



Early Marriages in the Diocese of Chester

BY W. H. PRICE AND THE EDITOR

THE following documents relating to certain child-marriages, solemnised in the Diocese of Chester, have been copied, by Mr. W. H. Price, chief clerk, from the books and papers preserved in the Diocesan Registry at Chester. The warmest thanks of the Society are due to Mr. John Gamon, the Diocesan Registrar, for his kindness and courtesy in allowing the transcripts to be made. Though they are written in the mixture of crabbed Latin and quaint English of the period,¹ they are full of interest for the general reader; and for the historian of social customs in England they are invaluable.

Everyone knows that it was not unusual to betroth members of royal houses, in this and other countries, at an early age, by proxy. But in these records—a selection of which is given—there are numbers of instances belonging to the middle and upper classes where boys of 9 or 10 and girls of the same immature age have been actually made “man and wife,” not in sport, but in real earnest, with all the solemn accompaniments of adult

¹ The Editor craves indulgence for errors in the extension of this crabbed Latin, on the ground that his share in this paper has to be done without the opportunity of comparing the original documents with the transcripts so laboriously and carefully copied by Mr. Price. Some of the abbreviations have proved a most exasperating puzzle.

marriage, by clergymen of the Church of England (vicars and rectors of the parishes to which they belonged), with the words of the marriage service in the Book of Common Prayer, and in the presence of the parents on both sides and other witnesses. One witness speaks of a ring being used. Another states that the marriage was done as orderly and effectually as ever he saw any marriage. A third, who acted as bridesmaid, and was very near unto the bride, gives evidence that she doth perfectly remember they had a ring, and that the same marriage was done according as she hath seen other marriages heretofore done since, and according to the order now used.

One of the cases is that of Joan Chaderton, daughter of a bishop, the "Puritan Bishop of Chester." Bishop Chaderton was present in the Chapel of the Bishop's Palace with her mother, and consenting, when his only daughter Joan was married at the age of 9 years to the eleven-year-old bridegroom, Richard Brooke, son and heir of Thomas Brooke of Norton.

Evidence is given that no compulsion or enforcement was used. One of the brides, Elizabeth Massie, was a mere baby-girl of the age of $2\frac{3}{4}$, and Robert Vaudrey, the Vicar of Bowdon, who performed the ceremony, declares in his evidence that "she stood on a form in the chancel betwixt the arms of Isabel Cleworth and could not pronounce her words but after this order 'I Epye take thye Doge' [for *thee George*] and so I persuaded with her as I and the woman could get her say after us."

These boy and girl couples did not at once live together, the parties remaining with their parents, or at one or other house, until they came to "yeares of discretion." The marriages were none the less valid and binding, and could only be dissolved by decree

of a competent court. At the same time it appeared to be thought necessary, as in the cases of Brooke and Chaderton and Hanmer and Leigh, to come to the Chancellor for a formal declaration of confirmation and ratification.

Much domestic unhappiness was naturally caused by these child-marriages. Bishop Chaderton is reported by Sir John Harrington ("State of the Church of England") to "have had no great comfort of the marriage of his only daughter, who, for years, lived apart from her husband." She herself had an only daughter, Elizabeth, born in 1595, who was married to Trel Josceline in 1616. It is pathetic to recall that she wrote "The Mother's legacy to her unborn child," which was published in 1624, two years after her death in child-bed, 12th October, 1622.

Bishop Chaderton's own marriage was the subject of some remark. On his appointment to the Presidentship of Queen's College, Cambridge, he applied to Dudley, Earl of Leicester, for permission to marry, and received a curious reply from his patron, which may be read in Peck's "Desiderata Curiosa." His wife, Katharine, whose evidence is given below, was the daughter of John Revell of London.

Dr. Furnival has published a number of documents bearing upon these marriages, in a publication of the Early English Text Society, No. 108. He gives in his amusing preface an instance of John Rigmaden, who "at the age of 3 was married to a bride of 5. He was carried in the arms of the clergyman, who coaxed him to repeat the words of matrimony. Before he had got through his lesson, the child declared he would learn no more that day. The priest answered, 'you must speak a little more, and then go play you.'"

The first case given in this paper is that referred to above, the parties being Richard Brooke, son and heir of Thomas Brooke of Norton, and Joan Chaderton. The marriage was solemnised by licence from the Ordinary in the chapel at the Bishop's Palace, Chester, October 15th, 1582, by John Nutter, B.D., Vicar of Sefton. The witnesses were the Bishop and his wife Katharine, the Chancellor Robert Leche, David Yale (Doctor of Laws) Peter Warburton, Thomas Burgess, William Walker, and others. Although the father of the bridegroom does not state that he was present, he declares that the marriage took place with his consent. A later witness, Thomas Burgess, states that Mr. Thomas Brooke was present. He also adds that the married couple continued together at the Bishop's Palace up to the date of the suit. The decree confirming and ratifying the marriage is delivered by Oliver Carter, as Commissary and Deputy of Chancellor Robert Leche, Official Principal of the Diocesan Court.

2. The second case is that of George Boden and Elizabeth Massey, daughter of Ralph Massey of Hale, who were stated to be respectively 9 and 3 at the time of their marriage in the Parish Church of Bowdon. The application, which is made 23 September, 1585, is for divorce or dissolution of the marriage after an interval of 18 years. The witnesses were Thomas Venables of Weaverham, uncle of the bride, George Asley of Bowdon, Ralph Massie of Bowdon, the father of the bride; and a curious piece of evidence in favour of the dissolution is given by Rev. Robert Vaudrey, who performed the ceremony.

The marriage is dissolved by sentence of Chancellor Leche on the ground that the parties had never cohabited together, and the ceremony was stated to be a mere semblance of marriage (*effigies matrimonii*).

