall or discourage their wives from remarrying, testators thus might impose conditions on their wives’ portions that were, in fact, more restrictive than London’s laws allowed. In doing so, they step briefly step outside the legal conventions and testamentary formulas established in London and afford us a glimpse of the testator himself, his wishes, and even his anxieties in facing the future disposition of his family and his estate.

Not all testators sought to place such conditions on their wives’ dower. Some testators might try to gives wives more than London custom allowed. John Tours, a draper, gave his wife Dionisia the reversion of his tenement with appurtenances in Mary Aldermanbury parish, stating that the property was to go to Dionisia and her heirs and assigns in perpetuity.\footnote{416 “In primis do et lego Dionisie, uxori mee, totum illud tenementum cum suis pertinentiis in quo inhabito in parochia Beate Marie de Aldermanbury, London’, habendum et tenendum predictum tenementum cum omnibus suis pertinentiis prefate Dionisie hereditibus et assignatibus sui in perpetuum de capitalibus domini iussi per seruicia inde debita et de iure consuetud.“ Husting Roll 115, no. 42.}

Urban widows’ entitlements may have been subject to some potential dispute, but Hanawalt’s findings indicate that fifty-three percent of widows fighting for their dower in court succeeded in keeping it.\footnote{417 For instance, tenements reserved or promised to the widow as part of her dower might involve a frequent change of tenants and thus bring in tenants or other similar parties with prior claims to the property. See B.A. Hanawalt, “Remarriage as an Option,” 145.}

The overall impression, then, is that urban and rural widows experienced a solid rate of success in fighting for their rightful dowers.\footnote{418 B.A. Hanawalt, \textit{ibid.}, 145.}

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415 Both cases are cited in Sylvia L. Thrupp, \textit{Merchant Class}, 207; Welles’s case is also cited in B.A. Hanawalt, \textit{Wealth of Wives}, 208. A brief biographical sketch for both Welles and Irlond are included in Appendix A, S.L. Thrupp, \textit{Merchant Class}, 373 and 350 respectively.

416 “In primis do et lego Dionisie, uxori mee, totum illud tenementum cum suis pertinentiis in quo inhabito in parochia Beate Marie de Aldermanbury, London’, habendum et tenendum predictum tenementum cum omnibus suis pertinentiis prefate Dionisie hereditibus et assignatibus sui in perpetuum de capitalibus domini iussi per seruicia inde debita et de iure consuetud.” Husting Roll 115, no. 42.

417 For instance, tenements reserved or promised to the widow as part of her dower might involve a frequent change of tenants and thus bring in tenants or other similar parties with prior claims to the property. See B.A. Hanawalt, “Remarriage as an Option,” 145.

418 B.A. Hanawalt, \textit{ibid.}, 145.
Executors

The testator’s choice of executors must have been a significant decision for him to make. It can be reasonably expected that the testator would choose people whom he held in particularly high regard as responsible, reliable individuals. Of the 107 testators comprising the body of tailors, drapers, and mercers who enrolled their wills in the Husting Court during the period 1374-1485, sixty-four testators, or sixty percent, explicitly mentioned wives who were still alive at the time the will was written. 419 Of the sixty-four testators, minus eight testators whose wills had to be excluded due to reasons of illegibility or inability to access the executorship clause, thirty-six testators, i.e. sixty-four percent of testators with wills that were valid for this assessment, named their wives as an executor. 420 The significance of executors will be explored at further length in Chapter Three.

As explained in the Introduction, this thesis addresses the question scholarship has raised over the past several decades regarding the utility and transparency of wills as sources with which to gain direct access to testators’ unmediated personalities, concerns, beliefs, relationships, and other aspects of their lives. Few have stated the issue as clearly as Clive Burgess, who has pointed out that the limitations of wills, e.g. their ability to show only some elements of testators’ concerns, to the omission of others, their function as documents only of testators’ intentions and not the actual outcome, and their inability to divulge aspects of

419 Forty-two testators did not acknowledge surviving wives explicitly; it is possible, however, that at least some of the testators had simply made provision for still-living wives via other legal instruments or by other means prior to, or outside of, the testator’s Husting will.

420 The sixteen testators who did not name their wives as executors were: William Ancroft, mercer (Roll 119, no. 96), John Shalyngford, draper (Roll 126, no. 23), John Fressh, mercer (Roll 127, no. 64), Robert Lyndseye, draper (Roll 133, no. 18), Thomas Sibsay, tailor (Roll 133, no. 46), William Coventre, mercer (Roll 134, no. 108), Phillip Bangore, draper (Roll 138, no. 38), Peter Briklesworth, draper (Roll 139, no. 23), John Wodecok, mercer (Roll 140, no. 61), John Hamerton, tailor (Roll 141, no. 73), John Lane, mercer (Roll 155, no. 75), Alexander Farnell, tailor (Roll 168, no. 39), John Lyttelton, mercer (Roll 185, no. 29), Elias Davy, mercer (Roll 192, no. 16), John Rothom, tailor (Roll 209, no. 10), and John Derby, draper (Roll 210, no. 13). Eight wills could not be included in this count because of various problems with them, e.g. illegibility or, for some reason, my own failure to obtain legible images; these wills were: Andrew Cornewaille, draper (Roll 118, no. 119), Roger Abbot, draper (Roll 124, no. 58), John Northampton (Roll 126, no. 118), Robert Knotte, tailor (Roll 140, no. 50), Richard Scraynham, tailor (Roll 167, no. 29), William Crowmere, draper (Roll 194, no. 23), John Botiller, draper (Roll 195, no. 49), and Thomas Cressy, draper (Roll 202, no. 13). For this reason, this particular statistic is preliminary; I hope soon to rectify the shortcomings that are within my control, particularly obtaining more legible images of the wills omitted.
community, especially the parish community.\footnote{See C. Burgess, “Late Medieval Wills and Pious Convention: Testamentary Evidence Reconsidered,” in \textit{Profit, Piety and the Professions in Late Medieval England}, ed. Michael Hicks (Gloucester: Alan Sutton, 1990), 14-33, esp. 15-17.} This chapter has responded to the concerns raised by Burgess and demonstrated that, though the limitations of wills must be acknowledged and handled with appropriate care, they can still, in some cases, provide insight as to testators’ own, individual concerns, desires, and anxieties. Chapter Three will continue and expand upon the analysis of wills as illustrative of connections and interactions between spouses and within the household in the context of the Commissary Court wills.
Chapter 3
Wills from London's Commissary Court: Provision for the Family, Instruments of Piety and Charity

This chapter examines the evidence of wills from London’s Commissary Court. It is important to remember that the Commissary Court was an ecclesiastical court and thus operated under the authority of the bishop of London, unlike London’s Hustling Court, which functioned within the administration of the city. Wills enrolled in the Commissary Court dealt more extensively with movable goods and chattels than those enrolled in the Hustling Court did, and so the evidence examined in this chapter includes more discussion of movable goods than was possible in Chapter Two.

Wills were not absolutely necessary when determining how to administer a citizen’s estate after his death in late medieval London. As discussed in Chapter Two, customary law, as practiced in the city, ensured that a procedure was already in place for dealing with a deceased citizen’s property. In theory, then, if one had no objection to London’s legal mandate for disposition of the estate after one’s death, one could choose to die intestate. Certainly a number of individuals died without making wills in the Commissary Court’s jurisdiction, and the numerous entries in the will registers noting cases where the court appointed an administrator of the deceased’s estate attest that intestacy was not uncommon. But what might have driven others to make wills? A desire to have control over which individuals and institutions to include, who received what, and how much, were probably compelling reasons for one to compose a testamentary instrument. Michael Sheehan argues that there was a particularly strong reason: by the late twelfth century, the state of approaching one’s end was strongly associated, in the medieval mind, with the desire to give alms as a way of preparing for death. The opportunity that making one’s will offered as an occasion to give alms became more widely recognized, and the general understanding was that to die without a will made with intent to give alms “was
tantamount to rejecting the ministry of the Church.” Concern for piety and charity were well in the forefront of most testators’ minds; indeed, this chapter will argue that desire to enact these two elements of spiritual virtue, as well as ensuring one’s own spiritual benefit, were among the strongest motives driving the creation of the Commissary Court wills, and that it is most often in fulfillment of these concerns that testators occasionally move beyond the structures of the legal and social formulas and conventions.

In light of various factors and parties, such as legal provisions, the mediation of third parties in the form and content of wills, and the possibility that prior arrangements had taken place outside of the will itself, one must exercise caution in interpretations of these legal instruments. Even with such factors under consideration, however, the wills can illustrate testators’ concerns and a discernible degree of idiosyncratic character and individual concerns. Indeed, wills can be understood as intentional documents, again given that the ecclesiastical courts were equipped with administrative procedures to handle intestacy. Eamon Duffy argues that wills served as a “solemn and explicit declaration of faith,” as a “concrete practical expression of the testator’s belief in the importance of providing for prayer and good works for the health of one’s soul.” This chapter concurs with Duffy and affirms that the Commissary Court wills, when read with sensitivity and care, illustrate that testators registering wills in the court demonstrated palpable, genuine and individual concern for their spiritual welfare, as well as interest in asserting their spiritual and social identity and membership in their immediate, often overlapping circles of family, friends, and associates, which most often were comprised of their kin, parish communities and trade professions, all co-mingled. The discussion will now turn to a brief overview of the ecclesiastical court structure in which London participated.

London Commissary Court: Context

The London Commissary Court was a lower-level church court; it was one of several courts, such as the Hustling Court, in which wills could be enrolled. Others included the


Archdeaconry Court and Prerogative Court of Canterbury. Wills enrolled in the Commissary Court usually consisted of movable goods and chattels. Wills were just one type of business that fell within the court’s purview, however: the Commissary Court also handled other types of business, such as marriage litigation.\(^{424}\) The court also dealt with some matters related to small business activities, though their weight in that sphere may have been limited: Barbara Hanawalt notes that, though women seem to have been more inclined to sue for debt in church courts, due to their relatively more liberal nature, most cases for debt in the Commissary Court were dropped, perhaps due to out-of-court settlements; perhaps at least partly because of the church courts’ ineffectuality, London developed separate courts for small debt by the 16th century.\(^{425}\)

The court was also involved in hearing criminal cases. As Richard Wunderli notes, about one-third of the Commissary Court’s business dealt with defamation suits. From March 1470 to 1529, though not entirely consistently throughout the period, the court produced books termed *acta quoad correctionem*. In this capacity, and more generally, the Commissary Court functioned as a lower-level court to the Consistory Court. The Consistory offered a rigorous procedure that combined older Roman law and aspects of the newer canonical system, but the procedure was also slower and more expensive. The Commissary Court, on the other hand, presided over summary proceedings and was supervised by a subordinate official to the bishop, who himself presided over the Consistory Court’s business.\(^{426}\)

\(^{424}\) Shannon McSheffrey has studied Commissary Court records dealing with marriage cases, along with the court’s testamentary registers. See S. McSheffrey, *Marriage, Sex, and Civic Culture*, 197; McSheffrey offers a brief discussion of her use of Commissary Court material on pp. 197-98. See pp. 196-98 for some further discussion of other London-based legal sources.


\(^{426}\) R.M. Wunderli, *London Church Courts and Society on the Eve of the Reformation* (Medieval Academy of America, 1981), 8-15. Wunderli points out that Consistory cases often lasted several terms, often over a year, before reaching a conclusion. He also notes that Commissary Court cases “were restricted largely to criminal cases and probate”; see p. 12.
Commissary Court: Legal Context; Overview of Statistical Content

This section will offer a brief contextual introduction of the legal milieu in which the London Commissary Court operated, with some recapitulation of material previously covered in both the Introduction and Chapter Two. By the 14th and 15th centuries, certain general conventions had already taken hold in England concerning the distribution of an individual’s estate at the time of death. Most regions in England generally observed a tripartite division of the estate: one-third of the testator’s property went to the (male) testator’s wife, one third went to his children, and the final third was reserved to the testator himself to be distributed at his own discretion.\(^427\) The children were to receive equal shares of the third allotted to them.\(^428\) If the testator were childless or a widower, the estate was to be split equally between himself and his spouse or child; it was his own portion, the “dead’s part,” which the will was to handle.\(^429\) Ranulf Glanvill, Henry de Bracton, and the Magna Carta (1215) further noted that any and all debts were to be settled prior to distribution of the estate.

\(^{427}\) Pollock and Maitland, II:348.

\(^{428}\) Richard Helmholz offers a detailed discussion of the custom of *legitim* in London, arguing that interpretations and enforcement of *legitim* in London underwent significant shifts, particularly in the fifteenth century. As Helmholz argues, though Bede, Glanvill, and Bracton each asserted the custom of a man’s estate into thirds, with one third reserved to the man’s children, by the later medieval period, the rule was considered more a matter of custom than a guaranteed right by canon law. According to Helmholz, by the end of the fourteenth century, *legitim* had largely fallen out of active practice outside of the province of York; in the court of Canterbury; in London itself, *legitim* was referred to as a custom of the city itself, rather than a wider English custom, and actual enforcement seems to have lapsed by 1400. See Richard Helmholz, “Legitim in English Legal History,” *University of Illinois Law Review* (1984): 659-674, esp. 665-670. As Helmholz points out, however, the apparent lapse in active enforcement doesn’t necessarily mean that parents withheld the customary third to children in practice; the suggestion, rather, is that, in Helmholz’s words, “by 1400 this division represented the testator’s choice rather than a legal obligation” (p. 669).

As noted in Chapter Two, London followed its own set of borough customs, as opposed to common law. At times it might closely follow common law principles, but at other times, it could diverge to a significant degree. In the case of the division of the testator’s estate, London did echo common law, but the city’s provisions for widows were more generous than common law. One source that has often been cited on the subject of the custom of London is the customal attributed to Henry Darcy, mayor of London in 1337 and 1338. No extant copy of Darcy’s manuscript survives, but as Lucy Toulmin Smith notes, Ricart reported that the sixth part of the *Kalendar* was comprised of his transcription of Darcy’s manuscript. As Toulmin Smith affirms, she was unable to locate any original of Darcy’s work; any reference to Darcy’s manuscript must therefore bear its context in mind.\(^430\) Darcy’s customal is reported to have stated that after a citizen’s debts had been settled, the total of his goods and chattels should be split into three parts. The first part was to be reserved for the testator’s own use, specifically in distribution for his soul; the second part was to go to his wife, and the third was to be divided equally among his children “notwithstanding any devise made to the contrary.” If the couple had no children, the widow was to receive half of the testator’s goods and chattels.\(^431\) Further, in London, land acquired by purchase, though not by inheritance, could also be bequeathed like chattels.\(^432\)

The fourteenth- and fifteenth-century wills in the Commissary Court records consistently adhere to London’s borough customs as sketched out above. Tailor Simon Kelly’s will of 1411 states that, following the repayment of his outstanding debts, his wife Sara is to get the part that

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\(^432\) “Mès qe le rey aucune foiz se entremet e conust en chose devisee qe ne est mie purement chatel moeble, come des tenements purchasees en ville de franchise come en Lundres e en Norhampton, qe l’em poet devise auxi come chatel, pur cee qe burgeis marchans enplaient generalment la meyté ou plus de lur chatels en lur herbergage, dunt lur purchas purunt il deviseer e ne mie lur heritage.” “But sometimes the king interferes and takes cognisance of a thing devised which is in no sense strictly a movable chattel, as for instance in franchised towns like London and Northampton, of purchased lands which a man can devise like a chattel, and this because burgess merchants generally employ the half or more of their chattels in their housing, wherefore they may devise their purchased land, but not their inherited land.” Britton MS. Univ, Lib, Dd.vii.6, f. 102, cited in *BC*, II:96.; text and translation per Bateson.
belongs to her. His son William is to receive the same, and the third part is to be distributed and disposed of for his own soul. Draper Thomas Macching’s will of 1392 takes a similar form, first instructing that in the event that his wife Johanne is not able to pay off the debts Macching lists in his will within the two years he specifies, his real estate holdings are then to be sold, with the proceeds first applied to his debts; as with Kelly’s will, the remaining money should be split into three parts: one part to wife Johanne, the second to daughter Agnes and the unborn infant of his wife in equal measure; and the third to be distributed in celebrating masses and charitable works.

Some discussion of the most prominent categories of recipients of bequests in the wills, and the respective general proportions and percentages of the categories, will also provide a useful basis for exploring and understanding the nature and force of the Commissary Court wills. The principal groups of beneficiaries named in the wills were ecclesiastical institutions, usually the testator’s parish church, and individual members of the clergy, the testator’s nuclear family members, i.e. spouses and children, kin outside the nuclear circle such as parents, siblings, and cousins, servants, apprentices, the executors and supervisors of the will, and recipients of alms. A significant number of wills also named individuals whose associations with the testator are unspecified; such individuals’ ties to the testator might have been readily evident to the testator’s immediate community and to those individuals who held responsibility for carrying out the terms of the will.

433 Commissary Court, Register 2, fol. 200v.
434 “Et in casu que dicta Johanna, uxor mea, omnia predicta debita in dicta cedula indeenta contenta et specificata infra predictos duos annos post obitum meum non persoluerit aut satisfecerit ut predictum est, tunc uolo, lego, et ordino quod, non substantis legatis tenementum predictorum per me superius factis, omnia predicta tenentia cum omnibus suis pertinentiis per executores meos infrascriptos uel per eorum executores uendantur post finem predictorum duorum annorum cicius que uendi poterint plus offerenti et solide uolenti pro eisdem, et quod, de pecunia de uendicione dictorum tenementum proueniente, omnia debita supravidcta primo et ante aomnii persoluantur quibus debitibus plenaris solutis. Lego residuum de pecunie prouenienti de uendicione dictorum tenementum ad diuidendum in tres partes equales, quorum lego unam partem prefate Johanne, uxori mee, in usus suos proprios commitendos. Secundam uero partem lego Agneti filie mee et proli in utero dicte uxoris mee iam existenti inter eos equaliter diuidendum... Et tertiam partem dicte pecunie lego ad expendendam et distribuendam ut in missis celebrandis et operibus caritatiuis pro anima mee et animabus omnium fidelium defunctorum secundam dispositionem et ordinacionem executorum meorum.” Commissary Court, Register 2 fol. 12v.
435 The Latin terms cognatus/a and consanguineus/a are usually translated as “cousins,” and I have adopted this translation as well. The term, however, might also carry a broader meaning, namely “kinsman” or “kinswoman.”
As noted in the Introduction, this study draws from the wills of 263 tailors, 154 drapers, and 74 mercers from the Commissary Court, along with the Husting Court wills discussed in the previous chapter.\textsuperscript{436} The various possessions and components of the testators’ estates have been broken down into seven broad categories, namely movables, real property, cash, rents, relaxation of a debt owed to the testator, release from a term of apprenticeship, and the customary third of the testator’s estate due to the spouse and children.\textsuperscript{437} Not every will named recipients for each category, of course, so the number of wills that designated a given category of recipient, e.g. church or clergy, spouse, etc., for a particular component of the testator’s estate, such as property, goods, or cash, must be taken into account in conjunction with the relative distributions of goods to categories of recipients. A particularly interesting aspect is the order of most-frequently-mentioned categories of recipients, as this may serve as a broad gauge of the parties upon whom the testator placed the greatest affection, trust, and responsibility.

In summary, all three groups named church and clergy as the most frequently-included category of recipients. The tailors and drapers named spouses as the second-most-frequently-mentioned group of recipients, followed by executors and supervisors.\textsuperscript{438} From that point on, however, slight variations in frequency arise, as below (the respective categories of spouses and churches/clergy have also been included for the sake of comparison):

\textsuperscript{436} Approximately forty-nine tailors, twenty-eight drapers, and nineteen mercers with wills that were relatively complete and thus potentially usable here were excluded from these calculations due to the difficulty in obtaining complete or sufficiently reliable information for said testators.

\textsuperscript{437} The discussion here uses the terms “real property” and “immovables” interchangeably; rents and other monetary proceeds issuing from real estate are treated separately for the sake of clarity in the categories presented.

\textsuperscript{438} It is important to note, however, that inclusion of executors and supervisors should be understood as “recipients” in a slightly different sense than others listed on the charts. When appointing individuals as executors and supervisors, testators often also gave the named individuals something, usually a cash amount, in recognition of the responsibility the executorship or supervisorship entailed. The context of bequests connected to appointments of executors, then, carried different meanings than did other bequests. One might argue, for instance, that bequests to executors and supervisors could be considered compensation or a kind of honorarium in recognition for their work in carrying out the terms of the testator’s will.
Figure 3.1 Bar Chart: Recipients Mentioned in Commissary Court Wills
[Percentages = percentage out of total number of wills (per trade) naming listed category as recipient of bequest]
[Total number of wills per trade: tailors = 263; drapers = 154; mercers = 74]

Figure 3.2 Table: Percentages of Commissary Court Wills Mentioning Various Recipients
[Numbers in parentheses = actual numbers of wills that made bequests to specific category of recipients]

<table>
<thead>
<tr>
<th>Categories (numbers in parentheses = X out of Y wills total for each category)</th>
<th>Tailors (X out of 263 wills total)</th>
<th>Drapers (X out of 154 wills total)</th>
<th>Mercers (X out of 74 wills total)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executors</td>
<td>99% (261)</td>
<td>100% (154)</td>
<td>100% (74)</td>
</tr>
<tr>
<td>Daughters</td>
<td>30% (78)</td>
<td>25% (38)</td>
<td>41% (30)</td>
</tr>
<tr>
<td>Sons</td>
<td>33% (86)</td>
<td>33% (51)</td>
<td>39% (29)</td>
</tr>
<tr>
<td>Non-Nuclear Kin</td>
<td>37% (98)</td>
<td>42% (64)</td>
<td>59% (44)</td>
</tr>
<tr>
<td>Relat. Unspec.</td>
<td>28% (73)</td>
<td>51% (78)</td>
<td>61% (45)</td>
</tr>
<tr>
<td>Alms</td>
<td>24% (64)</td>
<td>45% (69)</td>
<td>61% (45)</td>
</tr>
<tr>
<td>Category</td>
<td>Tailors</td>
<td>Drapers</td>
<td>Mercers</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------</td>
<td>-------------</td>
<td>------------</td>
</tr>
<tr>
<td>Executors</td>
<td>(99%)</td>
<td>(100%)</td>
<td>(100%)</td>
</tr>
<tr>
<td>Churches/clergy</td>
<td>(94%)</td>
<td>Churches/clergy</td>
<td>(95%)</td>
</tr>
<tr>
<td>Spouses</td>
<td>(81%)</td>
<td>Spouses</td>
<td>(80%)</td>
</tr>
<tr>
<td>Non-nuclear kin</td>
<td>(37%)</td>
<td>Association</td>
<td>Unspecified (51%)</td>
</tr>
<tr>
<td>Sons</td>
<td>(33%)</td>
<td>Alms</td>
<td>(45%)</td>
</tr>
</tbody>
</table>

The table in Figure 3.3 is essentially the same data as the table in Figure 3.2. The primary difference between the two tables is as follows: Figure 3.2 is organized by category of recipient, to show the relative frequency by which each type of recipient appeared in the wills of each trade. Figure 3.3 is organized according to the popularity (in descending order, from most to least popular) of the various categories of recipients in the wills within each of the three trades.
| Category                          | Daughters (30%) | Non-nuclear kin (42%) | Non-nuclear kin (59%) | Sons (33%) | Servants (45%) | Daughters (41%) | Sons (39%) | Servants (32%) | Daughters (25%) | Guilds and Fraternities (25%) | Apprentices (30%) | Apprentices (21%) | Apprentices (15%) | Daughters (25%) | Servants (14%) | Guilds and Fraternities (10%) | Other (6%) | Other (20%) | Guilds and fraternities (12%) |
|----------------------------------|------------------|-----------------------|-----------------------|------------|----------------|------------------|------------|----------------|-----------------|--------------------------|-------------------|----------------------|------------------|-----------------|------------------------|-------------|-------------|-------------------------|
| Daughters (30%)                 |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Non-nuclear kin (42%)           |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Non-nuclear kin (59%)           |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Sons (33%)                      |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Servants (45%)                  |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Daughters (41%)                 |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Sons (39%)                      |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Servants (32%)                  |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Daughters (25%)                 |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Servants (32%)                  |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Servants (41%)                  |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Apprentices (30%)               |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Apprentices (21%)               |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Apprentices (15%)               |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Servants (14%)                  |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Guilds and Fraternities (10%)   |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Other (6%)                      |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Other (20%)                     |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |
| Guilds and fraternities (12%)   |                  |                       |                       |            |                |                  |            |                |                  |                          |                   |                      |                  |                 |                         |             |             |                          |

Provisions for Wives: The Conjugal Relationship in the Commissary Court Wills

The language used in various wills could illustrate testators’ concern on their spouses’ and other family members’ behalf. The discussion in this section will focus on testators’ relationships with their wives and will demonstrate that, even with the formulaic structure, conventions in phrasing, and social and legal customs and precedents in place, testators were able to utilize their wills to convey a sense of their individual relationships with their spouses. Indeed, the testators’ various wills illustrate a range of sentiments, from watchful solicitude to a need to exert some control and supervision over the spouse.

A number of testators included idiosyncratic phrases and remarks conveying particular solicitude in relationships with specific recipients. Tailor Walter Whytefeld’s will of 1451 notes, "Also I will and humbly pray to John Whytefeld, my brother and citizen of London, that he be a special friend and defender to the said Alice my wife in her time of need." At least one testator openly praised his spouse, conveying a sense of deep affection and gratitude: mercer

440 "Item uolo et suppliciter deprecor Johannem Whytefeld, fratrem meum et ciuem London’, ut ipse sit specialis amicus et difensor dicte Alicie uxori mee in tempore necessat.” Commissary Court, Register 5, fol. 52.
Richard Claver’s will of 1455 appoints wife Alison and fellow mercers John Burton and John Stockton as his executors, adding as a special admonition, “And all waye I praye yowe tender my wyff well for she hath ben to me a full luffyng woman en my sekenes there, God reward her in hevyn for that sche hath be to me.”

Testators also occasionally augmented their instructions with statements suggesting an extra degree of personal care for the recipient in question. This happened most often in business pertaining to testators’ wives: several testators, in bequeathing the residue of their belongings to their spouse, stipulate that she should be allowed to administer them without any restrictions or impediments. Such is the case for tailor Simon Leef in 1426, who gives the residue of his goods and chattels to wife Margaret “to do as her will... without any condition so that she does as she wishes for my soul.”

Tailor John Bruun’s will of 1420 specifies that his wife Joanna is to receive the residue of his goods “absque contradictione aliquali alicuius persone uniae.” Such instructions are occasionally applied to the testator’s other family members as well: tailor Thomas Pert’s will of 1467 instructs that his wife, Alicia, should have and possess £20 for her good pleasure (bene placitum) and will without any interruption or contradiction.

Some wills are relatively brief, assigning little other than the residue of the testator’s estate to his wife, along with common bequests such as sums for funeral expenses and outstanding debts. Tailor Walter Maydeston’s will of 1392 bequeathes 20d to St. Paul’s church for tithes and oblations in arrears, 12d to Henry, a parish clerk serving in the church, and a gown each to parishioners Margerie Byrne and Joanna Benet. The residue of Maydeston’s estate is

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441 Commissary Court Register 5, fol. 234.

442 “Residuum uero omnium et singulorum bonorum meorum et catallorum quorumcumque post debita mea persoluta huius autem testamenti mei completionem ac sepulturam meam factam do et lego predicte Margarete uxore mee ad inde faciendum suam liberam uo"... Commissary Court, Register 3, fol. 156.

443 “Without any kind of contradiction from any single person.” Commissary Court, Register 3, fol. 168.

444 “Et uolo omnino quod dicta Johanna, uxor mea, habebit et possidebit easdem uiginti libras ad eius bene placitum liberum durante uita eiusdem Johanne absque interrupcione seu contradictione aliquali.” Commissary Court, Register 6, fol. 10.
assigned to his wife Joanna. Such wills abound in the Commissary Court evidence. Testators might well have given goods or parcels of the estate to beneficiaries via *inter vivos* transactions prior to the drafting of the will, and hence an apparent lack of mention of certain parties in the will itself should not be taken as conclusive evidence of neglect, disregard, or a strained relationship between the testator and the party in question.

Clive Burgess has amply demonstrated this point in his research on late medieval wills and end-of-life provision in late medieval Bristol. Burgess describes the case of Henry and Alice Chestre, a married couple from Bristol who enrolled their wills in the Prerogative Court of Canterbury in 1480 and 1485, respectively. According to Burgess, Henry’s will gives the impression of a small estate: the only bequests it lists are 6s 8d to his vicar for tithes in arrears and 2s to Worcester Cathedral. Henry then assigns the residue of his estate to his widow, Alice, and requests the establishment of a chantry. Alice’s own will suggests that she has a certain amount of wealth, as she forgives a debt of £100, establishes a five-year chantry for £30, and gives a silver and gilt maser and bowl to All Saints’ Church of Bristol. All Saints’ own records, however, suggest that the couple had much greater wealth than their wills suggest: Alice donated

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445 Commissary Court, Register 1, fol. 259.


447 As Burgess explains, roughly one-third of Bristol’s wills were enrolled in the registers of the Prerogative Court of Canterbury; most of the remainder of Bristol wills can be found in the Great Orphan Book at the Bristol Records Office, and a further nineteen wills have been identified in *The Great Red Book of Bristol*, one of the municipal compilations of Bristol; see *The Great Red Book of Bristol*, ed. E.W.W. Veale (Bristol Record Society, 1931-53), (Introduction) II, (text) IV, VIII, XVI, XVIII; cited in C. Burgess, “‘By Quick and by Dead’: Wills and Pious Provision in Late Medieval Bristol,” *English Historical Review* 102 (1987): 839, note 1. For discussion of the case of Henry and Alice Chestre, see C. Burgess, “‘By Quick and by Dead,’” 841-43. For Henry’s will, see National Archives, Prerogative Court of Canterbury, PROB 11/613, 1 Wattys, fol. 4v (entry listed as Henry Chestyr or Chester, All Saints Bristol, Gloucestershire, dated 4 March 1471). For Alice’s will, see National Archives, Prerogative Court of Canterbury, PROB 11/7/292, 14 Logge, fols. 103v-104 (entry listed as Alicia Chestre, Widow of Bristol, Gloucestershire, 7 February 1486).
two carved and gilded tabernacles, paid for the refurbishment of the rood loft, commissioned carving on the front of the rood altar, provided funds for an altar cloth, and gave a hearse cloth and enameled silver cross for Sunday processions, among other donations to the church.  

As Burgess demonstrates with Henry and Alice Chestre’s case, then, wills must be considered along with the possibility that the testators had made other, prior arrangements to distribute their property, possessions, and money. Andrew Trot, a tailor, assigns the residue of his estate to his wife Denise and son John, “either of them to have their part,” and Denise is given no further mention.  Andrew, however, might have provided for Denise with legal instruments or transactions outside the will itself.

The language a number of testators employ when giving their wives the legal widow’s provision is particularly significant. As discussed in Chapter Two and earlier in this chapter, testators in this body of Commissary and Husting wills typically used the term *dos*, particularly in the context of the phrase *nomine dotis*, to refer to dower (i.e. the widow’s portion of the husband’s real estate) and also, though somewhat confusingly for us, occasionally to refer to the widow’s right in free bench. Testators also often used the term *camera* to designate the necessary accompaniments (i.e. movable goods) in the portion of the principal residence that comprised the widow’s right in free bench. *Maritagium* was typically used to refer to a woman’s dowry, usually a cash sum.

Beyond these terms, however, some testators use phrasing that suggests that the testators were returning their wives’ own property and goods, i.e. the portion that they had brought with them to the marriage. A draper, Richard Peche, for instance, states, “I will and bequeath the residue of all my goods following payment of my debts and the completion of my testament to my wife Agnes to have, from it, her own goods (*de bonis propriis*), and to perform both

448 Burgess has listed these and other donations in his article; see C. Burgess, *op cit.*, 842. As Burgess states, documentation of Alice Chestres’ benefactions can be found in the All Saints’ Church Book, pp. 139-41, 165.

449 “… and the residue of my gods [i.e. goods] and detts wherso euer thei be after my detts paied and my burying done y wille and ordeyn that it be deuyded bytwene the said Denys my wife and John my sone either of them to haue their parte…” Commissary Court, Register 5, fol. 222v.
celebration of masses and in other charitable works as she sees best fit to please God and to achieve the salvation of my soul.”  

Widows: Continuing the Trade

A critical question is the extent to which wives contributed to the household economy, and if so, what options they had to do so. As discussed in the preceding chapters, scholars, at least since Annie Abram in the early 20th century, followed by Marian Dale, Sylvia Thrupp, and more recently, Judith Bennett and Marjorie McIntosh, among numerous other scholars, have drawn attention to married women’s abilities to work as an independent legal entity, as *femme sole* traders. Women were able to practice a wide range of occupations, including but not limited to brewing, teaching, embroidery, and spinning and weaving silk. Women were expected to be involved in their husbands’ or father’s business matters, even acting as their agents when occasion required. Kay Lacey cites the example of haberdasher Thomas Canons, who sent his wife to London “to doo dyvers thyngys at his Commaundment.” As Lacey explains, Canons clearly expected his wife to be fully competent in handling business matters in his stead. Girls could, and indeed were encouraged, to learn a trade to support themselves or help their husbands, and

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450 “Residuum uero omnium bonorum meorum post debita mea soluta et huius testamenti mei complicionem do et lego Agneti uxori mee ad faciendum inde cum de bonus propriis et ad faciendum inde pro anima mea ut in messis celebrandis et in aliis operibus caritatiuis ubi ipsa uiderit melius deo placeri ac anime mee salutis proficere.” Commissary Court, Register 1, fol. 83v. The idea of the return, in the central and later medieval period, of dowries originally provided by the bride’s family, has been suggested by David Herlihy; see D. Herlihy, *Medieval Households*, 14-16, 98-103.


and at least in the silk industry, as well as some others, women could teach their assistants via a formal apprenticeship program.\footnote{S.L. Thrupp, \textit{Merchant Class}, 170-71.}

Women thus actively participated in the household economy and were able and expected to work in partnership with their spouses. The question, then, is: to what extent can the Commissary Court wills tell us about the extent of women’s participation in their husband’s trade, and the extent to which husbands relied on their wives to continue the business after their passing? The Commissary Court wills are somewhat reticent on this matter: this may be attributed to a number of factors which will be discussed shortly. Among the tailors, thirty-seven testators mentioned apprentices in their wills. Of the thirty-seven testators who mentioned apprentices, five did not mention wives; presumably their wives had predeceased them. Of thirty-two tailors who had surviving wives and apprentices, only three testators (9\%) assigned their wives responsibility for overseeing the remainder of the apprentices’ terms.

For the drapers, thirty-five testators mentioned apprentices. Of the thirty-five drapers, one testator did not mention a wife; again, she was probably no longer living at the time the will was written. Of the thirty-four drapers with surviving wives and apprentices, nine (26\%) assigned their wives the remainder of their apprentices’ terms. As for the mercers, forty-three mentioned apprentices, and sixteen of these testators did not mention wives. Of the twenty-seven mercers who had living wives and apprentices, only one mercer (4\%) assigned the remainder of the apprentice’s term to the wife.

The numbers of testators entrusting their apprentices’ remaining terms to their wives, especially for the tailors and mercers, are somewhat low, but there are several possibilities to consider as explanation for the figures. The testators may have been of relatively advanced age, and if so, a number of them may have been referring to former apprentices who had already finished their terms and become masters of the trade or craft themselves. Another possibility is that the apprentices themselves may have been of sufficiently advanced age or skill level that the testators, the apprentices’ masters, may have felt it more appropriate to release the apprentices of the remainder of their terms rather than hold them to the remainder of the contract after the
testators themselves, their masters, were no longer there. Seventeen of the tailors’ apprentices (46%), nine of the drapers’ apprentices (26%), and four of the mercers’ apprentices (9%) were released from the remainder of their terms. Alternatively, a combination of the above factors may have worked together: the tailors’ apprentices as a group may have tended to be older and hence more prepared for early release from their apprenticeship contracts; the drapers, as well, may have been somewhere between the tailors and mercers in average age and thus ready, in roughly a quarter of the cases included here, to be released from their contracts. The mercers’ apprentices may have been a mix of older apprentices and former apprentices, hence the relatively lower number of apprentices granted release from their contracts. It is difficult to know for certain what the case was, but a number of factors, including testators’ ages and testators’ tendencies to refer to former as well as current apprentices by the appellation “apprentice,” may have been involved. One must also remember that the numbers under consideration here are all relatively small, and so differences in percentages might be caused by relatively small numerical differences.

Assigning Widows’ Portions: Restrictions and Provisos

Others utilized their wills to give their spouses their legal portion plus additional items, but some did so with the caveat that, should the spouse not be content with the bequest in any way, it was to be rendered null. Tailor John Wretill’s will of 1417 offers to wife Agnes by way of her dower, *nomine dotis*, and her part of all of John’s goods, fifty marks in money, and all of his silver bowls or cups and other silver vases, together with all his goods and utensils visible in the hall, bedroom and kitchen, so that if she is not content with this bequeathal, *non teneat contenta*, but chooses and has her portion from his goods by the process of law, then the money and goods assigned to her per the will shall be null.  

