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PART I.

ORIGINAL COMMUNICATIONS.

ART. I.— *Early Marriages so common in Oriental Countries no proof of early Puberty.* By JOHN ROBERTON, Surgeon, Manchester.

IN two papers on the Natural History of Puberty, published in the Numbers of this Journal for October 1832 and July 1842, I have attempted to prove, in opposition to the generally received opinion, that the age of puberty is as early in the cold as in the tropical regions of the earth; and that, were marriages to take place in England at as juvenile an age as they do in Hindostan, instances of very early fecundity would be as common in England as they are in the latter.

In the papers just mentioned, I have expressed an opinion, that early marriage and early intercourse between the sexes, wherever found generally prevailing, are to be attributed not to any peculiar precocity, but to moral and political degradation, exhibited in ill laws and customs, the enslavement more or less of the women; ignorance of letters, and impure or debasing systems of religion. In proof of this opinion I expect to be able to show that *in England, at a period when some of the unfavourable circumstances just mentioned as yet lingered amongst us, early marriages were very common, if not in all ranks certainly among the gentry; and that such marriages were likewise common very recently among both high and low in Ireland.*

Before entering on the evidence for this curious and hitherto unnoticed fact,—unnoticed I mean in connection with the present subject of inquiry, it may be well to state what is the age of marriage in some European countries, lying, like England, in the tem-

VOL. LX. NO. 156.

perate zone, and therefore experiencing the same or nearly the same climate, but where the mass of the people, from moral or political causes, and commonly both, are sunk in gross ignorance, or at best, with slow and doubtful progress, emerging from it.

It is to be recollected, that, though I have alluded to Hindostan by way of example, as a land of early marriages, such marriages are found in the coldest climates,—found as commonly among the Esquimaux of North America and the tribes along the shores of Siberia, as on the burning plains of the Carnatic or in the islands of the Indian Ocean,—equally in the inclement Archipelago of Terra del Fuego,* as among the tribes on the Orinoco,—among the Kirgis with their herds of Yaks, in the perpetual snows of Pamir at the fountain of the Oxus,† as in the verdant and sunny island of Ceylon. In every country, supposing the simple means of subsistence easily attainable, and even generally where it is otherwise, if the people are strangers to the Christian Scriptures, or to the civilization of the more favoured European nations, which has its root in the Scriptures, *there* the female sex remains uneducated and unhonoured, bought and sold, or bargained for in some form, like an article of merchandise; and there it is found that generally the marriage union takes place at a premature age. ‡

Spain.—A recent writer has said, “The general immorality of the females is to be attributed to the prevailing system of early marriages—marriages of policy or convenience—and to the low standard of morals, rather than to extraordinary depravity of natural disposition.” “In Spain, women for the most part marry first and love afterwards, and conjugal fidelity is consequently a rare virtue, especially as neither religion nor education interposes to check the fervid passions of a southern clime.” “The cause of the low standard of sexual morals may be referred to the defective system of education, and the want of any proper religious principles to control the ebullition of passions.” “I was amazed

* “The Fuegians marry young.”—*Voyages of the Adventure and Beagle*, Vol. ii. p. 182. Evidence as to the existence of early marriage among the Esquimaux and the Northern Asiatics will be found in my former papers.

† *Journey to the Source of the Oxus in 1836–7–8*, by Lieutenant Wood, p. 340. The Yak cannot live or does not thrive even in the winters of Cabul. It seems to require the region of perpetual snow, from under which it procures its food.

‡ Probably in all countries in an early stage of civilization, it has been the custom to buy and sell wives. By the laws of the Saxon Ethelbert, “if a free man lie with the wife of another free man, let him buy another wife for the injured party.”—*Strutt's Manners and Customs of the People of England*, Vol. i. p. 75. There were laws fixing the price for women of all ranks as wives.—*Ibid.* p. 76. And Michaelis, with reference to Germany, mentions, that, in the German Chronicles of the Middle Ages, “we find it stated that A. B. bought C. D., that is married her.”—*Smith's Translation of Michaelis's Laws of Moses*, Vol. i. p. 460. This subject—the age and terms of the matrimonial contract in different countries, at different periods, has never, as yet, with anything like an adequate degree of care, been investigated, although there are few that better deserve the trouble.

to discover the profound ignorance of the Andaluzas on the most common topics. The fact is, that in Spain woman is still suffering an Oriental degradation. She is still regarded in the light of a being created to contribute to the sensual gratification of man, rather than to be his companion, his friend, his counsellor." *

Sicily.—Frederick von Raumer calls "Ireland the English Sicily," † intimating, that the degraded condition of the people of Sicily is a disgrace to the Neapolitan government, as that of the Irish is a stain on the government of England. It is when speaking of the Sicilians that an interesting writer has said, "One must not enter these huts with English ideas; cleanliness must not be expected, but he will find enough to eat and drink, and the peasants satisfied with what they have. If any proof of what I have said were wanted, it might be found in the *universally* early marriages, and the numerous broods of naked, dirty, but not ill-fed children that are everywhere to be seen." ‡

Greece.—In Mr Strong's valuable statistical work lately published, entitled "Greece as a Kingdom," when treating of the soil and the inhabitants, he alludes to the early union of the sexes, which he seems to attribute to natural precocity, and mentions an Athenian lady who was a grandmother at the age of 24. § Whittman in his Travels had given 15 years as about the age when the Greek women marry; || and those of the Ionian Islands, according to another writer, marry some at 11, many at 12, and most before 16; all the matches being made by the parents. ¶

