'At hir owne discrecion': Women and will-making in late medieval Wales

The position of women in the native law of medieval Wales has received a good deal of scholarly attention, most clearly in the collection of essays that comprise *The Welsh Law of Women*.[1] Yet far less is known about how women in Wales experienced the laws operating within the country, their involvement in the production and administration of legal documents, and how they negotiated their way through medieval Britain's complex network of courts. This cannot be blamed on a lack of sources because even the most traditional of documents remain insufficiently interrogated. A case in point is the testamentary evidence for Wales, which is woefully under-used and in some areas, such as gender history, rarely consulted.[2] This is unfortunate given both the important role of the executrix, and the potential for the will to offer women, in the words of Katherine Lewis, 'a rare opportunity for deliberate, "official" textual self-representation'.[3] A belief that early Welsh wills are rare survivals may be partially to blame, and it is true that numbers cannot compare to testamentary evidence for English counties like Somerset and Norfolk, or the cities of London and York. Nevertheless, over 600 'Welsh' wills survive for the period before 1550, and among them are fifty-nine women's wills, which deserve far greater scrutiny for what they tell us about their lived experiences, familial strategies and social networks. The purpose of this article is two-fold. Firstly, it will deploy testamentary material to examine the role Welsh women played in the production of these legal documents. It will then focus on the fifty-nine wills to identify the women who produced them, why they might have done so, and what they tell us about women's capacity for decision-making and legal action at the end of the Middle Ages.

The records

The selection of wills under study here require some explanation. First, it is worth mentioning the archives in which they now deposited. By the fourteenth century a full probate system had developed in Wales, much the same as it had in England, and the granting of probate

[1] Morfydd E. Owen and Dafydd Jenkins (eds) *The Welsh law of women* (Cardiff, 1980).
[2] The major analytical work on medieval wills in Wales remains Helen Chandler, 'The will in medieval Wales to 1540' (unpublished MPhil thesis, Aberystwyth University, 1991), which includes a useful calendar of Welsh wills to 1540: pp. 235-74. A number of local studies are available in print, mainly drawing attention to particular archives, e.g. David H Williams, 'Medieval Monmouthshire wills in the National Library of Wales' *Monmouthshire Antiquary*, 19 (2003), 113-128 (and see fn. 5 below). Studies on Welsh women and wills are slight, but include the articles by Roger Turvey: 'Until death do us part: the last wills and testaments of a husband and wife in early sixteenth-century Pembrokeshire', *Journal of Pembrokeshire Historical Society*, 18 (2009), 11-32; idem., 'Wives, widows and will-making in Tudor Pembrokeshire', *JPHS*, 19 (2010), 5-23.
[3] Katherine J. Lewis, 'Women, testamentary discourse and life-writing in later medieval England', in Noel Menuge (ed.) *Medieval women and the law* (Woodbridge, 2000), pp. 60, 65-7. A wealth of studies on English women's wills has been produced, most recently Susan E. James, *Women's voices in Tudor wills, 1485-1603. Authority, influence and material culture* (Farnham, 2015).

and its administration was vested in the episcopal courts. [4] As a consequence, the majority of surviving wills are those copied by clerks into the registers of local consistory or bishop's court (if the testator held property in one diocese) or the prerogative court of the archbishop of the province (if a testator's property was located in more than one diocese and valued over £5). For Wales, the latter largely meant the prerogative court at Canterbury, and its extensive corpus of material now includes much of our surviving testamentary evidence for the country: nearly 340 wills contained in the registers up until 1550 can be described as pertaining to male and female inhabitants of Wales.[5] By contrast, ecclesiastical court records for Wales before the sixteenth century are sadly wanting. There are registered wills for the diocese of St Asaph for the second quarter of the sixteenth century, which covered the counties of Denbigh, Flint and Montgomery as well as parishes within Merioneth, Caernarfon and Shropshire. Yet it is only the surviving consistory court material for the diocese of Hereford that offers any longitudinal data for late medieval Wales. Its Office Act Books record the deaths of 1036 men (838) and women (198) living in eastern borders of Wales who died during the period 1442-1549; of these, two dozen wills are fully transcribed within its pages.[6] When it comes to the survival of original wills, the numbers are smaller still, but can be found in family archives contained in the National Library of Wales and in a few local record offices around Wales. It should be noted, therefore, that because there was no separate Welsh ecclesiastical jurisdiction, we should not expect any 'national' differences compared to those wills composed in England, but like other testamentary studies, we need to be mindful of potential regional variations.[7]

Second, I have selected wills of those who lived most of their lives in Wales, which is not an easy criterion to apply. People moved to live in Wales and native-born Welsh migrated to reside elsewhere. Ralph Griffiths, for example, has illuminated the breadth of the 'Welsh' diaspora in England and has used testamentary material to show how these migrants and their descendants

[4] Chandler, 'The will', p. 28.

[5] Some early attempts at identifying these wills can be found in local studies and unpublished works: e.g. E.J.L. Cole, 'Abstracts of Radnorshire wills in the prerogative court of Canterbury', *Radnorshire Society Transactions*, 5 (1935), 54-6; 6 (1936) 9-14; 7 (1937) 11-14; 8 (1938) 51-5; 11 (1941) 37-8; 13 (1943) 35-7; 17 (1947) 42; 21 (1951) 35-7); 23 (1953) 45-9; Philip Riden (ed) *Glamorgan wills proved in the prerogative court of Canterbury 1392-1571: an interim calendar* (Cardiff, 1985); and Judith E. Hunt, 'Monmouthshire wills proved in the prerogative court of Canterbury 1404 to 1560 (Diploma in extra-mural studies, University College Cardiff, 1985).

[6] A number of Welsh border parishes lay in the diocese of Hereford. For the purpose of this study the cases have been taken from the following: Buttington, Churchstoke, Dixton Newton, Discoed, Forden, Hyssington, Knighton, Michaelchurch-on-Arrow, Monmouth, Montgomery, New Radnor, Norton, Old Radnor, Presteigne, and Snead. See Michael A. Faraday (ed) *Calendar of probate and administration acts 1407-1550 in the consistory court of Hereford* (London: British Records Society; revised 2009 edition). In addition to those transcribed into the Office Act Books, the Archive and Record Centre in Hereford also holds paper copies of other wills from these parishes.

