

### Chapter 3

## Widows in the Medieval English Countryside

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In the judgment of many historians, few medieval women were as fortunate as peasant widows. Doris Mary Stenton has argued that, in general, peasant women were “relatively in a stronger position” compared to women of higher social rank, and that this relative advantage was particularly marked among widows. Rodney Hilton has suggested that the powerful dowagers of the late medieval aristocracy might have only achieved their power “in the wake of widows of peasant society.” Peter Franklin has written about the “liberation” of widowhood for rural women.<sup>1</sup> Assessments such as these seem to rest upon two presumptions: first, that sexual equality was more nearly approached among the peasant classes of the Middle Ages, and second, that widows were, of all women, the most powerful. I have argued elsewhere that social rank only minimally affected the social relations of the sexes in medieval England—that peasant women, townswomen, gentlewomen, and aristocratic women encountered roughly equivalent expectations and limitations.<sup>2</sup> In this essay, I want to suggest that our assessment of widows must also be more carefully nuanced, for widows, although able to take advantage of many new and unusual opportunities, were nevertheless restricted in important ways because of their sex. Widows had many opportunities, but not all took them up, and none were truly liberated.

To illustrate as fully as possible the experience of widowhood in the medieval English countryside, I shall focus upon the lives and activities of widows on the manor of Brigstock in the six decades that preceded the plague. As a case study, Brigstock will illustrate widows not only within a particular local context but also in actual action—allowing an assessment of practice as well as prescription. Brigstock, with its daughter

settlement Stanion, lay in Rockingham Forest in the English Midlands. As in many forest communities, the inhabitants of Brigstock supported themselves in a variety of ways—arable farming, animal husbandry, fishing, poaching, even cloth working. They practiced an unusual inheritance custom that divided property between the younger son (who received his father's inherited lands) and his elder brother (who received any lands purchased by their father). The manor was heavily populated (with between 350 and 500 adult males) and under the demographic pressure typical of many preplague communities (population declined slightly and sporadically after the 1320s). Every three weeks, the people of Brigstock attended their manorial court—bringing complaints about bad debts and broken contracts, selling and leasing land, electing officers for local governance, reporting petty crimes and disturbances, and attending to a wide range of local matters. The surviving records of the 549 sessions of this court between 1287 and 1348 provide the raw material for reconstructing the experiences of widows in the community.<sup>3</sup>

Alice the wife of Peter Avice typified the public reticence of wives in Brigstock. She seldom brought business before the local court and often relied on her husband in such matters. Acting on her own, she paid six ameracements for selling ale, she used the court to settle four disputes, and she once incurred censure for her disrespectful behavior toward the bailiff. Five other matters brought her to court accompanied by her husband; in 1292, they paid jointly for admittance to a quarter-virgate, and between 1295 and 1301, they together pursued four cases against other villagers. Over the course of her twenty-four years as a wife, Alice Avice accumulated a small court network of only twenty-two contacts with fourteen people. She interacted in court most frequently with her husband (eight contacts), who far outweighed in importance any of the other associations reflected in her court actions.<sup>4</sup> After Peter Avice died, however, Alice's public reticence was replaced by public assertion. Usually coming to court unaccompanied by others, she paid rent on her holding, she purchased and sold lands, she answered for various offenses associated with property ownership, she brought or responded to six complaints against other villagers, and she even acted on three occasions as a legal surety, guaranteeing that others would meet their legal obligations. During a widowhood that lasted eight years less than her marriage, Alice Avice developed a much larger court network than she had known

as a wife: thirty-four contacts with twenty-five people. Her associations as a widow, moreover, were notable for their diversity rather than for their reliance on a single person. The records of the Brigstock court leave little doubt that the death of Peter Avice in 1316, no matter how personally distressing it might have been to his widow, left her in a new position of public authority. She accepted the responsibilities of a householder, she vigorously and effectively administered her holdings, and she actively participated in the social community of Brigstock.<sup>5</sup>

Many medieval countrywomen, like Alice Avice, faced years of widowhood at the end of their lives. The absence of marriage or death records makes it impossible to calculate precisely the usual duration of marriage on manors like Brigstock, but most marriages probably endured for little more than two decades. Of the fifty-three widows in Brigstock whose marital histories could be partially reconstructed from activities noted in the manor court, the gap between first citation as a wife and first mention of bereavement stretched from as little as two years to as much as forty-two years, but the median of fifteen years was quite close to the average of seventeen years. Because these calculations underestimate the actual duration of marriage, most marriages in Brigstock likely ended with the death of a spouse after the passage of about two decades.<sup>6</sup> Although very rough, these estimates match Zvi Razi's calculations for Halesowen, which suggest that, before the plague, marriages on that manor usually lasted about twenty-three to twenty-six years.<sup>7</sup> Moreover, an average marital duration of about twenty years likely characterized English rural communities throughout the preindustrial period; analyses of the information found in parish registers of early modern English communities suggest that most marriages in the sixteenth and seventeenth centuries also ended with the death of a spouse after about two decades.<sup>8</sup>

Were women more likely to be widowed than men? Although at least 12 percent of the women identified in the courts of Brigstock before the plague survived their husbands, no comparable figures for men are available because manorial records never mention male widowhood.<sup>9</sup> It is highly likely, however, that widowhood was a more temporary status for males than for females; studies of preindustrial European communities have shown that widowed men remarried more frequently and also more quickly than did widowed women.<sup>10</sup> Mortality rates dictated whether more men or more women were deprived of their spouses, but social custom invariably assured that more women than men remained

alone. In Brigstock, widows often survived their husbands for considerable lengths of time. Of the fifty-three unremarried widows whose court activities could be reconstructed, the gap between first citation as a widow and last court appearance stretched from one to thirty-seven years, and the median of five years fell significantly below the average of nine years. Although experiences varied widely (doubtless reflecting the age at which a woman lost her husband), most widows in the community probably survived their husbands for at least several years, and possibly as much as a decade or more.

As suggested by the public activities of the widowed Alice Avice, widowhood brought medieval countrywomen new responsibilities and opportunities. Because rural households were built around the conjugal unity of husband and wife, bereaved wives necessarily assumed many of the functions of their dead husbands. Widows whose sons were too young to claim their inheritances usually took custody of minor heirs and controlled their conjugal estates until the heirs' maturity.<sup>11</sup> In addition, widows enjoyed dower rights that superseded the claims of heirs, whether minor or mature. Under the common law, a widow's dower extended over only one-third of her husband's property, but customary law often granted to widows as their "free bench" from one-half to all of their husbands' lands. As a rule, rural custom gave widows only the *use* of free bench lands, dictating that they were not to alienate such properties without the consent of their husbands' heirs; this right of use, however, often endured throughout the widow's life, regardless of either remarriage or the maturation of heirs.<sup>12</sup> As a result, widows controlled significant proportions of land in the medieval countryside; in many villages, 10 to 15 percent of all holdings were in the hands of women, most of whom were widows.<sup>13</sup>

Precisely because of the enhanced public stature that widowhood offered women, their experiences are especially difficult to trace in the records of manors like Brigstock. Wives and adolescent daughters, as dependents of householders, were regularly and reliably cited in manorial records by their dependency status, but widows, as independent householders, were often cited with no indication of marital status. Matilda Manning, for example, was invariably identified as "Matilda the wife of John Manning" during her married years (ten citations), but after her husband died, the manorial clerk usually identified her simply as "Matilda Manning" (9 citations) instead of indicating her widowed state

by calling her "Matilda the widow of John Manning" (two citations).<sup>14</sup> Indeed, some widows, like Alice Goldhop, the widow of Hugh Helkok, resumed their former names after the deaths of their husbands. Unless the records have included some indication of widowed status (a clerical identification, a payment of relief or heriot, a transfer of free bench lands), the marital condition of such women cannot be precisely determined. If the record of Alice Goldhop's payment of heriot in 1322 had not survived, for example, historical reconstruction of her widowed status would have been impossible because she was never again specifically identified by the court clerk as a widow.<sup>15</sup>

As a result, many widows are doubtless hidden among the "women of unknown marital status" found in the reconstructed population of Brigstock. Some of these women were probably spinsters who grew beyond the authority of their fathers without ever coming under the authority of husbands. The experiences of those who remained perpetually unmarried are, with a few exceptional cases such as that of Cecilia Penifader, notoriously difficult to trace. But most "women of unknown status" were likely widows for whom bereavement brought new responsibilities and opportunities. Certainly, these women—whether spinsters or widows—were distinguished by their breadth and independence of public action from wives and adolescent daughters in the Brigstock samples.<sup>16</sup> To offset the obstacles posed not only by the obfuscation of widowhood in the extant records but also by the small numbers of cited widows found in the Brigstock samples, widowhood in Brigstock is best studied from a total reconstruction rather than a sampling. Some widows have doubtless remained untraced, but all of the criminal, litigious, and proprietary transactions of the 106 widows identified in Brigstock before the plague have been fully considered.

If all the women of Brigstock had reacted to widowhood with the vigor and independence of Alice Avice, our picture of the intersection of household status and female experience would be neatly completed: semiautonomous daughters, dependent wives, autonomous widows. Yet the realities of widows' lives were more complex and varied. Some women, like Alice Avice, assertively responded to the responsibilities of widowhood; others, however, seem to have taken little part in public affairs. Alice Avice's counterpart was Alice Penifader, who reacted to the death of her husband, Robert, in 1318 by withdrawal, not assertion; the Brigstock records note only her many excused absences from meetings

of the court. Widowhood was an exceptionally varied status, with not only personality but also locale, socioeconomic standing, and age affecting each woman's response to the death of her husband.<sup>17</sup>

Locale profoundly shaped one of the most important decisions faced by rural widows—the choice either to remarry or to remain single. In villages where land was scarce, remarriage was frequent, but when land was readily available, widows remarried only rarely. With the economic diversity offered by its forest location and the ready access to property provided by the local market in land, Brigstock offered few economic incentives for remarrying. As a result, most widows remained single, only about one of every thirteen marrying a second time. The pastoral economy of Iver (Buckinghamshire) similarly discouraged remarriage.<sup>18</sup> But in other contemporary villages, remarriage was such a crucial means of redistributing resources that most widows married again. In early fourteenth-century Halesowen, for example, six of every ten widows remarried.<sup>19</sup> Although the connection between land availability and remarriage in the medieval countryside is clear, motivations are less certain. Perhaps widows were usually eager to remarry, but could only bargain successfully for new husbands when they controlled lands valued by prospective suitors.<sup>20</sup> Or perhaps few widows wished to remarry, but those in land-hungry villages were compelled to do so because of their extensive proprietorial rights.<sup>21</sup> In either case, the very existence of the widowed state varied widely from village to village. In some communities, remarriage was so common that few women acted for long as widowed heads of household; when they remarried, they essentially resumed their prior status as wives. Other villages boasted many widows who, instead of remarrying, spent many years administering the households and properties left by their husbands.

