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Impoverished Mothers and Poor Widows: Negotiating Images of Poverty in Marseille's Courts<sup>i</sup>

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The final years of the fourteenth century were hard ones for Margarida Gramone. She lost a daughter and one grandchild died to long illnesses and was left to raise her surviving grandchildren. How she was going to finance this endeavor was an open question. Beginning on 23 January 1401, when a case opened in Marseille's court of first instance to establish priority among the many creditors of the dead sailor Denis Alexandri, we see her attempt to answer that question.<sup>1</sup> Margarida was Denis' mother-in-law and one of his creditors. She sued his estate to recoup money she had spent nursing her dying daughter and granddaughter, while caring for those children who were not sick. She argued that the cost of medicines, doctors, and wet nurses had impoverished her. After her daughter's and her son-in-law's deaths, she continued to act on behalf of her surviving grandchild and requested the appointment of a legal representative enabling her grandchild to make a claim on the balance of her mother's dowry and her father's estate. She called witnesses to attest to her destitution; they told a story of a woman unable to pay her bills and reliant on the charity of her neighbors.

Other witnesses in the same case who supported another of Denis Alexandri's creditors, however, suggested Margarida was not poor, but a woman of means. This raises the possibility that Margarida's story of poverty was a strategy rather than a

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<sup>1</sup> The case begins in Archives Départementales des Bouches-du-Rhône (ADBdR) 3B132 fol. 35<sup>r</sup>.

reflection of economic reality. Attempting to reconcile this discrepancy, this essay will examine witness testimony to determine how, in order to achieve favorable judgments, Marseille's legally savvy citizens negotiated between two different attitudes about poverty: the Christian ideal of charity towards the poor and a legal skepticism of a pauper's word.

All litigants who pled their case before Marseille's courts created personae to win. Like the sixteenth-century pardon-seekers whose letters of remission Natalie Zemon Davis has so beautifully analyzed,<sup>2</sup> medieval litigants used the structure of the court cases to tell their stories and drew on accepted standards and explanations for their behavior from outside the judicial arena. They also called witnesses whose narratives were the linchpins of their tales. Margarida Gramone chose the role of an impoverished, grieving mother and grandmother grounded in the rhetoric of Christian charity to win her case. Whether or not Margarida became poor, her legal strategy depended on the judge accepting her story of progressive impoverishment, associated with her familial duty. Margarida's strategy had currency in late medieval Marseille, a city whose economic power was on the wane by the early fifteenth century.<sup>3</sup>

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<sup>2</sup> Natalie Zemon Davis, *Fiction in the Archives: Pardon Tales and their Tellers in Sixteenth-Century France* (Stanford: Stanford University Press, 1987).

<sup>3</sup> By the fifteenth century, the Angevin policy of using Marseille as a port from which to wage its war to regain control over the kingdom of Sicily (control which was lost to the Aragonese in 1282) had sent the once powerful commercial city into an economic depression. This, coupled with the devastation wrought by waves of plague in 1347-48 and 1360-62, has led historians like Baratier to consider the late fourteenth century as

We do not know if she was successful. Only twelve percent of the judgments from the fifteenth century have survived; the judgment in Margarida's case was not among them. However, the success of this strategy is attested in the records. Male and female litigants, especially in cases of debt or inheritance, told elaborate stories explaining how their poverty made them especially worthy of consideration from the court. To elicit judicial sympathy in an appeal over a disputed twenty-five florins, for example, Mathendis Roberte, a widow of a rope-maker, repeatedly refers to herself as a poor woman (*pauper mulier*).<sup>4</sup> Other examples culled from the summaries of sentences in the records of Marseille's top financial officer, the *clavaire*, indicate that some judges were amenable to such pleas.<sup>5</sup> Though these could be pragmatic decisions to collect some

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'l'une des plus malherueuses que le moyen âge ait connues.' Despite a brief peace in the early fifteenth century and an improvement in commercial relations with the Levant, Marseille in the fifteenth century was, economically speaking, a shadow of her early fourteenth-century self. For a summary of the economic cycles of medieval Marseille, see Édouard Baratier, *Histoire du commerce de Marseille, vol. 2: De 1291 à 1423*, ed. by Gaston Rambert (Paris: Plon, 1951), 34-62.

<sup>4</sup> ADBdR 3B140 fol. 188<sup>v</sup>; case begins on folio 155<sup>v</sup>.

<sup>5</sup> Four extant registers from the period 1400-1430 show the records of the fines people convicted in Marseille's criminal courts paid to the *clavaire*; the registers are ADBdR B1943, B1944, B1945, and B1947. In addition to the fines paid, the records contain a brief précis of the crime committed. Daniel Smail makes the likely suggestion that these represent a copy of the text read by the *viguier* at the public *parlements*. See Daniel Lord

money rather than none for the comital treasury, some judges were willing to show mercy to the poor.

At the same time, an impoverished individual's word as a witness was legally suspect. Marseille's judges followed procedures laid out in a series of judicial manuals, called *ordines iudicarii* or *ordines iudiciorum*.<sup>6</sup> These guides showed how court cases should unfold in temporal order and form. In most respects, the judges of Marseille's courts followed Guillaume Durand's *Speculum iudiciale*, written between 1271 and 1276, a manual one historian described as 'so thorough that it satisfied for centuries the need for a reference work on procedure.'<sup>7</sup> *Speculum iudiciale* permitted magistrates to disqualify impoverished witnesses, as their testimony could be more easily bought or coerced by a wealthier litigant. Opposing counsel was permitted to challenge testimony on the basis of the deposed witnesses' financial situation. Despite the legal liability poverty carried, however, Marseille's records are peppered with pithy defenses of the poor, some of which will be discussed below.

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Smail, *The Consumption of Justice: Emotions, Publicity and Legal Culture in Marseille, 1264-1423* (New York: Cornell University Press, 2003), 73.

<sup>6</sup> Linda Fowler-Magerl suggests that canonists used the term *ordo iudicarii* whereas legists used *ordines iudiciorum*, although she goes on to argue that the distinctions between the two are often based on very little evidence See Linda Fowler-Magerl, *Ordines iudicarii and Libelli de ordine iudiciorum from the Middle of the Twelfth Century to the End of the Fifteenth Century*, *Typologie des sources du Moyen Age occidental*, 63 (Turnhout: Brepols, 1994), 30-32.

<sup>7</sup> Fowler-Magerl, 69.

Litigants, witnesses and lawyers had to convince more than Marseille's judges of the worthiness of the poor. If magistrates were lenient, neighbors and friends of those claiming poverty do not always share the court's sympathy. Their testimony sometimes reveals impatience with neighbors constantly in need of charity and other times directly challenge the litigant's claims.

