17. *Margery Gardiner* v. *John Gardiner*

17.1 *Court Order* *October 1613* *REQ 1/27, p. 15*

Towching the cau[se . . .][587] her husband de[fendant . . .] complainant it is ordered in [. . .] same matter shal be refer[ed . . .] counsaill with the complainant & [. . .] by this court to call the [. . .] same matter if they can [. . .] so doe then his majesties C[ounsaill . . .] & answere read & take such [. . .] shall require.

17.2 *Court Order*[588] *7 February 1614* *REQ 1/27, p. 203*

Wheareas Margery Gardiner, complainant, hath exhibited her bill of complaint unto his majestie before his highnes Counsaill in his honorable court of Whitehall at Westminster against John Gardiner her husband, defendant, shewing thereby the hard usage of her husband in not allowing her sufficient mayntennance as meate, drinck & other necessaries and also the uncharitable & unquyet lief which the complainant hath with her said husband, being not able with him in such sort to continewe. And that the defendant hath made a deede of gift to some of his freends in secrete to defeat the complainant of all possibilitie of his goods, and having heretofor upon complaynt to the justices of the county of Oxon been ordered to sett forth the somme of forty pounds for the lyvelyhood & maintenance of the said complainant so as the said complainant should put in her brother John Walton & William his sonne to joyne in bond, or one Thomas Tossell alone, or any other sufficient man as the said defendant should thinck well of, with condicion that when the said complainant & her said husband shoulde by mutuall consent come and dwell together he, the said defendant, shoulde receave back the sayd xl *li.* And if it should happen the said complainant to dye before the defendant, that then he the said defendant should receave back tenn pounds onely of the said some of forty pounds and the defendant was also to allowe unto the complainant wooll & hempe sufficient [*p. 204*][. . .[589]] order

[587]The page is torn and two-thirds of the entry is missing.
[588]Master Daniel Dunn presiding.
[589]The top of page 204 is torn and most of the entry is missing.

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the said [. . . bill of comp]laint is sett forth [. . .] tyme upon mocion [. . .] is ordered that the [. . .] & Richard Griffith [. . .] determine the same [. . .]herein in xv Pasche[590] [. . .] may proceede to take [. . .]teyne. And it is [. . .]ane tyme give and [. . .] mayntenance and [. . ..]

17.3 *Court Order*[591] *25 October 1615* *REQ 1/28, fo. 65*

Towching the cause at the sute of Margery Gardiner, complainant, against John Gardiner her husband, defendant, upon mocion made to this court on the behalf of the said complainant yt is ordered that Thomas Chamberlyn serjant at lawe[592] and Richard Griffiths esquiers, to whose determinacion this matter by an order of the seaventh of February *anno undecimo regis nunc*[593] was referred, shall certifie this court of their proceedings in the said cause by *crastino animarum* next,[594] to th[e] ende his majestes Counsaill in this court upon sight thereof may take such further order for releife of the plaintiffs extreme necessitie as to justice shall apperteyne.[595]

[590]The quindene of Easter Term, 9–14 May.

[591]Masters Daniel Dunn and Christopher Parkins presiding.

[592]Thomas Chamberlyn, adm. Gray's Inn 1578, created serjeant-at-law 1614, appointed Justice of King's Bench 1620. See Baker, *Serjeants at Law*, p. 504; *Gray's Inn Register*, pp. x, 53.

[593]1614.

[594]All Souls' Day.

[595]Surviving court books contain no further mention of this case.

https://doi.org/10.1017/S0960116308003138 Published online by Cambridge University Press