Within a given village, the experience of widowhood varied dramatically according to the solvency of the household left by the husband. Widows of wealthier husbands who had planned carefully for their bereavement faced secure and settled prospects, but widows of poorer husbands often struggled for their basic livelihood with great difficulty. The effect of socioeconomic standing is clearly seen in the Brigstock records; just as male heads of lower rank households generally came less frequently before the court, so lower rank widows generated less court notice than widows of more privileged status. Two-thirds of officeholders' widows were noticeably active in the Brigstock court, compared to only one-third of the widows of men who never held local office.

Publicly active widows were, more often than not, widows of wealthy and influential men.<sup>22</sup>

The varied experiences wrought by socioeconomic status were compounded by age, since women widowed early in life faced more opportunities than those widowed in their later years. A widow's age strongly affected her likelihood of remarriage. Young widows, responsible for young children and all the economic resources left by their husbands, were more likely not only to be expected to remarry (placing their households again under the normative control of a male) but also to desire the emotional comfort offered by a second spouse. Older widows, whose grown children had already established separate homes, likely faced less pressure to remarry (because they controlled only small households) and also possibly were less interested in obtaining new partners. Remarriage in Brigstock was very rare, but most of the women who sought second husbands had apparently lost their first husbands prematurely.<sup>23</sup>

Age also probably affected the public presence of widows as reported in manorial courts. The ages of persons traced in the courts of Brigstock cannot be precisely calculated, but table 3.1 illustrates how men slowly withdrew from public life as they aged; each of the five men studied participated less in the basic political networks of Brigstock—acting as pledges, essoining friends from court attendance, serving as officers—during his later decades than he had done earlier. Henry Kroyl senior's life provides a particularly good example of this phenomenon because the marriage of his son Henry junior in 1319 clearly marked the beginning of his retirement. He had served his community as an officer (usually a juror or an affeelor) on twenty-three occasions in the ten years prior to his son's marriage; although he lived for a decade after the marriage, he never again took on official responsibilities. His three land conveyances in the 1309–19 decade similarly contrast with the single transfer of property accomplished in his last ten years, as do the three disputes that went to litigation in the former period as opposed to only one in the latter. Although Henry Kroyl senior remained an independent householder until his death in 1329, as he aged, he slowly withdrew from the public life of Brigstock. The same circumstances that encouraged his lessening interest in public matters also doubtless affected many widows, ensuring that elderly widows were less active than younger widows in community life.<sup>24</sup>

Because aging adversely affected economic productivity, elderly persons also numbered heavily among the poor of preindustrial communi-

TABLE 3.1. The Effect of Aging on Male Public Activity in Brigstock

Individual	First Decade of Court Activity		Second Decade of Court Activity		Third Decade of Court Activity		Fourth Decade of Court Activity		Fifth Decade of Court Activity	
	Activity	Court	Activity	Court	Activity	Court	Activity	Court	Activity	Court
<b>Richard Aylward, 1292-1335</b>										
Pledger/essoiner	3		16		32		17			
Officer	0		4		22		13			
Total	3		20		54		30			
<b>Henry Cade, 1295-1336</b>										
Pledger/essoiner	3		16		17		4			
Officer	0		1		3		6			
Total	3		17		20		10			
<b>William Dbrant, 1297-1337</b>										
Pledger/essoiner	2		1		18		16			
Officer	0		0		16		6			
Total	2		1		34		22			
<b>Gilbert Son of Galfridus, 1287-1335</b>										
Pledger/essoiner	11		28		28		31		3	
Officer	0		9		23		21		7	
Total	11		37		51		52		10	
<b>John Hirdman, 1303-40</b>										
Pledger/essoiner	7		100		11		12			
Officer	0		1		2		1			
Total	7		101		13		13			

ties. Both villagers and lords were concerned with care of those for whom age brought either poverty or disability. By restricting gleaning to the poor, local bylaws assured that such persons would receive basic sustenance. Seigneurial policies that replaced incompetent tenants certainly did not hurt manorial revenues, but they also provided secure maintenance for those unable to provide for themselves. The link between aging and poverty suggests that many of the apparent disabilities of widowhood (as seen in retirement contracts, work defaults, requests to be excused from court, and the like) were more often caused by age than by widowhood itself. One of the ironies of widowhood in the medieval countryside is the mingling of old age with access to new responsibilities and privileges.<sup>25</sup>

Because of the forces exerted by locale, socioeconomic status, and age, each new widow faced a unique situation. As long as she remained unremarried, however, she shared with all other widows the status of a female endowed with extensive public authority; as a result, widows fit awkwardly into the social hierarchy of the medieval world. In a society of male householders, they were female heads of households. In a legal system that so often distinguished clearly between the public rights of males and females, they took on some of the public attributes of men. In an economy that most valued landholding, their peculiar land claims threatened the proper devolution of assets from father to son. Because of the conjugal basis of the rural household, the death of a husband required that his wife replace him; their household was usually too discrete from kin to find his replacement among brothers, cousins, or even sons (for whom the attainment of householder status was associated with marriage, not inheritance). But when a widow assumed her husband's responsibilities, she became an anomaly—a householder who was not male. All widows in Brigstock did not fully utilize the public opportunities presented by their ambivalent status. Some asserted both domestic and public authority, others managed their households without much involvement in public matters, and still others might have retired from active management of their households. Few widows, however, totally eschewed the public opportunities of their new stature, and the overall patterns of their public activities were unlike those of either male householders or other women. Widows were never as publicly active and autonomous as male householders, but the breadth of their public actions as householders, as landholders, and as villagers clearly surpassed

the more limited political, legal, economic, and social options of wives and adolescent daughters.

### Widows as Householders

The political and legal activities of men in Brigstock expanded when they became married heads of households. Adolescent males were politically active as members of tithings, essoiners, attorneys, and pledges; married males could additionally participate in the official hierarchy of Brigstock by serving as bailiffs, afferors, aletasters, and the like. Similarly, adolescent males accepted legal responsibility for their own affairs, paying fines, answering or bringing suits, or attending court if required to do so; married male householders shouldered further responsibilities not only for the corporate actions of their households but also occasionally for the independent offenses of their wives and children. When widows in Brigstock took over the households left by their husbands, they seldom retired meekly from all domestic duties. They did not, however, fully assume their husbands' privileges and obligations. Located awkwardly on the public spectrum between the extensive authority of male householders and the dependency of wives and children, widows took over many of the functions once undertaken by their husbands. Yet they acquired more responsibilities than privileges.

Because of the conjugal basis of the peasant household, widows' households were exceptionally diverse and unstable. The size and structure of all households varied with socioeconomic circumstances and the age of its head, but households headed by widows, ipso facto in the later stages of the household cycle, were especially variable. More often than not, widows either had married offspring established in separate households or else soon supervised the leaving of their children. Alice the widow of John Popelin of Iver might have been typical; one daughter had married a few years before John's death, and another daughter and a son married shortly thereafter.<sup>26</sup> Low replacement rates ensured that the households of many other widows were especially small; of every five widows, probably one had no living children and another had no living sons.<sup>27</sup>

Although widows lived in households that were often small and disintegrating, their public position was clear. On the one hand, they resumed all the legal options they had known when unmarried; widows, like adolescent daughters (but unlike some wives), owed suit to the court of

Brigstock, answered for their own crimes and offenses, resolved disputes through litigation usually unaccompanied by others, and freely concluded contracts or other agreements with their fellow villagers. On the other hand, widows also assumed control of their newly shattered conjugal households. Because households were formed at marriage and shaped around the conjugal unity of husband and wife, no other option was automatically available; sons, who established discrete households upon marriage, could not readily step into their fathers' places. When William Popelin married a few years after the death of his father John, for example, he did not assume domestic authority over his widowed mother, but instead lived separately from her.<sup>28</sup> Studies of the household structures of English villagers in the sixteenth through eighteenth centuries have shown that most widows remained in their marital households and did not retire into the households of married children.<sup>29</sup> The public activities of widows in early fourteenth-century Brigstock suggest that they, like their counterparts in early modern villages, normally took over the domestic responsibilities of their husbands.

Of the 101 unremarried widows in the community whose careers have been reconstructed, the public actions of only ten betrayed an unwillingness to meet their responsibilities as householders and, in most cases, the evidence of disability is quite minimal.<sup>30</sup> Three widows made arrangements for retirement, concluding maintenance agreements in which they granted property in return for guaranteed support. Matilda Cocus tried to arrange a pension with her son, but resumed control of her holding when the agreement soured; in 1311, an inquisition determined that she (widowed since 1302) could reclaim her land from her son because he had failed to provide her with the food and clothing he had promised. She was still managing the land herself several years later.<sup>31</sup> Emma Sephirde, after seventeen years of widowhood, divided some property (*placia*) between her sons in 1319, specifying that they were to give her a cartload of hay each year for the holding. Yet she continued to manage other lands on her own and, six years later, arranged for one son to enter the residue of her holdings after her death.<sup>32</sup> Emma With retired after her second husband died, not to her son's home but rather jointly with her son; in 1331, they both, acknowledging their poverty and inability to do services, granted their land away in return for an annual rent.<sup>33</sup> None of these widows successfully retired under the protection of a son, and all three seem to have been at a quite advanced age at the time they began to make provision for retirement. Aside from these three equivocal

cases, no other hints of retirements appear in the reconstructed histories of Brigstock's widows.

