



On "Peculiars," with special reference to the "Peculiar" of Hawarden

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THE subject of "Peculiars" seems to have received little attention from antiquaries. There is, in so far as I know, no special book devoted to them. I have been unable to find any papers on them in the proceedings of our most prominent antiquarian societies. Even the "*Encyclopædia Britannica*" has no mention of them; the single entry of "peculiar" in the index referring to the Diocese of London, and even that not in explanation of the term.

The only articles on "peculiars" which I have discovered are in the various church dictionaries, such as those of Hook and Blunt; and two written by the Rev. C. B. Morant, in "Notes and Queries," volume ix. I have also made use of the reference to individual "peculiars" in several parish histories. Perhaps the reason of this obscurity is that "peculiars" ceased to exist too far back for any living person to remember them in the active use of their powers; and not far enough for any diligent antiquary to think it worth his while to study them.

For the benefit of those who have previously taken no interest in this subject, I may state that a "peculiar and exempt jurisdiction" is a parish exempt from the control of the bishop in whose diocese it lies. The rectors of these places were often their own ordinaries. They held their own consistorial courts, in which they proved wills, and tried and punished by penance all offenders against ecclesiastical law; such as "popish recusants, dissenters, disturbers of divine service, and people leading immoral lives."

These exempt jurisdictions generally arose from one or the other of the two following causes: either the living concerned had been in the gift of a religious house, and was, therefore, exempt from the ordinary visitations; or it had received a special reservation from the Pope.

Hawarden derives its rights from the former of these two causes. Until 1257 this parish was in the possession of the Abbey of S. Werburgh, in Chester. In that year, Roger Baron de Montalt restored to the abbey the lands in Lawton, Goostrey, Neston, Bruera, and Codington. In return for this he received from the Abbey the manor of Bretton, the chapel and tenement of Sponne, and the living of Hawarden; the monks also surrendering the great tithes of that place to the rectors thereof for ever. From that time forward the rectors exercised their "peculiar rights."

Leaving Hawarden for a time, we will consider some of the other "peculiars."

When some feudal baron erected and endowed a church on his lands, he expected to have the greater part of the control over it. Abbots of large religious houses, who considered themselves quite equal to any

bishop, naturally would endeavour to retain the rights over their ecclesiastical property. Bishops, themselves, when they endowed parishes in neighbouring dioceses, obtained reservations from the Popes permitting them to retain the power of visitation. After the Reformation, all royal chapels became responsible to the King only. Not only that, but in statute 25 Henry VIII., cap. 19: "It was enacted that all appeals from the jurisdiction of abbots, priors, and other heads and governors of monasteries, abbeys, priories, and other places exempt, which had hitherto been made to the Bishop of Rome, should henceforth lie only to the King in Chancery."

There are at present existing five royal "peculiars": Westminster Abbey, and the Chapels Royal at Windsor, Hampton Court, the Savoy, and Dublin; all except Hampton Court and the Savoy giving their incumbents the title of the "Very Rev. the Dean."

The Archbishop of Canterbury had, probably, the largest number of "peculiars," having exempt rights over every place in which the See held property. *Blackstone* notices the establishment of a Court of Peculiars, in London, to control these parishes. This Court became extinct with the abolition of "peculiar rights," in 1849.

Several other "peculiars," in addition to the Royal Chapels, carried with them the title of Dean. Among them were Battle, Sussex; Bocking, Essex; Hadleigh, Suffolk; Ripon and Middleham, Yorkshire; S. Buryan, Cornwall; and Southwell, Nottingham. In all but the last three the title is still assumed.

Bocking and Hadleigh Deaneries, though at one time separate, have always had some connection with each other, and now the incumbent of Hadleigh is styled

Dean of Bocking. These are two of the parishes subject to the Archbishop of Canterbury. As, however, it was not considered quite seemly for the Archbishop to hold visitations there, the rectors of these places had, to all intents and purposes, full "peculiar" powers.

Middleham, in Yorkshire, was originally a college, founded by Richard Duke of Gloucester (afterwards Richard III.), in 1478. At his death the college scheme fell through; but the title of Dean, and, I imagine, the exempt rights, remained until 1850.

