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Editorial

HELEN FORDE addressed a meeting of the Historical Society at Friends House on 6 May 1977 on "Quakers and the World's People: the experience of Nottinghamshire and Derby Friends, 1650-1761". The Autumn meeting, 2 September 1977, was an open session to which various Friends contributed. Following an introduction by Edward Milligan on the events of the 1890s, several readings were given illustrating childhood and adolescence during that decade, and these were followed by a talk by George Edwards. Fifty Friends attended.

This issue opens with an article by Jean Mortimer on the guarded reaction of Leeds Meeting to the stresses which were manifested in the Beaconite controversy over the emphasis to be placed on the position of the Bible as a basis for Christian belief, and how the Quaker discipline was exercised in the cases which came before Friends in the town in the late 1830s.

An unsolved problem of identity is presented by Caroline R. Kerkham in her manuscript source giving the observations of an Anglican clergyman on the Sunday evening meeting which was held by travelling Friends at an inn in Radnorshire in 1799. Who were the Friends who held the meeting?

The two articles above had to be held over from 1976, owing to lack of space. The balance of the number, apart

from a review of Robert Mays: *Henry Doubleday, the Epping naturalist* by Adrian Smith (subject consultant for the biological sciences at Leeds University Library) and the usual features, is taken up with seventeenth-century subjects. Kenneth Carroll enumerates "Quaker attitudes to signs and wonders"; Craig Horle's "Judicial encounters with Quakers, 1660-1688" gives us the benefit of his detailed researches in a field which used particularly to interest Alfred W. Braithwaite, our former editor; and Barry Reay, who is working for an Oxford D.Phil., prints two manuscript addresses by Edward Burrough to the Parliament and the Army illustrating the part which he was attempting to play in the troubled year before the Restoration. The documents in question are among the Rawlinson Manuscripts at the Bodleian Library.

Henry Doubleday

Henry Doubleday, the Epping naturalist. By Robert Mays. Printed and published by Precision Press, Marlow, Bucks. 1978. pp. xi, 118; 2 plates. £4.20.

Henry Doubleday (1808-1875) and his brother Edward (1811-1849) illustrate both the amateur and professional contributions made to science. Edward held a post with the British Museum, while Henry remained an amateur, collecting, recording, and corresponding extensively while depending on the family business for his income. Today natural history retains the interest of many amateur scientists, but other branches of science are dominated by institutions and professional scientists.

The family business, founded by Joseph Doubleday in 1793, became a flourishing hardware and grocery trade, and was continued by Benjamin and Mary Doubleday, Henry's parents. Joseph and Benjamin both played a part in local affairs, for example as members of the Turnpike Trust. Henry succeeded his father as Treasurer of the Highway Trust (which carried a salary) as he inherited the grocery business at the end of 1847.

Henry's special interests were ornithology and entomology. Conservationists today might deplore the methods of nineteenth-century collectors, shooting and stuffing birds, taking eggs from nests, and pinning insects. Henry was a skilful taxidermist and his work was seen at the Great Exhibition. He records "a very fine specimen of the Green Sandpiper which I shot here about two weeks since without spoiling a feather, and it has made a very

nice bird. It is very rare here . . ." His collection of butterflies and moths can be seen in the British Museum (Natural History), and the "sugaring" method which he pioneered, is still used by collectors (see for example M. Britton in *Entomologist's Record*, 1975, pp. 213-217).

Doubleday contributed to journals, notably the *Entomologist* and the *Zoologist* edited by another renowned Quaker naturalist, Edward Newman. Charles Darwin has quoted a letter from Doubleday which appeared in the *Gardeners' Chronicle*. His major publication was a list of British butterflies and moths, the *Synonymic list of British Lepidoptera*, which went some way to reduce confusion in nomenclature. From his surviving letters it is clear that he kept meticulous records, but no diary has come to light and little of his correspondence with other naturalists has been preserved. Much of his specialist knowledge must have been lost to us with his death, but some has been assimilated into the writings of his contemporaries.

In 1866 a local bank collapsed, and to this may be traced Henry Doubleday's bankruptcy in 1871, although it may be inferred that his devotion to his pastime caused him to neglect the business. At this time he was in ill-health and Ratcliff and Barking Friends found it necessary, at the expense of the monthly meeting, to place him at The Retreat at York. On his arrival there, he was "a good deal exhausted and in a state of great nervous agitation" and "troubled with delusions of ruin", but within a few months he was able to return to his old home at Epping. A trust, established by Friends, secured some of his books and collections, and supported him until his death in 1875.

Henry Doubleday had a cousin and namesake at Coggeshall, who is remembered for the introduction of comfrey to British agriculture, and is commemorated in the Henry Doubleday Research Association. Henry Doubleday of Epping, and his younger brother Edward, were no less eminent.

Letters from Henry Doubleday to Dr. T. C. Heysham were extracted by R. Miller Christy in *Birds of Essex* (1890). Some letters to Thomas de Grey (Lord Walsingham) are now in the British Museum (Natural History); other letters, to Thomas Dix, are in the library of the Essex Field Club, and the Gaze family have some Doubleday correspondence. Other letters may yet come to light, but fortunately the author of this memoir has been able to supplement these records from personal reminiscences, and shows clearly the basis for Henry Doubleday's reputation among contemporary naturalists in Britain and throughout Europe.

Robert Mays is a member of Bardfield meeting, and is himself a Fellow of the Royal Entomological Society; he has taken advantage of his retirement to set down this affectionate account of a noted Quaker naturalist.

ADRIAN SMITH

Leeds Friends and the Beaconite Controversy

ONE of the drawbacks of the close-knit community of Friends, the result of numerous intermarriages within the prominent families in the Society, was highlighted during the controversy arising from the publication in 1835 of Isaac Crewdson's *Beacon to the Society of Friends*, in which he stated that the Scriptures were the final and sole authority in religion, while the principle of "inward light" was only a "delusive notion". Families were split and old loyalties broken, and the Society lost some three hundred members within a very short time.

When Maria Hack wrote to her son Stephen on 17 June 1837 an account of her "baptism" at the hands of Isaac Crewdson, at Clapton,¹ she mentioned her return to town by stage coach, in company with Robert Jowitt² of Leeds, and the fact that during the ride to town, "he adverted to the changes taking place among Friends". She had felt compelled to keep her remarks on a general level, out of her esteem for him and for his ministry and her fear of wounding his feelings by an unguarded remark. Robert Jowitt may have been equally anxious to avoid an unguarded remark. His own orthodox stand was made clear in his tract *Thoughts on water baptism* (1837); but he was closely connected by marriage with Isaac Crewdson, and many of the younger generation of his own family were moving away from the accepted position.

During the controversy, when a number of Friends resigned their membership, there was apparently an endeavour by some to maintain an existence as "Evangelical Friends", a fact which points to a disinclination to sever their links completely with the traditions of Friends. Maria Hack seems to have felt the danger of "any overt act which

¹ See "The baptism of Maria Hack, 1837, an episode of the Beacon controversy" in *Jnl. F.H.S.*, 46 (1954), 67-77, where the letter is printed with an introduction by Lawrence Darton on the controversy and on Maria Hack's gradual acceptance of the view that baptism and the Lord's Supper were ordinances which were obligatory on all Christians.

² Robert Jowitt (1784-1862) of Leeds, m. (1810) Rachel (1782-1856) daughter of Thomas and Cicely Crewdson of Kendal. For the Jowitt family see Sandys B. Foster, *The pedigree of Wilson of High Wray and the families connected with them*, 2nd ed., 1890, pp. 167-9, 186-7.

might pledge me to membership with any other Society lest thereby I might become entangled with some other yoke of bondage". Consequently she determined to use her visit to London in 1837 "for learning whether our seceding Friends are likely to remain a distinct body of Christians and whether, if so, I could so fully unite in their views as to consider myself a member of their association".³

It was no doubt appreciated by some of the seceders that full membership of another religious body might involve assent to more articles of belief than they were at first prepared for, and for this reason perhaps Isaac Crewdson's willingness to perform the ceremony of baptism privately was a very welcome service. It is possible that if the numbers of Friends in this country had been greater, and if there had not been other bodies like the Church of England, the Congregationalists, or the Plymouth Brethren, ready to absorb those who left the Society, there might have been a separation similar to that which occurred in America. Perhaps not all those who resigned held the same views as to the authority of scripture, the ceremony of baptism and the partaking of the Lord's Supper, but there is probably not sufficient evidence to allow any division into categories. In any event, numbers were not great enough to form "another Branch" and the seceders were gradually absorbed into other religious bodies.

The effect of the Beaconite controversy on Leeds Meeting was not sudden or dramatic, as it appears to have been in Manchester, and at Kendal, where the Braithwaite family was split and some hundred Friends left the meeting.

In view of the close family connections between the Jowitts of Leeds and the Crewdsons, one might have expected rather more secessions than actually occurred.

Isaac Crewdson of Manchester had married in 1803 Elizabeth Jowitt (1779-1855) daughter of John Jowitt (1750-1814) of Churwell in Batley parish, woolstapler, and his wife Susanna (1752-1820) only child of Joseph Dickinson of Adwalton-in-Birstall. Elizabeth Jowitt's sister Rachel (1791-1826) had married as his first wife, Joseph Crewdson (d. 1844) of Manchester, brother of Isaac. Another sister, Mary Jowitt (1786-1846) married in 1808 Isaac Wilson of

³ *Jnl. F.H.S.*, 46 (1954), 72-3.

Kendal (d. 1844) whose sister Esther was the wife of a prominent Beaconite, John Wilkinson of High Wycombe. Moreover, one of the four sons of John and Susanna Jowitt, Robert (1784–1862) who travelled in the coach with Maria Hack, had married at Kendal in 1810 Rachel Crewdson (1782–1856), sister of Isaac and Joseph Crewdson.

Such close family ties were bound to have an influence, and in Leeds meeting it was the Jowitts and the Arthingtons (with whom they were connected) who were the prominent families chiefly affected by the views put forward by Isaac Crewdson, although Robert Jowitt and his wife Rachel remained faithful to the meeting and to the Society to the end of their days.

Other meetings in Brighouse Monthly Meeting were scarcely affected. In the minutes of Brighouse Monthly Meeting for the years 1835 to 1842⁴ disownments (except for some cases in Leeds with which we shall deal later) were for much the same reasons as had always obtained—marrying out, debts, insolvency, excessive drinking, neglect of meetings and so on. There were a few resignations of persons who had joined the Church of England, or found that their views were no longer in accordance with those of Friends, but as such persons tended to decline an interview or to specify what their views were, it is impossible to say with certainty whether or not they had been affected by the current trends towards evangelicalism.

Although the *Beacon* had appeared in 1835, and resignations from the Society took place fairly soon afterwards, it was not until the following year that Leeds Meeting began to show signs of disturbance.

