# THE PROBLEM OF LABOUR IN FOURTEENTH-CENTURY ENGLAND

Edited by JAMES BOTHWELL, P. J. P. GOLDBERG and W. M. ORMROD\_\_\_\_\_\_

YORK MEDIEVAL PRESS

## The Problem of Labour in Fourteenth-Century England

At the very moment that the image of the honest labourer seemed to reach its apogée in the Luttrell Psalter or, a few decades later, in *Piers Plowman*, the dominant culture of the landed interests was increasingly suspicious of what it described as the idleness, greed and arrogance of the lower orders. Labour was one of the central issues during the fourteenth century: the natural disasters and profound social changes of the period created not merely a 'problem' of labour, but also new ways of discussing and (supposedly) solving that problem. These studies engage with the contrasting and often competing discourses which emerged, ranging from the critical social awareness of some of the early fourteenth-century protest literature to the repressive authoritarianism of the new national employment laws that were enforced in the wake of the Black Death, and were expressed in counter-cultures of resistance and dissent.

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#### **PREFACE**

This volume of essays represents a selection of papers first delivered at the York Interdisciplinary Conference on the Fourteenth Century, held at the Centre for Medieval Studies, University of York, in July 1998, and organised around the theme of 'The Problem of Labour'. This was the first in what is intended to be a series of such conferences, each organised around a coherent theme and each aiming to bring together both established and younger scholars from a variety of disciplinary backgrounds to share their knowledge and enthusiasm for that most eventful and enigmatic of medieval centuries, the fourteenth. The conference series consequently mirrors the academic mission of the Centre for Medieval Studies, which for some thirty years has actively promoted interdisciplinary approaches to the study of the Middle Ages. The conferences in this series are deliberately intended to challenge the contributors by providing themes that almost unavoidably demand an appreciation of and engagement with the subject matters, perspectives, and methodologies of disciplines other than their own.

The 'Problem of Labour' thus emerges as a truly interdisciplinary project whose ramifications are evident in a whole range of documentary, literary, artistic and architectural evidence. The natural disasters and profound social changes of the fourteenth century created not merely a 'problem' of labour, but also new ways of discussing and (supposedly) solving that problem; a series of contrasting and often competing discourses emerged. These range from the critical social awareness of some of the early fourteenth-century protest literature to the repressive authoritarianism of the new national employment laws that emerged and were enforced in the wake of the Black Death, but which may in part have been rooted in earlier traditions of legislation in London and elsewhere. At the very moment that the image of the honest labourer seemed to reach its apogée in the Luttrell Psalter or, a few decades later, in Piers Plowman, the dominant culture of the proprietary interest was increasingly suspicious of what it described as the idleness, greed and arrogance of the lower orders. Indeed the traditional ruling order consciously appropriated a discourse of sin when faced with what was understood to be a challenge to a divinely sanctioned social hierarchy. This challenge was elsewhere found in the blurring of gender roles consequent upon the advent of a larger proportion of women into the workforce. It generated uncertainties about the reliability and controllability of labour and may well have provoked the imposition of a more conformist culture and a more repressive system of civic and national government. These in turn

stimulated counter-cultures of resistance and dissent. These were interesting times indeed.

This collection of essays offers an examination and some possible explanations of these themes, exploring new evidence for, and new approaches to, the fourteenth-century 'Problem of Labour'. The editors would like to thank all those who contributed to the original conference and the contributors for their co-operation and forbearance. They wish finally to express their gratitude to the staff of Boydell & Brewer, especially Richard Barber and Caroline Palmer, for their assistance and encouragement.

## The Problem of Women's Work Identities in Post Black Death England

#### CORDELIA BEATTIE

Throughout the Middle Ages, women were denied social conceptualization, even existence, as social – and historical – beings. Not only were they almost entirely excluded from public life, but their existence as part of the social totality was often ignored. In the estates lists by which medieval society imagined itself, lay women are categorized not by economic, social or political function but either by social status as determined by their male relatives or by marital status.

