

THE 'RAVISHING' OF ISABEL BOTELER: ABDUCTION AND THE PURSUIT OF WEALTH IN LANCASTRIAN ENGLAND

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Where in-dede, so god me spede,
Sey all men whate they cane;
Yt ys all-wayes sene now-a-dayes
That money makythe the man.¹

In the ongoing debate over the degree of crime and violence in fifteenth-century England, Michael Hicks maintains that a 'conflict model' of society has been constructed by those who rely primarily upon legal records². J. R. Lander, in turn, contends that as research continues concerning the lawlessness of previous centuries, 'it beggars credulity to think of any massive deterioration of public order' by 1460.³ Yet, violence was a fact of life in Lancastrian England, if not quite to the extent previously believed, and legal records remain useful in shedding light upon certain hazards faced by medieval men and women as they went about their daily lives. As this study will show, the three cases of ravishment *contra voluntatem* brought before parliament during the reign of Henry VI not only reveal heinous crimes perpetrated against particularly vulnerable members of society, but also chart a steady (if not a 'massive') decline in the effectiveness of the judicial system to bring perpetrators to justice.

Because this is not an investigation of the crime of rape *per se*, only limited sources (the rolls of parliament) concerning these particular complaints were used

in this study and no attempt has been made to follow these cases to conclusion, if any, in the local records. My purpose, instead, is to show how these petitions brought by the king's subjects lend a certain credence to Yorkist propaganda which asserted that the realm was 'oute of ... good gouernaunce'.⁴ Anxious pleas by petitioners for increasingly harsh penalties acknowledge significant problems inherent in Lancastrian England, namely, a lack of effective government on the borders; an inability to apprehend suspects who could rely on the protection of friends; and a king too willing to grant pardons for felony. Ambitious scoundrels could resort, with apparent impunity, to violent means to improve their financial situations, even violating those with ties to the rich and powerful.

Brief History of Rape and Ravishment

A brief review of the crime, its consequences and the laws enacted to punish offenders indicates a transformation in the nature of 'ravishment' by the early fifteenth century. Throughout the early Middle Ages, the terms 'rape' and 'ravish' appeared interchangeably in both popular and legal usage. The Anglo-Saxon definition of 'rape' in fact meant the illicit removal of goods or persons and, when applied to cases involving women, connoted both abduction and sexual assault.⁵ Such deeds were considered violent crimes against women and the victims themselves initiated an appeal. As time progressed, however, statutes concerning sexual assault shifted their emphasis away from concern about the women violated. Recognizing that certain charges of rape were fraudulent and, in reality, were the consummation of a relationship which parents of the alleged victim found unsatisfactory, parliamentary acts were eventually passed which reflected the desire of families to prevent or penalize such deceptions. These later statutes incorporated punishment of both parties — if the woman 'consented' to her rape — and denied the lovers any profit from their ill-judged endeavour by disqualifying them from all inheritance, dower or joint feoffment. Clearly the family's major concern was that its holdings and estates should remain intact.⁶

Despite continuing legislation against rape or ravishment, a brief perusal up to the reign of Henry VI (1422) of the rolls of parliament alone confirms the persistence of these crimes. The Commons protested in 1447 that 'ravishments of women ... without number' were done and continued to be done throughout the realm.⁷ Indeed, between the years 1315 and 1421, the names of at least six women were mentioned in the rolls as having been ravished or abducted.⁸ The failure of previous legislation to prevent these felonies is clearly apparent.

By the second decade of the fifteenth century, the reasons discernible behind many cases of rape and ravishment which came up for trial can be seen to have changed. Certainly numerous lawsuits involved sexual assault. But, in addition to that, various cases from this period included financial considerations as well,

namely, an intent by the assailant to secure the material wealth of the victim and, possibly, an enhancement of social status. 'Ravishment' now came to signify predominantly abduction for purposes of marriage and often (but not always) sexual violation of the victim after the marriage ceremony had taken place in order to strengthen the union legally.⁹

As E.W. Ives pointed out, the basic causes of the problem surrounding ravishment in the law courts derived from the English common law itself, under which a husband secured absolute control over the property and monies of his wife during their marriage. Thus the social and legal consequences of an abduction and rape for single women and their families were far-reaching. Should a woman be raped and married against her will, she lost control over real and personal property and the family was faced with the possible diminution of its patrimony. Medieval wills affirm that a husband even owned his wife's clothing, jewelry and other personal effects.¹⁰ Once the couple were married, it became difficult for her to sue her husband.

