

MAUD DE ROTHING c. 1290–1355: A WOMAN OF MEANS AND WAYS

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SUMMARY

The story of Maud de Rothing forms an important part of the story of the family of her eventual husband, Augustine le Waleys of Uxbridge, and herself. Their adult life covered most of the first half of the troubled 14th century, whilst that of the two following generations spanned the remaining half of that century. No family archive has been discovered, but collectively they spent a good deal of their existence in the public domain and hence in the public records. Unusually, wills exist for the critical players, with the unfortunate exception of Augustine himself. Augustine led a very careful professional life, having served the Crown for well over thirty years without major mishap. He consequently appears as a somewhat colourless individual. Maud, on the other hand, seems to have used and tested the legal limits of what was possible at that juncture for a London woman who had both some independent means and determination. The consequences of some of her activities rumbled on for nearly a decade after her death, affecting the lives of her sons-in-law, two of her grandsons, and possibly also the initiation of the Prerogative of Canterbury. One son-in-law was John Molewayn, a merchant-financier of the City of London, second only in importance to the de la Pole brothers. One grandson, John Turk, was a cleric and was for a brief period Vice-Chancellor of Oxford University and died a canon of Salisbury Cathedral. A second, Robert Turk, was a City merchant who became additionally a landowner, a shire knight, member of parliament for Essex, and a benefactor of a Cambridge college. Maud's history is in no way overshadowed by theirs.

HER LIFE

The history of Maud de Rothing is written mainly in legal records dealing with the acquisition and disposal of property.¹ Maud's

first appearance in these records in 1304 details the transfer to her of property in St Nicholas Shambles, London; her last appearance in legal records in 1362, seven years after her death, is concerned with the final distribution of her properties in London. The time intervening she spent in accumulating a considerable holding of property jointly with her second partner and husband Augustine le Waleys and, after his death, in attempting to dispose of it as she saw fit.

She was twice 'widowed', but differs from the London widows described by Hanawalt and Barron,² as she spent only about two years of her long life as a legal widow. She also differed from these other widows in not having married into the nobility or trade but having taken partners who came to hold reasonably senior appointments in the service of the Crown. The absence of any archive of family documents means that any portrait of her must come primarily from the shadow-play provided by legal activities, and hence, at best, take the form of a silhouette in slight relief. Nonetheless she seems to have been a determined lady who took full advantage of the opportunities available to her. Her family tree up to the time of her death is given in Fig 1.

Maud was born about 1290. Little definite is known about her origins, other than that her father was Henry de Rothing of Saint Margaret Rothing (Roding Saint Margaret, Essex). There is no evidence that she was married to John de Shaddeworth (Chaddeworth), a servant of the Crown, by whom she had a daughter, Idonea, prior to his death in 1313. The earliest date at which she is recorded as the wife of Augustine le Waleys, another Crown servant, is 1320, when

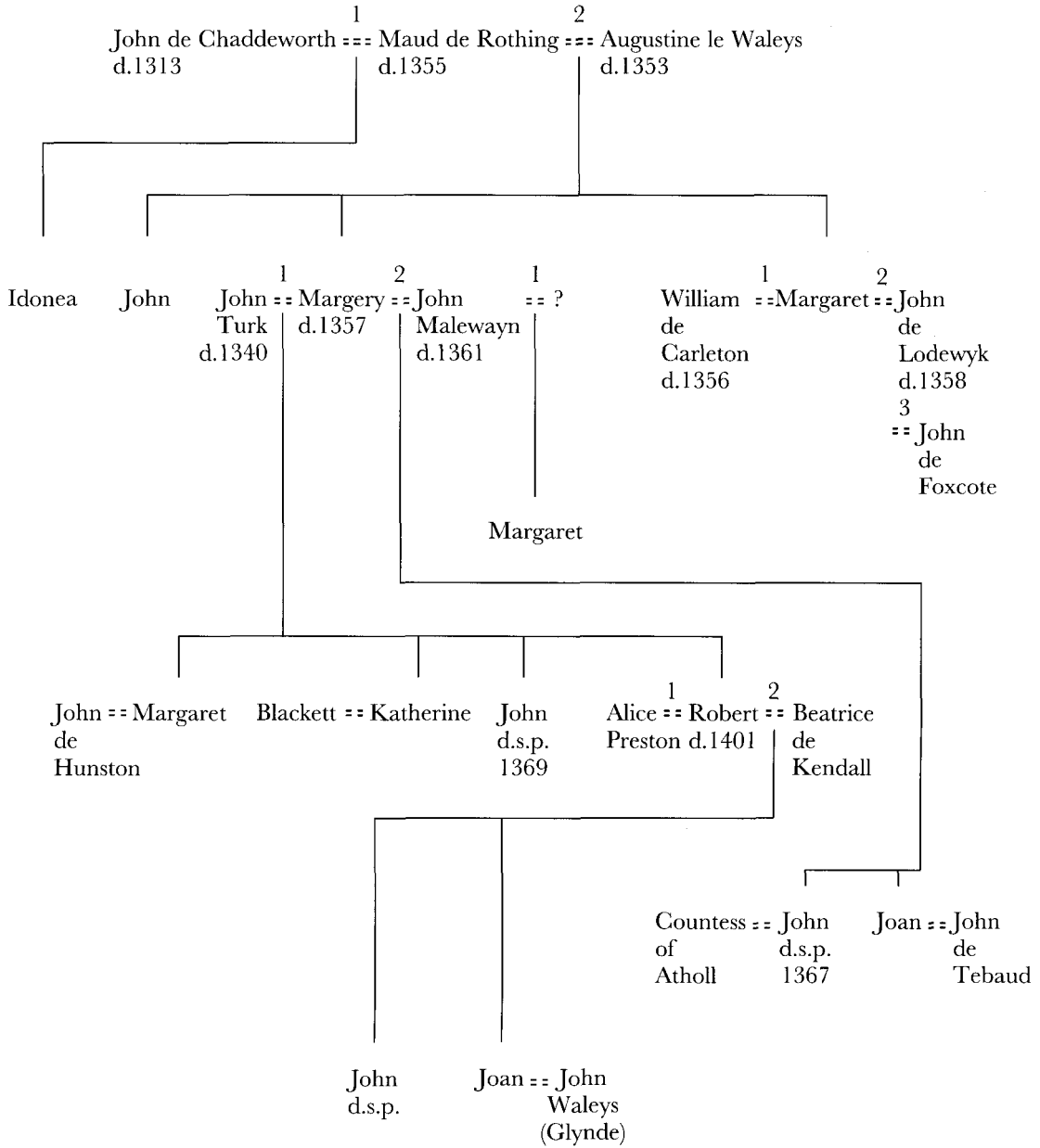


Fig 1. Family tree of Maud de Rothing

she would have been about thirty years of age. By this time she had borne an illegitimate son, John, of whom Augustine was most likely to have been the father. Over the next four years she bore him two daughters, Margery and Margaret, who were his legitimate heirs. Their marriage of thirty-three years ended with Augustine's death in 1353.

By 1313 Maud had acquired property in her

own right in five parishes, either inside or just outside the City. Between 1313 and 1320 she and Augustine jointly, but as named individuals, had augmented her original holdings in the areas of St Bride's and St Katherine Alegate (St Katherine Cree, Aldgate) within the City. They had also jointly, again as named individuals, been enfeoffed of the manor of Latton Merk (Markshall in the parish of Latton, Harlow,

Essex), with reversion to Augustine's heirs. After 1320 they continued to acquire property jointly, but now as man and wife, both in the City of London and in the surrounding counties. At the time of Augustine's death they held jointly properties in five counties, in six parishes in the City, and in one parish in the suburbs.

In her widowhood Maud held Latton Merk by right of joint ownership. She attempted, unsuccessfully, to divert descent of two of the other holdings, one in Suffolk and the other in Kent, to her illegitimate son John. She did, however, retain some dower rights in the manor of Brandestonhall in Great Waldingfield, Suffolk. She also retained all the properties in or near the City, with the possible exception of the family home in St Andrew's (St Andrew Undershaft), Cornhill, which had to be partitioned between her two daughters as the proper heirs of Augustine. Even here she retained a foothold, probably by right of freebench, for she died there in 1355. She also inherited the proceeds of some sizeable debts of money owed to Augustine.

Maud left two testaments, one enrolled at Canterbury and the other, a year later, in London. They differed in form very slightly, but probably not significantly. Proving of the Canterbury testament caused controversy between Canterbury and London over prerogative rights of probate. It also led to a threat of excommunication of one of her sons-in-law, John Malewayn, for retaining documents pertinent to probate. However these problems were resolved within a year, whereas the consequences of implementing her will dragged on for another seven years.

Her testaments were simple to the point of being bleak. The only personal bequest was to Holy Trinity, Christchurch, where she wished to be buried alongside Augustine. Her 'mobilia et immobilia' she willed to good causes without specifying them. Of the properties she held at the time of her death, most of which she was entitled to devise as she wished, she said nothing. Surprisingly she chose not to remember her son John, despite her efforts of two years earlier to provide for him. This lack of instructions did not deter one of her executors, John of Arderne, prior of the Augustine friars in London, from acting unilaterally in devising all the London properties to the king who promptly turned them over to funding the new house of the nuns of Dartford that he was in process of setting up. It was not until 1363 that the illegality of these

devisings was established and the dispute between the family and the Crown resolved when a court settlement between the family and the prioress of the nuns of Dartford was reached. The legal basis for this settlement is not fully transparent.

Thus Maud seems to have been a woman worthy of remark. By 1320, the first recorded date at which she was described as a married woman, she had had children by two different men of some status and also held quite a lot of property, as of right, in her maiden name. The practice of holding property jointly with Augustine she extended throughout their long married life. She probably took the initiative in this matter, for whilst Augustine was clearly relatively successful in his long career as a servant of the Crown, he seems to have achieved this by being careful, keeping a low profile, and providing no obvious evidence of controversial initiatives. Maud seems to have been determined to provide for herself financially from an early age. She succeeded in doing so to the extent that she still controlled nearly the maximum fraction of the property holdings amassed by herself and Augustine that was feasible within the law. Whether her will was written with deliberate malice in mind, whether it was written by an elderly woman *in extremis*, or whether it was the result of external pressures has not been established. Whatever the driving force, the outcome provided lively proceedings for the family and a number of other groups of people over the next eight years.

The portrait of Maud de Rothing that emerges from the documentation examined shows little detail or depth. Nonetheless certain aspects of her personality come through. That portion of the records that relates to her during her lifetime demonstrates the considerable freedom available to a female citizen of London to accumulate property which was hers to dispose of. Whether Maud explored these legal limits herself or persuaded others to do it for her, the outcome shows that she was very successful in establishing considerable holdings of property for herself. To do this she must have been an intelligent and knowledgeable individual with a strong personality. The records of what happened after her death demonstrate not only the vulnerability to fraud of an inadequately defined testament, but also the ability of the customs of the City to correct the resultant wrong at least partially and to prevail even in the teeth of Crown interest. She led a colourful legal life, some of which

colour, knowingly or otherwise, she ensured would last well after her death.

The limited details of her personal life and the greater volume of information on her property acquisitions are set out chronologically in the next three sections. This is followed by an account of the settlement of her estate after her death, which is then discussed in the context of her likely relationships with her family and third parties.

ORIGINS AND FIRST RELATIONSHIP

In a deed of 1304,³ and in one of 1308⁴ Maud de Rothinge is identified as being the daughter of the late (*quondam*) Henry de Rothing. In a subsequent deed⁵ she is further described as being of Rothing St Margaret of Essex. Henry de Rothing has not been identified. In the records of London property deeds he appears only as the father of Maud de Rothing. A Henry de Rothing died in 1301 holding lands in Norfolk having as heir his son Alexander, but there is no evidence of him having any connections with Rothing St Margaret or with London. The tenant-in-chief in the former venue had been a branch of the Merk family, but Merkshall in St Margaret Rothing in the Hundred of Ongar had been in the hands of the Spigurnel family for some time. But Henry Spigurnel of that family died in 1327, and so could not have been the Henry mentioned in the London deeds.

It has been asserted⁶ that Maud was the sister of Richard de Rothing who had been apprenticed to Thomas de Rothing, who had held land in Rothing St Margaret.⁷ There was an indirect connection between Maud and Richard, for the latter was admitted to the freedom of the City of London in 1311, without payment, at the instance of Sir John de Sandale by announcement of John de Shaddeworth (Maud's first husband), clerk to Sandale.⁸ In 1341, Richard de Rothing prosecuted the execution of a recognisance of debt for Margery, the elder daughter of Maud by her second husband, Augustine le Waleys.⁹ A Richard de Rothing was a witness to the acquisitions of property in London involving Maud and others in 1320, 1337, and 1343.¹⁰ There is thus some tenuous evidence for an association between Maud and Richard, but direct evidence of kinship has not been found.

There is no evidence for the marriage of Maud to John de Shaddeworth.¹¹ The latter was a senior officer of the Exchequer by the time of his

death in 1313.¹² His will, proved on 11 November 1313, left land and houses in the parish of St Katherine near Alegate to Maud de Rothing and his daughter Idonea.¹³ In a property deed of 1318, tenements in the same parish are passed by a tailor and his wife to Augustine le Waleys and Maud de Rothing and Idonea, daughter of the said Maud.¹⁴ John de Shaddeworth had acted for Maud as early as 8 December 1310, when at his instance the mayor pardoned the fee due on a bond of eight marks in her favour.¹⁵ There is no mention of John de Shaddeworth on any of the five property deeds involving Maud dated between 1304 and 1312, the year before his death. As a single woman, she could have held property in her own name; but as a married woman, her husband would have had automatic right to her property and therefore would presumably have been mentioned on the last deed of 1312 which involved Maud transferring property to another party. This implies that she was married to Shaddeworth no earlier than 1312, if at all. Thus, being a single woman in 1304, for valid acquisition of property the latest she could have been born was sixteen years earlier *viz* 1288.