(Lee Patterson, Chaucer and the Subject of History)<sup>1</sup>

The estates lists that Patterson refers to have no doubt been crucial in sustaining the scholarly view that medieval society conceptualized medieval men and women differently. In a recent book on medieval women, Henrietta Leyser states that 'Medieval women were classified according to their sexual status: men might be thought of collectively as knights, merchants, crusaders; women were virgins, wives or widows.'2 The model offered is that men were defined by what they did, their occupation or function, whereas for women it was their marital, sexual or social status. Other scholars have pointed to similar categorizations in, for example, European law codes, sermons and tax returns.<sup>3</sup> However, exceptions to such a general rule can always be found.

<sup>2</sup> H. Leyser, Medieval Women: A Social History of Women in England 450–1500 (London, 1996), p. 93.

<sup>&</sup>lt;sup>1</sup> L. Patterson, 'The Wife of Bath and the Triumph of the Subject', in *Chaucer and the Subject of History*, ed. L. Patterson (London, 1991), pp. 280–321 (p. 282). The present article is a result of doctoral research undertaken with funding from the British Academy at the Centre for Medieval Studies, University of York. I am grateful to Jeremy Goldberg and Felicity Riddy for their advice and suggestions.

<sup>&</sup>lt;sup>3</sup> H. Dillard, Daughters of the Reconquest: Women in Castilian Town Society, 1100–1300 (Cambridge, 1984), pp. 16–21 (esp. p. 21); C. Casagrande, 'The Protected Woman', trans. C. Botsford, in A History of Women in the West: II. Silences of the Middle Ages, ed. C. Klapisch-Zuber (London, 1992), pp. 70–104 (pp. 73–83); C. Bourlet, 'L'anthroponymie à Paris à la fin du xiiième siècle d'après les rôles de la taille du règne de Philippe le Bel', in Genèse médiévale de l'anthroponymie moderne, ed.

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Texts classify people according to their own interests. In the records of infringements of the Statute of Labourers of 1351, for example, women are often categorized by occupation, an alternative model perhaps. Such models do not exist in isolation, though, but interact and conflict. This article will consider closely three late fourteenth century English texts which demonstrate such co-existence, interplay and competition. The contention is that not only was there an overlap between a woman's marital/sexual/social statuses, as intimated in the quotations from Patterson and Leyser, but that occupational and economic statuses were also important to women's identities, especially their work ones. However, the extent varies according to the specific textual and historical contexts.

The aftermath of the Black Death is an appropriate testing ground for thinking about the conceptualization of women in relation to work. First, it has been argued that the profound demographic and economic effects of successive plagues both speeded up changes in social ordering and led to moves to shore up 'traditional society'. The latter in part involved attempts to define people's statuses more narrowly.<sup>6</sup> Second, labour was often a contentious issue due to the sharp drop in population having caused labour shortages and rising wages. Whilst such effects benefited both male and female workers, there is some doubt as to whether women's wages reached a parity with those of men. Some tasks were still seen as gender specific, such as carpentry and ploughing, with the result that, outside of harvest work, many of the jobs women were hired for were low-status.<sup>7</sup> Clearly there is a need to understand further the impact of ideas

- M. Bourin and P. Chareille, vol. II-2 (Tours, 1992), pp. 9–44 (I owe this reference to Sharon Farmer).
- <sup>4</sup> S. A. C. Penn, 'Female Wage-Earners in late Fourteenth-Century England', *Agricultural History Review* 35 (1987), 1–14 (pp. 4–7).
- <sup>5</sup> Two of Leyser's 'sexual' statuses are clearly also marital statuses, and it could be argued that the third, 'virgin', also is in that it signified a woman before marriage. Similarly, Patterson's social status is also contingent on marital status in that the latter affected whether the male relative from whom the woman took her status was her father or a husband.
- <sup>6</sup> C. Dyer, Standards of Living in the Later Middle Ages: Social Change in England c. 1200–1520 (Cambridge, 1989), pp. 13–17; M. Keen, English Society in the Later Middle Ages 1348–1500 (London, 1990), pp. 1–24. For other moves, see R. C. Palmer, English Law in the Age of the Black Death, 1348–1381: A Transformation of Governance and Law (Chapel Hill, NC, 1993); W. M. Ormrod, 'The Politics of Pestilence: Government in England after the Black Death', in The Black Death in England, ed. W. M. Ormrod and P. G. Lindley (Stamford, 1996), pp. 147–81. For the argument that the Black Death did relatively little to speed up social and economic change see, for example, A. R. Bridbury, 'The Black Death', Economic History Review 1st s. 26 (1973), 577–92.
- M. E. Mate, Daughters, Wives and Widows after the Black Death: Women in Sussex, 1350–1535 (Woodbridge, 1998), pp. 11–13; Penn, 'Female Wage-Earners', pp. 1–14. For an articulation of this in an urban context see M. Kowaleski, 'Women's Work in a Market Town: Exeter in the Late Fourteenth Century', in Women and Work in

about gender in relation to work.<sup>8</sup> All three of the texts I am going to discuss date from the last quarter of the fourteenth century, by which time we might expect post Black Death changes to have taken effect.