It would appear that the overriding difficulty in prosecution for sexual assault in the thirteenth and fourteenth centuries was to secure the cooperation and testimony of women. The statute of Westminster I (1275) stated that if no appeal of rape was brought by a victim within forty days, the crown could pursue its own suit.¹¹ In the cases of ravishment discussed below, however, none of the women was a willing participant, all were persons 'of substance' and two at least were more than willing to prosecute, any 'espousels' notwithstanding. The victims sought the annulment of their forced marriages, the restoration of their property and status, and the punishment of their ravishers.¹² The problem confronting them, however, lay in the inability (or, perhaps, disinclination) of the authorities themselves to bring the culprits to justice. Because of this failure to uphold the law, the victims were forced to demand escalating penalties from both offenders and officials in their attempts to procure satisfaction.

Isabel Boteler (1436)

The first petition, serving as a precedent for later parliamentary suits, concerned Isabel Boteler, widow of Sir John Boteler, of Beausey in Lancashire.¹³ In the autumn of 1436, she petitioned the Commons, desiring that Henry VI order the sheriff of Lancashire to pursue a 'gentleman' for the felony of ravishment. According to her account, William Pule of Cheshire stormed the manor of Beausey at five o'clock in the morning with a number of martially-arrayed friends. He 'feloniously and most horribly' ravished Isabel when she was 'naked, except her Kirtle and her Smock', carrying her off into unfamiliar territory. He eventually brought her to Birkenhead (Cheshire) and, to prevent her from taking legal action against him, imprisoned her. Later he dragged her to the parish church of Bidstone,

but when the priest asked Isabel if she would agree to marry Pulle, she answered 'Nay, never by her will'. Pulle then threatened her with imminent death and the priest, ignoring her protests, performed the ceremony. Later that night, Pulle violently consummated the marriage.

Isabel then noted that when her friends urged the king to form a commission to rescue her and to bring William Pulle and his confederates to justice, Pulle ran away into Wales and other 'countrees' where the king's writ was ignored.¹⁴ Sir Thomas Stanley, a member of the commission, somehow located her and took her into safekeeping, but Pulle eluded the commission's grasp.

Isabel Boteler then requested in her petition that the sheriff of Lancaster proclaim over a two-week span of time that William Pulle was sought for questioning concerning charges of ravishment and flight. Isabel also intended to pursue her own appeal, 'the espousals had betwix ... [her] ... and the said William notwithstanding'.¹⁵

Up to this point the petition appears to be a customary complaint against a ravisher. That the king by the statute of Westminster I (1275) could initiate an appeal did not prohibit the victim herself from bringing charges, and Isabel indeed petitioned for that right.¹⁶ The innovative aspect of the petition, and what set a precedent for subsequent parliamentary suits against ravishers, emerges in the final prayer of the victim: if Pulle did not present himself before the justices at the next court session, he should 'stand attaint of high treason'. Neither rape nor ravishment was by law considered to be treason in England. In France, the abduction of women was held to be so as early as the thirteenth century, but attempts to make it treason in England failed. The statute of Treasons of 1352 specifically prohibited riding armed for the purpose of abduction, among other acts, from being classified as treason. It was to be considered a felony or a trespass only and, thus, not open to the penalties of attainder.¹⁷ In 1382, a new statute was enacted which allowed a woman and her abductor to be attainted upon conviction of collusive ravishment if the woman were married at the time.¹⁸ Neither statute applied in Isabel Boteler's case. She was not married; she had not consented to her abduction; and she did not ask that William Pulle be attainted of treason for the felony of ravishment. Nor was this use of attainder in any way related to the process of attainder which became somewhat popular in the mid-fifteenth century.¹⁹ Rather, Isabel sought to have him 'attainted' simply for the crime of failing to answer the summons to appear in court.