[7] The wills under study here were written either in Latin or in English. Only one will from the period to 1550 contains Welsh: Rhys ap Hywell ap Rhys (1538), [T]he [N]ational [A]rchives, PROB 11/26/283.

continued partially to operate in Welsh circles.[8] Women were particularly likely to move around because marriage and remarriage created new households throughout their lives.[9] One example is that of Anne Bayly (1549) who describes herself as being 'of London' and requests burial in St Magnus (London) where she had long been a parishioner. Most of her will is focused on her London life, but it is clear that she had strong Welsh connections, which she does not neglect in her will. She left money to the poor of Dixton (Monmouthshire); her major beneficiaries included her cousins Hugh and William Huntley from Dixton; and Richard Morgan, serjeant at law, who was of Skenfrith (Monmouthshire) and London, was named as one of Anne's executors. There is nothing, however, to indicate that Anne had ever lived in Wales and so she does not appear in this sample.[10] Nor has the celebrated Lady Katherine Gordon (d.1537) been included despite the fourteen years she was married to her 'beloved' husband Matthew Craddock of Swansea. Her Scottish birth, her first marriage (excluding Perkin Warbeck) to James Strangeways of Fyfield (Berkshire), a final marriage to Christopher Aston of Fyfield, and her chosen burial site at Fyfield church all strongly argue against her outlook and her will being 'Welsh'.[11] This question is also made trickier by the shape-shifting and permeable nature of the Welsh border. The Marcher lordships straddled the historic border society of England and Wales, and parishes along the western edges of England have been shown to exhibit a strong Welsh culture. Llinos Beverley Smith's reading of the diocesan records of Hereford, replete with Welsh patronymics, led her to describe the area as a 'culturally syncretic society' where the 'customs and laws of two peoples intertwined'.[12] While not everyone with a Welsh patronymic living on the English side of the border has been included, it seemed appropriate on ethnic and cultural grounds to add Dyddgu ferch Ieuan ap Madog of Oswestry (Shropshire). This list of fifty-nine is not meant to be definitive, but it does provide a suitably significant sample to discuss women living on or within the Welsh borders at the end of the Middle Ages.

Women's roles in testamentary administration

This first section considers the contribution of women to the production and administration of the will and testament as legal documents. In this process of reflection, discussion, and negotiation,

[8] Ralph A. Griffiths, 'Crossing the frontiers of the English realm in the fifteenth century', in Huw Pryce and John Watt (eds) *Power and identity in the Middle Ages: essays in the memory of Rees Davies* (Oxford, 2007), pp. 213-5, 220-1.

[9] The problem of whom to include in studying 'Welsh women' is also observed in Gwenyth Richards, *Welsh noblewomen in the thirteenth century: an historical study of medieval Welsh law and gender roles* (Lampeter, 2009), pp.11-13.

[10] TNA, PROB 11/32/536.

[11] TNA, PROB 11/27/140.

[12] Llinos Beverley Smith, 'A view from an ecclesiastical court: mobility and marriage in a border society at the end of the Middle Ages', in R. Rees Davies and Geraint H. Jenkins (eds) *From medieval to modern Wales: historical essays in honour of Kenneth O. Morgan and Ralph A. Griffiths* (Cardiff, 2004), p. 70.

women were potentially involved throughout, however not all roles were considered natural or legal. According to canonists, women were excluded from being witnesses.[13] While English common law allowed it, examples of women acting as official witnesses are rare and the Welsh material follows a similar pattern to that found elsewhere.[14] This is not because women were absent from spaces where a will was declared or written down. Richard Goldsmith of Monmouth (1545), for example, recounted his brief set of bequests in the 'presens of certeigne honest men & women, my neighbours'. Some wills were made in households headed by women: William Edwardes (1532) made his will 'at the howse of dame Margaret Salter, my syster'. While she did not appear in the witness list, she was made one of the overseers.[15]

Within the wills of late medieval Wales, only eighteen examples have been identified thus far where women acted as testamentary witnesses. Such a small number underscores the cultural preference for male witnesses, but it also allows us to consider why women were used in some instances. Women were particularly likely to be present when wills were nuncupative or expressed on a sick-bed. We know that it was the women of the household who largely cared for the sick and dying, and they would have been present regularly at the death-beds of family, friends and employers.[16] When Richard Wogan of Bulliston (1540) 'subscribed' his name to his will, it was in the presence of his wife (listed first), two men, two sons, his nurse Jenet Dee and Elizabeth Davers, presumably his servant.[17] Two of the women – Janet verch Madoc and Gwerful verch Ithel – who witnessed the short will (only seven lines long) of John Dio (1543) were probably servants; neither were relations or beneficiaries.[18] In other instances, the names suggest close family members. The similarly short will of Sir John Wynston (1545), vicar of Monmouth (proved only a fortnight after it was written) was witnessed by five people, including Elizabeth Wynston.[19] In these cases, therefore, women acting as witnesses appears to be influenced by circumstances relating to the closeness of death, although it is nevertheless instructive that these women were physically near when testators felt impelled to compose their will. Were female testators more likely to choose women or have them close by? Proportionally, there is a slight increase in likelihood as four instances of female witnesses appear in our fifty-nine women's wills. In the case of Agnes Vielville (1542), her will was

[13] Michael M. Sheehan, *The will in medieval England* (Pontifical Institute of Medieval Studies, 1963), p. 179.
[14] Rowena E. Archer and B. E. Ferme, 'Testamentary procedure with special reference to the executrix', *Reading Medieval Studies*, 15 (1989), fn. 41 (pp. 26-7).
[15] [H]erefordshire [A]rchives and [R]ecords [C]entre, 19/2/5 (Goldsmith); [N]ational [L]ibrary of [W]ales, Puleston 961 (Edwardes).
[16] James, *Women's voices*, pp. 18-19. See also Sara M. Butler, *Forensic medicine and death investigation in medieval England* (London, 2014), pp. 160-1.
[17] TNA, PROB 11/28/474.
[18] NLW, SA/BR/1.
[19] TNA, PROB 11/30/384.

witnessed by Alice Gruffudd who was also her main beneficiary. In another, the will of Maud Donne (1544) of New Radnor, Alice Raulynes, Anne Sasnes and Maud Brayen are witnesses alongside William Coman, parson of New Radnor. Their inclusion may be linked to Maud's decision to leave everything to her grand-daughter, Dorothy Bilke, who was also her sole executrix.[20] It is too small a sample to draw firm conclusions, but we cannot rule out active choice and not simply convenience lying behind the limited selection of female witnesses.

A far more significant responsibility was the role of executor (-trix), which had the potential to involve an individual in a long and complex process. The tasks included organising the funeral, paying all legacies, and disposing of the residue in the interests of the testator.[21] The choice could be crucial to the future of one's spouse, children and the soul. For this reason, Philippa Maddern has argued that in order to determine which individuals and social groupings testators considered the most trusted we must look to their executors.[22] A wealth of evidence points to women being heavily involved in this process. [23] In the wills of fifteenth-century Norfolk gentry just over half of male testators (54.2%) included their wives among their executors.[24] Barbara Harris calculated that 77% (403) of a sample of 523 English knights and noblemen named their wives as executrices with 35% naming them as sole executors.[25] Nor was this simply the case in landed society: a similarly high percentage is found in early sixteenth-century court cases at the consistory court of London where 77% of men with a surviving wife named her as their sole executrix.[26]

It is a similar case for Wales. In its eastern parts covered by the consistory court of Hereford, men had their deaths registered by their widows in 56% of cases. The majority (60%) undertook this task on their own; the remainder had a variety of male and female relatives, friends and local clergy along with them. That so many husbands named their wives as executrices suggest that they were considered the natural choice. Surviving evidence shows the wife as an active household partner, to