The texts are: the 1379 nominative poll tax return for Lynn, Norfolk; a deposition from a disputed marriage case heard before York's consistory court in 1394; and the record of a trespass case brought by a woman before the King's Bench in 1386. They will be used to think about the co-existence, interplay and conflict between the different statuses and models just discussed, namely the marital/sexual/social and the occupational and economic. The first section will argue that nominative poll tax returns, 'lists' of names, statuses and amounts, can be read discursively, by interrogating the categories into which women are arranged. The other two sections use court material which have hitherto been seen as more amenable to literary methodologies.9 The case study of the Lynn return will demonstrate that the two models of conceptualizing women co-existed, whereas the second section will focus on a defence of the reputation of two women which renders fairly explicit the interplay between women's work and marital statuses. Again, though, a discursive reading of the text, a consistory court deposition, seeks to uncover the underlying meanings invested in terms. The final section will move away from a focus on terminology onto a more general consideration of the construction of a woman's identity, both by others and as a subject position, in a King's Bench case. The relationship between the identities considered here is one of conflict.

Preindustrial Europe, ed. B. A. Hanawalt (Bloomington, IN, 1986), pp. 145–64. H. Graham, '"A woman's work . . .": Labour and Gender in the Late Medieval Countryside', in Woman is a Worthy Wight: Women in English Society c. 1200–1500, ed. P. J. P. Goldberg (Stroud, 1992), pp. 126–48, generally emphasizes continuity between the pre and post Black Death years. For the argument that women's work can be characterized as low-skilled, low-status and poorly remunerated throughout the period 1300–1700 see J. M. Bennett, 'Medieval Women, Modern Women: Across the Great Divide', in Culture and History 1350–1600: Essays on English Communities, Identities, and Writing, ed. D. Aers (London, 1992), pp. 147–75 (p. 158).

Befor a consideration of masculinity and work in this period see I. Davis, 'Men at Work: The Discursive Construction of Labouring Masculinities' (unpublished M. A. dissertation, University of York, 1998).

<sup>&</sup>lt;sup>9</sup> See, for example, N. Z. Davis, Fiction in the Archives: Pardon Tales and Their Tellers in Sixteenth-Century France (Oxford, 1988); L. Gowing, Domestic Dangers: Women, Words, and Sex in Early Modern London (Oxford, 1996). Cf. J. W. Scott, 'A Statistical Representation of Work: La Statistique de l'industrie à Paris, 1847–1848', in Gender and the Politics of History, ed. J. W. Scott (New York, 1988), pp. 113–38, which is an attempt to read a statistical report discursively.

## Maidens, widows and . . . workers? Co-existing models in a poll tax return

This section will consider the 1379 poll tax listing for Lynn, Norfolk, in the context of other returns from 1379 and 1381. The Lynn return makes a useful case study because of its unusual features: the majority of people are identified by a marital status and many are also described by a second category, occupational or familial. The dual categorization allows one to think about the relationship between statuses, from which hypotheses can be advanced as to the ideological underpinnings of classifications in this listing. First, however, I will briefly discuss the categorization of women in four other urban poll tax returns (Figure 1.1).

The 1379 tax was levied according to an individual's resources, 'his estate and degree'. <sup>12</sup> Each lay married and single man and single woman over the age of sixteen was to pay between four pence and ten marks, except for genuine paupers; wives were exempt; gradations were according to social status or occupation; and a widow of a high status man was to be assessed according to his former rank. <sup>13</sup> The 1381 tax was similarly charged 'each . . . according . . . to his means', but with more of an emphasis on the rich helping the poor, so status was again important. <sup>14</sup> However, the surviving returns reveal wide discrepancies in what were considered relevant details. A quantitative comparison of the classification of women in the 1379 returns of Derby and Sheffield and the 1381 listings of Southwark and York illustrates this point and suggests that sometimes one status took precedence over another. I will argue that there was usually some prioritization of categories, either marital over occupational or vice versa.