Other wills hint at spousal relationships which apparently required some degree of restraint, or involved husbands who felt the need to put tight conditions on bequests to spouses. Restraint in such conjugal relationships is apparent not only in the phrasing, but also in the

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454 Commissary Court, Register 2, fol. 385.
privileges, or lack thereof, allowed to the spouse, and the severity of the various contingencies governing the bequest. Mercer Geoffrey Fylding’s will of 1469 addresses the possibility of Angel’s dissatisfaction and subsequent challenge to the portion he assigns her. He states that if she:

… disagree and holde her not content, satisfied, ne agreed of ne with my seyde bequest to hir made for her seyde dower and purpart but therfor aske, claym, or challenge of my seyed goodes more than the seyde appareils, garnements and ornements to her body or wer perteyning and the seyde M marc, that than my seyde bequest to her be made voyde and had for nowth.\footnote{Commissary Court Register 6, fol. 70.}

Fylding thus lays out consequent actions to follow should Angel challenge the portion originally assigned to her. His precaution in doing so suggests that, even if Geoffrey considered this turn of events unlikely, it was still a situation he viewed as sufficiently possible to take pre-emptive measures against.

Fylding’s condition that Angel must not contest her assigned portion was not uncommon, as Caroline Barron attests. Barron notes that it was not unusual for Londoners, particularly in the fifteenth century, to give goods and chattels to their wives with the condition that, should the wife consider the bequest insufficient, she is to receive only her third part.\footnote{C.M. Barron, “The ‘Golden Age’ of Women,” 42. As Barron notes, a mercer, John Woodcock, issues a similar condition in his Husting Court will.\footnote{See the entry for John Woodcock, \textit{HW}, II:398.} Ann Kettle also affirms male testators’ tendencies to warn that, should their wives express discontent for provisions above the the legal minimum, the wives’ allotment will be stripped to strictly what was due to them by law.\footnote{See A.J. Kettle, “‘My Wife Shall Have It,’” 94.}

Fylding’s will is particularly detailed and thorough in its instructions for dealing with his wife, and so it bears some further analysis. He takes further measures beyond simply curtailing Angel’s portion if she should be dissatisfied with it. He entrusts Angel’s assigned 1,000 marks to her executors for gradual disbursement rather than bestowing it on her directly, along with his
stipulation that Angel is not to “wilfully waste ne distroy” any part of the meticulously itemized list of silverware, utensils and housewares, and that she is to ask nothing further of the executors of the said 1,000 marks or goods beyond those given to her. It is difficult not to wonder whether Geoffrey referred to a propensity to “wilfully waste” or “destroy” items which he might have witnessed in the past, and which seems to speak to personal experience, as hardly any other will makes mention of such a possibility. Angel is also absent from the list of executors appointed by the testator. In a body of wills where 90% of testators mentioning wives appointed the wife as an executor, Angel’s omission seems all the more conspicuous.

Fylding’s precautions qualifying his bequest to his wife suggest a particularly strong desire on Fylding’s part to control and circumscribe her activities. The Fyldings’ case evinces a level of anxiety some male testators might have concerning their wives, their status, and their activities following the testator’s passing. Fylding is not alone in raising the possibility of nullifying his wife’s portion: though cases of testators prohibiting their wives from remarriage are rare, at least three testators in the Commissary Court records examined for this study assigned items, property, or even responsibilities to their spouses specifically under the condition that they remain unmarried.459

Individual testators’ reasons for including such a proviso are extremely difficult to ascertain, but under both borough and common law, as Barbara Hanawalt attests, the widow enjoyed a certain degree of economic and legal autonomy, as she could sue for debts, enter into contracts on her own, run a business in her own right, and oversee her children’s marriage, among other things.460 The widow also retained her dower rights through her lifetime, regardless of whether she remarried or not. If she did remarry, she could carry her dower entitlement into the new marriage as well.461 Although land awarded as dower would revert back to the heir after

459 The three testators are John Muster, draper (Register 1, fol. 353), Thomas Wellys, draper (Register 6, fol. 136v), and Richard Wodde, mercer (Register 6, fol. 239).
the widow’s death, the widow and her new husband could enjoy the economic benefits of her
dower property during her lifetime.\(^{462}\)

Not all testators expressed opposition to the prospect of remarriage for their spouses, as
will be discussed below, but the coexistence of two divergent views of widowhood, namely
disapproval of the possibility of remarriage, on the one hand, and acceptance of this possibility,
on the other hand, confirms that testators in the Commissary Court, as well as the Husting Court,
struggled to find a clear, well-defined place in society for widows.

**Widows: Liminal Figures? Ambivalence Towards Surviving Spouses in the Commissary Court Wills**

As noted earlier, widows in London could exercise a number of functions, including
entering into contracts as a sole party, maintaining a business, exercising direct control of
properties they owned, working their land, overseeing their children’s marriages, drawing up
wills, and suing for debt.\(^{463}\) Widows thus occupied a distinctive position in late medieval
English society, but their status as independent legal entities stirred some ambivalence from
other quarters in society. Widows, on the one hand, were often portrayed as the faces, so to
speak, of poverty and solitude, dependent on charity and kindness from others. On the other
hand, widows might also be viewed as anything from a legal hindrance and social liability to a
morally suspect and subversive or threatening figure to existing social order and morality.\(^{464}\)

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\(^{462}\) Hanawalt argues that a widow’s remarriage “tied up a portion of the inheritance for her lifetime.” Hanawalt also
notes, however, that even if remarriage delayed the reversion of the real property to its heir, remarriage ultimately
dower in a broader and slightly earlier context, namely common-law dower in thirteenth-century England, but she
also states that dower essentially placed a woman’s claim to the property over a man’s rights to purchase or inherit
the property, and that a widow’s dower right could theoretically tie up an inheritance in real estate for the heir for a
number of years. As illustration, Loengard notes that, should a teenage widow, for instance, enter a second
marriage, land she held by dower could leave control of the family for half a century, if not more; see J.S. Loengard,
“*Rationabilis Dos,*” 59.

Westminster,” *Gender and History* 22 (2010), 22-23.

\(^{464}\) For further literature on widows in the wider European context, see, among others: *Widowhood in Medieval and
Early Modern Europe*, eds. Sandra Cavallo and Lyndan Warner (Harlow: Pearson, 1999); *The Marital Economy in
Scandinavia and Britain, 1400-1900*, eds. M. Agren and A.L. Erickson (Aldershot: Ashgate, 2005); L. Mirrer, *Upon
Louise Mirrer offers insightful commentary on the deep ambivalence that the figure of the widow presented to society. She argues:

The widow was, par excellence, an ambiguous human sign. A woman neither chaste nor married who might claim special protection from Church and secular institutions alike but who might also act on her own, the widow was often portrayed as both needful of safeguards against men, and as a formidable enemy of men.465

A number of writers and moralists contemplated the figure of the widow with anxiety: the image of the widow mingling freely with new partners, particularly younger men, was a common trope in contemporary literature. Giovanni Boccaccio’s *Decameron*, for instance, relates the story of Elena, a young widow in Florence who was “fair of body, proud of spirit, very gently bred, and reasonably well endowed with Fortune’s blessings,” and who, following her husband’s early death, made a conscious choice against future remarriage, deciding, instead, to take as companion “a handsome and charming young man of her own choosing.”466 As Konrad Eisenbichler points out, implicit in Boccaccio’s telling of the story is his judgment that widows behaving as Elena does are dangerous temptations to young men and therefore to be avoided.467 Eisenbichler further notes that another of Boccaccio’s tales concerning widows delivers the message that respectable widows still defer to male figures to act on their behalf: Boccaccio’s story of Monna Piccarda, a “widow of gentle birth” who rejects a priest’s amorous advances towards her, has Monna’s brothers speaking for her in explaining the widow’s situation to the

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bishop, who, in turn, reprimands the offending priest. According to Eisenbichler, “one of Boccaccio’s points is that a ‘proper’ widow deals with the authorities only through her male relatives.”

Barbara Hanawalt notes that St. Paul and St. Jerome characterized women’s sexual desires as ravenous. Paul exhorted widowers and widows to forgo remarriage following their first spouse’s death, but he also recognized a woman’s freedom to take a second husband. He stated thus: “A woman is bound by law so long as her husband lives; but if her husband dies, she is freed: let her marry whom she will in the Lord.” For Paul, remarriage was a viable solution to control such appetites. Early Christian moralist Tertullian held exceptionally strong views against remarriage: he argued that remarriage was a moral failing on the same level as fornication and adultery.

Tertullian’s views, however, fell on the more radical end of the spectrum of views on widows and remarriage. By and large, most Christian authorities held more moderate views, though still treating remarriage with some reservation: the Christian Church’s first general council mandated that widows and widowers who remarried should be allowed to participate in communion in the Church. Remarriage was still discouraged, nonetheless: the Council of Laodicea (c. 360 A.D.) urged individuals to fast and pray before embarking on a second marriage. The sixth-century Second Council of Braga (c. 572 A.D.) required those who did

469 1 Corinthians 7:40.
470 1 Corinthians 7:39.
remarry to perform penance for lasciviousness; eleventh-century reformers in the Church echoed the same position towards those who entered second marriages. 473

Is it possible, then, to ascertain a predominant and consistent position on the part of society as a whole towards widows, their position in the larger community, and the prospect of remaining single vs. remarriage? As noted above, contemporary literature and moral treatises convey general ambivalence concerning opportunities and acceptable places for widows. The Commissary Court wills show that testators were of varying minds on the issue as well.

Some testators accepted the possibility that their wives might remarry, and did so with apparent equanimity: Draper Thomas Wellys directed that his wife Agnes was to receive his psalter with its covering as for the term of her life as a widow; following her death, the cup and covering would pass, in turn, to Janine, the couple’s daughter. If, on the other hand, Agnes took “an earthly man” for a husband, Wellys directed Agnes to deliver the cup and cover to Janine following the subsequent marriage. 474 Wellys’s directions for Agnes to relinquish the cup upon remarriage seem primarily matter-of-fact and do not readily communicate ill-will on his part towards the possibility of Agnes’s taking on another partner after Wellys’s own death.

Testators did not limit consideration of widows to their own spouses. John Portman, a tailor drawing up his will in 1484, left 20s to Katherine Grene, a widow, to be delivered to her when she marries. Portman left Katherine more beyond the cash bequest: he also gave her “honest gowne cloth” for her wedding gown, as well as a bed “if said Katherine be married to an honest man.” 475 Robert Drope, draper, left £20 in his will of 1483 for the marriages of sixty

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474 Commissary Court, Register 6, fol. 136v.

475 Commissary Court, Register 7, fol. 22v.
poor maidens and widows “as most neede is, specially within the ward of Cornhill.”

Remarriage for widows, then, was still an acceptable option within the realm of possibilities in the community or communities of medieval London. Connections between penury and the acceptability of remarriage for widows might be worth further investigation, as it seems that the widow(s) for whom both Portman and Drope leave provisions are poor; this is clear in Drope’s bequest and perhaps more subtle in Portman’s will, but in Portman’s case, his provision of cloth for a wedding gown and a bed, on top of the 20s, suggests that Katherine Grene was not well-off.

Other testators, on the other hand, included contingency clauses removing or releasing their spouses from responsibility should they remarry. Draper John Bruseley’s will of 1386 entrusts the remainder of the terms or contracts of his apprentices William and Thomas to his wife, but only as long as she remains unmarried; should she take a husband, the said apprentices are to be released from the remainder of their terms. Tailor William Hemmyll bequeaths 40s to wife Agnes, but with the caveat that if she remarries, the money is to be evenly divided between his children, Joan and William. Such injunctions in the wills expressed by male testators towards their wives suggest that remarriage might, in some cases, be seen as bringing disruption or instability to the household the testator and his wife had built; indeed, it might be seen as a dissolution of the household altogether.

Beyond the potential threat to the existing household that remarriage might thus bring, evidence as illustrated by Hemmyll’s and Bruseley’s respective cases indicates that husbands could wield considerable leverage in the conjugal relationship. Hanawalt argues on the other hand, that for widows, the attainment of generous dowers along with freedom of choice in taking on a new husband equipped such women leverage in their own right in London’s social framework. Hanawalt points out, in particular, that widows’ free choice in a new marriage partner coupled with provisions from their previous marriage served to strengthen lateral, non-

476 Commissary Court, Register 7, fol. 67. Drope will be discussed further in Chapter Four.

477 Commissary Court, Register 1, fol. 151.

478 Commissary Court, Register 5, fol. 292.
kin connections rather than reinforce vertical, patriarchal ties. A relatively high success rate in suing for, and obtaining, their dower in the courts bolstered such freedoms in remarriage and post-marriage provisions: Hanawalt’s evidence shows that 53% of widows who filed suit for their dower in London’s Husting court were successful in recovering part or all of their claim. Indeed, the likelihood of a victory in court was considerably higher when kin were involved: though widows tended only to win in 25% of cases against clergy and 42% of cases involving other, unmarried, widows, women tended to win 72% of cases mentioning others with kinship ties to the plaintiff.

Besides Drope and Portman as discussed above, testators commonly bequeathed amounts of cash and sundry items to widows, naming specific individuals and also designating widows in a more general manner. Walter Maydeston, a tailor, left a black furred gown with a head covering for Margerie Byrne, identified simply as a widow in Maydeston’s parish. Another tailor, Thomas Coke, bequeathed to a widow, Margaret Stacy, a toga of muster-de-vilers with fur, a “frende” or fur-trimmed garment, and a kirtle, all of which had belonged to his deceased wife. Jacob Crokey left a gold ring with two images in it to a widow identified as Joanna Here. Draper William Huton bequeathed 40s to Agnes Hylle, identified as the widow of William Hille, saddler. John Knotte, tailor, bequeathed 6s 8d to widow Joanna Batcull; he also left 20s for Joanna’s daughter Joanna for her marriage, so that it would be completed “bone sanie et condicione honeste.”

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481 “… gonnam nigram furrat’ cum capito…” Commissary Court, Register 1, fol. 259.
482 Commissary Court, Register 5, fol. 66v. The Middle English Dictionary defines muster-de-vilers as a woollen cloth of a mixed-gray color, or at least a cloth of the same color; “frende” is defined as a kind of fur-trimmed garment. See the entries for “muster-de-vilers” and “frende” in the Middle English Dictionary: http://quod.lib.umich.edu/cgi/m/mec/, accessed 11 December 2013.
483 Commissary Court, Register 5, fol. 378.
484 Commissary Court, Register 6, fol. 258v.
485 Commissary Court, Register 4, fol. 227.
Testators often designated bequests to widows as alms, or expected that the recipients would, in turn, complete actions on the testator’s behalf, usually for his or her spiritual welfare. Thomas Coke’s aforementioned bequest to Margaret Stacy included a request that she pray for his soul. Mercer John Eystone’s will of 1387 left £50 to be distributed “inter pauperes, viduas, et alios egenos” in the vill of Little Eystone, “ville parve Eystone” (i.e. Little Easton, Essex). Eystone thus grouped widows within a larger category of those in need, egenos, along with the poor. The evidence discussed above from the Commissary Court suggests that widows, when considered as part of a larger grouping identified as in need, namely needing alms or meriting charitable provisions in late-medieval communities, including London, could more readily accord such individuals a place within the larger society. The same community, however, when facing the prospect of widows acting and living independently or, even more worrisome, exercising the option to remarry, demonstrated much greater ambivalence, with some supporting subsequent remarriage, and others firmly against remarriage, in some cases even perceiving it as a potential threat or undermining of the family structure the testator had built.

For the testators, bequests extended beyond the immediate nuclear family unit in the vast majority of wills. In this sample from the Commissary wills, the most prominent recipients, both individual and corporate, outside the nuclear family, for the tailors, drapers, and mercers alike, fell within a category labeled, in this study, as “non-nuclear,” which included individuals identified as “consanguineus” or “consanguinea”, i.e. kinsman or kinswoman, or other kinship connections such as aunt, uncle, grandparent, niece or nephew, and so on.  

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486 There seems to be some ambiguity in the use of the term consanguineus/a. The Dictionary of Medieval Latin from British Sources defines the term as “(a) related by blood, kinsman or kinswoman; (b) involving blood relationship.” The term’s appearance in other documents, however, suggests that it likely referred to cousins: D.L. D’Avray, for instance, has discussed a case study involving a petition filed by Henry III to annul his marriage to Joan of Ponthieu, who had, in the meantime, become Joan of Castile through her subsequent marriage to Ferdinand, King of Castile and Leon. According to a report by the Prior of Hautecombe, who had traveled with a monk to summon Joan to a hearing on the matter, Joan freely acknowledged that Henry III was her blood relation in the fourth degree (993-4). The corresponding Latin in the document, dated 1251, reads: “Dicta vero Regina, citatione benigne recepta, respondit quod dictus rex erat consanguineus suus in quarto gradu…” See D.L. D’Avray, “Authentication of Marital Status: A Thirteenth-Century English Royal Annulment Process and Late Medieval Cases from the Papal Penitentiary,” English Historical Review 120:488 (2005), 993-4, 1002. Joseph Biancalana, in his article regarding early writs of entry utilized in England’s court system during the thirteenth century, also translates consanguineus as “cousin.” See J. Biancalana, “The Origin and Early History of Writs of Entry,” Law and History Review 25:3 (2007): 513-56, especially pp. 542, 544.
Daughters and Sons, Servants and Apprentices: Members of the Family, Members of the Household

Besides the testator’s spouse, children borne of the conjugal relationship constituted an integral component of the family. The testamentary mandate of tripartite division of the testator’s goods attests to the importance of the testator’s sons and daughters as members of the family. The rates at which testators mentioned children in the Commissary Court wills thus merit discussion. The percentages of sons and daughters named in testators’ wills, as presented in Figures 3.2 and 3.3, need to be treated with some flexibility due to several possibilities, some of which should be attributed more to circumstances beyond testators’ control rather than considered the direct result of testators’ choices. For instance, not all testators necessarily had both sons and daughters, and their ability to have children in the first place could have been affected by a number of external factors. Some may have been childless altogether. Others might have made prior arrangements for their children through *inter vivos* transactions. Children, like spouses, had connections to the testator regardless of the existence of the will, and so provisions for these family members well could have been made outside the instrument itself. Such potential scenarios need to be taken into account.

It is possible, as well, that certain recipients for whom testators did not mention their relationship were, in fact, their children, but had not been identified as such, most often because the children were married. Sons may be easier to detect, given the shared surname, but assumptions that recipients with surnames identical to the testator’s own name is risky, given the

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Recognition of blood kin outside the nuclear circle as part of an extended familial network in pre-industrial western Europe has been recognized widely and long established by others, including Werner Schnyder, whose study of fourteenth- through seventeenth-century Zurich populations indicated, among other findings, that 15th-century households typically grouped parents with married children and their families and brothers and their married children; see W. Schnyder, *Die Bevölkerung der Stadt und Landschaft Zürich vom 14.-17. Jahrhundert* (Zürich: Leeman, 1925). More recently, Jenny Kermode, in her study of family networks in York, Beverly and Hull c. 1380-c.1500, has argued that, though the nuclear family formed the crux of the conventional household structure in the area and time period of her study, factors such as the popularity of remarriage and subsequent connections forged between half- and step-siblings and a plurality of in-laws indicate that conceptions of medieval families must allow for greater flexibility beyond simply a nuclear model. See J. Kermode, “Sentiment and Survival: Family and Friends in Late Medieval English Towns,” *Journal of Family History* 24:1 (1999): 5-18, especially pp. 6-7.
possibility that the recipient might be a more distant male relation, such as a cousin, nephew, or grandson through the patrilineal line.

At least for family and blood-related kin through the patrilineal line, however, surnames might offer some indication of kinship. Daughters, on the other hand, and perhaps female kin in general, are more difficult to recognize without identification by the testator himself. Another tailor, William Spaldyng, bequeathed £3 to Alice, “sorori mee,” along with £3 to his niece Agnes, Alice’s daughter. Spaldyng did not mention the surname of either Alice or Agnes. Other testators might include bequests for sisters, daughters, and other female kin who had already married and thus had surnames different from their own. Tailor Robert Cowper assigned the residue of his estate to his sister, Margaret Ahele. John Blackbourn gave a set of bedding to Agnes, whom he identified as both his daughter and the wife of Thomas Tanner. Alice Deury, identified as Blackbourn’s sister, received 6s 8d, and a certain Elizabeth, identified as Blackbourn’s cousin and late servant, received 6s 8d. Blackbourn’s own wife, also Elizabeth, received the residue of Blackbourn’s estate. Numbers of daughters, as well as sons, in the wills may be higher than reflected in the percentages discussed here.

With these considerations in mind, discussion of the presence of children in the Commissary Court testators’ wills is in order. Per Figure 3.3, the percentages of testators making bequests to their male children fell within the 30% range for all three trade groups: 33% of the Commissary Court tailors, 33% of the drapers, and 39% of the mercers made bequests to sons. The average of the three groups’ figures for sons, then, is 35%. Percentages of testators

487 Commissary Court, Register 1, fol. 287.
488 Commissary Court, Register 3, fol. 264v.
489 Commissary Court, Register 5, fol. 237.
490 Blackbourn identifies Elizabeth as “consanguine mee et nuper servienti mee”; ibid.
491 The higher percentage for mercers does not necessarily signal a highly anomalous situation. The more probable explanation is that the percentage numbers for the mercers are subject to greater fluctuation due to the smaller size of the group of testators (74), as opposed to the tailors (263) and drapers (154). In other words, given that there were 74 mercers in the body of Commissary Court wills in this study, the addition or omission of a single mercer can change the overall percentile calculations for the mercers by about 1.4%, while a single tailor can make a
making bequests to daughters had somewhat greater fluctuation between the three trade groups: 30% of tailors named daughters as beneficiaries in their wills, while 25% of drapers and 41% of mercers did the same. The variation among trade groups regarding inclusion of daughters in wills is noticeable, especially the 16% difference between the drapers and the mercers. It seems that the statistical significance of the 16% difference may be mitigated somewhat in light of the consideration that the group exhibiting the greatest variance, namely the mercers at 41%, is the same group that is subject to the greatest fluctuation in statistical percentages due to the group’s smaller size. Interestingly, the average of the three trade groups’ percentages for daughters is 32%, so the overall percentages of testators including sons versus daughters in wills differ by only 3%. The broad parity between the averaged percentages of 35% for sons and 32% for daughters suggests that testators used their wills to provide for both sons and daughters in a generally commensurate fashion.

For all three trade groups, cash bequests were the most common bequest to the testators’ sons and daughters, followed by goods and chattels, i.e. clothing, household items such as bedding, sheets, and kitchen and other household utensils and implements. Overall, a comparison of the rates of different categories of bequests for sons versus daughters suggests that testators treated male and female children on a considerably equal basis in terms of provision in the wills. 14% of the Commissary Court tailors gave cash to sons and 13% gave cash to daughters. Percentages for the drapers and mercers were noticeably higher than for the tailors: 63% of the drapers gave cash to sons and 68% gave cash to daughters, while 52% of the mercers gave cash to sons and 58% gave cash to daughters.

Cash, as an asset in nearly pure liquid form, would have been particularly easy for testators to distribute in precise, “appropriate” amounts as was considered most fitting, depending on who the beneficiary was. The percentages for the tailors are admittedly low. This may have been due to a higher rate of inter vivos transactions from the testators to their children. Another possibility may be that the tailors were less inclined to identify their children.

difference of 0.38% for the larger group of tailors and a single draper can change the drapers’ total percentage by 0.65%.
specifically as such in their wills; individuals who were the testators’ children may have been identified by name only and thus may have been overlooked in these statistics. Another interesting aspect of the percentages is the slightly higher percentages of drapers and mercers who gave cash to daughters versus sons. The percentage differences of cash bequests to sons versus daughters is also relatively small, in fact too small here to attempt a definitive explanation. It seems more useful to interpret the statistics here as indicative of general congruity in confirming that testators most often gave bequests of cash to both sons and daughters.

Bequests of goods and chattels had the second-highest percentages for all three trade groups. 12% of the tailors gave goods and chattels to sons, and 11% gave goods to daughters. 38% of the drapers gave goods to sons and 44% did so for daughters. 32% of the mercers gave goods to sons and 52% gave goods to daughters. In this case as well, for the drapers and mercers, bequests to daughters are more numerous than those for sons. The higher percentages of bequests for daughters, goods as well as cash, might also suggest that wills themselves were a means particularly suited for transmission of testators’ assets to their daughters, though the comparable figures for sons indicates that wills were suitable for transmitting assets to sons as well.

Testators’ bequests to their sons and daughters, examined on a more specific level, also support the impression that the testators viewed their children as a younger generation starting out in establishing their own lives and in need of resources that would help them set up for themselves. Bequests of packaged sets of items encompassing a spectrum of domestic and everyday needs, or “household kits” of sorts, were common among testators across all three trades. Tailor Simon Leef willed to his son John a chest, a bed with a “testour,” one pair of linen cloths, one pair of blankets, “my cloak of stained black with fox fur,” one bronze pot, one bronze

492 As the percentages suggest, the tailors exhibit a slight inversion of this trend. The percentages of 14% for sons and 13% for daughters, however, suggest parity rather than intentional differentiation between the two genders on the part of the testators.

493 In the case of goods and chattels, again, the tailors show a small inversion of the trend exhibited by the drapers and mercers. Here too, the percentages of 12% and 11% for sons and daughters respectively suggests parity rather than intentional differentiation between genders.
plate, and “my small axe with silver gilded feet” in 1426. Tailor Hugh Brew set aside for his daughter Alice £40 along with a piece of silver, a mazer, twelve silver spoons, “unam pelu’m cum lanac’ de latin(?),” a pot, and a bronze plate, all for Alice’s marriage and advancement, “promotionem suam”; Alice was apparently still in her minority at the time of the will’s composition, as Brew stipulated that the said items were to go to his wife Christiane until Alice reached her full age. Draper Roger Heysand bequeathed a particularly fine “household kit” to his daughter Joan. According to his will of 1450, she was to receive, among other items, two dozen silver spoons “of the best,” three standing cups “covered and gilt of the best,” two of Heysand’s best towels, two of his best boardcloths, two pairs of his sheets, two girdles overgilt, another half-gilt, two “potell” pots of silver, one basin and “lavour” of silver, and £500, all to be under his brother Alexander Heysand’s custody until Joan’s lawful age or marriage. Other testators, though not all, might give identical “packages” to each of several children. Draper William Herde noted that each of his three children, i.e. John, Agnes, and Margerie, were to receive a bronze pot and a bronze plate. The Commissary Court evidence confirms the likelihood that testators would utilize the process of composing their wills and the occasion of making bequests thereof as opportunities to look after the welfare of their children. In doing so, moreover, testators did not seem to consider the children’s gender as one of their more significant concerns when they determined bequests for their various children. Their children’s overall well-being and provision seem to have been the testators’ greatest priorities.

Servants and apprentices were also commonly-named beneficiaries. Per Figure 3.3, 15% of the Commissary Court testators named apprentices and 14% named servants. Among the drapers, 21% identified apprentices as beneficiaries and 32% named servants. For the mercers,

494 “… unam cistam ac unum lectum cum testorio’ de blod’ cum resit’(?) rubijs et albis, unum par’ linthiam’, 1 par blankett ac togam meam de nigro labe furrat’ cum foxes, unam olam eneam, unam patellam eneam, ac meum parvum axiserum(?) cum pede argenti e deaurati. Register 3, fol. 156. See also Register 1, fol. 375, where Thomas Noket gives instructions regarding a succession of gowns “de uso meo,” which seem to be functioning as quasi-livery.
495 Commissary Court, Register 3, fol. 98v.
496 Commissary Court, Register 5, fol. 11.
497 “… unam ollam eneam et unam patellam eneam.” Register 4, f. 67v.
30% of the testators named apprentices as recipients of bequests, and 45% made bequests to servants. A particularly intriguing aspect of the percentages, broadly speaking, is their approximate comparability to the percentages for testators’ sons and daughters. In the case of servants, in particular, the relationship between the testator, their employer, and the servants themselves may have been quite similar to a kin relationship. It was not unheard of, in fourteenth- to sixteenth-century England, for servants to be blood relatives of the members of the household that they were serving. 498

Clarification of the terms “servant” and “apprentice” will help illuminate the discussion in this section. Servants could be both skilled and unskilled workers, individuals anywhere from seven to seventy, who either lived in their employers’ houses and received room, board and wages as compensation, or who rented rooms and only received wages. 499 From another perspective, servants might be defined more precisely as individuals, primarily single adolescents or young adults, who were members of their employer’s household and therefore under the moral rule of their employer. 500 It is also important, as Jeremy Goldberg explains, to distinguish between ordinary servants and apprentices. Ordinary servants typically worked for only a year at a time for a particular employer, but apprentices entered into contracts of longer duration—usually a term of seven years—with their employers. 501 The critical aspect of an apprentice’s service was that he was in training and thus in active preparation for the vocation to which he aspired. In practice, however, the distinction between servants and apprentices might not be so clear-cut. In the immediate aftermath of the plague in the mid-fourteenth century, for instance, London’s mayor and aldermen issued various ordinances, including one that forbade employers from taking on servants who were not skilled in their craft; another ordinance proscribed the enticing away of servants and apprentices. The former ordinance describes


servants in terms evocative of apprentices, or at least what apprentices aspired to be, while the second ordinance implies that servants and apprentices could conceivably be grouped together. In the case of London’s pepperers in the early fourteenth century, young men entering the trade might start work as servants rather than as apprentices. Such was the case for Thomas de Evenfeld, who worked first as a servant for William de Helweton, then worked as a servant or “valet” for Thomas Romain, eventually building up sufficient capital to set up his own business in the trade. One of the most significant aspects for both servants and apprentices was their relationship with their employer: as Goldberg states, employers stood in loco parentis to those serving them, and borough law confirmed employers’ responsibilities in this regard. The borough custom of Waterford, for instance, held citizens directly accountable for their apprentices’ misdeeds, “as he [i.e. the citizen] would for his son if he were of age.”

The prominence of servants and apprentices in the Commissary Court wills might then reflect the extent to which individuals engaged in service and training under the testator’s supervision were considered part of the household and family circle. Testators might bequeath items with personal attachments to apprentices: tailor Roger Benyngton’s will of 1411 bequeathed a gown of his own use, “de usu meo proprio,” to his apprentice John Fery, along with 6s 8d. Benyngton also appointed Henry Sheperd and Robert Holand, identified as his former apprentice and servant, respectively, and now both tailors in their own right, as his executors alongside his wife Joanna. Sheperd and Holand’s terms of service likely also provided the opportunity for the employer and employees to form strong bonds of trust and intimacy.

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502 P. Nightingale, Medieval Mercantile Community, 200-1.
503 P. Nightingale, Medieval Mercantile Community, 121.
504 See P.J.P. Goldberg, “Masters and Men,” and M. Bateson, Borough Customs 1:222.
505 Commissary Court, Register 2, fol. 209v.
Parish Church and Clergy

As noted above, clergy and church, usually the testator’s parish church, was the largest category named for all three groups. The prominence of this group is not surprising, however, given the combined necessity of naming a burial place and the custom of paying the church to provide various services. A memorandum of 1523 in the records for the London city church of St Mary at Hill, for instance, contains an itemized list of fees due for funeral- and burial-related services: graves in the specially designated chapels of St Stephen or St Katherine required a payment of 13s 4d to the church itself and 3s 4d to the presiding clerk, while burial outside the chapels could cost as much as 10s to the church and 2s 6d to the clerk. A burial place in the same church’s nave seems to have been the least expensive option of the three, as it was assessed at 6s 8d to the church and 1s 8d to the clerk. Roughly 25 years earlier, in 1498-99, an ordinance for the same church stipulated that clerks were entitled to payment of 2s for a grave, and that a clerk was owed 8d and 4d for overseeing burial of a man and a child, respectively, in either of the institution’s two churchyards.\textsuperscript{506} The records from St Mary at Hill suggest that fees were likely commonplace for individuals who, like the Commissary Court testators, expressed a desire for burial on a specific parish church’s property, and premium fees for more prestigious areas of the property.\textsuperscript{507}

References to general burial and funeral expenses occur as a standard measure in the wills, though the amounts vary. Richard Peche, a draper who drafted his will in 1382, stated that 6s 8d should be given to the high altar of the church of St Benedict Fink for his tithes and oblations in arrears and also for his body’s burial in the church. On the other hand, Ralph Bruseley, a draper who wrote his will in 1386, designated 26s 8d for the fabric of the church of


\textsuperscript{507} Vanessa Harding also discusses cases in later medieval London where burial within parish churches, as opposed to on church grounds outside, seems to have been treated as a privilege; Harding’s evidence will be discussed later in this chapter. See V. Harding, “Burial Choice and Burial Location in Later Medieval London,” in Death in Towns: Urban Responses to the Dying and the Dead, 100-1600, ed. Steven Bassett (Leicester: Leicester University Press, 1992): 119-135.
Mary Abbey Church “iuxta Candelwykstret” and also “ut corpus meum ibidem sepeliatur.” Walter Umfray, tailor, allotted 40s for his burial at the church of Mary Magdalen, Fish Street in 1415, while in 1418 tailor Peter Fouler designated a payment of 6s 8d to the Dominican Order for burial and prayers for his soul in the Order’s church. Individuals usually expected to be buried in their own parish church’s cemetery, and the fees associated with the burial and related services were an integral part of the vicar’s or rector’s income. Testators’ declarations as to their preferred burial location is highly significant: as the following section will demonstrate, testators’ choice of burial place was one of personal choice; as such, individuals’ chosen place of interment had great potential to reflect their sense of membership in specific communities. The evidence for the Commissary Court testators demonstrates that the tailors, drapers, and mercers often exhibited a sense of identity and membership intimately connected to their parish, which, in turn, had close ties with their trade and deep-seated associations that the respective trades shared with parishes and specific areas of the city with which their respective histories were entwined.

Parish Membership, Parish Church Burials: Claiming One’s Place in the Community

According to the standard format of the Commissary Court wills, most testators stated at the outset his preferred place of burial, usually his parish church, along with bequests, again usually to the same parish church. The bequests typically addressed funeral expenses, tithes and oblations in arrears, the fabric of the church, and money for chaplains and other clergy to maintain services in the testator’s memory; each of these bequests were usually made to the same

508 Richard Peche: Commissary Court, Register 1, fol. 83v; Ralph Bruseley: Commissary Court, Register 1, fol. 151.
509 Walter Umfray: Commissary Court, Register 2, fol. 324; Peter Fouler: Commissary Court, Register 3, fol. 7v. The Dominicans are usually referred to in the wills as “Preachers Friars.”
church of burial and hence underscored the testator’s investment, literally, in the parish church where he desired burial. One such testator, Richard Abraham, a tailor, requested burial in the cemetery of the parish church of St. Bride, Fleet Street, where his child was interred. Abraham left 20d to the church’s high altar for tithes and oblations, 4d to each chaplain of the church for a placebo and dirge, along with a mass celebrating the office of the dead on the day of his burial. 511 Since Henry I had confirmed to the bishop of London and the dean and chapter of St. Paul’s, as early as 1133, that his chief barons and the citizens of London should decide wherever they wished to be buried in the city, an individual’s choice of burial location can be highly illuminative as to his own sense of membership to specific local communities like parishes within the city. 512

<table>
<thead>
<tr>
<th>Parish (number in parentheses = reference number on Figure 3.5 map)</th>
<th>Percentage of total number of tailors’ wills enrolled in Commissary Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Dunstan West (52)</td>
<td>14%</td>
</tr>
<tr>
<td>St. Bride Fleet Street (46)</td>
<td>5%</td>
</tr>
<tr>
<td>Holy Sepulchre (47)</td>
<td>5%</td>
</tr>
<tr>
<td>St. Clement (49)</td>
<td>2%</td>
</tr>
</tbody>
</table>

Figure 3.4 Tables: Parish Membership in London, By Trade 513
Tailors

511 Commissary Court, Register 3, fol. 146. Abraham also added a codicil, which can be found in Register 3, fol. 146v.


513 It is important to note that the numbers of testators represented in this table’s lists of parishes and percentages of testators per parish constitute only the parishes with the highest frequencies of testators per trade group. Each group (i.e. tailors, drapers, and mercers) had a relatively wide spread of testators across parishes besides those mentioned here: among the tailors, for instance, 11% requested burial in locations that I grouped under “Other,” which I used as a miscellaneous, “catch-all” category, e.g. when testators asked to be buried “where God/my executors deem best,” or when they requested burial in specific regions outside of London, mention of which might occur only once. It is important, therefore, to keep in mind that the percentages here cannot account for the scattered numbers of testators across the large number of parishes in the city generally, along with testators whose requested burial sites were necessarily counted in the “Other” category.
Drapers

<table>
<thead>
<tr>
<th>Parish (number in parentheses = reference number on Figure 3.5 map)</th>
<th>Percentage of total number of drapers’ wills enrolled in Commissary Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Michael Cornhill (124)</td>
<td>18%</td>
</tr>
<tr>
<td>St. Christopher (le Stocks) (48)</td>
<td>11%</td>
</tr>
<tr>
<td>Austin Friars (148)</td>
<td>7%</td>
</tr>
<tr>
<td>St. Mary Abchurch (98)</td>
<td>6%</td>
</tr>
<tr>
<td>St. Swithin (157)</td>
<td>5%</td>
</tr>
<tr>
<td>St. Mary Woolnoth (119)</td>
<td>5%</td>
</tr>
</tbody>
</table>

Mercers

<table>
<thead>
<tr>
<th>Parish (number in parentheses = reference number on Figure 3.5 map)</th>
<th>Percentage of total number of mercers’ wills enrolled in Commissary Court</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Lawrence Old Jewry (81)</td>
<td>22%</td>
</tr>
<tr>
<td>St. Thomas Acon (158)</td>
<td>14%</td>
</tr>
<tr>
<td>St. Stephen (150)</td>
<td>11%</td>
</tr>
<tr>
<td>St. Mary Aldermanbury (99)</td>
<td>9%</td>
</tr>
</tbody>
</table>

Vanessa Harding makes the intriguing observation that the Austin Friars served as a locus for aliens and expatriates; Italians, for instance, showed preference for this location. See V. Harding, “Burial Choice and Burial Location in Later Medieval London,” 124, especially Harding’s references provided in footnote 34 on the same page.
Figure 3.5 Map of Parish Membership in London, by Trade

As the map illustrates, though none of the trade groups show perfectly contiguous clustering, each does show discernible inclination towards particular regions of the city, and also relative proximity to other parishes occupied by people of the same trade. The tailors incline towards the western edge of the city, while the mercers are generally established in the central regions and the drapers are settled just east of the mercers.

