

## APPENDIX.

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THE first institution of marriage, or a union between man and woman for life, with certain ceremonies of a binding and solemn nature, is generally ascribed by the best authorities to Cecrops, King of Athens, 1554, B.C.\* The prevailing ceremony in most countries was a man leading home his bride with much rejoicing, after a solemn contract with her parents, the event being followed by feasts, protracted according to the wealth of the two families. The pages of history record many curious customs, prevalent among the nations of antiquity, in the disposal of their females in marriage. Among the Babylonians, at a certain time every year, the marriageable females were assembled, and disposed of by public auction to the highest bidder, the town crier officiating as auctioneer. The richest citizens purchased such as pleased them at a high price; and the money thus obtained was used to portion off those females too deficient in personal charms to procure a purchaser at any price: when the beauties were disposed of, the auctioneer put up the more ordinary lots, beginning with the most ill-favoured among those that remained, announcing a premium to the purchaser of

\* Eusebius, Pref. to Chron.

each : the bidders were to name a sum below the given premium, at which they would be willing to take the maid ; and he who bid lowest was declared the purchaser. This custom was confined to the lowest orders only, it is said to have originated with Atossa, daughter of Belochus, about 1433, B.C. Among a people which allowed such a custom, none of the finer human feelings, which regulate the passions are to be looked for, we are the less surprised therefore when we learn, that it was the common practice with the higher classes of this nation, as well as those of the two famous cities of Tyre and Sidon, to cause a slave to pass the first night with their brides, looking upon it as a trouble to be avoided.

In Sparta, about the year 884 B.C., when the females were of a marriageable age, they were assembled at stated times in a dark chamber, where the young men who wanted wives were sent into them, and selected one each, with whom they were compelled, by the strange policy of this extraordinary state, to carry on intercourse only by stealth for some time after marriage.

Turning from ancient to modern history, we find that in the Christian Church the celebration of marriage in churches was first ordained by Pope Innocent III., about A.D. 1199\*. This practice prevailed undisturbed in England until the Protectorship, when an act was passed by Oliver Cromwell in 1653, ordering marriages to be solemnized by justices of the peace.

\* Marriage was forbidden by the Roman Catholic Church to bishops in A.D., 692, and to priests in A.D., 1015, in A.D., 364, it was forbidden in Lent.

The statute, 3 Henry VII., 1487, declared the principal and abettors in marriages with heiresses, &c. being contrary to their will, guilty of felony; and by the 39th Elizabeth, 1596, persons guilty of this felony were denied the benefit of clergy. The remarkable case of Miss Wharton, heiress of the House of Wharton, whom Captain Campbell carried off and married by force, occurred in William III's. reign; for this offence Sir John Johnston, originator and principal in this conspiracy, was hanged, and the marriage was annulled by act of parliament in 1690, by 1st George IV., passed in 1820, this offence was made punishable by transportation.

The "Royal Marriage Act," 12th George III., was passed in 1772., and restricted the descendants of George II., unless of foreign birth, from marrying under the age of twenty-five, unless with the consent of the king, and at and after that age the consent of parliament is necessary\*. This act was and continues to be highly unpopular, being generally considered as a standing insult to the British nation, none of whose sons or daughters are thought worthy of the honor of mingling their blood with the purely German stream, that flows in the veins of the members of the House of Hanover.

We next come to the Acts, 4th William IV., passed in 1834, which repeal all former acts which prohibited marriage by Roman Catholic Priests in Scotland, and

\* This act became expedient because just previously the Duke of Gloucester, the King's brother, had married the widow of the Earl of Waldegrave, and the Duke of Cumberland the "Culloden butcher," the widow of Colonel Horton, both which marriages gave *great offence* to the King.

gives more toleration to marriages by this sect in Ireland; 5th William IV., passed in 1835, an act to render the children of certain marriages within forbidden degrees of kindred valid; the new marriage act for England, 7th William IV., passed in 1836; the registration of marriage act, 1st Victoria, 30th June, 1837., and the amendment act, 4th Victoria, 7th August 1840. which constitute a list of all the legislative enactments on the subject of marriage passed in this country up to the present day. These acts being no doubt still fresh in the memory of the public, require no notice here, we will, therefore, at once proceed to notice as briefly as consistent with the subject, the different customs attending the ceremony; and afterwards to give such particulars as we have been able to collect, connected with the "Fleet marriages," so popular in the reigns of the two first Georges.