The value of the data in Figure 1.1 lies more in indicating trends than in presenting precise figures. Impressions will be supported with examples from the returns. The exclusion, therefore, of some damaged entries is not an

Although all three poll taxes, 1377, 1379 and 1381, resulted in the survival of nominative returns, it was only in 1379 and 1381 that local officials were asked to provide collection commissions with information about the inhabitants of their areas. It is therefore in the listings from the later two poll taxes that individuals are more generally categorized by a status: *The Poll Taxes of 1377, 1379 and 1381: Part 1, Bedfordshire-Leicestershire*, ed. C. C. Fenwick, Records of Social and Economic History n.s. 27 (Oxford, 1998), p. xix.

<sup>&</sup>lt;sup>11</sup> It is one of the few returns that records virtually everyone by marital status. I am grateful to Carolyn Fenwick, who is editing all the poll tax returns, for confirmation on this point.

Records of the Borough of Leicester . . . 1327–1509, II, ed. M. Bateson (London, 1901), pp. 186–91 (p. 190). I owe this reference to Poll Taxes, ed. Fenwick, p. xiv.

<sup>&</sup>lt;sup>13</sup> Poll Taxes, ed. Fenwick, pp. xiv-xvi.

<sup>&</sup>lt;sup>14</sup> Poll Taxes, ed. Fenwick, p. xiv, citing Rotuli Parliamentorum, 6 vols. (London, 1783), III, 90.

Figure 1.1: The classification of women in four urban poll tax returns

	1379					1381			
	D	erby	She	effield	Sout	hwark	Y	ork	
STATUS	No.	%	No.	%	No.	%	No.	%	
Wife	_	_	175	64.8	315	61.9	1121	68.8	
Widow	6	4.3	32	11.8	4	0.8	104	6.4	
Mother	_	_	1	0.4	_	_	_	_	
Daughter	16	11.5	19	7.0	10	2.0	23	1.4	
Sister	_	_	_	_	_	_	1	0.1	
Servant	57	41.0	11	4.1	62	12.2	294	18.0	
Occupation	59	42.5	1	0.4	57	11.2	80	4.9	
Occ. Byname	_	_	1	0.4	43	8.4	7	0.4	
No status	1	0.7	30	11.1	18	3.5	_	_	
TOTAL	139	100.0	270	100.0	509	100.0	1630	100.0	

#### Sources

Derby: The Poll Taxes of 1377, 1379 and 1381: Part 1, Bedfordshire-Leicestershire, ed. C. C. Fenwick, Records of Social and Economic History n.s. 27 (Oxford, 1998), pp. 97–100.

Sheffield: 'Rolls of the Collectors in the West Riding of the Lay-Subsidy (Poll Tax) 2 Richard II., Wapentake of Strafforth', *Yorkshire Archaeological and Topographical Journal* 5 (1879), 1–51 (pp. 40–4).

Southwark: London, Public Record Office, E 179/184/30.

York: London, Public Record Office, E 179/217/16. There is an edition by Neville Bartlett. My figures are from the original, as it is possible to read some of the entries excluded as damaged in *The Lay Poll Tax Returns for the City of York in 1381*, ed. N. Bartlett (Hull, 1953). For ease of reference, though, specific examples in the text are from the printed edition.

insurmountable problem, nor are the unknown levels of exemption and evasion.<sup>15</sup> Unlike the Lynn return, these listings generally identify women by a single category. In those cases, however, where a woman is described by more than one category, the highest one in my list took preference. For example, one woman described in the Derby return both as *mater* and *vidua* is counted as a widow and not as a mother.<sup>16</sup>

In the Derby and Southwark returns it seems that work identities were prioritized over some marital statuses. There are very small numbers of women described as widows, especially when compared with the numbers categorized by occupation or with an occupational byname. Martha Carlin comments of the Southwark return that, 'The four women designated as "widow" seem to have been the most well-to-do group of women householders in

<sup>&</sup>lt;sup>15</sup> On exemption/evasion see P. J. P. Goldberg, 'Urban Identity and the Poll Taxes of 1377, 1379, and 1381', *Economic History Review* 2nd s. 43 (1988), 194–216; *Poll Taxes*, ed. Fenwick, pp. xxiii–vi.