[20] NLW, MS 1619E (Vielville) and HARC, 15/2/8 (Donne).
[21] Sheehan, *The will*, pp. 215-20; Amy Louise Erickson, *Women and property in early modern England* (London, 1995), pp. 156-7.
[22] Philippa Maddern, 'Friends of the dead: executors, wills and family strategy in fifteenth-century Norfolk', in Rowena E. Archer and Simon Walker (eds) *Rulers and ruled in late medieval England* (London, 1995), p. 169.
[23] Archer and Ferme, 'Testamentary procedure', 4. Amy Erickson: 'the most common early modern executor was not an executor at all – she was an executrix', *Women and Property*, p. 156.
[24] Maddern, 'Friends of the dead', p. 172.
[25] Barbara J. Harris, *English aristocratic women, 1450-1550: marriage and family, property and careers* (Oxford, 2002), p. 129.
[26] Jacqueline Murray, 'Kinship and friendship: the perception of family by clergy and laity in late medieval London', *Albion*, 20 no.3 (1988), 376. Similarly, for Tonbridge, 1500-1560, widows feature strongly as executors. Of the 286 widows mentioned in their husbands' wills, 221 were made executors: Alison M.A. Williams, 'Patterns of inheritance and attitudes to women revealed in wills in the Tonbridge area 1500-1560', *Archaeologia Cantiana*, 19 (1999), 264.

whom a husband might delegate supervisory powers and the control of resources; with whom he may have spent many years of shared responsibilities; and between whom a considerable degree of knowledge and trust had developed.[27] There are examples of affectionate terms used when describing wives. For Sir William Herbert (1469), his wife was 'my hert and love' and Ieuan ap Meredith ap Grono (1544) gave his moveable and unmoveable goods to 'my welbelovyd wyff', who acted as his executor along with her daughters.[28] Wives may also have been seen as particularly useful for ensuring the successful undertaking of certain aspects of the will, such as spiritual bequests or goods to pass to daughters. In 1453 Thomas Coke of Monmouth asked his wife, and sole executrix, to organise prayers for his soul. William Gunter, burgess of Caerleon (1542) made his 'beloved' wife his sole executrix and disposer of his goods for 'the welthe of my soule and the furtheraunce of my doughters'.[29] Yet these considerate qualities had to be matched by administrative competence and business acumen if the will was to be executed profitably. Debts often had to be collected. Thomas Wolgar, a merchant of Haverfordwest (1538), made his wife his sole executor in order 'to receyve & paye my dettes and to do for the welthe of my soule as she shall thinke best and aunswere for me in tyme to come'. This vote of confidence comes at the end of a list of debts he owed (four) and was owed (fourteen).[30] That the widow was considered the appropriate executor can additionally be seen where the administration of the goods of those dying intestate were granted by ecclesiastical authorities to wives, or when they gained administrative rights because the heirs were too young.[31]

Choosing wives as executrices was not without risk, however, especially if they were young with a good prospect of remarriage. A widow who had remarried might fail to protect the interests of the first family, while dower or jointure arrangements might also interfere. When Robert Corser of Caerleon was lying on his death bed, he made his wife, Wenllian verch John, his executrix and Sir William ap Ieuan vicar of Caerleon his overseer. The appointment of the latter appears linked to the £10 Corser had bequeathed his five underage children and his concerns about the youth of his wife. Corser 'desyred his sayd wiff in so moche that she was butt a yong woman considering that she wold mary ayene that she wolde before here marriage delyver the sayd x li that he had apoynted unto his sayd childeryn unto some trusty frynd to be kept unto the use of the sayd children'.[32] He could not assume that she would act in the interests of his family when she joined another.

[27] Harris, *English aristocratic women*, p. 65.
[28] TNA, PROB 11/5/430 (Herbert); NLW, SA/BR/1 (Ieuan).
[29] HARC, HD4/1/91, p. 142 (Coke) TNA PROB 11/29/351 (Gunter).
[30] TNA, PROB 11/27/563.
[31] Chandler, 'The will', p. 116; James, *Women's voices*, p. 153.
[32] TNA, C1/1081/38-9.

The interests of the patrilineal family also explain why far fewer testators chose daughters as their executrices. Maddern suggests that parents were more likely to pick sons who would inherit the family estate because they would 'show more commitment to its maintenance than daughters, whose eventual husbands would wean their loyalty from their family of origin'.[33] According to the registers in Hereford, daughters were selected as executrices by only 1.5% of testators in Wales. A slightly higher proportion is garnered from the fifty-nine surviving women's wills where ten testators (17%) named a daughter (or in one case a grand-daughter) as executrix. While a notable proportion, it does little to challenge the cultural preference for sons. Among this same group, over a third of women selected a son as an executor, and if one were to recalculate simply with those who mentioned sons in their wills (34), then this rises to two-thirds.

Despite the smaller numbers, those selecting daughters appear to have done so through choice rather than necessity. It is true that some testators – both fathers and mothers – picked sons in the first instance, but were content to have their daughters if the sons died.[34] Yet others actively named their daughters even when male relatives were alive. Among the cases where female testators made their daughters executrices, five also had living sons to whom bequests were made. Katrina ferch Llywelyn ap Ithel (1521) might have chosen from several living male relatives, including her second husband and two sons, but she named her daughter Katherine her executrix.[35] Despite the fewer opportunities, it should not be assumed that daughters would lack experience or useful qualities in performing their duties. David Holland (1543) did not elect any of his three sons to be his executor, but looked to his wife and daughter Grace. The latter had been one of the executors of the will of Lowri verch Ieuan ap Howell made three years previously in August 1540. She may also be the same Grace Holland who was left money in the will of Elizabeth Salusbury (1513) to repay a debt, which may hint at someone used to handling financial matters. [36] Whatever her particular skills, she had already acquired useful experience before administering her father's will.

Experience was always an advantage because testamentary administration could be 'enormously protracted', especially where there were large debts, or the goods bequeathed were in someone else's possession.[37] As they might deal with real property, executors and administrators could sue and be sued for their testators' debts in common, customary and church law courts;

[33] Maddern, 'Friends of the dead', p. 174.
[34] For example, Richard Baxter of Caernarfon: TNA, PROB 11/15/86.
[35] [F]lintshire [R]ecord [O]ffice, Plas Teg, D/PT/1091.
[36] NLW, SA/BR/1; TNA, PROB 11/18/26.
[37] Archer and Ferme, 'Testamentary procedure', p. 15.

Chancery also heard various claims relating to legacies and debts.[38] Widows often found themselves in the firing line in the immediate aftermath of their husbands' deaths. Anne Morgan, executrix to the will of her late husband, William Morgan (Monmouthshire), faced 'severall pleynts of debt agen your sayd oratrix in the towne of Newport' and a demand of £10 shortly after William's death.[39] There were likely to be even more problems if a husband died intestate with debts outstanding. Julyan Cathemayde, widow, was made the administrator of the goods and cattle of her late husband John Cathemayde when he died intestate in c.1539. At John's death he was indebted and owed 'unto many and sondry persones more than he was hable to pay'.[40] Some simply could not cope or failed to complete their duties by their own death. Given these onerous responsibilities it is not surprising that some widows sent proctors or asked to be replaced.[41]

Such difficulties have led some to question the tangible work undertaken by executrices. Alison Williams has suggested that success depended on whether others were around who might limit their authority. Challengers might include the overseer or supervisor, individuals who should ordinarily assist the executor and check on progress.[42] They were often wealthier or better connected than the testator, and the vast majority were male: there were few testators like Thomas Morgan of Pencoed who appointed male executors, but made his wife and his formidable mother his overseers.[43] One might be cautious in accrediting the executrix a position of power if the appointment of these overseers was partly an attempt to control her actions. The language used in some wills can support such a view. Rowland Bulkeley, esquire (1544), made his wife Elen 'my sole executrice', but his brother Sir Richard Bulkeley, knight, was his overseer 'trustinge that he will see yt faithfullie performed in all thinge'.[44] Stronger language is used in the will of Agnes Vielville who made her two daughters executrices and gave the role of overseers to three men Sir Richard Bulkeley, Rowland Gruffudd and Thomas Grono, priest, who were also made tutors of Grace