In 1304 land and houses in St Andrew Hubbard, East Cheap, were transferred to her by John de la Barrc, clerk.¹⁶ A year later the executors of Hugh de Bedeforth gave her the quitrent for shops in St Nicholas Shambles (Fig 2).¹⁷ In 1308 she acquired a house in Spoonlanc, St Michael, Queenshithe, from Adam Laurenz of Corfe, Dorset, and Maud de Chedzey his wife.¹⁸ In 1312, Maud de Rothing transferred this house to Cecilia Ripoun, daughter of Stephen Raskel.¹⁹ Deeds to be found in the archives of the Dean and Chapter of St Paul's show that Maud also held property in the parish of St Bride's in her own right.²⁰ This property might be the same as that transferred to her by John de Wynton and his wife Maud in 1312.²¹ She may also have held other property in Essex, as will be seen later, but even at the level of her holdings in London she was a well-to-do 'widow' of twenty-five by the close of 1313. In 1317 she was granted a portion of shops in Fleet Street by Adam de Garboldesham and Cristine his wife.²²

PARTNER AND WIFE OF AUGUSTINE LE WALEYS OF UXBRIDGE

Like John de Shaddeworth, Augustine le Waleys of Uxbridge was a king's clerk but of a status

much junior to that of Shaddeworth at the time of the latter's death. His first known appointment was as clerk to Justice William de Bereford in 1314.²³ He would therefore have been of an age with Maud. The earliest date at which Maud and Augustine are referred to as man and wife is in 1320.²⁴ Their relationship probably started earlier than this. The inquisition following Augustine's death in 1353 gives two daughters as his heirs, but in that portion relating to Brandeston Hall in Suffolk reference is made to '... John Waleys, son of Maud Waleys, a bastard ...'.²⁵ Shaddeworth could possibly have been the posthumous father, but it seems unlikely that Augustine would have given his surname to John and not to his elder sister Idonea. A simpler explanation, admittedly not necessarily the correct one, would be that John was Augustine's son, born outside wedlock, and therefore illegitimate in common law despite the subsequent marriage of his parents.²⁶ Of their two daughters, Margery was probably born in 1322, and Margaret two years later,²⁷ although Maud's inquisition post mortem (inquiry into succession of property held of the Crown) places their births three years later.²⁸ Idonea was still alive in 1318.²⁹

Augustine held some property in his own right before his association with Maud. A commission of oyer and terminer (which made inquiry into more devious offences) was issued on 20 January 1315 in respect of a complaint by Augustine of Uxbridge that his close at Stepney had been entered by named individuals, who had broken his house, driven off his cattle, and taken his goods.³⁰ The outcome of the action is not recorded. No firm evidence on how Augustine got this property nor on how it descended has been found.

Description of Augustine by the toponym 'Uxbridge' was common at this time, so it may be assumed that he held property there as well as in Stepney before his marriage. Uxbridge was a market town lying in the manor of Colham, but was held of the honor of Wallingford by a succession of tenants in chief. At his death Augustine held four messuages in Uxbridge and two acres of land in Colham of Nicholas de Canteloupe; ten acres of land in Uxbridge of John de Charleton; and fifty acres of land in Harefield of Simon de Swanland.³¹ Some of these holdings were acquired after his marriage to Maud, *viz* land in Denham (presumably Harefield) and premises in Colham in 1329,³² premises in Uxbridge in 1351,³³ and land in

Colham in 1352.³⁴ The latter two were held jointly with Maud, but all the properties were held in demesne as of fee. It seems likely that his inherited holdings were no more than a modest three messuages. He had a small holding in Walworth, a messuage and twenty acres of land. This was held as of fee, of the prior of Christ Church, Canterbury, for a rent of 6s 8d yearly and some ploughing service. When this was acquired has not been traced. Some of the Kentish estates may also have been in Augustine's possession before his partnership with Maud.

Thus the property held by Augustine at the start of his relationship with Maud was not obviously greater in amount or value than that held by her, and lay outside the City of London.

PROPERTIES ACQUIRED BY MAUD AND AUGUSTINE JOINTLY, OR AS MAN AND WIFE

The property they acquired after their association is considered conveniently as that held in the Shires and that held in the City of London at the time of their deaths. For the sake of completeness, the history of those properties held in London by Maud as of her own right, and already mentioned, will be included in the section dealing with property in the City.

Properties in the Shires held jointly

Latton Merk (Markshall), Essex

On 4 January 1317 the king issued a licence for the enfeoffment by Elias, son of John, of Colchester and Juliana his wife of Augustine of Uxbridge, king's clerk, Maud de Rothinges,³⁵ and the heirs of the said Augustine of their manor of Latton Merk, Essex, and the advowson of the priory of Latton held in chief of the honor of Boulogne, which was in the king's hands.³⁶ The manor was part of the dower portion which fell to Juliana on the death of her husband Henry de Merk in 1270.³⁷ Juliana next married John de Chartney, by whom she had a son, and finally Elias of Colchester. By 1317 the tenant in chief, Thomas de Merk, had died leaving an underage son, who was in the king's hands. On 21 March 1317, Juliana's son John de Chartneys released his right in the manor to Augustine and

Maud.³⁸ By four days later Augustine had paid homage to the king for the property.³⁹

Three associated fines, all at the same time and place, record the final process of transfer of Latton Merk to Augustine le Waleys and Maud de Rothing in the Easter term 1317.⁴⁰ The first fine transfers a sizeable portion of lands and property in Belchamp Canonicorum (Beauchamp St Paul) from Augustine and Maud to Elias and Juliana; the second transfers a comparable portion to Elias and Juliana from Augustine alone. In both case a purely nominal charge was made, and reversion on the death of Juliana was to the deforcians (the sellers) and then to the heirs of Augustine. The bulk of the land in these two manors was held by the Dean and Chapter of St Paul's, with about half as much held by John de Botetourte. The property transferred represented about half the sum of these latter two holdings. Elias and Juliana gave the manor and advowson of the priory to Augustine and Maud to hold of the king and his heirs with reversion to the heirs of Augustine for a consideration of 100 marks of silver. After the death of Juliana, in 1338 Augustine and Maud sold their rights in the holdings in Belchamp Canonicorum and Ovington to John and Katherine Dyer for 100 marks.⁴¹ It is possible therefore that no money actually changed hands in the initial transaction. The separation of the holdings of land transferred to Elias and his wife into portions with differing deforcians suggests that Augustine probably held one portion initially and he and Maud then augmented it with a further joint purchase just before their joint acquisition of the manor. The penultimate act was played out in the Michaelmas term of 1324, when Thomas de Merk's son Ralph, having just come of age, released the manor to Augustine and Maud with reversion to the heirs of Augustine.⁴² The final acts would however seem to have been a licence granted to Augustine and Maud in 1348 to settle the manor and advowson on themselves and their heirs⁴³ and also a licence for Augustine and Maud to enfeof Robert atte Brome, clerk, of the manor of Latton and its priory, held in chief, and for him to regrant the same to them and their heirs, dated 20 October 1348.⁴⁴

Brandeston Hall, Suffolk

Sir Roger Bavent II and his wife Hawisia granted the manor of Brandestonhall, with all other

appurtenances in Great Waldingfeld, Lavenham, and Brent Eleigh, to Augustine le Waleys of Uxbridge, his heirs and assigns in fee simple, on 3 August 1337.⁴⁵ This grant was preceded on 21 July by an acknowledgement of a loan of £200 by Augustine to Roger, which acknowledgement was repeated ten days later.⁴⁶ This grant was the first in a succession of property transfers made by Bavent to people who had loaned him money. Eventually his financial predicament became so acute that he was rescued by the Crown to whom he surrendered all his considerable properties. The charter devising Brandestonhall to Augustine was inspected and confirmed on 12 May 1348.⁴⁷ Towards the middle of 1351 the control of the issues and profits of the Bavent estates was being directed towards support for the establishment of the Dominican House of the nuns of Dartford. This matter was also to involve the settlement of the estates of Augustine and Maud after their deaths.

The Kentish Estates

At his death, Augustine had holdings in Ridley, Welle (Well near Northfleet), and Orpington. They lay reasonably close to one another, all in the lathe of Sutton, but in the separate hundreds of Axstane, Rokesly, and Blackheath respectively. Their acquisition cannot be accurately dated and their assembly gives the impression of being opportunistic rather than contrived.

The manor of Ridley was released to Augustine alone together with other lands in Meopham and Essche (Ash near Wrotham) by Bartholomew de Watton on 24 August 1339.⁴⁸ Other lands held in dower by Sybil, widow of John de Watton, would also revert to Augustine. Another release of the same properties was made by John Savage to Augustine and Maud on 29 October 1345.⁴⁹ Why this was necessary is not clear. It did not appear to be a particularly lucrative possession. The inquisition post mortem of Augustine points out that after dower rights were extracted and the 100s due to Juliana de Leyborne, tenant in chief, were paid it was worth only 40s per annum.⁵⁰ Nonetheless Augustine contributed 27s out of a total of £48 16s 10½d for the hundred, to the undated fifteenth recorded in Rough's Register.⁵¹

Forty acres of land in Welle were held by Augustine of John de Rokesly, clerk, by service of gavelkind (form of land tenure by which land

was divided equally between a tenant's sons, mainly a Kentish system) and suit of his court at Lullingstone. For this he contributed 6s out of a total of a little more than £46 for the hundred to the fifteenth already mentioned. As will be seen later, the Rokesley family were a source of property in London to Augustine and Maud. When this holding was obtained is not known.

The property held in Orpington was known as Bucklers.⁵² It was 20 acres in extent and was valued at 7s in the assessment for the fifteenth and was worth but 12s a year. When it was acquired from the prior of Christchurch, Canterbury, is not known, but Augustine had contacts with the cathedral between 1317 and 1321.

In summary, the lands in Kent were of secondary financial worth and may originally have been granted to Augustine alone, some possibly before their marriage.

Havering atte Bower

On 20 July, barely a year before Augustine's death, Queen Phillipa granted him, Maud his wife, and their heirs the lands of William de Dagenham that came to her as escheat. Confirming the grant on 18 October following, the king granted a further grace that after the death of the queen the lands should be held of the king and his heirs for ever.⁵³ Havering was a royal demesne and holdings there were highly prized. The holdings of the Dagenham family were probably first acquired by Thomas of that name who was bailiff of Havering around 1317. Thomas had been succeeded by his son William by 1321, when the latter transferred a large estate in Dagenham to John de Cockermouth, a king's clerk.⁵⁴ When John Molyns as steward of the queen's household was inquiring in 1352 into monies due to the queen from her holdings, the largest fine recommended was that for Dagenham's at £100, arising from some 420 acres of land. Adam de Colkirk seems likely to have been the tenant at the time.⁵⁵ The gift was obviously one of substance.

Miscellaneous

There were a number of properties which Augustine and Maud held that were transferred during their lifetimes. One of particular interest

is that of 2 acres of land which they held in fee simple of Thomas le Bond in Tottenham and which they granted to Adam Fraunceys through the agency of Walter, vicar of Tottenham, in 1336.⁵⁶

Properties in London

The inquisition post mortem on Augustine gave no indications of his holdings of property in London, though it is quite obvious from City records that he was resident there, was a citizen, and had been involved in a multiplicity of transactions concerning property. The inquisition post mortem for Maud shows that she held property in seven parishes within the City. The implication is that all the properties were held jointly and that on Augustine's death, under the law of the City, they passed automatically into Maud's hands. The acquisition of these seven sets of properties can be followed.

