

Negotiating Bynames

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Agnes *Daythef* took sanctuary in the church of St Mary le Bow London, confessed that she had stolen a surcoat and committed many other thefts and abjured the realm before the chamberlain and sheriffs. Nothing is known of chattels because she was a vagabond from Oxfordshire. Afterwards it is testified that a woman of this name is living in the City, so let her be arrested. Later a woman called Agnes comes, and asked by the justices what her name is and how long she has lived in the City, says she is called Agnes *de Leic'* and does not know by what surname others call her. Because the justices agree that at the time the event occurred she was not yet born, she is quit.¹

Contained within this presentment before the justices in eyre in London exists the whole conundrum of the attribution of bynames in the twelfth and thirteenth centuries, before such *cognomina* developed into hereditary, family surnames. How were these *cognomina* acquired and received by their bearers? To what extent was there a process of negotiation between the bearer and the rest of a local society?

It is known, of course, that identification by a *cognomen* might not fully represent the colloquial identification and, indeed, representation of the individual. At the end of the thirteenth century, in 1297, the abbey of St Mary, York, leased a capital messuage and carucate in Moor Monkton for a term of fifteen years for a rent of four and a half marks to Stephen *de Spaunton—dictus Judas*. Retrospectively another lease referred back to him as Stephen *dictus Judas*.²

Numerous issues are thus involved in the attribution of bynames: the first concerns the flexibility of use of bynames associated with individuals; and the second relates to alternative colloquial descriptions

¹ *The London Eyre of 1244*, edited by H. M. Chew and M. Weinbaum (London Record Society 6, 1970), 12 (no. 38).

² *Yorkshire Deeds*, edited by W. Brown, C. T. Clay and M. J. Hebditch (Yorkshire Archaeological Society, 10 vols, 39, 50, 63, 65, 69, 76, 83, 102, 111 and 120, 1909–55), II, 120 (327) and 122 (331).

instead of bynames. When and how did bynames become normative? What was the relationship between bynames and surnames in the evolutionary processes of naming? A third difficulty, moreover, may be encountered in that even in the late thirteenth and early fourteenth century it was still possible for some of the population—admittedly a very small minority—to be identified without a byname, that is simply by their *nomen*.

Considerable attention has been directed towards the transition from unstable bynames to hereditary surnames.³ It would be superfluous here to document that conversion, although it is necessary to illustrate that instability. In *c.*1250, for example, Thomas *de Secroft filius Ade de Ledes* made a quitclaim to Kirkstall Abbey; the change of byname between generations is evident so the bynames pertained to the individual only.⁴ A vendor to Warter Abbey was described in the charter as Nicholas *de Buckeshow filius Reginaldi de Wartria* whilst a charter relating to Bridlington Priory referred to William *de Cotes filius Hemeri filii Dreu*.⁵ A quitclaim to Rievaulx Abbey was effected by Alan *Forestarius filius Rogeri de Thornatune*.⁶ Finally, to confirm this point, a toft in Guisborough was received by the Priory from Richard *le Tanur filius Symonis de Gyseburne*.⁷ In the middle of the thirteenth century (1238 × 1245) a Lincolnshire grantor of land was described as Gilbert *Wytlafe filius Willelmi de Media Karleton*.⁸ Although by the late thirteenth century, most of the peasantry in East Anglia had developed hereditary surnames,

³ By Richard McKinley in the several volumes of the English Surnames Survey volumes, each including a chapter on ‘hereditary surnames’.

⁴ ‘Charters relating to possessions of Kirkstall Abbey in Allerton’, edited by W. T. Lancaster, in *Miscellanea* (Thoresby Society 4, 1895), p. 53 (no. 16).

⁵ Oxford, Bodleian Library, Fairfax MS 9, fo. 14v; London, British Library, Add. MS 40,008, fo. 44r.

⁶ *Cartularium Abbathie de Rievalle Ordinis Cisterciensis Fundatae Anno MCXXXII*, edited by J. C. Atkinson (Surtees Society 83, 1887), p. 134 (no. clxxxvii).

⁷ *Cartularium Prioratus de Gysburne* [edited by W. Brown] (Surtees Society, 2 vols, 86 and 89, 1889–92), 69 (no. clxi).

⁸ *The Registrum Antiquissimum of the Cathedral Church of Lincoln*, edited by C. W. Foster and K. Major (Lincoln Record Society, 10 vols, 27–29, 32, 34, 41, 46, 51, 62 and 69, 1931–73), II, 251 (no. 550).

it was still possible *c.*1290 to express an unfree tenant (*nativus*) in terms of Roger *Faber de Schellaye quondam filius Roberti Sgar de Hecham*, the reception and ascribing of bynames thus complicated not only by inter-generational instability but also by migration.⁹ Numerous benefactors and quitclaimors to Fountains Abbey in Yorkshire exhibited the same divergence: Reginald *ad spinam filius H. de Rokesby*; Robert *carpentarius filius Johannis de Sunthorp* (also described as Roger *Carpentarius de Pikal filius J. de Sienthorp*); and Adam *de Ingletorp filius Petri Camerarii*.¹⁰

Within these examples is expressed the notion of change between generations in bynames, father and son assuming individual and different bynames. Flexibility existed furthermore in how an individual was described at different times. In charters of grant to Dale Abbey Robert *le Teuler* was, in the late thirteenth century, severally inscribed by that form, but also as Robert *Ruffus le Tuler* of Nottingham.¹¹

As illustrated above, a strict linear approach to naming processes, the diffusion of 'new' *nomina* followed by the progression through flexible unstable bynames to stable hereditary surnames, avoids the complications and is reductionist. If the Anglo-Norman nobility imported in 1066 hereditary, family surnames or adopted such second qualifying but permanent names immediately afterwards, then a strictly conflatory development, based on emulation by other social groups, would have involved the diffusion of hereditary surnames, not flexible bynames. Nevertheless, it seems clear that the intermediate stage of unstable bynames was interposed.¹² Conflatory diffusion from one higher social group to another through emulation is also complicated by the peasantry of parts of East Anglia in the late eleventh (or very early twelfth century), for on the estates of the Abbey of Bury St Edmunds a large

⁹ *Papers of Sir Nicholas Bacon in the University of Chicago Library* (List and Index Society Special Series 25, 1989), p. 118 (no. 1714).

¹⁰ Oxford, Bodleian Library, MS Rawl B 449, fos 67r–v, 75r and 132r.

¹¹ *The Cartulary of Dale Abbey*, edited by A. Saltman (Derbyshire Archaeological Society Record Series 2, 1967), pp. 284–87 (nos 410–11 and 413–14).

¹² Such is the interpretation of the detailed studies of the formation of hereditary surnames in the series of volumes produced by the English Surnames Survey (Marc Fitch Fund).

proportion of all peasant tenants had received bynames, apparently a continuation of the Old English formulation of bynames.¹³

By the end of the twelfth century, bynames became normal widespreadly amongst all social groups; they were not, however, normative, since some of the peasantry continued to be identified by the *nomen*—‘forename’—only. In the survey of the estates of the Bishop of Ely in Cambridgeshire, Norfolk, Suffolk, Essex and Hertfordshire, for example, over 120 peasant tenants were identified without bynames or *cognomina*. Additionally, the preponderance of peasants holding tenants jointly—as *participes*—were identified solely by their *nomina*. At Downham, for instance, Godwin and Martin jointly held a *dimidia terra* (half a standard holding) as did Anfred and Ivo, Ralph and Hubert, Martin and Thomas, John and Robert, Ascelin and John, all unfree tenants.¹⁴ Their identification was thus sufficiently construed through their joint tenancy (usually as pairs) and their *nomen*.

Returning to the other 123 tenants who were identified by the *nomen* only but held tenements separately rather than jointly, forty-eight held insular *nomina* and seventy-five Continental Germanic or Christian names. Considering the insular *nomina* initially, thirty-eight *nomina* comprehended the forty-eight tenants, so that the *nomina* were preponderantly distinctive, except for the four tenants designated Godric, four Godwin, two Estmund, two Osmund, two Elstan and two Goldwin.¹⁵ Those seventy-five tenants with ‘new’ names were attributed fifty-nine different names, of which Ranulph and Godard (each four tenants), Alexander and Barth-

¹³ *Feudal Documents from the Abbey of Bury St Edmunds*, edited by D. C. Douglas (London, 1932). The late Cecily Clark and I came to this conclusion independently.