The results need to be considered with caution, however, as to the significance and extent of the apparent clustering. As Matthew Davies and Ann Saunders state, London’s tailors did not seem to show significant patterns of concentration in a particular region of the city. The Tailors’ Hall was established on Broad Street, presently Threadneedle Street, from the mid-fourteenth-century on, but the 1292 and 1309 tax returns do not suggest that the tailors congregated to a
significant degree in that area.\textsuperscript{515} The tailors’ main trade association, the Fraternity of St. John the Baptist, acquired what would become their initial and principal site in the form of a messuage and eleven shops on Broad (now Threadneedle) Street, S. Benet Fink and S. Martin Outwich parishes, and a second messuage in S. Peter Cornhill parish, in 1391.\textsuperscript{516} The respective geographic locations of the Fraternity of St. John the Baptist thus seem to have little correlation with the present clustering shown in the present data.

Parish clustering for the drapers, on the other hand, seems to correlate more closely with records of land held in trust in the 1380s for the trade guild. Eleanor Quinton found evidence for two major clusters of drapers: the first centered around Cornhill, residing in St. Christopher and St. Michael parishes, and the second was concentrated around Candlewick Street.\textsuperscript{517} The present evidence highlights the former cluster, namely the drapers residing around Cornhill. Interestingly, the latter two parishes noted for the drapers in Figure 3.4, namely St. Swithin and St. Mary Woolnoth, are geographically contiguous with St. Michael and St. Christopher Cornhill parishes. As Quinton states, the drapers held land in trust in St. Swithin parish.\textsuperscript{518} Mary Woolnoth, the fourth-most-prominent parish linked with the drapers according to the data presented here, is geographically contiguous with St. Swithin (southwest of St. Mary Woolnoth), as well as St. Mary Abchurch (directly south).

Clustering among the mercers, for their part, is not as nearly contiguous as the drapers, but the preferences exhibited in this data are still broadly consistent with evidence from other studies that the mercers did incline towards certain areas of the city, especially Cheapside. This data is particularly notable for the mercers’ strong concentration in St. Lawrence Old Jewry parish. Anne Sutton has also found a strong preference among fourteenth-century mercers for St. Lawrence Old Jewry. The said parish, according to both Sutton’s and this study’s evidence,

\textsuperscript{516} M.P. Davies and A. Saunders, \textit{ibid.}, 15-16.
\textsuperscript{517} E.J.P. Quinton, \textit{The Drapers and the Drapery Trade of Late Medieval London, c. 1300-c. 1500} (PhD diss., Royal Holloway and Bedford New College, University of London, 2001), 24.
\textsuperscript{518} See E.J.P. Quinton, \textit{ibid.}, 24.
came well ahead of other parishes in numbers of resident mercers. Other parishes with strong showings of mercers, according to Sutton’s evidence, included St. Michael Bassishaw, St. Mary Aldermanbury, St. Mary Magdalen Milk Street, St. Stephen Coleman Street, St. Alban Wood Street, St. Mary Bow, and St. Thomas the Apostle. This study also shows strong numbers in the parishes of St. Thomas the Apostle, St. Stephen, and St. Mary Aldermanbury.

The noticeable clustering that the mercers and drapers, and to a small extent, the tailors, incline towards confirms that both trade affiliation and parish membership were important components of testators’ lives, and that parish membership, in turn, had ties with trade membership and identity. Parish membership, and especially choice of burial, reflected conscious choices on the testators’ part. The clustering suggests, then, that testators usually identified themselves, of their own volition, as members of specific parishes, and that parish affiliation, together with trade association, thus played a distinct role in an individual’s self-identity and sense of membership in specific communities.

Some testators explicitly identified themselves as parishioners of the community they asked to be buried in or requested services from. William Luchelade, a mercer, expressed a wish to be buried in St. Alban Wood Street church “cuius sum parochianus.” John Wretill, a tailor, requested burial in the chancel of St. Dunstan Fleet Street church, “ubi nuper sum parochianus.” The location was especially important for Wretill: he wished to be buried “in loco ubi corpus Agnetis, nuper uxoris mee, quiescit humatum.”

Certainly the Commissary Court testators recognized distinctive areas within the space occupied by their parish church, as Wretill did. Thomas Sibsay, for instance, a tailor who wrote his will in 1404, requested burial specifically in the chapel of St John Baptist located “infra

520 A.F. Sutton, ibid., 194.
521 Anne Sutton confirms that, for the mercers, company membership and parish affiliation shared some common ground in comprising individuals’ identities; see A.F. Sutton, ibid., 196.
522 Commissary Court, Register 1, fol. 272.
523 Commissary Court, Register 2, fol. 385.
hostium borialis” of the church of St Paul, London, or in the parish church of St Thomas Apostle in that city. Sibsay’s explicit preference for the chapel located below the northern entrance strongly suggests that he placed great importance on the physical location of his interment.\textsuperscript{524} As Harding notes, churches with available churchyards offered burial there as a no-cost option to parishioners, which was likely according to canon law, though oblations were customary.\textsuperscript{525} In-church burial was likely an option available to a more select group: Harding’s evidence indicates that clerics, who usually had privileged access to the chancel, showed stronger preference for indoor versus outdoor burial.\textsuperscript{526}

The regard testators had for parishes as loci for significant life moments is also reflected in individual remembrances of their birthplaces. A number of testators made bequests which demonstrated remembrance of their home parishes outside the city itself. Henry Trystyn, a tailor, bequeathed ten marks to both his poor relatives and other paupers living in the town of “Corbik,” which, he affirms, was where he was born and baptized.\textsuperscript{527} A mercer, William Dounton, bequeathed 40s, via a nuncupative will, to the parish church of Livingston in Dorchester, where Dounton had been baptized.\textsuperscript{528}

Some others left bequests to multiple parishes, recognizing that they were, or had been at one time, members of each one named. Thomas Spekenton, a tailor, left 12d to the high altar of St. Matthew Friday Street and 20d to the fabric of the nave of the same, “ubi parochianus existo,” as well as 20d to the fabric of the nave of St. Dunstan, Fleet Street, “ubi quondam fui parochianus.”\textsuperscript{529} Draper John White left bequests to St. Sepulchre extra Newgate, “ubi sum

\begin{enumerate}
\item Thomas Sibsay: Commissary Court, Register 2, fol. 57.
\item V. Harding, “Burial Choice and Burial Location,” 125.
\item V. Harding, \textit{ibid.}, 126.
\item “… ad releuationem tam pauperam de parentela mea quam aliorum pauperum manentum in villa de Corbik’ ubi natus et de sacro fonte leuatus fui.” Commissary Court, Register 5, fol. 36v.
\item “Item legauit ecclesie parochialis de Lyvyngton in com. Dorcester ubi de sacro fonte leuatus fuit uersus temperacionem ecclesie eiusdem, 40s.” Commissary Court, Register 6, fol. 142.
\item Commissary Court, Register 6, fol. 356v.
\end{enumerate}
parochianus,” as well as to St. Bride Fleet Street and St. Mary Watling Street. White identified himself as a former parishioner of both St. Bride and St. Mary’s, as well as present parishioner of St. Sepulchre.\textsuperscript{530}

The Commissary Court testators showed strong feelings of belonging to specific geographic spaces, particularly, though not solely, London parishes, and an assertive sense of personal investment in their places of burial. The link between parish and parish church was critical: as D. M. Palliser explains, the medieval English parish church functioned as the principal, and often the sole, locus for the community’s spiritual loyalties.\textsuperscript{531} That the church was the anchor of the parish community was demonstrated in the people’s assiduous attention to the church building and its upkeep.\textsuperscript{532} Concerns to maintain the building, as well as pay for the costs of burial and interment, were among the highest priorities in the Commissary Court testators’ will, as will be discussed below. As the wills indicate, the testators’ consistent diligence in contributing to the maintenance of their parish church underscores the centrality of the church to their community.

**Bequests and Directions for Funeral and Burial Expenses**

The most frequent bequests to the churches and clergy were those designated for unpaid tithes and oblations and those for the high altar, the fabric, and works of the church. As Duffy explains, bequests for tithes and offerings in arrears were highly significant and carried grave ramifications if left unaddressed. Parish priests pronounced a General Sentence or Greater Excommunication against offenders, including those who did not pay their tithes, but also grouping them together with those who inflicted ill upon the Church and its property. Offenders were declared “departed from God and al holi chirche,” as well as barred from participation in

\textsuperscript{530} Commissary Court, Register 4, fol. 139.


\textsuperscript{532} D.M. Palliser, \textit{ibid}. 
sacraments, prayer with other “cristine folke,” and, indeed, “accursed of God and holi chirche.”

Bequests for burial- and memorial-related expenses were also common, such as masses and memorials to be performed by clergy and payment for items such as torches and candles to surround the testator’s body, but testators were particularly mindful of tithes, oblations, and costs associated with the church’s essential operations. J.A.F. Thomson notes that these tithes were particularly difficult to assess, as they were calculated on trade profits, salaries, and wages; he argues that London citizens’ tendency to make testamentary provision for tithes in arrears was likely due to failure to pay such dues during their lifetimes. Nearly every will in this study made provisions for at least one, and usually two or more, of the above categories of church-related expenses. Moreover, though the great majority of testators named a specific church or, failing that, at least a particular location where they desired to be buried, perhaps half of the testators also indicated payments were to be made to the church and associated clergy for costs incurred for funeral or burial services. The testators who did not state specifically that


534 Mary Bateson notes a London custom, per an ordinance issued by Bishop Roger Niger, 13 Henry III, according to which a burgess must pay 1/4d oblation for every 10s of rent. These oblations were normally to be paid on Sundays, principal feast days and the feast days of the Apostles and others where vigils were observed with fasting. Lyndwood held the opinion that these oblations did not exempt London citizens from tithes of their gains; see Lyndwood, 201, and John Selden, *The historie of tithes, that is, the practice of payment of them…* ([London:] n.p., 1618), 244-45; also cited in BC, II:207, footnote 1.

On the subject of masses, Clive Burgess notes that testators’ commissions of trentals were ambiguous and could have meant one of two possibilities, namely (1) “celebration by the same priest of a mass for the repose of the soul for thirty consecutive days,” or (2) three masses “celebrated in the octave following the ten main feasts of the liturgical year.” See R. Pfaff, “The English Devotion of St. Gregory’s Trental,” *Speculum* (1974): 75-90; also cited in C. Burgess, “London Parishioners in Times of Change: St. Andrew Hubbard, Eastcheap, c. 1450-1570,” *Journal of Ecclesiastical History* 53 (2002), 49, footnote 47. As Burgess notes, in the case of St. Andrew Hubbard, the requirement was typically a mass observed within the month following the individual’s decease; see *ibid*.

535 See J.A.F. Thomson, “Tithe Disputes in Later Medieval London,” *English Historical Review* 78 (1963), 2. Thomson identifies three types of tithes customarily recognized in the medieval period, namely praedial (based on crops), mixed (calculated by “goods nourished by the land”), and personal tithes (drawn from trade profits). As Thomson explains, the first two were agricultural, and so only personal tithes could be exacted from townspeople; personal tithes, however, were not the only form of recurring dues which Londoners might have to pay to the church. The church might also require payments on values of buildings, to be given in installments at festivals throughout the year; such payments were a replacement, of sorts, for the praedial tithes. See J.A.F. Thomson, *ibid*.

536 Testators occasionally requested burial simply “wherever God sees fit.”
payments should go towards funeral and associated costs may have assumed that the general cash bequests to the church included such expenses.

The above-mentioned bequests were fairly typical for testators, and may be considered pro forma in that sense. What deserves further consideration are the detailed and individualized directions that testators often left concerning specific services to be performed on their behalf. Such services covered a range of purposes, from simple remembrance of the testator to the enhancement of the testator’s spiritual welfare and that of his own loved ones. Their greatest significance, whatever the testator’s stated purpose in requesting such services, is that they demonstrate the testator’s personal concern for his spiritual and corporeal welfare and posthumous remembrance, even reputation.

The great majority of testators, whether tailors, drapers, or mercers, included at least one personalized request for prayers or services for his soul’s benefit. Tailor Richard Roger, for instance, put forth a simple yet common request: he left 12d to All Saints Honey Lane church as a stipend for a chaplain to perform continual celebrations in prayer for his soul. Gifts of tapers and torches were also highly common: Roger also left two torches of 20 pounds each to the same church. 537 The extent of religious services requested could vary widely, of course: William Spaldying, another tailor, left 12d to all chaplains in St. Martin Orgar church to keep his spirit in their memory; he also left 3s to the principal clerk of the church and £20 to the chaplain of the same church to celebrate masses for himself, his wife, parents, and all the faithfully departed (a common request). Spaldying looked beyond the church itself for means to cultivate spiritual benefit, namely through charitable bequests. He left 6s 8d for distribution to paupers around London to pray for his soul; in similar form, he left 6s 8d for distribution among lepers in the city, also to pray for his soul. 538

Others left still more detailed directions, envisioning specific, personalized rituals on behalf of their spiritual welfare and memory. Thomas Eyr, a draper, left £10 to his parish church of S. Christopher for offerings in arrears, £10 to S. Mary Woolnoth parish church, and another

537 Commissary Court, Register 2, fol. 72v.
538 Commissary Court, Register 1, fol. 287.
£12 and £20 for repairs, respectively, to S. Christopher and S. Mary Woolnoth parish churches. Along with each of these bequests, Eyr requested “to have my soule remembered” in the said parishioners’ prayers. In addition, he requested the following:

Item, I bequeath £4 therewith to ordain a vestiment of white for a priest to sing 3 Our Lady masses in the chapel of Our Lady in the said church of S. Christopher as long as the same vestiment will last and endure…. Item I will that the preists as well of the said church of S. Christopher as of the said church of S. Mary Woolnoth shall go with my body to my burying place aforesaid and thereupon sing and say for my soul Placebo and Dirge overnight in the said church of S. Mary Woolnoth, and masses of Requiem on the morrow solemnly and with the observation thereto due, and that every priest shall have for his labor, 12d. Item I bequeath £100 therewith to ordain and find a priest, an honest man, to sing and say divine service daily in the said church of S. Mary Woolnoth as long as the said £100 will stretch and attain unto for the souls of the said Symond Eyr, my grandfather, and dame Alice, my grandmother, and the souls of my father and mother and my brothers Edward and Robert, and my sister Jane, and my soul and all Christian souls.539

Eyr’s instructions demonstrate a highly individualized and emphatically personal series of actions and services that move far beyond formulaic conventions regarding religious rituals. Eyr prescribes the services custom-tailored, so to speak, to address his own and his family’s circumstances. In designating his own grandparents, parents and siblings by name alongside his own person and those of “all Christian souls,” Eyr demonstrates a high degree of control and conscious intention in his own posthumous arrangements, thus crafting an assertively personal religious experience. Eyr is one example of a testator who successfully utilized his will, formulae and conventions notwithstanding, to exercise a strong degree of agency in ensuring his spiritual welfare and, at the same time, making sure of his continued memory within his larger community.

Wills: Instruments of Charity and Piety

One cannot discuss wills without addressing the phenomena of charity and piety and the ways that testators utilized wills as instruments to put both elements to practice. Active

539 Commissary Court, Register 6, fol 67. I have regularized spelling in an effort to render the text as clearly as possible.
awareness of charity as a social obligation and an important aspect of community membership and community-building was certainly not new, and it permeated and resided in multiple threads of the community, from communal meals to the development and upkeep of organizations such as guilds and fraternities. Judith Bennett, for instance, draws attention to the effectiveness of the help-ale or bid-ale, which she defines as “a communal drinking-session to raise funds for an honest person fallen on hard times.”

Bennett, describing the utility of the help-ale as described in a sixteenth-century ballad of a down-on-his-luck minstrel from Tamworth whose neighbors hosted a gathering for him, notes that the event “reaffirmed… the social solidarity of the neighborhood,” as well as created a means of aid that preserved the minstrel’s dignity.

Ben McRee offers both a historiographical overview on scholars’ arguments concerning the ultimate effect that communally-organized charitable efforts had upon individuals and groups in late medieval England. He points out that although there have been two divergent schools of thought on the issue, namely that some believed that guild-based charity had ultimately moved towards incipient models of a social security of sorts, while others felt that charitable efforts originating from guilds ultimately fell far short of their promised goals.

The wills themselves are infused with expressions of sentiment and concern for the testator’s spiritual welfare. According to London’s custom of tripartite division of the testator’s estate between his spouse, children, and the testator himself, the portion reserved to the testator

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541 Ibid.
was usually explicitly identified as intended for disposition for the benefit of his soul. Testators’
exhortations that bequests be carried out, services performed, portions of the estate and goods
distributed in ways that would support the testator’s spiritual well-being abound in the wills.
John Everard, mercer, for instance, instructed his executors to distribute all of his goods
remaining after the other bequests were fulfilled as would best please God and also complete his
soul, “anime mee perficere.” Testators might also take steps beyond asking that standard
bequests be done for the good of the testator’s soul. Katherine Holbech, relict of the deceased
William Holbech, instructed her executors to apply the residue of her estate towards the
sustenance and founding of a suitable chaplain to perform celebration of divine services for one
full year following her death, for the spiritual benefit of Katherine and William. Other
testators requested monthly minds and other memorial services. But it was not just services
themselves or even simply conscientious and diligent administration of the testator’s standard
bequests that might contribute towards the testator’s spiritual welfare: contributions towards a
number of causes and beneficiaries were also considered acts of piety and charity. A passage
from *The Vision of Piers Plowman* summarizes several such types of individuals and causes:

And therewith repair hospitals,
Help sick people,
Mend bad roads,
Build up bridges that had been broken down,
Help maidens to marry or make them nuns,
Find food for prisoners and poor people,
Put scholars to school or to some other craft,
Help religious orders, and
Ameliorate rents or taxes.

The passage’s grouping of the various causes listed highlights the boundaries between “piety”
and “charity” as ultimately fluid, even, perhaps, illusory. Testators in the Commissary Court
regularly and consistently named virtually all of the named actions and individuals in need
throughout their wills. Cash bequests towards the repair of hospitals, roads, and bridges were

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543 Commissary Court, Register 1, fol. 412.
544 Commissary Court, Register 3, fol. 41v.
very common, as were bequests towards young unmarried girls’ marriages and sums of cash to be distributed among London’s hospitals, prisons such as Ludgate, Newgate, the Fleet, and the Counter, and ill individuals within both hospitals and prisons, and religious orders including the Friars Preachers, the Crutched Friars, and the Austin Friars. Testators often grouped such bequests together. Stephen Speleman, a mercer, directed his executors to sell his brewery tenement in St. Michael parish and:

… apply the proceeds towards disposal and distribution for my soul and the soul of Tomas Erle and Joanna, late my wife, and the souls of the faithfully departed by my said executors, towards the celebration of masses and other charitable works and in marriage portions of paupers and repairs of roads and bridges as seems best fit to my executors and [best] to profit my soul.  

Richard Coventry, a mercer, also made bequests to various groups and causes in a manner evocative of the passage in *Piers Plowman*. Coventry gave sums of money to Holy Trinity fraternity in St. Mary Bow church, to the fraternities of S. Katherine and Holy Cross in S. Lawrence Jewry church, to “cuilibet prisonario” in Ludgate, Newgate, and the prison at Westminster Abbey, to the prisoners at Fleet, Bank, and the Marshalsea, to “cuilibet lazaro” in and around London, to the Austin Friars “to pray for my soul and the souls of the aforesaid,”, and to the orders of the Friars Minor, Carmelites, Preachers, and Crutched Friars. Like Speleman, Coventry’s sequential listing of the various beneficiaries, from fraternities affiliated with specific churches to prisons, as well as to lepers and the mendicant orders, suggests that Coventry was not necessarily concerned to make distinctions between “kinds” of charity, or perhaps even charity versus piety.

As both Speleman’s and Coventry’s respective bequests illustrate, in their juxtaposition of overtly spiritual services or beneficiaries together with more pragmatic issues such as repairs to the city infrastructure and aid for the poor, testators did not necessarily perceive a hard distinction or separation between spiritual piety and actions aimed towards promoting social welfare or even practical concerns such as maintaining the city’s structure.

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546 “Et pecunia inde perueniente lego ad disponendum et distribuendum pro anima mea et anima Thome Erle et Johanne, nuper uxoris mee, et animabus omnium fidelium defunctorum per dictos executores meos ut in missis celebrandis et aliis operibus caritatisuis et in maritagiis pauperum et emendacionibus uiarum et pontium prout executoribus meis melius uidebitur expedire et salute anime mee proficere.” Commissary Court, Register 3, fol. 35.
The Onus of Executors and Executrices: Scope and Responsibilities of the Appointment

The appointment of the executor was arguably the most critical aspect of the will, as (s)he shouldered the primary responsibility for ensuring that the terms of the will were fulfilled as the testator intended. Accordingly, the executor usually had extensive discretionary authority, another reason for the testator to choose his or her appointees with care. Exercise of prudence and sound judgment of character and suitability for the role were key: a poor choice in appointee could mean frustration or outright failure in seeing the testator’s bequests to fruition. Such a complication could only add to a number of other existing potential issues that might arise in the process of making and carrying out a will.

Among the potential problems surrounding an individual’s impending death was the consequent need for him or her to provide clear directions regarding the disposition of the estate and possessions, as well as to ensure his spiritual welfare, which was tied to the successful administration of his or her estate and the proper dispensation of his goods. Following the need for clear instructions, the extent to which an appointee was able, and in fact did, accept and conscientiously fulfill his or her duties as an executor was of critical importance. Intestacy, the absence of a valid legal instrument (i.e. a will or last testament) for an individual with an estate, possessions, and obligations, financial and otherwise, that required redistribution or final resolution, had serious negative implications. As Rowena Archer and Brian Ferme state, to die in a state of intestacy was to incur great disgrace.

William Holdsworth argues that the heart of the dilemma associated with intestacy, according to various documents such as the Magna Carta (1215) and Henry I’s Coronation Charter (1100), was the probability that the individual in question had likely died unconfessed. The urgency with sorting out the estate of an individual

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547 Register of Henry Chichele, II:xxiii.
549 Among other things, Henry I’s charter pledged, in section seven, that “if any of my barons or of my men, being ill, shall give away or bequeath his movable property, I will allow that it shall be bestowed according to his desires.
who died intestate stemmed, then, from the prevailing belief that the said property needed to be
distributed in a way that ensured the intestate’s good spiritual welfare.  

It must be noted, however, that intestacy could be incurred by more than simply the
testator’s failure to produce a will or last testament. A legal instrument that was flawed or
invalid in some way could also incur intestacy, as could appointed executors who passed away or
refused the onus of administration. In the latter case, the individual(s) named could not be
forced to take on the administration of the will, but should the appointee decline the position, he
or she might face forfeiture of any bequest the testator had originally given him or her. Indeed, as Archer and Ferme point out, executors might well worry that their executors might
fall short in this appointment or fail to carry it out altogether. John Forest, Wells cathedral
church Dean, writing his will in 1443, includes a clause stating, “And I will that my executors
shall receive nothing of the legacies assigned to them above and below, except on condition that
they undergo (subeant) the burden of the administration of this will.”

John Wansford’s will of 1492 asserts, “I will that none of my executors shall have his legacy unless he takes upon him the
burden of the execution of this my will; but that the legacy of him so refusing shall be divided
among the other executors.”

But if, prevented either by violence or through sickness, he shall die intestate as far as concerns his movable
property, his widow or his children or his relatives or one of his true men shall make such division for the sake of his
soul, as may seem best to them.” See English Historical Documents, vol. 2, 1042-1189, eds. D.C. Douglas and


As E.F. Jacob attests, intestacy would also result if executors would or could not act. See Register of Henry
Chichele, II:xxiii.


30 Luffenam, fol. 238; Somerset Medieval Wills, ed. F.W. Weaver (Gloucester: Alan Sutton, 1983), I:154.

29 Doggett; Somerset Medieval Wills, I:297. Wansford identifies himself as Subdean and Canon Residency of
the cathedral church of St Andrew of Wells.
The role of executorship of a will was not one to be taken lightly. Should a testator’s estate be small or should the testator’s instructions regarding the dispensation of his properties and possessions be simple and straightforward, the tasks facing the executor could accordingly be straightforward and require relatively less effort and time. The potential, however, for a lengthy, complicated, and possibly problematic process in making sure the testator’s wishes were carried out in full, was great. To illustrate the greater likelihood of the latter case over the likelihood of a simple and quick process, it would be helpful to give a brief overview of the various responsibilities facing an executor in this period.

Once a testator named an individual or individuals to act as executor for his will, the document itself had to be registered and proved at the relevant court. In other words, it was mandatory that the court examine and validate the will, thus deeming it fit to be carried out. As part of this process, the executor would be granted administration, in effect receiving the court’s endorsement to act as a recognized and approved authority figure taking responsibility for the contents of the will. Following approval from the court in which the will was enrolled, the executor commenced completion of the bequests and other tasks outlined in the instrument. Compilation of an inventory of the deceased testator’s possessions appears to have been a standard requirement, but as Archer and Ferme attest, the scarcity of surviving inventories makes it unclear how strict ecclesiastical courts were in enforcing this expectation. Assuming that the executor was able to complete the required actions and bequests laid out in the will, (s)he was to submit an account to the court at the conclusion of his or her work. Such documents are now scarce, but the said accounts may have included details such as those provided for a grocer, Richard Toky and presented to the city’s mayor and aldermen by Toky’s son-in-law Philip Vale, a Bristol merchant and husband of Toky’s daughter Eleanour. Toky’s inventory included itemized lists of Toky’s personal and household goods such as clothing, basins, bedding, furniture, silverware, and pots and pans. The accounts of his goods were followed by total sums

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of money from sales of tenements, moneys paid to Toky, Toky’s outstanding debts, legacies, and funeral expenses.\textsuperscript{556}

The executor might face one or more potential issues from the outset: the number and kinds of actions and bequests outlined by the testator might be exceptionally difficult, perhaps even impossible, to carry out; the time frame in which the will’s bequests could be fulfilled might stretch beyond a period that would be feasible for the executor; and the testator’s assets might prove to be insufficient to cover any outstanding debts (s)he might have left behind. Such insolvency might, in turn, make it impossible to carry out the bequests originally outlined in the will. The possibility of scenarios of insolvency was anticipated by at least several testators in the court over which Henry Chichele, Archbishop of Canterbury, presided: Thomas Montague, early of Salisbury, attached to his will a list of debts still owed to him from conquered French provinces, at a total of 31,608l 11s 3½d. Montague instructed that if the monies received were insufficient, then the bequests of money contained in the will were to be paid in installments. If, however, there was a permanent default, the bequests were to undergo a \textit{recapcio}, or adjustment accordingly.\textsuperscript{557}

To illustrate the first consideration regarding difficulties in fulfilling requested actions, several wills suggest that many testators relied quite heavily on the executors to carry out numerous and often complex duties. Labor-intensive tasks are often expected of the executor. In her will of 1433, Joan de Bury, widow of tailor John de Bury, instructed her two executors to distribute £5 to the poor on her burial day, namely so that each individual would get a penny. In other words, the executors were to find and distribute a penny to 1,200 paupers on the day of Joan’s burial, on top of numerous other bequests of money for religious services, alms, godchildren, apprentices, and other individuals.\textsuperscript{558} John Ulsthorp’s will of 1432 was slightly more lenient: he requested that 41s 8d be distributed in penny increments to priests within one


\textsuperscript{557} \textit{Register of Henry CHichele}, II:xxiv.

\textsuperscript{558} Commissary Court, Register 3, fol. 345.
month after his death. Upon some further consideration, however, the task of meeting the testator’s specified quota for charitable doles probably resolved itself rather easily, given the likelihood of finding people who would turn down free cash.

Another example from the Commissary Court illustrates the painstaking care with which executors might have had to keep track not only of the actions, but also of the goods entrusted to their care. Thomas Brews, writing his will in 1467, sets out an exceptionally descriptive and meticulously itemized list of goods to be given to his son Thomas. Among other things bequeathed to Thomas are a gold ring “with my ymages,” one standing piece of silver with three lions of silver with a covering of silver “overgilt,” one salt cellar of silver with a covering thereeto weighing twelve ounces and more; a mattress worth 6s 8d; a bolster stuffed with feathers, seven quarters long; two “bordecloths of diapre elle brode and 6 yards long”; a “testour of grene steyned with allia and the salvation of oure lady”; five brass pots, each greater than the other, the least of them containing a gallon; “my Prymer limned with golden l[ett]res and garnysshed with red sarsenell without, a cheverell within and the eggys of the same primer gilt”, etc. The list includes approximately forty-five categories of items for Thomas, all to be held by the executors until the said Thomas comes of age at 28 years old. One can imagine the meticulousness with which the executors would have had to pore over the list, possibly multiple times, first, to find each item in question, and then to ensure that each piece was accounted for.

The expectations testators had of their executors could be quite high. On the other hand, many wills show great reliance and trust on the testators’ part towards their executors. It is by no means uncommon for testators to state that parts of their affairs or estates are to be handled according to the executors’ discretion. Richard Roger left his funeral expenses to his executors’ disposition. Robert Monkes bequeathed the residue of his estate wholly to his executors with

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559 Commissary Court, Register 3, fol. 356.
560 Commissary Court, Register 6, fol. 120v.
561 “Item lego et uolo quod expense mee funerales fiant et ordinent secundum ordinacionem et dispositionem executorum meorum.” Commissary Court, Register 2, fol. 72v.
the words “as they shal seme [deem?] best to the presence of God and helth of my soule.”

Some testators included an extra exhortation to their executors, perhaps to underscore the extent of their reliance and the importance of their position: John Leef, composing his will in 1436, urges his executor, John Drewery, to handle the residue of his estate “as he would wish to answer for before the high judge.”

Robert Hallum, mercer, appealed to his executors to do their best on his behalf: he bequeathed £10 to his appointees “to be myn executours as my full trust is in yow and to doo for my poore soule lyke as ye wuld and fortune felle I dude for yow.” Hallum’s words illustrate a high degree of expectation many testators may have felt in entrusting their estates to another, as well as the dependence testators had on their executors to do their duty conscientiously and honorably. Some testators might demonstrate a protective attitude towards their executors as well: John Forth expresses his wish “that no one should demand anything from my executors or harm my executors for any legacy assigned in my testament.”

Generally speaking, testators were willing to entrust executors in nearly every type of responsibility, from funeral and burial arrangements to custody of dependents and their legacies, disposal and sale of property, and resolution of debts, both owed and owing.

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562 Commissary Court, Register 7, fol. 131v.
563 Commissary Court, Register 2, fol. 77v. Fyssher also uses the phrase, “prout sibi melius uidebitur expedire.”
564 Commissary Court, Register 3, fol. 151.
565 “… sicut coram summus iudice inde voluerit respondere.” Commissary Court, Register 3, fol. 464.
566 Commissary Court, Register 5, fol. 136.
567 “… quod nullus exigat aliquid ab executoribus meis nec molestat executorum meos per aliquo legatione sibi in hoc testamento meo assignato.” Commissary Court, Register 6, fol. 150v.
It was also common practice for testators to bequeath to their executors a sum of money or goods in recognition for their work in carrying out the terms of the will. John Litteller, a tailor drafting his will in 1450, gave one of his executors, Richard Wolnoth, 40s for his labor, “pro suo labore.”  John Everard, mercer, bequeathed 100s each to both of his executors, Alan and Richard Everard, for their labor as well. Some phrasing attached to bequests suggests their possible function as incentive, as well as remuneration, for the individuals appointed to the task. Tailor John Fyssher, writing his will in 1406, bequeathed to Nicholas Chapellam, “staynour,” i.e. a dyer, a sum of 6s 8d “ut ipse assumat onus presentis testimentis mei.”

A number of testators, mindful of the extent of the authority and resources they were placing in their executors’ hands, added various exhortations to their executors to carry out their responsibilities in an appropriate manner. The will of 1400 of Thomas Dyster, a mercer, included the admonition that all of his executors should fulfill the terms of his will “so that they, having God before their eyes, should fulfill my present testament faithfully according to the knowledge given to them by God.” For their efforts, Dyster gave his executors, namely Laurence Hampton, Thomas Bargli, Dennis de Lopham, and John Abbot, cash sums of 10 marks, 100s, 10 marks, and 40 marks respectively “so that they will be executors of my testament and take up its burden.” John Eystone warned each of his executors to fulfill his duties “super periculum anime sue ut inde videre voluerit in die iudicii coram summo iudice Iesu Christo.” Ralph Lobenham exhibited an extra degree of foresight, taking into consideration the possibility, and associated risks, of rifts within the group of executors he had appointed. Lobenham, to forestall unnecessary complications or problems, declared that none of his three executors were to take any action whatsoever by his own authority concerning the administration of Lobenham’s

568 Commissary Court, Register 5, fol. 14v.
569 Commissary Court, Register 1, fol. 412.
570 Commissary Court, Register 2, fol. 77v.
571 “… ut ipsi deum pre oculis habentes presens testimentum meum fideliter exequantur iuxta scientam eis a deo ministram.” Commissary Court, Register 2, fol. 33v.
572 “… ut ipsi fuerint executores testamenti mei et onus ipsius suscipi,” ibid.
573 Commissary Court, Register 1, fol. 150.
will; each executor was to act only with the assent, consent, counsel, and will of all three executors generally and communally. As demonstrated with the aforementioned examples, the weighty responsibilities and time and effort required of executors underscore the importance of the position, as acknowledged by the testators.

Among the three occupational groups examined here, the most frequently-appointed parties were wives, colleagues sharing the same occupation, and clergy. The breakdown of frequency of appointment for each of these three parties for the three occupational groups are as follows (listed in order of most to least popular category for each group):

**Figure 3.6 Testators’ Appointees to Testamentary Executorship**

**Tailors**

<table>
<thead>
<tr>
<th>Appointee Named</th>
<th>Number and Percentage (out of 263 tailors’ wills)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wives</td>
<td>200 (76%)</td>
</tr>
<tr>
<td>Tailors</td>
<td>74 (28%)</td>
</tr>
<tr>
<td>Clergy</td>
<td>37 (14%)</td>
</tr>
<tr>
<td>Brothers (kin)</td>
<td>15 (6%)</td>
</tr>
</tbody>
</table>

**Drapers**

<table>
<thead>
<tr>
<th>Appointee Named</th>
<th>Number and Percentage (out of 154 drapers’ wills)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wives</td>
<td>107 (69%)</td>
</tr>
<tr>
<td>Drapers</td>
<td>46 (30%)</td>
</tr>
</tbody>
</table>

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574 “... volens quod nullus eorundem executorum meorum quo ad executionem huius testamenti mei et administrationem bonorum meorum aliud re per se de propria auctoritate faciat ullo modo absque assensu consensus consilio et voluntate executorum suorum generaliter et in communi.” Commissary Court, Register 2, fol. 359.

575 The categories listed here are not mutually exclusive: in a number of cases, testators appointed more than one executor to fulfill the terms of the will. A testator, for instance, might appoint his wife, but also a colleague or two, to serve alongside his spouse. The fact that the total percentages for each of the groups presented here add up to percentages over 100% should be understood as representative of the cases where testators named two or more executors.
The Commissary Court tailors and drapers favored wives by a strong margin over the other popular types of appointees: in 76% of the tailors’ wills, testators named their wives as executrixes, while 69% of the drapers’ wills featured testators’ wives as executrixes. Both occupational groups, interestingly, exhibit similarities in order of popularity of appointees and in ratios of popularity by appointee type. For both the tailors and drapers, colleagues in the profession comprised the second-most popular category, followed by clergy: 28% of tailors named fellow tailors as executors, followed by 14% naming clergy, and 30% of drapers appointed other drapers to the position, followed by 16% of drapers appointing clergy to the executorship. The rate of drapers appointing wives as executors, at 69%, is somewhat lower than the 76% of tailors doing the same, but the margin of difference is not sufficiently large to suggest significant variance or discrepancy. The main point there is that roughly two-thirds of the testators among both the drapers and tailors appointed their wives as testators.

The tailors and drapers appointed professional colleagues and clergy at similar percentages as well, namely 28-30% and 14-16%, respectively. That is not to say, of course, that only kin or colleagues in the same trade as the testator were called upon. A wide variety of individuals of other professions and connections are named as well, from grocers to chaplains, but again, it is of note that, for the tailors and drapers, wives, followed by colleagues of the same trade, were the most frequent appointees.
The mercers had several notable variances in contrast to the tailors and drapers. Among the mercers’ variances was their preference for fellow mercers above all others as executors: 47% of the mercers appointed other mercers as executors of their wills, which constituted an approximate percentage difference of 17%-19% between the mercers, on the one hand, and the tailors and drapers on the other. On another note, the rate at which the mercers’ wives are appointed as executors was noticeably lower than that of the tailors and drapers. For the mercers, wives as appointees to the executorship, at a rate of 30%, occurred at only a fraction of the respective rates of 76% and 69% for the tailors and drapers. Indeed, even the rate of appointment of their most popular group, namely other mercers, at 47%, lags noticeably behind the popularity of the tailors’ and drapers’ most popular group, spouses. On the other hand, the mercers’ percentages for clergy and brothers as appointees, at 16% and 5% respectively, closely mirror the percentages for the same groups among the tailors and drapers.

The lower incidence of wives named as executors of mercers’ wills may have been due to this study’s mercers tending to be older at the time of the creation of their will; fewer mercers may have had surviving wives who might have served as executors. A comparison in numbers of wives mentioned in the wills of the tailors, drapers, and mercers, respectively, supports the possibility of fewer surviving wives for the mercers: 82% of the tailors and 80% of the drapers mentioned wives as beneficiaries in their wills, but only 65% of the mercers named wives as beneficiaries. The lower percentage of mercers naming wives as executors, then, can be attributed to a lower number of wives still living or active in the testator’s life in some way at the time that the will was written.