3. The third case is that of Thomas Hanmer, son and heir of John Hanmer, of Hanmer in Flintshire, and Elizabeth Leigh, daughter of Rowland Leigh. The parties, being 15 and under 12 years of age respectively, were married at Erbistock, 8th September, 1578, by Rev. David ap Edward, "Curate" of Marchwiel. The application, made nearly 5 years after, April 22nd, 1583, by both parties for the ratification of the marriage, was granted, and a decree accordingly issued by Chancellor Leche. In the decree reference is made to the bride being at the time of the marriage a minor, and having arrived at years of puberty, formally declaring her consent.

This marriage is not mentioned by the late Lord Hanmer in his memorial of the Parish of Hanmer.

I. CONSENSUS INTER BROOKE ET CHADERTON,
EPISCOPUM CESTRENSEM.

(I.) ROBERTUS LECHE legum doctor Curie Cons' Cestren' officialis principalis legitime et sufficienter ad infra scriptum fulcit' Dilecto nobis in X'to Olivero Carter Clerico sacre Theologie professori Salutem in Domino cum Richardus Brooke filius et heres apparens Thome Brooke de norton in Com' Cestr' Cestren' dioc' arm' et Joanna Brooke al's Chaderton filia Reverendi in X'to patris Will'mi nunc Cestren' Episcopi quoddam matrimonium inter eosdem Richardum et Joannam ad tunc in minoritate existentem solemnizatum nunc ad Annos nubilem pervenientem volunt et Cupiunt Coram nobis per eorum mutuum consensum et assensum ratificare et Confirmare sed ipsi Commovere non possunt in Cons' Cestren' comparere Nos igitur tam ea de Causa tum alijs nos ad id iuste moventibus Ad evocandum Coram te

Dictos Richardum et Joannam aliquibus die et Loco Competentibus per te illis assignandis eorumque assensu et consensu huiusmodi ad mittendum necnon ad Cognoscendum et indicandum procedend' in Dicto negotio usque ad diffinitivam sc'am inclusive si sic per eosdem Richardum et Joannam fueris requisitus Ceteraque omne et singula Dictum negotium conc'nen expediend' vices et auct^{em} nostras Com'ittimus Teque surrogat' Comissar' et deputatum nostrum ad p'missa exequend' et expediend' facimus et Constituimus per presentes Assumpto tibi in actorum tuorum scribam seu Actuarium Discreto viro Johanne Morgell Notario pu^{co} quatenus huiusmodi negotio finit totum et integrum professum Coram te habitum et factum nobis seu Deputato nostro ad Ecclesiam Cathedralem Cestren' loco Cons' ibidem Cum ea que Decet celeritate una Cum presentibus Claus' Certificates In Cuius Rei Testimonium sigillum officij nostri quo ad Causas Ecclesiasticas infra Dioc' Cestren' Utimur presentibusque apposimus Dat' quoad Sigilli nostri appenn' xx^{mo} die Mensis ffebruarij Anno D'ni secundum Computacionem Ecclesie Anglicane Millesimo Quingentesimo octogesimo sexto.

ROBERTUS LECHE. JO. MORGELL,
Notarius publicus.

(2.) In the name of god Amen I Richard Brooke sonne and heire apparant of Thom's Brooke of Norton in the Countie of Chester esquier doe not onelie acknowledge before you Oliver Carter Clarke bachelor of Devinitie lawfullie aucthorized in this behalf and you John Morgell notarie publique and the witnesses here present that matrimonie was de facto had and solemnized betwene me the said Richard Brooke beinge then aboute the age of eleven yeares and above tenne and Joane

Brooke als' Chaderton heare present daughter to the reverend father in god Will'm by godes providence nowe Bushope of Chester she then beinge aboute the age of nyne yeares and above eight but also nowe havinge fullie accomplished the age of xiiij^{ten} yeres doe withe a willinge mind and free will ratifie the same mariage or matrimonie by myne expresse Consente and assente for my p'te and doe herebefore yo^u freelie and absolutelie Consent to accepte and take the said Joa'ne for my Lawfull Wief the said Joanne doeinge for her p'te the like towards me instantlie desireinge yo^u Oliver Carter to admitt this my Confession and Consent and vpon the meritte of the Cause by your sentence Definitive in writinge to decree iudge and pronounce for the validitie of the said mariage And that wee the said Richard and Joanne are Lawfullie man and wief and soe ought from hencefourthe to be deamed and reputed to all intentes and purposes And withall desireinge yo^u the Notarie to note and record this my pn'te Confession Consente and request.

RICHARD BROOKE.

Mr. Brooke I doe accepte of your Confession and Consent and for the Confirmac'on of the said mariage on my behalf I doe here freelie expreslye and absolutlye Consente to take yo^u for my Lawfull husband and praie as yo^u have praied.

JOHAN BROOKE.

(3.) Will'ms Chaderton Cestren' Episcopus pater dicte Joanne examinatus in vim Juramenti sui prestiti super content' allegacon' per dictum Richardum Brooke lect' et ext' dicit that matrimonie was solempnized betwixt ye said Richard and Joanne in this deponents howse att Chester Comonlie Called ye Palace in a Chappell within

the same Palace by John Nutter Clarke Bach' of Devinitie and Person of Sefton the xvth daie of October in y^e yeare of y^e Raigne of our Sovereigne ladie Elizabethhe &c. the xxiiijth and in y^e yeare of our Lord god 1582 by License from y^e ordinarie And this Deponent saithe the same was had done and solempnized accordinge to the booke of Comon Praier and the vse and Custome of the Church of England by y^e expresse Consent of this deponent and y^e father of the said Richard presentibus tunc ibidem Thoma Brooke armigero patre eiusdem Ric'i Robt' Leche David Yale legum doctoribus Petro Warburton gen' Thoma Burges Will'm Walker Edwardo Sutton et Ranulpho Cotgreave gen' testibus Cum alijs Interrogatus de etate dictorum Richardi et Joanne Dicit that the parentes and frendes of the said Richard did att the tyme of the said mariage declare that he the said Richard was then about xi. yeres of his age and above tenne and it is nowe since the same mariage iiij^{or} yeres past and as muche as since October Last soe y^t y^e said Richard vpon that is aboute xv. yeares of his age and above xiiij^{en} And this deponent saithe further the said Joanne was borne the xxth of ffebruar' in the yeare of our Lord god 1574 in y^e morneinge of the same daye soe that she was att the tyme of the solempnizac'on of the same mariage about ix^{en} yeares of her age and above eight and nowe of this deponentes Certayne knoweledge shee the said Joanne is xij. yeres of her age and above as muche as since the xxth of this instant februar' and ever since quase Continue the said Richard and Joanne have continued withe this Deponent and had likeinge either of other for any thinge this deponent did p'ceave to the Contrarie And this Deponent saithe he knowethe noe impediment but that the said Richard and Joanne maye be Lawfull man and wief.

