

HADLEY NEWSLETTER

(Hadley, Headley, Hadlee, Hadly, Hadleigh, etc and their related kin

Vol. CXII

June 2016

Marriage, Marriage Intention, Declarations of Intentions, Betrothal, Engagement, Banns, Marriage Agreement, Etc.:



The following data is not meant to infer any legality. If you have questions consult your attorney.

Marriage: We all understand what a marriage is, or do we? Yes, marriage is usually a civil and/or religious ceremony, although it may have a host of possible attributes associated with it. In fact, in the United States, a marriage performed in a church is not considered legal until that church files a document, with all the particulars of the marriage, with the government. However, we Hadleys have found exceptions to this within our ancestors. Let us take a look at some of the exceptions and see how the meaning and practice of these various words have changed over the years.

Lucien Norman Hadley (1844-1928) and Jeanette Bourn (1850-1915) were married on the 21 Aug 1865 in their local church at Templeton, Worcester County, Massachusetts. For several years around the middle of the nineteenth century, the local pastor of this church did not submit any documents to the local government pertaining to the marriages he performed, as was required by law. With the government not having received a written verification of a marriage, the government does not consider that a legal marriage has taken place. The only "proof" we have that a marriage took place between Lucien and Jeanette is written records in several family bibles. We are certain their seven children and their related families never considered Lucien and Jeanette not to be married.

We also find on Mt Desert, Hancock, Maine, a **Marriage Agreement** on 22 Feb 1780 between Lucy Somes (incidentally who is related to our Hadley clan) and Nicholas Thomas performed their own wedding by citing their own marriage vows. "This is to satisfy that, inasmuch as there is no Lawful Authority within thirty miles of this place, whereby we can be married as the Law Directs.....". It is believed that at a later time, their written contract was submitted to their local town and the town accepted their written contract as being adequate proof of their being married on the date of the vows.

Betrothal has a different understanding than it did 2000 years ago between Joseph and Mary. Between these individuals a betrothal was a legal contract and Joseph had the authority to break it for cause. If Joseph had broken their contract, in all likelihood Mary would never have been deemed acceptable for marriage. When it became known that Mary "was with child," I doubt if many would have believed it was an *immaculate conception*. Today, betrothal is just another word for engagement and, for the most part, has no legal hold on either the man or women.

Banns were a series of public announcement of a couple's intention to marry, usually practiced in the Roman Catholic Church. It was abolished as a requirement in 1983 and left to the local clergy to determine if they wished to continue this practice.

Marriage Intention was practiced well into the 20th century. It was a formal declaration to the civil authorities of the intent of a marriage. After a waiting-period prescribed by law the intention would be certified and a then a certificate to marry was given. This record of declaration usually was given several weeks in advance of the marriage. In many cases, these early records are more reliable than some actual marriage records.

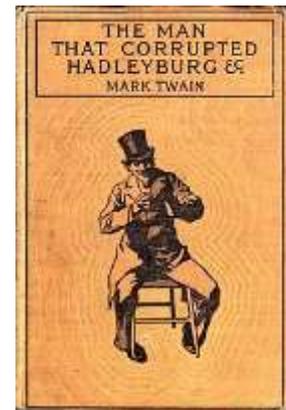
Blood Tests: In the past, most states required a blood test before marriage. The state of Montana only requires blood tests before marriage for females which is used for screening of rubella. The state of New York requires sickle cell testing for Hispanic and African-American applicants. In the states where a blood test is required, the clerk cannot issue a marriage certificate until the parties provide the results of a recent blood test. The main purpose of the test is to check for venereal diseases.

Common Law Marriage: In the US only Colorado, Iowa, Kansas, Montana, New Hampshire, South Carolina, Texas and Utah have statues pertaining to something akin to common law marriages, although those statues differ from state to state.

Fictitious Hadleys:

Our Hadley name has been used many times in a fictional setting. This short story written by Mark Twain about an incorruptible town first appeared in *Harpers Monthly* in 1899. It is a fun and humorous read.

In 1885, Mark Twain delivered an unpopular lecture at Oberlin College, in Oberlin, Lorain County, Ohio and this city has become symbolic of Hadleyburg that turned corrupt. It has a reputation the City of Oberlin has been unable to shake, thanks, in part to Oberlin College that resides in that city. Oberlin College is a liberal college that is known for its tolerance of diversity, leftist leaning and some would say radical philosophy of both its faculty as well as it student body. It is not surprising the student body largely voted for Senator Bernie Sanders during the recent Ohio Primary, although Senator Hillary Clinton won the majority of the state Democratic Party votes



Another fictitious use of our name was in the title of the 1987 film, *Hadley's Rebellion*. It is fun movie about a male prep school student and his wrestling activities coupled with his life at the school.

“The most important thing a father can do for his children is to love their mother”

~ Rev. Theodore Hesburgh, president, Notre Dame University

James R. Hadley 65 Rondout Harbor, Port Ewen, NY 12466 (845) 339-5363

Email: Jim@HadleyGenealogy.net or Jags@hvc.rr.com
Website: www.HadleyGenealogy.net or www.HadleyGenealogy.com