Numbers of testators assigning a single executor, male or female, were not uncommon, but most testators appointed a minimum of two testators, and often three or more. In cases where testators named wives as one of at least two executors, the wife was usually appointed the principal executrix. Further, testators often appointed supervisors in addition to executors: 94 tailors’ wills (36%), 42 drapers’ wills (27%), and 13 mercers’ wills (18%) named supervisors to oversee and help the executors in the administration of the estate. The extra step of finding a

576 That is, 215 out of 263 tailors, 123 out of 154 drapers, and 48 out of 74 mercers named wives as beneficiaries in their Commissary Court wills.
supervisor attests to the significant burden the executors potentially faced: in at least several cases, the testator’s intentions in doing so was clearly as an additional help to the supervisors. John Richard, tailor, appointed a draper, Peter Clement, as supervisor overseeing Richard’s wife Margery’s administration of his will, directing Clement to do so as Margery’s “amicabilem adiutorem.”

Executors’ Responsibilities: Debts and Residue, or Last Things and Loose Ends

Following the churches and clergy, spouses were the second-largest category named for all three groups of testators: as noted in the previous section, 215 out of 263 tailors’ wills (82%), 123 out of 154 drapers’ wills (80%), and 48 out of 74 mercers’ wills (65%) made mention of spouses. For this group, the most frequently-occurring category of bequest, by far, was the residue: 158 out of 215 total tailors’ wills naming spouses (73%) gave this party the residue of the testator’s estate, while 86 out of 123 drapers’ wills (70%) and 23 out of 48 mercers’ wills (48%) did the same. A significant gap separated the frequency of bequeathals of residue from the other categories of bequests across the three groups of testators: among the tailors, thirteen gave cash, twelve gave movable goods, and seventeen gave immovable property to their spouses, the overwhelming majority of which were wives. Among the drapers, seventeen testators gave cash, twenty-seven gave movable goods, and twenty-three gave immovable property to their spouses, and of the mercers, fourteen gave cash, fifteen gave movable goods, and only eight gave immovable property to their spouses.

It is tempting to assume that the testators, by assigning the residue of their property and goods to their spouses, were bestowing the most valuable and substantial proportion of their estate upon their conjugal partners. One must remember, however, that most testators expected their remaining debts to be paid out of these very assets before they were distributed to the various parties named in their wills. Once such debts were settled, it was possible that very little might be left, potentially to the extent that the testator’s desired bequests might need to be

577 Commissary Court Register 5, fol. 30v.
reduced or even unfulfilled altogether. Sylvia Thrupp cites the example of a wool merchant, William Lynne, whose executors had to reduce his legacies to his children by one third.\textsuperscript{578} Another individual, Richard Toky, had accumulated so many debts by his death that they comprised 40\% of his assets and could not be realized.\textsuperscript{579}

Payment of debts was required, of course, and testators were mindful of the necessity of resolving debts and the ways in which outstanding obligations should be coordinated with the assignment of bequests. Draper William Norton’s will of 1439, for instance, emphasized that all debts were to be paid, first and foremost, with his goods and chattels; the residue remaining should then be split into the legally mandated thirds, with one part to his wife Egidia for her legal part, the second part to William’s son, also named William, and the third part reserved for the testator himself.\textsuperscript{580} Fellow draper John Brikles, writing his will roughly one year later in 1440, echoes Norton’s concern to put highest priority on settling debts: Brikles states that his remaining debts are to be paid first before distribution of his estate.\textsuperscript{581}

Why such keen awareness of outstanding debts? Concerns to provide well for the loved ones left behind and ensure adequate resources for them, of course, might well have played a major role. Other ideas surrounding the concept of debt and its meaning might have been factors as well. James Davis, for instance, suggests that testators in late medieval England closely linked their readiness to settle their own unpaid debts in a just manner to be closely linked with the idea of restitution in a religious sense.\textsuperscript{582}

Debt reconciliation as credit towards spiritual restitution worked just as well when the testator was in the position of the creditor. A number of testators remembered those who still owed money to them, but the great majority of testators offered forgiveness for the said debts.

\textsuperscript{578} S.L. Thrupp, \textit{Merchant Class}, 109.

\textsuperscript{579} \textit{Ibid}.

\textsuperscript{580} Commissary Court, Register 4, fol. 46.

\textsuperscript{581} Commissary Court, Register 4, fol. 54.

Thomas Barnaby, a tailor, granted a couple by the name of Richard Tabbe and Tabbe’s wife Agnes pardon “from each and every penny” that they owed Barnaby, as well as forgiveness of all offenses and transgressions perpetrated against Barnaby.\textsuperscript{583} Barnaby’s alignment of material and moral forgiveness demonstrates that debt reconciliation, like other matters that wills addressed such as charitable and pious works, derived their most profound meaning precisely from their parallel material and spiritual efficacy.

On the other hand, there is also the possibility that the remainder of the estate, after debts were paid, would be sufficient to support the spouses and any dependents, and perhaps enough to ensure that the surviving family member(s) could live in some financial comfort. A number of testators expressed some desire for their remaining family to receive the residue of the estate and use it per their free will. Draper John Pellican, writing his will in 1420, assigned the residue of all his movable and immovable goods to his wife Joan to handle according to her free will, without impediment.\textsuperscript{584} John Hallyate, a mercer drafting his will in 1432, left directions that, following the fulfillment of his individual bequests, his executors should split the residue into two parts. The first part was to go to the executors for distribution in pious works, and his wife Edonia was to receive the other part of the residue “integre… ad inde faciendum et disponendum suam liberam voluntatem in perpetuum.”\textsuperscript{585} Whether or not the remainder of the estate following debt repayment was sufficient to support the surviving spouse and any dependents, a number of testators demonstrated some measure of concern that moved beyond making sure that they met the minimal legal requirement in the distribution of their estate.

**Succession to the Trade: The Next Generation?**

The occasion of the testator’s passing raises the question: what would happen to his practice of the trade after his death? The preceding discussion on the involvement of widows in

\textsuperscript{583} “Item pardonno et remitto Ricardo Tabbe et Agneti, uxori eiusmod, omnes et singulo denarios michi per ipso seu eorum alterum debitum ac omnes ofensos et transgressiones michi per ipso seu eorum alterum perpetrum.” Commissary Court, Register 6, fol. 31v.

\textsuperscript{584} Commissary Court, Register 3, fol. 80v.

\textsuperscript{585} Commissary Court, Register 3, fol. 308.
terms remaining to their husbands’ apprentices suggests that the widows probably had a somewhat modest role in overseeing their husbands’ apprentices following the testator’s death. One might then attempt to trace the disposition of the testator’s trade implements, supplies, shops, and other items which might offer clues as to the testator’s vision for his business after his own death. The Commissary Court wills, however, are enigmatic regarding this aspect as well. References to testator’s trade-related tools are rare: the sole bequest that can be explicitly linked to the testator’s trade in this study is tailor Burnet Genetas’s gift of a pair of “taylor’s schears” to a certain Robert Wadlok; no further information is available on Wadlok’s identity, trade, or connection to Genetas. A similar search by Vanessa Harding in the Husting Court wills yielded only two definite instances of testators bequeathing their trade-related tools and goods: a goldsmith gave the entirety of his tools and instruments of the trade to his son, and an embroiderer left his trade instruments to his three sons.

In the Commissary Court wills studied here, the asset with the clearest potential link to testators’ practice of their trades was their shop. This study was able to identify 15 out of 263 tailors who clearly mentioned shops, either the property itself or goods contained within them. Of the fifteen, testators most often gave a shop and/or the shop’s goods to their wives: seven did so. Two tailors gave shops to sons, one tailor gave a shop to his daughter, two tailors directed their executors to sell the shops and apply the proceeds to pious uses, one left his

586 Commissary Court, Register 6, fol. 72.
587 HW II:421-22, 472-73. Harding states that the Commissary Court wills contain more examples, and she cites two, but both postdate the chronological parameters of this study. See V. Harding, “Sons, Apprentices, and Successors: The Transmission of Skills and Work Opportunities in Late Medieval and Early Modern London,” in Generations in Towns: Succession and Success in Pre-Industrial Urban Societies, eds. Finn-Einar Eliassen and Katalin Seende (Newcastle-upon-Tyne: Cambridge Scholars, 2009), 156.
588 The seven tailors were: John Marchall (Register 3, fol. 40v), John Mareschall (Register 3, fol. 313v), William Botley (Register 5, fol. 68), John Legge (Register 5, fol. 308), William Capon (Register 5, fol. 384), Richard Burton (Register 6, fol. 157v), and Galfrid Guybon (Register 4, fol. 129v).
589 William Botley (Register 5, fol. 68) and Edmund Benet (Register 5, fol. 322). Benet also bequeathed the cloth in his shop to his son.
590 William Person (Register 6, fol. 132v).
591 Richard Scraynyngham (Register 3, fol. 504) and Hugh Maydeston (Register 3, fol. 30v).
shop to the city of London,\textsuperscript{592} and one wished to have his shop sold and the proceeds given to his mother.\textsuperscript{593} One last testator noted that his debts were to be paid from the cloth in his shop, but did not specify what was to be done with the shop itself.\textsuperscript{594}

Among the drapers, ten testators made bequests of shops themselves or goods contained therein. As with the tailors, wives were the most-frequently mentioned recipients: three tailors gave the shops or the goods within the shop to their wives.\textsuperscript{595} Two testators gave shops to daughters,\textsuperscript{596} two requested that their shops be sold,\textsuperscript{597} and two made bequests to institutions such as St. Mary Elsing Spital and the parish church of St. Michael.\textsuperscript{598} One testator, John Munstede gave the cloth in his shops to an individual named Robert Luton, but Luton’s relationship to Munsted remained unexplained.\textsuperscript{599} Among the mercers, this study was only able to find two testators who mentioned shops in their wills. One mercer, Robert Guphey, left his property to the mistery of mercers in London, asking the mistery to use the profits from the property to find a chaplain who would be dedicated to relief of the poor.\textsuperscript{600} The other mercer, Stephen Speleman, instructed that his property be sold and the proceeds be applied to pious uses.\textsuperscript{601}

\begin{footnotes}
\item 592 John Mareschall (Register 3, fol. 313v); Mareschall mentioned several shops in his will.
\item 593 Edward Walsh (Register 5, fol. 189).
\item 594 Richard Broughton (Register 4, fol. 161v).
\item 595 Bartholomew Neve (Register 2, fol. 22v), Robert Tatersale (Register 3, fol. 236v), and Thomas Bramley (Register 5, fol. 251). Bramley gave his wife all the cloth in the shop, as opposed to the shop itself.
\item 596 Richard Claveryng (Register 1, fol. 34v) and Roger Abbot (Register 1, fol. 342).
\item 597 William Kyng (Register 1, fol. 303) and John Wyot (Register 4, fol. 244; Wyot asked his brother, John, to sell his shops).
\item 598 Nicholas Yeo (Register 4, fol. 149v) gave the rent from his shop to Elsing Spital and Roger Kellsey gave his shop to the church of St. Michael.
\item 599 Commissary Court, Register 2, fol. 38v.
\item 600 Commissary Court, Register 2, fol. 230.
\item 601 Commissary Court, Register 3, fol. 35.
\end{footnotes}
The numbers presented here represent a statistically small group, and ideally one would obtain, for the sake of comparison, another means of assessing testators’ approaches to transmitting their trade skills to future generations, but the statistics given above nonetheless offer some interesting initial suggestions as to the ways testators handled the issue of succession to their trade in the Commissary Court wills. Testators’ inclinations to leave the shop to their wives supports the impression that their spouses worked as their partners in running their business and that the testators viewed the property as a means for their wives to support themselves. The choice of wives over children, at least in the first instance, suggests that testators perhaps regarded their spouse’s more immediate subsistence needs as a first priority.

A second possibility is that testators did not necessarily view their own trade-related skills and training as a legacy to be perpetuated through subsequent generations; they may have expected that their children would make their own choices in the trades they would enter. This approach did not always mean that the children would choose a different trade; they might well follow their parents into the same trade, but the suggestion here is that adherence to a single trade through several generations in a given family might not have been as common as one might think. Harding observes that citizens of London did apprentice their sons into their own trade on occasion, but this trend was far from universal practice. Even if citizens had a strong wish to have their children succeed them in their trade, succession by their children might not have been possible. Sylvia Thrupp notes that the city’s merchant groups had surprisingly low percentages of testators mentioning children in their will, between 30-40%. Thrupp’s percentages are broadly consistent with this study’s Commissary Court findings discussed earlier in this chapter. It may be, then, that testators had less opportunity to pass down their skills in the trade because of a scarcity of lineal descendants. Harding makes the additional point that sons did not usually serve their apprenticeships with their fathers. The picture that begins to emerge, based on the issue of the transmission of trade skills and the disinclination of trade practitioners to preserve a single legacy of trade skills through successive generations of the same family, is of a culture

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603 See S.L. Thrupp, Merchant Class, 199-200, especially 200.
that favors lateral, rather than vertical, networks and connections. Testators were not wholly disinclined to pass legacies to their children, as is evinced in the percentages of Commissary Court testators discussed here, but the modest favoring of testators’ wives above other groups of participants suggests that reinforcement of conjugal ties was a particularly compelling priority for the testators.

Recent scholarship by Clive Burgess and others has suggested that wills provide only a limited and partial glimpse of households, families, and the lives of the testators who composed them. Such arguments rest on considerations such as the predominance of heavily formulaic precedent in wills, as well as the probability that many property transfers and other similar transactions involving movable goods and real estate holdings could have taken place via means outside the will itself, such as *inter vivos* transactions. The survey of the various elements of the wills enrolled in the Commissary Court here, however, indicates that even with concerns voiced by Burgess and others, testators could and, in a surprising number of cases, did utilize their wills to assert their authority, acknowledge, reaffirm, and strengthen relational ties with other individuals and organizations of especial importance to the testators, take active part in ensuring their spiritual welfare as well as the well-being and financial and social security of their loved ones, and even express their own personalities in the course of their efforts to resolve all of the aforementioned concerns.

Another element of particular importance is testators’ use of their wills as instruments of self-presentation and control over their immediate posthumous welfare, treatment, and, by extension, commemoration in the present, temporal world, on the one hand, and spiritual welfare in the next. The strong concern that a number of testators’ wills express regarding their funeral arrangements and services, and the detailed manner in which they stipulate the services, paraphernalia, participants, and other associated details speaks to testators’ recognition of wills as opportunities to exercise control and agency in their self-presentation and public persona within the immediate community and also, perhaps, exercise some control as well in their spiritual welfare in the next life.

Chapter Four will turn to case studies of individual testators and will offer analysis of the testators’ wills on a closer, more detailed level to demonstrate the ways wills offer unique revelations and insight into their testators’ personalities and lives.
Chapter 4
Case Studies of Prominent Londoners with Wills in the Commissary and Hust ing Courts

To what extent can wills tell us about the course of a testator’s life and career? Can they document not only the testator’s “official” information, such as occupation, professional and religious affiliations, household size, and financial health, but also his or her personal circle of friends, hierarchy of loyalties and concerns, and perhaps even his/her personality? This chapter will explore four case studies, namely that of John Northampton, Adam Fraunceys, Ralph Holland, and Robert Drope. For each of these cases, the individuals are fairly prominent and well-known, or there is at least relatively more information in London records than there usually is for individuals from non-noble contexts. In each case, comparison will be made between what is available via documentary evidence and by their wills, to see whether the rhetoric, bequeathals, and instructions of the wills correspond to the respective pictures formed via the external documentary evidence. This chapter will apply the elements of wills explored in Chapters Two and Three. The analysis acknowledges that the wills here were operating within tight frameworks of formulae, legal requirements as to division and distribution of estate, and parties involved in their creation and administration. With this understanding, this chapter will argue that the wills for each of these four individuals still convey certain degrees of their own idiosyncratic concerns to express their respective senses of piety and spiritual virtue. In doing so, the wills effectively challenge recent scholars’ views that testamentary instruments are more reflective of standard forms and phrasing that reflects convention rather than individual choice or use.
Adam Fraunceys: Mercer, Mayor, Benefactor

Though records of Adam Fraunceys’s life and activities are relatively scattered and incomplete, they give significant evidence of an individual with complex and varied interests and relationships.605 Fraunceys’s standing as one of the most prominent citizens of London during his time is confirmed in the numerous civic positions he held, as well as his frequent appearance throughout the records of the city and the crown. As will be explained in the discussion to follow, he was an official of the Staple of Westminster, an alderman, and mayor of the city. He was also one of the individuals whom Edward III contacted directly in 1339 to request loans to finance the king’s campaigns in France.606 Fraunceys repeatedly and consciously affirmed his ties with the city and nation through extensive involvement in public works, acts of charity, and involvement in government, as will be discussed shortly. These aspects may be glimpsed in his will and in other documents. On the other hand, his will also suggests a network of more closely-guarded personal ties and circles of associates than his record of public service might suggest.

Very little concrete biographical information exists for Adam Fraunceys. Stephen O’Connor has compiled an extensive bibliography tracing possible documentation of his career and activity through London’s government and administration, along with information on other people who were possibly connected to him; as O’Connor states, much of the information tends

605 Sylvia Thrupp offers a concise precis of information about Fraunceys’s career, family and extended kin, and documents with biographical information; see S.L. Thrupp, Merchant Class, 341-42 (Appendix A, “Aldermanic Families”). Stephen O’Connor has compiled a more comprehensive overview of Fraunceys’s life and career, though, as he notes, much of the material tends to offer circumstantial evidence. See A Calendar of the Cartularies of John Pyel and Adam Fraunceys, ed. S.J. O’Connor (London: Royal Historical Society, 1993, Camden Fifth Series, vol. 2), “Biographical Background,” 3-22. The following discussion is indebted to O’Connor’s work.

to be circumstantial. Fraunceys was likely born between 1300-1310, possibly in northern England. From around the 1260s to the early 1300s, the Mercers as a corporate body underwent a significant transition in the recognition it received from the city. Prior to the mid-thirteenth century, the Mercery had been recognized primarily as a craft rather than as a group of dealers; by the early 1300s, however, as Ann Sutton explains, views of crafts had shifted: they were now perceived as administrative and political organizations representing and taking responsibility for their own workers.\(^\text{607}\) Sutton also argues that such a changing perception of craft groups also signaled craftworkers’ increasing reliance on craft guilds and misteries over households and families to sustain their trade.\(^\text{608}\)

Fraunceys identifies himself as a mercer in his will. By his time, the Worshipful Company of Mercers was recognized as one of London’s principal trade organizations, along with others such as the Grocers and Fishmongers.\(^\text{609}\). He first appears in municipal records as one of the respondents to Edward III’s call for money: the date of this entry, December 1339, indicates that Fraunceys must have become a citizen by that date, and the size of his loan, £100, implies that he had attained some financial prosperity by then. By the 1340s, and from then on, Fraunceys made consistent and substantial loans to the king, fellow Londoners, and individuals in outlying areas such as East Anglia and the Midlands.\(^\text{610}\)

Fraunceys’s involvement in the public sphere soon extended beyond financial matters to local government and politics. In July 1352, just twelve years following the early loan to Edward, Fraunceys became an alderman of the city, and three months later, by that October, he assumed the position of mayor. This significant promotion may well have been prompted by the


\(^{608}\) A.F. Sutton, Mercery of London, 32.


\(^{610}\) For a list of debts owed to Fraunceys, see the table “Recognizances of Debt to Adam Fraunceys,” S.J. O’Connor, Calendar of the Cartularies of John Pyel and Adam Fraunceys, 97. The list of debts commences in 1343 and runs to 24 July 1374, with nineteen instances noted in total and contracted with individuals, both men and women, from a range of locales, including Hackney, Northtoft, and Kent, along with London. Debtors included a number of individuals identified as knights and various clergy (e.g. abbots and priors); at least one widow is identified as well.
Black Death’s considerable toll on the population, but he himself showed a certain genuine and proactive interest in municipal affairs: his attendance in Parliament was remarkably consistent, and at the height of his civic involvement, between 1352 and 1375, he represented London in Parliament on at least six occasions.\(^{611}\) By the 1360s, he was the longest-serving, and probably the most senior, alderman, having held that office for twenty-three years. He was involved in dealings with Edward III’s administration as well: as the start of the Hundred Years War compelled the king to be more aggressive in seeking support than before, Fraunceys and several other lenders distanced themselves from the political turmoil, choosing to send funds directly to the king rather than allowing themselves to get directly involved.

Fraunceys was also holder of an extensive real estate portfolio, both within London and in other areas. Over the course of his life, he held at least thirty-six tenements and rents in London as an individual. A number of names emerge from Fraunceys’s business as well as personal networks: the majority were fellow mercers, often members of London’s governing elite, and usually substantial property holders in their own right.\(^{612}\) He did, however, have connections outside his trade: he had some associations with the earl of Hereford and Essex and the third earl of Salisbury.\(^{613}\) He is also named variously as beneficiary, guardian, or executor for people in other trades and crafts, ranging from apothecary to skinner and clerk.\(^{614}\)

Nor did Fraunceys serve as executor solely to colleagues: he was appointed as guardian at least four times for orphaned children in the city and as an executor for wills on several occasions. As O’Connor notes, Fraunceys’ first appointment as guardian occurred in June 1346, when he was granted custody over seven-year-old Thomas de Garton. Other guardianships that followed included appointments to care for children of John Coterel, mercer,

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\(^{612}\) S. J. O’Connor, *Cartularies*, 21.

\(^{613}\) S. J. O’Connor, *Cartularies*, 21.

in 1349, Simon Leggy, a skinner and mayor, in 1357, children of the apothecary John de Bovyndon, in 1361, and Paul, a grandson of the prominent pepperer Adam Salisbury. Fraunceys’s executorships reflect close relationships particularly with mercers, but are not necessarily limited to that trade: he was appointed to the position for the wills of Henry Causton, mercer in 1348; John de Oxenford, skinner, in 1361; Robert de Charwelton, rector of Ivychurch in Kent, in 1368; Simon Fraunceys, mercer and kin, sometime before November 1371; and John Andrew, possibly a former apprentice, in late 1371. He engaged in charitable works as well: two of the most significant include the leasing and renovation of properties at the convent of St. Helen, Bishopsgate, London, and the completion of a chantry in the parish church of Edmonton, which had been initiated by his close friend, Peter Fanelour, an individual also mentioned in Fraunceys’s will. The picture that emerges of Adam Fraunceys is that of a prosperous, prominent, and respected member of London’s mercantile elite, one who demonstrated commitment to the city’s development and good governance and whose will focused on the city rather than on his possible homeland to the north.

The profile of Fraunceys’s concerns and priorities that emerges from his Hustig Court will is relatively reticent about his accomplishments, offices held, and extensive network of friends and prestigious connections. Its primary concern is the establishment of two chantries at the church of St. Helen’s, Bishopsgate, along with chaplains and their responsibilities at St. Helen’s and St. Paul’s, London. Instructions for the provision of the chantries and various clergy, from vicars to chaplains and monks, encompasses a little over two-thirds of the whole text, and is remarkable for the belabored detail it provides in stipulating what kinds of personnel should be appointed, their responsibilities, and the steps to be taken in case a clergyman should be found unsuitable. He states, for instance, the following instructions for St. Helen’s:

615 O’Connor, Cartularies, 19.
616 S.J. O’Connor, Cartularies, 19-20.
617 Noted in HW, II:171-72; S.L. Thrupp, Merchant Class, 341.
618 S.J. O’Connor, Cartularies, 22.
Above all, I will, bequeath, and ordain that the said chaplain should thus be admitted to the chantry of Blessed Mary, and that his successors should celebrate a daily mass in perpetuity… at the great altar in the said church, or at another altar, where it can be more competently erected behind the said great altar in the said church… and, after the said mass, before he takes off the stole, he [should perform] a commemoration of all deceased believers, namely an eternal requiem and other things incumbent upon the said commemoration… And after the Gospel of John which begins, ‘In the beginning,’ etc., they will perform the psalm called “De profundis,” with the Lord’s Prayer, prayers [supplications], and other prayers following, where they are accustomed to say in common for the dead, and, at the end, ‘May the soul of Adam Fraunceys and the souls of all deceased believers rest in peace,’ namely at the accustomed morning hour [i.e. Matins], namely before the first monastic hour [i.e. Prime]…

Fraunceys’s instructions are unusually specific: he not only outlines standard procedures and rituals, but also anticipates potential disruptions to the institutional structure and provides carefully outlined contingency plans to head them off. Such concern speaks to a significant degree of care and personal investment, and even personalization of the will.

Fraunceys’s focus is on how the service should be performed; remembrance of himself is treated as part of that process, rather than as the central point of the ritual. He devotes painstaking attention to the proper and orderly appointment and way of life in the chantries he has endowed at St. Helen’s, stating:

…the said chaplains, each of them as well as their successors, should be visited in perpetuity, each year, by the said dean (and if he is absent, then by his vicar), and, if the office of deacon is vacant, by a member at hand from the said chapter, within three days following the feast of St. Michael, and if seven faults are found to have been perpetrated by any one of the said chaplains or their successors in perpetuity, during the previous year, namely so that he voluntarily performed or neglected that which was enjoined per his ordination in the said form, and thus that he committed negligences of seven faults, [then] unless he has a reasonable excuse, the faults should be examined by the prioress, subprioress, sacristy,
cellarer, and parish chaplain of the church of St. Helen’s, their successors, or three of the said five persons…

Mention of family and household members is kept to a minimum. Indeed, the only people identified as blood kin in the will are his wife Agnes and son Adam Jr. Both Agnes and Adam receive properties in specific neighborhoods; the directions for their bequests cover about one-eighth of the full text. Moreover, of the five executors named, none are blood kin. Fraunceys’s wife, Agnes, is not included as an appointee to the executorship, which is unusual among the London testators with surviving spouses.

Those whom Fraunceys did name as executors were John Pyel, William de Halden, Gilbert Champneys, John Fourney, and John Ussher. Pyel was also a mercer and wealthy merchant with extensive real estate holdings and, of the five executors, is the one for whom the most biographical information is available. Relatively less information is known about the remaining executors, but Halden and Fourneys were both associates with Fraunceys in his land acquisitions. Both Halden and Fourneys are named along with Fraunceys as purchasers of the remainder of a twenty-year lease on tenements in Bearbinder Land and St. Swithin’s Lane in St. Mary Wolnoth parish, and Halden, along with Fraunceys and a third individual, John Maryns, acquired a number of houses, shops and gardens formerly owned by vintner John Osekyn and his

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620 “… dicti uero capellani et eorum uterque et successores sui imperpetuum singulis annis per predictum decanum, et si ipse absens fuerit, tunc per eius uicarius, et uacante decanatum per presidentem capituli supradicta infra tres dies proximos post festum Sancti Michaelis uisitentur; et si in aliquo dictorum capellanorum aut successorum suorum imperpetuum septem defectus notorii per ipsum anno, tunc preterito perpetrati inueniantur, ita uidelicet quod ipso omiserit uel facere neglenter voluntarie id quod eidem in forma predicta fuerit per istam ordinacionem iuninctum et sic per huissusmodi omissionem uel negligenciam septem defectus in anno precedentii commiserit nisi inde rationabilem habuerit excusacionem, et sic defectus per priorissam supriorissam sacristam celerarum et capellanum parochialium ecclesie Sancte Elene supradictae successores suos uel per tres dictarum quinque personarum legitimi presentem et quomuis in forma predicta non uisissent tum dictorum capellanorum aut successorum suorum huissusmodi septem defectus quos infra spatium unius anni voluntarie commiserit et defectus illi extuac huissusmodi usitacionem per predictos priorissam, supriorissam, sacristam, celerar, et capellanum parochialium qui pro tempore fuerit uel per tres dictarum quinque personarum…” Annals of St. Helen’s, Bishopsgate, 366.

621 Stephen O’Connor’s edition of Adam Fraunceys’s and John Pyel’s cartularies offers a concise but detailed biographical sketch of Pyel’s background. See S.J. O’Connor, Cartularies, 22-36 for biographical information on Pyel.
wife in Lombard Street, Bearbinder Lane, and St. Ethelburga parish, Bishopsgate. William Halden is identified as an alderman along with Fraunceys in an entry dated 16 November 1369 for the Assize of Nuisance. He apparently also served as city recorder and was noted as a Sussex gentleman. As O’Connor notes, Halden was an individual of standing in both London and Sussex county. In London, he served as an alderman and recorder of London during the period 1365-76. In Sussex, he acquired his own estate, served an appointment as justice of the peace, and was feoffee for another member of the local gentry, Sir Andrew Sackville. Halden apparently knew Pyel well, the two having served together in various hearings of assize of nuisance, Halden as recorder and alderman and Pyel as alderman, mayor, and sheriff; on at least one occasion, the two served together as aldermen. Almost no information is available for Champneys, Fourney, and Ussher, although records for Wellingborough parish, Northamptonshire, indicate that a Gilbert Champneys bequeathed money to Wellingborough, possibly for repairs to the bridge there. A John Ussher is also named as a chamberlain of London in 1378.

Fraunceys owned extensive property holdings in areas outside London as well as in the city itself, but his holdings suggest strong loyalty to the city and its immediate region. His purchases, when outside the city’s boundaries, tended to be in north Middlesex and southwestern

622 For the Husting Court deed documenting Fraunceys’s, Halden’s, and Fourneys’s joint purchase of the tenements in St. Mary Wolnoth parish, see HR 100/6; cited in S.J. O’Connor, Cartularies, 61, footnote 135. For the record of Fraunceys’s, Haldens’s, and Maryns’s purchase of Osekyn’s properties in St. Ethelburga’s, Bishopsgate, see Husting Roll 96, no. 170.


625 C.M. Barron, London in the Later Middle Ages, 361.
The core of Fraunceys’s real estate holdings, however, focused on London itself, and, moreover, on specific areas of the city, namely Cheap, Bishopsgate, Broad Street, and Cornhill, and especially, the parishes of St. Lawrence Jewry and St. Mildred within the areas of Cheapside and Poultry. O’Connor identifies three specific clusters of properties under Frauncey’s ownership. The first was the neighborhood of St. Lawrence Lane, Milk Street, and Soper Lane; the second was concentrated in Poultry, and the third consisted of properties located east of Poultry on Lombard Street, Bearbinder Lane, St. Swithin’s Lane, and on Walbrook and Candlewick Streets in the parishes of St. Ethelburga and St. Christopher.

Frauncey’s inclination to hold property in Cheapside makes sense in light of the area’s importance as London’s commercial hub and its close ties with mercery-related crafts, as well as with mercers themselves. John Stowe noted that in the area of south Cheap ward from the Conduit running up to Cordwainer Street were “many faire and large houses, for the most part possessed of Mercers…” On the north side of Cheap Street resided St. Thomas of Acon hospital, which shared close connections with the Mercers. The same area eventually became the site of the Mercers Hall. Fraunceys’s apparent preference in clustering his properties is also understandable, as doing so would make the task of supervising and maintaining the properties more manageable. O’Connor argues that commercial interests may have played a part in Fraunceys’s strategy of real-estate acquisition. Property values in Cheapside were high: Fraunceys and a colleague, John Osekyn, agreed to pay Anna Leyre, widow of William, son of Fraunceys’s associate William Leyre, a lifetime payment of £18 13s 4d per annum in return for

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626 S.J. O’Connor, Cartularies, 48 ff. As O’Connor describes, Fraunceys acquired holdings in Hackney Wick, Old Ford, Stepney, then across to West Ham and Leyton, and eventually including Enfield and Edmonton, the latter of which became the center upon which his principal holdings were concentrated. Fraunceys did own or have interests in lands elsewhere, however, including interests in Pyel’s holdings in Northamptonshire and his own, either outright purchases or leases, in Kent, Middlesex, and Bedfordshire; S.J. O’Connor, Cartularies, 54-56.

627 S.J. O’Connor, Cartularies, 58.

628 Ibid., 60-61.


630 John Stowe, ibid., I:269-70.

631 S.J. O’Connor, Cartularies, 60.
the reversion of her husband’s properties.\textsuperscript{632} Such a payment was unusually high and therefore suggests the significant value attached to the area and to the properties.\textsuperscript{633}

Given the extensive real estate holdings in Fraunceys’s possession at the time of the composition of his cartulary c. 1362-63, the Hustig Court will and the properties disposed of in it, appear all the more brief, especially given recognition of the numerous properties that were not mentioned or dealt with in the will. One may argue, then, that the properties disposed of here reflect a conscious intent on Fraunceys’s part as to their utility and purpose. Indeed, the properties here, their recipients, their manner of disposal, and the application of revenue generated, strongly suggest that Fraunceys intended them, and the will itself, as instruments to further a program of piety and charity, as the means to advance his own character with these qualities, as well as to reiterate and confirm his affiliation and ties as a member of the Mercers, and to the city itself.

The recipient of the single largest parcel of properties and interests in properties was the church of St. Helen’s, Bishopsgate: Fraunceys gave to the prioress and convent £8 from the annuity and quitrent of the lands and rents in the parishes of St. Martin Oteswich, St. Elena, St. Alburge, and St. Peter Bread Street in Bishopsgate, and Bread Street wards; Fraunceys’s shops and appurtenances in Sopers Lane; and all of his lands and tenements which he and John Camtebrigge acquired from Thomas de Ecton, rector, in “Moggeselstrete” within Cripplegate.\textsuperscript{634} The said bequests fulfilled a significant and immediate function: to fund a number of chantries and services, both for himself and for others for which he had been charged previously by other testators who had given him responsibility for maintaining the chantries and memorials.

\textsuperscript{632} It is not clear whether John Osekin was related to the family of Roger Osekin, one of the founders and first wardens of the Fraternity of St. Antonin, created by twenty-one pepperers of Sopers Lane in 1345. The Osekins could trace ownership of property in the city to the time of John Osekin, grandfather of Roger; John died in 1298. See P. Nightingale, \textit{Medieval Mercantile Community}, 181-82. For further information on the Fraternity of St. Antonin and the context surrounding its creation, see \textit{ibid.}, 176-85.

\textsuperscript{633} S.J. O’Connor, \textit{Cartularies}, 60-61.

Fraunceys’s bequests to his wife, Agnes, and son, Adam Jr., speak to his connections and identity as a mercer of the city. Both Agnes and Adam Jr. received properties in neighborhoods with strong ties to the Mercery: Adam Jr. and his wife, Margaret, received a tenement with dwellings built upon it. These included shops, solars, and appurtenances in the parish of St. Lawrence Old Jewry, a neighborhood with long-standing and close ties to the Mercers, as Stowe affirms in his Survey. Fraunceys’s wife, Agnes, received, for the term of her life, all of his tenements in St. Mildred Poultry, as well as his whole tenement which John de Metford held of the elder Adam in St. Mary Magdalen, West Cheap. Following her death, the properties would revert to Adam Jr. This disposition of Fraunceys’s tenements was in accordance with Agnes’s right to her dower as Frauncey’s widow.

These properties ultimately furthered the program of piety, charity, and civic service that Fraunceys envisioned. According to the directions provided in the Husting Court will, following Agnes’s life use of the properties bequeathed to her and their subsequent reversion to Adam Jr., and should the same Adam die without issue, the properties would revert to Fraunceys’s daughter Matilda. Should Matilda also pass away without issue, Fraunceys directed his executors to sell the tenements and rents, with the advice of the city’s mayor and recorder, and apply the proceeds towards, among other things, the celebration of masses, refreshment for the poor, marriages of maidens, deliverance of debtors in prison, repair of bridges and hazard-ridden paths, and other works of charity. Fraunceys’s bequests in the will had long-lasting effects in


636 For Cox’s transcription of Adam Sr.’s bequests to his wife Agnes and son Adam Jr., see Annals of St. Helen’s Bishopsgate, London, ed. J. E. Cox (London: Tinsley Bros., 1876), Appendix, 375. Adam Jr. also received the reversion of quit-rents of a cluster of frontage properties on All Hallows Honey Lane, Cheapside from Adam Sr. The elder Fraunceys granted the properties to Katharine de Bovyndon, widow of his colleague John de Bovyndon, for life, following which they would revert to Adam Jr. For further context on the All Hallows Honey Lane properties, see D.J. Keene and V. Harding, Historical Gazetteer of London Before the Great Fire, Cheapside: Parishes of All Hallows Honey Lane, St. Martin Pomary, St. Mary le Bow, St. Mary Colechurch and St. Pancras Soper Lane (London: Centre for Metropolitan History, 1987), 10-15.

at least one case: his name was still preserved on the wall of St. Helen’s church when Stowe composed his account approximately 200 years later.  

John Northampton: Mayor in a Time of Civic Unrest

By John Northampton’s time (—1398), towards the very end of Fraunceys’s career and life, the political and commercial atmosphere in the city had become strained in a way that it had not been twenty years earlier. Tensions were well on the rise between several of the most prominent mercantile groups in the city regarding commercial and political interests, particularly between citizens and the unenfranchised, and between domestic and alien merchants. The same tensions would come to a head during Northampton’s career, and he would play a critical role in its denouement.

Like Adam Fraunceys, relatively little is known about John Northampton’s origins and early life. Though he went by Northampton or Norhampton, his family’s surname was Comberton or Cumberton; he used both surnames, but his family primarily used the latter.  His Husting Court will indicates that he had two brothers, William, a skinner, and Robert. Ruth Bird surmises that William may be the same individual noted twice in the Plea and Memoranda rolls, first in 1365 for unlawfully combining old and new fur, and a second time in 1371 for resisting tax collectors and creating a disturbance in front of the mayor’s house. Robert, who

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638 John Stowe, Survey of London, I:172. Stowe also notes that Peter Fanelour, Fraunceys, and Henry Frowike granted a messuage in St. Foster parish to William Brampton, custos of a chantry founded in the chapel of St. Mary Magdalen and All Saints; see ibid., I:273.