¹⁴ London, British Library, Cotton MS Tib II, fo. 94r. The same phenomenon existed at: (fo. 102r) Doddington (Cambs.) (the *operarii*); (fos 124v–26r) Northwold (Norfolk) (joint tenants of holdings of 48 acres); (fos 130r–31r) Hadstock (Essex) (joint tenants of 20 acres); (fos 136v–37v) Gransden (Cambs.); (fos 139v–43r) Hatfield (Herts.); (fos 153v–56r) Elm (Cambs.); (fos 157r–v) Emneth (Norfolk); (fos 158r–59v) Wells (Norfolk); (fo. 161r) Terrington (Norfolk); and (fos 167r–69v) Walpole (Norfolk).

¹⁵ The enumeration otherwise included: Stangrim; Purbern; Childung; Outi; Purstan; Ailward; Swein; Osgar; Leveric (Leofric); Osmund; Starling; Ailmer; Britwi; Ulfketel; Lefpein; Unwin; Ulf; Wigot; and Harold.

olomew (each three), Augustine, Harvey, Hubert, Gregory, Silvester, Absolon and Gervase (each two) recurred. Within this corpus of seventy-five tenants, the other *nomina* occurred only once. Many of these names, however, were not idiosyncratic, for the corpus included not only Ranulph, Alexander, Bartholomew and Gervase, but also Gilbert, Alan, Arnold, Nigel, Elias, Fulk, Godfrey, Walter and Geoffrey. Moreover, the 'Christian' *nomina* in this body of names embraced Peter, Clement, Matthew, Andrew, Michael, Adam and John. Whilst, therefore, these names were not exotic, they were sufficiently distinctive to serve on their own for purposes of identification in formal written, local records, even in 1222.

Although in sections of the survey of 1222 it is difficult to be precise about legal status, it is possible to conjecture that fourteen of this body of tenants were free, twenty-seven unfree with standard holdings, thirty-two were tenants of a few acres (fewer than eight) but of indeterminate legal status, and thirty-five tenants of merely cottages, tofts, or messuages. Thus, whilst the majority belonged to the ranks of those of unfree legal status, identification by *nomen* only also extended to the free, and in terms of socio-economic standing these tenants predominantly held small holdings but not exclusively so since a fair proportion had acquired standard peasant tenements.¹⁶

Ineluctably, such evidence points in the direction that although by-names were normal, they had not yet become normative. Peasants could still be sufficiently identified only by the *nomen* where their name was distinctive within the manor. Consequently, twelve tenants were identified in this manner on the episcopal manor of East Dereham, nine at Thorpe, eight at each of Somersham and Doddington, seven at Ely, five at each of Hecham, Walpole and Linden, four at each of Emneth, Pulham and Littlebury, three at Willingham, Balsham, Hatfield and Hadham, two at each of Hadstock, Gransden, Terrington, Walton and Tydd, and one at each of Downham, Stretham, Brandon, Feltwell, Hardwick, Kelshall, Hartest and Glemsford.

¹⁶ For a free tenant: Ranulph *tenet unum mesuagium pro sex denariis equaliter et de Witepunt unum denarium* (amongst the free tenants of the manor of Ely in 1222): London, British Library, Cotton MS Tib B II, fo. 86r.

Moving into the middle of the thirteenth century, peasant tenants of the Abbey of Bec appear in the house's rentals of its estates occasionally by *nomen* only. Whilst twenty virgaters at Ogbourne St George (Wiltshire) were described with bynames, one, Turbert, was not ascribed one. Amongst the half-virgaters there, sixteen were dignified with a byname, but Ringer not. Of the eleven tenants of four acres, two were not attributed bynames, Milot and Michael.¹⁷ On many other of the abbey's manors, with large tenant populations, one or two peasants were acknowledged by their *nomen* only: Gocelin and Solomon at Ogbourne St Andrew (both virgaters); Osgod at Combe (virgater); Alexander and Albin at Wantage (half-virgater and smallholding); Osmund at Quarley (virgater); Alexander at Povington (virgater); Alan at Hungerford (messuage); *Rocelinus* at Brixton Deverill (croft); Fray at Ruislip (croft); Sander at Swyncumbe (virgater); Gamel at Lessingham (fourteen acres); and Walding at Bledlow.¹⁸

To a lesser extent that position existed into the late thirteenth and early fourteenth century. For example, in the lay subsidy (taxation) of Wiltshire in 1332, at least three taxpayers were described without a byname: Achard at 16s. 4d., Gerard at 12d. and Marter at 12s.¹⁹ In most of these cases, the *nomen* is unusual and so is distinctive in itself. That is not entirely the explanation, however, for Gerard was not of itself extraordinary in the wider context of naming; it must, however, have been considered distinctive within local terms, that is within the vill, in this case Tilshead. What can be elicited from these entries, therefore, is that the *cognomen* was not entirely requisite in all conditions and that even at this late stage in the development of bynames and surnames the *nomen* could stand on its own for identifying and describing. In other words, the *nomen* was still to some extent regarded as *the* name and the byname remained a qualifier.

How ambiguous was the situation in the early thirteenth century is

¹⁷ *Select Documents of the English Lands of the Abbey of Bec*, edited by M. Chibnall (Camden 3rd series 73, 1951), pp. 30–32.

¹⁸ *Ibid.*, pp. 38, 41, 50, 53, 60, 63, 68, 72, 79, 88, 111 and 121.

¹⁹ *The Wiltshire Tax List of 1332*, edited by D. Crowley (Wiltshire Record Society 45, 1989), pp. 29, 52–53, 76 and 96.

represented by the numerous taxpayers without *cognomina* in the lay subsidy rolls for parts of Wiltshire and Lincolnshire in 1225—over 100 contributors in Wiltshire, for example. Whilst some of the *nomina* were exceptional, others were not generally extraordinary but presumably sufficient to allow identification within the parish: Ælfric (three); Ælwin (three); Æthelelm; Alexander; Anketil (two); Arnold; Augustine; Baldwin; Bartholomew; Benedict; Berenger; Bertus; Brungar; Clement; David; Edmund; Edolf (three); Edward; Eilaf; Eimer; Elias; Erdigh; Erich; Ernis; Eustace; Fabian; Geoffrey (two); Gerard; Gervase (two); Gilbert; Godfrey; Godwin (three); Hamo; Henry; Herbert (three); Hugh; Jordan (two); Jugerand; Ketel; Laurence; Mark; Matthew (two); Miles; Odo; Osbert (two); Osmund; Patrick; Peter; Philip (four); Picot (two); Ranulph (two); Richard; Richer; Roger; Saman (Seman—three); Samson (two); Sawin (Sewin); Sigar; Simon; Snelgar; Stephen (six); Swein (two); Turgis; Turstan (two); Vincent; Walter; Wifric; and Wulfric. In part of Lincolnshire in 1225, more than sixty taxpayers were represented by their *nomen* only, their corpus of names consistent with those in Wiltshire with additionally Adam (two), Alan, Alwi, Andrew, Astin, Durand, Guy, Harvey, Ivo (two), John (two), Lambert (three), Leonard, Maslin, Maurice, Michael, Nicholas, Ralph, Reginald, Thomas (three) Torold (three), Ulkil and Warner.²⁰

This understanding of the status of the two components of names (the *nomen* ('forename') and *cognomen* ('byname')) can be confirmed by further evidence of identification by *nomen* only in the late thirteenth and early fourteenth centuries. Considering another lay subsidy, that for Rutland in 1296–97, nine men were identified for the purposes of the taxation simply by a *nomen*: Alexander at Martinsthorpe; another Alexander at Oakham; Alwin at Langham; Aubrey at Ketton; Bartholomew at Whitwell; Gervase at Wardley; Hamund at Oakham; Remund at Greet-ham; and Wolewin at Essendine. Whilst two of these names constituted by now unfashionable ones, since they were of insular Old English

²⁰ *Rolls of the Fifteenth of the Ninth Year of the Reign of Henry III for Cambridgeshire, Lincolnshire and Wiltshire, and Rolls of the Fortieth of the Seventeenth Year of the Reign of Henry III for Kent*, edited by F. A. and A. P. Cazel (Pipe Roll Society, n.s. 45, 1983 for 1976–77).

derivation, most of the others were not exotic. The identification by this least means must therefore have depended not upon the names being generally uncommon, but upon their existence in isolation within that settlement. Nor was the identification solely by *nomen* associated with lower echelons, for these taxpayers contributed a mean taxation of 31d. (standard deviation 12.9) and median of 33d.—although Nigel, who was enumerated in the lay subsidy for Nottinghamshire at Northwell, contributed only 9d.²¹ Although these taxpayers identified by *nomen* only were few in number, the significance of the *nomen* remained.