The first hint of trouble came in June 1836 when the Monthly Meeting received a letter from Maria Arthington⁵ tendering her resignation as a member of the meeting of Ministers and Elders. The meeting took time to consider this,

⁴ Carlton Hill Friends' Meeting House, Woodhouse Lane, Leeds, LS2 9EP, Carlton Hill Archives R6 (Brighouse Monthly Meeting Minute book, 1831–1836); and R7 (Brighouse Monthly Meeting Minute book, 1837–1842). Minutes quoted in the following pages are from these two volumes, except where otherwise specified.

⁵ Maria Arthington (1795–1863) was the daughter of Joseph (1757–1803) and Grace (Firth) Jowitt of Churwell, later of Leeds. In 1816 she had married as his second wife, Robert Arthington (1779–1864), brewer of Hunslet Lane, Leeds.

but in the following month, after the letter had been read again, and the matter seriously considered, "this Meeting, under a feeling of much tenderness and love towards her, reluctantly concludes to accept her resignation as a member of the Meeting of Ministers and Elders".

In August 1836 the Monthly Meeting received a letter from Susanna Arthington (b. 1817), eldest daughter of Robert and Maria Arthington, in which she stated that she had for some time past believed it to be her duty to "attend upon the regular preaching of the Gospel" and that feeling comfort and benefit from it, she wished to resign her membership of the Society of Friends. In October, Robert Jowitt, on behalf of the committee (which included Hannah Broadhead and Esther Seebohm, appointed by the Women's Monthly Meeting) set up to visit her, reported that she had received them kindly and they had made such remarks as occurred to them as suitable, but that she was still desirous of withdrawing from her connection with the Society. After due consideration, the meeting accepted her resignation. One wishes that the minutes gave more specific details of what was said at this and other interviews.

Things then remained quiet until the following year, when it was reported at the Monthly Meeting at Brighouse, 17 February 1837, that a communication had been received from the Overseers of Leeds Meeting

The Overseers of Leeds Meeting sensibly feeling the great responsibility attached to their appointment, think that however painful the circumstance, they cannot consistently withhold from the Monthly Meeting the information that a few of their members have embraced the doctrine of Water Baptism and submitted to that ceremony: and therefore they submit the subject to the Monthly Meeting for its deliberation and advice.

Monthly Meeting was nonplussed, and deferred consideration of the matter until the following month, when it decided to refer the question to the Quarterly Meeting for "its advice and assistance relative to our procedure with reference to this important subject". The Quarterly Meeting sent the ball smartly back into the Monthly Meeting's court, and it was reported at the next Monthly Meeting, at Halifax (21 April 1837), that the Quarterly Meeting "after weightily considering" the request, "does not see its way to proceed further than to encourage the Friends of Brighouse Monthly

Meeting to a patient but faithful discharge of their duty as a Monthly Meeting". The Monthly Meeting, having failed to find any other way of expressing their views, echoed the words of the Quarterly Meeting minute, recommending the Overseers of Leeds meeting "patiently but faithfully to discharge their duty towards the individuals concerned".

At the next Monthly Meeting, at Bradford on 21 July 1837, Leeds Overseers had to report that six members of the meeting had embraced the doctrine of Water Baptism and submitted to the ceremony—Maria Arthington, Margaret Tennant,⁶ Elizabeth Jowitt,⁷ Rachel Jowitt junior,⁸ John Jowitt junior⁹ and Deborah his wife.¹⁰

The meeting contented itself for the time being with reaffirming its adherence "to the well known views which our Society has always upheld on the spirituality of Christian Baptism", and left discussion to a future date.

It will be seen that nothing was done in a hurry. Friends are not always in a rush to get things done. The early minute books of Leeds Preparative Meeting contain frequent references to matters being deferred from month to month. In the present case, it is possible that the ill-advised and unfortunate intervention of a committee sent down to Manchester by Yearly Meeting in 1835 had given Friends to pause. Obviously the Yorkshire Quarterly Meeting and the Brighouse Monthly Meeting did not intend to burn their fingers.

The next Monthly Meeting, at Bradford, on 15 September 1837, appointed a committee consisting of Benjamin See-

⁶ Margaret Tennant had come to Leeds from Kendal in 1829. A Margaret Tennant (1806–1857) daughter of Thomas and Elizabeth (Thistlethwaite) Tennant m. Isaac Crewdson (1818–1877) in 1840. S. B. Foster, p. 126.

⁷ Elizabeth Jowitt b. 19 Dec. 1812 at Leeds, dau. of Robert and Rachel Jowitt; d. unmarried 5 Oct. 1886. S. B. Foster, p. 187.

⁸ Rachel Jowitt jr. b. 20 April 1817 at Leeds, dau. of Robert and Rachel Jowitt; m. Andrew Reed of Norwich and d.s.p. 20 Oct. 1854. S. B. Foster, p. 187.

⁹ John Jowitt jr. b. 15 Sept. 1811 at Kendal, s. of Robert and Rachel Jowitt; m. Deborah Benson of Kendal, 5 May 1836; 1 son, 5 daus.; d. at Harehills, Leeds 30 Dec. 1888.

¹⁰ Deborah Jowitt, b. 10 Sept. 1813 at Kendal, dau. of Robert Benson (1780–1857) of Kendal and his wife Dorothy (Braithwaite); m. at Kendal 5 May 1836 John Jowitt jr. S. B. Foster, p. 107, 187.

bohm,¹¹ Newman Cash,¹² Joseph Tatham¹³ and William Harding¹⁴ to visit John Jowitt junior, and, together with an appointment of the Woman's Meeting (namely Esther Seebohm,¹⁵ Rachel Armistead¹⁶ and Mary Hustler¹⁷) to interview Maria Arthington, Elizabeth Jowitt, Rachel Jowitt junior and Deborah Jowitt. In the meantime Margaret Tennant had gone to live within Tottenham Monthly Meeting and Friends there were requested to visit her. Tottenham Friends, however, hearing that she was about to leave again, made no appointment, and she eventually sent in a letter of resignation, "on the ground of difference of opinion on some important points of doctrine" (as the minute of the Women's Monthly Meeting explained).¹⁸ Her resignation was accepted by Brighouse Monthly Meeting 15 June 1838.

At the December meeting at Bradford Joseph Tatham gave a very full account, on behalf of the committee, of interviews with John Jowitt junior and with Maria Arthington. John Jowitt junior frankly acknowledged that he had received the rite of baptism, and that in so doing "he acted under an apprehension of duty founded on what he conceived to be the doctrine of Scripture upon the point". In reply, the committee, "though fully prepared to recognize the right of private judgment, and that to our own Master we must individually stand or fall . . . felt constrained, under a strong conviction of the doctrinal soundness and the important

¹¹ Benjamin Seebohm (1798–1871), of Bradford. H. R. Hodgson, *The Society of Friends in Bradford*, pp. 46–7.

¹² Newman Cash (1792–1866), of Leeds, s. of John and Elizabeth (Newman) Cash of Coventry.

¹³ Joseph Tatham (d. 1843, aged 76), of Leeds, schoolmaster; s. of John and Ann Tatham of Wray, Lancs.

¹⁴ William Harding (d. 1840, aged 77), of Leeds; came to Leeds from Dublin in 1825.

¹⁵ Esther (Wheeler) Seebohm (d. 1864, aged 66); wife of Benjamin Seebohm.

¹⁶ Rachel Armistead, wife of Joseph Armistead (d. 1840) of Leeds; Rachel Armistead was daughter of Benjamin Haslehurst, farmer, and she married, secondly, Joseph Spence, of Birstwith, 1842, and d. there in 1848, aged 78.

¹⁷ Mary Hustler (d. 1871, York, aged 93, *Annual monitor*) second wife of John Hustler (1768–1842) of Bradford; dau. of Daniel Mildred, banker of London. Hodgson, p. 41.

¹⁸ Carlton Hill Archives, L7 (Brighouse Monthly Meeting of Women Friends Minutes 1832–1841), p. 228.

practical bearing of the views invariably maintained by Friends, in regard to the entire spirituality of Christian baptism, and in the feeling of much love and tender concern for this dear young friend, earnestly to recommend to him a serious re-consideration of his conduct and the sentiments which led thereto". The committee also reported that he had received their remarks very kindly, but had given them no reason to expect a change in his opinions.

The committee found Maria Arthington equally firm in her views; she admitted the fact that she had been through the ceremony of water baptism, and was prepared "to assign in her own apprehension, satisfactory reasons for the step she had taken". The committee made "such observations as the occasion appeared to require" but the interview gave them very little encouragement, and "whilst feeling satisfaction in having endeavoured to discharge a Christian duty towards a beloved friend, they could not but regret to find her views so little harmonising with those of the Society of which she is a member" and they felt that further labour would be of no avail.

This was the most serious case of all, and at the January 1838 Monthly Meeting at Leeds, it was considered separately. The Meeting "feeling the importance of maintaining inviolate the testimonies which our Society has always upheld on the spirituality of the Gospel dispensation" thought it right "to express its entire disunity with the practice of Water Baptism", and having seriously considered the committee's report, felt it to be its painful duty to "testify its disunity with her in her views and practice on this important subject". The meeting appointed Joseph Tatham, William Harding, Benjamin Seebohm and Newman Cash to prepare a minute of disownment for the next meeting, and to inform Maria Arthington of the fact.

The minute of disownment, read 9 February 1838 at the Monthly Meeting at Brighouse, sets out the case quite clearly, and shows how painful Friends found the situation—

Maria Arthington, a Member of this Meeting, having according to her own acknowledgment, adopted opinions at variance with the views of our religious society, and openly manifested her disunity with its well known principles and practice, by submitting to the ceremony of Water Baptism, this Meeting, after the exercise of much patience and unavailing endeavours to restore her to those views of the entire

spirituality of the Gospel dispensation which, as a distinct religious community, we have always thought it right to maintain on this and other subjects, believes itself called upon hereby to declare that having thus virtually separated herself from religious fellowship with us, we no longer consider her as a Member of our Society. Whilst we regret to have thus to part from a friend whom we still love, and for whose present and everlasting welfare we feel a christian concern, we sincerely desire her restoration, and tenderly commend her to God, and to the word of his grace, which is able to build us up, and to give us an inheritance among all them that are sanctified.

That was not quite the end of the case. After the minute of disownment had been read in Leeds Preparative Meeting, and a copy handed to Maria Arthington, the Monthly Meeting received notice that she intended to appeal to the Quarterly Meeting of Yorkshire, to be held at Leeds on 28 March, against the decision in her case. Benjamin Seebohm, Joseph Tatham, Newman Cash and Benjamin Ecroyd (d. 1857) of Bradford were appointed as Respondents on behalf of the Meeting, and the clerk was directed to inform Maria Arthington of this and to give her copies of all the minutes relating to her case. At the Monthly Meeting at Halifax in April, however, the clerk reported that previous to the Quarterly Meeting he had received a letter from Maria Arthington announcing her decision to abandon her appeal against the Monthly Meeting's decision.