KATHERINA CHADERTON vxor dicti Reverendi patris Will'mi Cestren' Episcopi et mater eiusdem Joanne Chaderton examinata super Content' allegacone per dictum Richardum Brooke lect' et ext' in vim Juramenti sui prestiti Dicit that matrimonie was solempnied betwixt the said Richard and Joanne in ye pallace att Chester Comonlie Called the Bishoppes Palace in a Chappell within ye same Palace by John nutter Clarke bachelor of Devinitie [*sic*] and p'son of Sefton beinge nowe iiij^{or} yeres past asmuche as since october Last and shalbe fyve Come October next And saithe further the same mariage was solempnied by the Consente of this Depo^{ts} husband this depo^t and the father of the said Richard And this deponent saithe the same was done by Licence from the Ordinarie or his deputie And accordinge to ye booke of Com'on prayer and ye vse and Custome of the Church of England beinge p'sente ye father of ye said Richard Cum alijs provt pater in Deponil' dicti mariti sui Beinge asked of ye age of ye said Richard and Joanne saiethe that ye said Richard att ye tyme of the solempniac'on of ye said mariage was as his parentes and frendes declare to this depo^t about xi. yeres of his age and above x^{en} And since ye said Mariage it is iiij^{or} yeres and as muche as since October last soe that nowe vpon this accompte he the said Richard is aboute xv. yeres of his age and above xiiij^{ten} And this Deponent saithe further ye said Joanne was born ye xxth of februarie 1574 and att ye tyme of ye said mariage she was aboute ix^{en} yeares of her age and above viii. and nowe of this Depon^{ts} Certayne knoweledge she ye said Joanne is xij. yeares of her age and as muche as since ye xxth daye of this instant februarie not for this depo^t saithe she tooke certayne note of ye daye of her birthe in writinge And saithe further ever sins ye said

mariage the said Richard and Joanne have contynued together and had good likeinge either of other for any thinge this Deponent ever p'ceaved to y^e Contrarie And likewise saithe she this Deponent knowethe noe impediment But y^t y^e said Richard and Joanne maye be Lawfull man and wief.

THOMAS BROOKE de Norton parochie Runcorne Cestren' Dioc' armiger pater prefati Richardi Brooke examinatus super content' allegat' per dictum Richardum Brooke lect' et ext' in vim Juramenti sui prestiti Dicit y^t matrimonie was solemnized betwixt y^e said Richard and Joanne by John nutter Clarke Bachler of devinitie and p'son of Sefton in y^e Palace of y^e reverend father in god Will'm nowe Bishoppe of Chester in y^e Chappell within the same Pallace iiij^{or} yeres nowe past and as muche as since October last by the Consente of this deponent and y^e Parentes of y^e said Joanne and saith the same mariage was done accordinge to y^e booke of Comon praier^e beinge present y^e Parentes of the said Joanne Rob'te Leche David Yale Doctor of y^e Lawes Peter Warburton gent' Thom's Burges Will'm Walker and divers other[s] Interrogatus de etate dictorum Ric'i et Joanne Dicit virtute Juramenti sui prestiti that the said Richard was borne in m'che and he was att the tyme of y^e said mariage aboute xj yeares of his age and above x^{en} and nowe he the said Richard of this Depo^{ts} owne certaine knoweledge is xv^{ten} yeres of his age in m'che next not firmiter for he saithe he doethe rem'bre y^e monethe and tyme of y^e Birthe of y^e said Richard and tooke a p'fecte note thereof And for y^e age of y^e said Joanne he cannot depose But he saithe y^t her Parentes att y^e said mariage did declare her to be viij yeres of her age and nowe they declare that she is xij yeres of her age and as muche as since y^e xxth of this instant ffebruar' And this

deponent further saithe for his p'te by vewe of her bodie he beleevethe y^t she is xij yeres of her Age at y^e least And further saithe that ever since y^e same mariage the said Richard and Joanne have Contynued together Lovinglie and have had likeinge either of other for anie thinge this Deponent Could ever p'ceave And this Depo^t saithe he knowethe noe impedimente But y^t y^e said Richard and Joanne may be Lawfull man and wieffe.

THOMAS BURGES parochie de Runcorne gen' etatis sue lx Annorum n^vt Richardum Brooke ab eius natu et Joannam Chaderton no^t p' quinque annos vlt' elapsos examinatus de et super Content' in allegacone per dictum Richardum lect' et ex^t in vim Juramenti sui prestiti Dicit that iiij^{or} yeres paste and shalbe five in October next matrimonie was solempnyed by John Nutter Clarke Bachelor of Devinitie and p'son of Sefton betwixt the said Richard and Joanne in A Chappell within the L Bishoppe his Palace at Chester by the Consent of the father of the said Richard and the Parentes of the said Joanne accordinge to the Booke of Com'on praier and the Custome of the Church of England beinge presente att the same the father of the said Richard the Parentes of the said Joanne Will'm Walker this depo^t and divers other gent' and gentlewomen beinge exa'ied of the age of the said Richard and Joanne saithe that att y^e tyme of the said mariage y^e said Richard was about xj. yeres of his age and above x^{en} And nowe y^e said Richard is of this Deponentes Certayne knoweledge above xiiij^{en} yeares of his age and shalbe xv^{ten} Come m'che next no^t for y^t he was servant to y^e said Mr. Brooke att tyme of his Birthe and nowe is And doethe Carrie the same in his mind verie well and p'fectlie havinge taken notes thereof and for the age

of the said Joanne he cannot depose certaynelie But saithe y^t he hathe hard his Parents affirme y^t she is nowe xij. yeres of her Age and above And this deponent saithe y^t ever since the said mariage the said Richard and Joanne have contynued together in howse withe the Parentes of the said Joanne and have had likeinge either of other for any thinge this deponent ether sawe or hard reported And this Deponent saithe he knowethe noe impediment But y^t y^e said Richard and Joanne maye be lawfull man and wief before god and man.