Similarly, a residual number of taxpayers to the Lincolnshire lay subsidy in 1332 were described by their *nomen* alone: Boniface at Wiverton (2s. 8d.); Vincent at Helpringham (6s. 2d.); Nigel at Rowston (1s. 2½d.); Luke at Martin (2s. 6½d.); Hubert at Navenby (2s.); Askin at Scotter (1s.); *Francus* at Killingholme (2s. 7d.); Anselm at Willingham (1s.); and Jordan at Fotherby (3s. 2d.).²² It is perhaps not surprising that comparatively more taxpayers were identified by the *nomen* alone in the 'North' where developments in naming processes occurred at a different rate. In the Cumberland lay subsidy, for example, seven male taxpayers in the early fourteenth century were described in this manner whilst in Northumberland in 1296–97 fifty-four, in both counties from smaller taxable populations.²³ These taxpayers in Northumberland were comprehended by forty-two *nomina*, only a small number of which were exotic or distinctive. Whilst none of the names pertained to the ten most frequent *nomina*, a considerable proportion remained in wide use: Elias; Gerard; Arnold; Humphrey; Edmund; Ingram; Gocelin; Laurence; Gregory; Godfrey; Ranulph; Geoffrey; Clement; Benedict; Vincent; Alexander; and Luke.

²¹ P. R. O. E179/165/1; P. R. O. E179/159/5 m. 8.

²² P. R. O. E179/135/14, m. 1; E179/135/15 mm. 21, 24, 25, 30; E179/135/16 mm. 8, 18, 20 and 24.

²³ *Cumberland Lay Subsidy ... 6th Edward III*, edited by J. P. Steel (Kendal, 1912), pp. 3, 5, 14, 28, 30 and 50; *The Northumberland Lay Subsidy Roll of 1296*, edited by C. M. Fraser (Society of Antiquaries of Newcastle upon Tyne, Record Series 1, 1968), pp. 11, 12, 19, 22, 24, 26, 29, 30, 31, 35, 36, 53, 70, 72, 83, 84, 86, 91, 104, 105, 107, 112, 113, 118, 119, 120, 125, 128, 133, 134, 135, 140, 143, 146, 151, 152, 153, 154, 155, 176 and 177.

Seemingly only one tenant in the *Rotuli Hundredorum* for two hundreds in Warwickshire in 1279–80 was identified by *nomen* only, Solomon who held half a virgate and a cottage.²⁴ At a similar time, in 1288/9, a rental of Luffield Priory's lands recorded a cottage held by Alexander.²⁵ Even towards the end of the thirteenth century, therefore, some peasant tenants received no *cognomen* or byname in some written records.

Designation by *nomen* alone was not confined to taxation records produced for central government, but occurred 'locally' in manorial court rolls. Whilst all other tenants appearing in the manorial court of Hundsworth in the West Riding were attributed bynames, Colin was adequate nomenclature for this particular tenant.

Colin [sic] quia non est prosecutus uersus Ricardum del Lache [in detinue, 1327]²⁶

[Colin because he did not pursue his plea against Richard *del Lache*]

Such was his limited identification when also presented for the escape of oxen and pigs in 1337.²⁷ In charters also the description of lands by abutments occasionally involved reference to the tenant simply by *nomen*: *quam Samson de eadem uilla quondam de nobis tenuit* and *Quarum Normannus tenuit unam et Johannes Muus aliam*.²⁸ Even in some legal proceedings, in default of a known byname, individuals were identified by their forenames only; that situation indicates that people moved around as *extranei* (outsiders) known often only by their 'forename' without wider cognizance of their byname. In the testimony of the vill of Adwick before the Yorkshire Crown Pleas in 1218–19 (obviously an early time in the widespread use of bynames in any case), the jurors reported:

²⁴ *The Warwickshire Hundred Rolls of 1279–80. Stoneleigh and Kineton Hundreds*, edited by T. John (British Academy Records of Social and Economic History, n.s. 19, 1992), pp. 88–89.

²⁵ *Luffield Priory Charters*, edited by G. R. Elvey (2 vols, Buckinghamshire Record Society 15 and 18, 1968 and 1975), II, 404.

²⁶ Nottinghamshire Archives Office, DDSR 1/6/3.

²⁷ Nottinghamshire Archives Office, DDSR 1/6/5.

²⁸ Oxford, Bodleian Library, Fairfax MS 9, fos 88v and 89v (one bovate and two bovates in respectively Ulnsthorp and Fraistingthorpe).

et postea dixerunt quod audierunt dici quod quidam Dawe eum occidit ...
[and afterwards they said that they heard said that a certain Dawe killed him
...] ²⁹

In the same forum at the same time, jurors reported the discovery of the body of ‘a certain Gamel’ who had been killed.³⁰ The jurors of Chippenham Hundred in Wiltshire in 1281 attributed the death by axe of Thomas *de Bradeford* to *quidam Radulfus nomine* (‘a certain man by name Ralph’).³¹ The identification of the *nomen* was utmost in the minds of the jurors who reported on a body found in Gloucestershire in 1221—*quidam extraneus Wulnothus nomine* (‘a certain outsider called Wulnoth’).³²

Further deferral of byname arose from some continued flexibility and lexical content of forenames—perhaps newly created ones. Again, it is possible that this creativity was limited to the margins, so that some of the illustrations are Jews. Two pledges for another Jew at the Gloucestershire Crown Pleas could be described simply as *Bonefey* and *Duce-furmage* in 1221.³³

Heretofore, only rural locations have been considered, where it is revealed that although normal, bynames had not yet become completely normative. In boroughs, the situation might have evolved to a different level, for here there is evidence of customs requiring the employment of both ‘forename’ and byname. Perhaps the most direct evidence derives from the customs of Godmanchester (Huntingdonshire) in 1324, for cap. 28 required:

²⁹ *Rolls of the Justices in Eyre, Being the Rolls of Pleas and Assizes for Yorkshire in 3 Henry III (1218–19)*, edited by D. M. Stenton (Selden Society 56, 1937), p. 205 (no. 505).

³⁰ *Ibid.*, p. 386 (no. 1079).

³¹ R. E. Latham and C. A. F. Meekings, ‘The *verdictum* of Chippenham Hundred, 1281’, in *Collectanea*, edited by N. J. Williams and T. F. T. Plucknett (Wiltshire Archaeological and Natural History Society Records Branch 12, 1956), p. 79 (no. 19).

³² F. W. Maitland, *Pleas of the Crown for the County of Gloucester before the Abbot of Reading and his Fellows Justices Itinerant, in the Fifth Year of the Reign of King Henry the Third ... 1221* (Gloucester, 1884), p. 111 (no. 476).

³³ *Ibid.*, p. 115 (no. 497) and p. 134.

Item quod quisquis placitans in placitis respondebit et voca[bi]tur per illud nomen et cognomen per quod communius et plus vocatur sine aliqua excepcione calumpnianda.³⁴

The volume of litigation and commercial transactions even in small towns and boroughs, and the involvement of outsiders in this commerce, necessitated more formal and certain identification.³⁵ It is entirely possible that this injunction at Godmanchester was merely reiterative, confirming existing practice and expectation.³⁶ Another influence, however, emanated from a more general legal context, the failure of plaintiffs because of miskenning and the identification of people incorrectly, whether in oral complaints, in the *narratio* (verbal count) or in writs.

The continuing ambiguity surrounding bynames is reflected in the employment of the periphrase *dictus x*, as though, in some cases, the attribution of the byname required some circumspection. Numerous examples exist, so the following are merely intended to be illustrative. The assumption of occupational bynames is exemplified in several particular examples. In 1330 Alan *dictus Prest capellanus de villa de Gateshevide* granted a tenement in Newcastle; in the same borough in 1291–92 is encountered John *dictus Page quondam serviens Johannis Schot*; and in the borough of Burton in 1319 a messuage and curtilage were held by Henry *dictus Nayl faber* who was ascribed a metonymic byname.³⁷ Ambivalence about bynames is further attested in Newcastle

³⁴ *Borough Customs I*, edited by M. Bateson (Selden Society 18, 1904), p. 161: ‘That every one pleading in pleas shall answer and be called by that name and surname by which he is most commonly called without taking any exception.’

³⁵ J. A. Raftis, *A Small Town in Late Medieval England: Godmanchester 1278–1400* (Toronto, 1982), p. 153.

³⁶ *Ibid.*, p. 153.