Southwell, in Nottingham (now the seat of a bishopric), was, in its time, one of the largest "peculiars" in England. It consisted of the following twenty-eight townships:—

Southwell	Eaton	North Muskham
Beckingham	Edingly	Norwell
Bleasby	Farnsfield	Oxton
Blidworth	Halam	Ragnall
Calverton	Halloughton	Rampton
Carlton	Holme	South Muskham
Caunton	Kirklington	South Wheatley
Cropwell-Bishop	Morton	Upton
Darlton	North Leverton	Woodborough
Dunham		

It was a collegiate church, founded by Thurstan, Archbishop of York, about 1120. Some fifty years later Pope Alexander III. gave to it several "peculiar rights." It was dissolved, and refounded a few years after, by Henry VIII.; and was confirmed in its rights by Queen Elizabeth, in the twenty-seventh year of her reign. The Archbishop of York was the Metropolitan and visitor. The ecclesiastical establishment consisted of a vicar general (who had jurisdiction over its twenty-eight townships, and who was elected by the Chapter from among

the prebendaries), sixteen prebendaries, six vicars choral, and six singing men (or lay vicars). There was also a parochial vicar, Southwell sharing with Ripon the unique situation of being both collegiate and parochial. It is probable that when Southwell was created a diocese, in 1884, the "peculiar" rights vanished entirely.

Ripon, in Yorkshire, was a similar "peculiar." It was founded in 705 by Wilfrid, Archbishop of York. The establishment of the ancient church was for canons of the order of S. Augustin, and was partially dissolved by Henry VIII. The church had nine chantries, which were abolished by Edward VI. The parish was exempted from paying "first-fruits" by Elizabeth, in the first year of her reign. James I., in 1605, refounded the church, and endowed it with part of its former revenues. The ecclesiastical establishment consisted of a dean, a sub-dean, and six prebendaries. Ripon was created a diocese in 1836.

Other interesting "peculiar" are : Wolverhampton, Dorchester, Thorney Abbey, Temple, Masham, Hornchurch, Bibury, Heytesbury, Eton, Brecon, S. Endellion, Wimborne Minster, Waverley, and Dale Abbey, Derbyshire.

Some few of these had jurisdiction over a considerable number of parishes.

Dorchester, in Oxfordshire, once an abbey, had jurisdiction over nearly twelve parishes. The rectors there held Courts as late as 1836.

Wolverhampton, a collegiate church, was held in conjunction with S. George's Chapel, Windsor, from the reign of Edward IV. to 1846 ; attached to this place were seven titular canonries.

Thorney Abbey was, from the Reformation onwards, a "peculiar" belonging to the Earls and Dukes of Bedford. One of the main reasons for this was the fact that the Russell family were owners of the church and churchyard. They appointed commissaries to hold the annual courts. This place is one of the few parishes retaining its "peculiar rights."

Lastly, Hornchurch, in Essex. This church was given by Henry II. to the Hospice of SS. Nicholas and Bernard, in Savoy. It was sold by them to William of Wykeham, and was given by him to his foundation, New College, Oxford. This place still remains in the gift of the said college.

And now I will return to my principal subject, the "peculiar" of Hawarden. In matters of institution, confirmation, and consecration of churches, it is usual for a "peculiar" to be under the jurisdiction of the bishop in whose diocese it lies; or, if on the borders of two, to be under the bishop of the nearest cathedral town. Hawarden, however, though lying nearest to Chester, did not observe any rule. The rectors chose any bishop they liked. It is a tradition that they used to call in Irish bishops who passed on their way to Ireland, and get them to perform any necessarily episcopal acts. Certain it is, that for many years they called in the Bishops of Chester and S. Asaph alternately; the Bishop of Chester confirming, and the Bishop of S. Asaph instituting.