[38] Joseph Biancalana, 'Testamentary cases in fifteenth-century Chancery', *Legal History Review*, 76 (2008), 283-306. Other courts included that of the Court of Augmentation where one Welsh executrix, Jane Griffith, was called to court to satisfy the king of £116 owed by her husband: *Records of augmentation relating to Wales and Monmouthshire* (Cardiff, 1954), p. 51.
[39] TNA, C1/1035/43-45.
[40] TNA CI/961/1.
[41] For example, on 12 November 1354 letters of administration were granted in Chester to Nicholas de Puleston in lieu of Lucy, his wife, who had been appointed executrix in the will of her first husband Llywelyn Fychan: FRO, D/PT 1086. See too Anne J. Kettle, ' "My wife shall have it": marriage and property in the wills and testaments of later medieval England', in Elizabeth M. Craik (ed.) *Marriage and property* (Aberdeen, 1984), p. 102.
[42] Williams, 'Patterns of inheritance'; Michael L. Zell, 'Fifteenth- and sixteenth-century wills as historical sources', *Archives*, vol. 14, no.62 (1979), 67.
[43] TNA, PROB 11/48/426. His mother was Lady Florence Morgan, wife of Sir William Morgan of Pencoed; their own wills are mentioned elsewhere in this article.
[44] [B]angor [U]niversity, Baron Hill 7.

Vielville, one of the executrices. Alice left instructions that 'the saide Grace Velivel my doughter do nothinge in disposing the landes, tenements or goodes aforesaid to her bequested without councell advisement and ayde of the saide tutors'.[45] One wonders whether Grace's position was therefore more symbolic than practical.[46]

On the other hand, significant numbers of executrices did retain full responsibility in this role. Historians emphasise that a widow, even where there were other co-executors, was likely to have undertaken much of the work conscientiously and across several years.[47] The language used in a number of wills suggest that husbands were well aware of the burden they were bestowing on their wives, and some made attempts to ensure they would not have to shoulder the load alone.[48] Others tried to mitigate the problems and any resistance they felt their widows might encounter. When Sir William Morgan of Pencoed, knight (d.1542) left money to his male children it was on condition that they did not 'vex, trouble nor sue my wellbeloved wife after my decease', otherwise the legacies would go to her. In making his wife his sole executor he gave her the residue of his goods 'to dispose of to my children and my servants if they be gentle and kind to her'.[49] Whether trying to recreate the protection they gave as husbands, or attempting to influence the household dynamic from beyond the grave, this bid to retain some control over family relationships is a common desire in husbands' wills.

Nevertheless, whatever attempts were made, the number of executrices in both the ecclesiastical and secular courts show that testamentary disputes were among the most common reasons for women going to law. Conflicts arose with overseers and those placed in trust, however well-intentioned their selection had been. A good example is that of Philip Walter (1544) a yeoman of the guard in London whose estate comprised lands in Brecon and Monmouthshire. He clearly sensed that his wife, Antonia, would face problems after his death because he made her his sole executrix 'without intermeddling of any persones' and he willed that 'she shall chowse her overseers wher that she will at hir owne discrecion'. In other words, it was up to her to decide what support she required. Yet he was at pains to make sure that his wife was supported and directed his servant John a Bedo 'to be faithfull and trewe unto my wife as my trust is in him'. Bedo was to deliver to her all the writings and evidences concerning the lands in Brecknock, which he had in his keeping, 'and

[45] NLW, MS 1619E.
[46] James saw the use of child executors as a way of ensuring underage children inherited their property: *Women's voices*, p. 188.
[47] E.g. Mavis E. Mate, *Daughters, wives and widows after the Black Death: women in Sussex, 1350-1535* (Woodbridge, 1998), pp. 105-6.
[48] Erickson, *women and Property*, p. 160.
[49] TNA, PROB 11/29/194.

to be good to her in all cawses'.[50] Philip left him 20s in attempt to secure that loyalty, but in this he was sadly mistaken. Not long after Philip's death, his wife was petitioning Chancery accusing Bedo and two other men of withholding the property in Brecknock that her husband had bequeathed. She was scathing about Bedo and his failure to abide her husband's words, especially as he had pocketed the 20s.[51] Yet while we can focus on her difficulties, she was also prepared to do battle in court.

What has been demonstrated thus far is the significant involvement of women in the production and execution of Welsh wills, which would have rendered them a good, working knowledge of this legal instrument. They were far less likely to be named as witnesses, although many would have been anonymous onlookers, especially to nuncupative wills. They were far more likely to be made an executrix as a wife than as a daughter, but this was naturally a product of their experience in leading a household, managing finances, and their greater commitment to those family assets. Some wives would act as an executrix for more than one husband or parent.[52] While a source of evidence for female capabilities, the will also says much about male fears, or any testator's fears, as they tried to conjure up a world without them in it. Anxiety about whether their wives would be strong enough to carry out their duties is mixed with concerns about the scale of the burden. Yet there are many documents too where wives are simply named as executrices without any worries raised; indifferent perhaps, but also, presumably, because it was simply accepted they would get the job done. And for the most part, that is exactly what they did.

Women's wills

Turning to those who became testators themselves, it is clear that far fewer women than men left (or had registered) written wills; all studies undertaken for neighbouring England demonstrate this point.[53] In fourteenth-century Bishop's Lynn, for instance, the proportion of women's wills enrolled in the registries of the borough courts was 17% (21 of the 125 wills).[54] In addition, women's wills comprised 14% of those registered in London's Consistory court records, 1514-1548; 12% of wills in the Husting Court of London, 1300-1500; and 14.5% of those in Tonbridge, 1500-1560.[55] The figures

[50] TNA, PROB 11/30/535.
[51] TNA, C1/1283/4-10. For another case where overseers could cause more harm than good for a young widow see: TNA, C1/934/41.
[52] Archer and Ferme, 'Testamentary procedure', p. 5.
[53] E.g Anne M. Dutton, 'Passing the book: testamentary transmission of religious literature to and by women in England 1350-1550', in Lesley Smith and Jane H.M. Taylor (eds) *Women, Book and the Godly* (Cambridge, 1995), p. 44.
[54] Jacques Beauroy, 'Family patterns and relations of bishop's Lynn will-makers in the fourteenth century', in L. Bonfield, R.M. Smith and K. Wrightson (eds) *The world we have gained* (London, 1986), p. 24.
[55] Murray, 'Kinship and friendship'; Kate Kelsey Staples, *Daughters of London: inheriting opportunity in the late Middle Ages* (Brill, 2012), pp. 22, 27; Williams, 'Patterns of inheritance', p. 251. These figures are slightly below

from Wales are more varied, though with similarly small percentages. Around 340 Welsh wills are copied into the registers of the Prerogative Court of Canterbury, yet only eighteen (or 5% of the total) belong to women. A slightly more promising proportion is found among the Welsh wills registered in the Office Act books of Hereford: while the great majority dispose of men's estates, 19% (or 198) belonged to women. The existence of nineteen full wills from the Hereford diocese also provides a much-needed boost to those surviving elsewhere for Wales.[56] It means that a third (33%) of the women's wills used in this article are from that diocese. A further third are found in family collections and registers now deposited in the National Library of Wales, while the remaining third include those in the National Archives and a handful from family collections at Bangor University (1), Flintshire Record Office (2) and Shropshire Record Office (1). If there were more surviving local or diocesan records for Wales, the proportion of female wills may well be healthier, although the evidence indicates that it would still be small.