Maria Arthington kept up her connection with Friends even after this, and when Mary Wright (1755–1859) completed her 100th year in 1855, published verses in her honour, and wrote a further tribute a few years later—"Thoughts in verse after attending the funeral of our dear aged Friend Mary Wright, who lived to the age of 103 years, and was interred at Leeds, 20th of 3rd month, 1859". Maria's husband, Robert Arthington the elder (1779–1864) remained in membership and continued to serve as Registering Officer for Brighouse Monthly Meeting until 1859, and to live in the house in Hunslet Lane, Leeds, next to the brewery (though the brewery itself had been closed since the occasion when John Priestman had delivered a spirited temperance lecture at the time of Monthly Meeting in Leeds, and Robert Arthington had felt compelled to give up making beer).

Of the children of Robert and Maria Arthington, Susanna had resigned, as we have seen, in 1836, while Phoebe (b. 26 xi 1820) sent in her resignation in November 1839. The com-

mittee appointed to visit her, "feeling tenderly towards this dear young woman", were anxious for her to take time to reconsider this important step, but she insisted on having the business brought to a conclusion without delay, and her resignation was accepted in December 1839. Her sister Jane Arthington (b. 1828) resigned in 1850; their brother Robert (1823-1900) left the Society in 1848 and in his later years attended a Baptist Church in Leeds. He became a millionaire, and is remembered in Leeds today for his eccentric and miserly habits, and for his generous support of foreign missions.¹⁹

The case of the younger Jowitts was dealt with unhurriedly. At the Monthly Meeting at Leeds, 5 January 1838, Joseph Tatham reported on behalf of the committee appointed to visit them the result of two interviews with Deborah Jowitt, Elizabeth Jowitt and Rachel Jowitt junior. They informed the committee that they had received the rite of water baptism "in compliance with what they apprehended to be an ordinance of Christ". The committee "felt deeply interested on behalf of these dear young Friends, and endeavoured in Christian love to impress upon their minds the importance of those views which, as a distinct religious community, our Society has always maintained on this subject, as in its apprehension most in accordance with the spirituality of the Gospel dispensation". The committee's remarks were kindly received, but the young women stressed the fact that their views remained unchanged.

At the Monthly Meeting at Brighouse, 9 February 1838, at which the minute of disownment of Maria Arthington was read, the Overseers of Leeds Meeting had to report that it had come to their knowledge that John Jowitt junior, Deborah Jowitt, Elizabeth Jowitt and Rachel Jowitt junior "have further manifested their departure from the well known principles of our Society, by participating in what is called the Sacrament of the Lord's Supper", and that Susanna Jowitt had followed the example of her sisters Elizabeth and Rachel, and had gone through the ceremony of water baptism. The committee was asked to visit and report on both cases.

¹⁹ A. M. Chirgwin, *Arthington's million* [1935]; F. R. Spark, *Memories of my life*. 1913, pp. 104-116; F. Beckwith, "The Headingley miser", *The University of Leeds review*, ix (1964), pp. 116-126.

A visit was paid, in conjunction with some women Friends, to John Jowitt junior and his wife Deborah, who frankly acknowledged that they had thought it right to participate in the ceremony of the Lord's Supper, and had found satisfaction in so doing. The committee endeavoured to point out how much this increased departure from the acknowledged principles of friends is "inconsistent with the spirituality of the Christian dispensation, in which Friends believe no shadows have any place".

The young friends, however, seemed so satisfied in their own minds both with regard to the principle and to the practice which they had adopted, that the committee was compelled to acknowledge that "however painful the conclusion, any further labour on their part is not likely to be availing".

A similar interview took place with Elizabeth Jowitt and Rachel Jowitt junior, together with their sister Susanna, whose case was brought forward at the same time, by particular request. The young women expressed their views in terms so decided as to convince the committee that no benefit would result from further labour on their part.

No decision was taken immediately, and the case was deferred for some time, the Monthly Meeting in May 1838 giving the committee liberty to pay another visit if they thought it desirable.

At the July meeting, Joseph Tatham reported that Benjamin Seebohm (who was at the time engaged in religious service in Manchester) had paid another visit, in order to relieve his own mind, and had seen John Jowitt junior and his wife Deborah, and also Elizabeth Jowitt (the two younger sisters being away from home), and found that the sentiments of the young Friends had not in any respect changed. After serious consideration the Meeting came to the conclusion that the young Friends had "virtually separated themselves from religious fellowship with us", and three Friends were appointed to prepare a minute of disownment.

The minute of disownment, drawn up by William Harding, Joseph Tatham and Newman Cash was read twice, and approved at the Monthly Meeting on 17 August 1838:

John Jowitt Junr. and Deborah his wife, also Elizabeth Jowitt, Susanna Jowitt and Rachel Jowitt Junr., all members of this Meeting,

having manifested their disunity with the well known principles and practices of our religious Society, by embracing the doctrine of Water Baptism and what is called the Sacrament of the Lord's supper, and by participating in these rites, several visits have in consequence been paid to them, by appointment of this meeting, to endeavour, in the spirit of meekness to convince them of the scriptural soundness and importance of our christian views, in regard to the entire spirituality of the gospel dispensation, in which we apprehend no merely ceremonial and typical rites have any place, and to restore them to unity with the Society of which they are members. Though the labour from time to time bestowed has appeared to be unavailing, yet, in consideration of the peculiar situation of these dear friends, much patience and long forbearance have been exercised towards them; but since they have virtually withdrawn themselves from religious fellowship with us, and, after a considerable lapse of time, evidenced no desire to return to those views and practices which, as a distinct religious community, we have always deemed it right to uphold, as being in our apprehension in accordance with the doctrines of the gospel recorded in the Holy Scriptures, this meeting thinks it right, under all the circumstances of their case, now to terminate its proceedings in regard to them, and hereby declares that it no longer considers them Members of our religious Society. For these dear friends individually we nevertheless continue to feel a very tender regard; and desiring that grace, mercy and peace may be with them, we affectionately bid them farewell in the Lord.

The minute was read in Leeds Preparative Meeting, and a copy was handed to each of the parties.

A year or two later another of the Jowitt sisters, Mary Ann, sent in her resignation. The Monthly Meeting received her letter in December 1840, and when the appointed committee visited her, she acknowledged her obligation to Friends for their attention to her, but still held to her own views, which she had apparently held for some years. Her resignation was therefore accepted, in January 1841. Esther Maria Jowitt (b. 1825), the youngest of the daughters of Robert and Rachel Jowitt, resigned in 1850; her brother Robert Crewdson Jowitt (1821-47) resigned in 1843.

John Jowitt junior continued to be active in Christian work. In 1835 he had started a Sunday school at the Meeting House, and after leaving Friends he joined the Congregational Church, and for forty years was superintendent of the East Parade Sunday School, Leeds, and became chairman of the first Leeds School Board. He maintained his testimony against war, and joined Leeds and Bradford Friends in supporting Cobden when he spoke at a meeting arranged by

the Peace Society in January 1855.²⁰ In 1864, after the death of his parents, he offered for sale to Friends Carlton House and a portion of the Jowitt estate on Woodhouse Lane, Leeds; the property was purchased by Friends for £2,225, the old Meeting House at Water Lane was given up, and new premises were built at Carlton Hill, where Leeds Friends held their first meeting on 19 January 1868.

Another John Jowitt²¹ (the elder of the name in Leeds Meeting) and his wife Mary Ann of Hanover Square, Leeds, resigned from the Society in 1838. He was a cousin of Robert Jowitt, and had married Mary Ann Norton of Peckham Rye in 1829. In the letter of resignation, received by the Monthly Meeting on 20 July 1838, John Jowitt tendered the resignation of himself and his wife, together with their six infant children. The reason for his resignation is not given in the minutes. The committee appointed to visit the family recommended that the resignations should be accepted, but the Monthly Meeting on 17 August 1838 decided that although they would accept the resignation of John Jowitt and his wife, they judged that "it will not be safe, under the circumstances of the case, to deprive the children of their membership, so long as they are incapable of judging and acting for themselves". The six children all gave up their membership as soon as they were old enough to act independently, and two of the sons later became clergymen in the Church of England.²²

The elder brother of this John Jowitt, Thomas Jowitt (1784-1851) of Chapel Allerton, Leeds, remained in membership, but his son Edward Jowitt (b. 1806) of Thorner, near Leeds, resigned in 1836, declining an interview, so that his views are not recorded.

It may perhaps not be inappropriate to ask whether the activities of Dr. W. F. Hook the zealous and untiring Vicar of Leeds had anything to do with the movement among some Friends away from Friends' traditional views. In the

²⁰ Meeting reported in the Leeds Peace Society minute book (Carlton Hill Archives KK 9, pp. 102ff.); Wilfred Allott, "Leeds Quaker Meeting", *Publications of the Thoresby Society*, 50 (1968), 55; *Reminiscences of John Jowitt*, by his children. Priv. pr. Gloucester [1889].

²¹ John Jowitt (b. 3 May 1790 at Leeds), s. of Joseph Jowitt, wool-stapler, and Grace (Firth).

²² S. B. Foster, *Wilson of High Wray*, 167-8. Three more children were born to John and Mary Ann Jowitt, after they left the Society.

1840s and later, Hook may well have had some influence, but he did not arrive in Leeds until the middle of 1837, by which time some members of Leeds Meeting had already gone through the ceremony of baptism, thus separating themselves from the Society. Hook saw the Methodists as his chief antagonists among the dissenters, but at first his main preoccupation was to get rid of the dirt and indecorum in his own church. He complained that he was encumbered by a "dirty ugly hole of a church, in which it is impossible to perform divine service properly".

In a letter written soon after his arrival in Leeds, he said

I do not oppose Dissenters by disputations and wrangling, but I seek to exhibit to the world the Church in her beauty; let the services of the Church be properly performed, and right-minded people will soon learn to love her.²³

One factor which may have limited Hook's influence to some extent, was that to many Evangelicals, in Leeds and elsewhere, he was suspect as a friend of some of the principal writers of the Oxford Tracts, and in some quarters he was accused of being untrue to the principles of the Reformation.

Nevertheless, increased activity on the part of the clergy of the Church of England in Leeds and in other towns must have had some effect. The case of Ann Lees of Slaithwaite in Huddersfield Meeting illustrates this. It was reported to Brighouse Monthly Meeting of Women Friends, 21 August 1840, that Ann Lees was frequenting services of the Church of England. A committee was appointed by Brighouse Monthly Meeting to visit her, and they reported that she laboured under several disadvantages, both on account of living at some distance from local Friends, and from occasional indisposition which prevented her from attending Meeting. The committee found that "at the instigation of the Minister belonging to the Established Church, she had submitted to the ceremony of Water Baptism, without having given the subject a proper consideration" and she said "that were it not done, she thought she should not do it". The report indicated that she had taken the visit kindly, repeatedly expressed her obligation to Friends, and mani-

²³ W. R. W. Stephens, *The life and letters of Walter Farquhar Hook*, 3rd ed. (1879), i. 405.

fested considerable attachment to the Society, saying that she would be sorry to be separated from it.