Evidence of economic disability on the part of widows is also rare. Both Emma With (who claimed poverty in transferring her lands for an annual rent) and Matilda Cocus (who was cited after the maintenance dispute with her son for failing to find a servant for herding and plowing) might have been prompted to think of retirement because of problems managing their holdings. But the public activities of only one other widow betrayed any evidence of economic difficulties; Edith the widow of Gilbert Cocus claimed poverty in a plea she entered some nine years after the death of her husband. As with retirements, the evidence of economic disability is not only sparse but also ambivalent; claims of poverty accompanied the court actions of some demonstrably wealthy suitors, and male householders were also occasionally cited for work defaults.<sup>34</sup>

Another indicator of disability, the seeking of relief from the obligation of attending court, involved only six widows. Emma Werketon, whose son replaced her as court suitor, might have wished to withdraw permanently from public life. Five other widows paid fines to relax court suit temporarily (never more than one year), without specifying replacements. Fines to avoid court attendance, however, are uncertain indicators of public withdrawal because men frequently avoided attending court without jeopardizing their public status. Henry Cade, for example, was fined once to relax suit of court for a full year and frequently proffered excuses for not attending specific meetings; nevertheless, he served on several local juries during the course of his adult life.<sup>35</sup>

In contrast to the limited evidence suggesting that widows in Brigstock were unwilling or unable to assume the responsibilities of householders, the Brigstock records contain abundant examples of widows publicly acting as heads of households. For every widow who betrayed any difficulty managing her household, roughly three widows in the community capably assumed the duties of householders. As their husbands had done before them, many widows in Brigstock accepted responsibility for the actions of their dependents and their households. Only one widow paid an amercement for a misdemeanor committed by a member of her household, but many widows paid amercements for crimes associated with householding (see table 3.2).<sup>36</sup> The overall pattern of the reported criminality of widows generally follows the female norm; most citations against widows involved antisocial actions rather than personal attacks

or thefts. Yet widows deviated from the expected pattern for females by the preponderance of amercements they paid for household offenses—for improper use of pastures, for misuse of their holdings or other property damage, and for allowing strangers to tarry overlong in their homes. Indeed, because widows seem to have been notably less criminal than other adults, over half of their criminal amercements covered such household offenses. All told, sixteen widows in Brigstock paid sums in the court for either the offenses of their dependents or crimes associated with householding. Another five widows similarly betrayed their householding responsibilities by paying rents noted in the one listing of rents extant for the manor.<sup>37</sup>

Moreover, other widows acted in court in a capacity that was unusual for women, but common for householders; they pledged for their dependents. Of the thousands of sureties recorded in the Brigstock court between 1287 and 1348, only 46 were offered by females and most of these were widows pledging for the petty crimes of their sons and daughters (see table 3.3). Of the twenty-four women accepted by the court as

TABLE 3.2. The Reported Criminality of Widows in Brigstock

Category	Widows		Female Norm (percentage)	Male Norm (percentage)
	Number	Percentage		
<b>Crimes against the community</b>				
Illegal pasturing	1	2.0	1.0	3.0
Misconduct in fields	5	11.0	38.0	9.0
Property damage	15	33.0	9.5	12.5
Insolence to officers	0	0.0	0.5	1.0
Rescue of seized property	3	6.5	2.0	5.0
Harboring strangers	10	22.0	3.0	8.0
Behavior that caused hue	2	4.0	15.0	18.0
Unjust raising of hue	3	6.5	8.5	2.5
Miscellaneous	0	0.0	5.5	3.0
Subtotal	39	85.0	83.0	62.0
<b>Crimes against persons</b>				
Attacks (and threats)	4	8.5	13	31
Hamsokens (housebreaking)	3	6.5	4	7
Subtotal	7	15.0	17	38
<b>Total, all crimes</b>	<b>46</b>	<b>100.0</b>	<b>100</b>	<b>100</b>

Note: For further information about female and male patterns of criminality, see the samples discussed in Bennett, *Women in the Medieval English Countryside*, 38–42. To provide the best comparison with these samples, only crimes reported against widows in the views of frankpledge have been considered. When possible, percentages have been rounded to produce integral numbers.

pledges, at least fourteen were widows, and the unknown marital status of nine other female pledges raises the strong possibility that they were also widowed heads of household. Only one woman who acted as a pledge was cited as being married, and the dating of that instance in 1348 (the year the plague arrived in England) lends doubt to this attribution that cannot be verified (because the 1348 court records are the last extant for Brigstock for several decades). The major criterion for acceptance of a female pledge was widowhood; women from various social strata (as shown by the official activities of either their husbands or other males of presumed relationship to them) acted in this capacity. Most of the recipients of female pledging were the dependents of their pledges; twenty-six of the forty-six cases (57 percent) explicitly involved a mother pledging for her child, and one case involved a probable, but unverified, mother-son tie. The rate of familial pledging by these widows was, in fact, probably much higher; in three other cases, the pledger and pledgee shared a surname, and other women might well have been pledging for servants. Finally, these widows usually only acted as sureties for the payment of the small amercements levied for petty crimes (thirty-eight cases) or baking activities (two cases). The few women who served as pledges in other sorts of legal transactions were personally involved in other aspects of the case. Emma Pote, Alice Avice, and Strangia Tulke were the original holders of the lands whose acquisition by another prompted their pledging activities, and Alice Somonor was a joint party with her son in the court plea that generated her pledge for his future appearance. Clearly, widows were accepted as pledges not because the court wished to extend to them a legal privilege usually reserved to males, but because the court expected them, as householders, to accept responsibility for their dependents.<sup>38</sup>

Counting widows, not incidents, table 3.4 summarizes the extant evidence on how the widows of Brigstock met their householding responsibilities. Even when indicators of retirement or disability are defined as broadly as possible, only 10 of the 101 widows in Brigstock betrayed an unwillingness to fulfill the duties of their deceased husbands. In contrast, almost one-third of the widows in the community demonstrably acted as heads of the households vacated by their husbands. This one-third, moreover, represents a minimum, since many widows quietly managed their households through many years without ever meriting notice by the Brigstock court. Consider, for example, Agnes the widow of Hugh Heyr who paid her husband's heriot in 1306 and next appeared before

the court in 1311 when she was excused from attending a single session; although she had been attending court during the five years after 1306 and presumably resumed regular attendance after her single *essoin* in 1311, her reliable fulfillment of the obligation to attend court was not noted by the clerk of the manor court.<sup>39</sup> The predilection of manorial courts to record incapacity rather than competency suggests that most widows not cited for retirements or derelictions were, in fact, quietly meeting their householding responsibilities. Because the items considered in table 3.4 represent only brief incidents in the public careers of these widows, their full implications can best be seen in the reported activities of the three widows in Brigstock whose court citations have provided evidence of both disability and capability.

Paying her husband's heriot in 1302, Matilda Cocus first brought substantial business before the court in 1304. In that year, she pledged for a daughter guilty of trespass, she successfully defended (joined by her sons Walter and Henry and Henry's wife Beatrice) a land claim brought by Cristina ad Fontem, and she raised a just hue against her son Henry. Her difficult relationship with Henry came to a head six years later in the failed maintenance agreement of 1311. After resuming control of her lands, she probably used servants to maintain her lands (one was noted in 1313), and encountered no further difficulties until 1314, when she was cited for failing to provide a servant to do plowing and herding. In her last year of court activity (1315), she pursued cases against two villagers (one concluded successfully, the other's resolution unknown), and transferred a half rod of land to her son Henry. Although Matilda Cocus certainly encountered some difficulties during her more than dozen years of widowhood, her last court appearances show her to be still in control of her free bench lands and still independent of her sons (she never once, for example, sought pledging assistance from them).<sup>40</sup>

After her husband, Peter Swetman, died in 1302, Emma Sephirde resumed her own name, but retained clear authority over her offspring by virtue of her proprietorial rights. In the first year of her widowhood, she transferred future rights in a *placia* with a curtilage and two rods from her free bench to her son Henry who promptly transferred the property to his brother Peter. Twelve years later, she gave a small house to her daughters Elicia and Agnes. Five years thereafter, she made the possible retirement provisions described above, dividing a croft between Henry and Peter with the stipulation that they provide her with a cartload of hay each year in return for tenure of the property. In 1319, she still,

TABLE 3.3. Female Pledges in Brngstock

Case No.	Pledge's Name	Marital Status	Rank <sup>a</sup>	Year of Entry	Relationship of Pledgee to Pledger	Transaction Requiring Pledge
1 a	Alice widow of Peter Avice	Widow	Upper	1316	Unknown (son?)	Land transaction
b				1317	Daughters	Land transaction
c				1328	Unknown	Petty crime
2 a	Elicia widow of Peter Aylward	Widow	Upper	1335	Son	Petty crime
b				1336	Son	Petty crime
c				1337	Son	Petty crime
d				1340	Son	Petty crime
e				1340	Son	Petty crime
f				1340	Son	Petty crime
3 a	Matilda Baker	Widow	Upper	1340	Son	Petty crime
b				1340	Son	Petty crime
c				1340	Son	Petty crime
d				1343	Unknown	Petty crime
e				1343	Unknown	Petty crime
f				1343	Daughter	Petty crime
g				1345	Unknown	Petty crime
4 a	Manilda Bate	Unknown	(Upper)	1337	Unknown	Petty crime
b				1344	Unknown	Petty crime
5 a	Margery Cocus	Unknown	(Upper)	1343	Unknown	Petty crime
b				1343	Unknown	Petty crime
c				1344	Unknown	Baking fine
d				1344	Unknown	Petty crime
6	Manilda widow of Peter Cocus	Widow	Upper	1304	Daughter	Petty crime
7	Margery Fory	Unknown	(Lower)	1345	Daughter	Petty crime

TABLE 3.3. Continued

Case No.	Pledge's Name	Marital Status	Rank <sup>a</sup>	Year of Entry	Relationship of Pledgee to Pledger	Transaction Requiring Pledge
8	Margery widow of William Golle	Widow	Upper	1343	Daughter	Baking fine
9	Alice (Goldhop) widow of Hugh Helkok	Widow	Upper	1322	Unknown	Petty crime
10	Alice widow of William Fern	Widow	Lower	1344	Unknown	Petty crime
11	Alice wife of Robert Kroyl	Wife (?)	Lower	1348	Child	Petty crime
12	Margery Laynde	Unknown	(Upper)	1335	Unknown	Petty crime
13	Alice Leche	Unknown	(Upper)	1343	Son	Petty crime
14	Emma Page	Unknown	(Lower)	1344	Unknown	Petty crime
15	Alice widow of Henry Pidenton	Widow	Upper	1337	Son	Petty crime
16 a	Emma widow of Thomas Pote	Widow	Lower	1320	Son	Petty crime
b				1320	Son	Land transaction
c				1321	Son	Land transaction
17	Unnamed mother of Emma Robin	Unknown	(Lower)	1331	Daughter	Petty crime
18 a	Alice Robin	Unknown	(Lower)	1339	Unknown	Petty crime
b				1340	Unknown	Petty crime
19	Alice widow of Robert Somonar	Widow	Lower	1317	Son	Plea
20 a	Manilda widow of Hugh Tubbe	Widow	Lower	1344	Daughter	Petty crime
b				1345	Unknown	Petty crime
c				1345	Daughter	Petty crime

TABLE 3.3. Continued

Case No.	Pledge's Name	Marital Status	Rank <sup>a</sup>	Year of Entry	Relationship of Pledge to Pledger	Transaction Requiring Pledge
21	Strangia widow of Henry Tulke	Widow	Upper	1344	Son	Land transaction
22 a	Margery widow of John Werketon	Widow	Lower	1340	Daughter	Petty crime
b						
23	Alice <i>relicta</i> . . .	Widow	Indiv.	1340	Unknown	Petty crime
24	Martida Honie	Unknown	Indiv.	1344	Daughter	Petty crime

<sup>a</sup>All rankings have been derived from the official activity of the pledge's husband, except those placed in parentheses (for which no precise data were available).

however, held sufficient land to be included in the partial rental for that year, paying 12<sup>s</sup> (the normal rent for a quarter virgate). In her last court appearance in 1325, she granted ownership of the residue of her properties to her son Henry, to be entered after her death. Throughout her long widowhood, she also intermittently sold ale (10 amerancements) and bread (6 amerancements). Emma Sephirde never paid amerancements for her children, pledged for their crimes, or answered for the collective misdemeanors of her household, but there can be little doubt that she remained, throughout her long widowhood, not only independent of her children but also somewhat dominant over them.<sup>41</sup>

Alice Somonor's life as a widow was more difficult, and of the three, she was probably the least economically privileged (her husband never held local office). After her husband died in 1316, she had to be distrained for payment of heriot, and she and her son John (as coexecutors of the estate) faced three pleas of debt. During the course of one case, she pledged once for John's future appearance. Acting on her own, she also pursued (and lost) another plea. In December, 1318, she paid 3*d.* to be excused from court suit until the following Michaelmas, but she retained her landholdings (paying rent of 2*s.* in 1319) and presumably resumed attending court after her exemption expired in September 1319.