The range of repositories has also influenced the geographical spread of the documents. Few wills come from the north of the country with Anglesey (4), Caernarfon (1), Denbigh (6) and Flint (4) producing less than half the total. Unsurprisingly the more populous southern county of Monmouth has produced the most at nineteen, but this has much to do with the survival of the Hereford diocesan records. The latter also explains why we have but four wills for the county of Glamorgan (all from the Prerogative Court of Canterbury) and nine wills from the sparser populated county of Radnor (where eight are from the diocesan records of Hereford).[57] There is also a difference in the date range of the wills. The earliest known woman's will from Wales and its Marches is that of Dyddgu ferch Ieuan, written in 1382; it is also the only example from the fourteenth century. As is common elsewhere, the survival rate increases as the centuries progress. For the fifteenth century thirteen survive, with at least one will per decade. Another twelve date to the period 1500-1539, but the biggest increase is seen in the 1540s with twenty-eight; and five belong to 1550 alone. [58]

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the proportion found for Early Modern England as Erickson estimated that women made approximately 20% of the 2 million wills in the registers of Canterbury, c.1550-c.1750: *Women and property*, p. 204.

[56] The diocese of Hereford in general proved a relatively high number of wills. In 1407-8, for example, 82 wills were proved in Hereford, while at the same time the Prerogative Court of Canterbury registers contain 51 wills (44 for the calendar year 1408): Motoyasu Takahashi, 'The number of wills proved in the sixteen and seventeenth centuries. Graphs with tables and commentary', in G.H. Martin and Peter Spufford (eds) *The Records of the Nation* (Woodbridge, 1990), p. 200.

[57] The full breakdown is: Anglesey (4), Caernarfon (1), Carmarthen (1), Denbigh (6), Flint (4), Glamorgan (4), Monmouth (19), Montgomeryshire (4), Pembrokeshire (5), Radnorshire (9) and Shropshire 2.

[58] In dating, I am using the year in which the wills were written rather than probate dates. An increase in the 1540s is visible elsewhere and may be linked to the Statute of Wills (1540), which permitted real property to be bequeathed for the first time. For a brief discussion of the Statute see: John Baker, *The Oxford History of the Laws of England, 1483-1558* (Oxford, 2003), pp. 679-83.

With so few women making wills, who were those who elected to do so, and why? Few would have described themselves as ladies. Florence Morgan, Joanna Wogan (Perrot) and Anne Vielvelle are the only ones living in knightly households, while Elizabeth Salusbury and Agnes Rodney could be counted among the landed gentry. Others belonged to the lower reaches of gentry or yeomanry especially those from Herefordshire diocese. But there is also a significant proportion of burgesses and town dwellers, with at least twenty-eight based in urban centres. Not much is known of them and it is difficult to assess their wealth, but none appear to have been in possession of significant amounts and they appear to belong to the 'middling' sort. None of this is surprising given the small numbers registered in the Prerogative court of Canterbury. Perhaps this is also the reason why they do not, on the whole, appear to share the traits of medieval London widows' wills, which have been described (in a rather gendered way) as 'verbose, bossy, disorganised, affectionate and anecdotal'.[59]

Brevity may also have been a product of composing a will quickly. The majority of these female testators produced their wills close to death, some only weeks or days before their passing.[60] Agnes Vielville died within a week of her testament in December 1542, while Gwenhyfwr ferch Rhys (1524) and Eleanor Blackbeche (1545) were dead within a fortnight; a further twelve expired within months.[61] The perceived proximity of death is sometimes expressed in the individuals' physical frailness. Agnes Rodney was *eger corpus* when she spoke her will ('*vulgariter nuncipato'*) in Weobley castle on 5 October 1420, and similar phrases are found in over a dozen testaments.[62] A few had perhaps been recently reminded of mortality or had begun to dwell on their demise: Tangustl Welcock (1549) made her will 'fering the danger of deathe' and Alison Taldren (1545) was 'dreading the uncerteyntie of the howre of deathe'; stock phrases perhaps, but still expressed.[63] Only a handful of women composed their wills over a year before death struck. A few may have felt themselves close to death, but had rallied or suffered for a longer period of time. Gwenllian ferch Rees ap Jankin was described as sick in body when her will was dated the 16 April 1540, but it was only proved on 29 April 1544. She had an underage son and may have wanted to ensure that his future was secure.[64] Likewise, Wenllean, widow of Harry Thomas, who composed her will February

[59] Caroline M. Barron and Anne F. Sutton (eds) *Medieval London Widows, 1300-1500* (London, 1994), p. xxxiii.
[60] As was the case more generally: R.H. Helmholz, *The History of the Canon Law and Ecclesiastical jurisdiction from 597 to the 1640s* (Oxford, 2004), p. 397.
[61] NLW, MS 1619E; NLW, Eriviat 15; TNA, PROB 11/30/609.
[62] TNA, PROB 11/2B/311.
[63] TNA, PROB 11/32/390; HARC, 40/2/2.
[64] NLW, SA/BR/1.

1548, over two years before it was proved 26 May 1550, was ensuring that her son received her lands.[65]

As elsewhere, the majority of women making wills were widowed.[66] The number of surviving wills left by single, never-married women is low across Britain and the material from Wales does little to add to the total.[67] No Welsh testament explicitly records a 'single woman'; the status can only be presumed through the absence of any mention of husband or children, and potential identifiers such as the presence of strong links to the natal family.[68] Using this criteria we have three possible examples. The earliest is Dyddgu, daughter of Ieuan ap Madog (1382), who named her father and mother as executors of her will.[69] Elizabeth ferch John ap Harry of Ysceifiog (1544) similarly could be a singlewoman on the grounds that no husband or children are mentioned in her will, her beneficiaries are her brothers and friends, and she made her mother sole executor.[70] Johanne ferch Adam of Abergavenny (1546) may well have been a relatively young singlewoman for she left a bequest to her grandmother. It appears typical of a singlewoman's will in its overwhelmingly female focus and the wide network of social relationships it commemorates: bequests, predominantly household goods, were distributed among her mother, aunt, grandmother, sisters, niece, female servant and several female friends.[71] A further three female testators may have been single, or long-time widowed, because their brief wills mention no relations or any possible family life: these are Gwladys ferch Ieuan (1539),[72] Margaret ap Jenkyn (1540) of Cardiff,[73] and Isabel Clerk alias. Williams (1537). The latter, for example, had no beneficiaries, no indication of close family, and everything is left for the benefit of her soul (her family does not even feature in prayers for the dead); it was the mayor of Monmouth who was to arrange her spiritual bequests.[74]

A more complex group to explore are the wills written by married women. Secular and ecclesiastical laws differed as to whether married women were permitted to make a last will and testament. Under English common law, a wife's personal property would usually fall under the control of her husband on marriage; she became a *feme covert*. This meant that she would have no