The case was left in the care of the Overseers of Huddersfield Meeting, who were requested to bring it forward again when they saw occasion. It seems that in this case, Friends felt that the wanderer might in time return to the fold, whereas in Leeds those who seceded were quite definite in their separation from the traditional views of Friends.

From a peak in 1836 membership in Leeds Meeting had fallen by 1840 from 449 to 403. In Brighouse Monthly Meeting as a whole, Huddersfield also lost 3 net, but the other meetings (Bradford, Brighouse, Halifax and Gildersome) each registered a small increase in numbers, so the final membership figures for the Monthly Meeting in 1840, despite the three per cent fall since 1836, were able to register a gain of 4 per cent over the decade as a whole. Leeds at the end of the period was providing scarcely 50 per cent of the membership in a monthly meeting where in the first half of the 1830s its contribution was in the upper fifties per cent.

Resignations in the Monthly Meeting between 1836 and 1840 numbered 26, of which 15 were in Leeds Meeting; five were due to avowed "Beaconite" influence, but since there were those among the other ten who resigned, who declined to give reasons and refused an interview, it is not possible to give a final figure.

Of the 34 disownments by Monthly Meeting in the same period, 22 were in Leeds Meeting, and six of these were due to the "water baptism" issue; eight of the rest were the result of marriages "out"; and the others were for irregular conduct or prolonged absence from meetings for worship. The commonest reason for disownment at any time before 1850 seems to have been marriage by the priest, and the relatively few in Leeds influenced by Isaac Crewdson's views may not have made much impact on the strength of Leeds Meeting, even though the cases caused dismay at the time.

It is significant, however, that, far from increasing strength along with the great growth in the town's population at the time, Leeds Meeting was in fact declining in numbers. At the same time it may have gained in solidarity, and was quite equal to the responsibility, financial and otherwise, which was presented by the move in 1868 from the old Meeting House in Water Lane to Carlton Hill.

No doubt Evangelical Quakerism crept upon them unawares, like the "linsey woolsey garment" which Thomas Shillitoe accused J. J. Gurney of having spread over the Society, and gradually altered their attitudes; but in respect of baptism and the Lord's Supper, they held their ground and could say with Maria Hack's brother Bernard Barton "a sprinkling, or water-sprinkled, sacrament-taking Quaker is a sort of incongruous medley I can neither classify nor understand".²⁴

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²⁴ *Jnl. F.H.S.*, 46 (1954), 71.

An Anglican's observations on a Sunday evening Meeting at an Inn in Radnorshire, 1799

AMONG the papers of the Rev. James Plumptre¹ (1770-1832) of Clare Hall, Cambridge and minister of Great Gransden, Huntingdonshire (from 1812 to his death), is a manuscript of a tour through parts of England, Scotland and Wales, entitled "A Narrative of a Pedestrian Journey, . . . in the summer of 1799".²

Plumptre had already established himself as a writer by this date. He had published a study of "Hamlet" and written three plays during the years 1793-1798; one, *The Lakers, a Comic Opera* deriving at least its name from his earlier travels. Later, he was to publish collections of fables, songs, pamphlets, letters and sermons, with topics ranging from *Discourses on subjects relating to the amusement of the stage* (1808), to *The truth of the popular notion of Apparitions or Ghosts, considered by the light of Scripture* (1818).

From Friday 23 August to Monday 2 September 1799,³ Plumptre travelled through Wales. He had previously journeyed there whilst a student, during the long vacation of 1792.⁴ On Sunday 1 September he left the inn at Cwm Ystwyth, Cardiganshire, where he had stayed overnight, after visiting the Devil's Bridge and Hafod, the home of Col. Thomas Johnes, M.P., for Cardiganshire, famous for their picturesque and romantic landscapes.⁵ He took the road through the Elan Valley and reached "the Red Lion in time for dinner" at Rhayader (Rhayder), Radnorshire, but too late for afternoon prayers in the church. After taking a walk to explore Rhayader and Llansanffraid Cwmteuddwr (Cwm Toyther), he returned to the inn for tea and encountered three Quakers. His account of their Meeting, with its "stage-set" appealing to his dramatic sensibilities, provides an interesting contemporary record of Friends in Radnorshire.⁶ Plumptre is curious and tolerant, though not uncritical. His tolerance may well have been acquired from his father Robert Plumptre (d. 1788), President of Queen's College, Cambridge, who was known to have sympathized

¹ Cambridge University Library, Add. MSS. 5784-5867.

² MSS. 5814-5816, 3 vols.

³ MS. 5816, pp. 95-182.

⁴ MS. 5802, 2 vols.

⁵ MS. 5816, pp. 150-67.

⁶ Op. cit., pp. 174-7.

with the Dissenters Bill of 1772.⁷ James's ignorance of the nature of Friends' worship and the structure of Meeting was probably shared by many Anglican clergy. His only other comment on a religious sect in this tour of 1799, is a reference to the Methodist meeting house being open the Sunday afternoon he spent in Rhayader.⁸ He appears to have been disconcerted as well as amused at there being a "female preacher". As Plumtre's sister, Anna (1760-1818), "well known as a democrat",⁹ was a proficient linguist and had translated and published several German plays and published her first novel *The Rector's Son* in 1798, James could hardly have been unfamiliar with the changing active role of women in society. However, it seems he drew the line at active participation of women in religious services. He wrote of the encounter in his journal:

Whilst I was sitting at Tea, three Quakers, two males and a female rode up to the door. The landlord begged leave for them to be in my room, to which I immediately assented. They had tea at another table, and we conversed a little on common topics. The landlord soon came in and *half aside* told me they wished to have a sermon there if I had no objection. As it was Sunday Evening, and I supposed Quakers to be good sort of people and not particularly knowing their ways, I concluded they wished to read a sermon among themselves or perhaps with the addition of the people of the house, and therefore I said that so far from having any objection I should like to hear it myself. But I found it was to be a *meeting*. Never having been at a quakers meeting, now that one was come to me, I resolved not to lose the opportunity, and walking out for a short time, I returned at 7, the appointed hour, when I found the room filled with chairs set round and in rows. Two farthing Candles were set upon the chimney piece with black tea boards as reflectors, another was set on the top of a cupboard in the corner and a forth was stuck up against the wall with a fork.

The lady, who I found was to preach, was seated on a chair on one side, her head leaning on her hand and shaded by her bonnet. The men sat on each side of her. The room soon filled, and after waiting about a quarter of an hour, the lady arose. She began by only half sentences, in apology for her calling the meeting and for a weak woman preaching; at the same time instancing the woman of Samaria who was sent by Christ to her countrymen. She then recommended

⁷ This Bill, defeated in the House of Lords, May 1772, petitioned for relief of the clergy from Subscription to the Thirty Nine Articles. See D. O. Thomas, "Proposed Protest Concerning Dissenters: Richard Price and the Earl of Chatham", *Trans. Unitarian Historical Society*, vol. XVI, Oct. 1976.

⁸ MS. 5816, p. 173.

⁹ Henry Crabb Robinson, *Diary* (1869), vol. 1, p. 156.

silent devotion, after which she sat down again, and in a few minutes more began praying. That lasted about 10 minutes, another pause ensued and she then concluded with an address to the Congregation for not being more moved by her discourse, which I did not much wonder at, for there was neither method, matter nor elocution.

—neither wit, nor words, nor worth,
Action nor utt'rance, nor power of speech
To stir men's blood. *Julius Caesar* A3. S ()¹⁰

As to silent devotion or meditation I believe it is the intent of our church that we should practise it, by meeting together in the Church, some time before service begins, properly to recall our thoughts from worldly concerns; but, like many other excellent institutions of our Church, is shamefully neglected and few people come before, many not till long after the service is begun.

With regard to a female preacher, I know not how the Quakers and some other sects may explain those two verses I Cor. 14:34, 35. To me they seem as positively to prohibit it as words can: "Let your women keep silent in the Churches: for it is not permitted unto them to speak; but they are commanded to be under obedience, as also saith the law. And if they will learn any thing, let them ask their husbands at home: for it is a shame for women to speak in the church."

I walked out while the room was clearing and then supped with the quakers. They were simple and kind in their manners and sensible.¹¹

The following morning James Plumptre rose at 5 o'clock to a beautiful day. Taking the road for Pen-y-bont (Penny-bont) and New Radnor, going out of his way to visit the waterfall "Water-break-its neck" in the Radnor Forest, he ended his tour in Wales by crossing "a small rivulet which divides Wales from England"¹² not far from Kington in Herefordshire.

Thanks are due to the University Library Cambridge for having made available a microfilm of Plumptre's tour.

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EDITORIAL NOTE: It has not proved possible yet to identify the three Friends concerned. One may have been Mary (Stokes) Dudley, the minister (1750–1823), then of Clonmel, who spent the years 1798–1800 in Britain at and about the Bristol Hotwells. She travelled a good deal in the West in the summer of 1799 accompanied by Robert Lovell (see *Life of Mary Dudley*, 1825, p. 235). Another likely candidate is Mary Capper (d. 1845, aged 90, of Birmingham, a minister about 55 years), who was in the region, sometimes travelling with Samuel Dyer, Mary Dudley and others, and who reached Worcester in September 1799.

¹⁰ Act III, Scene 2.

¹¹ MS. 5816, pp. 174–7.

¹² Op. cit., pp. 178–82.

Quaker Attitudes towards Signs and Wonders

I

IT is quite clear that not all early Quakers expressed their belief through signs, although a surprisingly large number of Friends (many of whom remain unknown) did do so. One reason why so many were involved in the various types of signs and wonders may, perhaps, lie in the general support for this type of expression given by Fox, Nayler, Burrough, Farnworth, Howgill, Hubberthorne, Parnell, and other outstanding leaders of early Quakerism. If the practice of appearing as signs had not met with the approval of these powerful moulders of the new movement, it would never have become so widespread, lasted so long, or won such broad acceptance among early Friends.¹

George Fox was himself drawn towards this type of behaviour, although he never went naked, dressed in sackcloth and ashes, blacked his face, or broke bottles or pitchers. A reading of Fox's *Journal* shows that he recorded a number of such cases (Robert Huntington, Thomas Ibbott, Richard Sale, William Simpson, and others), without making any condemnation of their various forms of signs. A close examination of his language shows, moreover, that Fox apparently approved these acts—sometimes saying that these people were “moved of the Lord” to perform their signs,² while at other times saying simply that they “were moved”.³ A very interesting passage, following his description of Ibbott's sign of the Great Fire, shows that Fox believed that “the Lord has exercised his prophets and people and servants by his power, and showed them signs of his judgements”.⁴

Elizabeth Harris (who was wont to appear in sackcloth

¹ Cf. Kenneth L. Carroll, “Sackcloth and Ashes and Other Signs and Wonders,” *Jnl. F.H.S.* 53 (1975), 314–325, and “Going Naked as a Sign”. *Quaker History*, scheduled for Autumn 1978 publication.