Russia.—European Russia may still perhaps be considered, as to the mass of its population, as lying beyond the boundary of civilized Europe, and here the age of marriage, according to the testimony of a number of writers, is allowed to be extremely early—to have been so, at all events, till within a very recent period. Thus Mr Tooke writes, that the common sort enter into the nuptial state "as early as they can;" and elsewhere remarks that the women arrive at maturity at their 12th or 13th year. **

Another writer has said, that the lords of the soil in Russia, all take care to promote matrimony early. †† According to Archdeacon Coxe, a boy of nine or ten is often married to a woman of more advanced age, she living as his father's concubine. ‡‡ This latter is a curious trait which was noticed by Sir Dudley North, as we learn from his Letters during a residence in Archangel as

* A Summer in Andalusia, Vol. ii. pp. 464-5 and 6. London, 1839.

† Italy and the Italians, Vol. ii. p. 355.

‡ Letters on Sicily, by William Irvine, M. D. p. 27. In the Spanish Island, Minorca, the Minorquins "are often betrothed to each other while children and marry at fourteen."—Clegborn on the Epidemic Diseases of Minorca, p. 54.

§ Greece as a Kingdom, by F. Strong, Esq. 8vo.

|| Travels in Turkey, &c. by W. Whittman, M. D. p. 25.

¶ Goodison on the Ionian Islands, p. 222.

** Tooke's Russian Empire, Vol. i. p. 375.

†† Cook's Travels through the Russian Empire, Vol. iv. pp. 70 and 71.

‡‡ Archdeacon Coxe's Travels in Poland, Russia, &c. Vol. i. p. 439.

far back as the reign of Charles II. "One of the inconveniences," says he, "that lie on those who dwell in this country, is, that the people are so given to nastiness, that nothing can be eaten out of their hands; you shall have perhaps four brothers and as many sisters, with their father, mother, husbands, and wives, all dwelling in one hot-house; (*wisbie* they call it;) they have nothing but a little straw strewed on the ground to lie upon." "In this country, the husband is the sole commander of the wife, who differs very little from his servant. Many will marry their sons very young to lusty baggages on purpose to gain able servants." *

From no author I am acquainted with have we in several respects equally precise and valuable information on the customs of Russia, as the Rev. Dr Pinkerton, some time Foreign Agent of the Bible Society, and "many years," he tells us, resident in Russia. Concerning the age of marriage he thus writes, "Before the influx of European customs, the contract for marriage was formed by the parents and relatives, and the bridegroom was never permitted to see his bride until the ceremony of betrothing took place. An ukaz of Peter the Great, in the year 1700, forbade this practice to be continued, and prohibited the priest solemnizing the marriage unless the ukaz was attended to." "At the beginning of the eighteenth century, it was the custom of the Russians of all ranks to marry their children very early even before the age of puberty." †

We shall have again occasion to refer to the Russians in connection with the subject of early marriages: in the meantime I may remark, that, every reader conversant with modern history must be aware that, if we except, to some small extent, the Russians, the inhabitants of the other countries mentioned are degraded politically, morally, and intellectually; the women sought as wives with little regard to a sentiment of affection at an age preposterously early; whilst they, ignorant of the position in the social system they are designed by the Creator to fill, exhibit the vices peculiar to the uncultivated female character—indolence, frivolity, and an abject superstition—with few of its humanizing, purifying virtues. Thus early marriage is found to be the effect of a degraded condition of society, and is again in turn a powerful cause of the perpetuation of that same degraded condition.

If, however, instead of supporting this conclusion, we were to concede, what has been so long and so generally contended for by physiologists, that not ignorance and moral debasement are the causes of early marriage but that it depends upon a bodily cause; that, in fact, the Creator has fitted the women of Andalusia and Greece, for example, to enter upon the duties of wife and mother at an ear-

* Life of Sir Dudley North, in *North's Lives*, Vol. ii. pp. 310-12.

† "Russia; or the Past and Present State of its Inhabitants," by Robert Pinkerton, D. D. pp. 304-306. London, 1833.

lier age than is natural to the women of England, then might the superiority of these latter over the former be considered as a thing absolutely settled ; nor should we be permitted to hope that a purer religion, an improved education, and wiser laws would avail to remove the difference. If it be asked why ? the answer is, that the training of young women, the acquisition of the knowledge and the habits requisite to qualify them for wives requires time—a period at the least of several years subsequently to the age of puberty—if the education is to be anything better than nominal ; and seeing that puberty, on the hypothesis in question, is later in our favoured climate than on the shores of the Mediterranean and the plains of Russia, the women of England, by the ordination of Nature, will possess incalculable advantage in the longer space of time they will have to devote before the period for marriage, to a preparation for the duties of domestic life. This, doubtless, is a conclusion few physiologists would *choose* to arrive at if it could be helped ; but it is one that they cannot evade, except by a supposition which, I am not aware any one has ventured to make, viz. that the women of Spain and Greece, possessing greater quickness of parts than those farther to the north, are able in a briefer space of time to complete their education, the early developement of the body being accompanied by a proportionably precocious display of mind.

The impediment to the work of education arising from the prevalence of early marriage in a community, has not altogether escaped the notice of observers. In a recent tour in Egypt and Candia, Captain Scott, the author, thus writes, and though his remarks have reference to Mahomedans, they are of course applicable wherever the same practice of premature marriage exists.