[65] TNA, PROB 11/33/234.
[66] Erickson, *Women and property*, pp. 157, 227-8.
[67] Judith M. Bennett and Christopher Whittick, 'Philippa Russell and the wills of London's late medieval singlewomen', *The London Journal*, 32:3 (2007), 251-269.
[68] As seen in the singlewomen's wills explored for the early modern period by Amy M. Froide, *Never married: singlewomen in early modern England* (Oxford, 2005), p. 49.
[69] Shropshire Record Office, Hanmer of Pentrepant, 894/97; Chandler, 'The will', p. 48.
[70] NLW, SA/BR/1.
[71] TNA, PROB 11/31/463. For female single testators as the most 'women-identified testators' and their full network of social relationships see Froide, *Never married*, pp. 46-8.
[72] NLW, Bronwydd 2508.
[73] TNA, PROB 11/28/382.
[74] TNA, PROB 11/27/237 (although the alias could indicate an earlier marriage).

rights to dispose of chattels and would not ordinarily write a will; she could do so only if she gained the consent of her husband. There are examples of hostility shown towards married female testators, and there are cases of husbands and the law courts questioning a wife's right to make a will.[75] Such constraints have led to women's wills being described as 'framed and ordered by authoritative masculine speech, acts of consent, permission and bequest'.[76] Under Canon Law, however, it was permissible for a married woman to make a will and to do so without the explicit permission of her husband.[77] For religious authorities, concerns for the soul and the fear of intestacy lay behind their insistence that wives be allowed to make a will.[78] It is possible that Welsh law also influenced practice to some extent: according to the lawbook *Llyfr y Damweiniau* a wife was permitted to set aside for her children all the goods that comprised her privy things, and when she died her husband would have no right to them.[79]

While the Church tried to protect the rights of married women to make wills, surviving records indicate that very few wives did so. Among the enrolled wills at London's Husting court, for example, only 14 of the 361 (4%) female testators, 1300-1500, described themselves as married.[80] There is also evidence to suggest that the number of married women's wills declined during the fifteenth century and wives lost the ability to leave possessions by will. From his research of consistory court act books, Richard Helmholz argued that ecclesiastical courts probated far fewer married women's wills in the fifteenth century than had been the case in the previous century, and that after 1450, married women's testimonies became a rarity.[81]

The evidence from Wales does not change this picture, although it does not entirely fit the pattern of decline in the fifteenth century. In total nine married women's wills survive: the earliest dating to 1429, the latest to 1543. While few in number, they at least indicate that wives continued

[75] For debates and controversies in the law courts over whether married women could leave wills, see Helmholz, 'Married women's wills'; Kettle, ' "My wife shall have it" ', pp. 94-5; Biancalana, 'Testamentary cases', pp. 289-94.
[76] Ronald Bedford, Lloyd Davis and Philippa Kelly, *Early Modern English Lives. Autobiography and self-representation, 1500-1660* (Ashgate, 2007), p. 205.
[77] Helmholz, *The History of the Canon Law*, p. 403.
[78] Michael M. Sheehan, *The will in Medieval England* (Studies and Texts, no. 6: Pontifical Institute of Medieval Studies, 1963), p. 238. Gillian Kenny's exploration of the wills of married women in Ireland emphasises the common anxiety over the fate of their soul: *Anglo-Irish and Gaelic women in Ireland c.1170-1540* (Dublin, 2007), pp. 117-119.
[79] Dafydd Jenkins, 'Property interests in the classical Welsh law of women', in *The Welsh law of women*, pp. 8-9; Chandler, 'The will', pp. 44-5.
[80] Staples, *Daughters of London*, p. 28. Few of the Yorkist and Tudor aristocratic wives studied by Barbara Harris left wills: they produced only 6 of the 266 female wills gathered: Harris, *English Aristocratic Women*, p. 18.
[81] Richard H. Helmholz, 'Married women's wills in later medieval England', in Sue Sheridan Walker (ed.) *Wife and widow in medieval England* (Michigan, 1993), particularly 169-175. Helmholz, *The history of the Canon Law*, pp, 403-4.

to make wills during that period. To this can be added the broader evidence from the Hereford probate records, which offers a relatively high percentage of wives. Of the 198 women of Wales noted there, fifty or 25% of cases had their probates registered by husbands and hence indicate the minimum proportion of married women leaving wills. All these cases, however, appear in the period up to 1501, and none thereafter. This might suggest a shift in the choice of executor away from the husband, but it is more likely to indicate that far fewer wives were producing wills after 1501 in order for husbands to register them.[82]

In the context of the small number of wives leaving wills, why did certain married women decide that they should do so? Given the Church's concerns, it might be assumed that religious reasons dominated. They are indeed present, and for Elena, the wife of John Rode of Boultibroke (Presteigne), spiritual benefits were paramount. In her will she bequeathed burgage land to finance the salary of a chaplain, and for the residue of her goods to be used for the benefit of her soul and that of Hugh Symonds, her previous husband.[83] Nevertheless, religious bequests do not appear to be the driving force behind the production of married women's wills (or most women's wills).[84] Overwhelmingly the focus was on the living and the distribution of property to close kin.

The extent to which married women had to negotiate this right might be deduced in part by the number who included the written consent of their husbands in their wills. Such is found in those of Elena Rode of Boultibroke, Presteigne (1487), Lowri ferch Ieuan of Churchstoke (1542), Elizabeth Brereton of Sunlli, Wrexham (1543) and Jane Lychfield Knot of Cardiff.[85] All four were married to second husbands and had goods and property obtained from an earlier marriage, which they wished to depose.[86] The acknowledgement of a husband's permission, however, was not a compulsory part of the written will, and judges in the spiritual courts do not appear to have requested this information or regularly recorded it.[87] It does not preface the wills of Arddun ferch Gruffudd (1429), Margery Stote of Monmouth (1445), Alice Bolde of Beaumaris (1466), Katrina ferch Llywelyn ap Ithel

[82] It is worth noting that Helmholz saw Hereford as exceptional: 'Married women's wills', p. 170.
[83] HARC, HD4/1/103. See also Margery Stote who gave money to four priests and two monks of the priory of Monmouth, and requested her husband organise two suitable chaplains to pray for her soul, and those of her parents and all the faithful dead: HD4/1/89, p.122.
[84] Sharon Teague, 'Patterns of bequest within the family: testamentary evidence from the ecclesiastical registers of Canterbury and York, c.1340-1440' (Unpublished PhD thesis, University of Toronto, 2013), p. 87.
[85] HARC, HD4/1/103; E.R. Morris, 'Early Montgomeryshire wills at Hereford Registry', *Montgomeryshire Collections*, 19 (1886), p. 10; TNA, PROB 11/30/543; TNA, PROB 11/31/151.
[86] James, *Women's voices*, p. 151.
[87] Helmholz, 'Married women's wills', p. 167. In the archdeacon's court, London, between 1393-1415, only one of the seven wills by married women listed there stated that the will was made with her husband's consent: Robert A. Wood, 'Poor widows, c. 1393-1415', in *Medieval London Widows*, p. 56. See too Teague, 'Patterns of bequest', p.117.

of Mold (1521) or Gwenhwyfar ferch Rees (1524).[88] Nevertheless, their bequests were made with spousal support because all five women named their husbands as their executors or supervisors. It might be tempting to assume that those wills recording approval did so at the request of the husband or an assiduous clerk, but the will of Elizabeth Brereton suggests otherwise. She composed her will in 1543 while married to her third husband Robert Wyn ap Morgan of Sunlli. The repetition of the phrase 'with the assent, consent and agrement of my said husbande' is less of a reminder for her than for him. She refers to a 'certen bargeyn, agrement and contracte' made between them at the time of their marriage, which she now outlines in her will: everything goes to her natural son, who is also her executor. Transcribed in the Canterbury register underneath Elizabeth's will is her husband's written and sworn agreement that he does indeed consent to everything Elizabeth requested.