² George Fox, *Journal*, ed. John Nickalls (Cambridge, 1952), pp. 407–408. All quotations are from this edition.

³ *Ibid.*, pp. 355–356.

⁴ *Ibid.*, p. 503.

and ashes), when attacked by some Quakers for this type of activity, sought Fox's view on this subject. Unfortunately his reply, if ever made, does not appear to be extant. There is, however, enough additional material outside his *Journal* to show that Fox approved Quakers resorting to signs and wonders. In 1654 Fox wrote "many hath the Lord moved to goe starke naked Amongst them...[as] A figer [figure] to show them their nakedness".⁵ The same judgement was made by Fox again in 1659.⁶ Once more, in 1679, Fox defended those who went naked, saying that they were moved by "the Lord in his power" and that "they were True Prophets and Prophetesses to the Nation, as many Sober Men have confessed since".⁷ One of the most interesting (and more relevant) passages in his *Journal* seems to suggest that there were *three* equally legitimate ways in which the gospel was to be proclaimed: "Many ways were these professors warned, *by word, by writing, and by signs*".⁸

James Nayler, who before his "fall" rivalled George Fox in his leadership of the Quaker movement, also was favourably disposed towards Quaker usage of signs and wonders as a proper means of expressing their prophetic message. As early as 1652 or 1653 Nayler looked upon himself to be "sett here as a signe to a people who lie given over to fulfill the lusts of the flesh", therefore taking only bread and water to the amazement of "them".⁹ By 1654 Nayler was defending those Quakers who had gone naked in Kendal and Kirkby Stephen.¹⁰ He says "God hath made as many signes among you, as to go naked in your Steeple-houses, in your markets, in your streets, as many in the Northern parts, which is a figure to you of all your

⁵ Friends House Library, London, Swarthmore MSS, II, 12 (Transcripts IV, 595). Transcripts hereafter Tr.

⁶ George Fox, *The Great Mistery of the Great Whore* (London, 1659), p. 217, cf. p. 233.

⁷ George Fox and John Burnyeat, *A New-England Fire-Brand Quenched* (London, 1679), p. 9.

⁸ Fox, *Journal*, p. 407. Italics added.

⁹ Swarthmore MSS, III, 66 (Tr. II, 847). Francis (Howgill?) has also been on a fast of eight or ten days. This letter carries a 1652 date (added later, on the back), but G. F. Nuttall, *Early Quaker letters*, 1952, No. 21, assigns the date February 1653.

¹⁰ Cf. Nayler's statement in Francis Howgill, *A Woe Against the Magistrates, Priests, and People of Kendall* (London, 1654), p. 2.

nakedness".¹¹ Still another 1655 Nayler document contains two very significant paragraphs:

What we doe, is not from the command that was to others, nor herein doe we walke by Tradition, but from command of the same power, by which we are sent forth; and if we were commanded to forbear wearing shooes, as well as we are commanded to deny your Heathenish customes and covetous practices, in not taking care for food and rayment, we should be made willing to obey, as some have done who have been commanded to go bare-foot, and some who have been commanded to goe naked (which you who know no particular commands from God, but walke by tradition in your owne wills, doing what you like, and leaving what you will undone) do scorne and reproach as evill.

And for any going naked, or being otherwise made signes and wonders to yee, which ye charge as a great thing against us, yee being ignorant of the power of God; by which these men are acted, any wise man may know these doe it not according to their owne wills, but in obedience unto God, which commands some have denied to obey, for which, the heavy judgements of God have been layd upon them, from which they could not be freed, till they were made obedient, as is well knowne in Kendall.¹²

One of the earliest Quaker leaders to speak out in defence of signs and wonders was Francis Howgill. He noted, in 1654, that God had sent signs and also "commanded my Servants to go bare and naked in your sight, to be a sign to you that your covering is now rent, and your garment is to bee torn, and you shall be left naked and bare, and you shall be made a mock and a proverb to all, as my Servants have bin made a mock and a proverb to you".¹³

Richard Farnworth (d. 1666), who may himself have gone naked, in 1655 attempted to show that those Quakers who went naked did so because of the Lord's command or spirit.¹⁴ As he calls people to repentance, he says,

Dwell in the Light, which is the condemnation of the ungodly, for all they that are contrary to the Light, are without the cloathing of God: among such doth the Lord send some of his children, to

¹¹ James Nayler, *A Discovery of The Man of Sin* (London, 1654), p. 48.

¹² James Nayler, *An Answer to the Booke called The perfect Pharisee under Monkish Holinesse* (London, 1655), pp. 21, 28. Cf. James Nayler, *A True Discoverie of Faith* (London, 1655), p. 12, and *Spiritual Wickedness, in Heavenly places, proclayming Freedom to the Forme, but persecuting the Power* (n.p., n. d.), pp. 4-5.

¹³ Howgill, *A Woe* (1654), p. 1.

¹⁴ Richard Farnworth, *Antichrists Man of War* (London, 1655), pp. 41-43.

go naked, and put off their Cloathes, a figure and a sign of their nakedness, who are naked from God, and cloathed with the filthy garments.¹⁵

Edward Burrough (1634–1662), one of the truly outstanding leaders of the early Quaker movement,¹⁶ seems to give some support to this practice when he (and fifteen others) called the English nation to repentance so that it might be healed. He wrote, “thou must be stripped of thy filthy garments, and set as in the day that thou wast born, before thou canst be cloathed with divine righteousness”.¹⁷

James Parnell (1636–1656), one of the most famous of the early Quaker martyrs, reported in a letter to Burrough that a man from Littleport had come to Soham (near Cambridge) where Parnell was having a meeting and that this man had stood naked, without Parnell knowing it, until the meeting was over. This development had caused many of the “world’s people” to stumble, but Parnell himself was “made to Cleare it much to the people”.¹⁸ Parnell is also reported to have written a paper in which he defended going naked as a sign.¹⁹ Martha Simmonds, who was given to appearing in sackcloth and ashes, is said to have justified the practice of going naked also.²⁰ Richard Hubberthorne, in a 1660 joint publication with James Nayler, also championed this position, saying “Nakedness is a fit sign for you who are covered with Lies and Unrighteousness.”²¹ John Story, also in 1660,

¹⁵ Richard Farnworth, *The pure language of the spirit of truth* (London, 1656), p. 7.

¹⁶ Cf. Elisabeth Brockbank, *Edward Burrough: A Wrestler for Truth, 1634–1662* (London, 1949).

¹⁷ Edward Burrough, *A Declaration from the People Called Quakers, to the Present Distracted Nation of England* (London, 1659), p. 6. This document is signed by Burrough and fifteen other Friends.

¹⁸ A. R. Barclay MSS, XXIX. These manuscripts are to be found at Friends House Library, London.

¹⁹ Richard Blome, *Questions Propounded to George Whitehead and George Fox, who disputed by turnes against one University-Man in Cambr., Aug. 29, 1659* (London, 1659), p. 6.

²⁰ *Ibid.*, p. 6. Blome reports that he has “heard” that Martha Simmonds “saith the same”. Cf. Kenneth L. Carroll, “Martha Simmonds, A Quaker Enigma,” *Journal F.H.S.*, 53 (1972), 31–52.

²¹ Richard Hubberthorne and James Nayler, *A Short Answer to a Book called the Fanatick History, etc.* (London, 1660), p. 5.

defended this practice which seemed to be enjoying a new vogue in 1660–1661.²²

Early Quakerism not only found signs to be an acceptable way of expressing the Quaker message but also placed much more emphasis than has ever been noted on the related practice of fasting. That early Friends engaged in fasting should come as no surprise—given the prominence of that practice in the biblical materials which so greatly influenced Quakerism (as well as the earlier and larger Puritan movement).²³ These early Friends seem to have known especially that David and Daniel fasted: “These holy men, and many more have wee for our Example.”²⁴ It is interesting to note that Daniel, an apocalypse like the revelation of John, was popular among early Quakers and that Daniel’s example had much significance for these Friends. The place and importance of fasting in the early church (Acts 13:2, 3) must have influenced the thought of these early Quakers also.

As early as 1647, when his wandering ministry began, George Fox “fasted much”.²⁵ Although his Journal notes the fasts of others in the 1650s, Fox mentions only one other fast on his part after this 1647 date, even though he does note that he later wrote papers concerning the difference between true and false fasts.²⁶ In 1652, the year generally credited with seeing the rise of Quakerism, there were many Friends who embraced the practice of fasting. Not only did Fox himself fast (in connection with the trouble centering around James Milner), but he also reported that James Nayler underwent a fourteen-day fast in that year.²⁷ Richard Hubberthorne (1628–1662) also engaged in a “great fast”, becoming so weak that many people

²² John Story, *Babilons Defence Broken Down, and one of Antichrists Warriours Defeated* (London, 1660), p. 16.

²³ Cf. Judges 20:26; I Samuel 7:6; 31:13; II Samuel 1:12; 12:21, 22, 23; I Kings 21:27; Ezra 8:23; Nehemiah 1:4; Esther 4:16; Psalms 109:24; Daniel 10:3; Matthew 4:2; 6:17; Acts 13:2, 3.

²⁴ Story, *Babilons Defence Broken Down*, p. 15. This passage cites Psalms 109:24 (claimed to be by David) and Daniel 10:3. Cf. p. 25 in Story’s work.

²⁵ Fox, *Journal*, p. 9.

²⁶ *Ibid.*, pp. 293, 348–349. These papers were produced between 1655 and 1658.

²⁷ *Ibid.*, pp. 119, 147.

thought he was dead.²⁸ In a 1652 or 1653 letter, James Nayler wrote to Fox that he had taken only bread and water since the "sessions" and that "Francis" [Howgill?] had been in a fast eight or ten days.²⁹ This practice must have become fairly widespread during 1653 and 1654, for some of the anti-Quaker writers were soon attacking Quaker fasting—comparing it to the practice of the Papists.³⁰ Miles Halhead (1614?-ante 1690) fasted for fourteen days in 1654, drinking only some water during that period.³¹ In June of 1655 Margaret Fell produced a paper on fasting, having been inspired by the English government's call to keep "a day of solemn fasting and Humiliation" as a result of the persecution of Protestants in France.³² George Fox had produced such a paper in 1654, when Oliver Cromwell had called for a fast for rain to relieve a terrible drought.³³

James Nayler was engaged in very serious fasting in 1656.³⁴ Thomas Rawlinson (d. 1689) at this same period was able to report to Margaret Fell that he had taken only bread and water for two weeks.³⁵ In 1659 a number of the members of the Fell family engaged in fasting, for William Caton in a letter to George Fox reports that Bridget Fell has fasted twelve days, Isabell has fasted seven (and is to do nine), and "Little Marg" [Margaret or Mary?] has fasted five days. He also reported that several others in the family were "exercised" in the same thing, that a servant girl had fasted twenty-one days, and that Mary Atkinson of Cartmel had fasted twenty days.³⁶

The fact that fasting was practised by Quakers in the

²⁸ *Ibid.*, p. 142.