“ An almost insuperable objection to a finished education in any Mahomedan state,” says this writer, “ is the early age at which marriages are contracted ; a father provides a wife for his son when he ought to be still at school ; so that the youths themselves have the cares and distractions of a family upon them ere they are of an age to be removed from under the rod of the schoolmaster ; and it may be here observed, that precocity of intellect is by no means remarkable among the Arabs ; so their education cannot commence at an earlier age than in northern countries.” *

But by what arguments are the advocates of the hypothesis which I am endeavouring to expose, (that early marriages depend on early puberty, and this latter on warm climate,) to encounter the instance of the Russians in whom this kind of influence of climate at all events cannot be alleged as the cause of *their* early marriages ? I can imagine none. Moreover, there is evidence to prove that, just in that degree in which the light of civilization has, from time to time, found entrance and been diffused in Russia, has the

* *Rambles in Egypt and Candia*, Vol. ii. p. 185.

practice of early marriage been discouraged and opposed by its rulers. A century and a half ago the inhabitants lay in a state of profound ignorance and debasement—on a level with the nomade hordes of the Asiatic deserts, and it was only when a sovereign like Peter the Great arose, with a clear perception of the better way, with wisdom to take it himself, and courage and perseverance to force his subjects into it, that Russia began to rise in manners, and slowly advance into the rank (as yet perhaps the rear-rank) of civilized nations. It was the custom of the Russians of all conditions, says Dr Pinkerton, “to marry their children very early, even before the age of puberty; but Peter by an ukaz of 23d March 1714, strictly prohibited the nobles from entering the married state before the age of 20 for the bridegroom, and 17 for the bride. Catharine II., by an ukaz in 1775, reduced the legal age of marriage to 17 for the male, and 13 for the female. This custom of early marriage still prevails; and in innumerable instances, especially among the common people, it is fraught with very pernicious consequences, both to the physical and moral state of the parties. Many shocking instances have been known among the peasantry, of a breach of the laws of consanguinity in consequence of these premature marriages. By a recent ukaz of the present Emperor Nicholas, (1831,) the priests are forbidden to solemnize marriage unless the man be 18 and the bride 16 years old: and this edict extends also to the Uniats and Protestants in the Empire.”*

Testimony such as this, concerning the age of marriage in Russia, coming from an eye-witness long conversant with the manners of the people, and a proficient in their language, must be regarded as extremely interesting and valuable. It illustrates the view which I am endeavouring to enforce, as to the causes of early marriage and early sexual union, wherever they are to be found; establishing, by an example on a great scale, that early pubescence, the effect of a warm climate, cannot be regarded as necessarily among those causes.

To proceed to the main object of the present essay: a transition, in some degree resembling the foregoing in Russia, from marriage at a juvenile, to marriage at a more mature age, must have occurred in England; although, owing to greater remoteness of time, the steps of this change in respect to the common people cannot, it is probable, now be traced: with regard to the gentry the case we shall find is otherwise. In entering on this portion of the inquiry, it may be well, since we have the means, to give the age of marriage in England at the present period; by which we shall be enabled to see, in the issue, how great a change time has wrought in this particular among us.

* *Past and Present State of Russia*, p. 306.

In the Report of the Registrar-General for the year ending 1839, a table of the ages in 4858 marriages has been published, and these not being selected instances, but belonging to districts varying in situation and character, and including every marriage in those districts, may be presumed to be a fair example of the ages at which marriages occur throughout the whole kingdom.

According to this table there were under 15 years, none for either sex; of males 15, and under 20 years, there were $3\frac{1}{2}$ per cent; and of females of the same ages about 14 per cent. of the whole number. The average age of marriage was for men, 27 years, and for women 25 years and a few months: a result which still leaves room both for regret and improvement. *

I have already stated that, at the period when premature marriages were frequent in the country, some of those ill customs existed (or customs of like evil consequence) which are found wherever such marriages are found. Independently of the general ignorance, and the rudeness of manners in England in the fifteenth and sixteenth centuries, or even later, concerning which I shall not venture particularly to speak, there was the feudal right of wardship and marriage; a cause in itself alone of various evils, but of none greater or more hurtful than early marriage, which we shall find it absolutely necessitated in a number of instances; and thus introducing the practice in high quarters, diffused it probably through the whole mass of society. The nature and exercise of this feudal claim, which existed in all its oppressive rigor so lately as the reigns of the first two Stuarts, having been abolished only in the year 1660, it will be easy to explain and illustrate: in the course of doing which a number of facts will be mentioned indicative of a state of manners whose grossness and barbarism I had not myself an idea of before entering on this course of inquiry.

“Almost all the real property of this kingdom is by the policy of our laws supposed to be granted by, dependent upon, and holden of some superior lord, by and in consideration of certain services to be rendered to the lord by the tenant or possessor of his property.”†

* Report of the Registrar-General for 1840, page 10, 8vo. From Senior's statement concerning a provision for the poor of foreign nations, 8vo. 1835, we find that in several European countries the laws against early and improvident marriages are, as appears to an Englishman, extremely strict. Thus in Bavaria the clergy are held responsible for the support of those poor persons they have married without leave from the authorities, besides being fined. In Berne no pauper can marry without the consent of his parish; in Norway no one can marry until he has satisfied the clergyman that he is able to maintain a family: in Mecklenburgh, owing to the conscription and other causes, men marry at from 25 to 30, and the women not much earlier. In Saxony a man liable to serve in the army may not marry under 21; in Wurtemberg no man is allowed to marry, unless permission have been especially obtained or purchased, under the age of 25. In Belgium the average age of marriage is for men 27, and 26 for women.