This threat of attainder recognized the previous ineffectiveness of the law to apprehend and convict William Pulle. Even before he was accused in the Boteler appeal, Pulle stood outlawed for the felony of murder and had either taken advantage of sympathetic officials, less than ardent pursuit, or friends who successfully concealed him.²⁰ Determined to prosecute and punish her abductor for

a ravishment 'done in more horrible wise, and with more heinous violence, than any has been seen or known before this time', Isabel nevertheless feared that her chances of success were limited, at best. Parliament concurred and allowed her plea for attainder.

Her fears were well founded. As early as 1382, the Commons had introduced remedies (to no avail) to be provided against rape and other crimes that were committed by men of Cheshire in adjoining counties.²¹ In 1436, when Isabel Boteler was abducted by this particular man from Cheshire, Henry VI was a fifteen-year-old boy planning to terminate (if, in fact, he had not already ended) his minority and gather the reins of government into his own hands. Known for his extreme piety and generosity, he soon would be considered by his contemporaries as a 'devout and kindly simpleton'.²² One year after the Boteler case (1437), Henry issued a general pardon for various trespasses and felonies, including the crime of rape.²³

Such pardons had been declining in number during the century preceeding the accession of Henry VI. In 1347, the Commons lamented that ravishment was encouraged through the frequency of pardons obtainable by the king's grace.²⁴ Rape then became excepted from eight general pardons between the years 1376 and 1404, the Commons even introducing financial penalties in 1389 for anyone guilty of ravishment who then sued for a pardon, and in 1403 for anyone trying to procure pardon for an approver who committed a rape again.²⁵ In 1438, two years after the Boteler abduction, Henry VI's own council protested at his granting of pardons regardless of the crimes involved.²⁶

A generous interpretation of Henry's actions might be that, as an adolescent known for his spiritual rather than temporal inclinations, he perhaps did not realize either the nature or the seriousness of the crimes of rape and ravishment. Certainly his later political enemies capitalized on his reputed innocence and spread rumours that when Prince Edward was born, the mystified king believed the child to be the son of the Holy Spirit.²⁷ This was probably a slander, but some belief in Henry's dullness of mind, at least, must have been current for the Yorkists to be able to fabricate such propaganda.

Margaret Mallefaut (1439)

A second petition concerning ravishment to be enrolled in the parliamentary records appeared in the summer of 1439, less than three years after the abduction of Isabel Boteler. Not surprisingly, the crime again took place a fair distance from London — this time in Wales. The petitioner was Margaret Mallefaut, widow of Sir Thomas Mallefaut, who wished to bring charges against Lewis Leyson of Glamorgan.²⁸ According to her petition, Leyson had been a trusted friend and counsellor to her late husband. Leyson in fact was with her husband, Sir Thomas,

when he died of an unspecified illness on Whitsunday in London. At that time, Margaret was at her Pembrokeshire manor and unaware that her husband had passed away. Her mother, Jane Asteley, sought an emissary to break the news to her daughter and to escort her safely to London. Upon being assured that Leyson was a married man, she entrusted him with letters and tokens and sent him with her blessing to Margaret.

Leyson, however, had lied to Jane Asteley. Single, and clearly a man with an eye to the main chance, he instead had been plotting to ravish Margaret and 'to have her to his wife'. He destroyed the letters Jane Asteley had written and forged new ones, purportedly signed by Sir Thomas Mallefaut, which begged Margaret to come to London and comfort him in his illness. When Leyson arrived in Pembrokeshire, he assured Margaret that, although enemies lay in wait for her, he could outmanoeuvre them and safely bring her to her husband. Margaret, trusting in his promises, acquiesced. On their journey, they came to the park where Leyson had planned his assault. During the ensuing affray Leyson, of course, made no effort to fight off the attack. Instead, he convinced Margaret to abandon her servants and flee to safety. And so she did, riding alone with him into the mountains of Wales where she was kept 'without meat or drink till she was nigh dead'.