³⁷ *Early Deeds Relating to Newcastle upon Tyne*, edited by M. Oliver (Surtees Society 137, 1924), pp. 26 and 81 (nos 26 and 118); D. G. Stuart, ‘A rental of the borough of Burton, 1319’, *Collections for a History of Staffordshire edited by the William Salt Archaeological Society*, 4th series 16 (1994), p. 22. In the case of this *Prest*, the byname had undoubted origins in the bearer’s status/occupation; occasionally a distinction is made: *predictus Radulphus Clericus non officio ita vocatus sed cognomine: Westminster Abbey Charters 1066–c.1214*, edited by E. Mason *et al.* (London Record Society 25, 1988), p. 246 (no. 406).

by a charter of 1316 which alluded to Ralph *dictus Schepe*, Geoffrey *dictus Lewyne* and Robert *dictus Jargoun*.³⁸ In the same area, a grantee in a charter of the late thirteenth century was designated Nicholas *dictus Cole*, whilst another charter was attested by Alan *dictus Solet*; other charters involved Emma *dicta Cheverun*, Peter *dictus Wolleward* and Richard *dictus Pygune*.³⁹ In some cases, the etymology of the periphrase is revealed, for Henry *dictus Kellawman* son and heir of Robert *de Birden*, as grantor to William de Kellaw junior, attorned the services of his tenants to William in 1342. In this case, the periphrase derived from the relationship between Henry and William.⁴⁰ Two bovates held in Bernaldby by William *dictus Suart filius Adae de Oswaldekyrke* were granted to Guisborough Priory.⁴¹ In the south of the country, Richard *dictus ate Parlour* in 1275 acquired a curtilage in Sussex.⁴²

Some comprehension of the character of the periphrase (*dictus x*) can be obtained from charters relating to lands and rents in Coventry in the thirteenth and fourteenth centuries. Although still in a minority of cases, the periphrase was frequently employed in those charters, both for parties and for witnesses. Two contexts need to be elucidated: first, the bearers were simultaneously identified by their byname without *dictus*; and secondly some of the bynames which featured *dictus x* were being inherited over two generations. Now, it might be inferred that the use of *dictus x* perhaps merely constituted the conceit of some of the *scriptores* of the charters, but that seems unlikely to have influenced all cases. Even if that was so, they were deploying a convention familiar to and recognisable by the townspeople.

Occasionally within the same charter the periphrase is employed and then the byname without the periphrase, an example of which is Henry *de Coventr' pistor* as named in the parties to the charter, but who later occurred in the consideration in the same charter as Henry *dictus*

³⁸ *Early Deeds Relating to Newcastle upon Tyne*, edited by Oliver, p. 128 (no. 216).

³⁹ 'The Greenwell Deeds', edited by J. Walton, *Archaeologia Aeliana*, 4th series 111 (1927), pp. 31 (no. 62), 36 (no. 73), 41 (no. 86), 43 (no. 89) and 54 (no. 119).

⁴⁰ *Ibid.*, p. 80 (no. 168).

⁴¹ *Cartularium ... Gyseburne*, p. 213 (no. ccccxli).

⁴² *The Chartulary of the Priory of St Pancras at Lewes I*, edited by L. F. Salzman (Sussex Record Society 38, 1932), p. 103.

Pistor.⁴³ Now, as Table 1 demonstrates, Henry *dictus Pistor* had a son, Robert, who continued to be known by the periphrase *dictus Pistor* as well as simply Robert *Pistor*, but on one occasion as Robert *filius Henrici dicti Pistoris*. Finally, the observation might be advanced that in these Coventry charters the deployment of the periphrase occurred only in the late thirteenth century, whilst uncomplicated bynames (not periphrases) were consistently used in the first half of the century. Paradoxically, as bynames became established and even developed into surnames, so the ambiguity of *dictus x* interfered.

The same phenomenon existed in other thirteenth-century urban places. Peter *sutor dictus Swyft* quitclaimed his right in a toft in Derby in 1281.⁴⁴ In that borough, Mr Walter *dictus Brun* received half a toft from Darley Abbey in 1261 × 1275.⁴⁵ Land was held in Derby by William *dictus Fox* about the same time and in 1278 land in the 'sub-urban' vill of Alvaston was quitclaimed to Darley Abbey by Andrew *de Aluuaston dictus del Essh*.⁴⁶ A principal burgess in Southampton in the late thirteenth century was Richard *dictus Anglicus* appearing in charters between 1252 and 1286.⁴⁷ There too *dicta Flaming* and *dictus Flammengus* were attributed to Petronilla and John *clericus* as grantors.⁴⁸ In this environment Walter *dictus Aurifaber de Wintonia* was a grantor.⁴⁹ In Reading, the style can be observed: Gilbert *Galun dictus Capellanus*; John *dictus le Warener*, burgess; and Hugh *dictus de Stokes* alias *dictus Stoke*.⁵⁰ In most cases, the names of all other burgesses were uncompli-

⁴³ *The Early Records of Medieval Coventry*, edited by P. R. Coss (British Academy Records of Social and Economic History, n.s. 11, 1986), p. 325 (no. 733) (1260s/1270s).

⁴⁴ *The Cartulary of Darley Abbey*, edited by R. R. Darlington (Kendal, 2 vols, 1945), I, 107 (no. A67).

⁴⁵ *Ibid.*, p. 132 (no. B50).

⁴⁶ *Ibid.*, pp. 138 (no. C2) and 261 (no. F42).

⁴⁷ *The Cartulary of the Priory of St Denys near Southampton*, edited by E. O. Blake (2 vols, Southampton Record Series 24–25, 1981), pp. 34, 43, 47, 49, 50 and 94 (nos 56, 73, 80, 84–86 and 162).

⁴⁸ *Ibid.*, pp. 68, 78 and 99 (nos 114, 134 and 172).

⁴⁹ *Ibid.*, p. 77 (no. 132).

⁵⁰ *Reading Abbey Cartularies*, edited by B. R. Kemp (2 vols, Camden 4th series 31–

cated, without *dictus*. It was in the early thirteenth century that bynames of influential burgess families were becoming hereditary. In the late thirteenth century, nevertheless, it was occasionally felt prudent to make the reminder that bynames were effectively still second qualifying names, not the real *nomen*.⁵¹

This emphasis on the *nomen* might have informed the description of appellants and witnesses in ecclesiastical courts. In a select number of causes in the provincial court of Canterbury between 1271 and 1301 *dictus* was interposed very frequently: Adam *dictus Gefray de Heme-stede*; Arnold *dictus Maget de Lesingham*; Hugh *dictus Coleman de Hemstede*; William *dictus Jeremye*; Hugh *dictus Crisping de Lesingham*; Thomas *dictus Aleyn de Eccles*; Robert *dictus Norman de Hameslape*; Adam *dictus de Camera de Quethamstede*; William *dictus Faber de Butteford*; Mr Walter *dictus de Corf*; Thomas *dictus de Bosco clericus*; John *dictus Juvenis de Septone*; William *dictus la Ware*; Roger *dictus le Stivur de Cornubia*, citizen of London; John *dictus Calun*; Peter *dictus Twynere*; Hugh *dictus de Batayle*; Gilbert *dictus Grim*; and Thomas *dictus le Lyndraper* of London.⁵² All the defendants accused in a cause about defamation in 1291 pertained to this category: John *dictus Blake*; Walter *dictus le Hide*; and Joan *relicta quondam Willelmi dicti Holepot*.⁵³ Fortunately, descriptions of witnesses allow a further context for the bearers of these prolix bynames, illustrating that *dictus* was accorded not only to witnesses of lower social groups, but to wider categories of people. Some did, of course, probably preclude high social status. Robert *dictus Cordeboef*, for example, was portrayed as *illiteratus*

32, 1986–87), II, 160, 162 and 218–19 (nos 920 and 1045–46).

⁵¹ *Medieval Deeds of Bath and District*, edited by B. R. Kemp and D. M. M. Shorrocks, I. *Deeds of St. John's Hospital, Bath*, edited by B. R. Kemp; 2. *Walker-Heneage Deeds*, edited by D. M. M. Shorrocks (Somerset Record Society 73, 1974), p. 28 (no. 33): as late as 1322, the first attestation to a charter by John *dictus Pistor*, mayor of Bath.

⁵² *Select Cases from the Ecclesiastical Courts of the Province of Canterbury c.1200–1301*, edited by N. Adams and C. Donahue (Selden Society 95, 1981 for 1978–79), pp. 84–85, 110–12, 118, 137, 152–53, 199, 214, 234, 336, 346, 372 and 688.