† Christian's edition of Blackstone, Vol. ii. page 59. London, 1809.

All tenures of land were supposed to be derived from the king, either mediately or immediately. Those who held immediately of him were called tenants in chief; and these again in their turn were lords to tenants of a less honourable grade over whom they exercised rights.

The services rendered both by the tenants-in-chief to the sovereign for the lands they held of him, and by the inferior class of tenants to the middle lords in return for their tenures, were various; consisting, among others, of military service, aids, fines, forfeitures, and, what particularly concerns us at present, wardship and marriage.*

The right of wardship means that the lord had the guardianship of his tenant during his minority, by virtue of which right he had both the care of his person, and received to his own use the profits of the estate, excepting the ward's aliment, the amount of which lay much at the mercy of his lord. By a gross abuse of this custom in England, this right of wardship was often by the lord assigned over to strangers, or it was put up to sale, or bequeathed by will like any other kind of disposable property. But, besides the profit of the estate during the minority, the lord had another perquisite connected with his guardianship, viz. the right of disposing of his ward, whether male or female, in matrimony.

Let us suppose a tenant to die, leaving a child or children of both sexes, minors, the lord would assume the powers of guardian,† due inquisition having first been made with reference to the nature and amount of the property, and the ages of the minors; and here it may be well to mention, that the male was a minor till the age of 21, and the female till the age of 14, though in the case of a female ward the law continued the guardian's hold of her person and property two years longer—till she was 16. If the lord did not make over, or sell his rights, he soon set about finding matches for his wards; either by uniting them, if that were thought advantageous, with members of his own family, or of the families of relatives, or by selling the marriage, i. e. if the ward, for example, were a female, disposing of her hand to the best bidder, provided he were of suitable rank, for the law forbade disparagement.

* The kind of tenancy here alluded to was called tenure by chivalry, or tenure by *knight service*,—in other words, it was a military tenure which in time came to include (or rather in some cases degenerated into) escuage or pecuniary assessment in the room of personal military duty. Socage tenure was a different thing, and did not bring to the tenant the same kind of burdens as tenure by chivalry.

† In law phrase guardian in chivalry. It is a curious circumstance that wardship and marriage is found among the Rajpoots of India. The mother, however, is generally the guardian. Tod's *Rajast'han*, Vol. i. page 161—3.

If any of my readers have a desire to understand fully the nature of this feudal claim I refer them to Hallam's *History of the Middle Ages*, Vol. i.; Sir Henry Spelman's *Posthumous Works*, chap. xiv. and xv., folio 1698; and especially Christian's edition of Blackstone, 4 vols., 15 edition, 1809, Vol. ii. pages 67, 68, 69, 70, 71, 131, and Vol. iii. page 258.

When the female ward was thus married before her twelfth year, she might, on arriving at that age, repudiate the match ; in which case she had to pay to the guardian *the value of the marriage* ; a sum out of her property equal to what a jury would assess as the price which might have been given for the alliance. Of course all wards (I purposely confine my remarks to those of the female sex, though the same would apply with the before-mentioned difference to males) were sure to be made to marry at the latest before the age of 16, since at that age the guardian's power over them ceased, and they were at liberty to sue out their deliverance from wardship. We shall by and by see that marriage, in such cases, instead of being delayed till the age of 15 or 16, or even till the legal age of consent, which was 12, was often contracted at an age considerably earlier, with a view to its being consummated when the parties should arrive at puberty—in some cases probably even before that period.

But it might and often did happen, as has been already mentioned, that the lord, instead of exercising the right of guardian, sold it to a stranger : to use the words of Hargreave, " This guardianship, being deemed more an interest for the profit of the guardian than a trust for the benefit of the ward, was saleable and transferable, like the ordinary subjects of property, to the best bidder ; and if not disposed of was transmissible to the lord's personal representatives. Thus, the custody of the infant's person, as well as the care of her estate, might devolve upon the most perfect stranger to the infant, one prompted by every pecuniary motive to abuse the delicate and important trust of education, without any ties of blood or regard to counteract the temptations of interest ; or any sufficient authority to restrain him from yielding to their influence." *

Before illustrating by instances the strange results of this oppressive and debasing claim, I would remark that our law in a different case appears to proceed on the assumption that early marriages were common : thus Littleton tells us that the wife shall be endowed out of her husband's lands and tenements, " whether she have issue by her husband or no, and of what age soever the wife be, so as she be past the age of nine years at the time of the death of her husband, for she must be above nine years old at the time of the decease of her husband, otherwise she shall not be endowed." † On this passage Sir Edward Coke makes the following comment : " If the wife be past the age of nine years at the time of the death of her husband, she shall be endowed of what age soever her husband be, albeit he were but four years old. Quia junior non potest dotem promereri neque virum sus-

* Hargreave, as quoted by Christian in one of the latter's notes and additions to Blackstone, Vol. ii. page 71.