641 Calendar of Plea and Memoranda Rolls 1364-81, pp. 15, 134.
may have held the honorific of esquire in the city, is noted in John’s will as an executor. In one of the inquisitions transcribed at John’s trial in 1386, *Coram Rege* roll 507, Robert was noted as having attempted to come to his brother John’s aid “by force and with arms, namely with baselards and daggers drawn.”

John’s Hustings Court will identifies his parents as James and Mariota, and he names one son, Jacob. Besides his own conjugal household and his aforementioned brothers Robert and William, he makes bequests to a number of nieces and nephews, namely William’s children Joan, Petronilla, Agnes, William, and John, the Carthusian Order in the vicinity of London, household servants, and friends and associates, among others.

John Northampton rose to prominence in the city’s political sphere as tensions between enfranchised and alien merchants were escalating over the king’s conferral of privileges in the cloth trade, particularly as the privileges governed wool imports and exports. The mid-fourteenth-century plague, consequent demographic shrinkage, concomitant wage inflation, and simultaneous decrease in the demand for food, all of which, in turn, depleted property owners’ incomes, also strengthened the spending power of artisans and peasants and created shifts in the sources and directions of demand. At the same time, English wool became more competitive abroad and thus attracted interest in greater investment in its output. In the 1350s, wool exports began to rise, along with greater production by the country’s mints.

The combination of the above-mentioned factors contributed to the growth of the English cloth trade and stimulated growth in employment and hence immigration to towns. London was certainly not exempt from such growth. The king’s institution of the statute of 1353, which forbade English merchants from exporting wool, together with the suspension of the city’s franchise, essentially shut out English merchants from the wool trade for the next twenty-six

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years. The exclusion of enfranchised merchants opened the way for alien merchants to expand their presence and leverage in the oversea trade; they were further aided by the fact that the statute of 1353 reaffirmed all of the privileges that the alien merchants had been granted in the *Carta Mercatoria*. 645

The restructuring that London thus underwent allowed for its greater integration into the national economy. 646 The suspension of English merchants’ privilege in exporting wool in the city also encouraged wool dealers from the provinces to come to London and sell their wool directly to alien exporters, rather than being forced to sell the wool to the citizens. The availability of this option to make more direct sales and eliminate the profit that Londoners formerly would have gained as middlemen proved attractive for trade merchants outside the city, and so drew the main import/export mercantile traffic to London itself, further stimulating its growth and paving the way for “London’s later extraordinary growth” and greater share in the country’s wealth as a whole. 647 At the same time, however, the city’s growth came at the expense of the enfranchised merchants, as it gave alien merchants a more advantageous position in their commercial dealings. In sum, the enactment of several measures in the 1350s played a key role in destabilizing the London wool merchants’ position in the wool trade and cloth trade. First, the statute of 1353 disallowed English merchants from exporting wool and also discontinued the oversea staple at Bruges in favor of home staples, along with new systems by which merchants were to record their debts. Second, the confirmation of all privileges earlier granted to alien merchants by the *Carta Mercatoria*, including freedom to trade and legal protection to do so, exemption from tolls, and a fixed rate of duty to be paid by the alien traders, promoted commercial traffic in London and also stimulated its demographic growth due to a greater influx of immigrants. It did so, however, largely at the cost of Londoners, as the same measures eliminated London citizens’ rights in trade and thus cut their profits. 648

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648 P. Nightingale, *Medieval Mercantile Community*, 206. As T.H. Lloyd explains, the *Carta Mercatoria*, originally granted by Edward I to alien merchants in February 1303, constituted an agreement from the aliens to pay an
The events of the 1350s lay the groundwork for a general atmosphere of wariness and apprehension among the city’s misteries, particularly those with ties to the cloth trade. In 1365, a number of the wealthier crafts either appealed to the Crown for support, as did the tapissers, weavers, and cutlers, or purchased letters patent from the king himself, authorizing the mistery in question to elect and install reputable individual members to oversee the mistery and ensure good governance and honesty in all of the mistery’s operations; the vintners, drapers, and fishmongers were among the select few misteries to successfully obtain a letter patent. Such measures attempted to address and maintain a sense of control among each mistery’s membership. The wide-ranging fear of strong competition from alien merchants, however, began to manifest itself in the form of conflicts between trades involved in the cloth industry.

The drapers, in particular, made strong bids to bring the cloth trade under their control, but to little avail. Their attempt to assert control over the weavers and fullers, for instance, was largely futile, and John Northampton’s own involvement in the struggle between the crafts began around this time. John was appointed as an “upholder” or overseer of the drapers’ mistery in 1361, and he and his colleague, William Essex, were at the forefront of the drapers’ bid to assert control over the fullers. Their success was sharply curbed, however, by the mayor and aldermen’s decision to grant the fullers and weavers the privilege to elect their own overseers, or additional duty of 3s 4d per sack of wool, along with the “ancient” existing custom of 6s 8d which was already required of both citizens and aliens; in return, the king guaranteed the aliens a guarantee of their rights (see T. H. Lloyd, *The English Wool Trade in the Middle Ages* (Cambridge: Cambridge University Press, 1977), 124). Lloyd also notes that, though the reason for ending the staple at Bruges in 1352 and setting up domestic staples instead is clear, namely that mariners at Flanders planned attacks by sea upon the English king and nation “until they [the mariners] recover the damages which they pretend they have received from the king’s subjects,” the greater mystery is why English denizens were also barred from the export trade. Lloyd opposes George Unwin’s argument that the disallowal of English citizens was a strategic move by the king to break the long-standing monopoly by English merchants in Bruges and allow wool growers and small dealers to access foreign capital more freely; the king himself would also benefit from a three-year subsidy in wool, as well as a higher export tax rate paid by aliens. Lloyd argues that no evidence exists to confirm the existence of a monopoly system into the 1350s, and that fifteen years, the time interval that Unwin argued was the duration of the monopoly, was too long a period to which the antecedents of the staple ordinance reasonably could be traced (see T. H. Lloyd, *ibid.*, 205ff). For a more extensive discussion of the relationship between the alien merchants of England and Edward III and Richard II in the 1300s, see A. Beardwood, “Alien Merchants and the English Crown in the Later Fourteenth Century,” *Economic History Review* 2 (1930): 229-60.

surveyors, for their ability to do so, as Nightingale affirms, enabled them to act as misteries in their own right.\footnote{P. Nightingale, \textit{Medieval Mercantile Community}, 224.}

The turning point in the ongoing struggle between the crown and the crafts of London which were involved in the import and export of wool reached a critical point when Edward III, preparing to declare war in pursuit of his claim to France’s crown, announced on 11 June 1369 that the wool staple at Calais would be abolished and that London’s citizens were, once again, banned from exporting wool.\footnote{P. Nightingale, \textit{ibid.}, 227; Letter Book G, 248; T.H. Lloyd, \textit{History of the English Wool Trade}, 216-17.} The two actions, yet again, favored alien merchants, particularly Italians, over the city’s own trading interests. For at least a few merchants, such as the aldermen John Pecche, Adam de Bury, and the mercer, John Pyel, England’s renewal of war with France meant new opportunities to profit by way of serving the Crown.\footnote{P. Nightingale, \textit{ibid.}, 228.} For many other members of the city’s prominent crafts who were involved in wool exports, however, including the grocers, fishmongers, drapers, mercers, skinners, and vintners, the prospect of war would be a blow to their business activities, especially as the Calais Staple had been advantageous for them.

The strong opposition and renewed sense of apprehension that Edward III’s announcements thus evoked among a number of merchant groups soon gave rise to the emergence of two key political factions, headed by a grocer, Nicholas Brembre, on the one hand, and John Northampton, on the other. Nicholas had been responsible for the single greatest number of wool exports in 1365-66: he had sent out 1,432 sacks, nearly nine percent of the total number of sacks exported in the twelve-month period following Michaelmas 1365.\footnote{T.H. Lloyd, \textit{English Wool Trade in the Middle Ages}, 250-51. Lloyd estimates the total export at over 16,000 sacks.} Sources suggest that others recognized in Brembre a certain strength of character and integrity: two prominent individuals of the city, namely the wealthy vintner Thomas Stodey, Brembre’s father-in-law, and the mercer, John Pyel, each appointed Pyel as guardian of their own children in their
wills. Brembre, along with other powerful and well-connected grocers like John Aubrey, William Barrett, and Fulk Horwood, came to represent the interests of merchants who sought to build their presence and strength in key political positions, particularly at the Court of Aldermen. Their prominence became a means of compelling the king to adjust his commercial policies more towards the interests of the merchants who were particularly anxious about the abolition of the Calais Staple.

Other groups of merchants were more anxious about the loss of the city’s franchise and the consequently greater threat of competition posed by alien merchants. John Northampton, along with his colleague, William Essex, and two mercers, John More and Richard Norbury, emerged as the representative voices of this contingent. George Unwin characterized Northampton as “one of the most striking personalities in London history,” following the lead of Thomas Walsingham, who supported a view of Northampton as:

… a man… of unflinching purpose and great astuteness, elated by his wealth, and so proud that he could neither get on with his inferiors nor be deterred by the suggestions or warnings of his superiors from striving to carry out his drastic ideas to the bitter end.

The group, likely with the influence of Northampton, Norbury, Essex, and More, presented two petitions to the meeting of the Commons in February 1371. The first was an objection to the

654 See Pyel’s will in S.J. O’Connor, Cartularies, 31-2; Pyel makes specific reference to Brembre’s character, noting “son loiautee de fooy devant touz autres”; also noted in P. Nightingale, op. cit., 231. For Stodey’s will, see C. Rawcliffé, “Margaret Stodeye, Lady Philipot (d. 1431),” 88.
655 P. Nightingale, ibid., 232. See also Letter Book G, 263-64.
656 See R. Bird, Turbulent London, 9, and P. Nightingale, ibid., 232. Northampton’s history in owning and leasing properties in the city was closely linked with these three individuals. Northampton bought a shop in St. Mary Bow parish, Cordwainer Street Ward, from Norbury, and he held a twenty-year lease on a corner shop in Cordwainer Street, also in St. Mary Bow parish, from William Essex. Essex, More, and Thomas Baret, possibly an apprentice of Northampton, held lands and tenements in Pentecost Lane, St. Nicholas Shambles, from John and his wife, Petronilla, from 30 November 1375 to 12 February 1376. For the transaction concerning the shop in St. Mary Bow parish, see Husting Roll 100/21; for the lease of the corner shop in Cordwainer Street, see Husting Roll 108, no. 46 and Roll 109, no. 2; for the documents concerning the Northamptons’ lease to Essex, More, and Baret, see Husting Roll 103, no. 283 and Roll 104, no. 20.
aliens and the leverage they had, to the detriment of the city’s denizens, in the wool trade, and the second appealed for the reinstatement of the borough franchises as a measure to restore falling populations in towns and the declining strength of the navy. A protracted struggle ensued between the Crown and major cities of the realm, particularly London, but also including others such as Norwich, Yarmouth and Southampton. The unrest involved a number of mercantile groups, especially the fishmongers, mercers, drapers, grocers, and vintners, all connected by way of involvement as wool shippers. The various anxieties and apprehension fueled by the conflict between the alien and denizen merchants and the Crown’s fluctuation in support and pursuit of its own political objectives, often inclining towards the aliens at the expense of the enfranchised merchants, and exacting payments from both to fund wars abroad, gave rise to mounting unrest that soon spread to city streets. Northampton’s name, as well as those of the other leaders of his mercantile faction, was soon and frequently associated with violent disturbances. In May 1371, 45 Edward III, Northampton, William Essex, John More, and nine other Londoners were imprisoned in the Tower of London. They were released that August upon payment of £200 as surety and on condition that they would not organize any assemblies or similar gatherings. Northampton himself was singled out as particularly troublesome, as he was identified as the group’s ringleader.

By 1374, the grocers were taking definite steps to establish a greater presence in the Court of Aldermen; in this, they were assisted by the drapers, as well as fishmongers. Northampton was appointed alderman of Cordwainer ward, likely with the help of the grocers on Sopers Lane. At this time, as well, the drapers shifted their fraternity to St. Mary Bow church. Northampton’s involvement in both city governance and unrest continued to grow. From 28 April to 6 July 1376, the mayor, John Warde, recorder, sheriffs, nine aldermen, and commoners from forty-one mysteries assembled at what became known as the “Good”


Parliament. Northampton served as an advisor, along with four other aldermen and eight commoners, of whom five were supporters of Northampton. The council’s objective was to resolve grievances raised by a petition from the Common Serjeant on behalf of the city, namely that, first, recent disorderly behavior from certain persons, those who had already been convicted in parliament and those who were under suspicion, had caused the most recent parliament to attach appellations of slander against the city; and second, that the mayor and aldermen had lately managed the city chiefly towards their own interests.

The mayor, aldermen, and commonalty of London proposed a petition to forbid alien merchants to sell by retail, to sell to other aliens, to keep inns, or to act as brokers. This petition would signal the crux of the struggle between Brembre’s and Northampton’s respective groups, as Bird notes. The city’s petition encapsulated the policy which Northampton opposed and which, at the same time, Brembre and other victuallers, especially the fishmongers, strongly supported.

Northampton proved himself a strong and determined leader; though he enjoyed popular support, his major challenge was attracting sufficient support among the aldermen or Common Council to carry his group’s interests. He chose to appeal to the Crown itself by way of John, Duke of Lancaster, in the form of a petition from the Common Council. The king’s response of 29 July, essentially warning the city that he would discuss London’s governance in council in September and that the city’s failure to quiet any dissension in the meantime would result in forfeiture of their self-government, prompted the city’s supporters of the staple, particularly the grocers, to reconcile with Northampton and forestall the king’s threat. The mayor, John Ward, agreed to the petition’s demand that the Common Council was henceforth to be elected by misteries, rather than wards.

664 R. Bird, *ibid.*, 22. Unwin characterizes the interests of the victuallers in even simpler terms, stating that their primary aim was to exercise control over the lines of food supply; see G. Unwin, *Guilds and Companies*, 134.
In July 1376, the Crown announced the reestablishment of the Calais Staple, but remained silent on the question of the restoration of the city’s franchise, despite the acquiescence it had signaled earlier to the city’s petition. In response, Northampton and Essex organized a political caucus in the Common Council. By September 1377, John Ward personally selected Northampton as one of the city’s new sheriffs. The influence exercised by Northampton and his group continued to grow, attracting the support even of John of Gaunt, the Duke of Lancaster, as well as concessions from the grocers, though Northampton still fell short of a majority on the Court of Aldermen.

Gaunt’s involvement, however, may be attributed as a factor in weakening support for Northampton’s group. Gaunt issued a charter of *Inspeximus*, ordering that aldermen would cease office each year on 12 March, St. Gregory’s Day, and that they could not seek re-election. Gaunt’s order and general policies towards London were perceived by many in the city as arrogant and as a move to take the city under the Crown’s power, and Northampton took significant blame for Gaunt’s move. Brembre took swift action in regaining support for his own faction of staplers. On 4 December 1377 the Crown issued a new charter reconfirming the city’s earlier franchises and giving denizens greater leverage over alien merchants in residence and in trade activities. Brembre himself served as mayor in 1377. Northampton and Brembre, however, continued to struggle, and as Nightingale argues, the conflict had, by now, turned personal, into a “conflict of two proud and masterful personalities,” with the influence of John of Gaunt as a third party to the contention. Their struggle continued through the popular uprising in June 1381. By October of that year, Northampton was elected as mayor of London, in a bid to quell further unrest and to protect the city’s interests against John of Gaunt’s apparent inclination towards overtaking the city’s government and installing martial rule. The initial period of Northampton’s tenure saw a lessening of the brewing tensions, and Northampton often


669 P. Nightingale, *ibid.*, 256.
appealed to issues popular to the general community. He never succeeded in winning over the Court of Aldermen, however, and though he served a second term in 1382, others increasingly perceived his movements in the city’s administration as manipulative and ultimately self-serving. His strong reforms, as well, stirred up opposition. Brembre regained the mayoralty the following year, although not without some show of force, according to at least one source.

Northampton continued to strive to regain support, and in 1384, he appeared in Cheapside with a group of 500 followers. Brembre, assuming that the appearance was an instance of revolt, had Northampton arrested and tried at Reading before the king on a charge of treason; his former secretary and friend, Thomas Usk, provided the main body of evidence in his “Appeal.” At the trial, Northampton received an initial sentence of death; the queen successfully pleaded for clemency on Northampton’s behalf, and a second trial was held in London. Northampton was condemned to death a second time, and again, his sentence was commuted, this time to life imprisonment in Tintangel Castle. His longtime supporters, More, Norbury, and Essex, went through a similar sequence of arrest, trial, conviction, and imprisonment in other castles. Northampton was eventually released in 1387, while More, Essex, and Norbury were released in 1386, all with the condition that they were to stay at least eighty miles away from London.

The tone and content of Northampton’s will conveys a portrait of an individual who acknowledges family, professional colleagues, and friends in a conscientious manner and in full conformity with London law. Traces of his history with the divisive political atmosphere of the 1360s through the 1380s or of his personality, as a man described by Usk as prone to “malice”

and capable of “fals purposyng & ymaginations of destruction,” are virtually undetectable.\(^{675}\)

The absence of such history and character traits may well be attributed to the will’s adherence to the Hustling Court’s general formula, which would leave reason for the provision of such context or expression of character on such a specific level, especially if it would not be of utility to the testator.

Northampton owned a sizable amount of real estate by the time he composed his will. Properties under his ownership included the following, as determined by Ruth Bird\(^ {676}\):

**Figure 4.1 London Properties Under John Northampton’s Ownership**

<table>
<thead>
<tr>
<th>Ward and Parish</th>
<th>Type of Property</th>
<th>Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>St. Andrew within Newgate</td>
<td>Unspec.</td>
<td>[Owned]</td>
</tr>
<tr>
<td>Castle Baynard: Old Fish Market</td>
<td>Unspec.</td>
<td>[Owned]</td>
</tr>
<tr>
<td>Cordwainer Street: St. Mary Bow</td>
<td>Shop and warehouse</td>
<td>Rented, then owned (bought from Richard Norbury)</td>
</tr>
<tr>
<td>Cordwainer Street: St. Mary Bow</td>
<td>Corner shop</td>
<td>Leased (20 years) from Wm Essex</td>
</tr>
<tr>
<td>Cordwainer Street: St. Mary Bow</td>
<td>Two messuages, three shops</td>
<td>Leased (40 years) from Dartford prioress and convent</td>
</tr>
<tr>
<td>Dowgate: called “Northampton’s Inn with the Broad Gates,” near Steelyard by Heywharf</td>
<td>Corner shop</td>
<td>Owned</td>
</tr>
<tr>
<td>Dowgate: Wendegooslane, Ropery</td>
<td>Dychouse and two tenements</td>
<td>Owned</td>
</tr>
<tr>
<td>Dowgate: Cosyn Lane, Ropery</td>
<td>Tenement and two mansion houses</td>
<td>Owned</td>
</tr>
<tr>
<td>Dowgate: All Hallows at the Hay, Ropery</td>
<td>Lands and tenements</td>
<td>Owned</td>
</tr>
<tr>
<td>Dowgate</td>
<td>Lands, tenement houses and shops, quay</td>
<td>Owned (formerly owned by Bartholomew Frestlyng)</td>
</tr>
</tbody>
</table>

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\(^{675}\) For Usk’s description, see Usk’s “Appeal,” in R.W. Chambers and M. Daunt, *ibid.*, 27.

\(^{676}\) For Bird’s discussion of the properties listed in this table, see R. Bird, *Turbulent London*, 9-11.
<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
<th>Ownership</th>
</tr>
</thead>
<tbody>
<tr>
<td>Farringdon Within: St. Nicholas Flesh-Shambles</td>
<td>Unspec.</td>
<td>[Owned]</td>
</tr>
<tr>
<td>Farringdon Within: St. Ewin’s</td>
<td>Unspec.</td>
<td>[Owned]</td>
</tr>
<tr>
<td>St. Nicholas Shambles: Pentecost Lane</td>
<td>Lands and tenements</td>
<td>Owned; leased to Wm Essex, Jn More, Tho Baret</td>
</tr>
<tr>
<td>West Cheap: St. Martin, Ironmonger Lane</td>
<td>Unspec.</td>
<td>[Owned]</td>
</tr>
</tbody>
</table>

Northampton’s property interests, either whole or part, were not limited to those listed here. In addition to his London holdings, he had properties in Beverly, Yorkshire and the Manor of Shoreditch, which formerly had been under the ownership of John, Lord Nevill. The distribution of property ownership listed above, however, is, in itself, suggestive of Northampton’s investment in specific wards within the city. His evident concentration on the wards of Cordwainer Street and Dowgate are particularly interesting, as Northampton had served as alderman for both wards, first for Cordwainer Street (1375-77), and later for Dowgate (1382-83). Most of the property on Cordwainer Street was originally that of his second wife, Petronilla, whom he married some time after 1371 and before 1375.

Bird briefly considers the possibility that an aspirant to the office of alderman would need to own a significant amount of real property in the ward, and she suggests that Northampton’s acquisition of so much property in Dowgate just before his appointment to the office might have been connected to his aspirations to the position. Bird’s suggestion seems feasible, given that Northampton purchased the properties in the Ropery, Dowgate ward during the spring seasons of 1380-1 and 1381-2, immediately preceding his tenure as alderman of Dowgate. His purchase, moreover, of the property formerly belonging to Bartholomew Frestlyng, alderman of the ward

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677 R. Bird, *ibid.*, 11.


679 His first wife, Johanna, was still alive in 1371, as she is mentioned in a property document concerning the purchase of the shop in St. Mary Bow; see Husting Roll 100, no. 21. See R. Bird, *Turbulent London*, 8.

starting 11 July 1352 and possibly still serving in 6 March 1377, makes possible an association with an individual with direct ties to the office.\textsuperscript{681}

Northampton requests burial before the altar of St. John Baptist, in St. Mary within Cripplegate, the hospital that William Elsing, mercer, had established in 1331. Elsing’s original purpose for the hospital had been to provide accommodation for 100 blind paupers who lacked refuge.\textsuperscript{682} Northampton’s choice of burial site does not have any overt or immediately obvious connections to the drapers, as one might expect. Indeed, the hospital’s most immediate association to any trade would be to the mercers, thanks to Elsing’s own career and to his status as brother of Richard Elsing, also a prominent mercer, whose estate in Soper Lane, the Mercery’s main thoroughfare in the first part of the 1300s, would eventually serve as the foundational endowment of the hospital.\textsuperscript{683} Elsing Spital’s own ties to the Mercery were maintained in a constant manner: the company paid alms to Ralph Elsing, possibly a descendant, from 1416 to 1420, and several prominent mercers, such as Dick Whittington and John Woodcock, gave small sums as bequests to the hospital.\textsuperscript{684}

Why, then, would Northampton choose an institution more closely associated with mercers than with his own trade or the wards which he had served or had connections with? One possibility rests in the hospital’s relatively muted ties to any particular trade, even the mercers, and its apparent lack, in general, of association with the more recent social and political unrest that Northampton had experienced in his lifetime. His choice of recipients for his other real estate holdings might be understood in this manner as well, as his will reveals an inclination to give the properties most clearly associated with his political career as alderman to organizations

\textsuperscript{681} R. Bird, \textit{ibid.} Frestlyng represented the mistery of grocers at the Guildhall in 1351; see \textit{Letter Book F}, 238. He also served as sheriff of the city; see \textit{Letter Book F}, 268, 286. For mention of Frestlyng in the city’s records more generally, see \textit{Letter Book H}, 14, 36, 40-41, 46-47, 54, 59, 94.

\textsuperscript{682} \textit{The Victoria History of London, including within the Bars, Westminster and Southwark}, ed. W. Page (London, 1909), 535-37.

\textsuperscript{683} A.F. Sutton, \textit{Mercery of London}, 82, 530.

\textsuperscript{684} A.F. Sutton, \textit{ibid.}, 530.
that were free of any particular associations with any of the parties or interests that proved divisive in his career.

Northampton bequeaths to Elsing Spital the entirety of his properties in the Ropery, in the parish of All Hallows at the Hay, Dowgate ward, one of the parcels of property which he had acquired just prior to his appointment as alderman of the ward. He uses the properties to establish and maintain a series of services for the benefit of his soul, that of his wives, his children, parents, those “who I am bound to,” and other Christians, generally, the latter, in particular, conforming to the typical formula in many of the wills in the Husting and Commissary Courts. Northampton gives another parcel of real estate in Dowgate, his property later known as “Northampton’s Inn with the Broad Gates,” to the prioress, nuns, and church of Holy Trinity, Chesthunt, Hertfordshire, along with a corner shop in St. Mary Bow. That Northampton chooses to give a number of properties most immediately linked to his public career as alderman and as mayor, as was the case with his dual appointments between 1381 and 1383, to ecclesiastical institutions with subtle ties, if any, or indeed at all, to the city’s political or social history, suggests a more pressing concern for his spiritual welfare and less concern or, perhaps, desire to emphasize his role in London’s political events within the past few decades.

The only other recipient of Northampton’s real estate, as named in his Husting and Commissary Court wills, is his son, Jacob. Jacob receives all of John’s lands, tenements, and rents in “Pentecostes Lane” in the parish of St. Nicholas at Flesh-Shambles, along with the property called “Le Hood” in All Saints at Hay in the Ropery. In the event that Jacob should die without heirs, the properties in St. Nicholas Flesh-Shambles will revert to the house of the Carthusian Order in London, and the property in All Saints at Hay will revert to William Comberton, John’s nephew and the son of John’s brother, William. In short, the properties named will stay within Northampton’s immediate family circle in the first instance and in full accordance with London law; the secondary bequest, in the event that Jacob has no subsequent heirs, ensures that the properties either stay within Northampton’s next most immediate line of kin through the male line, in the case of the property in the Ropery, or it will devolve to the church of the Holy Trinity in Hertfordshire in “pure and perpetual alms,” per Northampton’s will.

In all, the two primary beneficiaries of real estate in Northampton’s will are his immediate heir, his son Jacob, and the church of the Holy Trinity in Hertfordshire. Others
mentioned are household members, including Northampton’s sons Jacob and Andrew, Andrew’s wife, Petronilla, nephew and nieces, servants, and brother Robert Comberton. The identity of one of his executors, Simon Stratford, is somewhat unclear, but he is identified as a draper; the other, however, Robert Comberton, is his brother.

Besides the bequests themselves, the emphasis and personalized nature of the requests Northampton makes regarding spiritual services for himself and his closest family and associates are of particular interest. Northampton’s will contains a number of requests which suggest that he hoped to preserve his memory in a public manner. Most wills include a clause requesting that their sponsored church perform services “pro anima mea et animabus patris et matris meorum…,” etc. Somewhat less common, but still not unusual, are instructions to celebrate the anniversary of the testator’s death every year. Northampton does both, but with particular emphasis, and requests additional measures besides: he makes about six separate requests to perform actions “pro anima mea,” including services at Elsyng Spital, provisions for paupers, women, and hospital inmates to eat and pray for his death anniversary; celebrations for his soul at the Guildhall, the same for himself at Holy Trinity, etc. Partly in conjunction with those remembrances, he also instructs that the anniversary of his death be remembered at Elsyng Spital, which he requests twice, and Holy Trinity.

As further measures, his name and the others he mentions are to be celebrated and written or named upon the record book or altar cloth “before the canons’ eyes [and] thus celebrated,” and that his present will and the aforementioned names are to be written in the bead-roll at Holy Trinity, and also that the London Charterhouse also have his present will recorded in their bead-roll.685 Particular words and phrasing underscore this concern to preserve his memory: these

685 “Et uolo quod nomen meum et nomina predicta pro quibus sic celebrari debent continue scribantur uel titulentur super tabulam uel pannum altaris coram oculis dictorum canoniciorum sic celebrantur in memoriam promissorum”; “…Et supplico quatenus presens ulultans mea ac nomina predicta scribantur in martilogio ipsarum priorisse et monialium et annuatim dicto die annuiersarii mei perlegantur pro securiori memoria inde imperpetuam habenda [i.e. at St. Trinity Church]”; “…Et quod presens ulultans mea et omnia promissa sic eis facienda et annuatim per singulos dividenda in martilogio eorum scribantur…”.

instructions are often accompanied with phrases like “lest they be forgotten,” “I pray,” “for more secure remembrance in perpetuity,” and “holding my soul in special memory.”

At times, he makes requests to perpetuate his name in a conspicuously public manner: he states, for instance, that the London Charterhouse should observe his death anniversary “as they are accustomed to do for founders,” “prout fundatoribus facere solent,” which is an unusual, though not unprecedented, request. His instructions to have “two newly elected chaplains [be appointed] to celebrate in Guildhall Chapel for my soul,” in other words, that services in his memory be performed in a building that embodies London’s civic identity, is also unusually assertive, given that he had been banished by the city and also specifically left out of the General Pardon issued in the late 1300s.

Northampton’s will conveys little, if any, overt acknowledgement of his history or involvement in the tumultuous events of his career as alderman, sheriff, and mayor of London during the latter part of the fourteenth century. Part of this silence may be attributed to the constraints of the standard formula for the Husting and Commissary Court wills. There is also little trace of the distinctive personality to which historical records attest, particularly the strong-willed nature that characterized his leadership of the faction opposing Brembre in the struggle to negotiate the city’s relations with the Crown and the rights of denizens versus alien merchants in trade within London and overseas. Northampton’s will does, however, suggest conscious, even emphatic, efforts to shape the impression of his character and motives, particularly his sense of piety, his spiritual welfare, as well as that of his friends and closest associates, and, finally, to ensure that subsequent generations would never forget his name, in a literal sense.

686 “…ne oblivioni tradantur,” “supplico,” “pro securiori memoria inde perpetuum habenda,” and “habentes in speciali memoria animam meam…”.

687 “… duos capellanos de nouo electos ad celebrandum in Capellum Guihalde London’ pro anima mea…”
Ralph Holland: Tailor Amidst Political Upheaval in Fifteenth-Century London

The case of Ralph Holland offers a similar instance where the will examined reflects invocation of, and active participation in, the traditions of piety and spiritual virtue that the conventions of the will in the context of late medieval London offered, as discussed in the previous chapters, and the spiritual efficacy that one could thus share in. Ralph Holland was a particularly charismatic and controversial character and participant in the political struggles between the Tailors’ and Drapers’ Companies in the mid-fifteenth century, and his will, when examined with an understanding of his idiosyncratic personality as depicted in city records, offers a case study that well illuminates the will’s efficacy in expressing piety and spiritual virtue.

As noted in Chapter One, occupational groups, especially the “Great Twelve” companies, played a major part in the lives of their members and the inhabitants of London in general, particularly in determining socially- and politically-advantageous opportunities for upward mobility, career paths, and reputations of trade members and practitioners. Holland is a particularly interesting example: his career as a draper-turned-tailor whose repeated yet unsuccessful bids for the mayoralty, and actions during this long process, vividly illustrate the extent to which the prestige of one’s trade profession might shape one’s career and social opportunities. Numerous records suggest, moreover, that Holland himself was a particularly outspoken individual who was not afraid of making strong, controversial statements. This discussion will briefly trace Holland’s career and role in the Tailors’ struggle for greater prominence and prestige in the city’s social hierarchy. It will then draw connections between his career and the concerns, beliefs, and affirmations he expressed in his wills. This section will argue that the various passions and concerns Holland fights for during his lifetime are strongly reiterated in his wills and final testaments.

Details of Holland’s early life are sparse, but Caroline Barron and Sylvia Thrupp suggest that he may have had roots in Newington, Surrey, in the early 1400s, as he owned property in
that area and also left a bequest to the poor there.\footnote{\textsuperscript{688}} He married his wife, Matilda, at least by 1419 and eventually had at least one child, also Ralph. By around this period, he had also set up shop in Watling Street, St. Botulph parish.\footnote{\textsuperscript{689}} Both family members were involved with the Company of Tailors together with Ralph: Matilda entered the company in 1419-20, while their son entered in 1435-6.\footnote{\textsuperscript{690}} The younger Ralph, however, apparently passed away before his father, as his will is dated 24 October 1445.

Holland himself enjoyed an illustrious career, occupying several of the most prominent positions both in his trade profession and in the city’s government. As early as 1419, he became Master of the Tailors’ Company. Barron estimates that Holland was likely in his early twenties in 1416; if so, by this time only three years later, he would have still been well within his twenties. He would also go on to hold the positions of city Common Councilman and Sheriff, one of the city’s annual auditors, and Alderman in 1429, 1434, and 1435, respectively. Indeed, he was nominated as a candidate for Mayor in three consecutive years from 1439 to 1441. Sources including the Tailors’ Accounts and the Guildhall Record Journal indicate that Holland was building his professional and civic career through conventional routes of involvement and influential contacts: in addition to serving as Master of the Company, he hosted the Recorder of London in his home in 1438-9 and also gave £4 for the Tailors’ new charter confirming the Company’s rights of search during its contentious struggle with the Drapers of the city. As for municipal involvement, Holland served on the city’s committee supervising London’s aqueduct in March 1439.\footnote{\textsuperscript{691}}

Holland occupied a strikingly unique and contentious position in terms of both trade and political involvement in the London of the late 1430s and 1440s. As noted in Chapter One, this was


\footnote{\textsuperscript{689}} \textit{Calendar of Plea and Memoranda Rolls}, vol. 4, p. 124.

\footnote{\textsuperscript{690}} For Matilda’s record, see Guildhall Record Office, \textit{Tailors’ Accounts} i, f. 113, cited in C. Barron, “Ralph Holland,” 163, n. 13; for Holland’s son Ralph, see \textit{Tailors’ Accounts}, i., f 304v.

\footnote{\textsuperscript{691}} Guildhall Record Office, \textit{Tailors’ Accounts}, iii, fol. 11; C.M. Barron, “Ralph Holland and the London Radicals,” 167, n. 36.
precisely the period of bitter competition and dispute between the Tailors and Drapers’ Companies as both fought to win and retain the right to inspect the quality of cloth bought and sold in the city. This right was especially important, as it essentially meant dominance among the crafts involved in the cloth trade; moreover, the Tailors, having been granted the right of search over the Drapers initially, attracted especially bitter sentiment because they were considered artisans and therefore less prestigious than the Drapers, who were viewed as merchants and further away from associations of manual labor which were linked with artisanal professions. Holland himself, in fact, had a history in both camps. He had practiced as a draper even before his involvement with the Tailors. He must have entered the Drapers’ Company before 1413-4, for in that year he appears in the Company’s records as owing money for his apprentice Thomas Holmes’s enrollment. There seems to have been a period of overlap in his involvement between the two Companies: he paid 20s in 1414-6 for his admittance to the livery of the Tailors, but paid 40s towards the Drapers’ Hall only two years later. This overlap continued into the 1420s and even the 1430s: he is identified as a draper in a Patent Rolls entry of 1423 in pursuing a debt, in a Patent Roll entry of 1430 and a Close Rolls entry for the same year, and even as late as 1435, where he is named in a Patent Roll entry as “citizen and pannarius” pursuing Thomas Iderton for a debt of £18 13s 10d.

Records suggest that by 1414, however, his principal allegiance lay with the Tailors, for a Hustings Court roll entry of 13 March 1414 confirms that he had acquired a shop in London “by the name of Ralph Holland, draper.” He soon occupied a central position in one of the city’s most contentious political disputes of the 1440s, the competition for the mayoralty. Holland had a particularly outspoken personality, and this is evident in city records even before his involvement in the mayoral candidacy disputes. Records reveal multiple rebellious and controversial statements: on 5 September 1426, he was sent to prison for speaking out against the


694 “… per nomen Radulphi Holland, pannarii.” Husting Roll 172, no. 21.
Mayor’s treatment of the Tailors.\textsuperscript{695} Holland resurfaced a month later when the Mayor revived a royal writ of 1315 which restricted attendance at elections of the mayor and sheriff to citizens who had been summoned, rather than any freeman of the city. Holland reportedly stated that these writs were “new, fabricated and untrue” and did not exist in the City’s ancient records. The writ did appear, in fact, in London’s Letter Book, and Holland was sent to Ludgate prison thanks to his outspokenness. A subsequent return submitted by the sheriffs added to this charge, declaring that Holland had also made a threat to draper Thomas Cook.\textsuperscript{696} A group of four men, with three tailors among them, provided £100 bail and secured his release.

This outburst notwithstanding, Holland’s civic career evinced a steady rise through the ranks of city government. His incumbency in a number of prestigious offices, especially sheriff, tax and customs collector, alderman, and several committee posts, indicates that he did support the city and its administration to some extent. At the same time, however, Holland became as infamous as a voice of dissent in city politics as for his status as one of the city’s elite.

Many of the high points of his career, in fact, were marked by controversy. Perhaps the most outstanding instance is his three successive attempts at election to the Mayoralty. His first loss to mercer Robert Large in 1439 caused no visible unrest, and Holland continued to serve on several committees as alderman. The second defeat, to goldsmith John Paddesley in 1440, carried greater ramifications as Barron argues: the contention between the Tailors and Drapers reached its peak in August 1441, ten months after Paddesley’s election. The Drapers complained to the Court of Aldermen that they should be restored to their customary right to search for defective woolen cloth, particularly specimens offered for sale by the Tailors. The impetus here was the upcoming three-day St. Bartholomew’s Fair in late August, and the particular grievance and animosity was that the Tailors had lately been granted the very right of search that had been

\textsuperscript{695} London, Guildhall Record Office (GRO), \textit{Journal}, ii, f. 82v. As I was not able to access the journal of the Common Council or the accounts of the Tailors’ Company directly to confirm their content as reported in Barron’s study, all references to the Tailors’ accounts and the Common Council’s journal cited here are based on Barron’s reports of their contents, in which I have full confidence, given Barron’s extensive experience in this area of research and her impeccable scholarly record, both of which need little introduction or enumeration. I hope to consult the records directly in the near future as resources allow.

stripped from the Drapers. This could be read as the artisan Tailors’ infiltration of trade territory that the merchant Drapers considered their own.  