WILL'M' WALKER serviens prefati Thome Brooke ar' parochie de Runcorne etatis sue xxxi. Annorum not Ric'um Brooke per Decem annos et Joannam Chaderton per quinque annos aut circiter examinatus de et super contentis in Allegac'one per Dictum Richardum Brooke lect' et ext' in vim Juramenti sui p'stiti Dicit et Depo^t provt Burges deposuit for y^e mariage et interrogatus de etate dictorum Ric'i et Joanne dicit y^t he cannot depose certainelie of the age of the said parties But he saithe that he hathe hard his m^r father to y^e said Richard divers and sundrie tymes declare that he the said Richard was borne in marche and y^t he is past xiiij^{ten} yeres of his age and shalbe xv. come marche next and this deponent by vewe of his person doethe take him to be above xiiij^{ten} yeres and saithe further the said Joanne is accompted by her parentes to be now xij. yeres past. al's concordat cum Burges preconteste suo.

(4.) IN DEI NOMINE AMEN auditis visis et intellectis ac plenarie discussis per nos Oliverum Carter Cl'icum sacri verbi dei predicatorem velis viri Rob'ti Leche legum Doctoris Reverendi in X'to patris et d'ni d'ni Will'mi miseracone divina Cestren' Ep'i Vicar' in spiritualibus generalis dnoque Curie Cons' Cestren'

official' princ' Comiss' rite et l'time in hac p'te deputat' seu substitut' meritis et circumstantijs eiusdem negocij ratificac'one matrimonii quod coram nobis iudiciali et pro Trib^{li} seden' inter Richardum Brooke filiam et heredem apparen' Thome Brooke de Norton p'och de Runcorne Cestren' Dioc' ar' et Joannam Brooke als' Chaderton filiam Reverendi p'ris Will'mi nunc Cestren' E'pi vertebatur et ad huc pendet indecis^e rite et l'gt'me preden' ptib' predictis personaliter Coram nobis comparen' et dictum matrimonium per Si'e n'ram diffinitivam ratificari et confirmari et pro vero et valido matrimonio pronuntiari postalan' Que p' acta inactituta deducta p'po'ie allegata et confessata in hujusmodi negotio habit' et fact' comp'imus et Luculenter invenimus matrimonium inter prefatos Richardum et Joannam ad tunc in minori sua etate constitutos de et cum parentium suorum consensu de facto fuisse solempnyatum ac eosdem postea viz cum ipse quatuordecim esset annorum et vltra et ipsa complisset xij sue etatis annum predictum matrimonium per liberum consensum hincinde expresse coram nobis declaratum ratificasse et confirmasse nullum p' obstare eidem matrimonio legitimum impedimentum Idcirco nos Oliverus Carter Comiss' aut edictus primitus per nos toto et integro process' in dicto negotio coram nobis habit' et fact' et ponderat' diligenter Tenore ejusdem materie per ip'os Richardum et Joannam coram nobis in dicto negotio in scriptis dat' et oblat' in hec verba In y^e name of god Amen xix. quam quidem materiam hic pro lecta et insert' haberi volumus x'ti nomine p'mitus invocat' ac ipsum solum deum oculis nostris proponen' servatisque per nos de more in hac p'te servandis matrimonium sic vt p'fertur inter dictos Richardum et Joannam de facto solempnyatum per eorum huiusmodi Consensum ratificatum et Confirm-

atum esse illudque Confirmamus et ratificamus ac pro vero puro et lg'timo ad eund' Juris et facti effectum habendum esse et fore decrevimus Dictosque Ric'um et Joannam premissis intuitu l'timo matrimonio ad invicem copulatos et Coniunctos esse Declaramus prefatumque Ric'um maritum legitimum Dicte Joanne et p'fatam Joannam vxorem l'timam dicti Richardi esse et sic in posterum fore habendam pronuntiamus et Judicamus per hanc nostram Siv'am Diffinitivam sive hoc nostrum finale Decretum quam sive quod ferimus et promulgamus in hijs Scriptis.—*Extract from Register Book 2, fo. 46 and 47.*

II. GEORGE BODEN AND ELIZABETH BODEN (MASSEY).

(He about 9 and she 3 or under at time of Marriage.)

Responsio personalis Georgij Boden gen' supra exceptionibus et articulis libelli ex p'te Elizabeth Boden al's Massie oblat' in quadam causa divorcij sive dissoluconis presentis Matrimonii capt' coram vel viro Rob'to leche legum doctore &c. xxij^o die mensis Septembris Anno d'ni Milli^{mo} Quing^{mo} Octogesimo Quinto [1585.]

Ad Prim' et 2^d articulum respondet that matrimonie was solempnized betwixte this r'ondent [respondent] and the saide Elizabeth in the p'ishe Church of Bodon aboute xvijth yeares sins hee this r'ondent then beinge aboute ix yeares of his age and shee the saide Elizabeth Three yeares of her age or rather vnder as in the said Article is sett downe and conteyned.

Ad 3 et iiij. articulos this r'ondent saith that thees ij articles veritatem in se continent for anie thinge that hee knowes being asked by the Judge by vertue of his

Othe whether there was anie cohabitacion betwene them or whether the[y] dwell together saieth they never dyd Beinge asked for carnall copula'cion betwene them saieth by vertue of his Othe there was never anie butt saieth that shee is a pure virgin for him or anie thinge that he knoweth and saieth that hee beleveth that they maie lawfullie and ought to bee sett asonnder in conscience to marrie els' where god shall putt them in mynde.