The legal records from late medieval Marseille show a two attitudes towards the poor, one sympathetic and the other skeptical. They suggest that the city's citizens drew on different narratives about poverty in order to win over the presiding judge. Witness testimony about the poor also suggests that Marseille's citizens did not always welcome the burden of charity and that there were significant social repercussions of poverty.

Margarida Gramone was prominent among Denis Alexandri's fourteen creditors who participated in the suit against his estate, claiming sums from nine grossi to twenty-eight florins. Three of the creditors brought witnesses to substantiate their claims, and Margarida brought ten witnesses. Appearing before the judge Olivier Durand on her own behalf and for her husband Guilhem, she asked for a payment of twenty florins and for Guilhem to receive an additional fifteen florins, which their son-in-law had owed them before his death.<sup>8</sup> This debt was the part of the cost of her care of their daughter and granddaughter whom Margarida had nursed through a series of illnesses.

Appearing before the court, Margarida presented herself as a mother and grandmother who tended to her sick, her dying, and, finally, her dead family members. Left alone to provide for her family, and gradually impoverished by the expenses of her daughter's and granddaughter's illnesses, Margarida relied on her neighbors' charity.

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<sup>8</sup> ADBdR 3B132 fol. 38<sup>r</sup>.

Two witnesses supported her self-portrait of a woman made indigent by her maternal responsibilities, other witnesses challenged this narrative. Some suggested Margarida was a miser who had not wanted to part with her money who was in defiance of a court order to repay her debts. While there was some community support for Margarida's claims of poverty, other creditors came forward to suggest her story was more fiction than fact.

Behind Margarida's legal strategy are religious precepts. She structured her story about her family around a set of Christian ethics and made certain the court knew she did not shirk from obligations to heal the sick (Matt. 10:8), feed the hungry (Matt. 25:35), and bury the dead (Tob. 12:12), all of which Aquinas mentions in discussion on alms in the *Summa Theologica*.<sup>9</sup> Margarida also emphasized her assumption of uniquely maternal and grandmotherly responsibilities, and as part of her strategy reflected contemporary religious understandings of the roles of saintly women.

Margarida argued her case during a period when motherhood, and grandmotherhood, received growing attention in the religious world. Clarissa Atkinson has argued that motherhood in the Middle Ages 'was constructed by persons whose

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<sup>9</sup> These are among the seven corporal works of mercy, which Thomas Aquinas discusses in *Summa Theologicae*, Quaestio 32, *de elemosyna*. The four include giving drink to the thirsty, clothing the naked, ransoming prisoners, and offering hospitality to strangers. For a brief introduction to the tradition of the corporal works of mercy, see Charles Mounts, 'Spenser's Seven Bead-Men and the Corporal Works of Mercy,' *Publications of the Modern Language Association of America* 54 (1939), 976-78.

primary ideology was Christianity,<sup>10</sup> and as traditional Christian attitudes towards the body and sanctity changed over the course of the thirteenth, fourteenth and fifteenth centuries, so too did ideas about mothers shift. In particular, Atkinson sees a marked increase in the attention paid to families (both the Holy Family and human families) in ecclesiastical art, sermons, and secular literature, as well as to the particular role of mothers. She cites the increased numbers of married and childbearing saints canonized in the later medieval period:

Maternity was understood to include intense suffering and thus was easily associated with the pains and sorrows of Christ and Mary and with the suffering expected of saints in the late Middle Ages. Over time, the domestic and mystical experience of the new saints stretched the boundaries of existing definitions not only of motherhood and holiness, but also of human and divine love.<sup>11</sup>

She sees the association between suffering and motherhood become more acute as life for medieval people became increasingly difficult over the course of the fourteenth century because of plague, famine, and war, as more parents lost their children or children their parents.<sup>12</sup> Margarida's story emphasized that she had lost her child; a favorable outcome in her case rested on the judge ruling that the death of her daughter and grandchildren made her more worthy of repayment than Denis' other creditors. Along with the visual, literary, and cultural sources Atkinson analyzes, legal records show that the middling sort along with the elites were aware of and capitalized upon this increasing emphasis on motherhood.

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<sup>10</sup> Clarissa W. Atkinson, *The Oldest Vocation: Christian Motherhood in the Middle Ages* (Ithaca and London: Cornell University Press, 1991), 4.

<sup>11</sup> Atkinson, 145.

<sup>12</sup> Atkinson, 149.



The Mendicants brought the new ecclesiastical attention to families and motherhood into sharp relief. Late medieval Dominican preachers like Giovanni Dominici (1356-1419) filled their sermons with images of mothers educating and nourishing their children. On Holy Innocents' Day, he preached,

Look at the mother who chews the bread and when it is soft, puts it in the mouth of her small child. Great mercy has that mother [that she] makes the effort for her [child] and he is nourished by her.<sup>13</sup>

Dominican preachers connected motherhood with the provision of food. They used the language of the household to illustrate the proper relationships between humans and between humans and the Divine.<sup>14</sup>

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<sup>13</sup> Quoted in Nirit Ben-Aryeh Debby, 'The Preacher as Woman's Mentor,' in *Preacher, Sermon and Audience in the Middle Ages*, ed. By Carolyn Muessig (Leiden: Brill, 2002), pp. 229-254 (p. 246). Studies of earlier examples of sermons using maternal imagery include Beverly Mayne Kieznle. 'Maternal Imagery in the Sermons of Hélinand of Froidmont.' In *De ore domine: Preachers and Word in the Middle Ages*, ed. by Thomas L. Amos, Eugene A. Green and Beverly Mayne Kienzle (Kalamazoo, MI: Medieval Institute Publications, 1989), 93-104.

<sup>14</sup> It is, of course, a tricky prospect to discern the audience for sermons, no matter their subject. D. L. Avray suggests in his study of marriage sermons that 'when the same ideas are repeated again and again, reaching hundreds of thousands of people, we may be fairly sure that quite a significant subset at least took them in. It is worth insistence again on the analogy with newspapers today. We cannot tell what any single reader makes of ideas on, say, a common European currency constantly reiterated in tabloid newspapers. If we

Similarly, the Franciscan involvement with, rather than removal from, the world of the laity focused clerical attention on domestic and familial arrangements in the secular world. Their sermons, meditative manuscripts and art emphasized the importance of the human family as copies of that of Jesus, Mary and Joseph.<sup>15</sup>

The Franciscan emphasis on motherhood may have influenced Margarida's legal self-portrait, for their presence in Marseille was significant from the moment foundation of their first house in the city in 1225.<sup>16</sup> Marseille's great local holy people, Saint Louis d'Anjou, the Beguine Douceline and her brother Hugue of Digne were all associated with Franciscan houses.<sup>17</sup> The churches of the Franciscans were common beneficiaries in the

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think in terms of aggregates and of reasonable probabilities, we can be reasonably sure that a rather large number of people understand these topoi and that a subset of this subset are convinced by them.' See D. L. D'Avray, *Medieval Marriage Sermons: Mass Communication in a Culture without Print*. (Oxford: Oxford University Press, 2001), 30.