To detail the form used in the Church of England in the celebration of matrimony would be superfluous; the common prayer book contains a plain account of the ceremony at once simple and impressive, and there are doubtless few of our readers by whom it has not been witnessed. Those who can afford the expence can be married privately by a special licence, which can be obtained upon the party requiring it making oath that

\* The lowering our magnificent cathedrals to the level of public theatres, &c, by charging money for admission to them' may be with justice charged as a deep blot upon the reputation of our national Church for receiving such a dispicable source of emolument, and upon the nation at large for permitting the continuance of such shameful and unworthy practices.

he knows no legal obstruction to the marriage, and paying the usual fees. That the expence attending private marriages by special licence should debar those who otherwise might wish to avail themselves of it, we consider to be a manifest act of injustice, which will no doubt be soon removed, with many other well known venalities of our established Church system\*. This inequality of the laws prevails equally in respect to the obtaining of divorce. No matter how flagrant the infamy and vice of the delinquent may be, the expence of a suit for a divorce in Doctors' Commons and the House of Lords, renders this remedy inaccessible to a person in middling circumstances. It is true that parties in this unfortunate and but too common predicament can avail themselves of a deed of separation, which indeed is the common substitute for a divorce, but the legality of these instruments has never yet been clearly defined, and these do not restore the married couple to the freedom of single life. It would be out of character to attempt here to enter into a critical examination of the respective rights of the two sexes in the married state, as by law established. The following particulars collected from the most approved authorities may, however, be not entirely without interest to the general reader.

An English husband and wife are termed in law "baron and femme," and accounted as one person; that is, the legal existance of the female is suspended during marriage; or at least, is merged into that of the husband. A man cannot grant lands to his wife during her coverture, but he may by his deed, covenant with

others for her use, and he may leave her property by will. All deeds executed and acts performed by the wife during her marriage are void, except in fine or the like matter of record, in which case she must be solely and secretly examined, to obtain certain evidence that her act is voluntary. A "femme couverte," as a wife is called in legal phraseology, shall not suffer any punishment for committing a theft in company with, and by coercion of her husband. A husband may restrain his wife of her liberty, in case of any flagrant misconduct; but, if he threaten to kill or ill treat her, she may bring him before a magistrate and make him find security to keep the peace. He obtains by marriage, a freehold in right of his wife, and may grant leases of it for twenty-one years, or three lives. In addition to these rights, he has also an absolute right to all personal effects in possession of the wife in her own rights. It is only fair to weigh in the balance against these "ad captandum" rights, that, if the wife is indebted before her marriage, the husband is bound to pay her liabilities; should she, being separated from him, contract debts for necessaries he is obliged to pay for them. Again, the husband, having issue by his wife born alive, shall be tenant by courtesy of all the lands in fee-simple, or fee-tail of which she may be *suised*, as the law has it a widow is entitled to the third part of all her husband's freehold lands. While on the subject of widows, we may as well mention a strange custom that is law, though now obsolete at East and West Emborne, in the county of Berks. It is, that if a customary tenant die, the widow shall have what the law

calls her free bench in all his copyhold lands, "dum sola et casta fuerit," that is, while she lives single and chaste; but if she commit incontinency she forfeits her estate: yet if she will come into the court, riding upon a black ram, with his tail in her hand, and repeat some mongrel and indecent verses, the steward is bound by the custom to re-admit her to her free bench."