St Martin Ludgate and St Bride's (Figs 3–4)

The church of St Martin lies hard up against the City wall but the parish extends beyond the walls and, along Fleet Street, abuts the parish of St Bride. Mention has already been made of reference to holdings of Maud alone and of Maud and Augustine jointly in St Bride, associated with a tenement called 'Helle'.⁵⁷ It is probable that Maud's holdings were those specified in the charter of John de Wynton of 1312 as being four shops and tenements adjacent to a tenement called Helle.⁵⁸ Maud received a portion of shops in Fleet Street in 1317 from Adam de Garboldesham and his wife.⁵⁹ In the same year Augustine le Waleys and Maud de Rothing were given the quitrent of a tenement in the parish of St Bride by the executors of Hugh de Pourte.⁶⁰ Houses and shops in this parish were transferred to the executors of William de Chaddleshunt, a wealthy canon of St Paul's, in 1321 by Augustine le Waleys and Maud de Rothing.⁶¹ In 1322 further property in the same parish was given to the Dean and Chapter of St Paul's by Augustine le Waleys and Maud his wife, for the maintenance of a chantry for the canon,⁶² which chantry he shared with Piers Gaveston. As none of these latter holdings were mentioned in the settlement of Maud's estate, it seems reasonable to assume that they constituted

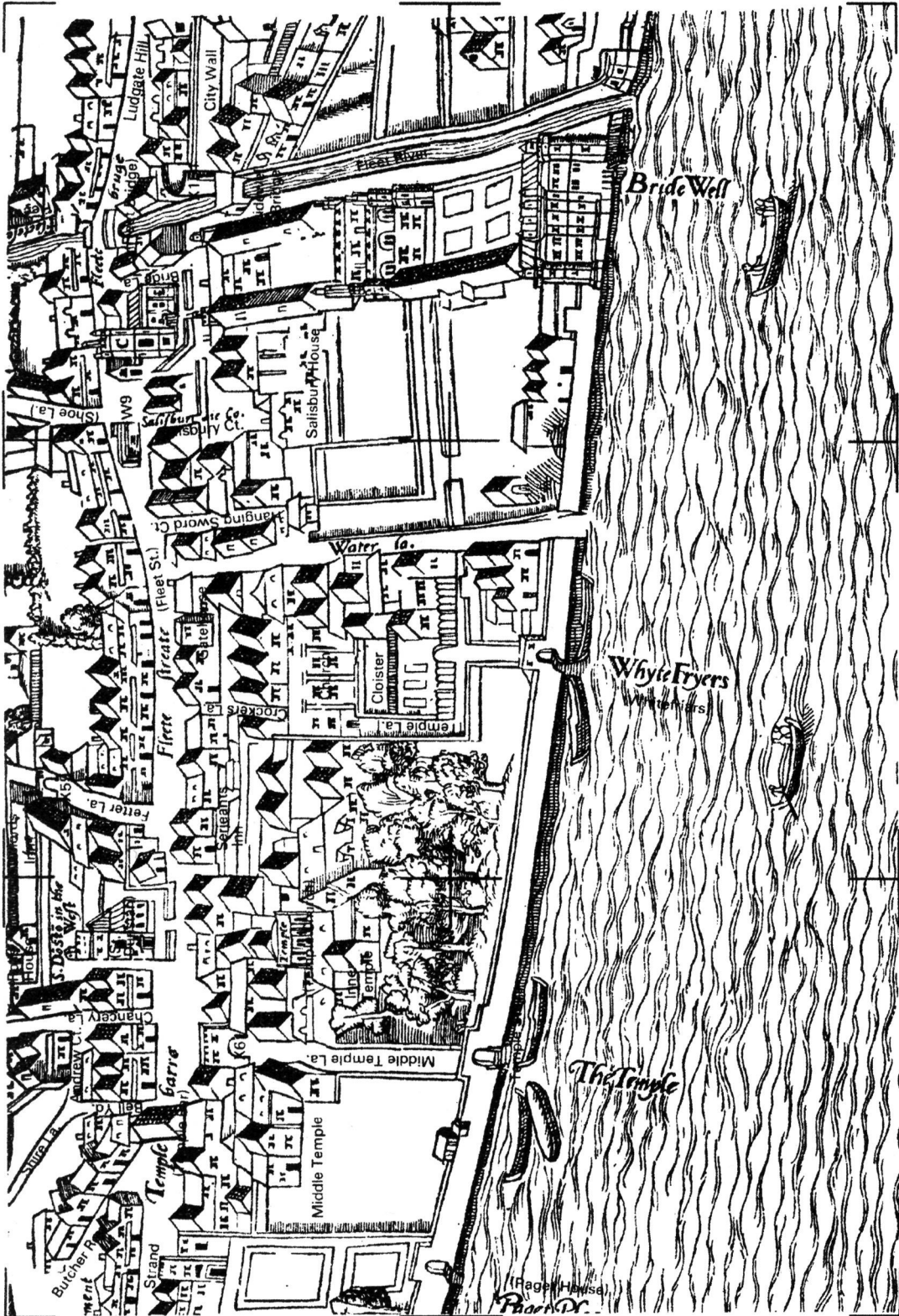


Fig. 3. Ludgate area of the 'Agas' map taken from The A-Z of Elizabethan London compiled by A Prockter and R Taylor. (Guildhall Library, Corporation of London)

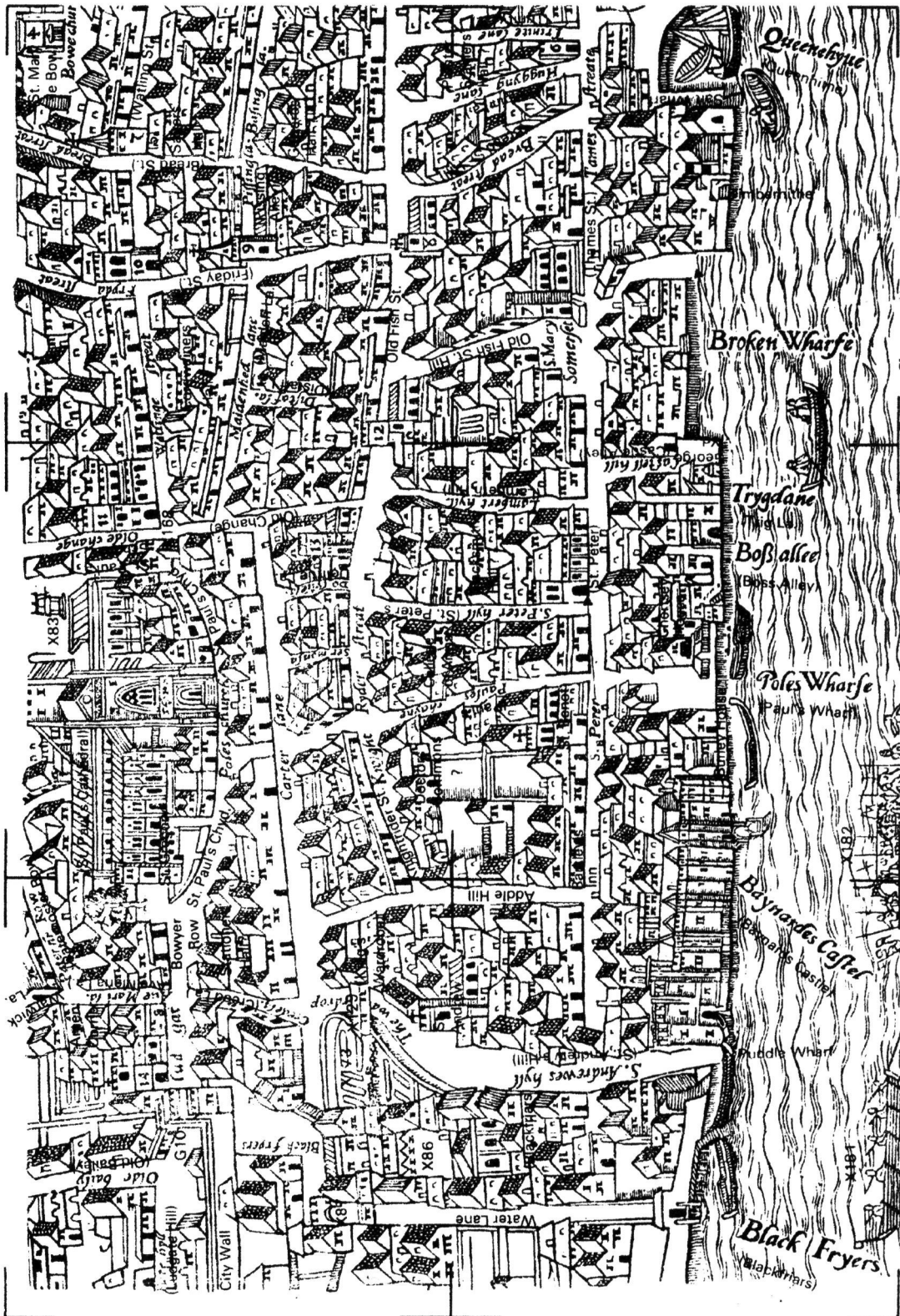


Fig 4. Ludgate area of the 'Agas' map taken from The A-Z of Elizabethan London compiled by A Prockter and R Taylor. (Guildhall Library, Corporation of London)

credits and debits in the balance of holdings which cancelled each other out. The nature of the relationship between Chaddleshunt and the Waleys has not been resolved, but it may be recalled that the means whereby the latter obtained their holdings in Beauchamp St Paul and Ovington, manors held largely by the Dean and Chapter of St Paul's, was not resolved either.

These holdings in St Martin Ludgate have also been mentioned because they feature in the description of the property still held there by Maud at the time of her death. In the final settlement of her will, this holding is described as a 'messuage and four shops in Fleet St., in the suburb of the said city in the parish of St Martin without Ludgate, lying between the highway to the north, the city wall to the south, tenements of the Hospital of St Mary Bishopgate to the east, and to the west a tenement called Helle pertaining to a chantry in the church of St Paul'.⁶³ This implies that the holding in Ludgate was hard up against the boundary between the two parishes and also that for a period the Waleys had held a sizeable block of property along the southern side of Fleet Street just outside Ludgate and to the east of the Fleet. Whether this property in the parish of St Martin equates to all or part of that obtained in 1317, and listed in the previous paragraph, has not been determined. It was worth 40s yearly, less 9s quitrent to the prior of St John of Clerkenwell. In a perambulation by the mayor and aldermen without Ludgate on 8 August 1352 Augustine was found to have encroached on common land against the Fleet and built himself a lodge for which he had to pay 6d per annum.⁶⁴

St Katherine, Alegate (Fig 5)

At her death, Maud held a messuage and seven shops in this parish for which a quitrent of 46s was due to the prior and convent of Christchurch (Holy Trinity, Aldgate). The history of this holding is documented in the cartulary of this latter institution. It resulted from the consolidation of two adjoining properties.

The older of the two initial grants by Christchurch was made to the Joie family in the first half of the 13th century. It descended through this family until the end of the century when it came into the hands of Simon Orfeur.⁶⁵ It then passed to Augustine, though how and at what date is debatable. Augustine and Maud lost

an action against the prior in the Hustings in 1334 for non-payment of the established rent of 6s.⁶⁶ In the plea the tenement is stated to be held 'in the right of Maud', which suggests that this was the property left to her and Idonea by John de Shaddeworth in 1313,⁶⁷ and quitclaimed to Maud de Rothing and Idonea together with Augustine by Edmund, tailor, in 1318.⁶⁸ This supposition conflicts with an associated statement in the cartulary that rent was paid for this property by Augustine in 1 Ed. II as well as 8 Ed. III.⁶⁹

The major block of property, which abutted the holding of Katherine Joie to the west, was granted to William de Southfolk in 1274 for a rent of 40s.⁷⁰ It was divided into two portions for which the abbot of Shepperton paid 31s 6d and Christine daughter of William paid 8s 6d. The latter granted her portion to John de la Marche, potter,⁷¹ who in 1316 conveyed a house in St Katherine Alegate to Augustine le Waleys and Maud de Rothing.⁷² This could well have been the same tenement quitclaimed to them by Nicholas de Reding, cordwainer, a little later in the same year.⁷³ By 1326 Augustine had acquired the tenement of the abbot of Shepperton for which he was paying 40s rent. In August of the same year he was attached for an inquest into the death of a neighbour, John de la Marche.⁷⁴

Together the tenements stretched for 41 ells (c.154ft) along the north side of Alegatestreet (Aldgate Street) and a little more in depth up to the land of the priory. It abutted the priory garden on the west. This represented more than half the southern frontage presented by Christchurch on Alegatestreet.

St Andrew atte Knappe (St Andrew Undershaft), Cornhill (Fig 5)

Maud continued to live in the messuage, mentioned in her inquisition, in this parish after Augustine's death, so presumably it had become their main residence by this time. It was defined as having been purchased from William de Salopia and his wife Ellen⁷⁵ and worth 80s yearly less 5s rent to the prior of Bermondsey annually and 4s also annually to the church of St Andrew. The transfer which took place to Augustine le Waleys, Maud, and the heirs of Augustine in 1333 is recorded as being of houses and land.⁷⁶ William had only received them from John de Hadham earlier in the year.⁷⁷ The Waleys would seem to have been in residence by 1338, for on

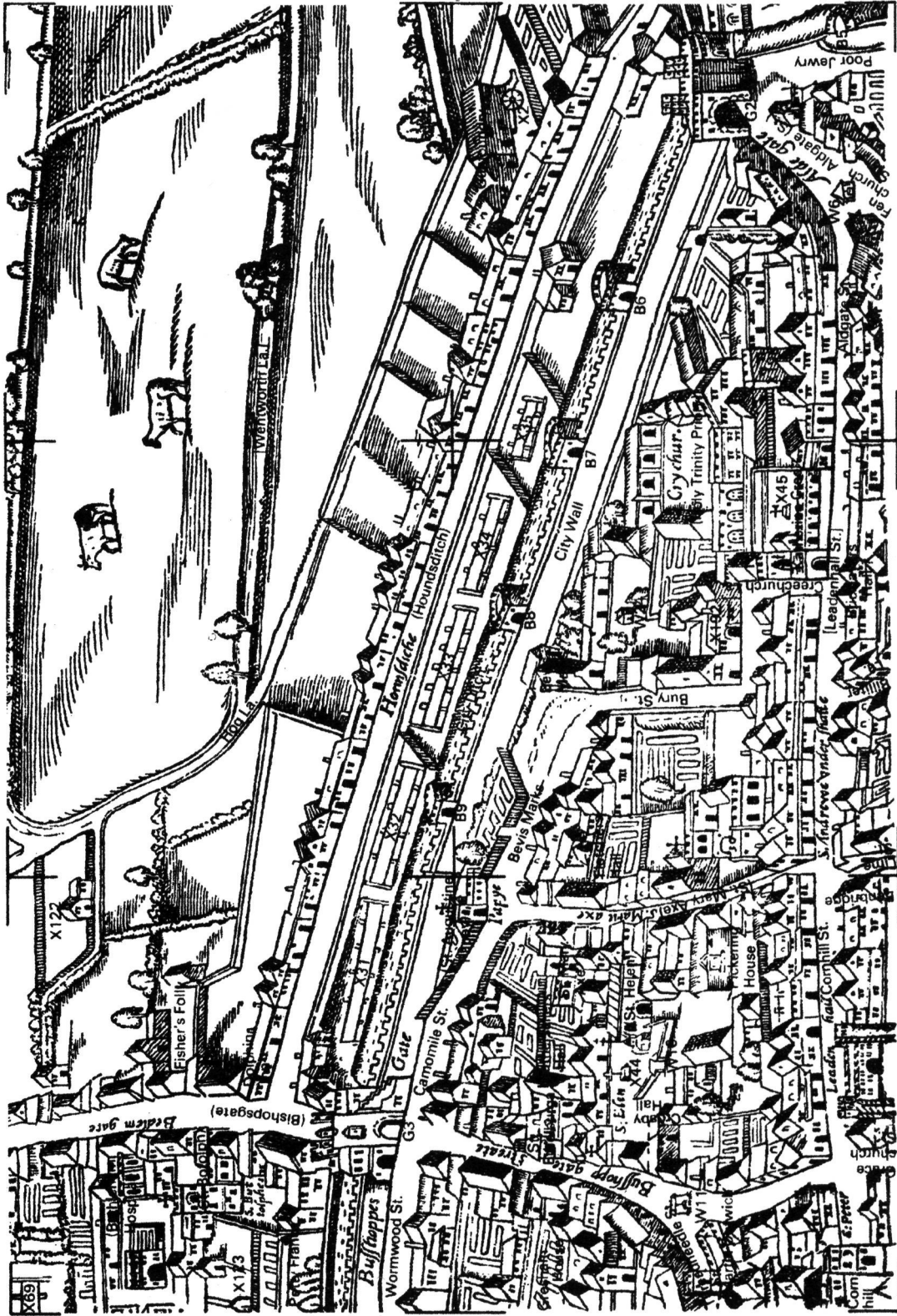


Fig. 5. Alegate area of the 'Agas' map taken from The A-Z of Elizabethan London compiled by A. Procter and R. Taylor. (Guildhall Library, Corporation of London)

