

Marriage in England – Lord Hardwicke’s Marriage Act

“An Act for the Better Preventing of Clandestine Marriage”

- Approved by Parliament in 1753; took effect 25 March 1754
- To prevent irregular, clandestine or runaway marriages
- Marriage must be performed by Anglican minister in the parish church of one of the spouses, before two witnesses, only after banns or by license
- Only exceptions for Quakers and Jews
- Marriage records kept in separate register books

Irregular marriages -- conducted outside the parishes of the bride and groom.

Clandestine marriages -- conducted without publication of banns or obtaining a license.

Fleet Marriages – over 250,000 marriages conducted in and around Fleet Prison, perhaps by a qualified minister or someone posing as one; Fleet Registers unreliable.

Hardwicke’s Act applied only to England and Wales; Scotland did not require parental consent to marry under age 21; Gretna Green elopements to escape marriage laws in England.

Great Fire of London 1666 destroyed 87 of 109 parish churches.

Marriage by Banns or License

- intention to marry = banns; announced in church on three consecutive Sundays before marriage allowed
- license obtained from Church – no banns required

Banns might be kept in separate banns book or with the marriage register. Search for banns of marriage in addition to marriage record.

After 25 March 1754 marriages were to be kept in separate register books with pre-printed form pages.

Selected Bibliography

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