Ad 5^{tum} credit eundem esse verum.

Ad vj^{tum} ar'lum credit credita et negat negata &c.

Dictum testimonium super his' Elzabethe massie al's Boden captum in quadam causa divortij siue dissolutionis presentis M'ronij contra Georgium Boden gen' xxiiij^o die mensis Septembris 1585.

THOMAS VENABLES parochie de Weu'ham [Weaverham] gen' etatis sue xl^{ta} Annorum aut circiter novit partem Agentem ab eius tenera infantia et dictum Bodon per idem Tempus.

Ad Primum et 2^d articulum dicit that hee was p'sente by when m'ronie was solempnized betwixte the pl' and def't in the p'ishe Church of Bodon aboute xvij or xvij yeares sins she the saide Elzabeth then beinge vnder iiij^{or} yeares of her age to his Judgment and being held in ones armes and could scante [scarce] speake insomuche that when shee should pronounce the wordes of m'ronie after the minister shee spake them soe that shee scantlee vnderstood and hee the saied George was aboute ix yeares of his age being asked of the cause of his p'sence there this deponente saieth he was her vnclē and was requested to bee there and knoweth the premisses to bee true.

Ad 3 et 4^{tum} ar'los this deponente saith that hee being her vncler hathe examined her divers tymes and could never fynde that shee had anie lykinge of hym the saied George butt alwaies dyd dislyke of hym and further saeth that hee verelie beleveth in his conscience that the saied Elizabeth never consented togeather butt alwaies dissented after the saied Mariage sins she came to yeares of discretion Beinge asked whether that hee dyd ever knowe the saied Elizabeth and George cohabitt togeather or vnderstood or suspected they ever rated the saied mariage saith hee dyd never knowe that ever the[y] dyd or dyd suspect the[y] dyd.

Ad 5^{tu} ar'lum dicit eundem esse verum.

Ad vith dicit predepositum per eum esse verum.

GEORGIUS ASLEY p'ochie de Bodon etatis sue xlix Annorum novit partem Agentem ab eius tenera infantia et dictum partem def' per idem tempus.

Ad Primum et 2^d ar'los this deponente saith that M'ronie was solempnyed betwixte the saied saied [*sic*] Elizabeth and George in the p'ishe Church of Bodon aboute xvij yeares sins shee the saied Elizabeth then being butt a Childe and could scante speake that one mighte vnderstand her and vnder iiij^{or} yeares of her age and hee the saied George being aboute ix yeares of his age not [he knows] for this deponente saeth hee being akynne to the Def' was bye att the mariage and requested to bee there.

Ad 3 et 4^{tum} ar'los this deponente saith that the saied Elizabeth and the saied George dyd never consente to the saied mariage butt att all tymes haue to this deponente and others there frendes dissented sins they came to lawfull yeares and saeth that he being a

neighbor to the saied Elizabeth and kynsman to the def' doth knowe that they never dyd cohabitt together in one howse butt the saied George dyd dwell in Dunham and shee the p^l dwelte wth in the Townshippe of Bodon and beinge thereof exa'ied saieth that hee verelie beleveth in his conscience that the saied Elizabeth and George maie Lawfullie bee divorced and that they doe god good service that shall divorce them and sett them att libertie to marrie els where where god shall putt them in mynde.

Ad 5^{tu} ar'lum dicit eundem esse verum.

Ad vi^{tum} Dicit predepositum per eum esse verum.

RAD'US MASSIE p'och' de Bodon gen' etatis sue xliiij^{or} pro parte Agen' novit p'tem def' ab eius tenera infantia Ad Primum et s'c'dum ar'los Dicit that m'ronie was solempnized betwixte the saide p^l and def' wth in the p'ishe Church of Bodon by St Robt' Vaudrey Clarke then Vicare there aboute xviiij yeares sins she the saide Elizabeth being then nott paste iij yeares of her age and a verie childe that shee could scante speeke and he the saide George was aboute viij or ix yeares of his age and this deponente saieth that the same mariage was done by the p'curemente of this deponente and the mother of the def' whoe then was [a] Widowe as nowe shee is Novit for hee saieth he was p'sente by att the same mariage.

Ad 3 et 4^{tum} ar'los this deponente saieth that the said Elizabeth and George neuer sins the[y] came to yeare of anie discretion had lyking ether of other butt alwaies dissented and especiallie the saide Elizabeth could neu' haue lykinge of hym insomuche that they neuer dyd cohabit in one howse together sins the saide m'ronie that ever this deponente dyd knowe butt dyd avoyd the

one the others companie yf the[y] chanced to meate together in anie place and soe continued in disslyke the one of the other and beinge thereof exa'ied saieth that hee is verelie p'swaded in conscience that they maie lawfullie bee divorced to marrie where god shall putt them in mynde and hee saieth butt that hee knoweth the matter is verie honest good and cleare he could nott bee willing the[y] should bee sep'ated and hath p'suaded w'th bothe the saide p'ties manie tymes and ever found a dislyke and that greatlie.

Ad 5^{tum} dicit eundem esse verum.

Ad vi^{tum} dicit predepositum per eum esse verum.