17 July that year they complained via the assize of nuisance that their neighbours, Joan widow of Robert de Alegate and John de Northburgh in one dwelling, together with John de Hadham in another, had breached City ordinances relating to the placement and glazing of windows overlooking the Walcys' property.⁷⁸

During the 1340s their property holdings in this parish were steadily augmented. In 1343 they acquired from the executors of Walter de Chelmsford, who had died in 1339, his tenement held of the prior of Holy Trinity for 5s yearly. By this time a cleric, Robert atte Brome, had become a partner in their acquisitions.⁷⁹ Robert was sometimes described as rector of Henley and sometimes as a cleric of Rotherhithe and together with Walter de Anemere had been nominated as his attorney by Augustine on 24 June 1338, before he went overseas with the king.⁸⁰ Robert figured in all the subsequent property transactions of Augustine and Maud, as did their heirs and assigns. Two years later the consortium acquired another small portion of adjoining property in this parish from John de Horwood, worth 3s 4d in rent to Holy Trinity. The final tenement in this block of property, which had originally been held by Thomas de la Marche in 1325,⁸¹ was obtained at some unspecified time.⁸² The total worth of the rent to Holy Trinity was 14s 10d.

In 1346 they obtained a tenement from the executors of John Stignere (Skinner?) together with the reversion of rents in the same parish.⁸³ The same year they jointly transferred a tenement on Cornhill to Thomas de Alford and his wife Cecilia. Two years later they jointly received the quitclaim of messuages in the parish from Thomas son of Robert de Alegate, presumably on the death of his mother Joan. The final acquisition was in 1351, a brewhouse and shops from Thomas de Baldesworth, goldsmith, and his wife Maud. In all of these cases the heirs of Augustine, Maud, and Robert atte Brome were specified.

How the properties obtained after 1340 were legally divided between the Waleys and Robert atte Brome is unclear, but the holdings of the former were consistently given subsequently as a messuage and eight shops, the messuage being unambiguously identified as that obtained before Brome came upon the scene.

St Martin Orgar

The tenement on the northside of Thames Street opposite Ebbgate in the parish of St Martin

Orgar is the only one of the properties not valued. Evidence on the origins of the purchase is a little confused. The final settlement of the estate in 1363⁸⁴ attributes the purchase to Augustine alone, the vendor being Gregory de Rokesly. Maud's inquisition post mortem says that the vendor was Roger de Rokesley the elder, the purchasers being Augustine and Maud with reversion to Augustine's heirs. It is clear that Joan de Rokesley quitclaimed a tenement in the parish to them, their heirs and assigns in 1337.⁸⁵ In the absence of a record of the initial property transfer, resolution of the nature of the legal descent is not possible. The Walcys took an interest in the property as is evinced in an assize of nuisance brought by them in 1339 against their neighbours, relating to window height and drainage gutters.⁸⁶

St Magnus the Martyr

These holdings constituted a messuage and a shop at Oystergate worth 40s yearly, less 9s quitrent, to Hugh le Blount. They were situated on the corner of Bridge Street and Thames Street, less than a block away from the holding in St Martin Orgar. They were obtained from Roger and Joan de Rokesley in 1320 jointly by Augustine and Maud his wife, their heirs and assigns.⁸⁷ Joan quitclaimed a holding in this parish to them at the same time as her holding in St Martin Orgar.

St Dunstan's in the Tower

The provenance of the messuage and two shops in this parish, worth 30s a year, less 2s 6d quitrent for the work of London Bridge, has not been established. A messuage late of Henry Wymond is also mentioned in Maud's inquisition. By the time of settlement of her estates only one tenement is mentioned, lying between the tenements of Sir John de Monte Acuto and William Haunsard.

Other properties

In 1326 Maud and Augustine transferred property in the parish of St Stephen to Sir Thomas de Usefleet,⁸⁸ but no evidence has been found of the origins of this holding. Similar considerations

apply to the property in St Mildred's Poultry which they granted to John Deynes in 1347.⁸⁹

WIDOW OF AUGUSTINE LE WALEYS

Augustine died on 24 or 25 July 1353. The escheator stated that Augustine held no lands in Hertfordshire. A writ to the escheator for Essex, John de Coggeshall, was issued on 24 August following.⁹⁰ An inquest held at Latton on 8 September found that Merkshall (Latton) had been held jointly by Augustine and Maud and their heirs by the gift of Robert de Bromme. Augustine's heirs were Margery and Margaret, his daughters, who were of full age. On 10 September of the same year Coggeshall was instructed not to intermeddle further with the manor or the advowson, restoring their issues to Maud as the king had taken her fealty. Writs were then issued to the escheators for Essex, Surrey, Middlesex, Kent, Suffolk, and to Adam Fraunceys, mayor of London, on 24 August 1354. The inquest held at Harlow on 15 November repeated the findings of the previous inquiry, but did not mention the joint holding with Maud. The new escheator for Essex, Hugh Fitzsymonds, apparently interpreted this literally, despite the previous ruling. On 1 December, he was ordered not to intermeddle with Maud's possession of manor and advowson.

The other escheators returned their findings for Suffolk on 20 October, Kent on 3 November, Middlesex on 13 November, and Surrey on 16 November. All these findings described the holdings, of whom they were held, for what services, and that the heirs were the two daughters already named. On 6 December writs of *plenius certiorari* (a prerogative writ directed from a higher to a lower court instructing them to pass the matter to the former for swifter action) were issued to the escheators of these latter shires, on the petition of Maud that she had been jointly enfeoffed with Augustine of the properties described. They were being held by the escheators on pretext of inquisitions and removal of the king's hand was requested. The new inquests not only reinforced the findings already made, but revealed attempts by Maud to manipulate the descents of the properties not only for her own benefit but also for that of her bastard son, John.

The inquisition for Suffolk was taken at

Bildeston on 9 February 1355. It was found that Augustine made a charter to John Waleys on condition that he should enfeoff Augustine and Maud of the manor of Brandestonhall in Waldingfield, to hold to them and the heirs of Augustine. John, with the active connivance of his mother Maud, made a charter of feoffment to her and Augustine and their heirs to which Augustine did not consent. In fact Augustine entered into and took seisin of the manor, received the issues and profits of the manor and died seised of it. The tenants of the manor did not attorn (transfer their homage) to John or anyone other than Augustine. Margery and Margaret his daughters were his heirs.

A similar manipulation was attempted for the manor of Ridley in Kent. The inquisition taken at Dartford on 1 February 1355 revealed Robert atte Brome in the role previously taken by John Waleys. Augustine did not consent to the revision proposed, and died seised of the manor, which was held of Juliana, Countess of Huntingdon.

The inquisitions for Surrey, taken at Walworth on 11 February, and for Middlesex, taken on 27 January, reiterated the previous findings and gave no basis for Maud's complaints.

On 20 February following, the keeping of all the lands in Kent, Surrey, Middlesex, and Suffolk which Augustine had held in chief was committed to John Malewayn. The latter was to hold them as long as they remained in the king's hands, answering to the Exchequer for their issues and profits.⁹¹ This writ was not implemented because it was surrendered for reasons not given, probably because of Maud's death on 15 April. A great deal happened between May and September, the least disruptive of which was the instruction to the escheators of Kent, Middlesex, Surrey, and Suffolk on 20 May to release the holdings of Augustine to his proper heirs. Complicated as matters had been, they became very much more so, not least as a result of the provisions of Maud's wills.

No mention was made in any of the inquisitions of the property in Stepney.

THE SETTLEMENT OF MAUD'S ESTATE

Maud died on 15 April 1355 and the writ for her inquisition was issued to the escheators for Essex, Surrey, Middlesex, Kent, Suffolk, and London on the following day.⁹² Following the settlements of Augustine's estates just described,

Maud held of her own right the manor in Essex, their tenements in the City of London, and probably some dower rights to goods and chattels in Brandestonhall, as will be seen later.

Latton Merk

The inquisition for Essex was held at Harlow on 3 May. The finding was that her heirs for the manor of Latton Merk and the advowson of the priory were her two daughters. On 8 May the escheator for Essex was ordered to prepare a partition of the manor of Latton between Margery and Margaret, but homage of their husbands was to be respited until the following Michaelmas 'by reason of them having offspring by their wives'. Final settlement of this partition was much delayed for other reasons, some of which will be described later. Partition of the manor was made at Latton on 10 September 1355 in the presence of William Doverton, clerk, attorney of John Malewayn and Margery his wife. William de Carlton and Margaret his wife were warned to be present, but did not wish to attend. The reason for non-attendance is not given but shortly afterwards, 6 October, William, together with John de Ardern, was given protection by the king under cover of the secret seal, whilst in pursuit of 'some secret business lying near his heart'.⁹³ Margaret's half share was retained in the king's hands because they had not sued it out, but John and Margery's half was delivered to them by writ of the king. Margaret did not attempt to recover her portion until 20 October 1356, giving the reason for failure to obtain seisin to be the death of her husband. She eventually received her inheritance on 30 October on payment of a mark into the hanaper, homage being prorogued until Michaelmas 1357.⁹⁴

Brandestonhall

The situation with respect to the descent of Brandestonhall proved more complicated. In common with Merksall, Margery and John Malewayn would seem to have obtained their half share, but Margaret and William Carleton did not. When Margaret obtained her share on 22 April 1357 the main argument in support of her claim was that the whole property had been improperly taken into the king's hands by the Exchequer. Margaret's portion had been

aggregated with that of Margery, which latter had been taken because of debts of John Malewayn to the Crown.⁹⁵ The latter had acted as one of the sureties of the last conglomeration of merchants who had farmed the customs for wool and whom the king believed still owed him a large sum of money. John and his fellow mainpernors (sureties) were taken into custody and had their estates taken into the king's hands. This particular process of law was in full spate early in 1356.⁹⁶ John was released from prison on 9 February 1357.⁹⁷ His lands, possessions, and goods were restored on 9 July following.⁹⁸

An inquisition into the goods found in the manor of Brandestonhall when it was taken into the king's hands was carried out by William Carleton and John Gategang on 5 November 1355. The latter was also involved in the sequestration of John Malewayn's property elsewhere,⁹⁹ so it seems reasonable to assume that the action in Suffolk represented one of the opening rounds in the exercise already mentioned. The involvement of William Carleton is doubtless of significance but his personal motives are not transparent. They found that Guy St Cler, the escheator for Suffolk, had already purchased 40s worth of chattels of the manor from Maud's executors. As this manor did not appear in Maud's inquisition post mortem, their action seems a little unusual. Maud's involvement could only be explained if the goods and chattels at Brandestonhall constituted her dower portion of Augustine's estates. The two commissioners received the rents and profits until the following Easter (24 April 1356), when Guy St Cler entered as sheriff and escheator in pursuance of a writ. He raided some of the manorial assets of lands and chattels, ostensibly to pay off his debts for the ward of Dover castle. On 21 October St Cler was instructed to deliver the holdings to John de Woodrow, keeper of the house of nuns of Dartford.¹⁰⁰ This he did at Christmas 1356.

The king then granted this manor together with a great deal more property previously held by Roger Bavent to John de Wynewyk, William de Thorp, and William de Peche for life on 6 April 1357, with remainders to the nuns of Dartford.¹⁰¹ Less than two weeks later Margaret, wife of the late William de Carlton, established her claim to a moiety of the manor and appurtenances. John Malewayn's property rights and therefore those of his wife Margery were reestablished some two months later.

The properties in London

The properties over which Maud had rights of disposal in her will according to the customs and usages of the City of London were those which she had owned herself and those which she and Augustine had held jointly.