The rivalry between Chester and Hawarden was always very great. When the Bishops of Chester held episcopal visitations on the borders of this parish, the rectors were always prepared with protests and other legal documents, to ward off any possible encroachment

on their domains. Let one instance of this suffice. In 1738, Samuel Peploe, Bishop of Chester, sent an inhibition to the Rector of Hawarden—a Mr. Fletcher. On the following Sunday, the 23rd April, Mr. Fletcher read this declaration :—

"Whereas it may be, by some persons, believed, that by virtue of an inhibition lately sent to me from the Lord Bishop of Chester, against his approaching visitation, the jurisdiction of Hawarden is superseded; I do hereby declare that I own no submission to the jurisdiction of Chester, as I am Ordinary of this Court, and that therefore the Court here is in as full power as ever, notwithstanding such inhibition. And this I do according to the example of my worthy predecessors, learned and judicious Ordinaries, on like occasions.

John Fletcher, Rector, and Ordinary of this peculiar and exempt jurisdiction."

All this continued resistance the Bishops of Chester took as a blow to their pride. They always assumed that they had rights over the place; but, weak argument, they did not want to use them. We find in the "Valor Ecclesiasticus" of Henry VIII., in the episcopally signed appendix dealing with the Chester diocese, the following note dealing with Hawarden: "Grants probate and marriage licences; but subject to the jurisdiction of the Bishop of Chester as to everything strictly episcopal." There must have been some slight difference in the rendering of the term "strictly episcopal" between the rectors and the bishops. In any case, it is hard to see just where the "jurisdiction" comes in.

The visitor was the Archbishop of York. A copy of the Terrier of Tithes was kept at York. All appeals from the Consistorial Courts at Hawarden were made to that at York.

The archiepiscopal visitations were not very frequent ; in fact, I can only find traces of two. That the Archbishop visited Hawarden in 1638 is proved by an allusion in the registers. At that time Laud was making exhaustive enquiries into the state of repair of churches, and the manner in which Divine Service was performed in them ; it is, therefore, probable that the visit had reference to this. In 1663 we find, in the churchwardens' accounts, the following entry : " Paid for the visitation of the Lord Bishop his Grace of York, 10/-." As this was the last time that the Archbishop held a visitation, it is obvious that they did not have much trouble from that quarter.

The rectors of Hawarden were supreme lords within their own domain. They held their own consistorial courts in state, in which they proved local wills and examined offenders, with all the pomp and circumstance of a law court. For offences against ecclesiastical law, or better, ecclesiastical law as interpreted by the rector for the time, they could even imprison in the sheriff's gaol at Flint. For most offences, however, the punishments were those of penance and of fines. On turning to the Prayer-book, we read at the commencement of the Communion service the following words :—

" Brethren, in the primitive Church there was a godly discipline, that, at the beginning of Lent, such persons as stood convicted of notorious sin were put to open penance and punished in this world, that their souls might be saved in the day of the Lord ; and that others, admonished by their example, might be the more afraid to offend."

And in the second paragraph we notice a wish for the restoration of penance.

At the end of the 16th century this method of punishment was revived, and continued, with more or less

vigour, for over two centuries, only ceasing within the first twenty years of the 19th century. The penitent appeared on the appointed Sunday morning, bare-legged and bare-headed, attired in a white sheet, and carrying a white wand. Before the commencement of morning service the unfortunate sinner had to proceed up the entire length of the church, the cynosure of all eyes, into the chancel, where he or she, as the case might be, remained kneeling in front of the reading desk during the service. After the conclusion of the prayers and before the beginning of the sermon, the penitent, rendered miserable (if a first offender) by the shame of the exposure to the congregation, was made still worse by being compelled to read the following paper :—

"Whereas, I, good people, neglecting my duty to Almighty God have committed the most detestable and wicked sin (*here the penitent had to name the particular sin for which he was being punished*), to the great danger of my own soul, and the evil example of others, I am heartily sorry for this my wicked and great fault, and humbly beseech Almighty God to forgive me this, and all my other sins, and so to assist me with his Holy Spirit, that I never commit the like again ; and I desire this congregation here present (whom by this my sin I have offended) not only to take notice of this my just punishment, to avoid the like sin, but also to join with me in prayer to Almighty God, saying Our Father, &c."

After having undergone a few of these penances (and I am afraid most of them came again), the offenders became quite callous, and took everything as a matter of course, reading the confession with a self-confident flaunting swing. A refusal to undergo this penance resulted in excommunication ; a much greater hardship than we imagine in these days.