TABLE 3.4. Widows as Householders in Bigstock

Categories	Number	Percentage of All Unremarried Widows
Evidence of disability		
Retirements	3	3
Economic problems	1	1
Avoidance of court suit	6	6
Total	10	10
Evidence of capability		
Paid fine for dependent	1	1
Paid fine for householder crime	15	15
Paid rent	5	5
Acted as a pledge	10	10
Total	31	31

Note: This table includes data only on the 101 unremarried widows reconstructed from the identified surnames of the manor (one widow who acted as a pledge was incompletely identified and is not counted here). This table excludes from subsequent subcategories a widow counted in a prior subcategory (i.e., a woman noted for both evidence of retirement and economic problems was counted in the retirement subcategory). Percentages have been rounded to produce integral numbers.

She also dispersed small properties through her children to third parties. In 1322, she transferred a *placia* and a *domus* from her free bench to her son Robert, who immediately conveyed the property to another person, and ten years later she gave a tenement from her free bench to her son Henry, who similarly transferred the property outside the family. Like Matilda Cocus, Alice Somonor encountered some problems during her public life as a widow, but she nevertheless retained her independence throughout her last appearances in the extant records.<sup>42</sup>

Most widows in Brigstock, then, probably remained independent heads of household until they died. Few remarried, few retired, and few failed to meet their legal obligations. But the widow as householder was both publicly and privately anomalous. On the public level, male control of the political structures of Brigstock was based on the assumption that all females were dependents of a male householder; women did not, for example, need to be inducted into tithings because they were presumed to be always under the authority of a father or husband. A widow, however, not only lived independently, but also, as a householder, met one of the prime prerequisites for attaining official responsibilities. Yet widows neither joined tithings nor served as officers. Even the pledging of widows was so restricted that it offered few opportunities for building networks of mutual assistance and cooperation within the manor. More influenced by gender than by household position, politics remained a male affair.

On the private level, the assumption that households would be headed by males meant that widows were never more than substitutes for their husbands. Created at marriage, households were permanently identified with the husband, whose authority extended, in some matters, even beyond death. As illustrated by the widow's use, not full control, of free bench lands, widows acted as their husbands' surrogates, but they could not fully emulate their husbands' authority. Moreover, their households were probably often smaller and poorer than they had been during the lifetimes of their husbands; heirs matured and claimed their portions of the familial property, and other children married and sought endowments. The tensions created by the widow's ambivalent authority during these years of household disintegration seem to have been quite considerable in Brigstock. Intrafamilial conflicts were rarely recorded in the Brigstock courts, accounting for less than 2 percent of all criminals studied and only 3 percent of litigants sampled. Widows, however, often came into formal conflict with family; 10 percent of all widows in Brigstock

encountered at least one problem with children or kin that could not be resolved without court intervention (see table 3.5). Most of these disputes involved the disposition of land.

### Widows as Landholders

In Brigstock, a widow's primary asset was her landed property. It has been suggested that widows and spinsters in some preindustrial villages were particularly active as moneylenders, but this was not the case in Brigstock; most of the widows involved in debt litigation before the manor court were defendants, not plaintiffs.<sup>43</sup> In medieval towns, widows often supported themselves by selling ale and other foodstuffs or by running the businesses of their deceased husbands, but commercial activity was less common among the widows of Brigstock. Both aging and widowhood seem to have discouraged commercial involvement. Most of Brigstock's alewives abandoned brewing for profit as they grew older, and few were still selling ale when their husbands died. Several of these quickly ceased brewing for profit when their husbands died, and only three women brewed for profit with any regularity as widows. Similarly, only five widows, accounting for 11 of 233 baking amerce-ments, baked bread for profit. Perhaps the small, truncated households of widows not only required less income from food sales but also were less capable of sustaining commercial enterprises.<sup>44</sup> Widows were most active in the economy of Brigstock not as traders or sellers or moneylenders, but as landholders.

Insofar as husbands and wives shared a community of property, it was a community of assets, not authority. Both spouses contributed their property and labor to the venture, but only the husband effectively controlled the conjugal economy. A wife was, at best, her husband's subordinate partner in the control of their household's movable goods, landholdings, and labor resources. The inequality of this partnership was probably most apparent at the husband's death, when conjugal assets were divided and dispersed rather than delivered intact to the bereaved wife. A wife's death had no such effect on the continuation of the conjugal estate, but because a husband authoritatively controlled the household economy, its unity ceased when he died. Two basic principles guided the dispersal of a male householder's property in the medieval countryside: his widow had to be provided with a secure holding from the conjugal property sufficient to ensure her continued well-being (her

free bench), and his heirs had to claim their inheritances as straightforwardly and as quickly as possible. The next generation was, in short, to move into ownership without threatening the maintenance of the *relicta*, the woman left behind.

These simple objectives were difficult to achieve. On the one hand, a widow provided with secure and ample tenure undermined the rights of her husband's heirs. If her ownership was complete, she could alienate lands or sell assets that her husband had intended for his heirs. If her settlement was too generous, she could delay for many years the devolution of substantial properties to the heirs of her husband. On the other hand, an heir who immediately entered the properties of the deceased also undermined the widow's security; no wise husband wished to leave his wife dependent solely on the goodwill of his heirs. Because no single system provided a foolproof solution to the dilemma posed by the legiti-

TABLE 3.5. Intrafamilial Conflicts of Widows in Brigstock

Widow	Nature of Conflict
Elicia the widow of Richard Aylward	Raised hue against her daughter (26/9/1338); suffered a housebreaking (hamsoken) committed by her son's wife (11/10/1342).
Mablia the widow of Adam Carpenter	Sued John and Richard Carpenter (relation unknown) to get her one-third of property (7/1/1328).
Edith the widow of Gilbert Cocus	Boundaries had to be placed between her land and that of her daughter (25/1/1301).
Matilda the widow of Peter Cocus	Raised a hue against her son Henry (17/9/1304); reclaimed land when Henry failed to fulfill a maintenance contract (15/7/1311).
Mablia the widow of Radulph Coleman	Simon Coleman (relation unknown) disputed her attempt to transfer land (28/1/1328).
Margery the widow of William Geffray	Daughter tried to claim her inheritance prematurely (6/7/1341 and 16/2/1343).
Agnes the widow of Hugh Gilbe	Paid for an inquisition to determine whether a certain property belonged to her or her son (3/6/1322).
Elicia the widow of William Helkok	Son prevented her attempt to sell free bench (17/8/1302).
Alice the widow of Gilbert le Heyr	Argued with nephew over land (2/11/1318).
Emma the widow of Thomas Pote	Boundaries had to be placed between her land and that of Richard, son of John Pote (relation unknown) (4/4/1321).
Matilda the widow of Hugh Tubbe	Raised a hue against her daughter (25/9/1343); attacked her son's wife (25/9/1343).
Alice the widow of Radulph Tulke	Cheated by son on two-step transfer of land (20/3/1315).

mate, but contrary to claims of widows and heirs, the tenurial rights of widows varied enormously from village to village. The widow's free bench could include one-third, one-half, or all of the conjugal holding. Most widows claimed their portions without paying entry fines (indicating their status as cotenants with their husbands), but widows on some manors were fined *pro introitu* (indicating that they were considered to be not cotenants, but heirs). Some widows held their free bench for life, but in other villages widows relinquished free bench holdings when they remarried or when heirs reached maturity. If a widow did keep her free bench after remarriage, her second husband sometimes could and sometimes could not claim the property if she predeceased him. The variability of custom, however, should not obscure the essential features of provision for widows. First, in all villages, widows of landholders were provided with properties separate from the claims of heirs; details varied over time and place, but the customs of all rural communities ensured that widows were not wholly dependent on the generosity of heirs. Second, most widows were custodians, not full owners of the lands designated for their maintenance; their rights of use could sometimes be passed to their second husbands or leased to others, but widows were not supposed to sell or otherwise to alienate their settlements.<sup>45</sup>

In Brigstock before the plague, the proprietorial claims of widows provided them with more extensive landholdings than those available to other women. Wives, of course, could not independently control personal properties, and although adolescent daughters and spinsters managed their lands freely, these properties tended to be small parcels obtained through gift or purchase. Some heiresses obtained larger properties, but they usually married quickly. Widows, however, often enjoyed extensive control over extensive properties. First, widows resumed management of all personal properties that had been previously merged into the conjugal fund; a woman who independently acquired land (through purchase, gift, or inheritance) forfeited control of that land to her husband during her marriage, but regained full ownership when widowed. Second, widows also claimed free bench from their husbands' lands. The customs that governed the settlement of free bench in Brigstock, however, defy full reconstruction. Some widows paid heriots (a tax on the chattels left by the deceased), others paid reliefs (entry fines to the property), and still others were subject to no fines whatsoever. Some widows apparently claimed as free bench all of the heritable property of their youngest sons, but others claimed a third of the conjugal estate.<sup>46</sup> Nevertheless, all

widows in Brigstock held their free bench for life, relinquishing such properties neither at remarriage nor at the maturation of their heirs. As a consequence of the claims of widows not only to resume full control of properties obtained in their own right but also to exercise temporary control over part or all of the conjugal estate, most female holders of large properties in Brigstock were widows. Of the sixty people listed in the partial rental that survives for Brigstock from 1319, eleven (18 percent) were women, of whom at least six were widows (and the unknown marital statuses of the remaining five women suggest that they, too, might have been widowed).<sup>47</sup>

Widows in Brigstock assertively managed the properties that fell under their control. Dying husbands probably hoped that their widows would quietly maintain the lands provided for them, eventually passing the property intact to their heirs. In Brigstock, such hopes were not always realized; half of the widows in the community brought some of their properties to the local land market (and half of their transfers explicitly identified the conveyed property as free bench land). Dying husbands also likely hoped that their wives would supervise the devolution of resources among their children, assuring that noninheriting offspring were provided with adequate portions or endowments. Although many widows in Brigstock went to court to grant properties to their children, others used the land market to their own advantage, buying, selling, and trading with their neighbors; well over half of the transfers initiated by widows conveyed land outside of the family.<sup>48</sup> To wield such control over their properties, widows in Brigstock devised four methods of circumventing the custodial restrictions of free bench tenure.