The message in St Andrew's Cornhill, in which Maud seems to have been living at the time of her death, was presumably the property in which Maud had chosen to exercise her widow's rights of occupancy according to the laws and customs of freebench. Simon Fraunceys, mayor and escheator, was issued with a writ of certiorari as to rents held by Maud on 8 April 1356. The inquest held on 18 May found that she had no rents in the City or suburbs. Fraunceys' successor Henry Picard was then instructed, on 1 December, to enquire as to the lands and heir of Maud and who had been in possession of her lands since her death. This he did on 1 February 1357, declaring Margery and Margaret as the heirs of Augustine with rights of reversion of the messuage in the parish of St Andrew's Cornhill obtained from William de Salopia, and also the messuage in Ebbgate, parish of St Martin's Orgar purchased from Roger de Rokesle and his wife Joan. On 3 April, Picard was instructed to partition only the holding of the messuage in St Andrew's parish, and to retain in the king's hands Margery's portion by reason of the debts of her husband to the Exchequer. As Margaret had paid homage and fealty for her pourparty of her father's lands on 8 May 1355, she was to receive her portion and the issues as from this date. Walter Forester, one of the sheriffs, had received the issues from May 1355. Picard reported the partition accomplished on 21 June 1357. Picard was directed to restore to John Malewayn all his possessions in London and in the king's hands on 9 July following.¹⁰² This restoration seems a little tardy as Malewayn had been released from prison on 9 February preceding. The property that the latter held in London was far more extensive than Margery's inheritance from this settlement, so it seems reasonable to assume the matter of her inheritance was subsumed in the general instruction to Picard.

Nothing further was said at this juncture about the tenement in St Martin's Orgar, neither was anything said about the distribution of the remaining properties in the City and of those in Fleet Street, just outside the walls. This is not

surprising, for the proving and implementation of Maud's wills created a succession of difficulties that took a further five years to resolve.

Maud's testaments

Her testamentary dispositions exist in two documents, one of which was proved on 6 June 1355 at Canterbury and is registered there.¹⁰³ The second document, enrolled at the Hustings on 6 September 1356, is not to be found in the Hustings Roll, but in association with the documents relevant to the ultimate settlement of the affair.¹⁰⁴ These two documents, both described as testaments, are for the main part worded identically but differ in two points that will be discussed later. Both have the hallmarks of a deathbed deposition which would accord with the date given of 12 April 1355. Neither are witnessed. They ask that she be buried in the monastery of Holy Trinity close to the tomb of her husband Augustine; she bequeathed £20 silver towards the fabric of the church. Her executors were named as John de Ardern, prior of the Augustine friars of London, and Robert atte Brome, rector of the church of Stevenage. In the testament granted probate at Canterbury, she instructed her executors to dispose of her goods, movables and immovables to defray her mortuarial expenses and also for good works to the glory of God and the benefit of her soul. However the testament enrolled at the Hustings over a year later writes only of the disposal of her goods and movables. This instruction to dispose of her goods may explain the actions of her executors at Brandestonhall. A second difference between the two documents lies in the exclusion of the words immovables from the later enrollment. Whether either difference was of legal significance in the disputes that followed is doubtful but it indicates possible tampering with the document by one or more parties. More importantly, neither document gives any instructions respecting disposition of her property in London for specific purposes.

Before her testament was granted probate, a struggle to establish the prerogative right of the Church of Canterbury in such matters took place. Churchill draws attention to this matter and points out a marginal note on one of the sets of documents involved, 'that about this testament there was great contention between Canterbury and London'. Archbishop Islep

sought the counsel of a number of his colleagues including the Dean of the Arches and the Official of the Court of Canterbury, who also mention that William Wittlesley and John Barnet had been consulted. The advice given was that the archbishop ought to make his prerogative prevail. As noted, the prerogative was exercised on 6 June by the Archdeacon of Huntingdon, William Wittlesley, for Maud's will. A commission was issued six years later empowering one of his officials to admit and receive the probate of testaments of all people dying within the City of London or elsewhere having goods in more than one diocese of the province. Churchill comments that this was the first commission of its kind to be found in the archiepiscopal registers and provided the form from which developed the commission of the later Keepers of the Prerogative. She further ventures that, 'As to the reason for this step we can but surmise. It may be that it was taken as the outcome of the dispute over the Waleys testament and that following the advice of the Official, the Archbishop was preparing to exercise on all occasions his right to prove the testaments of those having goods in more than one diocese of his province'.¹⁰⁵ The perturbations caused by Maud's testament did not end there. On 13 June 1355 the archbishop found cause to issue sentence against those hindering the executors from implementing the will.¹⁰⁶ He found it necessary to strengthen his determination on this point, and named the offender John Malewayn in a letter issued on 28 November over the name of his rector Nicholas Warwick. The validity of the will is attested and the name of William de Carleton is added to the list of executors as 'ex officio nostro coexecutori adiunction forma iuris commissa et admissa pariter per eosdem'. John Malewayn was stated to have held that Maud had died intestate, notwithstanding that the will had been deemed proper. It was alleged further that at some risk the deceased had lodged an unsealed copy of the testament with Adam Fraunceys. When the episcopal officer approached Adam for this document it transpired that it had been handed over to John Malewayn. He was given twelve days in which to hand over the material and other pertinent documents under sentence of major excommunication.¹⁰⁷ This he must have done as he was certainly buried in consecrated ground. Whether this material was the will to be later enrolled at the Hustings can only be a matter for speculation. The truth of the matter

is not obvious. All of the executors, the archbishop and the monarch had interests to be preserved, particularly if the document held by John contained the donation of property to the nuns of Dartford. At the time of perpetrating the alleged deceit he would have been a very powerful figure, but by the end of 1355 he was deeply in trouble and about to spend some time in prison. The delay in enrolling the will in the Hustings was not unusual, but in the light of later events will be seen to be suspicious and certainly very convenient for the executors.

The 'bequest' to the nuns of Dartford.

Written evidence for a specific bequest by Maud to the nuns of Dartford is not to be found in either of the wills. That they received all of the properties initially is not in doubt. The propriety of the means whereby they did so was eventually questioned and its invalidity established, but only some seven years later.

On 16 September 1356 the sheriffs of London were ordered to deliver all the issues of the rents of the houses in London which had belonged to Augustine Waleys, deceased, then in the king's hands and in their keeping, to John Woodrowe the king's confessor. He was the administrator of the 'new works' at Dartford associated with the nuns and was to use the rents for the benefit of this house.¹⁰⁸ John de Ardern, as principal executor of Maud's will and 'by authority of that will', on 23 November granted to the king, for the use of the new works at Dartford, all the property that Maud held in London on the day of making her will, except a tenement at the corner of Lime Street in Cornhill.¹⁰⁹ This latter seems to have been the holding at St Andrew's Cornhill that had already been partitioned between the two heiresses. In 1358 the king granted these properties that had been devised to him to William de Thorpe and William de Pecche to hold in survivorship, with remainder to the nuns of Dartford.¹¹⁰ An inspeximus of an indenture made between Maud prioress of Dartford and the convent of that place and John Turk, witnessing a partition between them of the London properties late of Maud Waleys, was eventually made on 4 December 1363.¹¹¹ Behind these bald descriptions of the sequence of events lie two bursts of legal activity, details of which are to be found in other archives.

The first set of three documents, although

undated, may be placed approximately in a sequence of legal processes.¹¹² They appear to have been written in the same hand, in French, and addressed to the king. One plea concerns Margaret alone, and relates to her claim for her half share of the manor of Brandestonhall. The basis of her case was that her portion of the inheritance from her father was sequestrated unreasonably with the portion already held by Margery and John Malewayn until question of the debts of the latter to the king was settled. This claim was accepted by 22 April 1357.

The remaining two pleas concern the residual properties in London and involve John, Margery, and Margaret, who was a widow at the time. It seems reasonable to assume that they post-date the inquest held by Henry Picard on 1 February 1357 and the consequent partition of the messuage at St Andrew's Cornhill on 21 June already referred to. At this date John Malewayn's properties had not been freed by the king and it seems unlikely that John would have risked a petition to the monarch reclaiming his wife's inheritance before being cleared himself. This happened on 9 July, so the pleas may be placed after this latter date. Picard's inquisition had stated that both a messuage at Cornhill and one at St Martin Orgar should properly descend to Margery and Margaret. The first allocation was accepted but the second was not. The first plea relates to the restitution of the rights of the heiresses to the property in St Martin Orgar (Ebbgate). Why this latter property and that at Cornhill should be singled out from the rest for reversion to the heiresses is obvious only if the statement in the inquisition, that the original purchase stipulated reversion to 'Augustine's heirs', is true. No transfer deed for this property has been found, so the statement has not been confirmed. The property at St Magnus (Oystergate), obtained from the same vendors, was transferred to Augustine and Maud jointly as man and wife with reversions to heirs, and this was not treated as a special case by Picard.

The plea for the Ebbgate property first pointed out that Picard's inquisition had found Margery and Margaret to have the reversion of this particular property, and then rehearsed the arguments that were to be used in all the subsequent pleas relating to the remaining properties in London. It was argued that John de Ardern in his role as executor, although he had no title in the messuage, had speciously used Maud's will as a pretext to alienate the holding

to the king. This was against the law and good faith and disinherited Margery and Margaret. No permission had been granted to the executors of Maud's will to alienate the holding, nor had verbal authority been given.

The companion plea related to eight shops in the parish of St Andrew's Cornhill, a messuage and seven shops in the parish of Holy Trinity Alegate, two messuages and two shops in the parish of St Dunstan's in Tower ward, a messuage and a shop in the parish of St Magnus the Martyr Oystergate, and a messuage in the parish of St Martin Ludgate. These were exactly as specified in Picard's inquisition. The plea was elaborated slightly compared with that for the Ebbgate holding, stating that the will gave the executors disposal rights relating only to Maud's goods and chattels. Additionally, the specific point was made that Ardern had carried out the alienation against the wishes of his co-executor (Robert atte Brome). It was also stated that if the king was still displeased with John and Margery this was not to stand in the way of Margaret receiving her just dues. Both pleas obviously fell on deaf ears as the king granted rights in the properties to William de Thorpe and William de Pecche early in 1358.¹¹³

The final settlement

The situation described in the previous section persisted until 1362, by which time John and Margery Malewayn had died. In an undated plea to the king and his council (written in French), John Turk, son and heir of Margery Malewayn, and Margaret together with her third husband John Foxcote sought restitution from the king of their inheritance consisting of the properties in London that Maud held at her death. The arguments recited are those of the previous unsuccessful petitions made during the lifetimes of John and Margery Malewayn, but modified slightly to contend that the alienation practised by John de Ardern was against the good usages of the City of London. The plea concludes with the statement that the inheritance has been outstanding for over seven years, which dates this new plea to 1362. Action followed. The king instructed the mayor, the recorder, and the court of the Guildhall in a writ, dated 8 November 1362, to produce the enrolled version of Maud's will at his council. This was presumably done; for in a writ from the king to

the sheriff dated eight days later the arguments of the plaintiffs are recited again, but this time it is also stated that none of them held property that was previously held by John Malewayn. The will of the latter and his inquisition post mortem had been cleared in the previous year, his son John, still under age, being his heir. Whilst Robert Turk was a beneficiary under the will his brother John was not. The Sheriff was further instructed to determine who held the properties and to produce the plaintiffs together with the writ at the king's court in the Chancery on 7 December. Again this must have been accomplished, for a writ issued by the king on 10 December to the sheriff states that it has been found that the person holding the properties in dispute was Maud, prioress of the new works at Dartford. The sheriff was instructed to produce all the parties concerned together with the writ at the king's court in the following Hilary term.¹¹⁴

On 18 June 1363, Henry Greene and his fellow justices appointed to hear pleas before the king were ordered to render judgement in a cause between John Turk and Maud, prioress of the new works at Dartford. John had showed before the king in his court that he had sued Maud and an inquisition taken was returned to the above justices by writ of *nisi prius*, ie the lower court had heard the case and it was properly referred to the higher authority, who should proceed to judgement.¹¹⁵ By judgement of this latter court, John Turk recovered from the prioress of Dartford and convent of that place a moiety of ten messuages and eighteen shops in the City of London and a messuage and four shops in Fleet Street. Seisin was delivered to John and a partition agreed between him and the prioress, the indenture being sealed on 30 November. An inquisition of this indenture was confirmed on 4 December 1363 at Westminster but somewhat begrudgingly '... notwithstanding that the said priory or house of Dartford is of the king's foundation and all the said tenements were lately granted by him to that house, or that the portion assigned to John by the indenture exceeds that assigned to the prioress and convent, or that the partition was made without the king's licence'.¹¹⁶

Reconciliation of the totals of properties dispensed in the indenture with those in the inquisition for Maud Waleys is not straightforward. The properties listed for the City of London in all the documents agree as far as parochial location is concerned. Maud's

inquisition lists a total of six messuages and eighteen shops, which is all that is also enumerated in the unsuccessful pleas for restitution made by the Waleys family in 1357. This is to be compared with the ten messuages and eighteen shops in the City and a messuage and four shops in Fleet Street mentioned in the indenture given above. Together with the holdings in Fleet Street, which agree in extent in both documents, the properties distributed in the indenture total six tenements and six shops of which the prioress received two tenements and six shops in Alegate, and a tenement in Ebbegate as well as the messuage and four shops in Fleet Street. Superficially this would not seem to sit comfortably with the complaint by the Crown that the portion assigned to John by the indenture exceeded that granted to the prioress, as he received only three tenements.