RIGHTE WORSCHYPFULL inn dutye rememberead beinge requestead by thys berar George Bowdon gent' to sartifie the trewth & the tyme of hys maryage to my remembrance Thes are to aduertyse yo^r Worschype that abowte xvij yeares nowe paste I then being vycker of bowdon After I had at the desyer of hys mother Ezabell bowdon Wydowe Askead the banes of Matrimonie betwyxte the sead George Bowdon her son'e & Elizabeathe Massaye doughter of Raffe Massaye of Bowdon gent' I dyd in the parysche chourche of Bowdon then lawfullye marye bothe the afoarsead p'sones by the consente of thear parentes then beinge presente in the chourche of Bowdon byfore them & dueres other psones of the same p'ysche The above namead Elizabeathe beinge then of the age of towe yeares & thrye quarteres or thearabowts sche standynge on a forme in the chansell of Bowdon betwyxte the armes of Izabell cleworthe & could not denounse her wordes bout after thys order I Epye take thye Doge & so I p'seadead wth her as I & the woman could geat her saye after us. George Bowdon was then of the age of viijth thre quarteres or thear-

abowts seathe w^{ch} tyme of xviiijth yeares I neu' harde they towe kepte compenye together as man & Wyffe lyuead & doe styll lyue the on separate from the other in honeste maner Thys I com'ite thear cause to god & wysdom not dowtyng of yo^r Jugement hearin I seay thys xxiiijth of Auguste 1585.

Yo^r to com'ande

ROBERTE VAUDREYE
minister.

To the Ryght Worschypful
M^r douctor Lyche Chau'ssell
to the Ryght Reuerente
father in god Wyllyam
by gods p'myssyon
L. byschope of Chester
you th' [you these].

Ex't ex p'te Elzabethe massie conjugis Georgii
Bodon in causa divorcij xxiiiij^{or} Septembris
1585.

IN DEI NOMINE AMEN auditis visis et intellectis plenarieque discussis per nos Rob'tum Lech legum Doctorem Curie Cons' Cestren' Officialem principalem l'time deputatum meritis et circumstantijs cuiusdam Cause Divortij siue dissoluconis matrimonij que Coram nobis in Curia Cons p'd' Inter Elizabetham Massy al's Bowdon filiam Radulphi Massy de Hale parochie de Bowdon Cestren' dioc' generosi partem actricem et querelant' ex vna et Georgium Bowdon de donham parochie et dioc' predicti generosum partem Ream et querelat' partibus ex altera aliquandiu vertebatur vertiturque ad huc et pendet indecis' rite et l'time p'ceden' p'tibus p'd' viz p'te dicte Elzabethe Massy al's Bowdon

personaliter et per discretum virum Willimum Withens eius apud act' procuratorem parteq' dicti Georgii Bowdon personaliter etiam et per discretum virum Henricum Pennant notarium publicum eius apud act' procuratorem l'time Constitutum Coram nobis in Judicio l'time Comp'en' p'teque dicte Elizabethhe Massy al's Bowdon sententiam per se ferri et promulgari Justitiamque sibi fieri p'teque vero dicti Georgii Bowdon Justitiam etiam p'ti sue fieri Cum Justam non' modica respectiue peten' et postulan' R'ionat' primitus per nos diligenterque recensit' toto et integro processu in hujusmodi Causa habito et facto servatisque omnibus et singulis de Jure in hac parte servandis Ad n're Siue diffinitive placem' in memorata Causa et inter partes predictas sic duximus procedend' et procedimus in hunc qui sequitur modum Quia per act' inactitat' deducto preposit' confessat' ac probata in Causa predicta comperimus luculenterque invenimusque predictam Elizabetham Massy al's Bowdon suam intenconem in quod suo libello al's in hujusmodi Causa dato et oblato Cuius quidem Libelli tenor sequitur et est talis In dei nomine Amen Coram vobis venerabli Viro magistro Roberto Lech legum doctore etc. quem quidem Libellum hic pro lecto et inserto habemus et habere volumus sufficienter et ad plenum fundasse pariter ac probasse nihilque effectuate fuisse aut esse ex parte aut pro p'te dicti Georgij Bowdon allegato p'posito sen probato quod Intencionem dicte Elizabeth elideret sen quomodolibet eu'aret Idcirco nos Rob'tus Lech Officialis antedictus X'ti nomine primitus invocato ac illum solum Deum oculis nostris proponens de et Cum Consilio Jurisperitorum quibuscum in hac parte nature communicavimus matrimonium p'tensum siue potius effigiem m'rimonij inter prefatos Elizabetham Massy al's Bowdon et Georgium Bowdon in minori

eorum etate de facto sed non de Jure contractum et solemnizatum Cum minus essent nobiles scilicet Cum ipsa Elizabetha Massy etatem quatuor annorum non accomplevisset Consensu vel V'actu licentiæ mio verius prophanat' ac omnia inde secuta Cassamus irritamus et annullamus Cassumq' ac Cassa irritumque irrita nullumque et nulla fuisse et esse pronuntiamus decernimus et Declaramus dictosque Elizabetham et Georgium quatenus fuerunt sic ad invicem de facto et non de Jure Copulatos et Conjunctos ob invicem etiam et a Vinculo predicti pretensi matrimonij separamus et divortia facultatem al's nubendi modo in domino p'beamus et concedimus per hanc ferimus et promulgamus in hijs scriptis.

Lect' fuit hujusmodi sententia per Judicem auditis in Eccl'ia Cath' Cestren' loco Cons' ibidem die Veneris viz. xxiiiij^{to} die mensis Septembris 1585 p'n^{ce} pro Tribunali in presentia mei Johannis Morgell notarii publici sedentis presentibus testibus p'v't.

III. HANMER AND LEIGH.

ALLEGACIO ELIZ. HANMER AL'S LEIGHE.

(I.) In the name of God Amen I Elizabethe Hamner ali's Leighe Doughter of Rouland Leighe Esquier late of and theyre of Sr Thomas Leighe Knight and alderman of london deceased doe alledge before you Mr Robert Leeche doctor of lawes Chancelor to the Reu'end ffather in god William Bushopp of Chester that I and one Thomas Hanmer gent' sonne and heire apparant of John Hanmer of Hanmer in the Countie of flinte wth in the dioces of Chester Esquier weare married together in the face of the Churche at Erbistock wthin

the dioces of St Asaphe in the moneth of August or September Anno 1578 aboute foure yeares nowe past being then vnder age of xij yeares and that I am nowe aboute xiiij^{ter} yeares of my age and the said Thomas aboute xvij yeares of his age and for that I am fullie determined and mynded to ratifie the said mariage and to take and accept the said Thomas for my laufull husband I doe now voluntarelie and of my owne free will and accord not forced nor compelled neither allured or inticed by anie sinister or indirect meanes to give my consent to the said mariage and request you earnestlie to take note of this my consente and alsoe to take the consente of the said Thomas heare personallie presente thervnto and thervppon to Judge and decree me to be the lafull Wiffe of the said Thomas and the same Thomas to be my lafull husband.