To return to the court. The Sunday before the holding of the court, a citation was read aloud in church, at

the conclusion of divine service, of which the following is an example :—

"WE THE HONORABLE GEORGE NEVILLE GREN-
VILLE Clerk Master of Arts Rector of the parish and parish
Church of Hawarden in the County of Flint and of the pecu-
liar and exempt jurisdiction of the same Ordinary lawfully
appointed TO ALL and singular the Clergy and Literate
persons whatsoever in and through the said peculiar and
exempt jurisdiction GREETING We strictly command you
jointly and severally to cite or cause to be cited peremptorily
All and Singular the persons whose names are hereunder
written or hereupon endorsed being within the said peculiar
and exempt jurisdiction that they and every of them appear
before us our lawful Surrogate or some other judge competent
in this case in the parish Church of Hawarden and place
of Judicature there on Tuesday the second day May next at
the usual hour of hearing and determining causes to answer
personally certain articles or interrogations concerning their
souls health and the Reformation of their manners especially
concerning crimes and misdemeanors as mentioned opposite
their names, when they come to be objected and ministered
against them and every of them respectively. You are to cite
or cause to be cited all and singular the Churchwardens and
Sidesmen within the parish and peculiar jurisdiction aforesaid
that they and every of them appear before us our lawful
Surrogate or any other judge competent in this case on the
day and time specified to exhibit their presentments and Bills
of detection of all crimes cognizable before us and our Bench
Ecclesiastical within the peculiarity aforesaid done or com-
mitted and hitherto unpunished And also to exhibit Register
Rolls of all Births Burials and Marriages within the said parish
and peculiarity of Hawarden aforesaid AND FURTHER to
do and receive what shall be just in this case and what you
shall do in the premises you shall certify upon the return
of these presents Given under the Seal of our Office the
twenty seventh day of April One thousand eight hundred and
twenty six.

Wm. Edge Barker
Registrar.

"You are also to cite or cause to be cited peremptorily all and singular the Executors of persons deceased within your said peculiarity of Hawarden with the Children and next of kin or any having or pretending to have any interest in the goods chattels and credits of all and singular the said deceased within the said exempt jurisdiction dying intestate that they and every of them appear before us our lawful Surrogate or any other judge competent in the matter at the day hour and place aforesaid that is to say the Executors to prove the Wills of the said deceased and the children and next of kin to take out Letters of Administrations of all and singular the goods chattels and credits of those who have died intestate AND FURTHER to do and receive what to justice shall appertain Dated as before

Wm. Edge Barker

Registrar.

"You are also to cite or cause to be cited peremptorily all and singular the persons whose names are hereunder written or endorsed being within the said peculiar and exempt jurisdiction of Hawarden aforesaid to answer in certain cases of fornication or incontinency and illegal cohabitation and all such persons who have neglected or refused to pay their several and respective Church Leys and Church Taxes (legally due) of what nature or kind soever at the time and place aforesaid AND FURTHER to do and receive what to law and justice in that behalf shall appertain Dated as before

Wm. Edge Barker

Registrar."

[Here follow the names mentioned in the above form].

On the day, generally in the first week of May, and at the hour appointed, the rector, attended by his curates, surrogates, proctors, registrar, and apparitor, proceeded in their robes to a room at the east end of the present Whitley Chapel, in Hawarden Church. The business gone through was: first, the granting of probate; and second, the examination of the churchwardens' presentments, and the trial of the persons presented. For

the better ordering of the parish two sidesmen were appointed for each of the fifteen townships, making in all thirty sworn informers. These sidesmen had, among other things, the right of searching houses in the course of their duty. They made, I believe, reports to the churchwardens; who, in their turn, reported to the Ordinary.

To make the business simpler for the churchwardens, a series of articles of inquiry were prepared by the court, to which they had to give adequate answers. Until about 1750 these articles were very diffuse and long, the same questions often being repeated in slightly different form. From 1750 on to 1850 they were much shortened, and in print. I will now give a few extracts from the one delivered in 1663:—

"Whether any have interrupted or disturbed the minister in the time of reading Divine Service, administrations of the Sacraments, or marryinge, who, when, and in what manner?"