† Coke's Littleton, lib. i. sect. 36 of Dower.

tenere; nec obstat mulieri petenti minor ætas viri." * "This we are told by that grave and reverend judge, without any remark of surprise or reprobation," says Mr Christian indignantly; and then he adds—"It is abundantly clear, both from our law and history, that formerly such early marriages were contracted as in the present times are neither attempted nor thought of." †

In another instance, the law concerning rape, the existence of very early marriage is indirectly recognized thus;—by the statute of the 18th Elizabeth, which makes it a capital crime to abuse a consenting female child under the age of 10, an exception seems to be left for these marriages, by its being declared that *only the carnal and unlawful knowledge* of such woman-child is felony. ‡

It has been already observed that the marriage of a ward was often put up to sale by the guardian. "In the Pipe Rolls of 28, 29, and 30, Henry II., Robert de Were, called son of Robert, son of Harding, accounted for fifty marks, and a golden cup of the value of forty marks, for having the daughter of Robert de Gant in ward." §

In some cases the sale brought a large, in others a moderate sum: William, Bishop of Ely, gave 220 marks that he might have the custody of Stephen de Beauchamp, and might marry him to whom he pleased. John, Earl of Lincoln, gave Henry III. 3000 marks to have the marriage of Richard de Clare for the benefit of Matilda, his eldest daughter; and Simon de Montford gave the same king 10,000 marks (equal to L. 100,000 at present) to have the custody of the lands and heir of Gilbert de Unfraville with the heir's marriage; and Hugh de Flammerville proffered L. 10 for the custody of his sister with her land. In Maddox's History and Antiquities of the Exchequer the reader who is curious will find a lengthy list of sales, such as the above, in chapter X. "of the Crown Revenue." ||

The most curious thing connected with the treatment of this species of property is the extremely cool manner in which wards are bequeathed along with ordinary goods and chattels: thus Sir John Cornwallis, Knight, in his will of date, April 16, 1554, after a very devout and pious exordium, and a specification of certain bequests, proceeds—"I bequeath to my daughter my wife's gown of black velvet; to my son Henry my own gown of tawny taffita; to my son Richard my ward, Margaret Lowthe, which I bought of my Lord of Norfolk, to marry her himself if they both will be so

* Coke's Littleton, lib. i. sect. 36. Of Dover.

† Notes and additions to Blackstone, Vol. ii. page 131.

‡ Christian's notes and additions to Blackstone, Vol. ii. page 132.

§ Berkeley Manuscripts: or Abstracts and Extracts from Symthe's Lives of the Berkeleys, by Thomas Dudley Fosbroke. 4to, London 1821, page 78.

|| Maddox's History of the Exchequer, folio, London 1711; also Christian's Blackstone, note, Vol. ii. page 71.

contented, but if not I will that he shall have the wardship and marriage of her with all the advantages and profits." *

Sir Reginald Bray, Knight of the Garter, August 4, 1503, bequeaths, among other items of property, two wards, in these terms : " Whereas I have in my keeping Elizabeth and Agnes, daughters and heirs of Henry Lovell, Esq., I will that Elizabeth be married to one of my nephews, son to my brother John Bray, and that the said Agnes to another son of my said brother." †

John Colet, the Dean of St Paul's, August 22, 1519, wills, " all those my lands and tenements, rents, services, *wards, marriages*, reliefs, &c. &c. in the towns, fields, and morasses of Chippeasby, &c. in the county of Norfolk." ‡

Sir Thomas Wyndham, Knight, October 12th, 13 Henry VIII. 1522, bequeaths to certain parties " all my wards and marriages now bought by me, with all advowsons by any means belonging to me, &c. in the counties of Norfolk and Yorkshire." §

It would seem that the dread of wardship and marriage sometimes operated with parents in marrying their child at a tender age, with a view to evade this oppressive law. Thus Maurice, fourth Lord Berkeley, was knighted at 7,|| and was married at 8 years old to Elizabeth, daughter of Hugh, Lord Spencer, then but 8 years old, the reason being that early marriage prevented wardship, the payment of a large fine to the king, and assisted the party's own affairs with interest and powerful connections. This instance happened in the reign of Edward III. From a subsequent entry it is uncertain whether or not the juvenile couple were permitted to cohabit till the age of 16; since at the age of 14 the young husband, it appears, was sent to travel two years in Spain. ¶

In my paper in this Journal for July 1842, on the period of puberty in the negro, I have given a number of instances (in a note) of early marriage, chiefly in the families of our kings, up to the date of the marriage of Henry VIII. with Catharine of Aragon. To these I now add some instances which I have gleaned when looking into family memoirs : although not very numerous, they will yet be found sufficient to establish the fact, that the gentry in general, and particularly the eldest sons, married about the age of puberty as late as till the middle of the seventeenth

* *Testamenta vetusta*, being illustrations from Wills of Manners, Customs, &c. from the reign of Henry the Second, to the accession of Queen Elizabeth, by Nicholas Harris Nicholas, Esq., R. 8vo. Vol. ii. page 715. London, 1826.

† Ibid. Vol. ii. page 446. ‡ Ibid. 571. § Ibid. Vol. ii. page 582.

|| If an infant tenant by knight-service was created a knight, the king was no longer entitled to the wardship of his person, nor to the value of his marriage. Christian's Blackstone, Vol. ii. page 67.

¶ Berkeley Manuscripts, pages 140—141.

century. The libraries of a provincial town afford little scope comparatively for research in this particular line; but inquirers may possibly be incited by what they find in these pages to pursue the path now opened up, in circumstances more favourable to the elucidation of this trait of old English manners.