The following day Leyson imprisoned her in the Glamorgan home of Gilbert Turberville and threatened that unless she married him he would convey her back into the mountains 'without comfort of any man or her kin or friends, to her undoing and shortening of her life'. Leyson, Turberville and Turberville's wife continued to frighten her in this vein until they believed she was sufficiently cowed to agree to a marriage. The vicar of Twiggston stood ready to join the couple but Margaret bravely refused, stating that she 'never would of her good will have him to her husband'. Brushing her protests aside, the vicar proceeded with the ceremony, regardless of the fact that she was pregnant with her late husband's child.

After the ceremony, Leyson hauled her back to Turberville's place and raped her, 'she crying at all times after help and succour, and none could she have'. Margaret remained his prisoner until 24 June (the petition does not give the date she was first captured), when 'with wise governance she left Turberville's house and rode to her mother in London. How she escaped is unknown. As they were now married, Leyson might have felt sufficiently secure to set her at liberty. But he was mistaken if he thought that, because the ravishment was a *fait accompli*, Margaret would not bring suit against him. In her petition, Margaret requested that the sheriff of Somerset announce periodically over the next eleven months that Leyson must turn himself in to answer the charges of felony and rape. If Leyson did not present himself to the justices within the allotted time, Margaret wanted

him to stand attainted of high treason. If he should appear, she was determined to appeal him of rape.

Details similar to other cases of ravishment can be found in her description of the crime committed and relief desired. The carrying away of the victim, alone, to wild and desolate places; the threatening of physical harm and solitary confinement unless the victim consented to a marriage; and the request that the abductor be attainted of treason if he refused to turn himself in mirrored the Boteler case three years earlier. The claiming of friendship to the victim and the staging of an ambush in the woods in order to spirit the victim away is echoed in the case of Eleanor West in 1352.²⁹

A further step was taken in the Mallefaut petition, however, which clearly emphasized the weakening of governmental authority and the frustration felt by appellants in the pursuit of justice. The seventeen-year-old king was already exhibiting little inclination to maintain a watchful eye over his distant appointments. Therefore, aside from threatening Leyson with attainder, and allowing him almost a year to present himself in court, Margaret Mallefaut also threatened the sheriff with financial penalties. Her petition plainly demanded that if the sheriff did not execute the writ, then he himself should be fined the substantial sum of £100. Apparently even those charged with enforcing the law were not above ignoring or even breaking it.

Joan Beaumont (1453)

The case which perhaps best illustrates the social forces at work, epitomizes the central economic concerns inherent in the crime of ravishment, and reflects a serious deterioration of law and order in Lancastrian England is that of Joan Beaumont, which occurred thirteen years after the abduction of Margaret Mallefaut. The petition in this instance was not brought by the abducted woman, but by three men: Henry Beaumont, son and heir of the late Sir Henry Beaumont and nephew to John, Viscount Beaumont, Charles Nowell, 'squier', and John Twycrosse, a yeoman.³⁰

According to their petition Joan Beaumont, mother of one petitioner, had made a lawful contract of marriage with Charles Nowell, the second petitioner. However, shortly before the feast of All Hallows, Joan was in chapel hearing mass in the town of Thorp in Balme, Yorkshire, when a 'gentleman' named Edward Lancaster came with a fellowship of forty men to ravish and rob her. During the ensuing scuffle, Lancaster threw her upon a horse, 'bound her fast with a towel', and rode away with her to an unknown destination.

In an attempt to prevent Joan from bringing suit against him for abduction, he had a priest ready to perform their wedding ceremony. Joan refused, saying that she was already promised to another, whereupon Lancaster threatened to abuse her

and carry her off into Scotland. Joan then demanded to know how the priest 'dared take upon him for to wed them together', against both her consent and the law. The priest answered that 'he dared do no otherwise for fear and doubt of his death'. Like Isabel Boteler and Margaret Mallefaut before her, Joan Beaumont was married against her will. But that was not the only depredation committed by the ruffians in Yorkshire. While Joan was literally being swept away by Lancaster, his companions ferociously assaulted her servants with fists and swords. Agnes, her daughter, was also abducted and, because of her severe mistreatment, became lame. Finally, according to the petition, the malefactors stole goods and chattels belonging to her son, Henry Beaumont, which were valued at 100 shillings.