In this case, Mayor Paddesley proposed the temporary compromise whereby Paddesley himself would search the Tailors’ woolen cloth. The essentially unresolved status of the dispute, however, meant that both the Tailors and the Drapers had much at stake in the next year’s mayoral election, especially as the two candidates represented precisely these two parties: Ralph Holland, tailor, and John Clopton, draper. As several contemporary chroniclers recount, the city’s freemen assembled in Guildhall on 13 October 1441, selected Holland and Clopton as the mayoral candidates, and then awaited the aldermen’s decision. Paddesley, the incumbent, eventually emerged with Clopton as the final choice, sparking loud protest from the assembled men who cried “Nay, not that man but Raulyn Holland.” Six tailors and five skinners were sent to Newgate to quell the outcry.  

This was not, by any means, the end of disturbances to which Holland’s name was linked. Perhaps the most incendiary event connected with Holland was his strong opposition to the Court of Aldermen’s new Commission in September 1443. As Barron states, he argued that it “would subvert the Peace of the City and undermine its customary good rule to the detriment of the London artisans.” Indeed, his rhetoric was particularly provocative, as he asserted, “This is a commission not of peace, but of war.” This statement sparked loud protest by a crowd of common citizens who, following Holland’s censure of current city chamberlain John Chichele, clamored for a new candidate by the name of Cottisbrook, a grocer, Common Councilman, and Member of Parliament.

697 C.M. Barron, *ibid.*, 168.
699 Holland’s connection with seditious words uttered during a clergyman’s sermon at St. Paul’s Cross cannot be confirmed, but certain correlations make it a strong possibility: the Court of Aldermen ordered each Alderman to swear his own innocence, and Holland was one of the nine men absent. See GRO, *Journal*, iii, f. 153.
700 C.M. Barron, “Ralph Holland and the Local Radicals,” *ibid.*
701 C.M. Barron, *ibid.*, 179.
Nor was he reluctant about expressing views of other individuals in public. The Court of Aldermen learned that, according to Holland, the aforementioned Paddesley was a born brawler, that Common Clerk Richard Barnet was out of his wits, and that the pre-eminent alderman and mercer William Estfeld had revealed confidential information safeguarded by the city to Lord Cromwell, treasurer to the king. In addition, according to Holland, City Recorder John Danvers was a troublemonger in his home region and was stirring up unrest in London as well. Indeed, for these and additional actions inciting civil disturbance, particularly in support of the Tailors even where the city’s welfare was threatened, the mayor and Court of Aldermen decided to dismiss him from his position as alderman.

The city records offer a composite portrait of a man with a great deal of passion in the city’s political and governmental operations, but also of a brash, even abrasive personality. Holland’s three Husting Court wills, dated 24 January 1449, 2 May 1452, and 3 May 1452 respectively, present, perhaps unsurprisingly, a more moderate portrait that gives little sense of the sharp-tongued rebel, but does reveal a glimpse of his social networks and priorities. It is clear, first, that he was an individual of substantial personal wealth: he enrolled three separate Husting Court rolls, each for a specific property or set of properties, namely his tenement in Bokeleresbury in St. Benedict Shorehog parish, a parcel of tenements and lands he owned in St. Albans Woodstreet parish, a parcel of property called “Bassettisyn” located in Mary Aldermanbury parish in Crepulgate ward, a “hospicium” or messuage called “Penbrigges Inne” in St. Andrew beside Cornhill parish, and two tenements in St. Dionisus Backchurch in Langbourne ward.

His description of each of these properties is typical of that contained in most Husting wills: he offers painstakingly detailed direction as to their precise location, for instance in his description of the “Bokeleresbury” tenement in St. Benedict Shorehog parish, which, according to his description, lies between the tenement formerly belonging to Adam Fraunceys on the west

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702 Holland’s will of 4 January 1449 was enrolled at the Husting Court on 28 October 1452; his wills of 2 May and 3 May 1452 were both enrolled on 18 October 1454. Holland referred to his will of 1449 as a codicil; Sharpe’s calendar notes that the term signifies a “little will.” See HW, II:522, note 2.
and the tenement belonging to the dean and chapter of St. Stephen Westminster on the east.\footnote{It must be noted that such detailed information concerning the precise boundaries of Holland’s property were typical of descriptions of real estate in documents from at least the early 13th century onwards.}

As he notes, this tenement formerly belonged to a number of prominent individuals: its former owners included John Gedeney, draper and alderman and John Fray, Recorder of London, among others, and Holland explains that he acquired the property from Gedeney’s executors. Similarly detailed instructions are given for the other properties as well. The three wills show strong conformity to the conventions of charity and piety as discussed in the previous chapters. Holland bequeaths the “Bokeleresbury” tenement to the convent of St. Leonard of Stratford at Bow, Middlesex, and its prioress, Margaret Holbech, incidentally possibly a relation of the Holbechs, a prominent family of tailors. In return for his gift, he outlines a detailed program of religious services to be performed in his memory by the prioress and convent in perpetuity; indeed, his directions for services to be performed comprise the bulk of his will of 1449.

His second will, dated 2 May 1452, is significant in that it documents his gift of two particularly important properties to the corporate body of the Tailors, whom he himself represented in such a vocal, controversial way. He bequeaths the properties called “Bassetisyn” and “Penbriggs Inne,” along with the property in St. Alban Wood street parish, to the Fraternity of Tailors and Linen Armourers of St. John Baptist, London. This was the very group that featured so prominently in the bitter disputes between the Tailors and Drapers in mid-15th-century London surrounding mayoral elections and, more broadly speaking, the prominence of both trade groups in the city’s political, economic, and social concerns.

Holland’s history with these properties held close associations with other tailors: he acquired the property in St. Alban Woodstreet parish jointly with others, including John Fulthorp, Thomas Sutton, William Holgrave and John Knotte, all prominent tailors, buying it from Richard Lynn, also a tailor. Holland also acquired “Penbriggs Inne” jointly with a group comprised mainly of tailors, including Roger Holbech, Thomas Davy, John Kyng, William Chapman, John Knott, and John Ryche, all tailors. The group bought this property from tailors as well: tailors Thomas Sutton and William Holgrave sold the “Inne” to Holland and the others in 1433, as Holland notes in his will. Both of these properties, as it turned out, were
subsequently significant assets for the fraternity and remained in their possession long after
Holland’s passing.

Holland’s final will, dated 3 May 1452, also highlights his concern for piety together with
his membership in the Fraternity of Tailors. He bequeaths his tenements in St. Dionisus
Backchurch, Langbourne ward, to the fraternity, with specific explanation that he is doing so as
alms for each impoverished almsman and almswoman of the fraternity, and that these recipients
are to pray specifically for his soul and that of his late wife Matilda. The master and wardens of
the fraternity are tasked with responsibilities as well: they are to observe his anniversary
according to the directions he gives in the will, with failure resulting in forfeiture of the said
properties and their profits to the rector and wardens of the church of Mary Aldermanbury.

Within and throughout each will, then, Holland emphasizes two specific aspects of his
life and character: his concern for the demonstration and continued maintenance of his piety, and
his association with London’s tailors, both on an individual level, as with peers like Holbech,
Sutton, and Davy, and in a corporate sense, specifically the Fraternity of Tailors of St. John
Baptist, the representative and influential body of the trade profession. Though the wills contain
almost no reference to his own personality and embattled career and personality, his association
with the city’s tailors could hardly be any clearer. This is an instance of an individual who,
despite little mention of the significant ups and downs of his own life, utilized his wills to affirm
his vocational and social networks, particularly his membership in one of the city’s most
prominent corporate bodies, and in doing so, conveyed his pride in that very membership.

Robert Drope: Draper, Mayor, Money Lender

Relatively little information is available for Robert Drope regarding his personal
character and idiosyncrasies. There are, on the other hand, brief references to him scattered
among various bodies of records; these, added to the records he left from the various, and indeed
numerous, positions he held in civic government, offer at least a helpful glimpse of his
professional and personal working style, all of which go some way towards providing additional
context on the composition and intent of the will he enrolled in the London Commissary Court in
1487. Drope’s Commissary Court will was dated 1 October 1485, and the court granted probate
on 27 January 1486.\textsuperscript{704} A codicil to the Commissary Court will, dated 19 January 1486, immediately follows the initial will in the register, and so the court’s statement granting probate followed both the will and the codicil.\textsuperscript{705} His Hustings Will was dated 18 May 1482 and presented in the court for probate on 14 April 1491.\textsuperscript{706} Drope also enrolled a will at the Prerogative Court of Canterbury (PCC). His PCC will is identical to his Commissary Court will and bears the same initial date of composition, i.e. 1 October 1485. Probate for the PCC will was granted on 8 October 1487.\textsuperscript{707}

As with Adam Fraunceys and John Northampton, very little is presently known about Drope’s origins or early life. Drope himself makes reference to “St. Hede” as his birthplace, which corresponds to a note William Herbert offers in his account of the London Drapers’ mistery’s earliest history, that Drope’s father was John Drope of St. Ede’s, Huntingdonshire.\textsuperscript{708}

Ample evidence indicates that others in the community held Drope in high regard throughout his professional life. Mention of a “Robert Drope, draper” first occurs in a Close Rolls entry dated 23 November, 35 Henry IV (1456). In the entry, William Barnwell, an “upholder,” assigns Drope and two other individuals, William Hille, “barbour,” and Nicholas

\textsuperscript{704} Commissary Court, Register 7, fol. 67.

\textsuperscript{705} In the codicil, Drope stated that he had already fulfilled the directions the initial will outlined regarding the creation and delivery of vestiments. The codicil also included several additional cash bequests to various individuals, including several apprentices and the parish priests serving at St. Michael’s church, as well as an additional condition governing Drope’s bequest to Elizabeth Harpfield, namely that her bequest would be void if she did not assent to “be ruled and demeaned accordyng to the aduyce” of Jane, Drope’s wife and Elizabeth’s aunt.

\textsuperscript{706} Hustings Roll 220, no. 16. Sharpe’s summary of Drope’s Hustings will appears in \textit{HW}, II:592-93.

\textsuperscript{707} The probate clause does not explicitly state the year that probate was granted; the National Archives gives the year 1487. The probatum clause reads as follows: “Probatum fuit superscriptum testamentum una cum ultima volantate et codicillo predicti apud Lambethith’, 8 die mensis Octobris, anno domini et cetera, juramento magistrum Johannis Bre[our?], sacre theologie professoris et cetera, approbatum et cetera. Et commissa fuit administracio omnium bonorum et cetera, dominis Johanne Drope, relicte et executrice eiusdem defuncti de bene et fideliter administrandum eidem et cetera de pleno et fidelii inuentar et cetera [ante?] festum Omnium Sanctorum proximo et cetera neconon de plano et uero compoto et cetera, iurat’ et cetera.” TNA, PROB 11/8/72. I am grateful to Barbara Todd for the reference.

\textsuperscript{708} W. Herbert, \textit{Twelve Great Livery Companies}, I: 436, footnote 7.
Nutman, “letherseller,” his goods, chattels, and debts due to him. His name appears in a similar fashion a number of times: shearman William Gille, William Askham, glover, upholder John Garlyng, saddler Robert Test, “hostiller” Robert Clement, and haberdasher Thomas Plome all name Drope in connection with wholesale gifts of their goods and chattels.

The number of occurrences in this regard alone attests that Drope was considered of sufficient merit and competence to be entrusted with the entirety of others’ estates. Drope’s standing and influence in London, however, extends far beyond this. The list of positions he held in the city’s administration is remarkable, both for the variety of the ways he served in different municipal and professional bodies and capacities, and the span of time his active career covered. Judging from his earliest appearances in the records, one of his first positions was as one of four appointed wardens to the Mistery of Drapers, an organization formally recognized by a royal charter of 1472 and as one of the “Great Twelve Liveries” of London. Drope also served as one of the king’s appointees to collect the tax of £31,000 granted to the city in 1468. In addition, Drope worked as sheriff of the city together with Richard Gardiner from 1469 to 1470, then as alderman during the period 1468-1478, first in Langbourne Ward, then in Cornhill Ward.

He served as mayor of London in 1474-5 and continued his civic involvement throughout and after his term. Indeed, a Patent Rolls entry for 14 December 1474 refers to Drope as mayor and escheator of London, and a Fine Rolls entry does the same in an entry dated 8 December 1474 issuing Drope a writ of \textit{diem clausit extremum} for John Melton of Middlesex, Lincoln and

\begin{footnotes}


711 Drope was alderman of Langbourne ward from 1468 to 1478; he was then moved to represent Cornhill ward and did so from 4 December 1478 to 7 March 1487. See A.B. Beaven, The Aldermen of the City of London, 168, 123. As Beaven notes, the translation of aldermen became common in the fourteenth and fifteenth centuries; see Beaven, \textit{ibid.}, 240-1.
\end{footnotes}
Southampton, to take effect after Melton’s death.\(^{712}\) Drope evidently resumed aldermanic duties immediately following his mayoralty: a Close Rolls entry names Drope as alderman as of 23 November 1475 and, according to Beaven, he was appointed in 1483 as “Father of the City,” the title given to the senior alderman, the individual who, at the time of appointment, had held the post for the longest period among all of London’s aldermen then serving.\(^{713}\) Drope apparently kept this designation for the following four years until his death in 1487.\(^{714}\)

The above information is based on occurrences of a Robert Drope identified as a draper, and instances of the name unassociated with a specific profession after 1456. That post-1456 occurrences refer to one specific person is apparent, as either the context itself makes it clear that the name refers to the individual discussed here, such as, for instance, identification of the individual as sheriff or alderman during the appropriate period of Drope’s known tenure, or mention of other persons with whom Drope was associated among other masters.

The records suggest that Drope could be particularly rigorous in pursuing debts as well. As early as 1457, the Patent Rolls cite William Somerset, “yoman,” for failing to appear in court to answer Drope for a debt of 63s 4d.\(^{715}\) Another similar situation occurs two years later in 1459, with “bellemaker” Roger Landon cited in the Patent Rolls for his non-appearance at court to answer Drope, along with Thomas Fulbourne, “stokfisshmonger,” regarding his respective debts of £10 and fifty marks to the two men.\(^{716}\) Drope the draper demonstrates similar or even stronger proactiveness concerning debts owed to him. A Patent Rolls entry dated 23 October 1471 grants commission to Thomas to judge an appeal Drope initiated concerning a decision by

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712 For the reference to Drope as mayor and escheator, see Calendar of Close Rolls, Edward IV, II:487; for the Fine Rolls entry, see Calendar of Fine Rolls, Edward IV, I:83.

713 For the Close Rolls entry naming Drope as alderman, see Calendar of Close Rolls, Edward IV, II:428.

714 Beaven, Aldermen, 250-1.

715 Calendar of Patent Rolls, Henry VI, VI:375 (23 November 1457, 36 Henry VI). See also TNA C 241/233/1: Hugh Marshal owes Drope (upholder) £13 6s (5 September 1446).

716 Calendar of Patent Rolls, Henry VI, VI:453 (9 July 1459, 37 Henry VI).
Robert Essex, archdeacon of St. Peter’s Westminster, in Drope’s suit against Richard Joynour for failing to pay Drope £133 6s 8d as Joynour had originally promised.\textsuperscript{717}

Drope’s assiduousness in pursuing debts in arrears remains consistent during these years: a Chancery record, probably from 1470, notes Drope’s appearance with William Plummer, executor of late shearman William Baldewyn, as Baldewyn apparently owed money to Drope.\textsuperscript{718} In the same period, Drope appeared with Leicester underbailly John Robards in an action to release Drope’s debtor John Cappar. In certain cases, Drope was particularly exacting, perhaps overly so. Tailor and London citizen Robrt Duplacche lodged a complaint in the Chancery Court in 1472–3 or 1475, reporting that Drope was unjustly persistent in seeking recompense from himself and shearman John Aylmer for the cost of “certeyn pepir” up to the sum of £27 12s 6d, to be “payable at a certeyn day.”\textsuperscript{719} As Duplacche reported, despite the agreement establishing the terms of the loan, he himself had no part of the pepper or any other surety “to protect him from the harmless [i. e. prosecution] of Drope,” but, as if that were not enough, Drope registered a complaint of the debt before the sheriffs of London. According to Duplaccche, Aylmer confessed the debt and was imprisoned, but had remained there for three years, while the complaint was still pending in court. As Duplacche argues:

\begin{quote}
And how be it that the seid John Aylmer hathe offered and yet dothe to the seid Robert Drope 12 marke of good lifelode yerely to have to hym and his heires for evermore for the contention of the seid summe or elles to fynde hym sufficient suerty suche as he woll agree unto to paye hym £20 yerely in to the tyme he be fully paide of the seide summe of £27 12s 6d yet that notwithspondyng woll not agree therunto but nowe calleth upon The seid suppliant before prisoyn and to vexe and trouble youre seid suppliant yntendyng to have a double recouere for one duete ayenste all lawe, reason and conscience?\textsuperscript{720}
\end{quote}

\textsuperscript{717} Calendar of Patent Rolls, 2 Edward IV, Part II, 317.
\textsuperscript{718} TNA, CC 1/32/9.
\textsuperscript{719} The precise date of Duplacche’s complaint in the Chancery Court is uncertain.
\textsuperscript{720} TNA, C 1/47/275.
The entry referenced here includes a note requesting a writ of *certiorari*, so the court apparently approved and performed some sort of inquiry into Duplacche’s allegations that Drope exercised an unscrupulous and exacting approach in recovering his initial loan.

Aylmer was not the only one imprisoned for a debt owing to Drope. A more comprehensive view of the case of Edmund Ince is available, as a number of records survive documenting the process of negotiating his debt. Ince, “gentilman” of Lowys Toft, Suffolk, borrowed £24 from Drope on 29 June 1472, with the first and last terms set for 1 June 1473, according to two Chancery records dated 22 March 1474.⁷²¹ According to one of the records, sheriffs William Stokker and Robert Billesdon imprisoned Ince on the same day. Ince may have been nearing or anticipating the end of his life about two years later: a Close Rolls entry dated 10 August 1474 records Ince’s gift of all his possessions and debts owed in Lowys Toft and throughout the country to Suffolk merchant Thomas Levan. Drope must have been apprised of the situation as well, for an entry dated five days later documented a grant from Drope to Ince for release and quitclaim “in perpetuity of all actions, suits, recoveries and demands” that Drope had against Ince.⁷²²

Information regarding Ince’s date of death is unavailable, but a subsequent Chancery entry, tentatively dated 1475 at the earliest, records Ince’s application for release from the London sheriffs in connection with Drope’s original suit. If 1475 is indeed the earliest possible date for this writ, it confirms that Ince remained in prison for at least some time even after Drope granted him release from all litigation between the two parties. In any case, Drope certainly demonstrates an appreciable degree of persistence in keeping track of financial obligations owed to himself. Indeed, in the midst of his ongoing suit with Ince, he joined John Davy in filing a complaint regarding a different matter, that the late duke of Somerset, Henry Beauford, was wrongly seised of real estate in Kent, as Beauford, according to Drope and Davy, had never had any right to the said property.⁷²³

⁷²¹ TNA, C 131/243/13 and C 241/254/190.
⁷²² *Calendar of Close Rolls, Edward IV*, II:359 (1474, 14 Edward IV).
Drope’s Commissary Court will was dated 1 October 1485, and the accompanying codicil bore the date 19 January 1486; both were proved on 27 January 1486. What is the tone of Drope’s will? What are his main concerns, and do the tenor and content of his instructions bear any parallels to, or echoes of, the character evident in the various governmental documents? Moreover, as his activities and circles of associates maintained during his lifetime demonstrate strong attachment and identification to his professions as a draper, as well as his position as a prominent London citizen, do these connections and loyalties manifest themselves in his will?

The most prominent tone and concern reflected in Drope’s will is a strong priority placed on works of piety and charity. Of the money he distributes in total in his will, a significant amount is earmarked for purposes of charity and works of piety, such as to prisoners, the poor, and the church. The dominant and most conspicuous element in the will is concern for services and remembrances to be done in his memory following his death. His directions for such remembrances are notable both for the precise, meticulous way he envisions them and the sanctions he assigns should his instructions not be met. For, though many of the services he requests are typical, the specific detail he goes into indicates that he has thought them through to an extent beyond that of a typical testator.

He requests services for his remembrance such as placebo, dirge, and Requiem masses, monthly mind services, and so on, all of which are commonplace, but he covers his bases, so to speak: he apparently gives bequests to every church, religious or charitable institution, and trade organization with which he has associations, and even some where his connection to them is not apparent, in return for prayers or services.

He grants to his parish church of St. Michael Cornhill torches and sums of money to the priest and two clerks for placebo, dirge, and requiem masses to be recited for his soul every day between his burial and his month’s mind service. Should any priest “fail and be absent” from any of the dirges and masses, he is to lose and be responsible for 2d for each service he misses. Drope also asks his executors to arrange for a priest to sing and say high mass and other divine services at St. Michael’s, under very specific terms: the priest is to sing at the high altar of “Our Lady and St. Anne” before Drope’s pew, where “I am wont to kneel on the south side of the said church,” for the souls of Drope and his parents for a period of ten years after his death.
expectations for the priest are high: if the said priest is found to be “of evyll condition and disposition,” he is to be replaced by a more suitable individual “of good name and fame.”

Drope asks for a number of detailed services and observances in return for his bequest to his parish church: in addition to the said placebo, dirge and requiem masses, he arranges for a priest and clerk to observe his yearly obit or anniversary for twenty consecutive years with an overnight placebo and dirge, and a requiem mass the following day, “with light’ ryngyng and all other observaunc’ accustomed.” Drope provides 13s 4d, or one mark, to be spent for this purpose and also to be distributed every year to the poor who attend the obit, so that they should pray for his soul. He asks that four wardens of “my fellashipp of drapers” attend the same obit with the fellowship as well and provides 6s 8d, or 20d to each of them, to pray for his soul. The money comes with a specific condition, however, similar to that outlined for the priest and clerk of St. Michael’s: for if any of the four wardens “fail and be absent” in any year from the dirge or mass at the said obit, he or they are to lose his or their portion for that time.

As further evidence of his concern for the salvation of his soul and the perpetuation of his memory, Drope stipulates that each of the five orders of friars, namely the Austin Friars, Minors, Black Friars, White Friars, and Crouched Friars are to receive 40s to sing requiem masses for his soul and those of his parents. The house and convent of the Minoress without Algate and the nuns of Stratford receive 40s to sing two dirges and requiem masses; the church of St. Hede, “where I was borne,” receives sums of money and clothing for dirge and mass services as well. Other institutions and individuals, perhaps as representatives of their associated institutions, from which Drope requests dirge and mass services or prayers in general include the nuns of St. Helen’s; the prior and convent of Christchurch; the priest and clerk of Guildhall Chapel; the London brotherhood of St. Nicholas of parish clerks; “master Breteyn,” the parson of St. Peter’s in Cornhill; William Turnour, former parish priest of St. Michael’s Cornhill; friar Hewes, identified as a student at Black Friars, Oxford; John Ramsey, monk at Westminster, and his brother Hugh; Sir William Barbour; Sir Alexander, identified as “the Drapers’ priest”; and to William Flapp and his wife. Nor does he forget prisons, another common recipient of testamentary gifts: Drope gives the “Westminster county prison” and the prisons in Newgate, Ludgate, the “two counters in London and in the Flete,” and the Marshalsea and King’s Bench, Southwark, sums of money to be distributed among the poorest and neediest of the prisoners in
each place. In a word, judging from the meticulousness and thoroughness with which he arranges for services in his and his parents’ memory, Drope envisions and utilizes his will as a means to demonstrate his piety by bequeathing money and clothing to, and receiving services from, nearly every type of pious or charitable organization in the city, from churches to convents and monasteries to prisons.

Drope’s concern for precision in financial matters is also apparent in his will: even as he makes his bequests to the aforementioned churches and religious or charitable organizations, he demonstrates continued mindfulness of outstanding debts. He usually forgives such debts, but communicates expectations that the debtor will honor his obligation to settle the balance properly: he issues William Byre, Richard Penleth, and Richard Codde each a pardon and forgiveness of partial amounts of the money that each owes him, but, in doing so, stipulates that each is to pay the residue of the debt to Drope’s executors. Even as he approaches death, the fastidiousness concerning money matters that he demonstrates in the city records continues to be readily apparent in his will.

Each of the case studies described in this chapter suggest that even as the wills enrolled in London’s Commissary and Husting courts adhered to the conventions and customs in language and structure, and bequests, together with the provisions mandated by London law, the wills could and in some cases did convey individual testators’ idiosyncratic and individual concerns. This chapter has offered an exploration and some initial suggestions of the ways one may compare testators’ wills with other available records of their lives to perceive glimpses of testators’ unique idiosyncrasies and personal concerns.
Conclusions

Wills have been studied in a wide range of contexts, and there has been no shortage of scholars who have debated on their utility and function in revealing individuals’ personalities and concerns, along with the concerns of communities and the shape and reach of corporate activity, especially in terms of social, religious, and political issues. With the understanding that the Commissary and Hustings Court wills were created and administered within a multi-layered network of conventions and legal guidelines as to format, language, distribution of one’s estate, and recipients, this thesis has demonstrated ways in which testators could and did use their wills to affirm their closest relationships, especially their relations with their wives, perform actions of piety, charity, and religious belief, and secure and enhance their spiritual virtue. Chapter One provided a survey of the unique political, economic, and social context of London in which the testators lived, worked, and established their communities, all of which are critical to a proper understanding of the evidence of the wills themselves. Chapter Two first presented contextual information on wives’ and widows’ legal entitlements under London’s laws, which is critical to the understanding that provisions for wives and widows in London were, in fact, relatively generous for the time and context, and then argued that testators’ provisions for their wives in the Hustings Court wills are particularly intriguing in the evidence they offer regarding testators’ treatment of their wives, and their negotiation of London’s laws in determining their provision for their spouses. A number of testators expressed anxiety about the prospect of their widows entering subsequent marriages, an anxiety that recognizes the real possibility that, due to London’s regulations, widows could very well complicate and delay inheritance and transmission of a family’s real property holdings for their lifetimes. Chapter Three continues the analysis of wills into the Commissary Court evidence. The Commissary Court wills confirm the argument that wills can convey testators’ idiosyncratic and individual relations and desires: the wills illustrate several instances of highly personal relations between spouses, with male testators sometimes expressing discernable affection, on the one hand, and tension, on the other hand, towards their wives. The Commissary Court wills also demonstrate that testators often could use the wills to craft personalized programs of piety, charity, and rituals for the benefit of their spiritual welfare. Chapter Four puts several of the themes explored in the previous chapters to play in examining case studies of four prominent London citizens, namely Adam Fraunceys,
John Northampton, Ralph Holland, and Robert Drope. This final chapter argues that the testators utilized their wills beyond standard, formulaic, and legally mandated guidelines for distribution of their estate, and that, in fact, the testators used their wills to a certain degree to put forth personalized expressions of piety and efforts for the betterment of their own spiritual welfare and virtue, as well as their continued remembrance and hence their lasting place in their communities even after their death.

I had commenced this study, in the summer of 2008, with the initial hopes that the Commissary and Husting Court wills would allow me to investigate the shape, construction, articulation, and envisioning of households in late medieval London. The course of my research taught me differently. I came to realize that a number of factors complicate testamentary materials’ ability to present a clear, straightforward picture of families and households. The legal customs and mandates that were in place in fourteenth- and fifteenth-century London, for instance, meant that wives, and children as well, had specific entitlements, whether their husbands acknowledged and honored those entitlements in their wills or not. Given that wills form only one component of the broader process of property and estate transmission over the course of a conjugal relationship or household, one must resist the temptation to read wills as comprehensive and final documents regarding property transfer and distribution of testators’ estates. So, it turned out, instead, that one needs to approach wills much more carefully, taking into account their limits, as well as their potential. They are prescriptive more than they are reflective of actual outcomes, for one. They are just one part of a family’s story of interpersonal and intergenerational property transmission, for another. There are gaps in their information, and these gaps must be acknowledged.

Nevertheless, wills, despite their conformity to strong, prior legal and social conventions and requirements, can still reveal testators’ concerns and even a little about their personalities and idiosyncrasies. This thesis has found evidence demonstrating that testators successfully expressed their concerns, particularly for their spiritual welfare in the next life and a strong desire to claim a solid and enduring place in the remembrance of the living community. The thesis has also argued that testators reveal valuable glimpses of their relationships with their wives, arguably the most significant person in their lives. These testators demonstrated a wide range of conjugal sentiment, from concern, protection, and affirmation, to a measure of censure.
and precaution in dealing with wives. Testators were able to advance their own interests as well. One of the strongest phenomena that the Commissary and Hustong wills demonstrate is a discernible desire on the part of a solid number of testators to curate their own religious experience and ensure their spiritual welfare.

There are several initial questions this study had set out to explore with the hope of making a new discovery or highlighting a new and useful methodological approach. In the end, no prodigiously rich vein of oil revealed itself in a spectacular manner over the course of my investigative drilling over the past several years, but this study does offer some useful insight that I hope will aid future research efforts. First, it presents some introductory insight as to the scope, structure, and content of the testamentary material in London’s Commissary Court. This, in itself, makes the present project a worthwhile effort, as the Commissary Court’s voluminous and rich body of wills—the size and relatively complete condition of which easily ranks it alongside the Hustong, Archdeaconry, and Prerogative Court of Canterbury wills—has received less attention than the aforementioned testamentary sources for London. One particularly useful result of the present study’s investigative efforts has been the confirmation that the Commissary Court wills are, for the most part, largely consistent in form and content to more extensively studied bodies of wills such as the Hustong Court wills.

This study’s approach in comparing testamentary data between occupational groups, namely the tailors, drapers, and mercers has also offered some useful initial information. The research here has brought to the fore one or two intriguing anomalies between the three occupational groups’ choices of beneficiaries and individuals appointed to positions of responsibility, but from a broader viewpoint, the three groups have shown general consistency in the bequests they made and the parties, both individual and corporate, that they included therein. One highly useful and important way to build upon the present study’s exploration of the Commissary Court wills, in particular, would be to examine all of the wills enrolled in the court’s registers in a clearly defined chronological period. Such a study would be able to confirm whether the patterns discussed in this thesis are reflected in a broader study of the same material, especially concerning aspects such as the nature and extent of testators’ bequests to different recipients.
Understanding, first, London’s unique position as a city that had attained rights to administration and governance independent of the Crown and hence operated according to its own custom rather than to common law, and, second but equally important, the unique and complex legal rights accorded to women, particularly wives and widows, has been one of the most critically important lessons imparted through this study. It is a hope of this present work to have assisted in furthering the scholarly conversation on wives and widows in late medieval London by offering clarification of the highly complex and intricate legal entitlements available to women during and following conjugal relationships.

Some further reflection on hopes for my own future research would not be amiss. Limitations of time and resources prevented me from venturing much further afield than the Commissary and Husting Court wills, but there are a number of ways to further enrich the initial findings presented here. One element well worth further pursuit, for instance, would be the actions taken subsequent to the enrollment and probate of the wills. The results that Barbara Hanawalt found regarding the relatively strong rates at which wives sued for, and recovered, their dower, as well as the surprisingly high rates of wives who represented themselves in court without a lawyer, are highly intriguing. It would be very interesting to trace actions that wives undertook after their husbands’ wills were proved and administered. It would also be interesting to attempt to compile life records for selected testators as a way of fleshing out further context as to what might have compelled them to make certain bequests and what matters might have been resolved prior to, and outside of, testators’ wills themselves. These would be ways of situating wills and the valuable information they offer within the broader scholarly pursuit to understand the course of individual lives, the building of communities, and the relationships between individuals and within the various circles comprising local communities in late medieval London.
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Appendices

Notes to the Wills in Appendices 1, 2, and 3

In the hopes of presenting the following wills as clearly as possible, I have supplied nearly all punctuation and capitalization in the following transcriptions. I have also regularized spellings of known place-names where possible. Italicized letters indicate places where I have supplied my own expansions, and angled brackets indicate insertions in superscript by the scribe. In parts of the text where the Latin form seems erroneous, I have chosen to preserve the Latin as it appears in the original documents, with the more correct form noted in the footnotes. The following notations in the footnotes also apply:

   MS: An apparent error in the original document; transcribed as written in the document.
   MS for “ “: An error or erroneous form; I have suggested an alternative form within the quotation marks.
   HC: The variant of the word as it appears in the Hustinig Court copy.
   CC: The variant of the word as it appears in the Commissary Court copy.
Appendix 1: John Northampton, Draper

1a. John Northampton: Transcription

In Dei nomine, Amen. Ego, Johannes Norhampton, ciuis et pannarius ac liber homo civitatis London’, decimo septimo die mensis Decembris, anno domini millesimo trescentesimo nonagesimo septimo et anno regni Regis Ricardi secundi uicesimo primo, compos mentis et in bona mea memoria existens, condo, facio et ordino presens testamentum meum in hunc modum, uidelicet: In primis lego et commendo animam meam deo omnipotenti Beateque Marie matri sue et omnibus sanctis corpusque meum ad sepeliendum coram altari sancti Johannis Baptiste in ecclesia hospitalis Beate Marie de Elsyngspitel infra Crepulgate London’. Item do et lego Deo et hospitali predicto Beate Marie de Elsyngspitel infra Crepulgate London’ et Roberto Draycote, priori eiusdem hospitalis, et canonici ac conuentui eiusdem ibidem deo servientibus omnia illa terras et tenementa mea cum domibus schopis solariis celariis et kayo adiacente cum omnibus suis pertinentiis et aiamentis quibuscumque que ego dictus Johannes Norhamptone simul cum Roberto fratre meo et Willelmo Cressewyk qui michi ius suum postmodum relaxauerunt nuper perquisiui de Thome Medlane, Johanne Reche, et Johanne Sandwiche prout situantur in parochia Omnium Sanctorum Magna ad Fenum in Roperia in Warda de Douegate London’ et que quondam fuerunt Bartholomei ffristhynge sicut in quadam carta dictorum Thome, Johannis Reche et Johannis Sandwych inde nobis confecta et in Hustengo London’ de communibus placitis tentibus die lune in Festo Sancti Mathie Apostoli anno regni predicti Regis Ricardi secundi quinto irrotulata plenius continetur; habenda et tenenda omnia predicta terras et tenementa cum domibus, shopis, solariis, celariis, kayo et omnibus aliijs suis pertinentiis et aiamentis quibuscumque Deo et hospitali predicto ac prefatis priori, canoniciis et conuentui qui nunc sunt et qui pro tempore erunt et eorum successoribus de capitalibus dominis feodi per servicia inde debita et de iure consuetas imperpetuum in puram et perpetuam elemosinam et in

724 Commissary Court Register 1, f. 406; Husting Court Roll 126, No. 118. This transcription follows the Husting Roll copy, with variations in the Commissary Court copy noted.
725 Most likely “quay.” See DMLBS entry for “caium.”
726 CC: “discipuli.”
727 MS; CC: “quid.”
forma ac sub condicionibus subsecuentibus. Uidelicet uolo quod predicti prior et conuentus et
eorum successores qui nunc sunt et qui pro tempore erunt tenementa predicta competenter
sustineant de proficuis de eisdem tenementis prouentibus. Et uolo et ordino quod statim post
mortem meam omnes canonici eiusdem hospitali qui tunc pro tempore erunt celebrent diuina
annuatim in eodem hospitali pro anima mea et animabus Jacobi, Andrew, et Matillde, uxoris sue,
Thome et Mariote, patris et matris meorum, ac pro animabus Johanne et Petronille uxorum
mearum et pro animabus omnium illorum quibus tenemur et pro omnibus Christianis scilicet duo
canonici capellani una septimana et alii duo canonici capellani altera septimanatim gradatim
et per ordinem iuxta ueram discretionem et assignacionem dicti prioris qui sic pro tempore
fuert et successorum suorum imperpetuum, et quod predicti duo canonici ad finem eorum
septimane postquam sic celebrauerint habeant de predictis proficuis eorumdem tenamentorum
per manus dicti prioris et successorum suorum octo denarios, uidelicet alterum eorum
canoniciorum quatuor denarios ad opus eorum proprium parciipendum specialiter ex hac causa et sic de tempore in tempus et de canonicó in canonicum imperpetuum. Et uolo quod
ijdem prior et conuentus eorum successores post mortem meam teneant diem meum
anniversarium in dicto hospitali semel in anno cum Placebo et Dirige cum nota et ceteris
<seruiicijs> et ornamentis huiusmodi diei spectantibus pro anima mea et animabus supradictis.
Et uolo quod omnes pauperes uiri ac mulieres in eodem hospitali recepti et inhabitantes fideliter
premuniantur ad diem predictum essendum ad orandum pro anima mea et pro animabus
supradictis post quod quidem servicium completum uolo quod quilibet dictorum canonicerorum et
dictorum pauperum ibidem ex hac causa existentium uel causa debilitatis absentium habeat ad
opus suum proprium duodecim denarios per manus dicti prioris et successorum suorum sic pro
tempore existentium annuatim imperpetuum. Et <quod> predicti canonici cum eorum priore

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728 CC: In superscript.
729 CC: In superscript.
730 MS; the more usual form is “participiendum.”
731 CC: “hic.”
732 CC: Partially in superscript.
733 HC: In superscript.
habeant eodem die dimidiam marcam pro putancia ad expendendum inter eos in commune eorum refectorio de proficuis de dictis tenementis prouenientibus ut predictum est et totum residuum proficui de dictis tenementis prouenientibus ad opus et ad communem utilitatem dicti hospitalis conuertatur. Et uolo quod nomen meum et nomina predicta pro quibus sic celebrari debent continue scribantur uel titulentur super tabulam uel pannum altaris coram oculus dictorum canonicorum sic celebrantum in memoriam promissorum. Et uolo quod predicti prior et conuentus infra duos annos proximos post mortem meam quam citius commode poterint eligant et recipiant duos capellanos uel alios duos clericos non ordinatos iuxta eorum bonam discretionem absque fraude ad essendos ibidem canonicos\textsuperscript{734} de nouo specialiter ex causa huius legati mei ultra numerum canonicorum\textsuperscript{735} eiusdem hospitali\textsuperscript{736} ab antiquo fundatum uel usitatunm. Et uolo quod predicti prior et conuentus\textsuperscript{737} siue canonicici qui tempore mortis mei ibidem fuerint cum rationabiliter requisiti fuerint coram executoribus meis in eodem hospitali fedeliter\textsuperscript{738} promittant ex uero sacerdotali quod ipsi eorum tempore presens testamentum meum et voluntatem meam in eodem testamento specificata\textsuperscript{739} fedeliter facient et complebunt et quod nullum canonicum\textsuperscript{740} ibidem de nouo recipient nisi huiusmodi nouus canonicus tempore professionis sue huiusmodi promissionem faciat ad promissa ex parte sua complendum. Et uolo quod omnia promissa in martilogio eorum plenarius scribantur et quolibet anno in eorum pleno capitullo die anniusario\textsuperscript{741} mei recitentur et perlegantur ne obluiioni tradantur. Et si contigerit dictos priorem et canonicos uel eorum successores presentem voluntatem meam necligere et

\textsuperscript{734} Possibly “essendum canonicos”; the specific form is unclear here.

