

MARRYING BY LICENCE: MARRIAGE ALLEGATIONS AS A RESOURCE

I finally was able to obtain a copy of the marriage record for the parents of Joseph Stanford who came to Canada in 1834. The marriage took place in St. George in the East Anglican Church. The record reads:

Robert Stanford of this Parish, Bachelor and Lydia Wallis of the same Parish, Spinster were Married in this Church by Licence this third day of May in the Year One Thousand Eight Hundred By me "John W. Wynne" Curate. This Marriage was solemnized between us: "Robert Stanford" "Lydia Wallis" in the Presence of: "John Stanford" "Mary Ann Stanford" (the names shown in quotes signed the register).

I was very disappointed that no parents of the groom or the bride are given in the marriage record. Besides the parents' names, I wanted to find out if Robert Stanford is the same Robert Stanford, baker and biscuit maker listed on Church Street in the 1841 Pigot's Directory of London.

Two words in the marriage record made me wonder if there was another source of information: "by licence" – could there be a marriage licence? Since I had obtained the marriage record from the London Metropolitan Archives, I asked them if a copy of the licence might exist.

I was told that the licence probably did not exist because it would have been submitted to the person conducting the marriage service to prove that the couple were free to marry each other and, then after the ceremony had been performed, the licence was probably discarded since so few have survived. However, they did tell me that what would have survived was the marriage allegation. In order to receive a licence to marry, the couple had to apply for one. The application process was an allegation where the bride, or more commonly, the groom, or a representative of the couple alleged that there were no impediments to their marriage. Impediments could be a blood or familial relationship between them or an already existing marriage of one of them.

I read articles from a genealogical society in England and from the Guildhall Library website that said couples married by licence rather than banns so the marriage could take place more quickly, more conveniently or more discreetly. The Guildhall Library website also suggested the reason could be because it was considered more prestigious. These reasons may be the case sometimes, but not in the Stanford/Wallis union.

Only certain denominations were allowed to marry couples and, if a couple was not of one of those faiths, they would not have access to banns, which were the announcing of a couple's intention to marry read out at three successive Sundays. If no one stepped forward to say they could not marry, the priest or minister of that parish would then conduct the marriage.

However, Joseph Stanford, the son of the above couple, stated on some census records that he was Baptist. Baptist Churches could not perform marriages at that time and thus would not have the authority to conduct the banns for marriage. So how could the couple prove to the curate of an Anglican Church that there were no impediments to the marriage? The answer is through a marriage allegation.

If a couple married by banns, they did not need to have and would not have a marriage allegation. But in their marriage document it will state whether they were married by banns or licence. If it says banns, don't waste your time looking for an allegation. If it says married by licence, your next step is to find out who issued the licence and where can you find the allegation.

I was excited to think there might be more information out there. I found out that the Guildhall Library was quicker to answer email, so I emailed them. They told me that for London, I would have to know what body issued the licence.

It could be one of seven jurisdictions.

e.g.

The Archbishop of Canterbury – this jurisdiction covers England and Wales, not just London

The Bishop of London

The Archdeacon of London

For the rest see <http://www.history.ac.uk/gh/marrlic.htm>

Then if they applied to the Archbishop of Canterbury, it could be in the Faculty Office or the Vicar-General's office. How was I to know?

I was sent to the British Origins website at <http://www.britishorigins.com> as the fastest way to find out where the licence was issued. It cost 6 pounds to view the result of a search on the names.

I discovered the Stanford/Wallis marriage was under the Vicar-General's jurisdiction and I could order online or obtain the film from the Family History Library. I could even have gone directly to the film for the Vicar-General index 1694-1850 to see if they had the marriage allegation, but not knowing which of the seven jurisdictions and, if the Archbishop of Canterbury which office it in: the Faculty Office or the Vicar-General's office. I decided to go to the Family History Centre to order the film, but I never got around to it. So I had to go back to British Origins and pay another 6 pounds for the privilege of ordering the record online. The record itself cost another 10 pounds.

What could the marriage allegation tell me that the marriage record did not?

- The approximate age of each party
- If either or both parties were under the age of consent, the father or a male relative would be named as the person giving consent
- A bond amount to be paid if the allegation proved to be false at a later date

- The name of the bondsman, usually a close friend or relative of the groom (from 1823 on bonds were no longer made, but allegations still exist)
- The parish of each party to the marriage and thus the parishes in which the marriage likely would take place
- If a widow or widower, the name of the deceased spouse
- Sometimes the groom and bondsmen's occupations

Marriage allegations can be an important tool on their own. Perhaps you don't know where or when a couple married. The allegation can act as a finding aid for the marriage record or, in cases where the couple applied for a marriage licence but never actually got married, it gives you the details normally available in a marriage record.