Signum + p^d Elizabethhe Hamner al's leighe.

I Thomas Hanmer the p'tie aboute named p'vsing [perusing] the premise' viz the contente of this allegacion exhibited doe acknowledge and confesse the allegacon to be true and therevppon doe consent frelie to the said mariage and earnestlie request as the said Elizabeth hathe requested.

THOMAS HANMER.

Lect' fuit hujusmodi allegac' siue papori shedula
 xix^{no} die mensis Aprilis Anno D'ni 1583 per
 predictam Elizabetham Hanmer al's leighe in Eccl'ia
 Cathed' Cestren' loco cons' ib'm coram venerabili Viro
 Rob'to Leeche legum doctore xix pr'^c Trib^{li} in p'ntia
 mei Joh'is Morgell notarii pub^{ci} seden' presentibus tunc
 ib'm Elizeo Hamner et Georgio Leighe gen' Joh'e yerdley
 et Raulpho Buckley l'rats Testibusque nonnullis alijs.

(2.) M^d that I S^r Daudid ap Edward Curat of Marchwhyell was sente for to come to the pⁱshe Church of Orbistocke wth in the Dioces of S^t Assaphe vpon the eighte daie of September beinge y^e Latter Ladie daie & Wrixam fayre daie in the xxth yeare of the raigne of o^r sou'aigne Ladie Elizabeth the quenes mat^{ie} that nowe is and in the yeare of o^r Lord god 1578; And then & there vpon the saide viijth daie of September and in the yeare aforesaide did solempnize a marryage before the Congregac'on there gathered together betwene Thomas Hanmer sonne & heire of John Hanmer of Hanmer in the Countie of fflynte Esquire and Elizabeth the Daughter of Rowlande Leighe sonne & heire of S^r Thomas Leighe Knighte and Alderman of London. In wites of the truthe hereof I the saide S^r Daudid ap Edward have herevnto Subscribed my name yeoven the xxjth daie of Aprill in the yeare of the raigne of o^r sou'aigne Ladie Elizabeth the quenes Mat^{ie} that nowe is the xxvth.

by me S^r Daudid ap Edward curat of marchwell.

(3.) R'onsa p'sonalis Thome Hamner gen' filij n'ralis et l'gitimi Joh'is Hanmer de Hanmer in Com' ffhinte Cestren dioc' ar' fact' super quadam allegacone al's xix^{no} die mensis Aprilis exhibit' 1583.

Ad contenta in hujusmodi allegac'one in vim Jura-menti sui prestiti dicit that he takethe him selfe and his parente doe take him to be aboute xvij yeares of his age and he verelie beleueth himselfe to be aboute xvij and saithe farther by vertue of his othe that he and Elizabeth Hanmer al's leighe named in the allegacon were married together de facto in the parishe Church named in the allegacon by one S^r David Edward a

minister as he remembers his name now and then Curatt of Marchwell about iiiij yeares agoe & saithe that he doth not know that she was compelled inforced or intyced by anie but onelie that he shewethe her a lovinge countenance as he thincketh in dutie he is bounde and as by gods grace he intendeth to doe beinge thereof asked saithe by vertue of his othe he knowethe noe impediment for his parte but that he maye lauffullie take her to wiffe and live with her in the feare of god.

(4.) JOH'ES HUMFRIE p'ochie de northopp etatis sue xxv Annorum novit Thomam Hanmer per xij Annos et Elizabetham Hamner al's leighe per dimidium anni ante solempnizaconem matrimonii inter dictum Thomam et Elizabetham.

Ad contenta in allegacone dicit in vim Juramenti sui prestiti that he then beinge seruant to Mr John Hanmer father to the said Thomas doth verie well knowe that the said Thomas and the said Elizabeth wente to the Church to be married and he went for the Preest w^{ch} was one Sr Davie app Edward nowe Curatte of marchwele and diuers worshipfull weare att the same and this he deposeth in his consience and dare depose they weare maryed accordinge to the order of the Church.

ELIZEUS HANMER Civitatis London gent etatis sue xxix Annorum novit Thomam Hanmer per ix Annos et Elizabetham Hanmer al's leighe a teneris Annis ipsius Elizabethae.

Ad contenta in Allegacone in vim Juramenti sui prestiti dicit that aboute iiiij yeares sithence he hard credible reported that matrimonye was solemnized betwixte the said Thomas and Elizabeth in the parishe

Churche of Erbistocke and saithe the com'en fame and reporte in the Countrie was that they weare then and their married according to the lawes of the Churche and saithe sithence he hathe sene the said p'ties vse themselves familiarlie together as man and wiefe.

THOMAS PHILLIPPS p'ochie de Hanmer etatis sue xlvij Annorum novit Thomam Hamner per xij. Annos et Elizabetham Hanmer al's leighe a tempore solempnizaconis m'ronij inter ipsum Thomam et Elizabetham.

Ad contenta in allegac'one al's exhibit' in vim Juramenti sui prestiti dicit that three yeares now past to his Remembrance vppon the Later Ladye daye beinge fayre daye att wryxam and shalbe ether foure or five come Auguste or September next this deponent beinge servant to Sr Thomas Hamner Knight deceased grandfather to the said Thomas Hamner gent' was present by and sawe matrymonye solempnized betwene the said Thomas and Elizabeth in the Parish Churche of Erbistock by on Sr Davye app Edward Curatt of Marchwell accordinge to the vse of the Churche of England and the booke of com'en prayer beinge asked whether she weare inforced thervnto saithe noe for anie thinge he knew or sawe for they weare verie willinge att the same tyme and she hathe continued verie lovingelie wth the said Thomas and his frendes ever sithence beinge thereof demanded saithe that he was sente by his said Mr to be present att the same and to wayte of & vppon the said p'ties and saithe he hathe seene other mariages sundry tymes and saithe the said mariage betwene the said Thomas and Elizabeth was done as orderlie and effectualle as ever he sawe anie mariage and saithe there was diuerse of good worshipping and manie others present at the same.