\textsuperscript{735} CC: Partially in superscript.

\textsuperscript{736} CC: Partially in superscript.

\textsuperscript{737} CC: Partially in superscript.

\textsuperscript{738} MS.

\textsuperscript{739} MS; CC: “specificatam.”

\textsuperscript{740} CC: Partially in superscript.

\textsuperscript{741} “Anniuersarii” is also possible here.
per duos annos\textsuperscript{742} voluntarie inde cessare nisi causa rationabili fuerint impediti, extunc uolo et lego quod iijdem prior et conuentus et eorum successores eadem tenenda ammittant et extunc quod omnia eadem tenenda cum pertinentiis cedant et remaneant maiori siue custodi et communitati dicit ciuitatis London’ et eorum successoribus imperpetuum ad inueniendum inde duos capellanos de nouo electos ad celebrandum in capellan Guihalde London’ pro anima mea et pro\textsuperscript{743} animabus supradictis et pro bono statu dicte ciuitatis et pro omnibus Christianis uiuis et mortuis imperpetuam. Item ego, prefatus Johannes Norhamptone, do et lego Deo et ecclesie Sancte Trinitatis de Chesthunte in comitate Hertford’ et Chiffaut Chamberleye, prioresse,\textsuperscript{744} et monialibus ibidem deo servientibus totam illam schopam quam habeo simul cum magno hostio eidem shope spectante in parochia beate Marie de Arcubus London’ et quam nuper perquisui de Ricardo Northbury mercero et Imania vxore sua et de Johanne de Kyrkeby, capellano executoribus testamenti Johannis de Enfeld prout per scriptum eorumdem executorum inde michi confectum et in Hustengo London’ de communibus placitis tentibus die lune proxima post festum Sancti Petri in Cathedra anno regni Regis Edvardi terciij post Conquestum quadragesimo sexto irrotulatum plenius continetur, et unam aliam schopam corneriam situatam in uenella de Cordewanerestret in predicta parochia beate Marie de Arcubus London’, quam quidem schopam cum pertinentiis habui ex concessione Willelmi de Essex, draper prout per scriptum relaxationis ipsius Willelmi inde michi confectum et in Hustengo London’ de communibus placitis tentibus die lune proxima ante festum Sancte Margarete Virginis Anno regni\textsuperscript{745} Regis Ricardi secundi quarto irrotulatum plenius continetur habendum et tenendum predictas duas shopas cum suis pertinentiis et aisiamentis quibuscumque deo et prefate ecclesie Sancte Trinitate ac prefatis priorisse et monialibus ibidem existentibus et que pro tempore erunt et eorum successoribus de capitalibus dominis feodi per servicia inde debita et de iure consueta in puram et perpetuam elemosinam imperpetuam. Ita quod prefate priorissa et conuentus et successores sui caritatis intuitu cantent uel dicant qualibet septima quando melius ad hoc uacare poterunt

\textsuperscript{742} MS; CC: “anno.”

\textsuperscript{743} Not in CC copy.

\textsuperscript{744} Not in CC copy.

\textsuperscript{745} CC: “predicti” follows “regni.”
semel Placebo et Dirigo in earum ecclesia in communi pro anima mea et pro animabus prenotatis ut supradictum est et teneant annuatim unum diem annuersatium ibidem in earum ecclesia pro anima mea et animabus supradictis cum serviicis hiusmodi diei annuersarii. Et supplico quatenus presens ulantas mea ac nomina predicta scribantur in martilio ipsarum priorisse et monialium et annuatim dicto die annuersarii mei perlegantur pro securiori memoria inde imperpetuum habenda. Et uolo quod quadraginta denarii de proficuis de dictis shopis provienintis dicto die annuersarii mei inter easdem priorissam et conuentum siue moniales pro putancia expendantur in communi et quod qualibet monialis eiusdem domus habeat eodem die duodecim denarios sterlignorum ad usum suum proprium per manus priorisse eiusdem loci que pro tempore fuerit recipiendos. Item do et lego Jacobo, filio meo, omnia illa terras, redditus, et tenemeta mea que nuper habui ex feoffamento Willelmi Essex, Johannis More, et Thome Baret, situata in uenella de Pentecostes Lane in parochia Sancti Nicholi ad Macellum London’, prout per cartam ipsorum Willelmi Essex, Johannis More, et Thome inde confectam et Hustengo London’ de placitis terre tentiis die lune proxima post Festum Sanctarum Perpetue et ffelicitatis anno regni predicti Regis Edwardi Tercij quinquagesimo pleniis poterit apperere; habenda et tenenda omnia predicta terras, redditus, et tenemeta cum omnibus suis pertinentiis prefato Jacobo et heredibus de corpore suo legitime procreatis de capitalibus dominis feodorum per servicia inde debita et de iure consueta. Et si contingat ipsum Jacobum sine herede de corpore suo legitime procreato obire, extunc lego et uolo quod omnia predicta terrae, redditus, et tenemeta cum omnibus suis pertinentiis in Pentecostes Lane predicta cedant et remaneant deo et eccliesie domus Salutationis Matris Dei Ordinis Cartusiensis prope London’ ac priori et conuentui eiusdem domus ibidem deo servientibus habenda et tenenda omnia eadem terras, redditus, et tenemeta cum suis pertinentiis et commoditabus quibuscumque deo et eadem eccliesie ac priori et conuentui eiusdem domus Cartusiensis qui pro tempore fuerint et eorum

\footnote{746}{MS; “quaelibet” is the more correct form.}

\footnote{747}{This could be “recipiendum,” alternatively, depending on the intended syntactical function of the word in this context.}

\footnote{748}{MS.}

\footnote{749}{CC: “priore.”}
successoribis in puram et perpetuam elemosinam de capitalibus dominis feodi per servicia inde debita et de iure consuetudinem perpetuum in forma sequenti, uidelicit supplico eisdem priori\textsuperscript{750} et conuentui\textsuperscript{751} qui pro tempore erunt quod ipsi caritatis intuitu cum dicti terre, redditus, et tenementa ad eorum manus adueniunt ordinent et assignent quoddam altare\textsuperscript{m} in eorum ecclesia ita quod duo monachi de eorum conuentu\textsuperscript{752} ibidem cotidie ad illud altare\textsuperscript{m} celebrant, habentes in speciali memoria animam meam et animas Jacobi Andrew et Matildae, uxoris eius, Thome et Mariote, patris et matris meorum, Johanne et Petronille, nuper uxorum meorum, et animas omnium quibus tenemur et omnium Christianorum. Et uolo quod huiusmodi duo monachi assignentur iuxta dispositionem eorum prioris ad celebrandum per unam septimanam, per ordinem, et quod nomina nostra scribantur in aliqua cedula seu tabula ut illi duo monachi illic celebrantes memoriam nostri habeant specialemem supplicans eciam eisdem priori et conuentui et eorum successoribus domus Cartusiensis predicti caritatis intuitu diem nostrum anniuersarii\textsuperscript{753} teneant et faciant anuatim in eadem domo die obitus mei pro prout pro fundatoribus facere solent. Et quod illo die expendatur dimidia marca argenti in putancia conuentui ibidem de proficuis provenientibus de tenementis predictis. Et quilibet monachus ibidem existens habeat tunc dimidiam libram gingiberti\textsuperscript{754}. Et quilibet eorum omnium monachorum habeat annuatim qualibet quadragesima unam libram dactilorum\textsuperscript{755}, unam libram ficuum\textsuperscript{756} et unam libram raceni\textsuperscript{757} pro eorum usu proprio ultra id quod habere solent uel haberent de liberatione eisdem domus ut specialius orient pro animabus nostris et hoc de proficuis dictorum tenementorum in Pentecostes Lane per manus prioris ibidem pro tempore existentis ut predictum

\textsuperscript{750} CC: “priore.”

\textsuperscript{751} CC: Partially in superscript.

\textsuperscript{752} CC: Partially in superscript.

\textsuperscript{753} This can also be “anniuersarii,” alternatively.

\textsuperscript{754} Ginger; see Revised Medieval Latin Word-List from British and Irish Sources, ed. R. E. Latham (London: Oxford University Press for the British Academy, 1965, repr. 1973), entry for “zinziber.”

\textsuperscript{755} Date, tamarind, or almond; see DMLBS entry for “dactylus.”

\textsuperscript{756} Fig; see DLMBS entry for “ficus.”

\textsuperscript{757} Grapes, raisins, or currants; see DMLBS entry for “racenus.”
est. Et totum residuum proficui de dictis tenementis eis sic legatis ad communem utilitatem eiusdem domus totaliter conuertatur et quod presens uluntas mea et omnia promissa sic eis facienda et annuatim per singulos dividenda in martilogo eorum scribantur, et in recitationem dicti annuersarij in conuentu \(^{758}\) ibidem uerbatim legantur, pro secuori memoria inde imperpetuum habenda. Et si predicti prior et conuentus \(^{759}\) domus Cartusiensis uel successores sui in promissa facienda uoluntarie aut necligenter per unum annum defecerint postquam dicta tenemento ad manus suas aduenerint nisi causa rationabili fuerint impediti, extunc do et lego omnia predicta terras et tenementa cum pertinentiis maiori siue custodi et communitati ciuitatis London’ et eorum successoribus qui pro tempore fuerint ad inueniendum duos capellanos de nouo per ipsos eligendos in capella iuxta Guihaldia London’ ad celebrandum et orandum pro anima mea et predictis animabus et pro omnibus Christianis uiuis et mortuis prout uoluerint coram deo respondere. Item lego prefato Jacobo, filio meo, inde omnia illa terras, redditus, et tenementa mea uocata Le Hood’ que habeo in predicta parochia Omnium Sanctorum ad Fenum in Roperia London’ antedicta que perquisiui de Johanne de Branghyng per cartam ipsius Johannis de Branghyng irrotulatam in Hustengo London, anno regni predicti Regis Ricardi Secundi quarto; habenda et tenenda omnia predicta terras et tenementa ac redditus uocata Le Hoode cum omnibus suis pertinentiis prefato Jacobo et heredibus de corpore suo legitime procreatis de capitalibus dominis feodi per servicia inde debita et de iure consueta. Et si contingat ipsum Jacobum sine herede de corpore suo legitime procreato obire, extunc lego et uolo quod omnia eadem terre et tenementa ac redditus cum pertinentiis remaneant Willelmo, filio Willelmi Combortone, fratris mei, et heredibus de corpore ipsius Willelmi filii Willelmi legitime procreatis, tenenda de capitalibus dominis feodi per servicia inde debita et de iure consueta. Et si idem Willelmus, filius Willelmi, obierit sine herede de corpore suo legitime procreato, extunc lego et uolo quod omnia eadem terre et tenementa ac redditus cum pertinentiis remaneant Johanne, Petronille, et Agneti, sororibus ipsius Willelmi filii Willelmi, fratris mei, et heredibus de corporibus ipsarum sororum legitime procreatis inter eas equaliter participanda. Et pro defectu exitus omnia predicta terre et tenementa ac redditus cum pertinentiis remaneant Johanni

\(^{758}\) CC: Partially in superscript.

\(^{759}\) CC: Partially in superscript.
Comberton, filii dicti Willelmi fratri mei et herede de corpore suo legitime procreato. Et si idem Johannes Comberton obierit sine herede de corpore suo legitime procreato quod extunc omnia predicta terre et tenementa ac redditus cum pertinentiis rectis heredibus meis remaneant imperpetuum tenenda de capitalibus dominis feodi per servicia inde debita et consueta. Item lego summo altari ecclesie beate Marie de Arcubus London’ xx s et cuilibet capellanorum et clericorum eiusdem ecclesie xij d. Item lego fraternitati pannariorum ibidem decem libras sterlingorum. Item lego summo altari ecclesie de Shordiche xx s et cuilibet capellanorum et clericorum ibidem xij d. Item lego Jacobo, filio meo, sexaginta libras monete et duos ciphos argenti, duodecim coeliares argenti, et omnia usitamenta domus mee exceptis uasis argenteis non legatis et totum staurum meum et omnia blada in grangyiis meis existentibus. Item lego Roberto Combertone, fratri meo quadraginta libras sterlingorum. Item lego Johanni Combertone, cognato meo, Willelmo, fratri suo, Johanne, Petronille, et Agneti, sororibus eorum, cuilibet eorundem uiginti libras sterlingorum. Et si aliquis eorum obierit infra etatem vel antequam maritatus fuerit quod tunc pars sua remaneat alijs eorum superstibibus. Item Agneti servienti mee uiginti libras sterlingorum. Item lego Margerie servienti mee uiginti libras sterlingorum. Item lego cuilibet aliorum servorum meorum seu servientum mecum commorantium ultra stipendiam suam, xx s. Item lego Katerine Ketille, c s. Item lego Matilde Ketille, xl s. Item lego Alicie Ketille et primis suis, c s. Item Henrici, servienti clericio meo, ad ipsum inueniendum ad scolas, c s. Item pro expensis meis funeratis et de residuo omnium bonorum et catallorum meorum, ubicumque existentibus, lego ad disponendum per executores meos subscriptos pro anima mea et animabus supradictis prout coram deo uoluerint respondere. Huius autem testamenti mei facio et constituo executores meos, uidelicet Robertum Combertone, ffra trem meum, et Simonem Stratforde, pannarium. In cuius rei testimoniunm huic presenti testamento meo sigillum meum apposui. Datum London’ die et anno supradictis. Item lego cuilibet executorum meorum pro labore suo decem marcas sterlingorum. Item ffra tri Johanni Sayer de Ordine Augustinii iiiij libras. Item ffra tri Willelmo ffaryndone de Ordine Minorum, xl s. Item hec est uoluntas mea quod Robertus ffra trus meus et Willelmus Cressewyky feoffent

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760 The word could also be “existentia” if modifying “blada.”

761 CC: “Item lego” occurs twice.
predictum Jacobum, filium meum, in feodo talliato de omnibus terris et tenementis meis apud Hoggeston’ in parochia de Shordich’ per indenturas irrotulandas in Cancellario domini regis. Et pro defectu exitus ipsius Jacobi remaneret prefato Johanni Combertone, filio dicti Willelmii fratris mei et heredibus de corpore suo exeuntibus. Et pro defectu exitus ipsius Johannis Combertone remaneret prefato Willelmo, fratris suo et heredibus de corpore suo exeuntibus. Et pro defectu exitus ipsius Willelmi remaneret prefatis Johanne, Petronille et Agneti, sororibus suis, et heredibus de corporibus earum exeuntibus. Et pro defectu exitus earundem remaneret rectis heredibus meis imperpetuum. Item uolo quod prefati Robertus, frater meus, et Willelmus Cressewyk feoffent prefatum Johanne Combertone de omnibus terris et tenementis meis in parochia de Iseldon habendis sibi et heredibus ac assignatis suis imperpetuam.

Memorandum quod Johannes Norhampton uoluit et legauit per uiam codicilli ac addidit testamento suo in releuamen Jacobi filij sui quod idem Jacobus haberet xl libras. Item quatuor hospitalibus, uidelicet Sanctorum Bartholomei, Thome, et Beate Marie et Willelmi Elsynge, cuilibet eorum, xx s. Item prioriatui de Cheston’ librum vocatum “Legenda aurea.” Item uxori le Chaundelere apud Le Conduit, <xx s>. Item Ricardo Nortone, xxvj s viij d. Item clerico parochi de Schordyche, iij s iiiij d.Item domino Hugoni Capellano, xl s. Item Willelmo Kelsyll, xx s. Item uicaris ecclesie parochie de Schordych, xl s. 763

762 CC: “cuilibet eorum 20s.”

763 The Commissary Court copy contains the following statement of probate: “Probat est hoc testamentum coram nobis presiden’ Consistorii London’ Vto [quinto] Ides Januarii, anno domini millesimo cccmo nonagesimo septimo... Et commissa est administratio bonorum executorum interius nominatis.”
1b. John Northampton: Translation

In the name of God, Amen. I, John Northampton, citizen and draper and free man of the city of London, 17 December 1397, 21 Richard II, living whole in mind and in my good memory, compose, make, and ordain my present testament in this mode, namely: First, I give and commend my soul to the omnipotent God and Blessed Mary his mother and all the saints, and my body for burial before the altar of St. John Baptist in the church of the hospital of Blessed Mary Elsyng Spital within Cripplegate, London. Also I give and bequeath to God and the aforesaid hospital of blessed Mary Elsyng Spital within Cripplegate, London and to Robert Draycote, prior of the same hospital and the same canons and convent there, serving God, all my lands and tenements with houses, shops, solars, celars, and quay adjacent with all its appurtenances and easements wherever they are, which I, the said John Northampton, together with my brother Robert and William Cressewyk, who afterwards released their right to me, recently acquired from Thomas Medlane, John Reche, and John Sandwich, just as they lie in the parish of All Hallows the Great at the Hay in the Ropery, in Dowgate Ward, London, and which once belonged to Bartholomew Fristhyng, as is fully maintained in a certain charter of the said Thomas, John Reche, and John Sandwych effected to us and enrolled in the Husting [Court], London, concerning the common pleas held on Monday in the Feast of Apostle St. Matthew, 5 Richard II, to have and hold all the said lands and tenements with houses, shops, solars, celars, quay and all their other appurtenances and easements, whatever they are, to God and the said prior, canons, and convent who now exist and who will be there at that time, and to their successors from the chief lords of the fee, by services owed and by customary law in perpetuity, in pure and perpetual alms, and in form and under the following conditions. Namely, I will that the aforesaid prior and convent and their successors who now exist and who will exist at that time competently sustain the aforesaid tenements from the profits issuing from the same tenements. And I will and ordain that, immediately after my death, all the canons of the same hospital who will be there at that time celebrate divine services annually in the same hospital for my soul and the souls of Jacob Andryew and his wife Matilda, Thomas and Mariota, my father and mother, and for the souls of Joan and Petronilla, my wives, and for the souls of all those to whom I am bound, and for all Christians, namely two canon chaplains one week, and another two canon chaplains another week in turn, and in order according to the true discretion and
allocation of the said prior who will be there at that time and his successors in perpetuity, and that the said two canons thus celebrate to the end of their week [and] afterwards have 8d from the said profits of the same held by the hand of the said prior and his successors. Namely 4d to each of their canons for their own use especially from this cause and thus from time to time and from canon to canon in perpetuity. And I will that the same prior and convent and their successors, after my death, observe my anniversary day in the said hospital once a year with Placebo and Dirige with note and with other services and ornaments pertaining to that day for my soul and the souls aforesaid. And I will that all paupers, men and women, received in the same hospital and inhabiting it faithfully, should be forewarned to be present on the said day and pray for my soul and for the aforesaid souls, and after the completion of the said service, I will that each of the said canons and the said paupers living there for this reason or absent because of disability should have 12d for their own use by the hand of the said prior and his successors thus existing there at that time, annually in perpetuity. And [I will] that the aforesaid canons with their prior should have, on the same day, a half mark for pittance to spend among themselves in their communal refreshment from the profits issuing from the said tenements as aforesaid and the total residue of the profits issuing from the said tenements should be converted to the work and communal use of the said hospital. And I will that my name and the aforesaid names for which they must be celebrated thus are to be continually written or named upon the altar’s tablet or cloth before the eyes of the said canons celebrating in memoriam. And I will that, within two years following my death, as soon as possible, the aforesaid prior and convent should choose and receive two chaplains or another two non-ordained clerics according to their good judgment, without fraud, to be there, the new canon especially for the reason of my legacy, beyond the number of canons of the same hospital, from ancient establishment or custom. And I will that the said prior and convent or canons who are there at the time of my death, when they are reasonably requested before my executors in the same hospital, should faithfully promise by priestly oath that they will faithfully carry out and complete my present testament and will specified in the same testament in their time, and that they will receive no new canon there unless the new canon of this kind, at the time of his declaration, shall make a promise of this kind to complete the things promised on his part. And I will that all promises be fully written in the bead-roll and recited and read each year in their full chapter on my anniversary day, lest they be forgotten. And if it happens that the said prior and canons or their successors neglect my
present will and voluntarily cease for two years or are not impeded by reasonable cause, then I will and bequeath that the same prior and convent and their successors lose the same tenements and then [I will] that all the same tenements with appurtenances be ceded and remain to the mayor or warden and community of the said city of London and their successors in perpetuity, to establish two newly-elected chaplains to celebrate in the Guildhall chapel of London for my soul and for the aforesaid souls and for the good state of the said city and for all Christians, living and deceased, in perpetuity. Also I, the aforesaid John Norhampton, give and bequeath to God and the church of Holy Trinity of Chesthunt in Hertford County and Chiffault Chamberleyn, prioress, and the nuns serving God there, the whole shop which I have together with the great gate overlooking the same shop in the parish of Mary at Bow, London, and which I recently acquired from Richard Northbury, mercer, and his wife Imania, and from John de Kyrkeby, chaplain, executors of the testament of John de Enfeld, as is fully contained in the [document] written to me of the same executors created and enrolled in the Husting [Court] London concerning communal pleas held Monday following the Feast of St. Peter in Chains, 46 Edward III, and another corner shop located in the lane of Cordwainer Street in the said parish of Blessed Mary at Bow, London, which shop with appurtenances I held from the concession of William de Essex, draper, as is fully contained in a document of release of the same William made to me and enrolled in the Husting [Court] London concerning common pleas held on Monday following the Feast of St. Margaret Virgin, 4 Richard II, to have and hold the said two shops with their appurtenances and easements, whatever they are, to God and the aforesaid church of Holy Trinity and the aforesaid prioress and monks existing there and who are there at that time, and their successors from the capital lords of the fee, for services owed and by customary law, in pure and perpetual alms in perpetuity—so that the said prioress and convent and their successors, with respect to charity, sing or recite once each week, when they can best spare time for this, a Placebo and Dirige in their church together for my soul and for the aforesaid souls as noted above, and hold each year one anniversary day there in their church for my soul and the aforesaid souls with services of this kind of anniversary day. And I pray as far as my present will that the aforesaid names be written in the bead-roll of the said prioress and nuns and that they be read annually on my said anniversary day to hold my memory more securely in perpetuity. And I will that 40d from the profits issuing from the said shops be spent for pittance on my said anniversary day among the same prioress and convent or nuns together, and that each nun of the same house
should have on the same day 12d sterling for her own use by the hand of the prioress of the same place who should be received at that time. Also I give and bequeath to my son Jacob all those lands, rents, and tenements which I recently held from the feoffment of William Essex, John More, and Thomas Baret, located in the lane of Pentecost Lane in the parish of St. Nicholas Shambles, London, according to the charter created of the same William Essex, John More, and Thomas, and as it can fully appear in the Husting [Court] London concerning pleas of land held on Monday following the Feast of Saints Perpetua and Felicitas, 50 Edward III, to have and hold all the said lands, rents, and tenements with all their appurtenances, to the said Jacob and heirs legitimately issuing from his body, from the capital lords of the fee for services owed and by customary law. And should the said Jacob die without an heir legitimately borne of his body, I give and will that all the said lands, rents, and tenements with their appurtenances in the aforesaid Pentecost Lane be ceded and remain to God and the church house of the Salutation of the Mother of God of the Carthusian Order beside London and to the prior and convent of the same house serving God there, to have and hold all the said lands, rents, and tenements with their appurtenances and conveniences of whatever kind, to God and the same church and prior and convent of the same Carthusian house who are there at that time, and to their successors, in pure and perpetual alms from the chief lords of the fee for services owed and by customary law in perpetuity in the following form, namely I pray to the same prior and convent who will be there at that time that they, mindful of charity, when the said lands, rents, and tenements arrive into their hands, ordain and assign a certain altar in their church so that two monks from their convent should celebrate daily there at that altar, having in special memory my soul and the souls of Jacob Andrew and Matilda, his wife, Thomas and Mariota, my father and mother, Joan and Petronilla, recently my wives, and the souls of all to whom I am bound and all Christians. And I will that two monks of this kind be assigned according to the direction of their prior to celebrate for one week, by order, and that our names be written in a schedule or table so that those two monks celebrating there should observe our special memory, and I pray also to the same prior and convent and their successors of the aforesaid Carthusian house that they, mindful of charity, should hold and make our anniversary day annually in the same house on my obit day as they are wont to do for founders. And that on that day a half mark of silver shall be spent in pittance for the convent there, from the profits issuing from the said tenements. And each monk existing there should have a half pound of ginger and each of the same of all the monks should have
annually, each Lent, one pound of dates, one pound of figs, and one pound of raisins for his own use beyond that which they are wont to receive or must have by delivery of the same house, so that they specially pray for our souls, and this [should come] from the profits of the said tenements in Pentecost Lane by the hand of the prior present that time, as said before. And the whole residue of the profits from the said tenements bequeathed to them are to be wholly converted to the communal use of the same house, and that my present will and all obligations to be fulfilled by them and divided annually by individual are to be written in their bead-roll, and read verbatim in recitation of the said anniversary in the convent there, for the keeping of a more secure memory in perpetuity. And if the said prior and convent of the Carthusian house or their successors voluntarily or negligently fail in fulfilling their obligations for one year after the said tenements arrive in their hands without having been impeded by reasonable cause, then I give and bequeath all the aforesaid lands and tenements with appurtenances to the mayor or warden and community of the city of London and to their successors who will be there at that time, to find two chaplains newly elected by them to celebrate and pray for my soul and the aforesaid souls and for all Christians living and deceased in the chapel beside the Guildhall in London, as they would wish to be held accountable in the presence of God. Also I give to the said Jacob, my son, all the lands, rents, and tenements of mine called “Le Hood” which I have in the said parish of All Hallows at the Hay in the Ropery, London, the aforesaid of which I acquired from John de Branghyng by a charter of the same John de Brangyng enrolled in the Husting [Court] London, 4 Richard II, to have and hold all the said lands and tenements and rents called “Le Hood” with all its appurtenances, to the said Jacob and legitimate heirs of his body, from the chief lords of the fee for services owed and by customary law. And should the same Jacob die without a legitimate heir from his body, I then will and bequeath that all the same lands and tenements and rents with appurtenances remain to William, son of William Comberton, my brother, and to the bodily heirs of the same William, legitimate son of William, to hold from the chief lords of the fee for services thus owed and by customary law. And if the same William, son of William, should die without a legitimate bodily heir, then I bequeath and will that all the same lands and tenements and rents with appurtenances remain to Joan, Petronilla, and Agnes, sisters of the same William, son of William, my brother, and to their legitimate bodily heirs, to be divided equally among them. And in the absence of issue, all the said lands and tenements and rents with appurtenances shall remain to John Comberton, son of the said William Comberton, my brother, and his
legitimate bodily heir. And should the same John Comberton die without a legitimate bodily heir, then all the said lands and tenements and rents with appurtenances shall remain to my rightful heirs in perpetuity, to hold from the capital lords in fee for services owed and customary. Also I give to the high altar of the church of Blessed Mary at Bow, London, 20s, and to each of the chaplains and clerics there, 12d. Also I give to the Fraternity of Drapers there, £10 sterling. Also I give to the high altar of the church of Shoreditch, 20s, and to each of the chaplains and clerics there, 12d. Also I give to Jacob, my son, £60 in money and two cups of silver, twelve silver spoons, and all utensils of my house except the silver vases not bequeathed, and my whole store and all the wheat existing in my barns. Also I give to Robert Comberton, my brother, £40 sterling. Also I give to my kinsman John Comberton, his brother William, Joan, Petronilla, and Agnes, their sisters, to each of the same, £20 sterling. And if any of them should die before their majority or before (s)he is married, then his/her part should remain to the others of them surviving. Also £20 sterling to my servant Agnes. Also I give to my servant Margerie £20 sterling. Also I give to each of my other servants or servants living with me 20s beyond their stipend. Also I give to Katherine Ketill 100s. Also I give to Matilda Ketill 40s. Also I give to Alice Ketill and her children 100s. Also 100s to Henry, my clerk serving [me], to establish him at school. Also for my funeral expenses and from the residue of all my goods and chattels, wherever they exist, I give for disposal by my executors underwritten for my soul and the aforesaid souls as they would wish to be held accountable before God. I make and constitute as my executors of my present testament, namely Robert Comberton, my brother, and Simon Stratford, draper. In witness of my present testament I have affixed my seal. Dated in London on the aforesaid day and year. Also I give to each of my executors for their labor 10 marks sterling. Also £4 to brother John Sayer of the Augustinian Order. Also 40s to brother William Faryndon of the Order of Minors. Also this is my will that my brother Robert and William Cressewyk should enfeoff my son, Jacob, in fee tallied of all my lands and tenements at Hoggston in the parish of Shoreditch by indentures enrolled in the Chancery of the lord king. And in the absence of issue from the same Jacob, to remain to the said John Comberton, son of the said William, my brother, and the heirs issuing from his body. And in the absence of issue from the same William, [the said properties are] to remain to the aforesaid Joan, Petronilla, and

764 MS: “primis [?] suis.”
Agnes, his sisters, and the heirs issued from their bodies. And in the absence of issue from the
same [i.e. Joan, Petronilla, and Agnes], [the said properties are] to remain to my rightful heirs in
perpetuity. Also I will that the aforesaid Robert, my brother, and William Cressewyk enfeoff the
said John Comberton concerning all my lands and tenements in the parish of Iseldon’ to be held
for himself and his heirs and assigns in perpetuity. Memorandum that John Norhampton willed
and bequeathed by way of codicil and added to his testament in relief of his son Jacob, that the
same Jacob should have £40. Also to four hospitals, namely St. Bartholomew, Thomas, and
blessed Mary and William Elsyng, to each of them 20s. Also to Cheston Priory the book called
Legenda Aurea. Also to the wife of “le Chaundeler” at the Conduit, 20s. Also 26s 8d to Richard
Norton. Also 3s 4d to the parish clerk of Shoreditch. Also 40s to chaplain Hugh. Also 20s to
William Kelsyll. Also 40s to the vicar of the parish church of Shoreditch.
Appendix 2: Ralph Holland, Tailor

2a. Ralph Holland, Husting Roll 181, No. 15: Transcription

Isabelle annuatim episcopum faciant in eccl. singulis annis, uidel. sui de exitibus et omnibus suis pertinentiis prefatis priorissa et conuentui et successoribus suis de capitalibus dominis feodi illius per servicia inde debita et de iure consueto in perpetuum ad inde faciendum et perimplendum omnes et singulas uoluntates et ordinaciones predicte Isabelle Brikles subscriptas. In primis, uidelicet quod predicta priorissa et conuentus et successores sui in domo sua capitulari cum ibidem fuerint ad suum capitulum cotidie in perpetuum exorabunt pro anima mea et specialiter ac nominatim pro anima dicte Isabelle et animabus Willelmi et Katerine, parentum eiusdem Isabelle, Johannis Brikles, fratris dicte Isabelle, et Isabelle uxoris eiusdem Johannis necnon pro animabus Henrici Yerdeley, aui predicte Isabelle Brikles et Sabrine uxor is sue et omnium fidelium defunctorum, et ulterius quod dicta priorissa et conuentus et successores sui de exitibus et proficuis annuatim prouennentibus de tenemento predicto cum suis pertinentiis singulis annis, uidelicet primo die mensis Aprilis, in perpetuum teneant et obseruent et celebrari faciant in ecclesia sua predicta obitum siue anniuersarium predicte Isabelle Brikles cum Placebo et Dirige per notam et in crastino missam de Requiem per notam. Et quod inueniunt et sustineant quolibet anno dicto die aniiuersatii eiusdem Isabelle duos cereos ponderis unus libre ardentes circa sepulturam dicte Isabelle tempore dicti aniiuersatii sui, ac eiam quod predicta priorissa et conuentus et successores sui quolibet anno dicto die aniiuersatii predicte Isabelle de exitibus et proficuis annuatim prouennentibus cum suis pertinentiis soluunt domino episcopo London’ qui pro tempore fuerit uel eius in hac parte officiario siue deputato ad ecclesiam dicti prioratus uenient et ibidem dicto die aniiuersarii eiusdem Isabelle interesser ad usum eiusdem episcopi ea intencione ad superuindendum omnes et singulas uoluntates et ordinaciones eiusdem Isabelle aniiuvatii obseruant tres solidos et quatuor denarios. Si idem dominus episcopus qui pro tempore fuerit aut eius officiarius siue deputatus ad dictum prioratum quolibet anno dicto die aniiuersarii eiusdem Isabelle aduenerit, et alioquin quod idem dominus episcopus aut eius

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765 MS for “uenerit.”
766 MS for “interesser.”
767 MS for “obseruat.”

2b. Ralph Holland, Husting Roll 183, No. 13: Transcription


768 MS.
siue hospicio predictis iacentibus et existentibus prout in quadam carta cuius data est London’ uicesimo septimo die mensis Aprilis, anno regni Regis Henrici Sexti post conquestum duodecimo inde confecta plenius continetur. Quod quidem tenementum siue hospiciwm cum suis pertinentiis continet in latitudine inter tenementum quod quondam fuit domini Rogeri Banent, militis, et quoddam tenementum pertinens ad ecclesiam Sancti Michaelis in Bassyngeshawe uersus orientem et uiam regiam ibidem uersus occidentem et extendit se in longitudine a tenemento pertinenti hospitali Beate Marie extra Bisshopesgate et a tenemento quod pertinet ad predictam ecclesiam Sancti Michaelis uersus austrum usque ad tenementum nuper Johannis de Shirebourne uersus aquilonem. Qui quidem Ricardus Nordone totum jus suum statum et clameum que habuit in predicto tenemento siue hospicio uocato Bassetisyn cum lignis, lapidibus, plumbis et alijs bonis mobilibus et suis pertinentiis michi, pretatis Radulpho, heredibus et assignatis meis per quoddam scriptum suum remisit et relaxauit. Et ulterius cum ego, pynomialus Radulphus Holand, et predictus Ricardus Nordoun ac Rogerius Holbeche et Thomas Dauy adhuc superstites, ac pretati Johannes Kyng, Willelmus Chapman, Johannes Knotte, et Johannes Ryche, nuper ciues et cissores London’, iam defuncti, nuper perquisuierimus de Thoma Sutton et Willelmo Holgrae, quondam cuiibus et cissoribus dicte ciuitatis, unum hospiciwm siue messuagium situatum super cornerium de Lymestrete in parochia Sancti Andree iuxta Cornhull London’, uocatum Penbrigges Inne, uidelicet inter uiam regiam de Lymestrete ex parte orientali et tenementum nuper domini de Southe ac tenementum abbatis et conuentus de Gracijs iuxta Turrim London’ ex parte occidentali et abuttat super uiam regiam de Cornhull et super parcellum tenementi eortunda abbatis et conuentus ac super tenementum nuper Johannis Thorp et super tenementum nuper Johannis Halywell ex parte boriali usque ad tenementum nuper predicti domini de Southe ex parte australi prout per quandam cartam cuius datam est London’ uicesimo octauo die Aprilis anno regni regis Henrici sexti post conquestum duodecimo uidentius apparere poterit. Qui quidem Ricardus Nordone, Rogerus Holbeche, et

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769 At this point the writing is approaching the edge of the parchment; a note following “quoddam scriptum” states: “uide residuum in proxi mo rotulo seq’”, or “view the remainder in the next roll following [this roll].” The will then continues on the following parchment with a heading above stating: “Adhuc placita terre tenement’ in Hustengo London’ die lune proxima post Festum Sancti Luce Euangeliste, anno regni Regis Henrici sexti post conquestum tricesimo tercio,” or “Here [are] pleas of land and tenements in the London Husting [Court] on Monday following the Feast of St. Luke, Evangelist, the 33rd year of the reign of King Henry VI after the conquest.”