²⁹ Swarthmore MSS, III, 66 (Tr. II, 847).

³⁰ Thomas Welde, *A Further Discovery of that Generation of men called Quakers* (Gateside, 1654), p. 11. Cf. *The Querers and Quakers Cause, At the Second Hearing* (London, 1653), p. 35, which speaks of Quakers denying meat "for some days" (1653). A number of examples of early Friends refusing to eat meat can be found.

³¹ M. Halhead, *A Book of some of the Sufferings and Passages of Myles Halhead* (London, 1690), p. 6.

³² Margaret Fell, *False Prophets* (London, 1655), pp. 17-22. Cf. Fox, *Journal*, p. 348, especially n. 2.

³³ Fox, *Journal*, p. 293, n. 1 and n. 2.

³⁴ Swarthmore MSS, I, 12 (Tr. I, 95); III, 12 (Tr. III, 163).

³⁵ *Ibid.*, III, 12 (Tr. III, 163).

³⁶ *Ibid.*, IV, 267 (Tr. I, 392). This was probably Mary Fell.

1650s encouraged the enemies of Quakerism to lay the deaths of at least two Quaker martyrs to this practice. James Parnell, greatly weakened by the terrible conditions of his imprisonment—in the “Hole in the Wall” and “the Oven” at Colchester—died in 1656 after eight months of suffering there.³⁷ His persecutors, seeking to mask their own guilt, produced at the inquest a verdict which said, “We do find that James Parnell through his wilful rejecting of his natural food for ten days together, and his wilful exposing of his limbs to the cold, to be the cause of the hastening of his own end; and by no other means that we can learn or know of.”³⁸ John Luffe (d. 1658), who accompanied John Perrot to Rome, was said by the church officials there to have died from fasting for nineteen days, although Quakers claimed that he had been murdered by the Roman Catholics.³⁹ It was in response to this false claim that Charles Bayly (1632?–1680), who later became the first governor of the Hudson’s Bay Company, fasted for twenty days in 1660/1—in order to show that a fast of nineteen days was not enough to kill a man.⁴⁰

Early Quaker use of signs (or “enacted parables”) and widespread use of fasting show a number of important facts about these first Friends and their movement. They were convinced that they lived in the “last days” and that the spirit of God (or the spirit of prophecy) had been poured out upon them. Their study of the prophetic and apocalyptic works was constant, as they sought both a deepening understanding of their own religious experiences and a fuller knowledge of what they were “called” to do. In the same way they sometimes resorted to fasting (and prayer) as a help in discovering more clearly what the significance of all of this was for them.

³⁷ Braithwaite, *Beginnings of Quakerism*, pp. 190–192.

³⁸ *Ibid.*, p. 192, quotes this statement.

³⁹ Charles Bailey (Bayly), *A Seasonable Warning and Word of Advice to all Papists, But Most especially to those of the Kingdom of France* (London, 1663), p. 6; John Perrot, *John Perrot’s Answer to the Pope’s feigned nameless Helper: or a Reply to the Tract Entitled, Perrot against the Pope* (London, 1662), p. 1.

⁴⁰ Kenneth L. Carroll, “From Bond Slave to Governor: Charles Bayly (1632?–1680),” *Journal F.H.S.*, 52 (1968), p. 28. Bayly viewed his own fasting as a “sign” of the church officials’ guilt in bringing about Luffe’s death.

II

George Fox never appears to have been troubled by the numerous manifestations of signs and wonders in early Quaker history. His *Journal* (dictated at various times⁴¹) records a number of such cases, written in a language which clearly seems to approve of such behaviour. Moreover, several of those Friends who in 1671 travelled to America with him (Briggs, Eccles, and Widders, for example) had earlier performed signs—with Eccles still appearing naked, both in London and Ireland, at the end of the 1660s. In this same year (1671) Fox's testimony concerning William Simpson spoke favourably of Simpson's three years of going naked and in sackcloth some years earlier.

Many Friends other than Fox, however, were troubled in later years by the fact that primitive Quakerism had produced such behaviour. Where Friends were willing to forget this chapter in their past history their enemies were unwilling to let the matter drop.⁴² William Penn, attacking some nameless opponent, wrote in 1695:

For his saying, That some of our Women have gone naked; 'tis affirmed with Lightness and Untruth; tho' some few of our Friends have gone naked, for a Sign to this Generation, as the poor Man in it that prophesied of the Fire of London, and another, of God's stripping some Persecutors of their Power, and in perticular, that Generation of the Clergy that preceded the Restoration, which having Rise[n] through Persecution, forgat their Pleas, when they had Power, towards those that dissented from them, and testified against the same evils in them, that they had justly inveighed against in the former Bishop's Days. And now he may see we are not against all Signs.⁴³

George Whitehead, writing a short time later, attempted to minimize the number of those who went naked as a

⁴¹ Cf. John L. Nickalls' Preface to his edition of Fox's *Journal*, vii, where he discusses the various dates (1664, 1675, etc.) at which portions and editions of the *Journal* were dictated by Fox.

⁴² William Burnet, *The Capital Principles of the People called Quakers Discovered and Stated out of their own Writings* (London, 1668), p. 23; Caleb Dove, *Birds of a Feather, Flock Together, Being Two Speckled Ones, A Mag-pye and a Jay* (London, 1728), p. 14; *Saul's Errand to Damascus* (London, 1728), pp. 34-35; *A Parallel Between the Faith and Doctrine of the Present Quakers, and That of the Chief Hereticks in all Ages of the Church* (London, 1700), p. 14.

⁴³ William Penn, *A Reply To a Pretended Answer, By a Nameless Author to W. P's. Key* (London, 1695), pp. 143-144.

sign. He also expressed his belief that some of these had experienced a divine call to perform signs, although he did not think that this was true of all who had engaged in such behaviour:

As to going Naked: it has been no general Practice among the People called Quakers; 'twas but very few, who many Years since were concerned therein, as Signs to those Hypocrites, who covered themselves under an empty Profession of Religion, *and not of the Spirit of the Lord, that they might add Sin unto Sin*, Isa. xxx I. The Shame of whose Nakedness, the Lord's Truth made more and more appear, even in those Days; and therefore I believe he set some as Signs and Wonders against them; altho' I cannot excuse every one in that Case, to have a Divine Call, to make themselves such Spectacles to the World: Yet I believe some were called to be such Signs and Wonders to the World, both of old, and since Apostacy prevailed. I Sam. xix. 24. Isa. xx, 2, 3, 4. Micah i. 8.⁴⁴

The most amazing reaction, however, is that of Thomas Story, whose *Journal* was published in 1747 and contains his views as expressed in a 1725 debate. He was convinced that no Quakers had ever gone naked, but only some Ranters who had mixed with Quakers at the first appearance of Quakerism. He did believe, though, that going naked was not inconsistent with God's will in some cases—"since he commanded one of the greatest of all his Prophets to go so for the Space of three Years, as a Sign to Egypt and Ethiopia; and what hath been, may be, since God is still the same".⁴⁵

Joseph Besse makes no attempt to list all the people who suffered for going forth as signs. Yet he does include enough examples to show that he was not embarrassed by this type of religious expression. His account of William Simpson's going naked through the streets of Evesham (1659), Margaret Brewster's appearing "black face" with ashes on her head (1677), and Thomas Newhouse's breaking of two glass bottles (1663) are all viewed as acting in a "prophetick Manner". He also included a long transcript of Margaret Brewster's trial. When discussing Deborah Wilson's going naked, Besse was content to describe it simply "as a Sign against the Cruelty and oppression of

⁴⁴ George Whitehead, *The Christian Progress* (London, 1725), p. 226. This was written long after the 1659 debate Whitehead participated in.

⁴⁵ Thomas Story, *Journal* (Newcastle upon Tyne, 1747), p. 655.

their Rulers". Concerning Solomon Eccles' going naked with a pan of fire and brimstone on his head, however, Besse writes, "This well meant Zeal of his met with ill Reception, the common Lot of *prophetick Monitors* from the Despisers of Instruction".⁴⁶

Quaker historians usually have been aware of the prevalence of signs and wonders among early Quakers. Most of them have acknowledged the existence of these phenomena, although they have not been consistent in their methods of handling them. The following pages of this article contain a brief analysis of the attitudes towards signs and wonders held by the authors of some of these works. It will be recognized, however, that no attempt has been made to examine the works of all such writers.

William Sewel completed his great history early in the eighteenth century, and the first English edition appeared in 1722.⁴⁷ In this work Sewel noted a small number of signs (although he did not call them by that name). These included the cases of the woman who broke the pitcher at Parliament's door (1658), Thomas Aldam's tearing of his cap before Cromwell (1658), Robert Huntington's wearing a sheet and halter (1660), Thomas Ibbott's warning to London (1666), and Solomon Eccles' appearing naked at Galway (1669).⁴⁸ On the whole, Sewel's practice is simply that of listing the signs without any personal comment on them. In two cases, however, he departs from this pattern. As he discussed Huntington's appearing in a sheet and halter, he added: "Now how mad soever this was said to be, yet time shewed it a presage of the impending disaster of the cruel persecutors."⁴⁹ When speaking of Eccles' appearing naked at Galway, Sewel (who appears unaware of Eccles' similar performances in London as well as the many other cases of Quakers going naked) twice refers to this development as a "strange

⁴⁶ Joseph Besse, *A Collection of the Sufferings* (London, 1753), I, 393; II, 61, 230-233, 236, 260, 261-265. Italics added.

⁴⁷ Joseph Smith, *A descriptive Catalogue of Friends' Books* (London, 1867), II, 561.

⁴⁸ William Sewel, *The History of the Rise, Increase, and Progress of the Christian People Called Quakers* (London, 1795), I, 340, 341, 475; II, 216, 262. All references are to the Third Edition. The Dutch edition appeared in 1717.

⁴⁹ *Ibid.*, I, 475.

action" and says "What the benefit of this strange action might be, I leave".⁵⁰ His use of the word "strange" implies, it would seem, some slight condemnation of this type of behaviour.