Throughout the civilized world there is not, perhaps, any sect who use so little ceremony in their marriages as the Quakers; and although we cannot help thinking that the foundation of the peculiar tenets of this religious sect, rests on "the pride that apes humility,"—yet we are free to confess, that among them are but few instances of the violation of the marriage vow, nor have they we believe on record a single instance of divorce. They use no oaths; but merely the simple assertion before witnesses, that they will live together—and they use the same forms in every country which they inhabit. When a young couple has agreed to live together in the holy state of matrimony, they stand up before the congregation in the meeting, and mutually declare their intention of marrying; and whatever agreement is made between them, they write upon a parchment, which agreement is then signed and witnessed by their friends. It is then given to the female, and recorded in the books of the Society of Friends.

Among the lower class of people in Wales, more especially in Caernarvonshire, Anglesea, and part of Merionethshire, they have a mode of courtship somewhat resembling the Scotch, as described by Mr. Elliott; the lover generally comes under cover of the night, and is

taken, without any kind of reserve, to the bed of his mistress. Here, as it is generally understood, with part of his clothes on, he breathes his tender passion, and "tells his tale of true love;" and hence it is no uncommon thing for a son and heir to be born within two or three months after the marriage ceremony.

Sir John Carr relates the following anecdote of this practice of bundling, as it is called. Halting one evening at an inn near Llangollen, the landlord had been scolding a pretty little plump servant girl for not having done her work, which she excused by her master having locked the street door at night, which had prevented her lover from enjoying the rights and pleasures of *bundling*. "Indeed," (continues our author,) "habit has so reconciled the mind to the comforts of *bundling*, that a young lady, about eighteen, who entered the coach soon after I left Shrewsbury, with a most modest and unaffected demeanour, displayed considerable knowledge of the custom."

To the honour, however, of the Welch lovers, it appears that they very rarely desert the woman who has made them happy; nor does either sex feel any impropriety in the practice to which we have referred. When a match is made up, a few days previous to the wedding, the parents of the parties have what they call a bidding, or meeting of their friends at their separate houses; if they are persons of respectability, the number that attends is prodigious. Presents of goods of every description and money, sometimes as much as twenty, thirty, or forty pounds are sometimes collected on such occasions, which helps to establish the young couple in



beginning life. On the night previous to the wedding, a few of the bridegroom's friends proceed to the bride's house to see if she is safe, when her friends conceal her for a time, either by dressing her in man's apparel, or by putting her in some obscure place; but after some pretended difficulty, she is at length discovered, when they sit down, and, after spending the evening merrily, depart home. Next morning they return again and demand the bride, by repeating several lines in Welch poetry. A kind of refusal is made by her father in a similar strain of verse; but his consent being at last obtained, the girl is mounted on a horse behind one of her young male friends, who sets off with her at full speed, to the church where the ceremony is to be performed, followed by the rest of the party. The bridegroom is always in readiness to meet her at the church door, when the clergyman proceeds with the ceremony, according to the established ritual, except when he comes to the words, "with all my worldly goods I thee endow," here the bridegroom puts his hand into his pocket, and produces what money he has about him, which he gives with the ring to the clergyman. The latter takes his fee, and delivers the remainder to the bride. After this, the ceremony concludes at the altar in the usual form.

We find nothing worth recording on the subject connected with Ireland, there, but little provision is made by the lower classes previous to entering into the marriage state. The peasant lover having won his *avourneen*, after the usual course "shilleaghlying" with *his rivals*, raises a mud hut about six feet high, places

dunghill before the door, by way of ornament,—gets a pig, a pot, and some straw; he then “spakes” to the priest, and a race of urchins are soon seen vegetating upon the dunghill enjoying the Irish “*dolce far niente*,” whose subsistence is chiefly potatoes.

Some brief notice of the ceremony of marriage among the Jews may not be without interest to our readers, while upon the subject of the various customs distinguishing this rite in the United Kingdom. We must plead guilty to a little digression before we enter on this part of our brief history. This bigotted and most selfish people, are now setting at work every engine of cunning and subserviency to the prejudices of the many, to obtain for their tribe the enjoyment of the full rights inherited by Englishmen.