Although widows could not permanently alienate their free bench lands, they were free to lease them. Some leases specified terms, as when Margery the widow of John in Cimiterio, joined by her daughter Custancia, leased one acre to Robert Malin for a six-year term. Other leases were set to expire at the widow's death; in 1343, for example, Cristina the widow of Peter Tubbe leased one rod from her free bench to Walter ad Stagnum, specifying that he was to hold it until she died (*ad terminum vite sue sine aliqua contradictione aliter hominis heredis vel alterius*). Although only a few such leases were recorded in the courts of Brigstock, many more agreements were probably never noted in the legal records of the manor because short-term leases required no enrollment. Leasing not only enabled widows to realize, at least temporarily, the capital value of their properties but also permitted them to profit from the upswing

in land values in the late thirteenth and early fourteenth centuries. Widows, more likely than most to hold disposable lands that they could lease for a few seasons, might have been especially advantaged by rising land values in the half-century before the plague.<sup>49</sup>

Some widows in Brigstock also probably sold free bench lands, despite the customary restriction on such sales. Such efforts were eased in Brigstock by some confusion about the validity of sales of free bench; although a jury had accepted a widow's sale in 1297, another inquisition five years later determined that widows could not sell any part of their settlements.<sup>50</sup> Only one widow in Brigstock clearly alienated part of her free bench; in 1335, Alice the widow of Gilbert le Heyr transferred a *placia* from her free bench to John Hirdman. Other widows, however, clearly attempted to do so; Elicia Helkok's son had to pay for a court inquisition to prevent his mother from selling free bench lands, and both Mabilia Coleman and Leticia Chapman endured similar challenges to their land conveyances. It is perhaps telling that about half of the transfers effected by widows in Brigstock made no mention of either free bench or the rights of heirs.<sup>51</sup> Some of these lands were properties that widows held in their own right and were free to alienate, but others might well have been free bench properties being transferred under the guise of normal conveyance.

In other cases, widows secured the right to alienate free bench lands from the eventual heirs of the properties. Because widows and heirs were sequential, not joint, owners of free bench properties, they seldom conveyed land jointly; heirs could, however, forfeit their future claims, leaving widows with unencumbered control of their free bench lands. Usually, the widow granted the free bench to the heir and received it back in full ownership. In 1317, for example, Isabella Leche gave two rods from her free bench to her son who immediately returned the property to her; she then sold part of the land to a neighbor.<sup>52</sup>

Finally, many widows who wished to convey free bench lands obtained the concurrence of the heir through two-step transfers that conveyed the property to a third party via the heir. In 1340, for example, Alice the widow of Henry son of Peter gave a tenement from her free bench to her son and heir John, who immediately transferred it to John Wolf. This method of circumventing free bench restrictions was especially popular in Brigstock; of the 106 grants made by widows, 37 (35 percent) thus conveyed free bench through the heir to a third party. These two-step transfers ensured that conveyances of free bench could

not be later challenged by angry heirs, but they were not without danger. In 1315, Alice Tulke wanted to endow her daughter with a tenement from her free bench, but when she gave the property to her son Henry, he vilely [*vilitur*] kept the tenement rather than passing it along to his sister. Alice Tulke's appeals to the court failed to bring her son to justice; because she had fully conveyed the property to him, he retained control of the holding.<sup>53</sup>

Widows, of course, freely managed any properties they held in their own right, but these four options—leases, surreptitious sales, receipts of full ownership from the heir, and two-step conveyances through the heir—also allowed them to use their free bench lands much like other landholders, independently disposing of small parcels at advantageous moments. Few acted precipitously.<sup>54</sup> Of the twenty-two widows for whom the timing of transfers could be established, only five conveyed any land within the first year of bereavement; the average interval between the beginning of widowhood and the first transfer of land was about seven years. Few sold or gave their entire property. At most, only thirteen widows might have conveyed their entire holdings, but eight of these arranged to retain use of the property for the duration of their lives. Few also came to the land market solely to arrange for the endowments of children. Only sixteen widows used land conveyances exclusively to grant holdings to their sons or daughters. Nevertheless, although widows seem to have been as eager as other landholders to control their properties fully, their land conveyances also betray the particular familial circumstances of their status.

As heads of disintegrating households, widows so often used the land market to provide for their children that their overall patterns of land conveyance are distinguished clearly from those of other traders (see table 3.6). Widows figured disproportionately as sellers or givers of land, but their prominence in this capacity does not suggest poverty or disability as much as the responsibilities of widows in the developmental cycle of the rural household. Managing households undergoing disintegration, widows were more interested in dispersing familial properties than in accumulation. Most often, widows granted such properties not to neighbors or friends, but to children. Some of these grants were the first steps of the two-step conveyances that transferred free bench through heirs to nonrelatives (twenty-nine grants), but most went either directly or indirectly to the widow's heir or other children (thirty-nine grants; the remaining five intrafamilial transfers represent receipts of land by widows).

And grants by widows, likely to come more often from large conjugal holdings, were more substantial than the usual small parcels transferred in Brigstock (although it should be emphasized that many of these larger grants provided for the widow's continued use of the property until her death). To a large extent, the widows of Brigstock adequately fulfilled the expectation that they would distribute resources among their children; of the fifty-four widows active in the land market, forty-one (76 percent) conveyed at least some land to their children.<sup>55</sup> As exemplified by Emma Sephirde's grants to two sons and two daughters, many provided for noninheriting children as well as allowing designated heirs to gain early access to some of their properties.

Yet the image of the altruistic widow dispersing properties among her children, though accurate, is incomplete. Because they supervised households undergoing disintegration, widows were especially active in intra-familial conveyances, but such domestic concerns comprised only a part

TABLE 3.6. Widows in the Brigstock Land Market

Category	Widows		Female Norm (percentage)	Male Norm (percentage)
	Number	Percentage		
Type of action				
Grantor	106	87	60	48
Receiver	16	13	40	52
All actors	122	100	100	100
Autonomy of actor				
Acted alone	65	53	60	88
in two-step transfer	37	30	—	—
Acted jointly	20	16	40	12
All actors	122	99	100	100
Nature of grant				
Not intrafamilial	49	40	63	83
Intrafamilial	73	60	37	17
All grants	122	100	100	100
Size of grant (if known)				
Less than 2 rods	79	78	80	90
Over 2 rods	22	22	20	10
All grants of known size	101	100	100	100

Note: For further information about female and male patterns of landholding, see the samples discussed in Bennett, *Women in the Medieval English Countryside*, 32–36. Percentages have been rounded to produce integral numbers.

of their participation in the local land market. Thirteen widows transferred land directly to unrelated persons, and another twenty-one conveyed property outside the family using the two-step process involving the heir.<sup>56</sup> Widows often provided for their children, but they also often used land to their own advantage. The counterpoint to Emma Sephirde might be Margery the widow of John in Cimiterio, who repeatedly alienated properties from her family. In 1332, she transferred first a rod and then (joined by her daughter) one-half rod to John Broyer; in 1333, she transferred to Cecilia Penifader two half-rods and, later in the same court, a selion (strip); and accompanied by her daughter in 1335, she sold one-and-a-half rods to Robert Malin and one rod to Cecilia Penifader and then leased an acre to Robert Malin for six years.<sup>57</sup>

As landholders, then, widows demonstrated the same ambiguities seen in their householding activities. Although widows were not passive custodians of their lands, they also did not use their properties as freely and as autonomously as did male landholders. Men in Brigstock used the land market primarily to alter the size or configuration of their holdings. By consolidating properties, selling small parcels, and offering short-term leases, men constantly adjusted their needs and their resources. Widows similarly traded land to their own advantage, but they were also more bound than others by familial responsibilities. Just as widows were partial householders, so they were partial landholders. Restricted by both the tenurial limitations of free bench and the familial obligations inherent to their status, widows nevertheless managed their estates as vigorously and as independently as their circumstances allowed.

### Widows as Villagers

Both daughters and wives were less active in the social circles of Brigstock than were men of comparable status. It is difficult to trace social relations in court records, but the legal associations of women suggest that they were considerably more oriented toward family than were men; when a woman in Brigstock came to court to resolve a dispute, to transfer land, to answer for a crime, or to conclude any type of legal business, she was much more likely than a man either to deal with relatives in these transactions or to rely on a relative for legal assistance. Reported crimes also show that women were less active than men in the community of Brigstock. The activities of widows in the Brigstock court,

however, suggest that their social experiences often more closely matched the male, rather than the female, pattern.

The court networks of wives, as illustrated by the associations formed by Agnes Penifader-Kroyl, were usually small and focused on their husbands. Indeed, wives' networks were even, in a sense, artificially inflated because they usually came to court accompanied by their husbands and dealt predominantly with the associates of their husbands. During her married years, for example, Edith the wife of Gilbert Cocus accumulated a small court network of only seven contacts with seven people, and in all but one of these associations she was accompanied by her husband. In widowhood, the court networks of women usually expanded in both breadth of acquaintance and frequency of contact. After her husband died, Edith Cocus independently associated with twelve people in court on thirteen occasions, raising a hue, pursuing two pleas, and seeking pledges for her court obligations. Her experiences were typical. Of the thirty women in Brigstock who were active in court as both wives and widows, most interacted as widows not only with more people but also on more occasions; nineteen women (63 percent) accumulated larger numbers of associates and contacts than during their married years. The larger court networks of widows were also usually acquired over considerably shorter periods of time—an average of only nine or ten years of widowhood as opposed to sixteen or seventeen years of married life.<sup>58</sup>

Moreover, the pledging associations of widows more closely paralleled those of male householders than those of wives or daughters. Widows, unlike other women, normally turned for pledging assistance not to male relatives, but rather to unrelated friends or neighbors (see table 3.7). Although daughters were often pledged by their fathers and wives often received such aid from their husbands, widows seldom turned to either brothers or sons for service as legal sureties. Since widows were householders, they had no household head whom they could use for legal assistance, so instead of turning (as was legally permissible) to other male kin, widows usually looked outside of their families for pledging assistance. Once the household basis of reliance on male kin was broken, the importance of such ties apparently weakened quickly. Probably the most striking aspect of the data shown in table 3.7, however, is not the divergence of the pledging associations of widows from those of wives and daughters, but their coincidence with the pledging patterns of male householders; 9 percent of widowed litigants used familial pledges, as

opposed to 10 percent of male householders involved in the pleas sampled; 18 percent of both widows and male householders used familial pledges when amerced for petty crimes or offenses. The pledging associations of widows suggest, then, that their social experiences conformed more to the pattern associated with their household position than to the pattern of their gender.