Using Maud's inquisition as a basis for evaluating the balance of the settlement, a slightly different picture emerges. The various situations could be reconciled if it was assumed that the tenement in St Andrew, Cornhill, that John received equated to the eight shops listed in the inquisition post mortem. In like fashion, the tenement he received in St Magnus would equate to a messuage and two shops and that in St Dunstan's to two messuages and two shops. On a similar basis, the prioress would have received one messuage and seven shops in Alegate, a messuage in Ebbegate, and a messuage and four shops in Fleet Street. Thus John would have obtained three messuages and eleven shops whilst the prioress also had three messuages and eleven shops, superficially equating to the halving described in judgement of the dispute. However, in terms of value, according to the inquisition post mortem, John's portion net of rents owed amounted to at least 181s per annum, whilst that of the prioress came to at most 40s plus the value of the property in Fleet Street. This might explain the complaint by the Crown. There is still a discrepancy of two additional messuages to be explained, but given the complexity of the joint holdings in St Andrew's Cornhill by Augustine, Maud, and Robert atte Brome, some residual confusion must be expected.

Perhaps too much should not be read into the equipartitioning of the holdings as a legal basis for the settlement. It may just have been a description of the result rather than of an objective. The properties given to the prioress in Fleet Street in the settlement were those acquired

by Maud before her marriage, as were virtually all those in St Katherine Alegate. The situation with respect to the tenement in St Martin Orgar is less clear-cut. As has been explained, no deeds covering the original devising of this property by Roger de Rokesle have been found. It was a property that the family chose to single out for special attention in their first set of pleas to the Crown, so it seems likely that they felt that they had good grounds for their claim. Perhaps this was a nod that the judges felt that they should make in the direction of the Crown.

The final settlement would thus appear to be something of a judgement of Solomon, with the king receiving less than he would have liked, but having the gift of this reduced portion legitimised, whilst the family received less than they might have expected, but were probably relieved to have the matter settled at last. Further, the customs of the City were maintained.

Maud would have been entitled to a third of Augustine's goods and chattels including money and these she could have disposed of in her will as of right. Augustine in his time had made a variety of monetary loans to a range of individuals. At one stage he loaned the Knights Hospitallers a thousand marks. How much money he held at the time of his death is not known. No evidence has been found for the calling of debts by Maud. However there are records of three large loans being settled in favour of her executors. Whether these represented her portion of Augustine's goods and chattels as of right is not known. In 1355 the executors acknowledged the receipt of £300 from Thomas Dolsely, pepperer, in settlement of all debts,¹¹⁷ gave an acquittance for £200 to a Thomas de Brandon, and likewise for £40 to William Tithyncombe, a London poulterer. Even later, 1 November 1358, Robert atte Brome, acting as executor of the wills of both Augustine and Maud, gave a general release of debt to Richard de Mallynge.¹¹⁸ These were possibly only a portion of the total owed, but still substantial in themselves. Where this money went is not known. Presumably the nuns benefited to some extent, but this is not recorded. In her will, Maud made no specific monetary bequests other than that to Holy Trinity already mentioned.

FAMILY AND OTHER RELATIONSHIPS

It is difficult to see how Maud, as Augustine's widow, could have been better placed with

respect to property holdings than she found herself. There is no corpus of information that enables categorisation of her situation as the norm or as extraordinary in this situation. A generation later, Joan Pyel was left her husband's London holdings for life, with reversion to Irthlingborough College. This was a substantial bequest but, unlike Maud, the holdings were not Joan's as of right.¹¹⁹ How did Maud find herself in this position whereby virtually all of the extensive list of properties were held jointly with Augustine? Certainly this very favourable situation could not have been achieved without Augustine's active cooperation.

Husband and wife

So what was the nature of their relationship? There is no direct documentary evidence on this matter. There is no record of his will or of any other writings which might help. Whether the existence of an illegitimate son at the start of their married life cemented or soured their relationship can only be a matter for conjecture. They were married for at least thirty-three years and were together for about four years prior to that. The only personal request in Maud's will was to be buried alongside her husband. It seems reasonable to assume that they had reached a satisfactory *modus vivendi*. Whether this outcome was a result of complaisancy or of an actively enlightened attitude on the part of Augustine cannot be established definitively.

The outstanding features of Augustine's career as a servant of the Crown were continuity and duration. He is first noted in the records as clerk to Justice Bereford in 1314¹²⁰ and his last appointment was as steward of the queen's household which ended in 1352.¹²¹ His first major appointment was as keeper of the exchanges of London and Canterbury in January 1318, but as warden he accounted for the issues from the two mints from April 1317 until August 1320.¹²² During this time he also acted with three lords of the treasury in assessing the twelfth granted to the king by parliament for the Scottish venture, and also collected the armour to be provided by the City.¹²³

At the beginning of 1327 his only recorded fall from grace occurred, when he spent a short time in the Fleet as one of the mainperners (sureties for the appearance in court) of the executors of John de Sandale.¹²⁴ By May of the same year he

was in Newcastle as keeper of the king's victuals, and was also undertaking other assignments.¹²⁵ At the end of the year he was purveyor of the necessaries for the consecration of the Bishop of Worcester,¹²⁶ and at about the same time he was authorised to construct halls in the palace of the archbishop of York for the king's marriage.¹²⁷ In 1328 he was listed as a king's clerk,¹²⁸ and was in charge of repairs to houses at Dunstable for the residence of the king during a tournament held there in October 1329.¹²⁹ On 11 May 1330, Augustine was appointed as collector of the new customs in the port of London and surrounding districts on the Thames.¹³⁰ In common with all other collectors he lost this appointment a year later, but was then reappointed on 26 January 1332.¹³¹ On 31 May 1335, Augustine le Waleys, the king's servant, was granted this post for life.¹³² Such life appointments were rare and were looked upon with grave suspicion.¹³³ Augustine surrendered this appointment in March 1346.¹³⁴ In compensation he was granted the post of controller of customs in the same port, with the concession that, as he was in constant attendance upon the queen, a substitute would be allowed.¹³⁵ His commissions in the household of Lionel, the king's son, followed shortly, the last of these being in 1347.¹³⁶ In 1348 he was acting as lieutenant of the steward of the queen's household,¹³⁷ and rendered account as controller of the said household from 25 January 1349 to 1 February 1350.¹³⁸ His subsequent appointments have already been given.

Augustine clearly did not achieve the advancement that some of his fellow king's clerks did, but neither did he suffer any of their catastrophic reversals of fortune. He skated very successfully on the thin ice of royal approbation of two monarchs not notable for their tolerance of error and was obviously favoured by Queen Phillipa.

He seems to have been a very careful man and there is no evidence of him having shown any initiatives. This does not argue in favour of the hypothesis that he was responsible for deliberately setting the course that led to the very favourable status of property ownership achieved by Maud. Their legal married life had started by July 1320. However, they had been acquiring property jointly but in their single names from 1316 onwards so the path subsequently followed had been set well in advance of marriage. It is just possible that Augustine might have seen a way of providing Maud with

property which she could gift to their illegitimate son John, if she survived into widowhood.

Another explanation is that Maud was the dominant partner in the relationship from its inception, and determined the policy pursued. This infers that she was fully aware of the legal limitations within which she might manoeuvre, but in turn raises the question of how she came by this knowledge or who was advising her. Family would be an obvious source of such advice, but little is known of her antecedents. It is possible that Richard de Rothing, if he was indeed her brother, provided a guiding hand. As many of the properties had been acquired jointly before Robert atte Brome had come upon the scene and Maud had been a property holder in London whilst still unmarried, it seems unlikely that Robert atte Brome did more than join a well established venture.

Following Augustine's death Maud tried to manoeuvre a share of the inheritance for her son John with the help of John himself and also of Robert atte Brome. This behaviour could be interpreted as showing a preference for her illegitimate son over her two legitimate heirs. It might equally well be argued that she knew that due process of law would take care of her daughters' financial interests, whilst the well-being of her son needed special attention. There is no evidence that Augustine made any successful attempts to gain his son preferential treatment in official postings. Had he gone along with the courses of action attempted by Maud with respect to the holdings in Suffolk and Kent, they might have been successful and John would have been provided for. Augustine had in 1348 agreed to enfeoff Robert atte Brome of Latton Merk, provided he regranted to Augustine, Maud, and their heirs, which ensured Maud's rights there. Perhaps by four years later Augustine was too advanced in years and unable to act quickly. It could also have been that he felt that given the quantity of property over which Maud would have disposal rights as a widow, she could make provision for John to an extent that would be perfectly adequate. Augustine may have already devised his considerable property in Stepney to John.¹³⁹ If Maud's manoeuvres had succeeded, the legitimate heiresses would have been relatively badly treated. It is possible that these attempts argue in favour of a knowledge by Maud of the rules of inheritance and an attempt on her part to test their boundaries. It is also possible that she was advised in this matter by Robert atte

Brome. Canon law permitted, if not encouraged, clerics to give legal advice to widows, but whether this stretched to include potential widows is perhaps more debatable. Canon law certainly recognised the legitimacy of a child born outside wedlock but whose parents subsequently married, so Brome would have felt no ethical constraints in acting in the manner he did. It is also possible that John Waleys himself was the driving force behind the actions attempted.

Testamentary dispositions are often a great help in deciphering family and other relationships. Maud's wills were brief in the extreme. The only information to be gained is from what was not said in the wills. Overlaying this situation is the question of whether her wills truly represented her feelings towards her family, or did they represent the outcome of other pressures? Given her earlier attempts to provide for her son, John Waleys, his absence as a beneficiary is surprising. She could have devised all or part of her property holdings or goods and chattels to him without legal hindrance. Knowing nothing of him and therefore of his financial situation, it is not possible to make a judgement on whether she deemed him to be adequately provided for without further bequests. No other motive has presented itself. Maud may have believed with justification that her daughters were well enough provided for by their husbands. She may also have disliked her daughters, or their husbands, or both. O'Connor has pointed out that Joan Pyel made no bequests to her family, though generous in other directions.¹⁴⁰ This he attributed to a coolness in relationships, perhaps exaggerated by geographical separation. Maud probably lived in St Katherine Alegate, whilst the Malewayn household was in St Dunstan's nearby, so no argument invoking distance of separation can be deployed in support of an estrangement.

Sons-in-law

John Malewayn was certainly a wealthy and politically important person, although he was to suffer reverses on both counts shortly after Maud's death. Judged both by his testamentary dispositions and those of other members of his extended family subsequently, the household of Margery and himself, consisting of three of her children by John Turk, his daughter by his previous marriage, and their own son and daughter, seems to have been a close and happy

one.¹⁴¹ Nonetheless he saw no reason to make any provision for Margery's eldest son, John Turk, presumably because he was expected to inherit his mother's portion eventually. There were no areas of professional interest where the interests of Malewayn and Maud would have collided. However in the February of 1353, preceeding her death in April, Malewayn had been given temporary custody of those lands of Augustine that had been inherited by his daughters, holding them on behalf of the king until they had been partitioned. Maud might conceivably have been aggrieved by what could have been interpreted as his interference. The actions of Malewayn in attempting to pervert the proving of Maud's will could be seen as a natural expression of a desire to see his wife's inheritance maximised. He was quite capable of such actions, as was shown by his manipulation of the marriage of his daughter by his first marriage.¹⁴² However, whatever such machinations might have accomplished, they were not totally selfish, inasmuch as they would also have been to the benefit of Maud's other daughter, Margaret, the wife of William de Carlton. He might also have mistrusted the motives of the executors nominated in the will, in which case his prescience was justified by subsequent events.

There is even less evidence bearing on the possible relations between the Carleton household and Maud than for the Malewayns. William de Carleton seems to have been moderately well-off, holding lands in Southchurch (Essex),¹⁴³ in Kiltorph (Rutland),¹⁴⁴ and holding as well, for life, the bailiwick of the stewardship of the forest of Essex, having held it for some time by 1338.¹⁴⁵ He held a number of modest Crown appointments,¹⁴⁶ but by 1344 he had become involved with the affairs of the Bavent family which were to occupy him for the rest of his life. This impinged on the Waleys family only through the part the Bavent estates played in endowing the nuns of Dartford, with which endowment the settlement of the Waleys estate became so involved after Maud's death.

It is possible, therefore, that William de Carleton could have influenced Maud to make a specific bequest to the foundation at Dartford, one which was not committed to paper, but may have been made orally. William may have felt that this loss of property by his wife was a price worth paying to improve his standing with the king. He was not named as an executor in the wills, but was nominated as a co-executor by the

probate court at Canterbury. The only evidence of royal preferment was his appointment in October 1355, together with John de Arderne to pursue a secret matter near to the king's heart.¹⁴⁷ Whatever gain this brought him was short-lived as he was dead by 1357, and his wife had to fight hard, aided chiefly by the Malewayns, to recover even a small portion of her legal inheritance. He did act with William de Gategang on behalf of the Crown in assessing the goods and chattels at Brandestonhall as has already been noted. They also acted together in assessing and holding the forfeited estates of John Malewayn during his impeachment.¹⁴⁸ Whether he was involved to protect the family's interests or whether he was acting on behalf of the executors is not clear. Overall it is difficult to see him as being other than neutral in the events involving both the drawing up and the management of Maud's will. Other possible sources of influence on Maud were her executors Robert atte Brome and John de Ardern.