1247. John, [eleventh] Earl of Warren and Surry, was married A. D. 1247, when 12 years of age, to Alice, daughter of Hugh de Brun, Earl of the Marches of Aquitaine. *

1308. Robert de Tatershal of Abkettleby, Leicestershire, married while under age Eva, daughter of Robert de Tiptoft, 13 years old. †

1351. The Earl of Holland married Maud, daughter of the Duke of Lancaster, the lady, although a widow, was only 19. ‡

1456. Margaret, wife of Edmund Tudor, was left a widow, and a mother at the age of 14. §

12 Edward IV. We learn from Cotton's Records that it was accorded that, at the age of 13 years, Cicill, only daughter of Katharine, (some time the wife of Bonsile, Lord Harrington,) should marry Thomas, the eldest son of the Queen, "between whom, if there was no mutual society, that the said Cicill should marry with Richard; the brother of the said Thomas." ¶

17 Edward IV. The king creates Richard, his second son, Duke of York and Norfolk, &c., and appoints his said son to marry with Anne, the daughter and heir of John, late Duke of Norfolk, "the said Anne being then of the age of 6 years." ¶¶

1536. Henry Fitzroy, Duke of Richmond, in Somerset, married to Mary, daughter of the Duke of Norfolk, died, aged 17, July 24, 1536, without issue. **

1532. Elizabeth Leak of Hasland, in Derbyshire, was married at 14 years of age, to Robert Barley, of Barley, Esq., same county, "who was also very young." ††

The mother of Catharine Parr, (the last of Henry VIIIth's wives) Matilda Green, by name, married Sir Thomas Parr when she was 13. Catharine, the daughter, was herself by a family arrangement to have married Lord Scroop when he came to the age of 13, and she to 12. This fell through, but she did marry Lord Borough, a widower, when she could not have been much above 12, since she is found by-and-by to be a widow in her fifteenth year. Again, while as yet under 20, she took for her second husband Lord Latimer.

* Watson's *Lives of the Earls of Warren and Surry*, Vol. i. page 226.

† Nicholls's *History and Antiquities of Leicestershire*, folio, Vol. ii. page 17.

‡ Ibid. Vol. i.

§ Miss Strickland's *Queens of England*, Vol. iv. page 20.

¶ Cotton's *Records in the Tower of London*, folio, page 695.

¶¶ Ibid, page 702.

** Collins's *Peerage*, Vol. i. page 91.

†† Ibid, Vol. i. page 293.

By a solemn matrimonial treaty, signed at Windsor, the Emperor Charles V. engaged to marry his cousin, the Princess Mary, as soon as she arrived at her 12th year. This treaty fell through; but Cardinal Wolsey endeavoured to effect a marriage between Francis I. and the same Princess Mary, she being then only 11, —neither did this take effect. The fair Geraldine, (of the poet Surrey) a lady of the court of Queen Mary, is married to Sir Anthony Brown when she is 16. *

1551. In certain instructions to the ambassadors in France, of this date, they are directed to inform the French King that, on the 12th October of the next year, Edward VI. would be 14 years old, and to request that the marriage with the lady Elizabeth (daughter of the French King) may take place three months after she shall have attained the age of 12 years.†

1603. James, first Duke of Hamilton, born 1603, married the daughter of the Earl of Denbigh, he 14, and the bride 7.‡ Burnet says, “after the years for consummating the intended marriage were over he was forced to it not without great aversion, occasioned, partly, by the disproportion of their ages, and partly by some other secret consideration.”

1629. Lord Thurles married his cousin, Elizabeth Preston, (a king's ward,) only child of Richard Earl of Desmond, aged 14.§

A. D. 1667. Lady Dina Russell was married to Sir Grevil Verney when she was aged 15 years.||

1680. Elizabeth, sole heiress of Joseline Percy, Duke of Northumberland, was married to Henry Cavendish, Earl of Ogle, who, however, died before he was of age to cohabit with her.¶

1663. Elizabeth, Countess of Bridgewater, died this year in the 37th year of her age, having been married at the age of 18.**

These scattered instances of early marriage, gleaned at random from a variety of sources, are not without interest; but a clearer and more precise idea as to the prevalence of this custom in families of rank is obtained when the records of marriage in a particular family in *successive generations* are before us, as in the case of the Berkeleys; from which we shall see that the Lords of Berkeley, some ages ago, differed in this trait of manners little or nothing from the nobles of Russia, in the time of the Empress Catherine, or of her predecessor Peter.

Thomas, fourth Lord Berkeley, was contracted to Margaret,

* These instances are taken from Miss Strickland's *Lives of the Queens of England*, Vol. v.

† Tytler's *England under the reigns of Edward VI. and Mary*, 1839, Vol. i. p. 397.

‡ Burnet's *Lives of the Hamiltons*, folio, page 406.

§ Coates's *Life of the Duke of Ormond*, page 7, 4to.

|| Collins, Vol. i. page 270.

¶ *Ibid.* Vol. i. page 167.