As a result, the petitioners requested that a writ be directed to the sheriff of Yorkshire, threatening him with a £300 fine if he did not proclaim at over a period of three days that Lancaster and his fellowship were wanted in connection with the rapes, felonies and trespasses. If they refused to appear, they were to stand attainted of high treason, but if they did present themselves, they were to be incarcerated without bail in the Fleet. If, for whatever reason, the keeper of the prison allowed any of them to escape, he would forfeit £200 (one-half to the king and one-half to the petitioners). The petitioners then demanded that Joan Beaumont be returned safely within three weeks, or else 'the said Edward Lancaster to be convict and attain of the said rape'. They further requested that Joan be able to sue her abductors regardless of the alleged marriage, and that they, also, obtain the right to pursue their own appeal, no doubt wishing to recover their money and chattels.

This suit is remarkable in a number of particulars, not least in that it exhibits far stronger political overtones than either the Boteler or Mallefaut complaint and concerns a family with connections to the ruling court party. It might be thought that Lancaster took enormous risk in abducting the sister-in-law of viscount Beaumont, a man with access to the king and later described as the 'furst anker, hole and sounde' of the ship of the Lancastrian state.³¹ Unfortunately, the ravishment occurred in October 1453, almost three months after Henry VI experienced a debilitating collapse.³² While the king's horrified court attempted to conceal his condition, Edward Lancaster could thumb his nose at the powerful with little to fear from the arm of the law.³³ Henry VI then issued yet another general pardon for rape (1455) after recovering his physical abilities. Questions concerning his mental competence, however, remain.³⁴

Furthermore, while the petition of Isabel Boteler in 1436 included no word of concern about the sheriff, three years later Margaret Mallefaut prayed that the sheriff forfeit £100 if he failed to do his duty. By 1453, the shrieval fine in the Beaumont petition had tripled and, at the same time, the petitioners asked that the keeper of the Fleet be under a penalty of £200 should he allow the malefactors to escape or be bailed. One explanation might be that these particular officials were

less reliable than their earlier counterparts in Lancashire and Somerset. It is more likely that the petitioners' fears of corrupt sheriffs and negligent jailers mirrored the increasing instability in the realm in general, and in those parts far from London in particular. By 1453, the threat of a mere £100 fine apparently would not suffice to force officials to do their duty.

The most telling part of the petition is its conclusion, a lengthy discourse on the problem of ravishment for material gain that the petitioners claimed was prevalent in all parts of England. According to this passage, 'diverse people of might, moved of insatiable covetise against all right gentleness, truth and good conscience' were taking advantage of single women of substance — that is, those who had any lands, tenements or other movable and heritable goods — in a particularly disgusting manner. Because of their 'innocency and simpleness', these women were vulnerable either to false professions of friendship or to acts of abduction, imprisonment, marriage and coercion — all in attempts to force them to relinquish their wealth. The petitioners, therefore, believed the king should issue writs to all sheriffs involved in current or future investigations of ravishment to bring alleged felons before the authorities. If the abductors admitted they had obtained obligations or recognisances by foul means, the transactions should then become null and void. Furthermore, the sheriffs should forfeit a £300 fine — one half of which would go to the king and the other half to the parties that sued the writ of proclamation — if the sheriffs failed in their duty.³⁵

The true concerns of the Beaumont petition were thus laid bare in its attempt to establish procedures and penalties for all such cases of ravishment. Not one word in this final lengthy passage concerned the physical or emotional suffering of abducted women; rather, the potential loss of property and financial damages affecting the family took precedence.