Permission, however, was rarely a 'blank cheque', and the terms were usually specified. Most often the wills focused on goods brought by the wife to the marriage. This was the reason outlined in a petition appearing before Chancery in the 1520s. The orators of this petition, Richard and Anne Draper of Oswestry were the executors of the will and testament of Jenett verch Lewis, late the wife of David ap Rees of Oswestry. They describe how Jenett, while lying sick on her death bed 'desiered the said David to give her licence & power to declare her last will of certeyn goodes whiche she brought to hym before & after the spuselles betwene theym hadde'. David agreed and 'gave her power to declare her wille of the saide goodes'. Jenett immediately made her will, naming the orators as her executors. Although the will was verbally stated, someone was obviously keeping a record because the executors were keen to indicate that all this information could be found 'in the will more clearly'.[89]

In this case consent was given to the bequest of goods brought to the marriage; in other examples a distinction was drawn between a wife's chattels and income, which were her own (and could be bequeathed), and her share of her husband's goods (which could not).[90] Some husbands reveal the explicit conditions under which their wives received permission: in 1532 William Edwards wrote 'And wher of late I dyd lycens Kateryn my late wyff to make hyr wyll apon such apparell that belongyth to hyr body, but wheras she dyd make any alynacion or money to be payd out of any landes tenements or rentys of any parte of hyr inheretaunce I dyd never agre nor assent

[88] NLW, Bodewyrd, 1034; HARC, HD4/1/89, p. 122; Bangor University, Baron Hill 3; FRO., Plas Teg, D/PT/1091; NLW, Eriviat 15.
[89] TNA, C1/498/43.
[90] Sheehan, *The will*, p. 237.

thereto...'.[91] Edwards was making it clear that she was limited to bequeathing her paraphernalia; in this instance it did not extent to the real property she had brought to the marriage. As Janet Loengard succinctly put it: married women could only leave what they thought was theirs or what, more importantly, their husband thought was theirs.[92] Such restrictions are likely to explain why most married women's wills were short, contain few bequests and have a narrow or singular purpose to their production; they simply had less to give.[93] They may also reflect the practical limitations on what they could bequeath while their husbands were still alive.[94] When Gwenhwyfar ferch Rees made her will in 1524 her only specified bequest was the 10s given to her curate to celebrate a trental of St Gregory. She left the rest of her goods and chattels to her husband; no-one else was mentioned. When her husband, Grono ab Ieuan ab Einon, wrote his will a year later he distributed several household items, such as pots and plate, among a number of individuals including his two sons. It would have been difficult for Gwenhwyfar to bequeath these articles because they were still needed by the household, and hence not hers to give.

In several of the examples above, granting a wife permission to make a will meant the husband was also agreeing to her decision to distribute assets away from his own use. Katrina ferch Llywelyn ap Ithel likewise left nothing to her current husband but focused on her children and close female companions. Yet this was not always the case.[95] Margery Stote's husband was to receive a life interest in her burgages and tenements in Monmouth; afterwards she willed the property to her daughters. Alice Bolde of Beaumaris was the only heir of her father Bartholomew Bolde, burgess, and when he died in 1453 she inherited his extensive estates in the Conwy valley. Five years earlier in 1448 she had married William Buckley (son and heir of William Buckley of Beaumaris, d. 1490) while both were still children. By 1466, when Alice wrote her will, she was sick in body, and does not appear to have had any offspring or automatic heirs to her property. The will, therefore, can be read as a decision to ensure that her inheritance passed to her husband – although whether that was entirely her decision is unclear. Her Bulkeley in-laws feature prominently in the will: her sister-in-law

[91] NLW, Puleston 961.
[92] Loengard, P.166.
[93] Lewis, 'Women, testamentary', p. 72; Helmholz, 'Married women's wills', pp. 172-5.
[94] Loengard, p. 166; Kettle, 'My wife shall have it', p. 95.
[95] FRO, Plas Teg, D/PT/1091. Kettle believed that the husband was nearly always the chief beneficiary: 'My wife shall have it', p. 95.

was left clothes, and her mother-in-law was made supervisor to the will.[96] The latter may have been necessary because her husband William seems to have been mentally incapacitated in some way.[97]

Providing for a current husband could also have wider strategic importance for the family and the security of one's children. Jane Lichfield had been married to Thomas Lichfield (d.1542) alderman of Cardiff, however when she wrote her will in 1543 'havynge sufficient licence and power graunted of my saide husbande to make and declare my testament and laste will' she had wed Thomas Knott of London. Her swift remarriage appears linked to the property she had been devised by Lichfield and her role as his executor, for she quickly became embroiled in several lawsuits relating to the Cardiff holdings. Thomas Knott appears as plaintiff (initially alongside Jane and then alone) in several Chancery petitions during the 1540s and 50s.[98] He did so not simply as Jane's new husband and subsequently her widower, but because in her brief will Jane had bequeathed Thomas all her leases of land and property in Cardiff that she had received from Lichfield. This was not an attempt to pass on a problem – though it was inevitably shared – but to reward Knott for providing another kind of support. Jane had given him the land 'in recompence of brynginge upp of my childrene which I had of and by the saide Lychefelde'. Writing this will ensured that Knott was materially compensated and had the resources to provide for her children's future. Thomas Lichfield seems to have had some inkling that his wife would seek security elsewhere for he left her his house in Cardiff for as long as she stayed within the town; otherwise it would go to his eldest son. [99]

In these examples, we find married women using legal testaments to negotiate with husbands (past and current) the organisation and distribution of their assets. This was not the only way to do so. In explaining why so few married women left wills, recent research has proffered other avenues for distributing goods, such as gifts during life or the use of trusts.[100] Others may have left instructions to husbands, children or friends that are now only visible if they appear in testaments of these individuals. When Watkin Vaughan of Redwick wrote his will in 1545 his wife had already died and he may not have had any surviving children because he distributed his best clothes and his bed to men and women not obviously related to him. Among the bequests were his

[96] Bangor University, Baron Hill, 1 (administration of Bartholomew Bolde's estate); Baron Hill, 3 (will of Alice Bolde); D.C. Jones, 'The Bulkeleys of Beaumaris, 1440-1547', *Transactions of the Anglesey Antiquarian Society and Field Club* (1961), 1-20.
[97] In the will of William Bulkely senior (1490), he suggests problems with his son if he 'be distract out of hys mynde and not in full mynde and reson'. Bangor University, Baron Hill 4.
[98] TNA, C1/1020/30-32; C1/1180/25-27, 28; C78/10/6.
[99] Jane Lichfield Knott's will is TNA PROB 11/31/151. Thomas Lichfield's will is TNA, PROB 11/29/215. In it he refers to three sons and one married daughter and leaves them several bequests. Jane left nothing to her children, but presumably providing them with a new father and guardian was her main legacy.
[100] Helmholz, 'Married women's wills', p. 174; James, *Women's voices*, p. 7.