"Whether any children begotten by or born unto popish recusants in the parish are baptized, by whom, and when?"

"Item—Whether the church and alms houses and schoole be in goode repaire, if not, in whom the default lyeth, whether the churche be kept decent and comely within and without, the seats well mayntayned, the steeple and bells preserved, the windows glased, the floor plane and even, and all things in order?"

"Whether the churchyard be well fenced, whether any encroach on the ground of the churchyard, whether any abuse it by quarrelling, strikinge, or any unlawful games at bowles, tennis, football, handball, or dancing?"

"Whether any have been married in private houses under twelve years of age without parents or guardians consent?"

"Whether any in the parish profane the Sabbath by unlawful games, drinking, or tippling in time of service, or by doing their ordinary works of their vocation or trades?"

"Whether any of the parishe leave their own church to go to hear any other minister, or communicate or baptize their children in any other parishe?"

In addition to the answering of these articles of enquiry, the churchwardens made a long list of presentments, describing all offences which came under their cognizance. These presentments are some of the most interesting relics of the days in which "peculiars" flourished. They cast a flood of light on the manners and customs of those days—those days which have such an attraction for us, now that we do not feel the disadvantages which, if we only knew it, would far outweigh the advantages from our point of view. They show us something that we are apt to forget, namely, that the people of those days had precisely the same feelings that we have.

I will now give a series of extracts from the different presentments between 1563 and 1752:—

1563 "John Whitley for because that he do not bring forth the chalice that he hath in his keeping."

"Robert Garret for (dis)tabing of the priest in time of service."

We shall meet with this gentleman again in 1568.

"Oliver Smythe for because that he doe not attend to church upon the Sabot days."

Among the articles of enquiry, sent forth about this time, the churchwardens are asked:—

"Whether they have diligently noted the names of all such parties every Sunday and Holydaye as have been absent from Divine Service at any time, and levied the forfeiture of VII pence for every absence from Common Prayer, according to the Statute and put the same to the use of the poore."

"Master Parson for because that he gave no proclamation in the church within the great aisle; also the said Parson for

because he do not keep resident here, and because he do not keep a bull and a goose for the parishioners."

Three years before this time Edward Earl of Derby wrote the following letter to Archbishop Parker :—

"After my heartie recommendations to your Grace Whereas my cousin Thomas Stanley Knight hath advowson for the disposition for a benefice named Hawarden in the countie of Flinte. Forasmuch as the same is now voyde, and my said coysin myndeth and much desireth by your permission to bestowe the same upon a dear friends son of his about the age of ten or eleven years old for his preferment and exhibition at the universitie of Oxford or Cambridge which cannot be brought to pass without your assent and episcopal licence of dispensation. Wherefore these shall be, in my very earnest wish to desire yr Grace to be so much my friend as to grant yr licence of dispensation in that business for the space of six years to come. In doing whereat the contemplation of these my letters, even as you therein minister much pleasure unto me and my said cousin, so shall ye be well assured of me to do the like to you or any friend of yours hereafter when occasion shall be offered. Thus desyring your favour in this matter, and that I may understand your further determination by my servant the bringer hereoff, I take my leave of your Grace from this house at Hasselwater the 26th of April 1561-2.

Your Grace's very loving friend
Edward Derby."

This boy of ten or eleven was Thomas Jackson, the "Master Parson" referred to in the preceding presentment.

"Dayd Mesham for buying of rolls in Service time, also Nicholas Duckworth of Ewlowe for because that he will not be silent in time of service."

1568 "Robert Garrett and William Clerke Church Wardens for letting down the walls about the Churchyard."

Again our friend the disturber of divine service. This was one of his periodical disagreements with the powers

that be. He was presented also this same year for "wasting the churches goodes lead and lime"; for "witholdinge sixpence that was given to the church"; "and for withouldinge further 20d."

1570 "Robert Garret for disturbing Divine service on Palme Sundaye."