Ironically, one of the supplicants himself may not have been above reproach. Charles Nowell, a follower of the duke of Norfolk, is well known to any reader of the Paston letters as a rioter and misdoer of the first order. Leading an armed gang, he terrorized East Anglia and assaulted anyone, of whatever estate, who stood in his way. Among his many trespasses, he offended ecclesiastical authorities, assailing servants of the bishop of Norwich inside one of the churches of Burlingham — while the priest was celebrating mass — and harassing the White Friars of Norwich. The Nowell mob attacked John Paston at the door of Norwich Cathedral and, equipped with 'bowis, arwys, speris, and bylles', later assaulted various other people, imprisoning them 'as long as they lyst'.³⁶ Only when crime began to hit home did the Beaumonts and Nowell loudly protest.

In conclusion, the three petitions concerning ravishment that were presented to parliament during the reign of Henry VI reveal the instability of royal and judicial

authority in Lancastrian England. Vulnerable women 'of substance', even those who were related to noble partisans of the king, were abducted by and married to fortune hunters. The Welsh and Scottish borders, anything but secure, offered sanctuary to suspects who could elude pursuit, lie low with the help of unprincipled friends, and eventually receive a royal pardon. Certainly acts of rape, abduction and ravishment were not unique to the fifteenth century and had occurred throughout the Middle Ages, although parliamentary petitions indicate the motives underlying such deeds changed over time. Laws, statutes and parliamentary petitions show an evolution from concern over sexual assault to the prevention of elopement and, finally, to the threat of attainder of offenders and financial penalty for negligent officials in an effort to curb contemporary practices. Such evolution in the concerns of the law indicates that by the fifteenth century the sexual component of the crime was not always of paramount interest to the abductor. Ravishment became instead a method whereby the unscrupulous intended to acquire greater financial resources.

By the reign of Henry VI, it would appear that there were adequate laws and sufficiently severe punishments to deter any would-be ravisher.³⁷ Yet the legal system proved ineffective in dealing with this type of offence. Not only were ravishers seldom convicted, they were often protected by powerful elements in society. In 1406, the Commons complained that rape was occasioned by the giving of liveries, yet in the reign of Henry VI additional laws had to be passed in 1426, 1429 and 1433 against lords retaining ravishers in their household. By the first year of the reign of Edward IV (1461), this problem still had not been solved.³⁸

When even officers of the crown were suspected of corruption, and Henry VI himself ignored the seriousness of the crime, prospects for due process appeared bleak. Isabel Boteler, Margaret Mallefaut and the family of Joan Beaumont could only turn to the threats of attainder and financial exactions in hopes of bringing offenders to trial.

NOTES AND REFERENCES

I wish to thank Dr. Anne F. Sutton, editor of the *The Ricardian*, and Dr. Jess B. Hollenback, Associate Professor of History at the University of Wisconsin-La Crosse, for their constructive criticism and helpful suggestions during revision of this article.

1. 'Money, Money!', in *Historical Poems of the XIVth and XVth Centuries*, ed. Rossell Hope Robbins, Oxford and New York 1959, p. 137.
2. Michael Hicks, *Richard III and His Rivals: Magnates and Their Motives in the Wars of the Roses*, London 1991, p. 17.
3. J.R. Lander, *The Wars of the Roses*, Stroud 1993, p. 13.
4. *An English Chronicle of the Reigns of Richard II, Henry IV, Henry V, and Henry VI. Written Before the Year 1471*, ed. John Silvester Davies, Camden Society, n.p. 1856, p. 79.