Although the court networks and pledging associations of widows indicate that widowhood was a time of unusual social activity for women, many widows were markedly uninvolved in the public affairs of Brigstock. Fifty-four widows in the community rarely, if ever, used the resources of the court to adjudicate disputes, convey land, or register contracts, and they almost never merited legal notice for criminal actions or commercial sales. Such court activities indirectly reflect social relations, because each clerical notation of a land trade, broken contract, ale sale, and the like indicates an informal interaction between villagers. Men and women active in the society of Brigstock almost inevitably had some of their disagreements, crimes, contracts, and sales enrolled in the court record. As a result, the fifty-four widows who seldom merited court attention for such matters were, compared to other villagers, relatively inactive in the social life of Brigstock. Nothing suggests, it should be reiterated, that these widows were not privately active as householders and landholders, but they were probably not as publicly active in local society as other women and men. To be sure, these widows probably spoke with their neighbors and cultivated friendships outside of their families, but such associations, as indicated by the silence of the record, were comparatively limited in both breadth and depth. These women, it seems, took control of their free bench lands and retired to the private management of their households.

Court records, then, offer two contrary pictures of how widows fit into the social community of Brigstock. On the one hand, about half of the widows traced on the manor actively participated in the public life of Brigstock in ways that suggest that they were more independent of familial ties than most women. On the other hand, about half of Brigstock's widows were publicly inactive, rarely bringing any business before the local court. Two factors probably encouraged social inactivity. Some women became widows at an age of social withdrawal, not involvement. As illustrated by the male careers summarized in table 3.1, men withdrew from public activity as they aged, and it is likely that many widows did the same. Other widows supervised such poor house-

TABLE 3.7. Familial Pledging of Widows in Brigstock

Category	Widows		Percentage for Wives	Percentage for Daughters	Percentage for Male Householders
	Number	Percentage			
Litigation					
Litigant used some familial pledges	3	9	32	33	10
Litigant used only nonfamilial pledges	30	91	68	67	90
Total litigants using pledges	33	100	100	100	100
Crime					
Familial pledges	7	18	75	56	18
Nonfamilial pledges	31	82	25	44	82
Total pledges	38	100	100	100	100

Note: For further information about patterns of familial pledging of wives, daughters and male householders, see Bennett, *Women in the Medieval English Countryside*, 84-85, 133-39

holds that neither they nor their husbands were very active in public affairs; over two-thirds of the publicly inactive widows of Brigstock had husbands who never held local office.<sup>59</sup> When such factors, however, did not distract widows from the public realm, the Brigstock evidence suggests that widows often became so active in their communities that their social horizons had more in common with the experience of male householders than with those of daughters or wives.

As a householder, a landholder, and a villager, each widow in Brigstock personally experienced the inconsistencies of her status. She took on most of the responsibilities of householding, but accrued few of its advantages. She held extensive properties, but her control was limited by both tenurial restrictions and familial obligations. And she either participated more actively in public affairs than was common for other women or was exceptionally uninvolved in the social circles of her community. Widows, in short, certainly did not wholly step into the positions vacated by their husbands, but they also seldom meekly retired to the care of a married son. Faced with the expanded legal, economic, and social options of widowhood, most women in Brigstock actively exploited at least some of their new opportunities.

The particular customs and economy of Brigstock in the early fourteenth century probably promoted the autonomy and assertiveness of its widows. To begin with, the manor's diverse economy and active land market assured the very existence of widowhood, since remarriage was very common in areas where land was both precious and scarce; on land-hungry manors like Houghton-cum-Wyton (an open-field manor in Huntingdonshire), widows remarried so quickly that few women long experienced the status of widowhood.<sup>60</sup> Brigstock's active land market also probably assured that many widows were not solely dependent on inalienable free bench lands. Because some held properties acquired through inheritance or purchase that were not bound by the restrictions of free bench tenure and others devised methods of circumventing the custodial nature of free bench, the vigorous land market of Brigstock encouraged widows to be active, not passive, landholders. And Brigstock's custom of divided inheritance, which gave younger sons their fathers' inherited lands, might also have worked to the advantage of widows by more often placing them in control of minor heirs.

The activities of widows in Iver (a pastoral manor in Buckinghamshire) suggest, however, that the customs and economy of Brigstock

caused differences of degree, not kind, in the experiences of widows in the medieval countryside. Iver, like Brigstock, was not a land-hungry agrarian community, but instead relied largely on animal husbandry and boasted a fairly active market in land. Widows in Iver only rarely remarried; of the thirty-four widows identified in the preplague records of the manor, only five (15 percent) sought second husbands. Iver, however, differed from Brigstock in its provisions for widows; a widow in Iver only claimed a third of her husband's properties, which third was, it seems, not formally separated from the tenement of the eldest son and sole heir. Because the widow's portion was intermingled with the heir's property, conveyances or leases of free bench were discouraged if not forbidden outright; no widow in Iver ever independently transferred lands explicitly identified as free bench. Yet Iver widows, like their counterparts in Brigstock, seldom retired from active management of their households and properties.<sup>61</sup>

As householders, Iver's widows never pledged for their children in the local court, but they were accorded the other responsibilities that usually fell to heads of households. Widows, as householders, were directly charged for the conduct of their dependents; in 1337 Katrina the widow of William Peys paid an amercement because she had not prevented her son from fishing illegally.<sup>62</sup> Similarly, Iver's widows paid amercements for offenses typically committed by households—the trespass of animals, the illegal felling of trees, and the failure to clean ditches.<sup>63</sup> Widows in Iver also often received full legal custody of their husbands' minor heirs. Women such as Alice the widow of John Sprot not only acquired physical custody of these children, but also obtained the right to administer their lands and properties. And Iver's widows took over another common responsibility of householders; they paid the merchets of their daughters.<sup>64</sup> Of the sixteen widows active in Iver between 1322 and 1348, nine were cited for such householder responsibilities, and only two evinced any interest in retirement. Neither case provides definitive evidence of any social expectation that widows should retire to the protection of their sons. Although Margery the widow of John Lawrence paid to relax her obligation to attend court in January, 1346, she was still sufficiently active to be fined several months later for failing to clean a ditch. And although Alice the widow of John Popelin contracted a maintenance agreement with a couple to whom she was not related in 1345, this retirement came after thirteen years of active widowhood.<sup>65</sup> As in Brigstock, the widows of Iver were not content to retire into households

headed by their sons; instead, they usually took control of the truncated households left by their husbands.

As landholders, widows in Iver were less active than their counterparts in Brigstock, but they nevertheless managed their lands effectively. One-fourth of Iver's widows brought properties to the land market. Some transferred land directly to children, others transferred land through children to third parties, and still others directly conveyed property outside the family. None, it is worth noting, immediately transferred land after the death of her husband, and none conveyed away all of her property. Widows in Iver could not convey land as freely as widows in Brigstock, but they used their properties for essentially similar purposes—for maintenance, for profit through sales or leases, or for endowing their children.<sup>66</sup>

As villagers, the experiences of widows in Iver were as varied as those of the widows in Brigstock. As in Brigstock, half of Iver's traceable widows were inactive in the manor, appearing in court only once or twice to pay obligatory fines. Yet the other widows traced in Iver were quite active in the community, paying amercements for misdemeanors, pursuing disputes through litigation, and trading land with their neighbors. Like their counterparts in Brigstock, these active widows only infrequently relied on male relatives for legal assistance when they brought business before the court. The social experiences of widows in Iver varied enormously, but those who chose to be active in local affairs were often very active indeed.<sup>67</sup>

Widowhood in the medieval countryside has been so little studied by historians that the typicality of the activities of widows in Brigstock cannot be firmly assessed. The comparative experiences of widows in Brigstock and Iver suggest, however, that different customs of tenure and inheritance affected the options of widows, but did not alter their essential responsibilities and opportunities. One manor practiced divided inheritance; the other followed the custom of primogeniture. One offered widows easy access to land trading; the other more closely restricted the conveyances of widows. Yet in both communities, women stepped into new public roles—as householders, as landholders, as villagers—when their husbands died. On many medieval manors, few women lived for long as widows because they quickly found second husbands, but on those manors whose economies discouraged remarriage, widows were often active and powerful members of their communities.

Widowhood was not a time of absolute advantage for women in Brigstock. It probably often brought many personal and emotional problems; bereaved of their husbands, with whom they had shared many years and experiences, widows often also coped with the disabilities and frustrations of old age. This time of life also varied so enormously according to individual circumstances that not all widows were either willing or able to emulate Alice Avice's vigorous assumption of public responsibilities and opportunities. But despite much variety and much ambivalence, most widows took some advantage of the new public roles offered by their changed status, and in most instances, their public presence exceeded that of both daughters and wives. Widows were often heads of small, disintegrating households, but they were householders, neither semi-independent daughters nor dependent wives. Despite customs that restricted their control of free bench properties, widows' tenures were both substantial (exceeding those held by most daughters) and independent (as opposed to the submergence of wives' properties into the conjugal estate). Although some widows reacted to bereavement by withdrawing from village society, those widows who remained active in local life built social networks larger and more independent of kin than the associations formed by either daughters or wives. Although their public presence fell short of that typical of male householders, it surpassed the female norm. Widows, although certainly not liberated, were nevertheless the most publicly active of all women in the medieval countryside.

#### ABBREVIATIONS

- BAS Buckinghamshire Archaeological Society, 128/53: Iver court roll for 1332–1376.  
 NRO Northamptonshire Record Society, Montagu Collection, Boxes X364A, X364B, X365: Brigstock court rolls for 1287–1348.  
 PRO Public Record Office.

#### NOTES

With only a few changes, this article reprints, with permission from Oxford University Press, chap. 6 from Judith M. Bennett, *Women in the Medieval English Countryside: Gender and Household in Brigstock before the Plague* (New York, 1987).

1. Stenton, *The English Woman in History*, 76; Hilton, "Women in the Village," 97; Franklin, "Peasant Widows' 'Liberation' and Remarriage before the Black Death," 186–204.

2. Bennett, *Women in the Medieval English Countryside*, esp. 177–98.

3. For a fuller introduction to Brigstock and its records, see Bennett, *Women in the Medieval English Countryside*, esp. 10–16, 19–22.

4. Alice Avice first appeared in the Brigstock records in 1292, and she was widowed by 1316 (when the manorial clerk first identified her as a widow). Her marital court network included only one person, besides her husband, with whom she had multiple contacts (two contacts with Robert Moke). For examples of her activities in court as a married woman, see NRO, 5/4/1311 (ale amercement); 12/10/1302 (guilty of disrespect toward the bailiff and defendant in a plea of trespass brought by William Scharp); 6/3/1292 (acquisition of a quarter virgate with her husband); 10/11/1301 (separate pleas of trespass pursued with her husband against Alice ad Solarium and Mabilia Tulke).