770 MS.
Thomas Dauy totum ius suum statum et clameum que habuerunt in predicto hospicio siue messuagio uocato Penbrigges Inne cum pertinentiis michi, prefato Radulpho, hereditibus et assignatis meis per quodam scriptum suum remiserunt et relaxauerunt, de quibus omnibus et singulis supraddrictis terris et tenementis redditus et possessionibus cum pertinentiis in parochia Sancti Albani in Wodestrete predicta, et de quibus tribus shopis cum solarijs superedificatis et parcellis, terris, gardini in uenella Sancti Clementis predicta ac de quo quidam tenemento siue hospicio uocato Bassettisyn in parochia Beate Marie de Aldermanbury predicta, et de quibus hospicio siue mesuagio in parochia Sancti Andree predicta cum pertinentiis. Ego, supraddrictus Radulphus Holand, die confectionis presentium, solus saisitus et possessionatus existens in dominico meo ve de feodo per presens testamentum meum, do et lego Johanni Gille magistro, Ricardo Roke, Johanni Hille, Johanni Spenser, et Johanni Wiche, custodibus fratrirnanitatis cissorum et linearum armaturarum armurariorum Sancti Johannis Baptiste in ciuitate London’ omnia et singula supraddrictas terras et tenementa, hospicia, mesuagia, redditus et possessiones cum omnibus et singulis eorum iuribus et pertinentiis quibuscumque habenda et tenenda omnia et singula easdem terra et tenementa, hospicia, mesuagia, redditus et possessiones cum omnibus et singulis eorum iuribus et pertinentiis prenominatis prefatis magistro et custodibus et successoribus suis et magistro et custodibus predicte fratrirnanitatis qui pro tempore erunt de capitalibus dominis feodi illius per servicia inde debita et de iure consueta in puram et perpetuam elemosinam fratrirnanitatis supraddrictae in perpetuum, uidelicet pro pauperibus et egenis dicte fratrirnanitatis perpetualiter releuandis ad specialiter exorandum pro anima mea et anima Matilde nuper uxoris mee animabusque omnium confratrum et consorororum fratrirnanitatis supraddrictae ac animabus omnium Christi fidelium defunctorum. Et ad hoc presens testamentum meum tantummodo exequendum et perficiendum ordino, facio et constituo meos executorum uidelicet Thomam Dauy, Rogerum Holbeche, Ricardum Benton, et Johannem Stone, ciues et cissores ciuitatis London’. In cuius rei testimonium hinc presenti testamento meo sigillum meum apposui. Datum London’ die mense et anno domini supraddrictis.

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771 Demesne or land held for the lord’s use. See entry for “dominicvs” in the DMLBS. I am grateful to George Rigg and Michael Gervers for this suggestion.
2c. Ralph Holland, Huntington Roll 183, No. 14: Transcription

et custodium eiusdem ffraternitatis qui pro tempore sunt in perpetuum, de capitalibus dominis feodi illius per servicia inde debita et de iure consueto. Ita quod iijdem magister et custodes et successores sui, magister et custodes predicte ffraternitatis qui pro tempore erunt, omnia predicta tenementa cum pertinentiis bene et sufficienter repereant et sustineant. Ac de exitibus et proficuis eorundem terre et tenementum cum pertinentiis prouenientibus soluant et reddant annuamim in perpetuum rectori ecclesie parochialis Beate Marie de Aldermarychurch Londin, et custodibus operis et ornamentorum eiusdem ecclesie tresdecim solidos et quatuor denarios sterlingorium ad inde tenendum et obseruandum anniuersarium mei prefati Radulphi ac Matilde nuper uxoris mee in dicta ecclesie Beate Marie de Aldermarychirche singulis annis in perpetuum simul et semel illo die quo me ab hac luce migrare contigerit modo et forma scriptis, saltim in uigilia obitus mei exequias pro anima mea animaque predicte Matilde ac animabus omnium fidelium defunctorum, per notam et in crastino missam de Requiem per notam campanasque pulsari tempore exequiarum predictarum una cum lumine cere ardentis faciendum. Et lego et uolo quod rector ecclesie Beate Marie de Aldermarichirche predicte pro tempore existens dicto anniuerusario interessens de dictis tresdecim solidis et quatuor denariis habeat annuamim xijd et quod quilibet capellanus et clericus parochialis eiusdem ecclesie interessens anniuerusario predicte habeat inde xijd. Ac etiam quod quilibet custodum operis et ornamentorum eiusdem ecclesie Beate Marie de Aldernachirche interessens huiusmodi anniuerusario habeat inde xijd. Ac totum residuum, si quid fuerit de dictis tresdecim solidis et quatuor denariis, lego ad distribuendum per dictos rectorem et custodem dicte ecclesie Beate Marie inter pauperes parochianos eiusdem ecclesie Beate Marie maxime indigentes secundum bonam discretionem eorundem rectoris et custodum dicte ecclesie Beate Marie pro tempore existentium. Et ulterior quod predicti magister et custodes ffraternitatis predicte pro tempore existentes de exitibus et proficuis predicte soluant annuamim et septimanam cuilibet fratri et sorori pauperi de elemosina ffraternitatis predicte unum denarium in augmentacionem et incrementum cuiuslibet pauperis fratris et sororis elemosine eiusdem ffraternitatis perpetuis temporibus duraturn. Et quicquid residuum fuerit de exitibus et proficuis predicte ultra omnia onera et soluciones superius expressata et recitata, lego in puram et perpetuam elemosinam ffraternitatis supradicte in perpetuum, uidelicet pro pauperibus et egenis dicte ffraternitatis perpetualiter relevandis ad specialiter exorandum pro anima mea et anima dicte Matilde nuper uxoris mee, animabusque omnium confratrum et conсорorum ffraternitatis supradicte ac animabus omnium Christi fidelium
defunctorum. Et si predicti magister et custodes ffraternitatis predicte pro tempore existentes de anniuersario predicto in forma predicta tenendo defecerint aut si dictas terras et tenementa cum pertinentiis uel aliquam parcellam eorundem non sursum teneri uel custodiri contingat ob quod onera et soluciones predicte in forma predicta solui et manuteneri non ualeant, uel si exitus et proficua dicte terre et tenementum cum pertinentiis per dictos magistrum et custodes dicte ffraternitatis uel consimiles successores suos qui pro tempore fuerint in alios usus in futuro conuertantur quam in forma ut supradictum est, extunc lego et uolo quod omnia predicte terre et tenementa cum pertinentiis integro remaneant rectori et custodibus ecclesie Beate Marie predicte et successoribus suis in perpetuum, ita quod ipsi sustineant, repereant, et manuteneant omnia predicte tenementa cum pertinentiis ac teneant anniuersarium predictum necnon soluant, subeant, et perimpeant omnia onera in forma ut superius declarauit in perpetuum, et ad hoc presens testamentum meum tantummodo exequendum et perficiendum facio, ordino, et constituo meos executores, uidelicet Thomam Dauy, Rogerum Holbeche, Ricardo Benton, et Johannem Stone, ciues et cissores ciuitatis prernominate. In cuius rei testimonium huic presenti testamento meo sigillum meum apposui. Datum London’ die et anno supradictis.
Appendix 2: Ralph Holland, Tailor: Translations
2d. Ralph Holland, Husting Roll 181, No. 15: Translation

On the said day and year came Roger Holbeche, citizen and tailor of London, one of the executors of Ralph Holland, late citizen and tailor of London, and caused to prove the testament of the said Ralph regarding the relevant lay fee articles per Thomas Davy, Richard Benton’, citizens and tailors of London, and William Brampton, scrivener, witnesses sworn and diligently examined, who say on their oath that they were present where the said Ralph composed his testament in this manner which follows: In the name of God, Amen. 24 January 1449 and the twenty-eighth year after the conquest of the reign of King Henry VI, I, Ralph Holland, citizen and tailor of London, whole in mind and in my good memory, in this present codicil, make, ordain, and dispose my last will concerning a certain tenement of mine underwritten which I have in the parish of St. Benedict Shorehog, London. And to the praise and honor of the Omnipotent God, the Blessed Virgin Mary his mother, and all the saints, I give and bequeath to God and also the church of Margaret Holbech, prioress of the monastic house and church of St. Leonard of Stratford-at-Bowe in Middlesex County and to the convent in the same place and its successors in perpetuity, my whole aforesaid tenement with all its appurtenances located in Bokeleresbury in the parish of St. Benedict Shorehog, London, between the tenement late of Adam Fraunceys, knight, on the west side, and the tenement of the Dean and Chapter of the chapel of the lord king, St. Stephen Westminster, on the east side, which aforesaid with its appurtenances recently belonged to the late John Gedeney, citizen while living, and draper and alderman of the city of London, and of others, namely John Fray, formerly recorder of the city of London, John Carpenter, and Richard State, jeweller, of the city of London, who were enfeoffed to the use of the said John Gedeney, and which I late held from the discharge and enfeoffment of Thomas Tirell, knight, John Clopton, armourer, John Stokker, draper, and Thomas Clerk, sceptor, of the city of London, executors of the testament of the said John Gedeney for the sum of 200 marks sterling paid into the hands of the said Thomas Tirell, John Clopton, John Stokker, and Thomas Clerk from the goods of Isabelle Brikles, deceased daughter of William Brikles, deceased late citizen and linendraper of the city of London, by the hand of Thomas Chaltone,
alderman, Robert Shirborn’, draper of the city of London, and Robert Love, chaplain, executors of the testament of the said Isabelle, to be distributed for the salvation of the said John Gedeney’s soul as is made fully clear in a certain charter of feoffment made to me, to have and hold the entire aforesaid tenement with all of its aforesaid appurtenances to the aforesaid prioress and convent and its successors from the chief lords of that fee for the service owed and by customary law in perpetuity, and thence to do and complete all and sundry aforesaid wills and ordinations of the aforesaid Isabelle Brikles. First, namely that the aforesaid prioress and convent and their successors in that chapter house, when they go there to their chapter daily, that they should pray in perpetuity for my soul and, especially and by name, for the soul of the said Isabelle and the souls of William and Katherine, parents of the said Isabelle, John Brikles, brother of the said Isabelle, and of Isabelle, wife of the said John, and also for the souls of Henry Yerdeley, uncle of the aforesaid Isabelle Brikles, and Sabrina, his wife, and of all deceased faithful, and moreover that the said prioress and convent and its successors hold and observe and cause to be celebrated in perpetuity, from the proceeds and profits issuing annually from the said tenement with its appurtenances each year, namely 1 April, in his aforesaid church, the obit or anniversary of the aforesaid Isabelle Brikles with Placebo and Dirige by note, and on the following day, a mass of Requiem by note. And that they find and sustain, in any given year, on the said Isabelle’s anniversary day, two wax candles weighing one pound, burning around the said Isabelle’s sepulcher at the time of her said anniversary, and also I will that the said prioress and convent and successors who, on whatever year, on the aforesaid Isabelle’s said anniversary day, from the proceeds and profits issuing annually, with its appurtenances, pay to the lord bishop of London who is there at that time, or to his officer in this part or his deputy, come to the church of the said priory and there, on the same Isabelle’s said anniversary day, attend to the use of the said bishop for his purposes to supervise that all and single wills and ordinations of the said Isabelle be observed annually, 3s 4d; if the said lord bishop who is there at that time, or his officer or deputy, comes to the said priory in any year on the same Isabelle’s said anniversary day, and otherwise that the same lord bishop or his officer or deputy should have nothing nor receive anything but that the same 3s 4d should remain and be converted wholly to the use of the said prioress and convent and their successors. And for the aforesaid, I will and ordain that the residue of all and single rents and profits from the said tenement with its appurtenances issuing annually, clear of debt, by the hand of the prioress, existing at that time, of the house and church
aforesaid, be divided justly and faithfully and apportioned between the prior and the monk of
the said priory existing at that time, for the finding and provision of clothing of the same lord
monks in equal portions and that it should be thus every year and should last in perpetuity. I
make, ordain, and constitute executors of this my codicil and of my last will declared in it,
namely Hugh Wich, mercer, and Roger Holbech, tailor, citizens of London, so that none of the
other executors named in my main testament shall involve themselves. In witness of such matter
in this my present codicil and last will I have affixed my seal. Given in London on the aforesaid
day and year.

Ralph Holland, Husting Roll 183, No. 13: Translation

On the said day and year, here came John Stone, one of the executors of Ralph Holand, citizen of
London during his lifetime, and he had the said Ralph’s testament regarding the articles touching
the lay fee proved by John Legge and Simon Chichele, citizens of London, sworn and diligently
examined witnesses, who said upon their oath that they were present where the aforesaid
composed his testament in this manner which follows: In the name of God, Amen. 2 May 1452
and the 30th year of the reign of King Henry VI after the conquest. I, Ralph Holand, citizen of
the city of London, whole in mind and living in my good memory, compose, make, and ordain
my present testament concerning diverse lands and tenements, possessions, rents, and services
with their appurtenances underwritten in this manner. First, whereas I, the aforesaid Ralph,
together with John Fulthorp, John Partriche, and Simon Leef, citizens of London now deceased,
of late acquired from Thomas Corbet, son and heir of Agnes Corbet, daughter and heir of
Thomas Carleton, late citizen and “brouderer” of London, all lands and tenements, rents, and
possessions which he [i.e. Thomas Corbet] held in the parish of St. Alban, Wodestrete, London,
and which [properties] descended to the same Thomas Corbet after the death of the said Agnes
by hereditary law as is fully contained in a certain charter created [and] dated in London, 5
November in the 9th year of the reign of King Henry V after the conquest of England; which
aforesaid lands and tenements with all their appurtenances are situated and lie in the aforesaid
parish of St. Alban, Wodestrete, upon the corner of Adelane towards Wodestrete, between the
royal highway of Wodestrete on the western part and the tenement of the prior and convent
hospital St Mary Elysingspitall within Crepulgate, London, and the tenement late of lord William
Philipp, chaplain, on the eastern part and also between the lane of the aforesaid Adelane on the
southern part and the tenement of the prior and convent of the new hospital of Blessed Mary without Bishopsgate, London, and the tenement late of lord Thomas Peyteuyn, knight, on the northern side; and also whereas I, the aforesaid Ralph, and Richard Nordoum, still surviving, and lord John Fulthorp and Thomas Suton, William Holgrave, and John Knotte, late citizens and tailors of the said city, now deceased, of late acquired from Richard Lynne, citizen and tailor of London, three shops with solars built thereupon and with one parcel of land with a certain garden, the aforesaid adjoining shops and their appurtenances situated and lying in St. Clement Land beside East Cheap in Candlewykstrete Ward, London, opposite the church, namely between Andrew Pyebaker’s tenement now belonging to the church of St. Michael Cornhill on the southern part and the tenement belonging to the college of Atilburgh in the county of Northampton on the northern part, and the tenement belonging to the Fraternity of Fripperers in the aforesaid city and the tenement of Walter Gawtrone on the western part and the aforesaid St. Clement Lane on the eastern part as can be seen fully in a certain charter read and enrolled in the Husting Court, London, of common pleas held on Monday following the Feast of St. Maur[ce], abbot, in the 7th year of the reign of King Henry VI; which Richard Nordone, by a certain document of his, has released and relaxed his whole right, status and claim, which he held in the said three shops with solars built thereupon and a parcel of land, the aforesaid garden, and all appurtenances in the aforesaid St. Clement Lane, to me, the aforesaid Ralph and my heirs and assigns; also whereas I, the said Ralph Holand, and the aforesaid Richard Nordoun still surviving and John Kyng, William Holgrave, and John Knotte, now deceased, of late acquired from Robert Darcy, armourer, and Thomas Sutton, citizen of London, one tenement or hospice called “Bassettisyn” which once belonged to lord Ralph de Basset, knight, late lord of Drayton, deceased, located in the parish of Blessed Mary of Aldermanbury in Crepulgate Ward, together with many trees, stones, and other movable goods lying and existing in the aforesaid tenement or hospice as is fully contained in a certain charter dated in London 27 April on the 12th year of the reign of Henry VI after the conquest; which tenement or hospice with its appurtenances covers, in latitude, between the tenement which once belonged to lord Roger Banent, knight, and a certain tenement belonging to the church of St. Michael Bassishawe towards the east and the royal highway there towards the west, and extends in longitude from the tenement belonging to the hospital of Blessed Mary without Bishopsgate and from the tenement which belongs to the said church of St. Michael towards the south up to the tenement late of John Shireborne towards
the north; which the same Richard Nordoun, by a certain document, released and relaxed his whole right, position, and claim, which he held in the said tenement or hospice called “Bassetisyn” with lumber, stones, lead, and other movable goods and its appurtenances, to me, the aforesaid Ralph, and my heirs and assigns; and further whereas I, the aforenamed Ralph Holand, and the said Richard Nordoun and Roger Holbech and Thomas Davy, still surviving, and the aforesaid John Kyng, William Chapman, John Knotte, and John Rych, late citizens and tailors of London, now deceased, of late acquired from Thomas Sutton and William Holgrave, former citizens and tailors of the said city, one hospice or messuage situated upon the corner of Lymestrete in the parish of St. Andrew beside Cornhull London, called “Penbrigges Inne,” namely between the royal highway of Lymestrete on the eastern part and the tenement late of the lord “de Southe” and the tenement of the abbot and convent of Graces beside the Tower of London on the western part and abuts upon the royal highway of Cornhull and upon the parcel of the tenement of the same abbot and convent and upon the tenement formerly of John Thorp, and upon the tenement formerly of John Halywell on the northern part up to the tenement formerly of the said lord “de Southe” on the southern part as can clearly be seen by a certain charter dated in London the 28th day of April in the 12th year of the reign of King Henry VI after the Conquest; which Richard Nordoun, Roger Holbeche, and Thomas Davy released and relaxed their whole right, status, and claim which they held in the said hospice or messuage called “Penbrigges Inne” with its appurtenances to me, the aforesaid Ralph, and my heirs and assigns by a certain document, concerning which all and single aforesaid lands and tenements, rents, and possessions with their appurtenances in the aforesaid parish of St. Alban, Woodstrete, and concerning which three shops with solars built thereupon and parcels, lands, the aforesaid garden in St. Clement Lane, and concerning which certain tenement or hospice called “Bassetisyn” in the aforesaid parish of Blessed Mary of Aldermanbury together with lumber, stones, lead, goods and the aforesaid appurtenances, and concerning which certain hospice or messuage in the aforesaid parish of St. Andrew with appurtenances, I, the aforesaid Ralph Holand, on the day of the writing of the present, living solely seised and possessed in my demesne or of the fee, by my present testament, give and bequeath to master John Gille, Richard Roke, John Hille, John Spenser, and John Wiche, wardens of the Fraternity of Tailors and Linen Armourers of St. John Baptist in the city of London, all and single, the aforesaid lands and tenements, hospices, messuages, rents, and possessions with their whole and single rights and appurtenances,
whatever they are, to have and hold all and single, the same lands and tenements, hospices, messuages, rents, and possessions with their aforesaid rights and appurtenances, all and single, to the master and wardens and their successors, and to the master and wardens of the aforesaid fraternity there at that time, from the capital lords of the fee, for service owed and by customary law, in pure and perpetual alms of the aforesaid fraternity forever, namely for the purpose of relieving the paupers and the poor of the said fraternity in perpetuity, and especially to pray for my soul and the soul of Matilda, formerly my wife, and for the souls of all brothers and sisters of the aforesaid fraternity, and for the souls of all the deceased faithful of Christ. And for the execution and fulfillment of my present testament I ordain, make, and establish my executors, namely Thomas Davy, Roger Holbeche, Richard Benton, and John Stone, citizens and tailors of the city of London. In witness whereof I have affixed my seal to my present testament. Given in London on the day, month, and year aforesaid.

Ralph Holland, Husting Roll 183, No. 14: Translation

On the said day and year, came hence John Stone, citizen and tailor of the city of London, one of the executors of the testament of Ralph Holand, citizen while living and tailor of the said city, and caused to prove the testament of the same Ralph concerning articles touching the lay fee by John Legge and Thomas Prese, citizens of London, sworn and diligently examined witnesses who said upon their oath that they were present where the said Ralph composed his testament in this manner which follows: In the name of God, Amen. On 3 May 1452, and the 13th year of the reign of King Henry VI after the Conquest, I, Ralph Holand, citizen and tailor of the city of London, whole in mind and living in my good memory, create, make, and ordain my present testament concerning all lands and tenements noted below in this manner. First, where I, the aforesaid Ralph, on the day of the creation of the present, living solely seised and possessed in my demesne as of the fee and in two tenements with appurtenances situated in the parish of St. Dionis Backchurch in Langbourn Ward, London, of which one tenement is located in Fenchurch Street way in the aforesaid parish, namely between the brewhouse tenement now called “Le Cristofere on the Hoop,” which formerly belonged to John Wrotham, on the western side, and the tenement formerly of William Est on the eastern side, and the royal highway of Fenchurch Street on the northern part and the tenement formerly of John Wetheriffeld on the southern part, and another tenement located in the aforesaid parish in a certain lane called Margaret ate Patyns, namely between the tenement of the former Richard Hatfield which Nicholas Tyler recently held
on the southern part, and a garden which Adam atte Grove recently held towards the west, and
the lane of St. Margaret aforesaid towards the east, and a certain other tenement formerly of the
foresaid William Est towards the north, and of and in a tenement with its appurtenances located
opposite the ditch called Houndsditch in the parish of St. Botulph without Algate in a suburb of
London between the royal way on the western part and the garden of the abbess and convent of
Minors without Algate aforesaid on the eastern part and the tenement recently of Thomas Clerk,
butcher, on the northern part and the tenement recently of William Wodeward, recently citizen of
the said city and founder, called “Scarlett,” on the southern part. By my present testament I give
and bequeath to John Gille, master, Richard Roke, John Hille, John Spenser, and John Wyche,
wardens of the Fraternity of Tailors and Linen Armourers of St. John Baptist in the aforesaid city
of London, three tenements with appurtenances; to have and to hold to the aforesaid masters and
wardens and their successors, the masters and wardens of the same fraternity who are there at
that time, in perpetuity, from the chief lords of that fee for service owed and by customary law;
so that the master and wardens and their successors, the master and wardens of the aforesaid
fraternity who are there at that time, may well and sufficiently repair and sustain the whole
foresaid tenements with their appurtenances. And from the proceeds and profits issuing out of
the same lands and tenements with appurtenances, they should pay and render annually in
perpetuity to the rector of the parish church of Blessed Mary of Aldermary London, and to the
wardens of the work and ornaments of the said church, 3s and 4d sterling for the keeping and
observance of the anniversary of me, the aforesaid Ralph, and Matilda, my late wife, in the said
church of Blessed Mary of Aldermary each year in perpetuity, together and once on that day
when it happens that I depart from this light, in the manner and form noted below, at least
exequies in the vigil\textsuperscript{772} of my obit for my soul and the soul of the said Matilda and the souls of
all the faithful deceased, by note and, on the following day, a mass of Requiem by note, and to
have bells struck at the time of the aforesaid exequies so that they are done together with the
light of the candle burning. And I bequeath and will that the rector of the aforesaid church of
Blessed Mary of Aldermary existing at that time and involved in the said anniversary should
have, from the said 13s 4d, 12d annually, and that each chaplain and parish clerk of the said
church involved in the said anniversary should have 4d thence. And also [I will] that each
\textsuperscript{772} That is, the night before.
warden of the work and ornaments of the same church of Blessed Mary of Aldermary involved in the anniversary in this way should have thence 12d, and I bequeath the total residue, if there is any, from the said 13s 4d, for distribution by the said rector and warden of the said church of Blessed Mary between parish paupers of the said Church of Blessed Mary who are in greatest need according to the good discretion of the same rector and warden of the said church of Blessed Mary who are there at that time. And furthermore [I will] that the said master and wardens of the said Fraternity there at that time pay annually and weekly, from the aforesaid proceeds and profits, 1d to each poor brother and sister from the alms of the aforesaid fraternity in assistance and support to each poor brother and alms sister of the same fraternity in perpetuity, and whatever residue that may remain from the aforesaid proceeds and profits beyond the obligations and payments explicitly stated and recited above, I give in pure and perpetual alms to the aforesaid fraternity in perpetuity, namely for the perpetual relief of the paupers and poor of the said fraternity to specially pray for my soul and the soul of the said Matilda, my former wife, and for the souls of all brothers and sisters of the aforesaid fraternity, and for the souls of all deceased faithful in Christ. And if the said master and wardens of the aforesaid fraternity existing at that time should fail in holding the aforesaid anniversary in the aforesaid form, or if it happens that the said lands and tenements with appurtenances or some parcel of them are not upheld or managed because they cannot pay the obligations and payments of the aforesaid in the aforesaid form and hold them in hand, or if the proceeds and profits of the said lands and tenements with appurtenances are converted in the future into other uses by the said master and wardens of the said fraternity or their similar successors who are there at that time than in the form noted above, then I bequeath and will that all the aforesaid lands and tenements with appurtenances remain wholly to the rector and wardens of the aforesaid church of Blessed Mary in perpetuity, so that they may sustain, repair and maintain all the aforesaid tenements with appurtenances and hold the aforesaid anniversary and pay, submit, and fulfill all obligations in the form as I have declared above in perpetuity. And for the execution and fulfillment of my present testament I make, ordain, and establish my executors Thomas Davy, Roger Holbeche,

773 The text ends here on this parchment with the note “uerte et uide residuum in dorso,” “turn [the parchment] and see the rest on the dorso,” and resumes on the following roll.
Richard Benton, and John Stone, citizens and tailors of the aforenamed city. In witness of this my present testament I have affixed my seal. Given in London on the aforenamed day and year.
Appendix 3: Robert Drope, Draper: Transcription

In the name of God, Amen. The ffyrst daye of the monyth of October the yere of our lord God 1485 and the first yere of Kyng Harry the Vythe, I, Richard Drope, aldyrmame, citizen and draper of London, being hole of mynde and in gode memory, thankyd be God, make and ordeyn thys my present testament conteynyng my last wyll in manner and forme folowyng, that yis to sey, ffyrst and principally I bequeth and recommend my soule to allmyghty God my creator and savior, and to the blessyed vergyn our lady Seint Mary hys glorius modyr, and to all the seints of heuyn, and my body to be buryd in my buryng place be me ordeynd and made under the sepultur’ of our blessyd lord on the northe side on the quere of the parish chyrch of Seint Mihelle in Cornehylle of London’ where I am a parryshener. And I bequeth to the hye auter of the same chyrch to the worship of God and for my deutes and offerynge forgetynge or be me necligently withholden in dyschargyng of my soule and to the intent that my soule among all odyr soulys may be prayed for euery Sunday be name in the pulpit of the seyde chyrche be the space of an hole yere next after my decese, 40s. And yf my name be not there in that wyse remembyrd, I bequeth to the seyde hye auter but 20s. Item I bequeth to the sustentacion and repayryng whan need schall be of the seyde sepulture to the honor and worchip of our lord, 10 li. Item of syche torchys as schall be left after my monthys mynde fynyschyd I bequeth the ij torchys to serve at the hye auter of the seyde chyrch of Seint Michell as long as they may indeur. Item to the bretherhede of Oure Lady and Seint Anne in the same chyrch, ij torchys. To the auter of Seint Myhell in the same chyrch, one torche. To the brotherhede of Seint Crystofor and Seint Jeorge, one torche and to serve at all the resideu of the auter in the bodys of the same chyrch, ij torchys. Item I wyll that euery day from the tyme of my buryng unto my monythys mynde there be song and seyde be note in the seyde chyrch of Seint Myhell be the preste and ij clerkes of the same chyrch for the tyme being Placebo and Dirige and masse of Requiem for my soule and to everych of the same preste and clerkes I bequeth for hys labor, 10s. And I wyll that yf my pryste or clerkes fayle and be absent from ony of the seyde Diriges and massys that then he to lefe and to be abatyd for euery seyde Dirige of hys wage or masse from the wyche heys so absentyd.

774 Commissary Court, Register 7, f. 67.
Also I wyll that incontinente after my deceesse myne executors do ordeyne and prouide a pryst an honest man and wele dysposyd to syng and sey hys masse and other dyuyne seruice in the seyde chyrch of Seint Miyhell that ys to wete at the auter in the chapel of Oure Lady and Seint Katerine afore my pewe there I am wont to knele on the south side of the seyde chyrch for my sowle and for the soulys of my fadyr and modyr and all crysten soulys be the space of x yerys next after my deceesse and I woll that the seyde pryst haue yerly for hys salary x marcys. And I woll that yf the seyde pryst the wyche schall happyn to syng for me be founde of euyll condicion and dysposicione that then he be remouyd and then another of goode name and fame prouided for be myne executurs and also I wyll that myne execouturs prouide that myne obite or anniuersary be yerly holden and kept in the seid chirche of Seynt Myghell by the pryste and clerkes of the same by the space of xx<ti>yeres next after my deceasse that is to wete with Placebo and Dirige euery nyght and and [sic] masse of Requiem on the morrow folowyng and with lyghts ryngyng and all other obseruances accustomed. And I woll that ther be spent and distributed euery yere for the same obite so be to be holden and to pore people coming to the same to pray for my sowle 13s 4d. Item I bequethe to the iiij wardeyns of my fellashipp of Drapers yerly coming to my said obite with ther felashipp during the said xx <ti>yeres to pray for my soule euery yere 6s 8d, that is to wete, euery of them 20d, prouided allwey that if eny of the same iiij wardeyns fayle and be absent in eny yere from Dirige or masse at my said obite, that than he or they so being absent to lese his or their porcione for that tyme. And I woll also that John Farley, clarke of the seid felaship, shall have euery yere for his labour to warne the seid felaship to servue to the said obite as longe as he stondithe clerke, 12d. Item I bequethe to euery of the v orders of Frers within London’, that is to saye, the Frers Awstens, the Frers Mynours, the Blak Frers, the White Frers, and the Crowched Frers, to thentent that euery of them within theyr awne couent chirche shall synge deuoutly for my soule and for the sowles of my fader and moder anone after my deceasse two Diriges and two masses off Requiem by note, to eueryche of them so saying 40s. Item I bequethe to be distributed amonges the pour prisoners in the cownte prison at Westminster, xx s. Item I bequethe xx li to be bestowed by the discrecyone of myn executoures ther moste pite and need is amonges the pour prisoners in the prisons underwritten, that is to say in Newgate, Ludgate, the two Countours in London, and in the Flete and also in the Marschalsey and Kynges Benche in Southwerke to haue my soule amonge them tenderly remembred and prayd for. Item I bequethe to be disposed amonge the pour prisoners of God, the
lasers in the lasar houses nygh abowte London to pray for my soul, iii li. Item to be geuen to pour people there moste need is, iii shirtes and smokkes to pray for my soule. Item I bequethe to the Anchore at Alhalowen in the Walle xx s to pray for my soule. Item to the Anchoresse of Seynt Botulphes withoute Bisshopesgate xx s to pray in like wyse. Item I bequethe to be distributed amonges pore people the day after my monethis mynde iff it may be as sone after to euery pece, i d xvi li. Item I bequethe to the reparacione of the chirche of Saynt Peter at Westminster xx li and to the covent off the same place to thentent that they syngle amonges theym deuoutely for my soule a Dirige and a masse of Requiem, x li to be departed euenly amonge theym euery man his porcyone. Item I bequethe to the pour man called Holy John, otherwise called John Spenser, x s to pray for my soule. Item to the mariages of lx pour maydens and wyddowes ther as moste need is specially within the Warde of Coronhull, xx li, that is to wete, in euery pece, vi s 8d. Item I bequethe l li therwyth to bye and ordeyne l uestementys and my name to be sett on euery uestymynt and to be geuen to pour chirches ther moste need is, my soule to pray for. Item I bequethe to the anchoresse of Westminster xx li to pray for my soule. Item I bequethe xvi li therwith to by and ordeyne an hundreth gownes to be geuyn to pour people to praye for my soule. Item I bequethe x li to be bestowed in shorte space after my deceasse amonge pour people ther moste need is, dwelling within the ward of Cornhill to pray for my soule. Item I bequethe to the howse of the Mynoresse withoute Algate to thentent that the covent there amonge them syng two Diriges and two masses of Requyem for my soule, xl s. Item to the nonnes of Stratford to the entent that they amonges them syngle in like wyse, xl s and one of the uestyments aforesaid. Item to the chapel of Stratford for the reparacyons therof there to be prayd for by name and to haue a Diryge and masse there songon for my soule, xl s and one of the uestyments aforesaid. Item to reparacyons and werke of the chirche of Saynt Hede where I was borne to haue my soule prayed for and to haue there Dirige and masse songon and seid for my soule and for the soules of my Fader and moder and all cristen soules, iiiij li and one of the uestyments aforesaid. Item to the priur and covent of Saynt Hede aforesaid to pray for my soule, xl s and one of the said uestyments to haue there two Diriges and two masses in the fourme aforesaid. Item to the Charterhowse of London to haue there two Diriges and masses seid and songen amonge the covent for my soule, xl s. Item to the nonnes of Seynt Elyns to syngle amonge them one Dirige and masse for my soule, xx s. Item to the priur and covent of Crichirche to syngle amonge theym in their owne chirche ii Diriges and ii masses for my soule, xl
s. Item to the preste and clerkes of Guyldehall chapell to synge and saie amonge theyme in the same chapel ii Diriges and ii masses for my soule, xl s. Item to the Bretherhede of Seynt Nicholas off parisshe clerkes of London, xx s. Item I bequethe to maister Breteyn, parson of Seynt Peters in Cornhill to pray for my soule, xx s. Item to maister William Turnour, late parisshe preest of Seynt Mighell aforesaid to pray in like wyse, xl s. Item to Freer Hews, a Blak Freer, student at Oxenford, to pray for my soule, xl s. Item to Dan’ John Ramsey, monke of Westmynster, to pray in like wyse, xl s. Item to Hugh, his brother, to pray in like wyse, xx s. Item to Sir William Barbour to pray for my soule, xl s. Item in like wyse to Sir Alexaunder, the Drapers preest, xx s. Item to William Flappe and his wyff to pray for my soule, xx s. Item I bequethe to my seid Felashipp off Drapers towards their bildyngs and reparacyons of the lyuelode belonging to the same felaship, x li. Item to vi of them of my said felashipe that shall bere my corse to the chirche, vi siluer spones. Item to John Farley, clerk of the seid Felashipp, a furred goun of myne to pray for my soule. Item I bequethe to Dan’ John Drope viij li. Item to his suster Anneys Olyuer, xl s. Item to Richard Drope, xl s. Item to mnyn owne suster that John Noke hathe wedded, x li. Item to the maryage off eyther of her twoo doughters, xl s, sum iij li. Item to my suster Anneys Harpeffeld, xl s. Item to her doughter Elizabethe Harpeffelde to her marriage, xx li. Item to John Norton, my wyfes cosyn, xl s. Item to Isabell Haruy x marc{s. Item to William Wilcoke a blak goun and xl s in money. Item to Edmund Leueson, xl s. Item to Robert Codde the sone of Richard Codde, xl s. Item to my godson Robert Elys to pray for my soule, xx s. Item to Gilbert Gentill iij li. Item to John Welles xl s. Item to Thomas Byall iij li. Item to Henry Hammes iij li. Item to John Petyt, cook, for his seruice and attendaunce in the tyme that he hath been with me, iij li. Item to letill Jak of my kechyn so that he serue oute his termes, xl s. Item I pardone and forgeue unto William Byrte the some conteyneyed in the obligacyon whiche is laste payable of the money whiche he owethe me under condycyon that he pay well and truly unto myn executours all the residewe of the money that he oweth me. In lyke wyse I pardone and forgeue unto Richard Penlethe of the money that he owethe me, xl s whiche shal be laste payable under condycyon that he pay well and truly all the residue of his said dette unto myn executours. And also I pardone and forgeue unto Richard Codde of the money that he owethe me lxxx li which shal be due laste to be paid under like condycyoun that he pay wele and truly the residewe unto myn executours. The residue forsothe of all and singuler my goode, dettes and cattalles afer my detts paiied, my buryng made and this my present testament fulfilled I
geue and bequethe hooly unto Jane my wiff, she therof to do and dispose her owne ffree wille. 
And of this my present testament I make and ordeyn the said Jane myn execouture.

Item the seid Robert Drope bequethe and wolle by this my present testament and last wille that 
the forseid Jane my wiff shall haue and holde to her and to her assignes for terme off lyff all the 
place within I dwell sett in the parisshe of Seynt Mighel aforeseid with the tem’tries and <all> 
the appurtenaunts therunto belongyng, prouided allway that the same Jane my wiff if she wolle 
shall in her lyff tyme do selle the said place with thappurtenaunts or ells make sure prouysion 
that it may be solde after her deceasse in the beste wyse that she can or may, and the money 
comyng of suche sale I wolde that it be disposed in reparacyoun of hyghways ther most need is 
and in other dedes of almesse and werks of charytee for my soule, my seid wyfes soule, the soules 
of oure ffaders and moders, our freundes, benefactours, and all cristen soules. In witnesse whereof 
to this my present testament and last wille I, the seid Robert Drope, haue putte my seale. Written 
the day and yere aboue specyfied.

Be it remembred by this, the present codicell made the xix day of Janyuer, the yere of oure lorde 
God m<l>cccclxxxvj, that I, Robert Drope, citizen and alderman of the cytee of London, woll 
and am content by these presentes that this my testament whereunto this codicell is annexed shall 
stone and abide in ffull strengthe and uertu accordyng to theffect of the same, sauyng of the l 
uestymentys conteyned in the same testament whiche I wolde be defawed and abaid of the same, 
for I haue perfformed and delyuered theyme with myne owne hands, and ffterthermore I 
bequethe unto my cosyn Sir William Drope to pray for my soule viij li. To Piers Clement, xx s 
and a goune. To John Gardener, xx s and a goune. To James Clerke, myne apprentice, iij li. To 
William Baxster, myne apprentice, xl s. To George Harpeffeld, myne apprentice, xl s. To Sir 
James the parisshe prest of Seynt Mighelle, xx s. To Sir Robert [blank space], preest of the same 
chirche, xx s. Also where I haue bequeathed in my seid testament to Elizabeth Harpeffeld xx li, I 
wolle that iff the same Elizabeth be ruled and demeaned accordyng to the aduyce of Jane my 
wyff, her awnt, and nat marye nor contracte herself contrary to the wille and assent of my seid 
wyff, that than the same bequest to her made to stand in full strength and uertu, or ells it to be 
uoide and of noone effecte.
Probatum fuit suprascriptum testamentum coram magisterio Willielmo Wilde, Commissario London’, xxvij die mensis Januarij, anno domini millesimo cccclxxxvj <o> et commissa administracio fuit relicte executrici suprascripti.