The clerics

Robert atte Brome had a long time in which to build up a relationship with the family, starting at the latest with his appointment as Augustine's attorney in 1338.¹⁴⁹ He seems to have taken full advantage of this situation, for he was involved as a partner in every subsequent property acquisition in London by Augustine and Maud. Following Maud's death he showed immoderate haste in disposing of those portions of their joint assets to which he might have laid legitimate claim.¹⁵⁰ He had a limited career in the Church;¹⁵¹ such preferments that he did get seem to have been engineered by Augustine, even if the last one took effect a few months after the death of the latter. Where the initial connection between the two men was made has not been elucidated. There is no evidence of Robert attempting anything reprehensible during Augustine's lifetime. His collusion with Maud in attempting to provide for John Waleys has already been discussed. Following Maud's death he seems to have tended his own affairs, separating himself from the transfer of the Waleys' estate to the Crown. Whilst Robert loaned and was loaned money by Maud's younger daughter Margaret and her first and third husbands, William de Carleton and John de Foxcote,¹⁵² he does not appear to have had

any personal dealings with Margery and John Malewayn or their children. The latter did however act as a witness, together with Willam de Carleton, in a grant of a manor and lands in Buckinghamshire by Peter de Veel to Robert atte Brome.¹⁵³ There are two interesting bequests in Robert's will, which disbursed over £300 in total. The single largest item was a grant of £120 to the king out of money owed to Robert by Thomas Dolsely, with the proviso that his executors were paid £20 out of this sum. Reverting to the clearance of a debt of £300 by Dolsely to Maud by Robert atte Brome and John de Arderne in 1355, perhaps one is entitled to wonder what sort of an arrangement was reached between debtor and executors. The second bequest is to John de Foxcote for £20. The residual impression is thus that Robert atte Brome served the family, was well rewarded for doing so, but probably was not actively involved in the manipulations designed to channel the family's inheritance to the nuns of Dartford. At no stage was he named directly in the documents concerned with the recovery of the family's just dues. However in one plea it was stated that the other executor, who could only have been Robert atte Brome, had not been consulted by John de Arderne when he devised Maud's London holdings to the king. This places the responsibility for much of the troubles in the settlement of Maud's estates squarely upon Arderne.

Superficially, the involvement of John de Arderne seems an unlikely occurrence. The Waleys family was deeply involved with the community of Augustine canons of Holy Trinity Christchurch, who had no connection with the Augustine friars of London, of whom Arderne was prior by 1352.¹⁵⁴ Gwynn has suggested that the latter was responsible for securing the valuable benefaction of Earl Humphrey Bohun to the Augustine friars in 1354,¹⁵⁵ which permitted the lavish rebuilding of their church at Broad Street and Lothbury. By April 1355 when he was named as prior of the house in both copies of Maud's wills, he was a person of some prominence and it is conceivable that he had become Maud's confessor. In 1351 she and Augustine had been granted an indult (licence to do something not permitted by Church common law) to choose a confessor at time of death¹⁵⁶ and friars were acting as confessors at this time adding to the general opposition to their activities. Who introduced him into the Waleys' household can only be guessed at, but he was associated

with William de Carleton only a little later on secret business of the king, as has already been mentioned, so Carleton must be a prime candidate. Someone must have presented Carleton's case to be nominated by Canterbury to join the executors, and Arderne would have been well placed to reciprocate a favour. By 30 October 1356 Carleton had died¹⁵⁷ and on 23 November of that year John de Arderne was named as principal executor of Maud le Waleys. In this capacity, he granted all of her London holdings at the time of making her will, with one exception, to the king for the new works of the preachers at Dartford.¹⁵⁸ As has been seen his justification for doing this '... by the authority of that will ...' was dubious at best. At this time John Malewayn had been impeached and was incarcerated in Somerton Castle. Arderne thus had no opposition to face from members of the family and his fellow executor, Robert atte Brome, whom he did not consult, seemed to be more concerned with capitalising on his own proceeds from the joint holdings with the family.

Arderne's career had reached a critical point at this time. FitzRalph, archbishop of Armagh, had arrived in England earlier in the year and was gradually building up momentum, through the medium of public sermons, in his dispute with the mendicant friars on questions relating to their poverty and their interpretation of their orders' responsibility for pastoral care. He had pursued these activities in Ireland and had come to England in the spring of 1356 in the hope of gaining royal support.¹⁵⁹ The history of his progress in England is documented by both Gwynne and Walshe, and what follows is drawn from their writings.¹⁶⁰ Criticism of both the lifestyle and the secular influence wielded by the friars was widespread. FitzRalph's views on these topics were well known prior to his visit to London which started on a moderate note in Coventry on 12 June, making reference only to abuses of confessional procedures; he eschewed any anti-mendicant polemic in his sermon to a community of nuns in the East End of London, possibly the Augustinian canons of Clerkenwell or Shoreditch, on 23 June. His first sermon preached at St Paul's Cross three days later was again restrained, making only oblique reference to the mendicant controversy. What happened during the summer is not clear, and Walsh opines that it is not clear whether the friars were fully aware of the contents of FitzRalph's 'De Pauperie Salvatoris' which

presents the full case against them. On 16 and 18 October and on 1 November, FitzRalph delivered three sermons at Deddington near Oxford which continued the gentle build up of the case against the friars. By December he had returned to London, and in the three sermons preached on 18 December, 22 January, and 26 February he presented in the vernacular his full case against the mendicants. The response of the four mendicant orders was incorporated into an *appelacio* in the name of John de Arderne, who had acted as proctor for the other orders, and delivered to the archbishop's household on 10 March. Two days later the archbishop replied from the pulpit of St Paul's with a full-blown polemic, again drawing attention to their worldly wealth and scorning their humility.

'Is there no ambition in their anxiety to receive privileges as confessors and preachers? Or is it no small honour to count kings and queens, dukes and duchesses, earls and countesses and other noble men and women among your spiritual children?' In this sermon FitzRalph stated that the friars were asking for an injunction from the king to prevent further preaching against their privileges. Nonetheless the archbishop preached one more sermon at St Mary Newchurch, south of the river, on 26 March, specifically attacking the role of friars as confessors. Six days later the king issued a mandate forbidding FitzRalph to leave the country without a licence and a few days later orders for a watch for any religious person or Augustine friar attempting to leave the country without a special licence. Both the archbishop and John de Arderne found their way to Avignon. At the papal court the arguments continued, but Arderne took no further part. The archbishop's case was partially lost with the issue, on 14 July 1359, of a papal bull to the effect that the friars could continue to take confessions.

Given the timetable of events in the autumn of 1356, it is possible that John de Arderne took the opportunity of his position as chief executor to alienate to the king, illegally, the properties that Maud held at the time of her death, with the intention of currying favour with the monarch in anticipation of the coming struggle with FitzRalph. From his association with Carleton, the prior would have known of the determination of the king to adequately fund his foundation at Dartford. Whilst the king's confessor was a friar, the attitude of the Crown to the mendicant friars was not always favourable. On 12 April 1350

there had been a countrywide mandate issued to escheators to seize such properties of the mendicant friars as had been built on royal lands, given to them for extending their dwellings, but which had been used to erect dwellings for rent to laymen, 'whereas they ought to live by begging according to their rule'.¹⁶¹ The activities of the Augustine friars in property dealing came under scrutiny again shortly after the first attempts by the family to regain their share of Maud's holdings in London. On 12 March 1358 a commission was issued to John de Stodeye, mayor and escheator of London, John Pccche, and John de Cicestre,¹⁶² and Adam de Bury,¹⁶³ to make inquisition whether the Austin friars of London had acquired in mortmain (held inalienably) divers tenements in the City and entered into them without licence. Such lands were to be taken into the king's hands by the escheator. The commission was repeated to the same persons in October 1361.¹⁶⁴

John Malewayn had died in June of that year, but action for successful recovery of Maud's holdings was reinstated by her grandson John Turk and his aunt, Margaret, in the following year, as described earlier. Gwynne has suggested that John de Arderne may have been responsible for the trouble over property but it seems possible that the City itself had brought the matter to the king's notice, spurred on by the happenings to Maud's property. Where John de Arderne was during these later proceedings has not been determined. It is clear that he had left the country without licence, but whether he would have been penalised on his return is not known. He was still the prior in August 1358, and probably as late as Christmas of that year.¹⁶⁵ At this time Robert atte Bromc was acting as sole executor of both Augustine's and Maud's wills.¹⁶⁶ By September 1359 Arderne was described as the provincial procurator.¹⁶⁷ He is last heard of in a letter from the Pope to the bishop of Chichester and the canons of Lincoln in January 1364, ordering them to obtain the return of books and other goods that John de Arderne had removed from the priory in London.¹⁶⁸

Responsibility for the difficulties in the settlement of Maud's affairs therefore is placed properly with John de Arderne. He took opportunistic advantage of the situation that arose from the death of one son-in-law and the incarceration of the other to alienate Maud's property, illegally, to a compliant king. His intent was probably to place himself in a favoured

position to seek support for the mendicant friars in their struggles to come with the archbishop of Armagh, but, given the very comfortable existence of a prior of such an order and his own general behaviour, self-interest was also likely to have been involved. It took the City of London a little time to counter his activities, but the chronology of events and the subsequent outcome strongly suggest that John Malewayn's actions achieved some measure of justice for his wife's eldest son, albeit after Malewayn's own death. The influence that Arderne may have had on the actual formulation of Maud's will cannot be assessed, but its lack of personal bequests was unusual.

CONCLUDING REMARKS

The nature of the records in which Maud's history is written limits the number of standpoints from which she may be viewed, but from all of them she appears remarkable and occasionally unique.

Her age of about sixty-seven at death was not unique, but certainly at the top end of the distribution curve of numbers versus age-at-death. What may qualify as unique is her marriage of at least thirty-three years duration, after its inception at the late age of *c.* thirty-two, following a less formal relationship of about five years with her husband-to-be, Augustine le Waleys. In contrast, her eldest daughter was married when twelve and had three children by the time she was eighteen. At the time of her marriage Maud had acquired a son and a daughter born outside wedlock, as well as sizeable property holdings either in her own right or jointly with Augustine. Both of these features surely qualify as unusual. By the end of her married life she had joint rights with her husband in all but one of their holdings in seven London parishes. This ensured that after his death she had rights to disposal of all these holdings as she wished together with those of such material further accruing to her as legitim (portion of her father's movable estate to which she was entitled on his death). She could scarcely have achieved more in the way of control over the London holdings of herself and her husband. When he died she attempted to divert the inheritance of two of their manors in the shires to their bastard son, but failed. She lived for only two years after her husband, and during this time did not

transfer any of the property over which she had rights of disposal. Her wills failed to specify its disposal also.

She can scarcely be credited with what happened after her death, but nonetheless the argument over the right to established probate of her will may have been instrumental in defining the prerogative of Canterbury in this respect. Her failure to specify the mode of disposal of her London holdings in her will allowed one of her executors to devise them illegally to the Crown. This led to a legal battle of some seven years duration to ensure that the family obtained redress within the customs of the City of London.

Why she chose to adopt the early life-style that she did is obscure. No family history has been uncovered. Such documentation as exists defines her father as such and nothing more. If she herself was responsible for the manipulations of property holdings, which optimised her control of them as a widow within the considerable legal degrees of freedom permitted by the customs of the City of London, where did she gain her expertise? If she was prompted by others to do so, who were they? Her father had died by the time the process began. She would certainly have needed the consent of Augustine to the jointures they established. It is not difficult to believe that she was on several counts a rather unusual woman, one well worthy of note.

NOTES

¹ She is generally referred to as 'Maud' in the documents of central government, but as 'Matilda' in the records of the City of London.

² B A Hanawalt 'The widow's mite: provision for medieval London widows' in L Mirrer (ed) *Upon my Husband's Death* (1992), 23; C M Barron 'The "Golden Age" of women in medieval London' in *Women in Southern England*, Reading Medieval Studies 15 (1989), 35-58; see also the case histories presented in C M Barron & A F Sutton (eds) *Medieval London Widows, 1300-1500* (1994).

³ Corporation of London Records Office, *Hustings Rolls* (hereafter abbreviated to CLRO, HR), 33.(29).

⁴ CLRO, HR 37.(30).

⁵ CLRO, HR 41.(4), 41.(7).

⁶ G A Williams *London 1216-1337: A Study of the Main Factors in the Social and Constitutional Development of the City* PhD thesis University of London (1959-60), 276.

⁷ Calendar of Close Rolls (hereafter abbreviated to CCR) 1307-13, p 121, July 20 1308.

⁸ Calendar of the Letter Books of the City of London,

ed R R Sharpe (hereafter designated as 'Letter Book ...'), Letter Book D, p 131.

⁹ CCR 1341-43, p 107, February 20, Norwich, 1341.

¹⁰ CLRO, HR 49.(4), 61.(100), 70.(52).

¹¹ Shaddeworth might have been a cleric and therefore unable to marry Maud, but no direct evidence of him holding appointments in the Church has been found.

¹² For example, he acted as deputy to John de Sandale in a matter of dispute between the moneyers of London and John de Sandale in the latter's role as master of the Mint (*Liber Albus* II, part I, p 188). He had accompanied Sandale on his mission to Scotland earlier (Calendar of Patent Rolls (hereafter called CPR) 1301-1307, p 391). He is noted as having made payments to the king in January and February 1313 (J Davies *The Baronial Opposition to Edward II, its Character and Policy* (1967), 197). He was responsible for the dispersal of the properties of the Knights Templars in Essex and later in London (R Graham *JBA* 35 (1929), 112ff, *Corrodiat Petita de Domibus Templariorum* 1 & 2 EII, 144, 146, 155, 164, 174-6, 205).

¹³ R R Sharpe, *Calendar of Wills Proved and Enrolled in the Court of Husting (London)* (1899), Part I, 243.

¹⁴ CLRO, HR 44.(70).

¹⁵ Letter Book D, p 39.

¹⁶ CLRO, HR 33.(29).

¹⁷ CLRO, HR 33.(87).

¹⁸ CLRO, HR 37.(30).

¹⁹ CLRO, HR 41.(4, 7).

²⁰ *Historical Manuscript Reports* No. 9, Appendix 1, p 7a.