5. Widowed by 1316, Alice Avice last appeared in the courts of Brigstock in 1332. During widowhood, her court network included multiple contacts with five persons (her son Peter, a possible son Henry Grace, Galfridus ad Solarium, Adam Prepositus, and Adam Kyde). For examples of her activities in court as a widow, see NRO, verso of file 31 (payment of 2s. with Adam Kyde in 1319 rental); 2/3/1316 (transfer of three-and-one-half rods from her free bench to Henry Grace—possibly one of her sons—who then conveyed the property to her son Peter); 20/1/1317 (lease of a small *domus* for twenty years from Emma Scharp); 28/9/1331 (amercement for having an obnoxious dung heap); 21/9/1321 (plea of trespass against Emma Stoyle); 3/3/1317 (pledge for daughters Strangia and Alice in their receipt of land).

6. Both sides of this attempt to estimate the duration of marriages in Brigstock are subject to error. First, because few merchets were recorded in the Brigstock courts, a woman could have been married for many years before her first court appearance as a wife. Second, because all widows did not have to pay heriots or reliefs, many years could also elapse between the onset of widowhood and a court citation indicating the woman's changed status. But since more heriots or reliefs were paid than merchets, the termination of marriages can be more accurately dated than their beginnings. As a result, these calculations probably underestimate the normal length of marriage in Brigstock.

7. Razi never directly calculated the duration of marriage in *Life, Marriage, and Death*, but two sets of figures suggest the conclusions offered here. First, Razi calculated that most marriages occurred between the ages of eighteen and twenty-two, with young men being older than their prospective wives by several years (60–64). Second, Razi estimated that most twenty-year-old men in Hale-sowen had a life expectancy of twenty-five to twenty-eight more years (43–45). If we estimate from these figures that young men marrying at twenty-two could

expect to die at the age of forty-five to forty-eight, the duration of their marriages would be twenty-three to twenty-six years. Needless to say, this estimate is extremely rough, especially because it ignores female life expectancies (for which Razi gives no data). For a debate about the accuracy of Razi's calculations, see Poos and Smith, "Legal Windows?" and Razi, "Use of Manorial Court Rolls."

8. Stone (*Family, Sex and Marriage*, 55) estimated that "the median duration of marriage in Early Modern England was probably somewhere between seven-teen to twenty years." See also Laslett, *Family Life and Illicit Love*, 184.

9. Of the 843 women identified in the reliable surnames of Brigstock, 106 are known to have been widowed at least once during their lives (12.5 percent). Male widowhood cannot be traced because a husband's public status did not change when his wife died—he paid no fines, he lost no lands, and he did not alter his position as head of household. If both sexes enjoyed roughly equal expectancies of life, about half of all wives and half of all husbands would have lost their spouses, but we simply have no data that allow us to calculate sexual differences in life expectancy in the medieval countryside (see Razi, *Life, Marriage, and Death*, 34–45). In his study of widowhood in rural France, Alain Bideau found that roughly half of all marriages were ended by the death of the husband; see "Widowhood and Remarriage," esp. 32–33.

10. Laslett, *Family Life and Illicit Love*, 200; Burguière, "Réticences théoriques," 41–48; Bideau, "Widowhood and Remarriage."

11. See Bennett, *Women in the Medieval English Countryside*, chap. 4, n. 12.

12. For some of the many discussions of the tenurial rights of widows, see Homans, *English Villagers*, esp. 181–82; Faith, "Peasant Families"; Shahar, *Fourth Estate*, 236–39. Variations in the customary laws that governed free bench will be more fully discussed subsequently.

13. Titow found that 9 to 15 percent of the tenants on the manors of the Winchester, Glastonbury, and Worcester estates were women (most of whom were widows); see *English Rural Society*, 87. At Waltham and High Easter in 1328, nearly one-fourth of the land was held by women (a figure that excludes landholding by wives, whose properties were explicitly identified under their husbands' lands); see Poos, "Population and Resources," 214–15. Hilton found that one in every seven tenants at Ombersley in 1419 was a widow; see "Women in the Village," 99. Barbara English found that women held one-sixth of the bovates and one-third of the cottar holdings in late thirteenth-century Holderness; see *The Lords of Holderness*, 191. Of the sixty persons listed in the Brigstock rental for 1319, eleven (18 percent) were women, of whom at least six were widows; see NRO, file 31. Similar rates have been found in early modern villages. In Aldenham between 1611 and 1701, from 10.4 to 18.2 percent of households were headed by widows (see W. Newman-Brown, "The Receipt of Poor Relief," 405–22). Laslett's survey of preindustrial households led him to conclude that about 13 percent were headed by widows (see "Mean Household Size," 147).

14. For examples, see NRO, 14/4/1317 (identified as wife); 20/7/1321 (identified as widow); 12/3/1322 (identified with no indication of marital status).

15. NRO, ?/2/1322.

16. For example, women of unknown status in the Brigstock samples were pledged by kin very infrequently (18 percent versus 46 percent of all female criminals; 14 percent versus 29 percent of all female receivers of land; 0 percent versus 24 percent of all female litigants). In the crime sample, women of unknown status were also much more likely than other women to be cited for crimes associated with householding.

17. Joel T. Rosenthal has described how the experiences of aristocratic widows were similarly varied and diverse in his article, "Aristocratic Widows." Probably widowed in the summer of 1318, Alice Penifader sought excused absences from several court meetings that autumn. In January, 1319, she (identified by the forename Dulcia) paid to be excused from attending court until Michaelmas, and in the following October (again identified as Dulcia), she was fined again to avoid court suit for a year. She never again merited notice by the clerk. See NRO, 31/8/1318, 4/1/1319, 4/10/1319.

18. The classic discussion of the effect of land availability on remarriage is Titow, "Some Differences Between Manors." See also Houston and Smith, "A New Approach to Family History?" 123–24; Faith, "Berkshire: Fourteenth and Fifteenth Centuries," 114; Ravensdale, "Population Changes," 197–225. For a general introduction to remarriage in early modern England (where remarriages constituted 25 to 30 percent of all marriages), see Schofield and Wrigley, "Remarriage Intervals." Eight of the 106 widowed women in Brigstock remarried (7.5 percent); 5 of the 34 widows traced in Iver remarried (15 percent).

19. Razi, *Life, Marriage, and Death*, 63.

20. Razi's finding that widows in Halesowen after the plague (when slackening demand for land had lowered the incidence of remarriage) gave birth to proportionally more illegitimate children lends support to the notion that most widows preferred to remain sexually active and, hence, likely preferred to remarry if they could find second partners. See *Life, Marriage, and Death*, 138–39.

21. The advantages of remaining unmarried were even evident to St. Jerome, who complained that widows failed to find second husbands because they preferred liberty over wifely submission [*et quia maritorum expertae dominatum viduitatis praeferunt libertatem*] (quoted in Shahr, *Fourth Estate*, 97).

22. Of the forty-five widows of officeholders, twenty-nine (64 percent) were active in local life, trading lands, pursuing disputes, committing offenses, and the like. Of the sixty-one widows of nonofficeholders, only twenty-three (38 percent) were active in such matters.

23. No data correlating age with remarriage are available for medieval English villages, but one study of rural remarriage has shown clearly that young widows

were especially likely to remarry and that age much less dramatically affected the likelihood of a widower remarrying (see Bideau, "Widowhood and Remarriage"; see also Schofield and Wrigley, "Remarriage Intervals," 213–19). Rosenthal found that age at widowhood influenced the likelihood of remarriage for aristocratic widows, see "Aristocratic Widows," 40. Data on four remarried widows in Brigstock are unavailable, but three of the other four survived their first husbands for exceptionally long lengths of time: six years, sixteen years, thirty-one years, and forty-two years.

24. It is, of course, possible that aging affected the status of women and men differently. Le Roy Ladurie claimed, for example, that elderly men in Montaillou were objects of ridicule whereas women gained, rather than lost, prestige as they aged (see *Montaillou*, 196, 216). This possibility cannot be checked for medieval English villages and received no attention in Laslett's lengthy discussion of aging in early modern England in *Family Life and Illicit Love*, 174–213. More than likely, customs in fourteenth-century Montaillou differed dramatically from practices in contemporary England because of social and demographic divergences between southern ("Mediterranean") and northern Europe. See Smith, "The People of Tuscany."

25. Richard Smith has described how the elderly constituted a significant portion of the rural poor because of the "poverty cycle" of conjugal households, see "Some Issues," 68–85; see also Clark, "Some Aspects of Social Security."

26. John Popelin paid a merchet for his daughter Isabella in 1327; his widow Alice paid a merchet for their daughter Johanna in 1334; when their son William married in 1338, Alice Popelin guaranteed his future inheritance of a semivirgate. See St. George's Chapel (Windsor Castle), IV.B.1 (merchets paid 17/10/1327 and 26/9/1334) and BAS, m. 20 (grant of land to William). The Penifaders of Brigstock provide another example of a widow's disintegrating household. When Robert Penifader died in 1318, his daughter Cristina was already married; his daughter Agnes married in the following year.

27. This statement draws on Wrigley's calculations that 20 percent of all couples in a stationary preindustrial population will have no children survive them, 20 percent will produce only daughters, and 60 percent will have at least one son survive them; see "Fertility Strategy."

28. William Popelin almost certainly did not live with his mother after he married in 1338; in 1345, she entered into a maintenance agreement with a married couple to whom she was not related. See BAS, m. 36: 5/12/1345.

29. Laslett has argued that both elderly women and men tended to live in their original households, although widows were sometimes incorporated into the households of their married children in order to make use of their assistance in child care (see *Family Life and Illicit Love*, 174–213). Richard Wall found not only that between 71 and 78 percent of all widows in the preindustrial English

villages that he examined continued to head their own households, but also that more widows than widowers remained independent householders (see "Women Alone in English Society").

30. The figure of 101 widows excludes 5 women who remarried so quickly and so permanently that their careers as widows were too brief for consideration. The careers of the other 3 remarried widows have been included in this analysis because they either lived alone for many years before remarriage or else survived their second husbands.

31. NRO, 15/7/1311, 3/1/1314.

32. NRO, 31/5/1319, 10/5/1325.

33. NRO, 6/9/1331.

34. NRO, 6/9/1331 (With); 3/1/1314 (Matilda Cocus); and 25/1/1308 (Edith Cocus). In the same court at which Matilda Cocus was amerced for not providing a servant for herding and plowing, William Golle paid a similar amercement. For an example of a man claiming poverty, see NRO, 17/5/1329 (grant of land by Henry Cocus). *Quia pauper* entries probably indicated not destitution, but rather temporary lack of resources (see Alfred E. May, "An Index of Thirteenth-Century Peasant Impoverishment?")