<sup>15</sup> Atkinson, 152-155.

<sup>16</sup> The prolific historian of Marseille Édouard Baratier wrote about the Mendicant orders in general: 'Les orders y sont plus nombreux que dans le rest de la Provence et s'y sont en general installés plus tôt. L'implantation privilégiée qui correspond à l'essor démographique et commercial de la ville et du port au XIII<sup>e</sup> siècle.' See Édouard Baratier 'Le mouvement mendiant à Marseille.' In *Les mendiants en pays d'Oc au XIII<sup>e</sup> siècle*. Cahiers de Fanjeaux, 8 (Toulouse: Privat, 1973), 177-91 (177).

<sup>17</sup> Louis d'Anjou was buried in a Franciscan house in 1297; contemporary accounts suggest more than 10,000 mourners were present at his funeral. When Douceline died in 1275, her clothes were torn apart by those wanting relics and her burial site, also in a

last testaments of the Marseille's inhabitants and Jacques Chiffolleau has found that thirty-five percent of women who requested a specific burial place between 1280 and 1350 asked to be buried in Franciscan cemeteries. He suggests this might reflect the particular success of the Franciscan's pastoral work with Marseille's female population.<sup>18</sup>

Although Margarida Gramone does not cite particular sermons in her tale of woe, the image she constructed of herself as a struggling and a grieving mother, is analogous to the images of good mothers that populated the sermons of Dominican and Franciscan preachers in Margarida's home town. She presented a suffering mother; she recounted how she saw first her daughter and then her daughter's children die despite her best efforts to provide good, and costly, medical care. She stressed how she bore this responsibility alone, while her son-in-law and husband were gone from Marseille.

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Franciscan church, became an important local pilgrimage site. Her Saint's Day, September 1, is attested in Marseille's sources two hundred years after her death, and her house, Roubaud, was still active during Margarida Gramone's life, though it was not nearly as important as it had been in Douceline's time. Palenque suggests that control over the relics of these two holy people as well as those of Douceline's brother Hugue accounted for the success of the order in Marseille. See Jean-Rémy Palanque, (ed). *Le Diocèse de Marseille* (Paris: Letouzey et Ané, 1967), 79, 95-98.

<sup>18</sup>Jacques Chiffolleau. 'Pratiques funéraires et images de la mort à Marseille, en Avignon et dans le Comtat Venaissin (vers 1280-vers 1350).' In *La religion populaire en Languedoc du XII<sup>e</sup> siècle à la moitié du XIV<sup>e</sup> siècle*. Cahiers de Fanjeaux 11. (Toulouse: Privat, 1976), 271-303 (281-2).

Margarida's strategy emphasized her role as a good, Christian mother and grandmother. The inventory that accompanied her claim on Denis' estate argued that Margarida had organized and paid for her daughter's medical care, and had housed and provided nourishment her and her children over a period of at least five years, from 1395-1400. Her final appearance before the court is as a grandmother, petitioning for a legal guardian for a surviving grandchild. Her role as grandmother was central to Margarida's self-presentation.

We know comparatively little about medieval grandparenting; as Joel T. Rosenthal has remarked about old women from his study of the Paston letters,

We rarely see them as much more than the object of an *Inquisition post mortem* or, in a will, as the final arbiter of bequests, driving the engine of posthumous social control. The stages, the crises, and contours of their lives are especially hard to fathom.<sup>19</sup>

Margarida's case, however, provides a window onto shadowy world of the medieval grandmother, a role that received increasing secular and religious attention in the fifteenth century, as the cult of Saint Anne, the grandmother of Jesus, grew in popularity.<sup>20</sup> Anne was revered as the grandmother of Jesus, but also, through subsequent

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<sup>19</sup> Joel T. Rosenthal, 'Looking for Grandmother: The Pastons and their counterparts in late medieval England.' In *Medieval Mothering*, ed. by John Carmi Parsons and Bonnie Wheeler (New York and London: Garland Publishing, 1996), 259-277 (p. 271).

<sup>20</sup> For an overview of the origins and growth of the cult of Saint Anne in medieval Europe, see Paul-Victor Charland. *La bonne sainte, ou l'histoire de la devotion à Saint Anne*. (Quebec: Mercier and Company, 1904). A more recent collection of essays addressing interdisciplinary approaches to Saint Anne is in Kathleen Ashley and Pamela

marriages, as the grandmother of James the Greater and John the Evangelist, and of James the Less whose mothers, Mary Salome and Mary Cleophas arrived on the shores of Provence to spread the gospel after Jesus' death.<sup>21</sup> Medieval worshippers venerated Saint Anne as a holy matriarch, as a protector of those at sea and as a miracle worker who healed through water consecrated to her name.<sup>22</sup> Margarida, as the mother-in-law and wife of sailors, and a mother and grandmother of a sick child and grandchild, may have patterned herself after Saint Anne. Like Saint Anne "whose iconography from the Middle Ages to the sixteenth century represented her as the center of a family group,"<sup>23</sup>

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Sheingorn (eds.) *Interpreting Cultural Symbols: Saint Anne in late Medieval Society*. (Athens and London: University of Georgia Press, 1990). Two studies of the importance of Anne's cult in Northern Europe are Ton Brandenbarg. 'Saint Anne: A Holy Grandmother and Her Children. In *Sanctity and Motherhood: Essays on Holy Mothers in the Middle Ages*, ed. by Anneke B. Mulder-Bakker (New York and London: Garland Publishing, 1995), 31-68, and Virginia Nixon. *Mary's Mother: Saint Anne in Late Medieval Europe*. (University Park, PA: The Pennsylvania State University, 2004).

<sup>21</sup> For more on the *trinubium* tradition of Saint Anne, see the Introduction by Kathleen Ashley and Pamela Sheingorn in their *Interpreting Cultural Symbols: Saint Anne in late Medieval Society* (Athens and London: University of Georgia Press, 1990), 1-68.

<sup>22</sup> For the medieval connection between Anne and healing waters, see Francesca Sautman, 'Saint Anne in Folk Tradition: Late Medieval France./ In *Interpreting Cultural Symbols: Saint Anne in late Medieval Society*, ed. by Ashley and Sheingorn (Athens and London: University of Georgia Press, 1990), 69-94.