⁵³ *Ibid.*, p. 376.

in 1291—‘unlettered’ in Latin.⁵⁴ Although of free status, William *dictus Brun de Bekdon*’ was also contained within the category of *illiterati*, as also Henry *dictus le Lung*.⁵⁵ Interestingly, several very old witnesses were ascribed the term *dictus*, despite their advanced years: Robert *dictus Mareys* of Brampton and John *dictus Frankeleyn*, both *illiterati* and aged over sixty; and Hugh *dictus Parneberi* of Moulton, considered to be about eighty, and also *illiteratus*.⁵⁶ By comparison, the rector of Nympsfield, prosecuting his cause, was described as John *dictus Blundel* and a proctor appointed to a case at the same time (1292) as John *dictus Hert (dictus le Herth) clericus*.⁵⁷ In similar vein, the identity of the notary public who corroborated the sentence in a cause in 1291 was expressed as Adam *filius Ade Swany de Boterwyk dictus de Lyndeseye*, although later in the proceedings this convoluted form was elided to Adam *de Lyndeseye*.⁵⁸ At a very high ecclesiastical status, the proctor appointed by Bishop Thomas de Cantilupe as his proctor in Rome in 1276 was defined in the episcopal register as John *dictus Walensis*.⁵⁹

The interposition of *dictus* did not imply a progression from circum-spection to certainty in the attribution of byname. Subjects might well be designated with and without *dictus* contemporaneously and in bewildering fashion, an excellent example of which is Walter *Prest* senior and junior in Melton Mowbray in Leicestershire in the early fourteenth century. The form Walter *dictus Prest* occurred in charters dated 1302, 1316 1317, 1318, 1319, 1320, 1321, 1323 and 1324, yet the simpler Walter *Prest* also appeared in charters dated 1298, 1304, 1310, 1316, 1317, 1319 and 1322, as well as 1325, 1326, 1327, 1328 and 1331.⁶⁰

⁵⁴ *Ibid.*, p. 440.

⁵⁵ *Ibid.*, pp. 548 and 608.

⁵⁶ *Ibid.*, pp. 621–62.

⁵⁷ *Ibid.*, pp. 515 and 534.

⁵⁸ *Ibid.*, pp. 492–93.

⁵⁹ *The Register of Thomas de Cantilupe, Bishop of Hereford (A.D. 1275–1282)*, edited by R. G. Griffiths (Hereford, 1906), p. 107.

⁶⁰ Oxford, Bodleian Library, MS Wood Empt 7, (*dictus*) fos 4r–5r, 6v, 7r–v, 13r, 14r–v, 15r (including Walter *filius Walteri dicti Prest*, 1316), 16r (Walter *filius Walteri dicti Prest*, 1319), 19v–20r, 20r–v, 28r–v, 35r–v, 41r–v and 71r; (without *dictus*) fos 8r, 11r, 15v–16r (Walter *filius Walteri Prest*, 1316), 16r–v (Walter *filius*

Table 1

Description	Location	Status	Date	Page references (number)
Ranulph <i>dictus de Stivichale</i>			1250s/ 1260s	78 (67) ⁶¹
William <i>dictus Sley</i>	Upper Park St.	grantor	1280s	95 (111)
Alexander <i>dictus Vineter/dictus Vinitarius</i>	Little Park St., West Orchard	Lessor, grantee	1280s, 1290	96 (115), 301 (657–58)
Robert <i>dictus Pistor</i> [bailiff in some years], Robert <i>filius Henrici dicti Pistoris</i> [see below]	Little Park St., Earl St., Hay Lane, Spon St.	Witness, grantor	1297, 1300, 1303, 1306	101 (129), 148 (252), 204 (406), 235 (492), 340 (746)
Robert <i>dictus Molendinarius</i>	Much Park St.	Grantor	1270s/ 1280s	108 (148)
William <i>dictus Parcarius</i> [coroner in some years]	Much Park St., Gosford St.	Witness	1296– 97	111 (158), 180 (344–45), 185 (358–59), 240 (508–10), 242 (513), 338 (742)
William <i>dictus Galewey clericus</i>	Earl St.	Witness	1280s	134 (216)

Walteri Prest, 1317), 16v–17r, 17r (*Walter filius Walteri Prest*, 1319), 19v, 38v (*Walter Prest*, 1310), 40v (*Walter Prest*, 1298), 47r–v, 48r, 49v, 52r–v, 54r–v, 57r and 71v.

⁶¹ *Early Records of Medieval Coventry*, edited by Coss.

Description	Location	Status	Date	Page references (number)
John <i>dictus Payn presbiter</i>	Earl St.	Grantor	1270s	134 (218)
Henry <i>dictus Pistor</i> [see above, Robert <i>dictus Pistor</i>]	Earl St., St Nicholas St.	Grantee	1270s, 1293	135 (219), 285 (618), 286 (619)
Richard <i>dictus de la Myre</i> merchant	Earl St.	Quitclaim by	1290 × 1297	138 (227)
William <i>dictus de Bury</i> merchant	Earl St.	Quitclaim to	1290 × 1297	138 (227)
Richard <i>dictus le Brochere</i>	Gosford St.	Grantor	c.1280	165 (301)
William <i>dictus Blabestere</i>	Gosford St.	Grantor	1280s	173 (324)
Robert <i>dictus de Lodelawe</i>	Hay Lane	Grantor	1270s/ 1280s	192 (376)
Gilbert <i>dictus le Wyhte</i>	Hay Lane	Grantor		193 (378)
Richard <i>dictus le Burser'</i>		Grantor	1270s	214 (431)
Henry <i>dictus de Kyderminster'</i>	Spon St.	Grantor	1270s	225 (460)
Richard <i>dictus Rex</i>	Spon St.	Grantor	1250s/ 1260s	226 (465)

Description	Location	Status	Date	Page references (number)
Margery <i>dicta la leche</i> (wife of Robert <i>de Esscheby</i> senior)	Spon St.	Grantor	1280s/ 1290s	237 (500)
Robert <i>dictus de Engeland'</i> merchant	Spon St.	Grantor	1291	238 (503)
Mr Richard <i>dictus Vinitarius</i>		Grantor	1254 × 1258	248 (525)
Simon <i>dictus Cocus</i>	Well St.	Grantor	1280s	263 (562)
Walter <i>dictus de Irlond'</i>	St Nicholas St.	Grantor	1293	288 (626)
John <i>dictus Abbot filius Rogeri Molendinarii</i>		Quitclaim to	1290 × 1297	296 (644)
Walter <i>dictus de Wyrecestr'</i>	West Orchard	Quitclaim to	1270s	300 (652)
Walter <i>dictus Banne</i>	Market area	Grantee	1280s	314 (690)
Robert <i>dictus Franceis</i>	Market area	Quitclaim to	1290 × 1297	317 (698–99)
Robert <i>dictus Anketill'</i>		Grantor	1240s/ 1250s	327 (717)

Perhaps a progression did occur in the case of Thomas Somenur, who, in probably his earliest description, was designated Robert *dictus Somenur clericus* and Thomas *de Syreford dictus Somoner*, the latter when receiving ten acres of arable in Melton Mowbray. In this case, it seems that there was a transition in his byname from the toponymic *de Syreford* to *Somoner*, reflecting his (recently acquired?) clerical status.⁶² By 1329–33, he was more simply known as Thomas *Somonour* or Thomas *Somonour clericus*.⁶³ What is exemplified here is how some bynames remained in flux and in those cases how *dictus* represented a transitional stage in the change from one byname to another for the same individual.

In other contexts, the periphrase *dictus x* reflected a more colloquial naming other than the received byname, as in, for example, John *Timpan dictus Rus* of Haynes. Here, although he had been attributed a byname (*Timpan*), John was more regularly denoted as *Rus* in the local speech community.⁶⁴ So also Walter *Walraund dictus le Heyward* was acquitted of burglary in 1302.⁶⁵ Found not guilty for robbery, Henry *le Rede dictus Skynnere* had been accused in the same forum.⁶⁶ William *de Lyndley dictus Tyrewiggel* gave half a mark for an inquisition in the manor of Wakefield in 1277.⁶⁷ In 1277, William *Tyrewiggel* was accused of theft of chattels from a house in Wakefield.⁶⁸

Since he was once in the service of a rector in Wiltshire, John *de Guldeford* was qualified *dictus Garscoun*.⁶⁹ Moreover the indictment against John in 1276, who was acquitted of the crime of homicide,

⁶² Oxford, Bodleian Library, MS Wood Empt 7, fos 13r–v and 28v.

⁶³ Oxford, Bodleian Library, MS Wood Empt 7, fos 39r–40v and 68v–69r.

⁶⁴ R. Hunnisett, *Bedfordshire Coroners' Rolls* (Bedfordshire Historical Record Society 41, 1961), p. 34 (no. 76): presumably 'red' for hair colour or complexion.

⁶⁵ *Wiltshire Gaol Delivery and Trailbaston Trials 1275–1306*, edited by R. B. Pugh (Wiltshire Archaeological and Natural History Society Records Branch 33, 1978 for 1977), p. 86 (no. 365).

⁶⁶ *Ibid.*, p. 93 (419).

⁶⁷ *The Court Rolls of the Manor of Wakefield*, edited by W. Paley (Yorkshire Archaeological Society Record Series 29, 1900), p. 163.