Mr. Garret seems to have surpassed himself on this occasion. I will give a few extracts from the evidence given in connection with this case:—

"Thomas Dove makes oath that being Curate of the church of Hawarden and in the pulpitt he heard the said Robert Garret spake openly in the audience of the whole church plaine and opprobrious words tending to the derogation and disturbance of God's word, and also to the defaming of certain honest men who were then present in the said church, whereupon a great number were ready to receive the Holy Communion, and being asked whether any offence was given to the congregation by these words spoken, saith that he verylie believed many were offended thereat."

And another:—

"John Minshull de Hawarden saith that he being in the church of Hawarden on Palme Sunday last, at the church at the time the Curate was in the Pulpitt heard one Robert Garrett speake slanderous and indecent words respecting certaine of the parishioners being then present; whereupon as he believeth to be righte honeste men and not suspected of any cryme before . . . and further said that Divine Service was disturbed by the noise and exclamation that he made against (the said) Robert Griffith."

1571 "John Mynes for not dwelling with his wife."

Some years back there was a letter among the Hawarden Parish Records (it may be there still, although I have never come across it in my searches) to the Bishop of Carlisle, or his official in the province of York. According to my authority it was much mutilated, and was full of complaints against "one Mr. Pritchard com-

missary to Mr. Thomas Jackson, Parson of the Rectory of Hawarden, being a peculiar and exempt jurisdiction" (for having imprisoned him in the sheriff's gaol at Flint for eight months), and for his cruel dealing, "for that your poor orator was awarded to pay to Jane Mynes his wife the sum of 8d. per week to maintain her withall, whereas your poor suppliant was never offended with her for any matter," &c.; he goes on to say "that he hopes for your lordships pity that your poor orator hath humbly endeavoured himself in the most holiest manner to have his absolution, yet, that notwithstanding the said commissary and the parson of Hawarden detained him in prison." I have not been able to find out whether any redress was given him. Probably not.

"Mr. Parson for suffering his folke to work a Sundays."

This was one of those interesting occasions when the parson was both judge and culprit.

"Mr. Whitley of Aston for taking Mr. Parson his wife into a (stall) where he had no right to come, and by means whereof Divine service was disturbed."

These little incidents make one think that, despite the intolerably long sermons, morning service must have been a very lively proceeding on some occasions.

1592 "Randle Whitley and Dorothy his wife for marrying without banns asking."

"Richard Pulford and An his wife for lyving a disorderly life in scolding, brawling, and disturbing their neighbour."

"The Churchwardens for not providing the bookes of Ome-lies the first and second tome."

The churchwardens about this time must have neglected their duties more than usual, as, in the following year, we notice :

"The Churchwardens for not repairing the church."

1594 "John Akers for abusing the Court."

Considering the ways of the Court, it is surprising that there were not more offences of this kind.

"John Burgess on account of tythes to the Parson of Dodleston."

This man, while on the borders of the Parish of Hawarden, had evidently paid tithe to the Vicar of Dodleston, and had thereby incurred the righteous indignation of the Rector of Hawarden.

1637 "Ellen the wife of Robert (Jones) and Elisabeth Tathem for misbehaviour in time of service."

"Elisabeth Jenkins of Hawarden Widow for repairing to a charmer at Chester."

"I. Fasakerly of Broadlane for going to a charmer to be blessed."

"Peter Maurice of Hawarden for wandering out of church at the time of Divine Service."

A rather curious way of putting it.

"Several persons for selling ale to extravagant persons at the time of Divine Service."

"Edward Perkins of Broadlane for retaining disorderly persons to play at unlawful games in his barn on the Sabbath day."

"Richard Ridgate of Broadlane for employing two servants to carry water for brewing on the Sabbath day."

"Humphrey Davies for being behind of paying a noble for a funeral."

"Catherine Shone for threatening to throw scalding water upon the officers of the Church, if they should come into her house to execute their office."

The threat of the boiling water evidently did not deter the officers, for we read, later in the same year :

"Catherine the wife of Richard Shone, for giving rayling speeches to one of the officers for doing his duty."

It should be noted that the officer was doing his duty.

"Thomas Fox and others of Broadlane for sleeping usually during Divine Service."

"Margaret Stanley and Ellen Molineux for scolding and disturbing the peace of their neighbours."