<sup>23</sup> Sautman, 84.

Margarida highlighted her role as mother and grandmother as she made her case before the court. She fought to hold her family together even as illness and death worked against her. Margarida grounded her claim on her son-in-law's estate in actions she had taken as a mother and grandmother.

The text does not offer information about Denis' whereabouts during his wife and daughter's illness, except to note his absence. He had been a sailor; perhaps he was at sea while his family was dying. From the other sparse information about Denis Alexandri in the suit, we know that he outlived his wife. A Jewish creditor, one Asinet, claimed nine grossi for a black coat Denis wore in mourning for his wife.<sup>24</sup> Other than these limited details, his life is a blank.

Margarida, on the other hand, told of her life in dramatic detail. She paid monetarily and emotionally for following a Christian path. According to her story, when her daughter Luisa first became ill in 1395, she and her three children moved into Margarida's house. Her daughter's illness required Margarida to consult with three apothecaries in Marseille (Johan Patani, Giraud Manneti and Nicholas Mioli) as well as with unnamed doctors, who had suggested medical remedies and a special diet of poultry, sugar, and white bread, probably intended to be fashioned into a "sick pudding," thought to have curative value.<sup>25</sup> This diet perhaps indicates the severity of Luisa's illness. Marie

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<sup>24</sup> ADBdR 3B132 fol. 43<sup>v</sup>.

<sup>25</sup> My thanks to Paul Freedman for clarifying the probable use of these ingredients. For further research on medical treatments available in medieval Marseille, see Marie Rose Bonnet, "Le vocabulaire médical aux XVI<sup>e</sup> -XV<sup>e</sup> siècles dans des textes en Languedoc." *Provence Historique* 55:222 (2005), 403-419.

Rose Bonnet notes that medical authorities suggested a standard menu of pork or mutton for the sick; chicken was reserved for those too ill to eat the former.<sup>26</sup> Together, consultations and treatment had cost Margarida more than fifty florins and eleven grossi. Since Margarida's grandchildren were in her care, she had also spent twenty florins and four solidi hiring wet-nurses and purchasing food for them.

Despite her best motherly and grandmotherly efforts, Margarida narrated, in 1398 her daughter and one granddaughter became fatally ill. For their coffins, requiem masses, and other funerary necessities,<sup>27</sup> Margarida paid thirteen florins, twelve solidi and eight denarii. Margarida also asked the court to reimburse her for the one franc she had spent on her son-in-law Denis' funeral.<sup>28</sup>

After her daughter Luisa's death, Margarida attended to her surviving family, paying another wet-nurse for the infant Bertrandeta and another, unnamed grandchild. While presenting her own claims on Denis Alexandri's estate, Margarida appeared on behalf of Bertrandeta, her only surviving grandchild. On 21 May 1401, she requested that

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<sup>26</sup> Bonnet, 414.

<sup>27</sup> ADBdR 3B132 fol.40<sup>v</sup>: '*Missis novena et aliis necessariis et obsequiis.*' At a minimum, these necessities probably included the fees for the chanting of the Office of the Dead, a procession from the church to the burial ground, and a funeral meal of bread and broad beans at the tomb. For more on late medieval funerals and burial practices, see Paul Binski, *Medieval Death: Ritual and Representation* (London: British Museum Press, 1996) and *Death and Dying in the Middle Ages*, ed. by Edelgard E. DuBruck and Barbara I. Gusick (New York: Peter Lang, 1999).

<sup>28</sup> Margarida's narrative is contained in ADBdR 3B132 fol. 40<sup>v</sup>-41<sup>r</sup>.

the court appoint a legal representative to look after the child's claim on her father's *bona* and the balance of her mother's dowry.<sup>29</sup> Margarida's narrative and her actions before the court emphasized her long-term commitment to her daughter, son-in-law, and grandchildren, whom she fed, nursed and buried according to Christian precepts. Her use of available legal resources on behalf of Bertrandeta suggests that as a grandmother, Margarida shared the elusive but tangible 'three-generation consciousness' that Rosenthal found in the Paston letters.<sup>30</sup>

Sole provider for those three generations, Margarida argued that her maternal care and charitable impulses had landed her in debt and that her claim on her son-in-law's estate was an act of financial survival. She called ten witnesses to substantiate this viewpoint.

The majority of Margarida's witnesses were people from whom she purchased services, and had their own interests at heart: two women had nursed her grandchildren and six men were casket makers or apothecaries or doctors. They wanted Margarida's request to be given priority so that they, in turn, could be paid. Two witnesses testified that they had given Margarida money without expecting repayment.

Margarida's arguments were aimed at proving her progressive impoverishment. For medicine alone, Margarida claimed to have spent over forty-one florins. Margarida searched for medical options, consulting three apothecaries and at least two doctors, one

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<sup>29</sup> ADBdR 3B132 fol. 49<sup>r</sup>. The court appointed Jacme Peytanini as Bertrandeta's *curator ad actes*, and he swore to act well on Bertrandeta's account. The case record ends with his oath, so we do not know how it resolved.

<sup>30</sup> Rosenthal, 272.



in Marseille and one from Orange. These medical experts, called to justify Margarida's claims, spoke of her outstanding debts to them 'for the things and medicines for her daughter.'<sup>31</sup> When the apothecary Johan Patani confirmed the sum of money Margarida owed him, he stated that Margarida had bought medicines, sugar, and other food from him, since 'she appointed herself a faithful nurse for her daughter, because she was sick for a long time.'<sup>32</sup>

Margarida provided medical care for her daughter and had to provide even more basic needs for her small grandchildren, as we learn from some of Margarida's creditors. Catherine Luciane testified that she had been a wet-nurse for Margarida's granddaughter Bertrandeta for over a year and she was owed the balance on her twenty-two florin fee. Catherine stated that Margarida had been ordered to repay some of her debts: the judge 'had already compelled Margarida to pay sixteen and a half florins and six pounds of olive oil,' and 'her husband, the court officer Guilhem Luciani, pursued Margarida daily until she had paid the remainder of the fee.'<sup>33</sup> Others demanded the repayment of debts. The man who made the casket for Margarida's granddaughter stated that Margarida owed him for his work. She had given him a pledge (*pignus*) for the amount, but at the time of

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<sup>31</sup> ADBdR 3B132 fol. 43<sup>v</sup>: '[P]ro rebus et medicinis filie sue.'

<sup>32</sup> ADBdR 3B132 fol. 42<sup>v</sup>: '[I]lla quo pro sua filia se constituerat fide nutricem quia per magnum tempus egrotavit.'