⁶⁸ *Ibid.*, p. 161.

⁶⁹ *Wiltshire Gaol Delivery and Trailbaston Trials*, edited by Pugh, p. 37 (no. 27).

mentioned that he was summoned before the coroner only because he was a ‘stranger’, suggesting that he had recently migrated, that his byname *de Guldeford* reflected that recent migration, and that he was known locally within Wiltshire as *Garscoun* through his service to the rector, Henry *de Bingham*. Furthermore, the itinerary of John had extended to Dorset where the crime had been committed and to New Salisbury where he was arrested. It seems evident that his toponymic byname was assumed through his journeying, but upon his settlement a new byname or colloquial naming was being negotiated locally.

What apparently lies behind the use of the periphrase to denote an alternative *cognomen* is local negotiation about an inhabitant’s byname. In some cases, the individual was simply recognised by two alternative bynames, but in other instances what might be at issue was a negotiation about what the local inhabitants would call an individual. It is thus, for example, possible that Bartholomew *de Thyngden’ dictus le Criur* who, in 1300, made a benefaction in free alms to Reading Abbey, was acknowledged in his local settlement as *le Criur*.⁷⁰ To be emphatic, the context was not just the continued instability and flexibility of the bynames of some individuals, but also an engagement between individual and local community about the preferred byname.

Such a process of local negotiation about alternative bynames is illustrated by the rector of Reydon (Suffolk) in 1285/6, who was described in a charter as Henry *de Guldeford dictus le Marescall’*.⁷¹ In the nature of an institution to a living, *de Guldeford* was an immigrant. Perhaps that influence—migration—pertained too with Henry *dictus Kyneman filius Roberti de Seluestan’*, also known by a syncope, Henry *dictus Kyneman de Seluestan*, who made substantial benefactions (possibly more than two virgates) in Beachampton to Luffield Priory in 1260 × 1265.⁷² Negotiation around the byname did not always concern outsiders, however, for local discussion about bynames for insiders also happened. In the rental of the Sibton Abbey estates in 1328, a messuage and five and a half acres were held by an unfree tenant (*nativus*), John

⁷⁰ *Reading Abbey Cartularies*, edited by Kemp, II, 283 (no. 1153).

⁷¹ *Papers of Sir Nicholas Bacon*, p. 116 (no. 1689).

⁷² *Luffield Priory Charters*, edited by Elvey, II, 369 and 382 (nos 723–24 and 741).

*Bertelot vocatus Prest.*⁷³ Behind the alternative bynames of a villein tenant of a house and ferling in Stretham might have resided the same local discussion about naming: William *Jakeman dictus Estoute*.⁷⁴

Another possibility exists: that *dictus* reflected a disguise, an alias, or an attempt at subterfuge. Consequently, the justices discovered how, in 1302, John *le Bakere dictus le Tayllur*, although he had abjured the realm because of a felony, had not emigrated, and so he was hung.⁷⁵ Intriguingly, *dictus* was employed frequently in the description of ‘criminals’ in the Kent ‘sessions of the peace’ in 1316–17. Appearing at those sessions John *dictus Erl* was accused of homicide, John *dictus Trotel* of theft of pigs, and William, John and Thomas *vocati le Welshe* of several burglaries, a rape and homicide.⁷⁶ No doubt because he consorted with a gang of thieves, including two men already outlawed, and was involved in numerous thefts, John Kipard was accorded the epithet *dictus Unwyse*.⁷⁷ As a result, some confusion surrounded his real *cognomen*, as, when he was convicted for robbery in 1317 and hung, he was recorded as John *Unwyse dictus Kypard*.⁷⁸ His nefarious activities at night presumably contributed to the description of Stephen ate Nelme *vocatus Monelight*, a thief who turned approver.⁷⁹ More fortunate than these others because of compassion and leniency of the jury, Alice daughter of Bartholomew Griffyn *vocata Dounyng*’ was set free this time (*hac vice*) as the value (11d.) of the chattels stolen were considered to be below grand larceny, so that allowance was made for their low value (*propter paruitatem precii*).⁸⁰

⁷³ *The Sibton Abbey Estates. Select Documents 1325–1509*, edited by A. H. Denny (Suffolk Record Society 2, 1960), p. 70.

⁷⁴ *Thirteen Customals of the Sussex Manors of the Bishop of Chichester*, edited by W. D. Peckham (Sussex Record Society 31, 1925), p. 116.

⁷⁵ *Wiltshire Gaol Delivery and Trailbaston Trials 1275–1306*, edited by Pugh, p. 86 (no. 363).

⁷⁶ *Kent Keepers of the Peace 1316–1317*, edited by B. H. Putnam (Kent Records 13, 1933), pp. 40 (nos 186 and 189) and 71 (no. 42).

⁷⁷ *Ibid.*, p. 48.

⁷⁸ *Ibid.*, p. 102 (no. 72).

⁷⁹ *Ibid.*, pp. 82 and 87 (nos 7 and 31).

⁸⁰ *Ibid.*, p. 99 (no. 60).

Alternatively, but less frequently in the thirteenth century, the periphrase concerned was *cognomento x*. At the very end of the thirteenth century, a tenant in Axminster was described once as *Henricus cognomento de la Lane de Axem* but also as *Henry de la Lane de Axemistr*.⁸¹ An example of the complexity and flexibility involving *cognomento* and unstable bynames is William *Puffin*. In 1253, he appeared as the grantor of twelve acres to Brinkburn Priory for the Lady light, under the style William *filius Elyae cognomento Puffyn*. When he added a toft and croft in the same vill, Thrasterton, his style in the charter was William *Puffin filius Helyae de Greteham*. By 1257, the charter by which he complemented his earlier gifts with another toft and croft and eighteen acres for a pittance on his anniversary, described him simply as William *Puffyn*.⁸²

The epithet *cognomento* occurred more frequently in the twelfth century. Sometime before 1213, lands in Reading had been held in gage by Robert *cognomento Rex*.⁸³ In 1134 × 1140, Anselm, abbot of St Benet of Holme, granted to Wither *cognomento Turnel* twelve acres and added also one acre which had been held by Leving *cognomento Ludding*, whilst in 1153–66 the grantee was retrospectively described as Wither *Turnel*.⁸⁴ In particular, the author of the life and miracles of St Godric observed the use of *cognomento* and related epithets. He referred, for example, to *Alia Editha de Herteburna Peregrina cognomento vocata*, this Edith having her hearing restored after a year of deafness; to *quidam vir Hugo nomine et peregrinus dictus agnomine* whose sight was restored; to *filia Radulfi cognomento Felaue*; to *Eccoc uxor Willelmi cognomento de Waltham*; to *quidam Waltheus nomine cognomento Aldene*, of seigniorial status.⁸⁵ Reference was also made to a certain female ‘chapman’ (*mulier pedissequa...mercenaria*) *cognomento Blache*

⁸¹ Oxford, Bodleian Library, MS Top Devon d 5, fos 32v and 33r; the charter at 32v is dated 1296.

⁸² *The Chartulary of Brinkburn Priory*, edited by W. Page (Surtees Society 90, 1892), pp. 36–37, 44 and 49 (nos xxxvi, xlvi and li).

⁸³ *Reading Abbey Cartularies*, edited by Kemp, II, 220 (no. 1049).

⁸⁴ *St. Benet of Holme, 1020–1210*, edited by J. R. West (Norfolk Record Society 2, 1932), p. 78 (no. 137).

⁸⁵ J. Stevenson, *Libellus de Vita et Miraculis S. Godrici Heremitaie de Finchale* (Surtees Society 20, 1845), pp. 400 (§454), 404 (§465), 416 (§505) and 423 (§524).

id est Nigri.⁸⁶

Interestingly too, bynames derived from personal names (appositional patronyms or metronyms) were apparently not always received from a parent's 'forename'. In 1230 × 1258, Roger *filius Nicholai*, lord of Hill, manumitted his villein, Robert *filius Aluredi*. In a charter subsequent to that of manumission, Nicholas re-granted to Robert, more fully described here as Robert *filius Aluredi filii Selewini*, the virgate in Hill which he had held in villein tenure, now in free tenure for an annual rent of 20s. As a free tenant, Robert, for the salvation of his own and his kin's souls, made benefactions in free alms to St Augustine's Abbey, Bristol, through ten separate charters all transferring a few acres. In all these charters, he was styled Robert *Selewine*, so that it seems evident that, once manumitted, he adopted as his byname the *nomen* of his grandfather, not his father's.⁸⁷

The continuing significance of the *nomen* is illustrated by the taxpayer in Lancashire in 1332 designated simply *Brounrobyn*, for this written nominal evidence allows a window on colloquial naming, which was formulated around the 'forename'.⁸⁸ Such colloquial forms of naming contained in the 'forename' alone indicate the importance of the forename in the speech community. Robert *Hopperobyn* was accused of homicide in 1306 and found guilty.⁸⁹ Curiously his byname intimates a kind of *rebus* or canting element constructed around his 'forename'—*robyn* a diminutive of Robert, but *hopperobyn* implying the action of the bird.