We will not judge them from the pages of the history of the ancient Jews, for in that their own historians confess to the commission of enormities, beyond anything ever committed by any pagan nation in the world's history. Their more modern history is enough to condemn them as utterly unworthy, as unfit to enjoy full civil rights in this country, at least, in this generation. Born and reared with one idea predominant, that of getting money, no matter by what means, we find them the very offal of society, in all our large towns. In every scene where vice is pandered to, we find them taking the lead, looking only to money,—utterly regardless of moral taint. From the rich hellite of St. James's, to the low scamp who gets up a cross in the prize ring, the Jew still is found taking the lead; as the receiver of stolen goods, from a £5000 parcel of gold dust, down

to a silk handkerchief, the prig finds old Israel, "open to all parties, influenced by none," that is against his own interest. Again we find them in the enjoyment of a monopoly of mock auctions, and almost the same of houses of an unmentionable description. In the city a tribe of Dutch and German Jews have acquired enormous wealth, and to our shame be it spoken rule the English money market, all this they have obtained at the expence of all classes of our countrymen, whose pockets they have picked under the pretence of loans to the United States, Spain, Portugal and other swindling states, not one shilling of which either in principal or interest will John Bull ever see again. On the Stock Exchange where cheating is reckoned a thing of course, the Jew jobbers far excel all the others, and are the leading members. But to see this dirty species of the genus *homo*, which might, indeed, be taken by a naturalist who saw a Jew for the first time, as the link which connects the human race with the ourang outang,—the reader should see them at their haunts in Petticoat Lane and its clothes market, such a scene of filth, cheating and utter depravity we may safely say cannot be witnessed in any other capital in Europe and is a disgrace to this Metropolis.

The same moral delinquency and utter want of principle—at least towards those not of their religious persuasion—for which the Jews here are notorious, forms their dinguishing characteristic in every country in which they have been permitted to locate themselves, and on this account in no civilized nation have they been allowed the political rights of free-

men. Let us only allow them all the privileges of British citizens, and we shall presently see the jobbing of the Stock Exchange and the vile trafficking of Petticoat Lane transferred to every office under the Government, and every seat in the legislature tenanted by Jews, while every direction of the wealthy commercial corporations of the Empire would become filled with the like corruption.

But to return from this somewhat lengthened digression to the marriages of this isolated sect. The following account of the nuptial ceremony, as performed at the present day, we have from the best authority.

On the day fixed for the celebration of the wedding, the bride and bridegroom are conducted to the place appointed by the parties or their friends (which is generally a large public room hired for the occasion), where there are generally assembled all their relations and friends, according to their law, at least ten must be present, but as Jews love ostentation, they generally invite as many as possible to grace the occasion. Upon the arrival of the priest and reader of the synagogue, the ceremony proceeds in the following manner.

A velvet canopy is brought into the room supported by four long poles, under which the bridegroom and bride are led in the following order: the bridegroom being supported by a friend on each side, and the bride by two females in the same manner (which four are the parents of the couple or otherwise their nearest relations), having her face covered with a veil, in token of female modesty. The couple are then placed opposite to each under the canopy; the priest takes a glass

of wine in his hand and repeats a prayer. Then the bride and bridegroom drink of the wine, and the latter puts a ring upon the bride's finger, saying, in presence of those who stand round the canopy,—“Behold, thou art betrothed unto me with this ring, according to the rites of Moses and of Israel.” The instruments of the marriage contract are then read, which specifies what sum he will settle on her in case of his death; and by which he obliges his heirs, executors, &c., to pay the same to her out of the first produce of his effects.

The priest and reader then each drink a glass of wine; and, after a prayer, the bride and bridegroom drink of the wine, the empty glass is then laid on the ground, and the bridegroom crushes it with his foot; the intent and meaning of which is to remind them of death, and that they are not to separate till those particles of glass are re-united.

This being over, all who are present cry out *mozul tour!* which means, may it turn out happily; when the ceremony is concluded.