JANA PHILIPPS filia Thome Philipps p'ochie de Hanmer etatis sue xv Annorum novit Thomam Hamner per v annos et Elizabeth Hamner pro tempore solemnizacionis mr'onij inter ipsam et dictum Thomam ad contenta in allegacone in vim Juramenti sui prestiti dicit that to her remembrance vppon the later ladie daye beinge the fayre at wrixam ether in August or September shalbe iiij^{or} or five yeares come tyme this deponent was present in the p'she Church of Erbistocke when Matrimonie was solemnized betwene the said Thomas Hamner gent' and Elizabeth Hamner al's leighe by one Sr David ap Edward Curatt of marchwell nouit for she saithe she was then the Brides Mayde and att the tyme of the solemnizac'on of the same was verie neare vnto the bryde the said Elizabeth and saithe she dothe perfectlie remember the[y] had a Ringe and that the same mariage was done accordinge as she hathe seene other mariages hearetofore done since and accordinge to the order now vsed and saithe divers of good worshipp and others [were] present.

RICHARDUS LOYDE p'ochie de Hamner etatis sue lv Annorum novit Thomam Hamner a tempore baptizacionis eiusdem et Elizabetham Leighe per spacium novem menses a tempore solemnizacionis Matrimonij inter ipsam et Dictum Thomam ad contenta in allegac'one in vim Juramenti sui prestiti dicit that in August or September come tyme shalbe ether iiij or v yeares matrimonie was solemnized betwixte the said Thomas and Elizabeth in the parishe Church of Erbistocke wthin the dioces of St Assaphe by one Sr Davie app Edward then and nowe curatt at marchwell accordinge to the vse of the booke of com'on prayer and in verie decent and in verie good order and saithe they had a

Ringe and alsoe beinge demaunded how he fortun'd to be their saithe his Mr Sr Thomas Hamner Knighte grandfather to the said Thomas Hamner gent' sente him this deponent to awayte and accompanie the parties and saithe there was manie Worshipfull frendes there att the same tyme.

(5.) IN DEI NOMINE AMEN auditis visis et intellectis plenarieque discussis per nos Rob'tum Leache legum doctorem Curie Cons' Cestren' official' princ' rite et l'time deputat' meritis et circumstantijs cuiusdam negocij ratificac'on siue confirm' Matrimonij Qd coram nobis in Curia Cons predict' Inter Elizabetham Leighe filiam n'ralem et l'timam Roulandi Leighe ar' filij et heredis Thomæ Leighe nuper millitis et Civitatis Londun Aldermani defunct' nunc de Hamner Cestren dioc' ex vna et Thomam Hamner gen' filium heredem apparentem Johannis Hamner de Hamner ar' p'tibus ex alter' virtute et pendit in decis' rite et l'time p'ceden' ptib' p'ent' coram nobis l'time per eorum p'curatores apud act' respectiu'e constitut' comp'en' S'amque ferri et p'mulgari pro ratificon' et confirmaco' eiusdem mr'onij instanter peten' et postula' R'unato p'mitus per nos toto et integro p'cessa in hujusmodi negotio habit' et fact' ac diligenter reconsit servatisque omnibus et singlis de Jure in hac parte seruandis ad S'iue n're Diffinitiuæ placon' in hujusmodi causa ferend' sic duximus p'cedend et p'cediud' in hunc qui sequitur modum Quia per act' inactitat' deduct' exhibit' p'posit' confessat' pariter et probata in hujusmodi negocio comperind' et luculenter inveniend' matrimonium in facie Eccl'ial' apud Erbistocke infra Dioc' Assapensh inter pred' Elizabetham Leighe et Thomam Hamner quatuor ab his quasi Annis secundum ritum et morem Eccl'ie Anglicane de facto solemp-

nizatum fuisse eadem Elizabeth tunc in sua minoritate viz sub duodecimum suæ etatis Annum existente dicto vero Thoma Hanmer xiiij^{to} sue etatis Annum et Ultra allegen' et quod postea idem mat'on^m sic inter eos solempnizatum Coram nobis p'sonab'r comparen' xp'ssis verbis voluntarie et sponte Ratificaverunt et postquam ad annos puberes pervenerunt eidem expresse consenserunt viz Dicte Elizabethæ vltra decimum quartum sue etatis Annum tempore consensu hujusmodi constitut' IDCIRCO ad peticonem dicte Elizabethæ matrimonium inter prefatos Elizabetham Leighe al's Hamner et Thomam Hamner contractum et in facie Eccl'ie' vt predicatur solempnizatum ac coram nobis sic vt predicatur ratificatum verum purum l'timum et indissolubile esse et fore ad omnem Juris et facti effectum pronuntiandum adjudicamus et declaramus Ipsamq' Elizabetham in l'timam vxorem dicti Thome ipsumque Thomam in virum l'timum dicte Elizabethæ finale pronuntiandum adiudicamus et declaramus per hanc nr'am S'iuam diffinitiuam siue hoc nr'um finale decretum quam siue quod ferimus et promulgamus in his scriptis.

Lecta et lata fuit hujusmodi sive per Judic'em in Eccl'ia Cath' Cestren loco cons' ib'm die lune viz xxij die mensis Aprilis Anno d'ni Mill'imo Quing^{mo} Octogesimo Tercio [1583] pnce p Tri^{li} in p'ntia mei Johis Morgell no^{ri}j puci seden' p'ntibus tunc ib'm Richardo Wierden Tho. Philipps Ric'o Lloyd et Ranulpho Buckley l'ratis testibus &c.

JO. MORGELL,
no^{rius} publicus