<sup>&</sup>lt;sup>16</sup> *Poll Taxes*, ed. Fenwick, pp. 97–100 (p. 98, column 1). This is the only woman described as a mother in the Derby return.

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Southwark . . . This suggests that the term "widow" as used by the Southwark assessors meant something like "widow who doesn't need to work", and was an indicator of high economic status." By contrast, five of the six women categorized as widows in the Derby return were assessed at the minium rate of four pence and two are also described as paupercula.18 Such a formulation might signify widows who were unable to work. In these two listings the dominant model is of classifying women by their work identities unless that was irrelevant for some reason. The Sheffield return, however, seems to have the opposite prioritization. Scarcely any women are identified by occupation but thirty-two are described as widows. The only woman with an explicit occupational status is also classified as a widow: 'Magot' Barkar vidua, walker'.19 The occupational status was probably included because it conflicted with her surname, whereas the occupations of other women were presumably unstated. The prioritization in the York return, though, is less clear-cut. More women are categorized as widows than by occupation but there are significant numbers of both. Cecilia de Malton, described in the return as *braciatrix*, can be identified as the widow of Thomas de Malton, recorded in the 1377 poll tax listing.<sup>20</sup> Although damage to the return means that it is not known how much she was assessed at, it is likely that Cecilia was a woman of means given that she is recorded as having four servants. Perhaps Cecilia was identified as a brewster, rather than as a widow, because the occupational term was seen as the marker of her economic status. In this return, although the numbers suggest an importance placed on marital status, prioritization was not always given to it.

This brief consideration of four returns has raised a number of points that will be considered in more detail in the close reading of the Lynn return (Figure 1.2). Assessors could choose to classify women in different ways, according to different models, which often involved some prioritization of statuses. Also, Carlin's statement that 'the term "widow" as used by the Southwark assessors meant something like "widow who doesn't need to work" suggests that particular categories had underlying meanings. The unusual nature of the Lynn return, with its frequent use of dual categorization, allows discussion of the ideological uses of certain classifications.

<sup>&</sup>lt;sup>17</sup> M. Carlin, Medieval Southwark (London, 1996), pp. 175-6.

<sup>&</sup>lt;sup>18</sup> Poll Taxes, ed. Fenwick, pp. 97–100. For use of the term paupercula see Poll Taxes, ed. Fenwick, p. 98, column 1.

<sup>&</sup>lt;sup>19</sup> 'Rolls of the Collectors in the West Riding', p. 42.

The Lay Poll Tax Returns for the City of York in 1381, ed. N. Bartlett (Hull, 1953), p. 41; J. I. Leggett, 'The 1377 Poll Tax Returns for the City of York', Yorkshire Archaeological Journal 43 (1971), 128–46 (p. 137). For more on the records about this woman see C. Beattie, 'A Room of One's Own? The Legal Evidence for the Residential Arrangements of Women Without Husbands in Late Fourteenth and Early Fifteenth Century York', in Medieval Women and the Law, ed. N. James Menuge (Woodbridge, 2000).

Figure 1.2: The classification of women in the 1379 Lynn poll tax listing

STATUS	Vidua	Puella	Soluta	No Status	TOTAL
Servant	_	_	102	10	112
Occupation	_	_	12	1	13
Daughter	_	6	5	_	11
Mother	_	_	1	_	1
No Status	28	_	15	_	43
Damaged	_	1	2	_	3
TOTAL	28	7	137	11	183

#### Source

London, Public Record Office, EXT 6/99/156. There is an edition by F. C. Carter in *The Making of King's Lynn: A Documentary Survey*, ed. D. M. Owen, Records of Social and Economic History n.s. 9 (London, 1984), pp. 221–32. However, it is not completely accurate, so all figures are from my checking of the original. For ease of reference, specific examples in the text are from the printed edition.