In the 'North', these two phenomena coalesced—the continuity of the importance of the 'forename' and the appearance of colloquialisms in the written record.

⁸⁶ *Ibid.*, p. 417 (§510).

⁸⁷ *The Cartulary of St Augustine's Abbey, Bristol*, edited by D. Walker (Gloucestershire Record Series 10, 1998), pp. 115–21 (nos 175–86).

⁸⁸ J. P. Rylands, 'The Exchequer lay subsidy roll ... for the county of Lancaster', *Miscellany Relating to Lancashire and Cheshire*, vol. 2 (Lancashire and Cheshire Record Society 31, 1896), p. 69.

⁸⁹ *Wiltshire Gaol Delivery and Trailbaston Trials*, edited by Pugh, pp. 145, 147 and 162 (nos 953, 976 and 1136).

Injunctum est Fayr-Jon quod veniet et moretur cum familia sua super terram Domini. [1366]

[It is ordered that *Fayr-Jon* shall come and stay with his family on the lord's land]

Unum tenementum et xl acrae terrae quae fuerunt in tenura Fair-Jon...'
[taken into the lord's hands, 1367]

[A tenement and forty acres of land which were in Fair-Jon's tenure...]

In 1366, a tenant was ordered to return to his kinship group in Wolveston in County Durham; he had made a covenant with his son, Hugh, that Hugh should have the produce of his crops; when he failed to return, his lands were confiscated.⁹⁰ In 1358, Fair-John had been involved in another plea of covenant at Wolveston.⁹¹ Between 1364 and 1366, that same manorial court had referred to William *filius FayrJonson* and William *FairJonson* and in 1370 he was again designated William *FairJonson*.⁹² The only matter at issue here might be the continued instability of naming in the North, illustrated also on the Durham episcopal manors by *Litil-Steuen* at Coupon in 1374.⁹³

Illustrating the existence of such sobriquets based on the 'forename' instead of a byname, the body of a woman called *Swetealys* was found in a wood in Knotting in Bedfordshire in the early thirteenth century.⁹⁴ Indeed, elements of irony intruded into such sobriquets, as in the later case of Agnes *de Donbar* known colloquially as White Anneys in contradistinction to her godmother, the countess of Dunbar who was later nicknamed Black Agnes.⁹⁵ In 1276, the accused for receiving stolen goods was described simply as *Gretehobbe* of Stanground in Hunts.⁹⁶ An approver—an indicted 'criminal' who turned King's evidence—in 1294

⁹⁰ *Halimota Prioratus Dunelmensis*, edited by J. Booth (Surtees Society 82, 1889), pp. 57 and 63.

⁹¹ *Ibid.*, p. 22.

⁹² *Ibid.*, pp. 29 and 101.

⁹³ *Ibid.*, p. 124.

⁹⁴ Hunnisett, *Bedfordshire Coroners' Rolls*, p. 32 (no. 71).

⁹⁵ D. Owen, 'White Annays and others', in *Medieval Women*, edited by D. Baker (Oxford, 1978), p. 334.

⁹⁶ Hunnisett, *Bedfordshire Coroners' Rolls*, p. 94 (no. 233), *Hobbe* being, of course, a hypocorism of Robert (i.e. 'Big Bob').

ironically was attributed the description Robert *Swetroby*.⁹⁷ With equal irony, gaol was broken by John *BonJon* at the same time.⁹⁸ Less controversially, the peasant tenant *Goderobyne* was involved in pleas of detinue and pledge at the Raintons, manors of the bishop of Durham, in 1296.⁹⁹

Particularly emphatic for the continued precedence of forename in relation to byname is the familiar use of the adjective *parvus* in association with the forename. An unusual occurrence was *paruus Symon Pistor* who held a toft in Derby in the mid to late thirteenth century—exceptional only because this periphrase included byname as well as forename.¹⁰⁰ More conventionally, the adjective was deployed in association with the forename only. Exemplifying this more cursory identification is the description of lands *quondam parui Johannis* lying in Gaddesby (Leicestershire) in the thirteenth century.¹⁰¹ A fishmonger in Kent in 1317 was described in the official records of the sessions of the peace as *paruus Robyn* (sic).¹⁰² A more marginal status obtained in the case of *Little Ricard* who, with an accomplice, broke into a grange and stole grain to the value of half a mark.¹⁰³

More illustrative of this process of combining *parvus* with only the forename was Robert Sibilie as described in the court rolls of the manor of Kibworth Harcourt (Leicestershire) in the late thirteenth century. On this manor, the Sibilie kinship group comprised principal peasantry tenantry. Within the kinship two Roberts existed in the late thirteenth century, the elder and the younger. The senior Robert belonged particularly to the important peasant elite, one of the *custodes aule et curie* in 1279.¹⁰⁴ Usually, he was identified by the affix *senior* (as in

⁹⁷ *Wiltshire Gaol Delivery and Trailbaston Trials*, edited by Pugh, p. 80 (no. 312).

⁹⁸ *Ibid.*, p. 76 (no. 284).

⁹⁹ *Halimota Prioratus Dunelmensis*, edited by Booth, pp. 1 and 11.

¹⁰⁰ *Cartulary of Darley Abbey*, edited by Darlington, I, 218 (no. E22).

¹⁰¹ Oxford, Bodleian Library, MS Wood Empt 7, fo. 137r.

¹⁰² *Kent Keepers of the Peace 1316–1317*, edited by Putnam, p. 90 (no. 45).

¹⁰³ *Ibid.*, p. 37 (no. 173): *Et dicunt quod Ricardus Salmon de hundredo de Whitstaple et Little Ricard fregerunt grangiam ...*

¹⁰⁴ Merton College, Oxford, MM 6382. I am grateful to the Warden and Scholars for permission to use and cite these records.

1286–87, 1289 and 1291).¹⁰⁵ The cadet Robert was attributed a variety of descriptions, including the comprehensive Robert Sibile *junior*, the more formal of his designations, in 1279, 1281, 1286–87, 1290–91 and 1296. In that form, he was identified as a chief pledge in 1280 and recorded as holding a virgate in a contemporary rental.¹⁰⁶ As frequently, however, he received other descriptions, Robert *le June* Sibile when acting as a pledge and also Robert *paruus* Sibile, both in 1283. Robert acted as affeeror (*taxator amerciamentorum*), and held half a virgate of customary land. In particular the flexibility in his description is revealed in the court roll of 1283:

Robert Sibile junior dat pro inquisicione habenda utrum Beatrix soror sua
habet Jus in tribus rodīs terre uel non ... et dicunt per sacramentum suum
quod dicta Beatrix habet Jus donec habet j marcam de Roberto paruo Sibile
...¹⁰⁷

As frequently, Robert's designation was simply *Robertus junior* without the byname. An alternative Latin form reflected a conjunction of formal and colloquial: Robert *Iuuenis* in 1277 and 1291. In a different register, French, he was represented in colloquial form: Robert *le Jeune*, *le Iouene* and *le June*, again without byname (as chief pledge in 1291, tenant in a contemporary rental, and in inter-peasant personal litigation in the court). More interestingly, on numerous occasions, the entries in the rolls referred to him by the Latin register of his presumed Middle English description: *paruus Robertus* ('little Robert'), as when he raised the hue against William Parsun in 1277 and when it was directed against him by Matilda *Schep* in the same year, as well as in personal litigation in 1280 and 1282.¹⁰⁸ Unlike the implications of the legendary 'Little John', irony was not intended in this description, simply a comparison by age and social status with the elder Robert. Moreover, it is evident that he was known by this description in adulthood. For example, his

¹⁰⁵ Merton College, Oxford, MM 6376–6383.

¹⁰⁶ Merton College, Oxford, MM 6376–6383.

¹⁰⁷ Merton College, Oxford, MM 6379, 6382, 6384–6385, 6388–6389, 6392.

¹⁰⁸ Merton College, Oxford, MM 6376, 6386, 6388, 6392.

daughter, Alice *filia parui Roberti*, brewed five times in 1277.¹⁰⁹ Furthermore, the debtors of William de Muntfort found as their pledges in 1280 Robert Sibile and *paruus Robertus*.¹¹⁰ These details of Robert's descriptions confirm the continued importance of the forename in colloquial circumstances in local societies in the late thirteenth century, so much so that it impinged in the written record as sufficient identification in a semi-formal or even formal context.