As appropriate sequel to Mr. Elliott's memoirs, we will here give some brief notice of the clandestine marriages, celebrated up to as late as the year 1753, in the Fleet prison and its rules, by regular clergymen of the Church of England.

Nothing that ever took place at Gretna Green, can for a moment compare with the mal-practices which daily took place at the Fleet, before the passing of the “Restriction of Marriage Act.” Up to that period marriage in England was regulated by the common law, which prescribed a religious and public form for the

ceremony ; but in point of fact recognised as legal and indissoluble, any mode of solemnization *the marriage once performed*, although the parties aiding and abetting were liable to punishment under the ecclesiastical law.

According to this law the clergyman celebrating a clandestine marriage rendered himself liable to a fine of £100, but this was of no importance to those already in prison for debt, and upon reference to Burn's, "Fleet Registers," we find that some dissolute clergymen took advantage of Adam Elliott's suspension to open their rooms in the prison as regular marriage shops. In addition to the rooms opened for this purpose within the prison, numerous low pot-houses and brandy-shops in the neighbourhood of the Fleet, took up this novel trade, and the proprietors each professed to keep their own parson. The most notorious among these sinks of infamy, were the "Two Sayers," the "Fighting Cocks," and the "Naked Boy," all in Fleet Lane—the "Rainbow Coffee House," at the corner of Fleet Ditch—the "Hand anPen," near the prison—the "King's Head," and "Bull and Garter," both kept by turnkeys of the Fleet, &c., &c. Besides touters, who plied before these dens, inviting every passer by to "walk in and be married;" handbills of one of which the following is a facsimile, were exhibited in the windows :—

G.R.

At the true Chapel,  
 At the OLD RED HAND AND MITRE,  
 Three doors from Fleet Lane, and next door to the  
 White Swan,

Marriages are performed by authority by the  
 Rev. Mr. Symson, educated at the University of  
 Cambridge, and late Chaplain to the Earl of Rothis.

N.B. WITHOUT IMPOSITION.

The parsons were frequently the agents to the gross-est frauds and sometimes crimes of the worst description, as in the following instances. In 1719, one Miss Ann Leigh, an heiress of £200 per ann. and £6000 ready cash, having been decoyed away from her friends in Buckinghamshire, and married at the Fleet Chapel, against her consent, we hear that the Lord Chief Justice Pratt, hath issued out his warrant for apprehending the authors of this contrivance, who have used the young lady so barbarously that she now lies speechless\*." In the following year a lady thus details in a letter published in a newspaper, her escape from a similar plot. It appears she "had appointed to meet a gentlewoman at the old Playhouse in Drury Lane; but extraordinary business prevented her coming. Being alone when the play was done, she bade a boy call a coach for the city. One dressed like a gentleman helps her into it and jumps in after her. 'Madam,' says he, 'this coach was called for me, but since the weather is so bad, and there is no other, I beg leave to bear you company: I am going

\* Original Weekly Journal, Sept., 26, 1719.

into the City, and will set you down wherever you please.' The lady begged to be excused; but he bade the coachman drive on. Being come to Ludgate Hill, he told her his sister, who waited his coming but five doors up the court, would go with her in two minutes. He went and returned with his pretended sister, who asked her to step in one minute, and she would wait upon her in the coach. Deluded with the assurance of having his sister's company, the poor lady foolishly followed her into the house, when instantly the sister vanished, and a tawny fellow in a black wig appeared. 'Madam, you are come in good time, the Doctor was just a going.' 'The Doctor,' says she, horribly frightened, fearing it was a madhouse, 'what has the Doctor to do with me?' 'To marry you to that gentleman; the Doctor has waited for you three hours, *and will be paid by you* or that gentleman before you go.' 'That gentleman,' says she, recovering herself, 'is worthy a better fortune than mine,' and begged hard to be gone. But Doctor Wryneck swore she should be married, or, if she would not, he would still have his fee, and register the marriage for that night. The lady, finding she could not escape without money or a pledge, told them she liked the gentleman so well she would certainly meet him to-morrow night, and gave them a ring as a pledge, 'which,' says she, 'was my mother's gift on her death-bed, enjoining that, if ever I married, it should be my wedding-ring.' By which cunning contrivance she was delivered from the black Doctor and his tawny crew."