The majority of people in the Lynn return are identified by a marital status. Men are described as either solutus or coniugatus, single or married. All the women listed were single (wives were not assessed in 1379, although they are still listed in the Sheffield return). However, they are not just described as soluta, although the majority are, but also as vidua and puella. As solutus encompasses widowers and young unmarried men, soluta is probably also an umbrella category. The classification of both a mother and a woman with the byname 'wydewe' as soluta further supports this reading.21 The additional use of more specific categories suggests an increased emphasis on the marital status of women. It will be argued, therefore, that at least two models of categorizing women can be seen operating in this text. Women were labelled as vidua or puella when marital or familial status was seen as more important than their work to their identities. When women's work identities were considered more pertinent, though, the converse happened: a precise marital status was not considered crucial and the umbrella term soluta was used. Again, a quantitative comparison of the categorization of women will be used to indicate trends. Not all of the return has survived and Figure 1.2 does not purport to include all the extant entries. Those that were damaged to the

The Making of King's Lynn: A Documentary Survey, ed. D. M. Owen, Records of Social and Economic History n.s. 9 (London, 1984), pp. 228 and 231. The term sola as used in the Salisbury 1379 poll tax returns also seems to be an umbrella category: PRO E179/239/193/20; EXT 6/99/44; EXT 6/99/90; EXT 6/99/162. I am indebted to Caroline Fenwick for drawing my attention to these returns, which she has identified as belonging to Salisbury in 1379, and allowing me access to her unpublished transcriptions of this material. The vernacular 'single woman' was used in a variety of texts as an umbrella term: C. Beattie, 'The Single Woman in Later Medieval England' (forthcoming D.Phil. dissertation, University of York).

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extent that they could not be divided into female and *soluta*, *vidua*, *puella* or none of the above, have not been included.

The majority of women in the Lynn return are classified according to their work, either as a servant or by an occupation. It seems significant, therefore, that no woman categorized as *vidua* or *puella* was also identified in this way – significant, because it is likely that at least some widows and maidens worked. Again it seems that there was some prioritization of categories. For the women labelled as *vidua* or *puella*, I will argue that it was their marital/familial statuses that were seen as crucial to their identities, rather than their work.

The use of the category widow is unsurprising, given that it is one that occurs in the Anglo-Norman schedule authorising the tax, albeit only for high status widows. <sup>22</sup> However, as we have seen from a brief consideration of the 1379 return for Derby, assessors could choose to classify women in a different way. What is perhaps more telling, given the frequent use of dual classification in the Lynn return, is that all twenty-eight women of the women described as widows have no other categorization. Whilst some of the women described as *soluta* with occupational statuses might have been widows, that there are only thirteen women described by a specific occupation suggests that this was not happening to any great extent. Rather, it seems that the term *vidua* predominated over an occupational designation. The use of the term *puella* in this return also suggests prioritization for marital/sexual statuses.

The category *puella* is not one that occurs in the schedule. It is only used seven times in the extant return for Lynn and not in any other poll tax listing.<sup>23</sup> *Puella* usually denoted youth.<sup>24</sup> However, everyone listed in the 1379 return was over the age of sixteen. Also, no servant is described as *puella* and it is unlikely that all 112 servants were significantly older than sixteen. Female servants in late medieval Yorkshire, for example, were found, from deposition material, to be largely between the ages of twelve and twenty-four. So it does not seem likely that *puella* was used here solely to signify youth. It seems significant, though, that those categorized as *puella* are nearly all also described as daughters. The only exception is a damaged entry which might well have used both categories. Also, these females are all described in relation to a parent who is listed above and therefore were probably living at

<sup>&</sup>lt;sup>22</sup> Rotuli Parliamentorum, III, 57–8. For example, 'countesses veoves' down to 'femme veove de . . . marchant suffisant'.

<sup>&</sup>lt;sup>23</sup> Again I am grateful to Carolyn Fenwick for confirmation of this point.

<sup>&</sup>lt;sup>24</sup> For example, in the texts cited by the *Middle English Dictionary* in relation to the term 'maid' and its variants, *puella* is often given as an equivalent. The meanings given are 'a small girl', 'girl baby', 'girl child', 'girl', 'young girl', 'young woman' and 'young unmarried woman': *Medieval English Dictionary*, ed. S. Kuhn, H. Kurath and R. E. Lewis, in progress (Ann Arbor, MI 1956–). Cf. *Revised Medieval Latin Word-List*, ed. R. E. Latham (London, 1980), p. 381, where 'puellaritas' is defined as maidenhood (pre-1300) and 'puellitas' as girlhood (in 1461).