35. See NRO, 2/5/1309 (Emma Werketon); 14/12/1291 (Quena widow of Galfridus); 10/1/1298 (Alice ad Vinarium); 2/5/1309 (Agnes Geroud); 14/12/1318 (Alice Somonor); 4/1/1319 and 4/10/1319 (Alice or Dulcia Penifader). For examples from Henry Cade's long career, see his fine to relax court suit for a year in NRO, 15/12/1301, and his service as a juror in NRO, 13/5/1311.

36. PRO, SC-2: 194/65, 29/5/1299 (Lena Fox paid 3d. *pro Dulce serviente sua*).

37. See the verso of NRO, file 31. The six widows listed are: Alice Avice (who also paid an amercement for a householder crime), Isabella Leche, Alice Somonor, Emma Talboth, Emma Sephirde, and Alice Tucke.

38. Most instances of female pledging in Brigstock occurred in the decades immediately preceding the plague. At Wakefield, widows might have also been allowed to act as pledges. See Baildon, ed., *Court Rolls of the Manor of Wakefield*, vol. 2 (1297–1309), 36.

39. NRO, 29/4/1306, 3/6/1311.

40. For highlights of Matilda Cocus's career as a widow, see NRO, 6/7/1302, 26/5/1304, 24/7/1304, 15/7/1311, 3/1/1314, 27/2/1315, 14/8/1315.

41. For highlights of Emma Sephirde's career as a widow, see NRO, 7/9/1302, 9/5/1314, 31/5/1319, 10/5/1315.

42. For highlights of Alice Somonor's career as a widow, see NRO, 24/3/1317, 14/4/1317, 16/6/1317, 14/12/1318, 6/8/1322, 22/8/1332.

43. Hilton, "Women in the Village," 103–4 (Hilton does not discuss the marital status of the female moneylenders he describes, but they were almost certainly unmarried because wives could not contract debt agreements without

involving their husbands); Holderness, "Widows in Pre-industrial Society." Widows were defendants in eighteen of the nineteen debt cases involving widows reported to the court. In many of these cases, moreover, they were being sued for debts owed by their husbands.

44. See Bennett, *Women in the Medieval English Countryside*, chap. 5, n. 56, for the marital statuses of alewives. Of the 106 widows traced in Brigstock, 22 sold ale at least once (21 percent); of all the women identified in Brigstock, about one-third sold ale on at least one occasion. The three women who brewed intensely as widows were: Alice Goldhop the wife of Hugh Helkok, who acquired only one ale amercement when married and accumulated another thirty-seven during her widowhood; Margery the widow of William Durant, who brewed thirteen times as a wife and twenty-five times as a widow; and Matilda the widow of Hugh Tubbe, who accumulated ninety-three ale citations while married and brewed on thirty more occasions while widowed. Widows cited for commercial baking were: Alice widow of John Dogge (two baking amercements as a wife, one as a widow); Emma Sephirde widow of Peter Swetman (six baking amercements as a wife, two as a widow); Alice widow of Henry Pidenton (one baking amercement as a widow); and Strangia widow of Robert Pidenton (one baking amercement as a widow).

45. The variable customs that provided for widows have been much discussed in the historical literature. See, especially, Homans, *English Villagers*, 181–82 (where he claims that the variety of custom indicates its comparative unimportance); and Faith, "Peasant Families," esp. 91 (where she notes that, despite variety, provisions were "durable and firmly established"). Custom, of course, did not necessarily reflect practice. For example, Ravensdale's study of the remarriages of widows in Cottenham has shown that the lord of that manor usually waived (for a fee) the customary forfeiture of a widow's free bench if she remarried; see "Population Changes." It is worth noting that, since widows of all landholders could claim some portion of their husbands' properties, the only landless widows were widows of landless men. Faced with supporting themselves and their families without the wage-earning power of an adult male, such women probably numbered among the poorest members of rural society. But they appear rarely in manorial records because of their landless status.

46. Many of these differences likely arose from different tenures of land that were unspecified in the court records, but the results were certainly confusing to contemporaries; about one of every ten widows in Brigstock endured some sort of legal inquiry into her rights as a landholder (see table 3.5).

47. NRO, file 31.

48. Of the 106 widows studied, 55 conveyed land on at least one occasion (52 percent). Of the 106 conveyances made by these widows, 52 explicitly stated that the properties being conveyed were from the widow's free bench (49 per-

cent), and 67 (63 percent) conveyed land outside of the family (this figure includes transfers that conveyed land from a widow through the heir of her husband to a third party).

49. NRO, 17/2/1335 (Cimiterio), 1/8/1343 (Tubbe). Hilton found that many rural lessors were widows; see *Medieval Society*, 163.

50. NRO, 6/9/1297, 17/8/1302. Both inquisitions were held to determine whether a widow could sell half of her lands. Although neither explicitly mentioned free bench, both were implicitly considering free bench tenure.

51. NRO, 15/9/1335 (Heyr); 17/8/1302 (Helkok); 28/1/1318 (Coleman); 16/3/1302 (Chapman). Of the 106 conveyances made by widows, the clerk made no mention of free bench restrictions in 54 cases (51 percent). For examples of widows conveying land on other manors, see Jones, "Bedfordshire: The Fifteenth Century," 249–50; and Lomas, "South-East Durham," 300.

52. NRO, 20/1/1317.

53. NRO, 11/7/1340 (Alice, widow of Henry son of Peter); 20/3/1315 (Alice Tulke). An obvious but imponderable question about two-step transfers is: Who profited? Heirs, eager to realize the value of their inheritances, often might have pressured widows to release portions for immediate sale. Such impatience might have been the motive, for example, behind the transfer of future access to her free bench through the heir to a third party by Alice the widow of Adam Talbot; she retained effective control over the free bench land for her life, but the heir was able to realize immediately the value of the land (see NRO, 10/9/1333). But widows, desirous of more extensive control over their free bench lands, might have often coerced heirs into agreeing to alienations of their lands. Heirs almost certainly, for example, obtained no financial benefit from agreeing to two-step transfers that conveyed land to their noninheriting siblings (eight cases found in Brigstock). In the final analysis, of course, both a widow and the heir of her husband had to agree to the advantages offered by a proposed two-step transfer.

54. To be included in this analysis, a widow needed (a) to have paid a relief or heriot indicating the beginning of widowhood, and (b) to have transferred land on at least one occasion; twenty-two women met both these criteria.

55. However, sixteen of these forty-one widows conveyed land to children only as the first step of two-step transfers that conveyed land outside the family. To be sure, a widow's child might have profited as much from such a transfer as did the widow herself, but only twenty-five widows conveyed properties to children, which properties were subsequently retained by the children.

56. To look at the figures from a different perspective, of the fifty-four widows involved in land conveyances, sixteen conveyed land only to children, twenty-nine conveyed land only to nonrelatives (including those who used two-step transfers), and nine conveyed land to both relatives and nonrelatives.

57. NRO, 7/3/1332; 7/5/1333; 17/2/1335; 10/3/1335

58. For Agnes Penifader-Kroyl, see Bennett, *Women in Medieval English*

*Countryside*, esp. 129–39. These thirty widows include all widows who could be traced in the courts during both their married and their widowed years. Of these thirty, the breakdown was as follows: nineteen widows exceeded both the number of persons contacted and the number of contacts made during their married years; eight widows had smaller networks than they had built as wives; and three widows had networks equivalent to those of their married years. On the average, the traced careers of these women as wives lasted 16.9 years; their average career as widows lasted 9.5 years.

59. A widow was classified as publicly inactive if she never traded land and merited only one citation (essoins, plea, petty crime, or the like) after her payment of heriot or relief. Of the fifty-four inactive widows in Brigstock, thirty-eight (70 percent) had husbands who never held local office.

60. Only twelve widows were identified from the preplague records of Houghton-cum-Wyton, raising the possibility that many women were widows for so brief a time that their widowhoods escaped notice in the extant records. Of these twelve widows, three (25 percent) definitely remarried.

61. The composition of Iver's free bench is never explicitly described in the extant records, but one court entry implies that widows controlled an unseparated one-third of their husbands' holdings. In 1341, William le Coke's transfer of property to John Snape was followed by his widowed mother's conveyance of her right to one-third of the property (BAS, m. 24, 2/5/1341). Of the thirty-four widows in Iver, only sixteen can be fully studied because they lost their husbands during the well-documented years from 1332 to 1348. The subsequent discussion is based largely on the experiences of these sixteen widows.

62. BAS, m. 17, 7/5/1337.

63. BAS, m. 9, 5/5/1335 (animal trespass by Alice widow of Roger Schepherde); m. 40, 21/11/1346 (John Palmer cited for illegally felling trees on land of Dionysia widow of Salamon Blake); m. 20, 1/4/1338 (Juliana widow of Peter Godefrey cited for illegally felling trees on the tenement of her husband's heir); m. 41, 3/5/1346 (Margery widow of John Lawrence ordered to repair a ditch).

64. BAS, m. 21, 4/7/1338 (Sprot custody); m. 14, 7/10/1336 (merchet paid by the widowed Agnes Ram for her daughter).

65. BAS, m. 37, 14/1/1346 (Lawrence); m. 36, 5/12/1345 (Popelin).

66. The widows who transferred land in Iver were: (1) Alice Popelin, who (a) transferred a small parcel to her daughter Margery (BAS, m. 18, 14/7/1337), (b) transferred property to her daughter Johanna and her husband Peter Pekele (BAS, m. 19, 1/12/1337), and (c) granted future access to her messuage and semivivage to her son William when he married (BAS, m. 20, 1/4/1338); (2) Alice Coke, who released her one-third right in a tenement to her son who then conveyed the entire tenement to John Snape (BAS, m. 24, 2/5/1341); (3) Cecilia Blanchard, who leased land to John Snape and sold another property to Peter

Peckele (BAS, m. 44, 4/12/1348); (4) Alice Shepherde (Bercarius), who (a) leased three rods to John Aleyne (BAS, m. 32, 9/11/1342), and (b) joined by her daughter, conveyed three rods outside of the family (BAS, m. 35, 27/9/1345). These four widows represent one-fourth of the sixteen widows whose careers could be reconstructed from the Iyer records.

67. Katerina Peys, for example, was a widow by 1335 (BAS, m. 8, 7/7/1335) and remained active in the courts until her death by plague (BAS, m. 52, 6/5/1349). During her long widowhood, she brewed frequently (see BAS, m. 45, 15/6/1348 for one ale amercement), provided the lord with security that she would not remarry without permission (BAS, m. 12, 29/7/1336), pursued a debt dispute with Alice Gentyll (BAS, m. 17, 7/5/1337), raised a just hue against several men (BAS, m. 17, 8/5/1337), paid a fine for the illegal fishing of her son (BAS, m. 17, 7/5/1337), and paid for the trespass of a colt owned by her (BAS, m. 20, 1/4/1338).

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