<sup>33</sup> ADBdR 3B132 fol. 42<sup>r</sup>: 'Et a dicta Margarida florenum sexdecim et medium et sex libris olei quam fecit compelli fuit per dominum Olivarium Durnati olim iudicem ad soluendum et fuit pignolata dicta Margarida et diutius molestata quousque soluit Guillemo Luciani nuncio eius marito[...].'

his testimony, she had not paid the balance.<sup>34</sup> A second casket maker testified that Margarida owed him for ‘the two caskets in which the bodies of Denis and his wife were buried.’<sup>35</sup> Margarida had acknowledged these debts in her inventory and used them to justify her claim of poverty. These witnesses’ terse response to the court notary’s questions shows their impatience and little sympathy for Margarida’s poverty; they are frustrated with the delay in payment for their services as wet-nurses and casket-makers.

Only two witnesses in Margarida’s case unambiguously supported her self-portrait as a principled, if progressively impoverished, mother. Jacme Balbonis testified that around Pentecost of 1400 he had encountered Margarida in Nîmes. While there, Margarida had found herself without money and had asked the witness if he could lend her some. Presenting himself as a Good Samaritan, Jacme, ‘moved by compassion because they were out of their *patria*, loaned the mother and daughter three florins with which they returned to the present city.’<sup>36</sup>

She needed the kindness of a stranger when outside her city but Margarida turned to a neighbor once back within Marseille’s walls. Matinet Ruffini’s testimony pictured Margarida as a woman living in poverty. He explicitly spoke of Margarida’s role as

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<sup>34</sup> ADBdR 3B132 fol. 43<sup>r</sup>.

<sup>35</sup> ADBdR 3B132 fol. 42<sup>v</sup>: ‘[Q]uod ille due cayssie sive tant fuste cum quibus fuerunt cepulca corpora dicti Dannissi et Gramoneta eius uxor[...].’

<sup>36</sup> ADBdR 3B132 fol. 42<sup>r</sup>: ‘[T]estis compatione motus attento quod erant extra eorum patriam eisdem matri et filie mutuavit floren. auri tres cum quibus ad presentem civitatem redierunt[...].’

caretaker for her family as a cause for her dire circumstances, and in his testimony, he said the following:

Margarida was forced by the court to pay six florins of gold for the nourishment of Bertrandeta, her granddaughter, and he, as a neighbor who sympathized with Margarida's tribulations, loaned her three florins for this debt [...] He said also that Margarida funded all of the expenses for her daughter and son-in-law and their children so that the sum of the matter is she was reduced to poverty to such a degree that she barely has anything from which to live.

Matinet's narrative suggests that he found Margarida worthy of sympathy. He pictured her as solely responsible for Denis' wife and children, a responsibility that had reduced her to abject poverty. While others were hounding Margarida in the courts, compounding her poverty, Matinet painted himself as following the biblical precept to love his neighbor with his loan. His testimony is not, however, entirely uncritical. When asked how he knew about Margarida's situation, he testily replied, 'he is her neighbor and as such he knows more than he wishes about the miseries of Margarida and her household.'<sup>37</sup> Worthy of a certain amount of compassion, Margarida also grated on that neighbor's nerves.

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<sup>37</sup> ADBdR 3B132 fol 43<sup>r</sup>: '[V]idit quam dicta Margarida soluit cohacta per curiam sex floren. auri pro nutrimento Bertrandete filie dicte Dannissi et felezene dicte Margarida de quibus ipse testis ut vicinus compaciendo tribulationibus dicte Margarida sibi mutuavit floren. tres de illis sex super quedam manta [?]eiusdem. Dicens etiam quod ipsa Margarida tot et tantas expenses substinuit pro filia sua et suo genero et eorum filiorum quod est omnino ad pauperitatem deducta in tantum quod vix habet unde vivat. Interrogatus qualiter predicta scit, respondit quia est vicinus et plusquam ipse vollet miserias dicte Margarida et eius domus.'

Matinet and Jacme, like Margarida presented themselves as exemplars who took their biblical duty seriously, one as a neighbor and the other as a stranger. Both men had responded by giving a woman in financial crisis the money to repay a debt or to return to her home in Marseille. These men had participated in an *ad hoc* network of support for Margarida which enabled her to continue to provide for her family.<sup>38</sup> Neither man's testimony indicated that he had expected repayment, nor did Margarida itemize their loans in her inventory, suggesting they did not need to be repaid.

Such provisions exemplify Sharon Farmer's 'informal charity and strategies for survival among poor men and women.'<sup>39</sup> Though Margarida presented herself as

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<sup>38</sup> Compare the aid Margarida received with the English tradition of neighborhood charity-ales which proved "[t]he charity of ordinary people was not always an *ad hoc* matter of a loaf of bread given by one neighbor or a loan offered by another. In ales, ordinary people had a social institution for offering ready assistance; through them, they were able to raise large amounts of money very quickly; they were able to raise money in such a way that reaffirmed social solidarity; and they were able to help their neighbors, friends and kin through the crises of need and poverty that afflicted them." See Judith M. Bennett, 'Conviviality and Charity in Medieval and Early Modern England,' *Past and Present* 134 (1992), 19-41 (23). For a critique of Bennett's interpretation of the charity-ales, see Maria Moisà, "Debate: Conviviality and Charity in Medieval and Early Modern England," *Past and Present* 154 (1997), 223-35.

<sup>39</sup> Sharon Farmer, 'Down and Out and Female in Thirteenth-Century Paris,' *American Historical Review* 103 (1998), 345-372 (349). On poverty and its implications for gender

gradually impoverished by circumstance rather than having been born into poverty, her witnesses considered her among the poor. Three of them referred explicitly to her *paupertas*. Margarida may have been in need of funds to repay her creditors, and she had gathered witnesses to make that point.

Yet the record suggests this might be as much a rhetorical strategy as a reflection of reality. Other witnesses suggest the possibility that Margarida was better off than she wanted the court to believe and that her claims of poverty were entirely false. We learn from another of Denis' creditors, Jacme de Favacio, who sued for fifty francs from Denis' estate, that Denis and his wife Luisa (Margarida's daughter) were a couple who had enjoyed a sound financial foundation for their marriage.<sup>40</sup> Luisa had received a dowry valued at 140 pounds.<sup>41</sup> He called five witnesses, all women, to prove his case. Each testified that they had seen Luisa leaving her father's house on the day of her marriage wearing a silver diadem encrusted with pearls, a red tunic, silver ribbons, and

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in the medieval period, see Sharon Farmer, *Surviving Poverty in Medieval Paris: Gender, Ideology and the Daily Lives of the Poor* (Ithaca: Cornell University Press, 2002).