That the Middle English etymon, 'little', was employed in colloquial usage is confirmed by the formation of some other descriptions and bynames. Thus one of the tenants of Lewes Priory in 1291 was Beatrice widow of *Litegrim*.¹¹¹ In 1308, Simon *Lytlewatte* ('Little Walter') acted as an inquest juror in Pevensey—in this instance the sobriquet had developed into an hereditary surname.¹¹² In Sussex too, a meadow had been allotted to John *Litlerolue* (= 'Little Ralph').¹¹³

Perhaps, however, more complicated questions should be addressed and in doing so it is worth taking into account another event in 1379 on another Durham episcopal manor:

Thomas Marmedok nativus ibidem et commorans in Corbrig et vocatus
ibidem Thomas Coik et tenet ibidem communem [sic] furnum
[Thomas *Marmedok* villein there and living in Corbridge and called there
Thomas *Coik* and he holds there the common oven]

Again the special circumstances of the 'North' and the migration of a villein *fugitivus* might be responsible for the instability of naming. There are two transformative processes at work here: the replacement of a byname by a sobriquet or colloquial name which in turn becomes a byname; and the use of a different byname for the same person in two villages. Although both are late formations and in the 'North' and could be assumed to be exceptional, they provide a context for questioning

¹⁰⁹ Merton College, Oxford, MM 6376, including *Nomina eorum qui ceperunt domos de manerio in Custodia*.

¹¹⁰ Merton College, Oxford, MM 6376.

¹¹¹ *Chartulary of the Priory of St Pancras*, edited by Salzman, p. 115.

¹¹² *Ibid.*, p. 165.

¹¹³ *Ibid.*, p. 101.

why bynames and surnames became socially and culturally normative in England. Although unusual in its circumstances (and indeed in its visibility), from the process illustrated here some inferences can be made about the negotiating of naming (and particularly bynames) as individuals migrated and entered new townships and villages. More complex perhaps is the case of William *Eylof* who was indicted in 1306 for a robbery in Littleton and a homicide. The extent of the goods (valued at 100s.) allegedly stolen by him and the crime of homicide, insinuate that he was a desperate ‘criminal’ and it is interesting therefore that he propagated his own local alias: *fecit se nominare* (‘he made himself known as’) William *Gras*.¹¹⁴ Genuine negotiation was thus involved in the local attribution of bynames which could tilt to one extreme or the other to the extent that a receiving population might assign a new byname or the incomer might perpetuate (or, as in this case, even invent) a byname.

Confirmation about the instability of bynames is reflected in ambiguities surrounding their use. At Halesowen in 1275 Richard *Cok* failed in his plaint against ‘Matilda *le [sic] Valante*’ because of her exception that she was never known by that *cognomen* or byname.¹¹⁵ Before the Berkshire eyre, William, Denise and Agnes, travellers from Yorkshire, acknowledged larceny and abjured the realm. Their small collection of chattels, valued at 18d., were forfeited. Since they were vagrants and not in frankpledge, the coroner, Gilbert *de Columbariis*, ordered them to leave the realm without recognition of their bynames.

Nescitur de franco plegio quia itinerantes. Et Gilbertus de Columbar’ tunc coronator fecit eis abjurare regnum sine cognomine ...¹¹⁶

[It is not known about frankpledge (whether they are in frankpledge) because wandering. And Gilbert *de Columbar*’ then coroner made them abjure the realm without (knowing their) byname ...]

¹¹⁴ *Wiltshire Gaol Delivery and Trailbaston Trials*, edited by Pugh, p. 148 (no. 990).

¹¹⁵ *Court Rolls of the Manor of Hales, 1270–1307*, edited by J. Amphlett *et al.* (Worcestershire Historical Society, 3 vols, 1910–33), I, 72 ‘et calumpniatur sicut calumpnia Rogeri Ordric quia vocavit Matildam le Valante cum non nominatur nec vocatur tali cognomine’.

¹¹⁶ M. T. Clanchy, *The Roll and Writ File of the Berkshire Eyre of 1248* (Selden Society 90, 1973), p. 331 (no. 826).

The instability of bynames is well understood, although we have too few examples of the full processes of changes of byname. At Hanley (Worcestershire) as late as 1344, an aspect of this transition is visible. There a cottage and curtilage were granted by John *le Frenshe dictus Whitlokes* who was the son and heir of Richard *le Frenshe*. On this occasion, what is seemingly an hereditary surname—at least over two generations—is being replaced by a colloquial byname recording the colour of the subject's hair.¹¹⁷ Similarly, Peter Peket *dictus Malrai* received a curtilage, lands and two crofts in Gussage (Dorset) in the late thirteenth century.¹¹⁸ As late as 1348/9 in Sussex, John *Hoge dictus Miles* quit-claimed meadow.¹¹⁹

In the receiving of some forms of bynames, status was an important influence. Stone perspicaciously directed attention to the association in Oxfordshire between freedom as a legal status of the peasantry and toponymic bynames: free peasants were more likely to have toponymic bynames than unfree rustics.¹²⁰ Following this suggestion, McKinley calculated that thirty-four per cent of freemen, but only twelve per cent of unfree peasants, were identified by toponymic bynames in Bampton Hundred in the *Rotuli Hundredorum* of 1279–80.¹²¹ Similarly, a larger proportion of burgesses bore toponymic bynames.¹²² In part the associa-

¹¹⁷ *Records of Hanley Castle, Worcestershire, c.1147–1547*, edited by J. P. Toomey (Worcestershire Historical Society new series 18, 2001), p. 23 (no. 68).

¹¹⁸ Oxford, Bodleian Library, MS Queen's Roll 98.

¹¹⁹ *Chartulary of the Priory of St Pancras*, edited by Salzman, I, 101.

¹²⁰ *Oxfordshire Hundred Rolls of 1279*, edited by E. Stone and P. Hyde, 1. *The Hundred of Bampton*, edited by E. Stone; 2. *The Borough of Witney*, edited by P. Hyde (Oxfordshire Record Society 46, 1968), p. 14.

¹²¹ R. A. McKinley, *The Surnames of Oxfordshire*, English Surnames Series, 3 (London, 1977), pp. 199–200.

¹²² Such is the intimation of P. McClure, 'Patterns of migration in the late middle ages: the evidence of English place-name surnames', *Economic History Review*, 2nd series 32 (1979), 167–82; M. Kowaleski, *Local Markets and Regional Trade in Medieval Exeter* (Cambridge, 1995), pp. 84–86; S. Penn, 'The origins of Bristol migrants in the early fourteenth century: the surname evidence', *Transactions of the Bristol and Gloucester Archaeological Society*, 101 (1983), 123–30; G. Rosser, *Medieval Westminster 1200–1540* (Oxford, 1989), pp. 349–61; S. H. Rigby,

tion resulted from the freedom of migration of the free peasantry by comparison with the restraints on movement imposed by lordship on unfree tenants (which could, however, be mediated).¹²³ Although in essence produced by legal differentiation, the relationship between toponymic bynames and legal status was no doubt also transformed into a cultural differentiation, so that toponymic bynames were appropriated to impart dignity and mark off status culturally as well as legally—to become ‘cultural’ or ‘symbolic capital’.¹²⁴

Throughout this discussion, reference has constantly been made to the minimum means of identification as a criterion for personal naming. The intention is not to imply that the *primum mobile* for naming was demographic change. Without any reservation, transitions in naming processes were essentially cultural and names were themselves cultural signifiers, carrying symbolic if not lexical meaning. To depend on identification by purely *nomen* reflected a cultural legacy which persisted into the ‘phase’ of the introduction of *cognomina*. The transition between the two ‘stages’ of naming process remained therefore complex and ambiguous, culturally heterogeneous.

Medieval Grimsby. Growth and Decline (Hull, 1993), pp. 20–22; E. M. Carus-Wilson, ‘The first half-century of the borough of Stratford-upon-Avon’, repr. in *The Medieval Town. A Reader in English Urban History 1200–1540*, edited by R. Holt and G. Rosser (London, 1990), pp. 49–70.

¹²³ The essential characteristics are probably still illustrated best by J. A. Raftis, *Tenure and Mobility. Studies in the Social History of the Mediaeval English Village* (Toronto, 1964).

¹²⁴ P. Bourdieu, *The Logic of Practice*, translated by R. Nice (Oxford, 1990), pp. 112–21 for Bourdieu’s earlier statement of the character of ‘symbolic capital’.

Queries for Dave

Fn 2 mentions 10 vols, but only lists 9.

p. 71. 17: why is *Maslin* italicised?