wife's best red petticoat, her best kirtle as well as another red petticoat and a white cap; all went to local women.[101] Had she told him of her wishes, or had he kept the items and delayed making these decisions until his own death?[102]

Married women's wills reveal the negotiations that were occurring during marriage. With widows freed from the constricting power of coverture there may have been greater scope for women to proclaim their own identity and take full control of their own goods. Yet it should not be assumed that women immediately stopped being wives after the death of their husbands, and while the will was personal, each testator would have been influenced by families, friends and spiritual advisors, and would have been conditioned by family circumstances.[103] Something of these interactions and choices can be seen in those wills that survive for both husband and wife, which provide an opportunity to explore spousal strategies. In particular, they show where a widow's focus converged with, or diverged from, that of her husband's. There are some clear illustrations of the common interests and expectations that could develop within a long-term relationship. Malli verch Vadock made her will two years after her husband and the hand suggests that the same scribe wrote both. They contain the same standard preliminary lines in the dedication of the soul and the request for burial in the church of Mold, and there is overlap in the individuals' bequests and executor chosen.[104] A number of widows chose to augment or reinforce bequests made by their husbands. As someone who was born and married into prominent landed gentry, Lady Florence Morgan fully embraced the need to further the family's name and fortune. Her husband, Sir William Morgan of Pencoed, a member of the king's household and steward of several important Marcher lordships, had made her his sole executrix when he composed his will in 1542.[105] When she came to compose her own three years later she produced an overwhelmingly family-focused document that supported her husband's bequests. She knew Sir William's mind on how he had wished to be buried in Llanmartin church, within a chapel and tomb of his financing, and she left money to complete the chapel building; she also bequeathed a gown to make a cope and items, including candlesticks, pax and cruets, to serve the chapel at all times. There was also consensus on supporting the marital prospects of their daughters. For example, to the £100 Sir William had left for his daughter Alice's marriage, Florence added a further £40. Yet she also used the will to distribute more personal items,

[101] TNA, PROB 11/30/632.
[102] Loengard, p. 166.
[103] Maddern, 'Friends of the dead', pp. 168-9.
[104] FRO, D/GW/1424; D/GW/1425.
[105] W.R.B. Robinson, 'Sir William Morgan of Pencoed (d.1542) and the Morgans of Tredegar and Machan in Henry VIII's reign', *National Library of Wales Journal*, 27:4 (1992), 405-29.

leaving Alice a gown of black damask, a kirtle of black velvet, a gown of black satin and a kirtle of tawny damask, and beads of gold worth £7.[106]

In other examples, widows retained strong ties with birth families. This was not necessarily the result of poor spousal relations. It could acknowledge the greater importance of the wife's family. Sir William Perrot's widow, Joanna, who wrote her will eighteen months after her husband's death, chose to use her maiden name 'Wogan' and had an entirely different set of witnesses to her husband. There is no indication the couple were estranged and chose to be buried next to each other in the chancel of Haverfordwest Priory, but the Wogan family were pre-eminent in the area and Joanna's name acknowledged that fact.[107] In other cases, local marriages meant birth families remained physically near. Eleanor Blacbeche of Norton composed her will soon after her husband, Richard, had done so in autumn 1545. There may have been some contagious illness in the family, for Richard wrote his will 'sick in body' on 3rd September and Eleanor was sick in body when her will was drawn up on 29th October. Her father, Roger Davys, had also written his final will in September that year. Eleanor's brother Thomas was an executor for all three and they were recorded in the Registers at Canterbury as proven on 11-12 November 1545.[108] Both Eleanor's and Richard's wills focus on the children they had together, yet while Richard's legatees included his mother and cousin, Eleanor bequeathed several legacies to her own Davys family and to a number of female friends. Unlike her husband, she also left more money to clerics and specifically prayers for the soul. She chose not to specify her burial place, although both her father and husband had elected the parish church of Norton. While it might be assumed that Eleanor did finally rest in Norton, other widows chose separate burial places. Agnes Rodney's husband John wrote his will in 1417 (died in 1420). A Somerset esquire, he left bequests to the church of St Andrew at Backwell and to John Walsh rector of Saltford alongside gifts for his children. When Agnes spoke her will in October 1420 she wanted to be buried in the couple's other landholdings in Llanrhidian (Gower) and her ties to her own St John family – native to this area – were strong.[109] This focus is understandable for Agnes dictated her will only a few months after her husband's death and when she had little time to live. Both her children were underage, mere infants, and hence it was to her father John St John and her brother Oliver that she gave responsibility for their upbringing.

[106] TNA, PROB 11/29/194 (Sir William Morgan); PROB 11/30/367 (Florence Morgan).
[107] TNA, E 211/395; E 211/397. For cases in Exeter where female testators used different surnames to their husbands' see: David Lepine and Nicholas Orme, *Death and memory in medieval Exeter* (Exeter: Devon and Cornwall Record Society, ns, 2003), p. 129.
[108] TNA, PROB 11/30/604; PROB 11/30/608; PROB 11/30/609.
[109] John and Agnes Rodney's wills were transcribed consecutively into the registers of Canterbury: TNA, PROB 11/2B/310; PROB 11/2B/311.

These cases illustrate the different familial strategies employed by our female testators. Whereas Jane Lichfield had the time to remarry and provide her children with new family support, Eleanor Blacbeche and more clearly Agnes Rodney turned to their native ones. For Florence Morgan, with her children in their adulthood and with the eldest son already replacing her husband as head of the family, she could support her kin without worrying about its security. In other words, the will was not a legal document for forging new identities, but to fulfil existing ones; and all underline the strength and focus of the nuclear family in the period before 1550.[110]

Conclusion

This first major analysis of women's roles in the production and probate of the will in late medieval Wales shows both the extent of their involvement in legal testaments and the wider family dynamics that shaped them. Women in Wales accumulated a detailed understanding of the will through their extensive activities as executrix and, in some cases, as witness. They may have received assistance from overseers, but they were in no sense secondary to the process or performing what was considered 'man's work'. They were expected to – and did – uphold the testator's wishes, even if that meant years of legal wrangling through the courts; wives in particular were seen as fully capable of meeting that challenge. When it came to expressing their own will, therefore, many were already familiar with its form and knew its potential to manage the redistribution of their assets, providing support for the living and the dead. While most women would not have left wills, and existing Welsh wills are unusual in their survival, the female testators considered here were not exceptional in their own lives. Coming from a broad cross-section of society, most of these women will be unfamiliar to historians, their names only recorded by virtue of this testamentary material. This very ordinariness enriches our understanding of the history of late medieval women in Wales and reveals in turn the extent of their legal knowledge and agency. These documents, however, were always the focus of negotiations. As a married woman, this included the opportunity to make a will in the first place, and the small proportion of wives' wills shows that frequently the decision (hers or others) was not to produce one at all. In the hands of those that did, the will was a balance of personal and familial desires within an individual's unique set of circumstances. They reveal that some women were decision makers at all stages of their lives, managing the material and emotional lives of others, be that as parents, spouses or children. Yet while patterns can be discerned in their outlook and overall purpose, what these documents ultimately show is that there was no single 'woman's' voice in Wales, but many and varied.

[110] Chandler, 'The will', p. 140.