Another eighteenth-century history of Quakerism was that produced by the Irish Friend John Gough in 1790. This work does not appear to contain any discussion of going naked, wearing sackcloth and ashes, or of any other signs. In a rather lengthy note Gough does mention the recent repetition of some early charges against the primitive Quakers—including that of going naked and preaching naked at the market crosses—but he seems to imply that all of these charges flow from Higginson's highly partisan purposes in attacking Quakerism.⁵¹

Samuel M. Janney, nineteenth-century American Quaker historian, mentions that two Friends—Thomas Murford and Sarah Goldsmith—appeared in sackcloth in 1654.⁵² Although he does not list any other cases of signs, it is quite clear that Janney knew of their widespread early usage. Janney not only knew of these phenomena but also had some real understanding of their place in the religious life of the seventeenth-century world out of which they sprang:

These cases, and some others of a similar character among the early Friends, in which individuals thought it their religious duty to appear as "signs" before the people in order to bear a testimony against evil, should not be condemned as the result of delusion or fanaticism. They were perhaps more appropriate and effective in that age than they would be in this, because it was a season of great religious excitement; and moreover, it was customary among the Puritans to refer continually to the Old Testament for examples. Many cases are recorded there in which sackcloth was worn by the prophets and kings of Israel; sometimes as a token of approaching calamity, and often in seasons of great and general affliction.⁵³

As one moves to twentieth-century treatments of early Quakerism, one finds a number of different reactions to

⁵⁰ *Ibid.*, II, 262.

⁵¹ John Gough, *A History of the People Called Quakers* (Dublin, 1789), I, 126–128 note. Francis Higginson (1617–70), vicar of Kirkby Stephen; author of *A brief relation of the irreligion of the northern Quakers* (DNB; Nuttall, *Early Quaker letters*, 1952).

⁵² Samuel M. Janney, *History of the Religious Society of Friends* (Philadelphia, 1867), I, 211–212.

⁵³ *Ibid.*, I, 212.

and explanations of these signs and wonders. It has been suggested by at least one writer, in 1905, that the sufferings experienced by early Quakers produced some of these signs.⁵⁴ While it may be true that some Friends under the pressure of suffering may have responded with signs, and that some other signs were meant to warn against the continued persecution of Quakers, it must be recognized that the widespread appearance of signs preceded the outbreak of any large-scale suffering. In his "Early Friends and the Historical Imagination" (1926), John W. Graham devoted several pages to signs (which he believed Friends learned from the Bible).⁵⁵ Graham expresses his own "Quaker disapproval" of going naked (and of other signs?) in the words "We would have had it otherwise".⁵⁶

The fullest treatment of signs and wonders appears as an appendix to *First Publishers of Truth* (1907), under the title "Going Naked a Sign".⁵⁷ Norman Penney shows an awareness of the widespread nature of going naked as well as some other types of early Quaker signs. He contents himself with echoing the judgment of Samuel M. Janney:

It would be extremely unjust to apply to all the actions of former generations the standard of propriety now adopted in enlightened nations; for, although the cardinal principles of morality have been nearly the same among good people in all ages, there has been a vast difference in their manners and their ideas of decorum. The few instances of indecorum among the Early Friends may well be pardoned, when we reflect that they lived in an age when, by order of the public authorities, and for no other offence than religious dissent, worthy men and virtuous women were stripped to the waist and cruelly scourged in the public streets, both in England and America.⁵⁸

Many other twentieth-century writers touch upon the subject of signs and wonders. Three of them treat the subject in a way which should be noted here. William Charles Braithwaite, in his *Beginnings of Quakerism* (1912) and

⁵⁴ John W. Graham in *Jnl. F.H.S.*, 2 (1905), 85-86.

⁵⁵ John W. Graham, "Early Friends and the Historical Imagination," *Journal F.H.S.*, 15 (1926), 9.

⁵⁶ *Journal F.H.S.*, 15 (1926), 12.

⁵⁷ Norman Penney (ed.), *The First Publishers of Truth* (London, 1907), pp. 364-369.

⁵⁸ *Ibid.*, p. 368, quoting Samuel M. Janney, *History*, I, 476.

his *The Second Period of Quakerism* (1919) exhibits not only a rather thorough knowledge of the many manifestations of this aspect of the prophetic side of early Quakerism but also a recognition of the fact these expressions of the primitive Quaker message should not be ignored or too easily shunted aside:

They felt themselves to be the prophets of a new religious era. The word of the Lord burned within them and demanded expression in speech and action. Saturated with Bible knowledge, they there found examples for their own conduct. In this matter of testifying truth by signs, Old Testament prophecy and apocalyptic imagery were rich in fitting phrase and authoritative precedent . . . While, then, we may deplore the crude literalism of Quaker practice on this question as on some others, we should recognize the devoted spirit of obedience which lay behind it, and its naturalness under the circumstances and the conditions of thought of the first Friends.⁵⁹

Rufus M. Jones, in his *Quakers in the American Colonies* (1911), exhibits an embarrassment when he treats the American cases of signs performed by Thomas Newhouse, Catherine Chattam, Lydia Wardel, Deborah Wilson, and Margaret Brewster.⁶⁰ He was apparently unaware that these five were not alone in such behaviour but were part of the great stream which Penney and others had already clearly recognized. Jones appears unaware that Fox, Nayler, and others justified such behaviour. By lifting them out of their seventeenth-century outlook, practices, and world view, Jones has tried to judge them by his own early twentieth-century point of view. Thus, they become "mentally unsettled," "driven over the verge of sanity by the fury of the persecution", people who "yielded to the obsession", and who should have received "wise medical treatment". These were people subject to "hysterical tendencies" and who performed "misguided" acts.⁶¹ Jones' treatment reminds us very much of those early twentieth-century mistaken attempts to present psychiatric studies of Jesus which Albert Schweitzer demolished in his work

⁵⁹ William C. Braithwaite, *Beginnings of Quakerism*, Second Edition, revised by Henry J. Cadbury (Cambridge, 1955), pp. 150-151.

⁶⁰ Rufus M. Jones, *The Quakers in the American Colonies* (London, 1911), pp. 108-109.

⁶¹ *Ibid.*, pp. 108-109. Cf. p. 266, n. 1, where Jones shows an awareness of Elizabeth Harris' appearing in sackcloth.

The Psychiatric Study of Jesus.⁶² A man must be viewed in the light of his own age and world view if he is to be understood fully. By trying to lift him out of his own historical, religious, and psychological background and setting him in the modern world he becomes, in a sense, an impossible fiction. One wonders how far in this direction Rufus Jones would have gone in a treatment of Jesus and of the Old Testament prophets.

The final author to be examined is Elbert Russell, whose *History of Quakerism* appeared in 1943. A rather thorough search of the index suggests that Russell either did not know about early Quaker signs or chose to forget them—for there are no entries for nakedness, nudity, sackcloth, or signs. Yet one would be mistaken in such a judgment, for Elbert Russell does mention going naked in one place. His one brief paragraph⁶³ shows an awareness of signs, their widespread acceptance in early Quakerism, and the influence of Old Testament prophecy upon them. His closing sentence is particularly worthy of thought: “An age that whipped men and women or exposed them in the pillory stripped to the waist could hardly have been shocked by these occasional ‘signs’ as much as people would be in later ages.”⁶⁴

My own studies of signs and wonders are not meant to be a final and complete view of this phenomenon. Such a work would require the insights and knowledge of anthropology and psychology as well as of history and religion. These studies simply attempt to present a picture of the nature, scope, setting, and importance of this aspect of prophetic and primitive Quakerism. They also call for a deeper and more sympathetic understanding of this aspect of early Quaker history—so that people will no longer either ignore or tend to be ashamed by it. Our own

⁶² Albert Schweitzer, *The Psychiatric Study of Jesus: Exposition and Criticism* (Boston, 1948), Translated by Charles R. Joy from the German edition (1913).

⁶³ Elbert Russell, *The History of Quakerism* (New York, 1943), pp. 63–64.

⁶⁴ *Ibid.*, p. 64.

age produces so many similar actions⁶⁵ that we are being forced to look again at these earlier expressions and to evaluate them in a different way.

KENNETH L. CARROLL

⁶⁵ In the autumn of 1970, at the time I first became interested in the subject of "signs and wonders", a casual reading of the newspapers called to my attention several strikingly related actions. The Reverend William L. Mattheus chained himself to the pulpit of Christ Church Cathedral (St. Louis) "to protest racism". He and some of his followers also burned five one-dollar bills outside the cathedral—protesting "the Episcopal Diocese of Missouri's focus on monetary values rather than truly human values witnessed to by Jesus Christ" (from an article by Carl Rowan, entitled "Courage or Extremism? Conscience Must Decide": copyright by Field Enterprises, 1970). The November 9, 1970, issue of the *Dallas Morning News* (p. 2A), under the headline "Evictees Boo Pope in Square," carried the story of two young Fascists' chaining themselves to lamp posts near the obelisk in St. Peter's Square, as well as an account of "shanty dwellers" (recently removed from buildings where they were squatting) who came to St. Peter's Square, spread out blankets and mattresses and threatened to stay until they got housing. Still another article, only a short time before, spoke of two groups picketing President Nixon's political appearance in Dallas—one small group from Southern Methodist University appearing *bound and gagged* and the other (from a Christian Commune) appearing in *sackcloth*!

Judicial Encounters with Quakers 1660–1688¹

DURING the reigns of Charles II and James II many Quakers were subjected to the rigours of the penal laws against dissenters and Catholics. As a result, they often looked to the members of the common law judiciary for redress. Unfortunately the “twelve men in scarlet” who manned the courts of King’s Bench, Common Pleas and Exchequer were not considered by contemporary observers to be independent arbiters of the law, but rather, were seen as civil servants of the Crown, “stewards of royal power charged with implementing the royal will”.² They had indeed been long utilized by the Crown for political and administrative, as well as legal purposes, and had been discredited by their decisions favouring the royal prerogative in the last years of Charles I’s “personal” rule.³ Likewise, by 1688 they had again, for the same reason, found themselves discredited in the eyes of the victorious opposition.⁴

Although Whig accusations of judicial subservience to the Stuart kings appear influenced far more by partisan politics than by legal appreciation,⁵ the judges throughout most of the reigns of Charles II and James II did hold their patents “during the king’s pleasure” and dismissals

¹ In this article quotations from manuscripts have been modernized in spelling, punctuation and capitalization. Old Style dating has been retained. The term “dissenter” means one who attended a religious conventicle as defined by the Conventicle Act (16 Car. II, c.4).

² J. S. Cockburn, *History of English assizes, 1558–1714* (Cambridge, 1972), p. 6.

³ *Ibid.*, pp. 235–6.

⁴ Thus, seven judges were excluded from the Act of Indemnity and none of the ten judges sitting at the Revolution were continued in office or ever reappointed (Alfred F. Havighurst, “James II and the twelve men in scarlet”, *Law quarterly review*, 69 (1953), p. 523).

⁵ This theme is most strongly pronounced in J. Campbell, *Lives of the Chief Justices of England*, (3rd ed.; 4 vols., London, 1874); E. Foss, *The Judges of England* (9 vols., London, 1848–64); W. S. Holdsworth, *History of English law* (16 vols., London, 1922–64). Recent efforts to revise this theme have appeared, notably by J. S. Cockburn, *op. cit.*; Alfred F. Havighurst, “The Judiciary and politics in the reign of Charles II”, *Law quarterly review*, 66 (1950), pp. 62–78, 229–52; and his “James II and the twelve men in scarlet”, cited above; G. W. Keeton, *Lord Chancellor Jeffreys and the Stuart cause* (London, 1965).

and alterations in the Bench were frequent as the Crown made concerted efforts to find judges who sympathized with royal policies and outlook.⁶ Yet the view that the judges were mere tools of the Crown in dealing with religious and political issues in this period is misleading and fails to understand the complexity of their position. In fact, in order to understand their decisions, including their encounters with Quakers, one needs to examine the conflicting pressures brought to bear on the 58 men who, at one time or another, held judgeships in this period.