Some years after the Fleet marriages were suppressed



by the act passed in 1753, the registers kept by the different parsons were collected by Burns, of whom they were purchased by the government and deposited in the British Museum. We extract the following entries, which speak for themselves :—

“ 1740. Geo. Grant and Ann Gordon bachelor and spinster: stole my clothes-brush.” In the account of another marriage we find recorded, “ Stole a silver-spoon.”

A wedding at which “ the woman ran across Ludgate Hill in her shift,” in pursuance of a vulgar error, that a man is not liable to the debts of his wife, if he married her in this dress.

“ 1 Oct, 1747. John Ferren, gent., sen., of St. Andrew’s, Holborn, br., and Deborah Nolan, ditto, spr. The supposed John Ferren was discovered after the ceremony were over to be in person a woman.” This trick was frequently played, sometimes we presume as a joke, sometimes perhaps to endeavour to obtain the the advantages before pointed out, of being supposed married in case of debt, without danger or extreme degradation of a connexion with the low fellows who “ married in common.”

“ Married at a barber’s shop next Wilson’s, viz. : one Kerrils, for half a guinea, after which it was extorted out of my pocket, and for fear of my life delivered.”

“ Thomas Monk Sawyer and Margaret Lawson, pawned to Mr. Lilley a handkerchief and silver buttons for 2s. ;” to help to pay the fee, no doubt. Another couple leave “ a ring,”

“ Nov. 21, 1742. Akerman, Richard, turner, of Christ Church, batr., to Lydia Collet, (brought by) Mrs. Crooks. N.B. They behaved very vilely, and attempted to run away with Mrs. Crooks' gold ring;” lent probably for the ceremony.

“ 1744. Aug. 20. John Newsam, labourer, of St. James, Westminster, and Ann Laycock, do., widower and widow. They run away with the Scertifycate, and left a point of wine to pay for; they are a vile sort of people, and I will remember them of their vile usage for a achample for the same.”

“ Sept. 11th, 1745. Edwd. — and Elizabeth — were married, and would not let me know their names; the man said he was a weaver, and lived in Bandyleg Walk, in the Borough.” Again: “ March 4th, 1740. William — and Sarah —, he dressed in a gold waistcoat like an officer, she, a beautiful young lady, with 2 fine diamond rings, and a black high crown hat, and very well dressed.

With these we take our leave of this subject, wondering, as no doubt our reader will, that such an abuse of an important, sacred, and moral institution should have been during so many years permitted by any government.

The following is a summary of the Acts of Parliament passed during the last and present reign, legislating on the institution of marriage, viz. a statute which passed 4 Will. IV., July 1834, repealing all former acts which prohibited marriages by Roman Catholic priests in Scotland, or other ministers not belonging to the Church of Scotland. Act to render the children

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of certain marriages within forbidden degrees of kindred, valid, 6 Will. IV., Aug. 1835. New Marriage Act for England, passed 7 Will. IV., 17th Aug. 1836. Marriage Registration Act, 1 Victoria, 30th June, 1837. Amendment Act, 4 Victoria, 7 Aug. 1840.

We conclude with the "*Number of Marriages in England, solemnized at the following periods.*"

1750 Registered	40,300	1820 Registered	96,883
1800 Ditto	73,228	1825 Ditto	98,378
1810 Ditto	84,473	1830 Ditto	102,437
1815 Ditto	91,946	1840 Ditto	121,083

In France, the marriages were 208,893 in 1820; 243,674 in 1825; and 259,177 in 1830. As respects Paris, the statistics of that city, which are very minute and curious, furnish the following classes as occurring in 7754 marriages:

Bachelors and Maids, 6,456; Bachelors and Widows, 368; Widowers and Maids, 708; Widowers and Widows, 222.

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