** *Ibid.* Vol. ii. page 365.

daughter of Gerard Warren, Lord Lisle [41 Edward III.] Amongst other items in the contract is this, "The same Margaret by reason of her tender age, (then about 7,) shall for *four* years remain with her father, and this Thomas de Berkeley with his father." * Elizabeth, only daughter and heir of the aforesaid Lord Thomas Berkeley, was contracted for marriage when she was under 7 years of age; the husband Richard the Earl of Warwick. It may be presumed that the consummation of the marriage would take place about the age of puberty. † Thomas, son of William Marquis Berkeley, [Edward IV.] when 5 years old, was contracted by his father to Mary, daughter of Anne, Countess of Pembroke. ‡ Maurice, fourth Lord Berkeley, (whose case has been already mentioned) married at 8, his wife being of the same age. Maurice, sixth Lord Berkeley, 8 Henry VIII., "bought of the King the wardship of the body and lands of John, son and heir of Sir Richard Berkeley of Stoke; and, by his will, directed that he should be married at 16 years of age to Isabele Dennys, his sister's daughter; and if she should refuse, to Helen her sister, and so to Margaret her sister." § Lady Catharine, a daughter of the Earl of Surry, was married at 16 years of age to one of the Berkeleys, "by the bedside of her grandfather, the Duke of Norfolk, as he lay in his bed, then grown weak with age and sickness." || George, Lord Berkeley, [12 James I.,] was married to Elizabeth, second daughter and co-heir of Sir Nicholas Stanhope in the church of Great St Bartholomew, London, and, in the presence of both their parents, he being 13 years old and she 9. It appears that the bridegroom was sent to Christ Church, Oxford, to study for a time, his wife remaining with her father. ¶ What remains, though out of place as to date, is the most curious piece of information of any. Maurice, third Lord Berkeley, [Edward I.] was married at 8 years old, and a father before he was 14. The historian adds, "more than a dozen instances of paternity occur before that age." **

More than a dozen instances of paternity occur, such are the words of the author of the *Lives of the Berkeleys*, before the age of 14. What an insight does such a sentence afford into the condition of families in the fifteenth, sixteenth, and seventeenth centuries, when this detestable precocity was unblushingly encouraged; assimilating the people of a Christian country, in this revolting feature, to the Pagan inhabitants of the South Sea Islands: regarding whom, the Rev. Mr Ellis informs me, that the union of the sexes is *never*, he believes, delayed so late as the period of puberty. It must have been a full acquaintance with, and strong perception of the evils of this nature, resulting from ward-

* Berkeley Manuscripts, page 143.

† Ibid. page 162.

‡ Ibid. page 217.

§ Ibid. page 175.

** Ibid. page 115.

† Ibid. page 148.

‡ Ibid. page 205.

ship and marriage, which could have drawn from Grafton, a faithful chronicler in the reign of Elizabeth, the following extremely curious display of humane and patriotic feeling.

"It is much lamented that wards are bought and sold as commonly as are beasts; and marriages are made with them that are many times very ungodly; for divers of them being of young and tender years, are forced to judge by another man's affection, to see with another man's eye, and say yea with another man's tongue, and finally consent with another man's heart. For none of these senses be perfected to the parties in that minority, and so the election being unfree, and the years unripe, each of them, almost of necessity, must hate the other, whom yet they have had no judgement to love. And certainly the common bargaining and selling of them is to be abhorred, besides the shameful polling that many use, which, if they consent not to such as are their sellers, they shall be handled, as the common saying is, *like wards*, and stripped almost out of all they have, when the same should do them most good. God grant the magistrates may take some good order therein, for surely it is needful, for many do use them as the same is not sufferable in a Christian realm. For who seeith not daily what innumerable inconveniences, divorces, yea and some murders, have of such marriages (or rather no marriages) proceeded, the present time sheweth too many examples, which minister sufficient cause for us bewail the same; but the greatest injury is to God, who hath made that free, namely, matrimony, which the law of this realm maketh bond; the redress whereof belongeth only to the Prince, in whom, like as the same God hath caused more virtues to meet than in any other creature of her calling, so we doubt not, but that his Godhead will, when his good pleasure shall be vouchsafed, not only to preserve her Highness, with the increase of virtue and wisdom, but also to move her heart to the godly redress of these, and many other enormities and abuses, to the great comfort of all her Grace's loving and obedient subjects."*

Ireland, placed on the western verge of Europe, and never included within the bounds of the Roman Empire, from its remote position, was comparatively little exposed to those early migrations of energetic races from the north-east, by which nearly every other European country was at different periods visited, and by which the inhabitants were either extirpated, or renovated and improved. In this respect Ireland has undergone little change when compared with the island of Great Britain, and hence, (for reasons which will be obvious to the student of history, but which it is foreign to my present object to dilate upon,) it wears the traces of a somewhat recent civilization. The population in some of the remoter districts having, even at the present day, a resemblance in the

* Grafton's Chronicle, Vol. ii. pp. 249-250. London.

depressed cranium, and strongly marked developement of the bones of the face, to the rudest varieties of our species.