²¹ CLRO, HR 41.(7).

²² CLRO, HR 46.(105).

²³ Public Record Office (henceforwards called PRO), E 368/89, m.9d.

²⁴ CLRO, HR 49.(4).

²⁵ Calendar of Inquisitions Post Mortem (hereafter called CIPM), vol X, no. 141, pp 128-32, at 130.

²⁶ R B Helmholtz 'Bastardy litigation in medieval England' *American Journal of Legal History* 13 (1969), 360-83, at 383.

²⁷ CIPM, vol X, no. 141, p 129.

²⁸ CIPM, vol X, no 190, pp 165-7, at 165.

²⁹ CLRO, HR 47.(40).

³⁰ CPR 1313-1317, p 248.

³¹ CIPM, vol X, no. 141, pp 128-32, at 131.

³² Calendar of Feet of Fines for London and Middlesex, p 224, no. 49.

³³ *ibid*, p 131, no. 296.

³⁴ *ibid*, p 132, no. 308.

³⁵ *ie* Maud and Augustine were not married and this was not a dower settlement.

³⁶ CPR 1313-1317, p 607.

³⁷ Assigned by Andrew de Merk together with a portion of Marks Tey.

³⁸ CCR 1313-1318, p 458. Witnesses included Sir William de Ayremynne, Sir John Heyden, Robert and Thomas de Sandale.

³⁹ *ibid*, p 397.

- ⁴⁰ Feet of Fines of Essex, vol II 1272–1326, part IV, p 173, nos 577, 578, 579.
- ⁴¹ *ibid*, vol III, part II, p 45, no. 424.
- ⁴² *Abbreuiato Placitorum*, p 349.
- ⁴³ Inquisition ad quod damnum, Index Series part II, XXII, file LXXXVIII, no. 17.
- ⁴⁴ CPR 1348–1350, p 194.
- ⁴⁵ Suffolk Feet of Fines, *Proceedings Suffolk Institute of Archaeology* (1900), p 183, no. 3.
- ⁴⁶ CCR 1337–1339, pp 144, 147.
- ⁴⁷ CPR 1348–1350, p 92.
- ⁴⁸ CCR 1339–1341, p 255.
- ⁴⁹ CCR 1343–1346, p 655.
- ⁵⁰ CIPM, vol X, no. 141, pp 128–32, at 131.
- ⁵¹ K M E Murray (ed) ‘The Register of Daniel Rough’ *Kent Record Society* 16 (1945), 114–15.
- ⁵² *Hasted’s Kent*, vol II, p 187.
- ⁵³ CPR 1350–1354, p 345.
- ⁵⁴ *Victoria County History. Essex*, vol V, p 272.
- ⁵⁵ M K McIntosh *Autonomy and Community; The Royal Manor of Havering 1200–1500* (1986), 59.
- ⁵⁶ S J O’Connor (ed) ‘A calendar of the cartularies of John Pyel and Adam Fraunceys’ *Camden Fifth Series* 2 (1993), f. 471–2.
- ⁵⁷ *Historical Manuscripts Report* no. 9, appendix 1, p 7a.
- ⁵⁸ CLRO, HR 41.(7).
- ⁵⁹ CLRO, HR 46.(105).
- ⁶⁰ CLRO, HR 46.(97).
- ⁶¹ CLRO, HR 50.(11).
- ⁶² CLRO, HR 50.(142).
- ⁶³ CPR 1358–1361, pp 437–8, at 438.
- ⁶⁴ *Munimenta Guildhallae Londiniensis, Liber Custumarium*, vol II, part II, Rolls Series Vol 12 C, p 454.
- ⁶⁵ G A J Hodgett (ed) ‘The cartulary of Holy Trinity Alegate’ *London Record Society* 7 (1971), nos 50, 51, 52, 51 contd, 53.
- ⁶⁶ *ibid*, no. 54.
- ⁶⁷ R R Sharpe *Calendar of Wills Proved and Enrolled in the Court of Husting, London* (1899), part I, p 243.
- ⁶⁸ CLRO, HR 45.(87).
- ⁶⁹ Hodgett *op cit* (note 65), no. 51 contd., after 53.
- ⁷⁰ *ibid*, no. 47.
- ⁷¹ *ibid*, no. 48.
- ⁷² CLRO, HR 45.(87).
- ⁷³ CLRO, HR 45.(93).
- ⁷⁴ R R Sharpe (ed) *Calendar of the Coroners Rolls of the City of London* (1913), 161.
- ⁷⁵ CIPM 1354–1358, no. 190, pp 165–7, at 166.
- ⁷⁶ CLRO, HR 61.(60).
- ⁷⁷ CLRO, HR 61.(50).
- ⁷⁸ ‘London Assize of Nuisance 1301–1431’ *London Record Society* 10 (1973), nos 340, 341.
- ⁷⁹ CLRO, HR 71.(55).
- ⁸⁰ Treaty Rolls, vol II (1337–1339), nos 373, 767.
- ⁸¹ Hodgett *op cit* (note 65), p 158, no. 815.
- ⁸² *ibid*, p 159, no. 815 contd.
- ⁸³ CLRO, HR 73.(120), 73.(121), 73.(122).
- ⁸⁴ CPR 1358–1368, pp 437–8.
- ⁸⁵ CLRO, HR 64.(100).
- ⁸⁶ ‘London Assize of Nuisance 1301–1431’, *London Record Society* 10 (1973), no. 349.
- ⁸⁷ CLRO, HR 49.(4).
- ⁸⁸ CLRO, HR 54.(105).
- ⁸⁹ CLRO, HR 74.(46).
- ⁹⁰ CIPM vol X, no. 141, pp 128–32.
- ⁹¹ Calendar of the Fine Rolls (hereafter called CFR) 1347–1356, p 420.
- ⁹² CIPM vol X, no. 190, pp 165–7.
- ⁹³ CPR 1354–1358, p 282.
- ⁹⁴ CPR 1354–1358, p 287.
- ⁹⁵ PRO, Special Collections SC 8/211.
- ⁹⁶ L.T.R. Mem Roll E.368/128, mm.17–20.
- ⁹⁷ CCR 1354–1360, p 389.
- ⁹⁸ Calendar of Inquisitions Miscellaneous (hereafter called CIM) 1348–1377, p 267; CPR 1354–1358, pp 579, 605.
- ⁹⁹ PRO Exchequer Accounts Various, 508/23.
- ¹⁰⁰ CFR 1356–1368, p 16.
- ¹⁰¹ CIM 1348–1377, p 241.
- ¹⁰² CIPM vol X, no. 190, pp 165–7.
- ¹⁰³ Lambeth Palace, Reg Islep, f. 101v.
- ¹⁰⁴ PRO Special Collections, SC 8/212.
- ¹⁰⁵ M Churchill *Canterbury Administration* (1933), part II, 388–90.
- ¹⁰⁶ Lambeth Palace, Reg Islep, f. 108.
- ¹⁰⁷ *ibid*, f. 109v. The author is indebted to Dr R Catto for transcription of this document. Any errors in the translation or interpretation are those of the author.
- ¹⁰⁸ CCR 1354–1360, p 279.
- ¹⁰⁹ CCR 1354–1360, p 327.
- ¹¹⁰ CPR 1358–1361, p 145.
- ¹¹¹ CPR 1361–1364, p 437.
- ¹¹² PRO Special Collections, SC 8/211.
- ¹¹³ CPR 1358–1361, p 145.
- ¹¹⁴ PRO Special Collections, SC 8/212. The three documents described, together with the enrolled copy of Maud’s will, are to be found in this file.
- ¹¹⁵ CCR 1361–1364, p 466.
- ¹¹⁶ CPR 1358–1361, p 437.
- ¹¹⁷ There is an item in the will of Robert atte Brome of 1372 that mentions a debt owed to him by Thomas Dolsely of £120.
- ¹¹⁸ Letter Book G, p 101.
- ¹¹⁹ S O’Connor ‘Joan Pyel d.1412’ in C M Barron & A F Sutton (ed) *Medieval London Widows 1300–1500* (1992), 71–5.
- ¹²⁰ Exchequer, Lord Treasurers’ Remembrancer Rolls, E.368/89 m.9d.
- ¹²¹ He replaced Sir John de Lewknor some time between July and the beginning of November 1351, and had been replaced by John de Molyns by February 1352 (CPR 1350–1354, pp 122, 192, 228).
- ¹²² CFR II, 1307–1319, p 351, 363; CFR III, p 31; Lists and Indexes XI, Lists of Foreign Accounts, Mints and Coinage, p 58; T F Tout, *The Place of the Reign of Edward II in English History* (1936), 365.
- ¹²³ Letter Book E, pp 109, 124; Letter Book K, p. 106.

- ¹²⁴ Exchequer, Cal Mem Roll, Michaelmas 1326-1327, no. 998.
- ¹²⁵ Exchequer, Cal Mem Rolls, Michaelmas 1326-1327, nos 129, 892, 1671, 1672; CCR 1327-1330, p 489; CCR 1330-1333, p 428.
- ¹²⁶ CPR 1327-1330, p 182.
- ¹²⁷ Lists and Indexes XI, List of Foreign Accounts, Wardrobe and Household Miscellaneous Expenses, p 125.
- ¹²⁸ Exchequer, K R Account 383/10.
- ¹²⁹ Lists and Indexes XI, Foreign Accounts, Wardrobe and Household Miscellaneous Expenses, p 114.
- ¹³⁰ CFR IV 1327-1337, p 176.
- ¹³¹ *ibid*, p 297.
- ¹³² *ibid*, p 447.
- ¹³³ M H Mills 'The collectors of customs' in W A Morris & J A Strayer (ed) *The English Government at Work 1327-1336, Vol II Fiscal Administration* (1947), ch IV, 168-200, at 174.
- ¹³⁴ CFR 1337-1347, p 456.
- ¹³⁵ CPR 1345-1348, pp 59-60.
- ¹³⁶ *ibid*, pp 178, 182, 183, 185, 307, 314.
- ¹³⁷ CPR 1348-1350, p 144.
- ¹³⁸ Exchequer, Accounts Various, E/36/205.
- ¹³⁹ The Pell Rolls, p 172, record (4 February 1359) a payment of £10 to a John Waleys for accommodating, in his house at Mile End, the king and his household accompanying the body of Queen Isabella on its last journey. If Augustine had inherited his property in Stepney from Henry le Waleys, and passed it on to his illegitimate son John, it would have been large enough to accommodate the royal guests, for it had been large enough to accommodate Edward I and his Parliament in 1298 (John Stow *Survey of London* (1908 version), vol I, p 54). The property was held of the bishop of London.
- ¹⁴⁰ O'Connor *op cit* (note 119), 75.
- ¹⁴¹ CLRO, HR 89.(144).
- ¹⁴² He exchanged wardships with another alderman so that he was able to marry his daughter to John de Mockyng, the underage heir to the wealth of Nicholas de Mockyng. The full account of the proceedings, all legitimate, are found in the City of London Letter Book G.
- ¹⁴³ CCR 1333-1337, p 336.
- ¹⁴⁴ *ibid*, pp 207, 279; CPR 1334-1338, p 515.
- ¹⁴⁵ CFR 1337-1347, p 103.
- ¹⁴⁶ CPR 1330-1334, pp 316, 405; CPR 1343-1345, p 350.
- ¹⁴⁷ CPR 1354-1358, p 282.
- ¹⁴⁸ PRO Accounts Various, E/101/508/21, 22, 23. Foreign Accounts, P 29. Ed.III. 44, 45, 46.
- ¹⁴⁹ Treaty Roll 12, m.7 no. 373.
- ¹⁵⁰ CLRO, HR 84.(101), 84.(102) [1356]; 85.(40), 85.(41) [1357]; 86.(38), 86.(41), 86.(42), 86.(64), 86.(85) [1358].
- ¹⁵¹ CPR 1338-1340, pp 59, 173. CLRO, HR 73.(120). Papal Letters III, pp 481, 510. Calendar of Papal Registers, p 251. *VCH Herts* II, 443.
- ¹⁵² CCR 1349-1354, p 523; CCR 1354-1360, p 314; CCR 1360-1364, p 428.
- ¹⁵³ CCR 1349-1354, p 466.
- ¹⁵⁴ 'London Possesory Assizes', *London Record Society* 1 (1965), no. 111.
- ¹⁵⁵ S J Aubrey Gwynn *The English Austin Friars in the Time of Wyclif* (1940), 78-9.
- ¹⁵⁶ Calendar of Papal Registers, Papal Letters III (1342-1362), p 409.
- ¹⁵⁷ CCR 1354-1360, pp 287-8.
- ¹⁵⁸ CCR 1354-1360, p 327.
- ¹⁵⁹ Gwynn *op cit* (note 155), 85.
- ¹⁶⁰ *ibid*, 84-9. K Walsh *A Fourteenth-Century Scholar and Primate: Richard FitzRalph in Oxford, Avignon and Armagh* (1981), 406-51.
- ¹⁶¹ CFR 1347-1356, p 226; see also p 181.
- ¹⁶² They were to become two of the four sureties for John Malewayn following his release from imprisonment after impeachment.
- ¹⁶³ He was to become joint farmer of the subsidy on cloth with John Malewayn in September 1358.
- ¹⁶⁴ CPR 1360-1365, p 151.
- ¹⁶⁵ F Roth, *Sources for a History of the English Austin Friars* (1958), 185, note 438.
- ¹⁶⁶ Letter Book G, p 101.
- ¹⁶⁷ Roth *op cit* (note 165), 188, note 446.
- ¹⁶⁸ Calendar of Papal Letters IV, pp 42-3.

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