5. Henry Ansgar Kelly, 'Statutes of Rapes and Alleged Ravishers of Wives: A Context for the Charges Against Sir Thomas Malory, Knight', *Viator*, vol. 28 (1997), p. 361; and J.G. Bellamy, *The Criminal Trial in Later Medieval England*, Stroud 1998, p. 167.
6. *Statutes of the Realm*, vol. 1, pp. 29 (c. 13), 87 (c. 34); vol. 2, p. 27 (c. 6); E.W. Ives, 'Against taking away of Women': the Inception and Operation of the Abduction Act of 1487', in *Wealth and Power in Tudor England: Studies Presented to S.T. Bindoff*, ed. E.W. Ives, R.J. Knecht and J.J. Scarisbrick, London 1978, pp. 21-34; J.B. Post, 'Sir Thomas West and the Statute of Rapes, 1382', *Bulletin of the Institute of Historical Research*, vol. 53 (1950), pp. 24-30; Henry de Bracton, *On the Laws and Customs of England*, ed. George Edward Woodbine, Cambridge 1968, pp. 403, 414-19. See also Sue Sheridan Walker, 'Common Law Juries and Feudal Marriage Customs in Medieval England: The Pleas of Ravishment', *University of Illinois Law Review*, vol. 3 (1984), pp. 705-18, concerning the ravishment of wards in the thirteenth and fourteenth centuries.
7. *Roulli Parliamentorum*, vol. 2, p. 172a (hereafter referred to as *RP*): 'ravisementz des femmes ... sont saitz & meintenaz in Roialme sanz nombre ...'
8. The six women include Elizabeth de Burgh (1315), a willing participant; Elizabeth Talbot (1328); Mary le Chancier (1328); Olive Snare (1330); Margaret de la Beche (1347); and Margery Donheved (Edward III, 'anno incertis'). *RP*, vol. 1, p. 352b; vol. 2, pp. 32a, 424b; 14a; 34b; 176a-b; 208a; 418a.
9. J.G. Bellamy, *The Criminal Trial in Later Medieval England*, Stroud 1998, pp. 162-175 passim. By the sixteenth century, 'rape' denoted forcible sexual intercourse only and did not necessarily include abduction.
10. E.W. Ives, 'Against taking away of Women', pp. 22-23, citing W.S. Holdsworth, *History of English Law*, London 1941, vol. 3, pp. 525-527. Even when a woman was abducted in front of friends and family, there apparently was little they could do to prevent the abduction: see *The Paston Letters*, ed. James Gairdner, repr., Gloucester 1983, vol. 3, pp. 3, 260-62, for the experience of Jane Boys. For evidence concerning a husband's ownership of his wife's personal effects see, for example, 'The Last Testament and Inventory of John de Vere, Thirteenth Earl of Oxford', ed. William H. St. John Hope, *Archaeologia* vol. 16 (1915), pp. 282, 314.
11. *Statutes of the Realm*, vol. 1, p. 29 (c. 13).
12. Henry Ansgar Kelly, in 'Statutes of Rapes and Alleged Ravishers of Wives', p. 377, noted that a forced marriage resulted not only in the alienation of the victim's property, but the loss of her social status as well.
13. *RP*, vol. 4, pp. 497b-498a.
14. *Calendar of Patent Rolls 1436-1441*, p. 83 (hereafter referred to as *CPR*). The commission included Humphrey, Duke of Gloucester; Richard, Earl of Warwick; Humphrey, Earl of Stafford; Sir John Tiptoft and Sir Thomas Stanley.
15. *RP*, vol. 4, pp. 497-98.
16. *Statutes of the Realm*, vol. 1, p. 29 (c. 13): 'if none commence his Suit within Forty Days, the King shall sue ...' Henry Ansgar Kelly, 'Statutes of Rapes and Alleged Ravishers of Wives', p. 364, maintains that because the 'king's peace' also had been violated in cases of rape or ravishment, royal interest in prosecuting the offenders was involved.
17. J.G. Bellamy, *The Law of Treason in England in the Later Middle Ages*, Cambridge 1970, pp. 12, 14, 90-91. The statute of Westminster I (1275) made abduction of all women a felony: *Statutes of the Realm*, vol. 1, p. 29 (c. 13); and Henry Ansgar Kelly, 'Statutes of Rapes and Alleged Ravishers of Wives', p. 405.
18. J.B. Post, 'Sir Thomas West', pp. 25-26; *Statutes of the Realm*, vol. 2, p. 27 (c. 6).
19. According to Bellamy, a person earlier suffered the penalties of attainder only after conviction for an appropriate heinous crime. By 1459, punishment — that is, immediate forfeiture of property, title and estate (not only for the attainted but for his heirs as well), and in certain cases loss of the attainted's life

— was imposed without trial. Parliamentary attainders proved attractive as a method of hobbling one's political enemies. J.G. Bellamy, *The Law of Treason*, pp. 177-78.