<sup>40</sup> As a member of a mercantile dynasty in Marseille, Jacme de Favacio was a significant personage in fifteenth century Marseille. For more on his role in the family's commercial activities, see Christine Bernal, 'Les Favas: Une famille de drapiers dals la Marseille angevine 1302-1473.' *Provence Historique* 39:157 (1989), 367-383 and Christine Bernal, "Les boutiques des frères Favas: Drapiers et draperie à Marsielle au XIV<sup>e</sup> siècle." *Provence Historique* 49:195-196 (1999), 61-78. Thanks to Dan Smail for bringing these reference to my attention.

<sup>41</sup> ADBdR 3B132 fol. 44<sup>r</sup>.

other jewels.<sup>42</sup> The testimony of these women and that of Margarida's creditors, suggest that her claims of absolute poverty were a strategy Margarida constructed to win money from her son-in-law's estate.

The five women who testified to the size of Luisa's dowry on behalf of Jacme de Favacio had been neighbors, since they had observed the entire betrothal procession from their homes. Matinet, however, was the only neighbor who testified that he had helped Margarida in a time of need. Margarida did not include any testimony from the women in building her case, though presumably they had been as aware of what was happening in her house when she nursed her daughter as when her daughter married. This suggests

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<sup>42</sup> See ADBdR 3B132 fol. 45<sup>v</sup>-47<sup>r</sup> for Jacme de Favacio's witnesses. The most detailed account came from Guillemeta Donadene on 46<sup>v</sup>-47<sup>r</sup>. She testified that 'tempore contracti matrimonii inter dictam Ludouissetam Gramone et dictum Dyonisum et die quo fuit desponsata vidit ipsam exeuntem domum patris sue bene et honorifice ornatam indutam et aperatam portentem unam coronam argenti perlarum et chopam tunicam rubenum et caputam cum quodam frezio de argento et una frontaria perlarum de aliis jacalibus non recordatur ad presens.' Clearly, this was not the celebration of the marriage of paupers. In a survey of 739 dowry contracts from 1400-50 in Aix, Noël Coulet found that the average dowry provided was 154 florins, and that only twenty percent of those dowering their daughters provided dowries above 200 florins. See Noël Coulet, 'Dots et sociétés en Provence au XVe siècle. Une approche quantitative,' in *Sources of Social History: Private Acts of the Late Middle Ages*, eds. Paulo Brezzi and Egmont Lee, Papers in Medieval Studies (Toronto: Pontifical Institute of Mediaeval Studies, 1984), 105-29, (121).

three possible interpretations. Margarida, because of her previously comfortable economic status, may not have been a member of a supportive group of women, such as those Farmer found in her study of poor women in medieval Paris.<sup>43</sup> If Margarida had not needed her female neighbors before her daughter's illness had plunged her into debt, they would not have had a history of mutual assistance. When Margarida employed women as wet-nurses, she had not accepted, nor was she offered, the charity of her female neighbors. Margarida would then fall into Michel Mollat's characterization of the medieval pauper as one who has suffered a loss of status and was left without

the means to carry on a social existence. Stripped of his social position and excluded from the community, he was forced into emigration and vagabondage. The poor man was uprooted and alone.<sup>44</sup>

In other words, though left without the resources to participate in her neighborhood as before, Margarida could not turn to that community for help.

Yet Margarida was not alone. Though the neighborhood women were not her witnesses, others spoke on her behalf. She was far from uprooted; she was in her city, fighting for her money in its courts. Whatever loss of status she had suffered, there is no indication she would share the fate of the generic vagabond Mollat outlined.

A second possibility is that Margarida knew the testimony of these women would not support her self-presentation as impoverished. Perhaps they had information about

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<sup>43</sup> Farmer, 'Down and Out', 365.

<sup>44</sup> Michel Mollat. *The Poor in the Middle Ages: An Essay in Social History*, trans. by Arthur Goldhammer (New Haven and London: Yale University Press, 1986), 6.

her finances she did not want them to share, information that might contradict her narrative of a woman left without resources and reliant only on neighbors and charitable strangers. Indeed, hints from the case record suggest that Margarida's insistence on poverty might not have been the whole truth.

Margarida and her daughter were sailor's wives and Marseille was a seafaring city. Though Marseille in the fifteenth century did not enjoy the prosperity of the thirteenth and early fourteenth centuries, sailors' status was protected by Marseille's municipal statutes. No more than four Italian sailors could be part of a crew leaving Marseille, thus guaranteeing employment for the native sons. At the end of the fourteenth century, sailors were permitted to bring their own items to sell as part of the cargo, assuring them extra income if they could find buyers.<sup>45</sup>

Sailors' lives and their fortunes were by their very nature precarious. The judicial records are filled with examples of sailors suing for their pay, or ships' owners suing for the worth of their cargos, lost at sea.<sup>46</sup> Yet Margarida did not create a story about the fickle and dangerous Mediterranean to explain her poverty. She focused attention, instead, on her model grandmotherly behavior and connected her claim on Denis' estate to her Christian, maternal performance.

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<sup>45</sup> Paul Amargier, *Marseille au Moyen Age* (Marseille: La Thune: 1996), 37.

<sup>46</sup> See, for example, ADBdR 3B148 fol. 51<sup>v</sup>-59<sup>r</sup>, in which, two fish merchants informed the court of a Catalan pirate who had boarded their boat, stolen fifty barrels of fish, and in the process killed four of their men.



Margarida did not want to call witnesses who might undermine her story, which happened more often than one might suspect in Marseille's courts.<sup>47</sup> If the women from her neighborhood could not, or would not, bolster Margarida's narrative with their testimony, she would not call on their aid. She avoided calling the women from her neighborhood and called witnesses like Matinet Ruffini whose testimony meshed with the tale she wanted told.

It is worth noting the gender divide between the male witnesses who supported Margarida and the female witnesses who did not. When Margarida assumed the responsibility for her daughter and grandchildren, she stepped into a role that was familiar to many men: the head of the household. Might it be that Margarida's story resonated with men who potentially faced a similar responsibility for their own families, and the corresponding dangers of mounting expenses? Since we do not know if

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<sup>47</sup> For one such example, see ADBdR 3B157, fol. 226<sup>r</sup>-280<sup>r</sup>; the case involves the establishment of a guardianship for the minor boy, Victoret. His mother and grandmother argued that his guardian Guilhem Aturni was a debtor and a thief, and thus unworthy of the office. They claim he had stolen a black coat, yet one of their witnesses said the coat had been willed to him and was thus his property. The record is also filled with examples of witnesses who simply clam up during their testimony. The witness narratives for Hugo and Batrona Salinheri are a good example of this. In an appeal against their daughter-in-law Alsatia Clemense, who claimed they had not handed over her dowry when she and her husband established their own residence, they called twelve witnesses; two of them, the procurator Pons Aurari and Mabila de Neapoli alias LaPosta, have nothing to say. See ADBdR 3B860 fol. 47<sup>r</sup>-86<sup>v</sup>. These two witness narratives are on fol. 77<sup>r</sup> and 78<sup>r-v</sup>.