1638 "William Adams of Broadlane for going out of the church at several times and loytering in the churchyard."

"Mary Griffiths of the Moor for not receiving the Holy Com^m this year last past."

"Alice Rogers, Widow, for making her servant to delve in her garden on a Sunday."

"William Walworth and John Meredith of Shotton for lying along in the churchyard; and neglecting the church in the time of Divine Service; also William Rowley of Ewloe for selling in the churchyard at the time of sermon and refusing to come into church when he was spoken to by one of the Sidesmen; *item* Ralph Kelly for suffering Robert Davies of Broadlane to stay in his house at time of Evening Prayer with a stranger."

This Robert Davies was a member of the Davies' family of Gwysaney.

1661 "Robert Robinson for keepinge his family and Servants to work 5 November and for not coming to church."

1666 "Robert Ravenscroft de Broadlane for weaving on Chrismass day last past."

This man was the head of the most prominent Hawarden family of the day.

The following extracts are from the Court evidence books:—

1694 "Elizabeth Fox wife of Richard Fox of Manor on Sunday the 15th day of April last past in the parish of Hawarden during Divine Service did behave herself after a rude and scandalous and uncivil manner by joulting, shuffling, and pushing with her body and arms one Mary Kenrick then a maidservant to John Fox aforesaid off and from a bench or form on which she then sat which bench or form is reputed to be the right of the said John Fox. The said Elizabeth Fox

was also seen to sit down on the knees of the said Mary Kenrick and on her removing her, there was some struggling between them, and from such unlawful actions the minister was disturbed from doing his duty, and the congregation then assembled from their devotion."

The sentence of the Ordinary is not given.

1701 "Francis Gill and Elizabeth Wynne his wife for clandestinely marrying."

The said "Francis confessed in Court that he was married upon the 2nd day of Feb. 1700 to Elizabeth Wynne in the Castle of Chester about three of the clock in the afternoon, by one Richard Woodward, a minister and in Holy Orders, as he was informed: which said Woodward is now and then was in Gaol in Chester Castle, and the said Woodward gave him a certificate which is in words as follows:—

'February 2nd 1700

I, Richard Woodward late clerk of Tarvin, doe hereby certify that Francis Gill and Elizabeth Wynne were married by me: Witness my hand the day and year above within

Richard Woodward.'

"There was then by and present att his said marriage the Turnkey of the Keeper or Gaoler of the Castle, and a woman who drew drinke in the said Castle, but their christian names he doth not know."

1752 "Edward Dewes, John Shone, and William Shone performed their several penances as enjoined by the Ordinary. The two first behaved in a very ludicrous and unbecoming manner, and seemingly insensible of the heinousness of their crimes."

1772 "John Robinson for refusing to appear to be sworn in Sidesman."

On being threatened with excommunication, he appeared and qualified at an adjourned Court, and was excused, on paying the fees.

This system of inflicting penances ceased about 1820; and, in 1849, "peculiars" were abolished by Act of

Parliament. Nowadays, the only surviving relic of the parish's former greatness, is the fact that the rector still grants marriage licences independent from the bishop and his surrogates.

The seal of this jurisdiction, under which the rector grants the licences, is of silver, and has on it a representation of Daniel in the lion's den, and is encircled with the words: "Sigillum: peculiaris: et exemptæ: jurisdictionis: de Hawarden." It has been in use since the rectorate of Laurence Fogge (1653-1662), whose arms may be discerned at the base of the seal. The previous seal, which had on it a portraiture of the Blessed Virgin Mary, was destroyed during the Civil Wars.

Though a "peculiar" might be out of place at the present time, we must not make the mistake of thinking that they were merely abuses of prerogative on the part of the Popes and others. In those days of large dioceses and imperfect communication, it must have been rather an advantage than otherwise for a bishop to have several large parishes cut off in this way.

The proving of wills locally, though it fostered abuse, was still a convenience to the poorer classes.

Altogether, though one knows that, sooner or later, these things must have come to an end, yet one feels a certain amount of regret at the breaking of another important link with the past.





Seal of the "Peculiar and exempt Jurisdiction" of Hawarden