20. *RP*, vol. 4, p. 497b.
21. *RP*, vol. 3, p. 139b.
22. R.L. Storey, *The End of the House of Lancaster*, repr. Gloucester 1986, p. 33. In a panegyric memoir written by John Blackman, one of Henry VI's chaplains, he commented favourably that Henry '... was a simple man ... more given to God and to devout prayer than to handling worldly and temporal things ...' Cited in Lander, *The Wars of the Roses*, p. 26. See also Ralph A. Griffiths, *The Reign of King Henry VI: The Exercise of Royal Authority. 1422-1461*, London 1981, for a thorough discussion of Henry's upbringing and character.
23. *RP*, vol. 4, p. 504b. The pardon specified those crimes committed before 2 September 1432 ('per ipsum ante Secundum diem Septembris, Anno regni nostri Decimo'). R.L. Storey believed that general pardons represented a realization that the legal system was unable to bring felons to justice, *The End of the House of Lancaster*, p. 215.
24. *RP*, vol. 2, p. 172a. Henry Ansgar Kelly, 'Statutes of Rapes and Alleged Ravishers of Wives', p. 404, argues that pardons only indicated that the Crown relinquished its financial interests; private suits could still be pursued. R.L. Storey, *The End of the House of Lancaster*, p. 215, however, noted that the Crown did profit from the sale of pardons.
25. *RP*, vols. 2-3, *passim*, for general pardons; vol. 3, p. 268b, for financial penalties; and vol. 3, p. 539a, for approvers who commit rape again.
26. R.L. Storey, *The End of the House of Lancaster*, p. 37, citing *Proceedings and Ordinances of the Privy Council of England*, ed. Nicholas Harris Nicolas, London 1834-1837, vol. 5, pp. 88-89.
27. *Calendar of State Papers and Manuscripts, Existing in the Archives and Collections of Milan*, ed. Allen B. Hinds, London 1912, vol. 1, p. 58.
28. *RP*, vol 5, pp. 14b-15a.
29. J.B. Post, 'Sir Thomas West', pp. 24-30, for the case of Eleanor West and Nicholas Clifton.
30. *RP*, vol. 5, pp. 269-71.
31. 'The Ship of State' (1458), in *Historical Poems of the XIVth and XVth Centuries*, Oxford 1959, p. 193.
32. According to the petition, the ravishment occurred 'the Friday next before the Fest of Alhalowes, in the yere of the reigne of oure Soverain Lord XXXI ...' *RP*, vol. 5, p. 269b.
33. A commission of oyer and terminer, which included Richard, Earl of Salisbury, and John, Viscount Beaumont, among others, was appointed on 8 February 1453, to enquire into the ravishment of Joan Beaumont. *CPR 1452-1461*, p. 60.
34. *RP*, vol. 5, p. 283b.
35. The aggrieved parties could then sue the sheriff for their half of the £300 so forfeit, with process of outlawry.
36. *Paston Letters*, vol. 2, pp. 260-74 *passim*.
37. In the twelfth century, the punishment for those convicted of rape had been blinding and castration: Henry de Bracton, *On the Laws and Customs of England*, vol. 2, p. 403; Henry Ansgar Kelly, 'Statutes of Rapes and Alleged Ravishers of Wives', p. 383; and J.B. Post, 'Sir Thomas West', p. 24. The statute of Westminster I (1275) called for two years' imprisonment and a fine; Westminster II (1285) mandated 'judgement of life and member'; and the statute of 1382 exacted severe financial penalties from those women who consented to their abduction: *Statutes of the Realm*, vol. 1, p. 29 (c. 13), p. 87 (c. 34); vol. 2, p. 27 (c. 6).
38. *RP*, vol. 3, p. 600b, for the complaint against liveryies; vol. 4, pp. 408-21 *passim*, for retaining ravishers in households; vol. 5, p. 487b, for the problem of maintenance in the first year of the reign of Edward IV.