Margarida's supportive witnesses were themselves responsible for a family, we cannot answer this question definitively. Considered alongside the probability that Margarida was not part of a supportive community of poor women, however, it helps to make sense of the gendered nature of Margarida's witnesses.

To win the judge's sympathy and to receive money from her son-in-law's estate, Margarida argued that her exercise of Christian virtues, nursing of the sick, feeding of the hungry, and burial of the dead had depleted her financial resources and transformed her from a mother able to dower her daughter respectably to a charity recipient. Despite a counter-narrative from creditors who had obtained court orders to compel Margarida to repay them, and a suspicious silence from her female neighbors, most of Margarida's witnesses supported her tale of progressive impoverishment due to maternal responsibility.

Margarida had reason to believe that her narrative strategy might work to convince the judge to rule in her favor. Medieval canon law was fairly tolerant towards the poor. A body of law developed to protect the rights of the poor: they were exempt from paying court fees; lawyers were provided to those who could not pay their fees; and ecclesiastical judges were prohibited from compelling a poor man to travel to court.<sup>48</sup> We see this sympathetic attitude in some of the records from Marseille's secular courts. In both civil and criminal cases, we see litigants telling the judge they are poor in order to forestall financial penalties. The criminal appeal of a case in which a father and daughter-in-law had been found guilty of unlawful imprisonment and theft is one such example.

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<sup>48</sup> Brian Tierney, *Medieval Poor Law: A Sketch of Canonical Theory and its Application in England* (Berkeley and Los Angeles: University of California Press, 1959), 13.

The two argued first that they had been unjustly found guilty in the criminal court and then that they were paupers (*sunt pauperes*).<sup>49</sup> Even if the appellate judge should uphold the conviction, they argued through their procurator, they would be unable to pay the fine of thirty-five pounds.<sup>50</sup>

This strategy had been successful in other cases. A woman Luisa, convicted in 1410 of saying malicious things throughout Marseille about Stefan Ponereti, had her fine of twenty-five solidi reduced to nineteen solidi because of her poverty.<sup>51</sup> In a similar case, Bertrand Manioli was convicted of slandering the lawyer Antoni de Raude but his forty solidi fine was reduced to twenty-five because he was poor.<sup>52</sup>

Judges also reduced heavier fines. Primo Gumaudi had been sentenced to pay a twenty pound fine because he had repeatedly forced the “good and honest woman” Hugueta, wife of Peire Piligrossi, to have sexual relations with him. Because he was poor, his fine was reduced by half.<sup>53</sup> Prostitutes convicted of having adulterous relations with

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<sup>49</sup> ADBdR 3B857 fol. 98<sup>r</sup>. Case begins on folio 59<sup>r</sup>.

<sup>50</sup> For a further discussion of the dynamics of this case, see Susan McDonough, “Judging Your Neighbor: Litigants’ Strategies and the Importance of Witness Narratives in Medieval Marseille, 1400-1430” (PhD diss., Yale University, 2005), chap. 5.

<sup>51</sup> ADBdR B1945 fol. 406<sup>v</sup>.

<sup>52</sup> ADBdR B1945 fol. 409<sup>r</sup>.

<sup>53</sup> ADBdR B1945 fol. 407<sup>v</sup>. See also fol. 409<sup>r</sup> for the case Valranea Sartore, convicted of wounding a pilgrim with a sword (fine reduced from forty to twenty pounds). Poverty is not the only justification for reducing fines. Men of the cloth routinely had their fines

men in ‘good and honest streets’ were accorded some accommodation for their straightened circumstances. One fallen woman (*femina falhita*) was given a lesser fine because ‘she had no goods at all,’ and another also enjoyed a reduced fine in recognition of her poverty.<sup>54</sup>

While the records suggest a certain sympathy towards poor litigants, medieval law placed significant liabilities on the testimony of the poor. The *Digest* required judges to ascertain whether witnesses were ‘well off or needy, so that they may readily act for gain,’<sup>55</sup> a position duplicated in all judicial handbooks that Marseille’s judges would have consulted. Thus, at the end of his or her testimony, the court notary asked each witness

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reduced because of their clerical status, and sometimes the record does not state the reason, but notes that the fine was reduced on appeal.

<sup>54</sup> ADBdR B1944 fol. 311<sup>r</sup>.

<sup>55</sup> In Theodor Mommsen with the aid of Paul Krueger, eds. *The Digest of Justinian*. English trans. ed. by Alan Watson, 4 vols., vol. 2 (Philadelphia: University of Pennsylvania Press, 1985), 22.5.3, 650a. Note the difference here between Roman and canon law: Johannes Teutonicus’ 1216 *Glossa Ordinaria* Decretum, ‘held that a poor man could be barred from acting as accuser only if his integrity was suspect; poverty itself was not a sufficient reason for excluding him. The same was true, according to Johannes, when it was a question of receiving the testimony of a poor man as a witness. To support these views he cited the opinion of St. Ambrose and, adapting the saint’s own words, maintained “Paupertas non est de numero malorum,” “Poverty is not among the number of things evil” that is, things criminal or morally reprehensible.’ See Tierney, 12-13.

if [they] were taught, instructed or suborned, and if they testified out of love, fear, favor, hatred or rancor. Also if they were given anything, remunerated, or if they testified as a result of a favor or threat[...Also] if they are related to any of the parties in the suit [...and] which side they want to prevail.<sup>56</sup>

This clause, a variation of one found in Tancred's manual on procedural law,<sup>57</sup> allowed the opposing litigant to establish grounds for challenging witnesses or exposing potential biases of the witnesses. Although imperfect as evidence because the notaries often did not record the witnesses' responses to the question, this clause provides

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<sup>56</sup> For example, see ADBdR 3B157 11<sup>r-v</sup>, the testimony of Gabriel Maurelli: 'Et generaliter interrogatus se doctus instructus, vel subornatus, et si pro amore, timore, favore, odio, vel rancore predicta posuit. Item, se fuit sibi aliquid datum promissum, remissum, quitatum, vel renumeratum se si sperat habere commodum, vel incomodum per huius testimonium faciendo...Item si attinet alicui dictarum parti...Interrogatus quam partem in ista causa vellet obtinere....'