Amongst those evidences of a low state of moral advancement which might be mentioned, *that* supplied by the early age at which the sexes unite in marriage is not wanting, as we learn from various writers on the social condition of Ireland. To Dr Griffin of Limerick, in the first place, we are indebted for an interesting table, exhibiting the ages at which 735 women of that city married. Of this number there were, at 13 years of age, four; at 14 years, seven; at 15 years, twenty; at 16, fifty; at 17, forty-eight; at 18, sixty-eight; at 19, seventy-two; at 20, eighty-three, being at the rate of about 50 per cent. married under age; whereas in England the highest per centage of women marrying under age is 25.19 per cent: this is in the county of Bedford. In North Wales it is only 7.89 per cent.*

"The extremely early age at which many of these marriages took place," says Dr Griffin, "will no doubt surprise people very much. I have reason to think they are not very incorrect; and those which occurred at the very early ages stated were always strictly inquired into. Of the four females stated to have been married at 13, two are well authenticated instances which occurred in the county; one of these had her first child at 14. The other two took place in the city, and were actually not quite 13 at the time of marriage. In one of these instances, when I said to the mother, 'this girl must have been exceedingly anxious to get married, to marry so very young,' she replied, 'Oh! no Sir, she knew nothing about marriage, or what belonged to it, but the priest sent her away three times, he thought her so young.' In general, I believe these early unions are brought about entirely by the parents."†

Mr Edward Wakefield, in his *Statistical and Political Account of Ireland*, published in the year 1812, has furnished a good deal of curious information concerning social life in that country, and animadverts with severity on the early improvident marriages of both the lower and upper classes. He says, that "celibacy being unfashionable, domestic servants are generally married;" that the Roman Catholic peasant marries "in the greenness of youth, when reason seldom interrupts his career, and asks him whether he may not bring into the world a progeny for whom he cannot find the means of support. Thus a voluntary submission to the lowest state of life, and a disrelish for superior comforts, having become habitual, the system of premature marriage is perpetuated, while the increase of numbers is an unchecked increase of misery."

* Fourth Annual Report of the Registrar-General of Births, Deaths, and Marriages in England, for 1842, containing very interesting tables concerning the ages of 40,874 persons married in the six years. June 1841, folio, p. 8.

† Journal of the Statistical Society of London, Vol. iii. pp. 322-3.

He represents the condition of women of the lower ranks as degraded in the extreme, that the man considers his wife as his slave; and that females are treated more like beasts of burden than rational beings; owing to which the traces of youth rapidly fade away. "In consequence of this harsh treatment, and continual exposure to the weather, added to the smoke of their cabins, and scanty fare, they exhibit a miserable spectacle, and acquire, at a very early period, every mark of old age. I have seen women who, from their appearance, might be supposed to be past the time of child-bearing followed by very young children, whom I did not consider as their own; but on inquiry, I found I was mistaken, and that their mothers were not above 30 years of age."

Mr Wakefield asserts that young ladies in the higher classes "generally enter into the married state between the ages of 16 and 19;" that match-making in this rank of life is universal; that eighteen out of twenty marry the moment their mothers inform them that suitable offers have been made; and that, as might be expected, there is much deficiency in such youthful wives, both with respect to mental cultivation, and a competent knowledge of house-keeping.*

Perhaps the facts which have now been presented may be thought to warrant the following conclusions.

1st, That in England, Germany, and Protestant Europe in general, early marriage—that is, marriage about the age of puberty, would seem to be comparatively rare.

2d, That early marriage prevails amongst the uncivilized tribes, which wander within the Arctic Circle; as it likewise does in all cold countries, without any exception, the inhabitants of which are in a state of ignorance and moral degradation.

3d, That throughout European Russia, which is confessedly low in civilization, extremely premature marriage was the universal custom at no distant date.

4th, That, at the present day, in the most southerly countries

* An Account of Ireland, Statistical and Political, 4to, Vol. ii. pp. 578, 579, 801, 802, 797, 799. From Mr Crofton Crocker we learn, that courtships are generally commenced among the peasantry of the south of Ireland "soon after the parties attain their teens." See his work on the South of Ireland, 4to, pp. 234-236. See also Letters from the Highlands of Cunnemara, 1825, by a Family Party, p. 96. Whilst I am writing this paper, I observe in the London Times of February 1st 1843, a notice issued by an Irish landlord to his tenants, warning them against the practice of early marriage. "Is it possible for parents to shut their eyes, says this gentleman, to the consequences of it, which they must daily witness in producing poverty and wretchedness around them? Yet, they permit their young married children to take their abode under the same roof with themselves, and thus give encouragement to hasty and improvident marriages, thereby impoverishing the entire family." The landlord proceeds to threaten such tenants as turn a deaf ear to this word of advice, with expulsion from his estate. The above notice is copied into the Times from Freeman's Journal, but the name of the philosophical landlord is prudently withheld.

of Europe, where the people are immersed in superstition and ignorance, marriage is early.

5th, That in Ireland, which, as to its moral condition, somewhat resembles the last mentioned countries, the marriage union takes place among the Roman Catholic population at an age probably almost as early.

6th, That in England about two centuries ago, when debasing political and social circumstances combined to favour the practice, early marriages were general, at all events in the upper ranks.

7th, That in all the countries to which reference has been made, juvenile marriage is invariably seen as an attendant on ignorance and moral debasement, and this without reference to CLIMATE.

8th, That consequently it is perhaps allowable to infer that early marriage in oriental countries (which has generally, in the absence of all proof whatever, been ascribed to precocious puberty,) does solely depend on the same moral and political causes as elsewhere produce it; more especially as those very causes are well known to exist, at present, in an aggravated degree in all oriental and intertropical countries.

9th, That, instead of ascribing early marriage, so prevalent in our Asiatic dominions, to precocious puberty, (in the absence of all evidence whatever of the fact,) it would be desirable to try moral and legislative remedies, with a view to the removal of a practice so injurious; a practice which seems to be incompatible with social improvement.