<sup>57</sup> Tancred, *Ordo iudicarius* in Pilius, *Tancredus, Gratia: Libri de iudiorum ordine*, ed. and trans. by Friedrich Christian Bergmann (Aalen: Scientia Verlag, 1965), 236. De iuramento testium, et qualiter sunt examinandi: 'Tale iuramentum debent praestare testes generaliter: quod ipsi dicent iudici vel ei, cui iudex hoc commiserit inquirendum, totam veritatem, quam sciunt de quaestione, super qua inducuntur, usque ad finem litis, quotiens interrogabantur; et nullam falsitatem interponunt; et pro utraque partem veritatem dicent; et quod nec pretio, nec amicitia, nec privato odio, seu commodo aliquo, quod inde habituri sint, ad dicendum testimonium ipsum accedunt.' This line of questioning was inherited from the *Digest* 22.5.3 On Witnesses. In *The Digest of Justinian*, 650a.

evidence of the socio-economic background of some of the witnesses. In order to ascertain whether a witness should be considered suspect, each was asked at the end of their testimony to disclose their net worth.

Not everyone complied or the notary did not record every witness' answer. Yet seventy six of the 375 men who testified in Marseille's courts between 1400 and 1430 revealed their net worth.<sup>58</sup> One very wealthy man admitted to a fortune of over five thousand florins; another merchant simply said he 'had enough as was pleasing to God.'<sup>59</sup> One witness said he was worth only twenty-five florins. He explained his lack of wealth by saying he had given everything else up for ransom when he was captured by the Moors.<sup>60</sup> Three other witnesses admitted to having very little (*modicum*), and one servant said he was worth 'practically nothing' (*quasi nichil*).<sup>61</sup> Fewer women offered information about their financial status; of the eighteen who did, one said she could not remember her net worth; one said she was worth six florins and three said they were worth absolutely nothing. While this may have directed the attention of tax assessors elsewhere, the participation in legal proceedings of those with little or no material wealth

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<sup>58</sup> Between 1400 and 1430, the courts in Marseille heard ninety-eight cases containing witness testimony out of 354 cases heard overall. These cases contain depositions from 674 witnesses. The cases are recorded in ADBdR Séries 3B (3B132-33, 3B135-139, 3B140-162, 3B167, 3B850-851, 3B853-854, 3B856-862).

<sup>59</sup> ADBdR 3B136 fol. 226<sup>r</sup>: '[...]satis per dei gratiam.'

<sup>60</sup> See ADBdR 3B858 fol. 120<sup>r</sup>.

<sup>61</sup> ADBdR 3B136 fol. 236<sup>v</sup>.

suggests that when they had important information to share as witnesses, litigants overlooked their poverty and were willing to risk having their witness challenged.

Not all participants in Marseille's legal culture were willing to accept the word of the poor. Some cases before Marseille's judges reflect suspicion. In the court battle between Sister Johana Atulphe, nun of Saint Clare's monastery against Nicholas de Luceysso on the issue of unpaid rents, the nun called the laborer Jacme Mayni to testify to her ownership of the land.<sup>62</sup> Nicholas' procurator, or legal representative, challenged Jacme's testimony, saying he was 'a man of vile condition, a pauper, and he possesses nothing in goods and also he is of such a kind who is able to be led by a modest amount to be unworthy.'<sup>63</sup> Although the judge did not disqualify the witness, this challenge, or exception (*exceptio*), did have legal standing, and Johanna's procurator had to defend Jacme's ability to testify. The procurator conceded that Jacme was poor, but he continued, 'He is considered faithful and diligent.' He denied that Jacme was a vile person; he claimed he was honest and worthy. Furthermore, he argued, Jacme's narrative about the unpaid rent was entirely in line with those of the other, presumably more wealthy, witnesses.<sup>64</sup>

According to Johanna and the legal team that judged Jacme a worthy witness, his poverty did not make him a liar. The nun defended her witness as her case rested on his

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<sup>62</sup> ADBdR 3B154 fol. 69<sup>r</sup> for Jacme Mayni's testimony.

<sup>63</sup> ADBdR 3B154 fol. 73<sup>r</sup>: '[Q]uod ipse est homo vilis conditionis, pauper et nichil in bonis possidens, et alias talis qui per modico ad degenerandum induci potest.'

<sup>64</sup> ADBdR 3B154 fol. 74<sup>r</sup>. 'Quia licet pauper sit, fidelis tamen habetur et diligens. Negato quod sit vilis persona ymo honesta et fidedigna.'

words, but her representative's praise of the poor man suggests two things. First, people saw the legal constraints on testimony as malleable, and second Marseille's citizens did not uniformly assume that poverty carried with it the assumption untrustworthiness, regardless of what the secular judges' manuals stated.

Witness testimony moves between two poles: neighbors suggest that the poor were worthy of compassion, yet they could also be a burden or a destabilizing force in their neighborhoods. Merchants and purveyors of services had little sympathy for those pleading poverty, as the poor imperiled their own livelihoods by defaulting on payments. Litigants, then, had to make choices that mirrored societal concerns: while they could use the notion of poverty to win their court cases, they risked being seen by their neighbors as potential disturbers of the peace. If some of the witnesses in Margarida Gramone's case were correct, and she did have access to more resources than she claimed, her strategy risked her reputation. As a woman of means claiming poverty, she would have been considered a liar twice over: first because she misrepresented her status, and second because her fictive status was associated with dishonesty. Perhaps, given what she had already lost, that prospect mattered less to her than it might to others.

Since we do not know how the judge ruled in Margarida Gramone's case, we do not know if her story of maternal and grandmotherly suffering was sufficient to convince him that she deserved priority in the settling of Denis Alexandri's estate. Yet throughout the case, Margarida chose to present herself as poor and to emphasize her familial duty and sacrifice within a proper Christian framework. She focused attention on her reliance on charity and her inability to settle her debts, all incurred during the illnesses of her daughter and grandchildren.



In early fifteenth-century Marseille, claiming poverty in the courts was a double-edged sword. While it could lessen the fine a convict had to pay and could help convince a judge to rule in favor of an impoverished litigant, the stories the poor told were held in suspicion. Marseille's citizens were aware of the benefits and the pitfalls of presenting themselves as poor and made strategic choices to try to influence the result of cases in their favor. As they painted a picture for the court, they drew on Christian ideals that enabled the court to accept poverty and charity as positive values even while legal traditions undercut the testimony of the poor.

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