In the first place, this pressure often took the form of instructions from the Crown to the judges prior to their going on assize circuit.⁷ They might, and often were encouraged to enforce the laws against dissenters and Catholics and to exhort the justices of the peace to do the same, or they might be told to enforce particular laws against dissenters while disregarding other laws or to enforce the recusancy laws only against Catholics and not against dissenters.⁸ However, the judges were aware that such orders were often simply royal responses to parliamentary pressure, and that privately Charles and James tended to encourage toleration towards dissenters and Catholics, particularly the latter. Therefore the judges learned to tread carefully between their official orders and their private knowledge of the king's own feelings. They knew well enough that if the political climate changed, so too might their circuit instructions. This may, in part, explain judicial deviations from circuit instructions which called for enforcement of penal statutes against dissenters and Catholics.

Yet the judges were also acutely aware of parliamentary

⁶ For example, in the reign of James II, of twelve judges at his accession, only three remained when he fled. Seven had been dismissed, as well as five of the fourteen additional judges he had elevated to the Bench (Foss, *Judges*, VII, 201).

⁷ Except for Northumberland, Cumberland and Westmorland (each visited once a year), the English counties were visited twice yearly by the judges on assize, normally in Lent vacation during late February and March, and in Trinity vacation during July and early August (Cockburn, *Assizes*, pp. 19, 25).

⁸ For examples of such instructions, see Public Record Office, P.C. 2/65, p. 123; J. G. Muddiman, *The king's journalist, 1659-1689* (London, 1923), p. 235; Dr. Williams's Library, London, Roger Morrice MS Ent'ring Book (3 vols.), P, 263, 310, 329, 424; J. Gutch (ed.), *Collectanea curiosa* (2 vols., Oxford, 1781), I, 391-3.

pressure, particularly from the House of Commons, which, while not able to dismiss the judges, could subject them to interrogation or even to impeachment proceedings which would force the king to take action. In 1667 Chief Justice John Kelyng was called before the Commons to answer for his fining and imprisoning of juries, including members of an Old Bailey jury which, at the sessions of May 1665, had found three Quakers not guilty of being at a conventicle. The action of the jury had cost ten of its members 100 marks each and imprisonment till fines were paid.⁹ Kelyng's defence of his actions in this case highlighted the primitive notions of evidence in the seventeenth century. The jury had claimed that they had not full evidence that the three Quakers had been assembled to exercise any religious worship "as the Act runs".¹⁰ Kelyng told the Commons that he had asked the jury

whether these three men had not been twice convicted before for the same unlawful meeting;¹¹ they answered yea. He asked them whether these were not the same men and known by the same names; they answered yea. He asked them whether there were not above the number allowed by the act; they answered yea. He asked them whether these men were not above the age of sixteen years; they said yea. He asked them whether the place called the "Bull and Mouth" where these persons were taken was not the usual place where Quakers met; they said yea. He asked them whether this meeting was not on a Sunday when these should have been at the church at the public worship of God; they answered yea. He asked them whether they did believe these persons were at a religious service, since it appeared by the Quakers own confession that they met to seek God in the spirit; they answered yea. He then asked them why then they did not find the bill, and caused them to go out again, which they did, and after a long stay came in again with the same verdict not guilty, and said they wanted full evidence that they were met at a religious act, whereupon he did fine some of them as aforesaid.¹²

⁹ Friends House Library, MS Great Book of Sufferings (44 vols.), II. London, 98 (hereinafter cited as GBS).

¹⁰ Sir Thomas Hardres, *Reports of cases . . . in the Court of Exchequer* (London, 1693), p. 409. Apparently the jury was referring to the clause in 16 Car. II, c. 4 forbidding those meetings "under colour or pretence of any exercise of religion in other manner than is allowed by the liturgy or practice of the Church of England".

¹¹ i.e. for two prior meetings of a similar nature.

¹² John Milward, *The Diary . . . September 1666 to May 1668*, ed. Caroline Robbins (Cambridge, 1938), pp. 166-7. The action of the jury also demonstrated the legal difficulty of dealing with silent meetings: see below.

Despite the fact that such actions towards juries were relatively common practice,¹³ the Commons resolved that "the late proceedings and precedents in fining and imprisoning juries for giving in their verdict was illegal".¹⁴ Yet in 1668, the Commons found itself again involved, and called on Justice Thomas Tyrrell to explain his actions involving a jury.¹⁵ Not until 1671 did the judiciary, in Bushell's case, which arose out of the trial of William Penn and William Meade, uphold the Commons' resolution opposing the fining and imprisoning of juries.¹⁶

Commons pressure on the judges continued. Chief Justices Francis North and William Scroggs, Justice Thomas Jones, Baron Richard Weston, along with the Recorder of London, George Jeffreys, were attacked for their roles in the Popish Plot trials and the Exclusion crisis. Scroggs and Jeffreys were both forced out of office.¹⁷ In 1680, the Commons ordered a bill to be drawn up to require the king to agree to the judges holding their patents "during good behaviour".¹⁸ Had the Crown and parliament been in unanimity in this period, the role of the judiciary would certainly have been easier, but, in fact, Charles II and James II rarely saw eye-to-eye with parliament, especially in the delicate area of religion, thus placing the judges in a continuously awkward position.

This position was further complicated by the pressures applied while on assize from local officials, anxious for their prejudices and policies to be confirmed by the judges, even where such policies might diverge from those pursued at Whitehall. From the time the judges on circuit came to within several miles of an assize town, they were in close touch with the sheriff and the leading gentry, who

¹³ See A. W. Braithwaite, "Early Friends' experience with juries". *JFHS*, 50 (1964), 217-27.

¹⁴ Milward, *Diary*, p. 170.

¹⁵ *Ibid.*, p. 243.

¹⁶ See *Reports and arguments of . . . Sir John Vaughan Kt, late Lord Chief Justice . . . of Common Pleas* (2nd ed.; London, 1706), pp. 135-58 [and the same pages in the first edition, London, 1677. ED.]. This did not, of course, eliminate the judiciary's ability to influence juries.

¹⁷ *Journals of the House of Commons*, IX. 641, 653, 656-8, 662, 685, 688-92, 697-702, 708 (Oct. 1680-Mar. 1681); Keeton, *Lord Chancellor Jeffreys*, pp. 142-7. Jeffreys' resignation was only a temporary setback.

¹⁸ *Commons journals*, IX. 683 (17 Dec. 1680). A dissolution ended this effort.

informed them of the state of local affairs and no doubt interjected their feelings about government policies with which they disagreed.¹⁹ The J.P.s would sit near the judge at the assize trials and often made their presence felt, as also did local ecclesiastical officials. Thus at the August 1675 Somerset assizes, John Anderdon, who had been informed against for speaking against the king, desired a trial before Chief Justice Francis North, but did not receive it. He was, instead, indicted for refusing the Oath of Allegiance,

and many did account the proceedings very hard against John Anderdon, yet to gratify some bad spirits, the Bishop [Peter] Mew and several church men and others that had been persecutors being present, desiring the restraint of the said John Anderdon that he might not go abroad again a preaching (as they said) as a ringleader of the Quakers, the judge to do them a kindness as its believed, put him off to the next assizes and left him in bonds, though the judge and the court did . . . acknowledge that his declaration and expressions touching the king and his government on the tender of the Oath was the substance of what was required.²⁰

Likewise, Thomas Lower writing to George Fox on 15 March 1683/4 implied that the harsh treatment accorded John Fleming, Dorothy Rogers and Mary Clement, all praemunired at Launceston assizes in Cornwall by Chief Justice George Jeffreys, was as a gratification to Sir Jonathan Trelawny, who had sent them to prison; and that Jeffreys' hard dealings with John Peters, his father and the local gaoler were due to William Ceely, J.P., who had complained that the gaoler had allowed young Peters leave from gaol to visit his father.²¹

In several letters and accounts, Francis Howgill noted the pervasive influence of Sir Philip Musgrave and Sir Daniel Fleming at his trial at Appleby in March 1663/4. They tried to incense Justice Thomas Twisden against Howgill and implied that Friends were heavily involved

¹⁹ Cockburn, *Assizes*, p. 65.

²⁰ GBS, II. Somerset, 144. John Anderdon was subsequently praemunired by Justice Richard Rainsford at Taunton assize in March 1675/6 (*Ibid.*, IV. 214, 226, VI. 57). Cf. *The second part of the continued cry of the oppressed for justice* (1676), p. 40; Joseph Besse, *A collection of the sufferings* (2 vols., London, 1753), I. 611. The date given by Besse is apparently incorrect.

²¹ Written from Launceston, in Friends House Library, MS Original Records of Sufferings (8 vols.), III/370.

in the recently uncovered Northern Plot. Howgill added that, despite this, Twisden acted with moderation. Yet Howgill also described the extent to which Musgrave would go to implicate the Quakers:

by accident I saw a paper giving the account of this assize to the king which was written by Philip Musgrave which I believe will be put in the news book. The evidence was that there came two young men from Leeds to Captain Atkinson and said all was ready in Yorkshire. It was enquired by the judge and court what judgement they were of, and the witnesses said they were *strangers and sober young men*, and Philip hath put it in *Quakers*.²²

A judicial opinion favoured by local officials might lead to letters to Whitehall praising the particular judge. The Bishop of Exeter, Anthony Sparrow, on 29 July 1668 wrote to Archbishop Sheldon:

May it please your Grace when you see chief Justice Vaughan to take notice of the great service he hath done at Exceter. Before his comeing the Justices were spirit fal[le]n, & no man almost durst appeare against the Factions, who had even overrun us, speaking big of the k[in]gs favour to them, and reporting that this Judge had instructions from his Ma[jes]tie to favour them, which being told him, he fully declared the laws against them & freely & heartily declared the bad consequences of permitting their Conventicles.²³

On the other hand, complaints often flowed into Whitehall about judicial attitudes at assizes. In 1664, Sir Daniel Fleming (1633-1701), of Rydal Hall, J.P. in Westmorland, known for his anti-Quaker feelings, wrote several letters to the Secretaries of State complaining about judicial leniency. On 28 January 1663/4 he expressed his concern over the reluctance of some J.P.s to act against Quakers whom they had committed on several previous occasions. This reluctance was occasioned by the action of the judges coming on circuit, who had "either picked some hole in their mittimus and so set them at liberty, or else fined them next to nothing, whereby they cast all

²² In a letter to Ellis Hookes, 24.i [March].1663/4, [Appleby gaol], in GBS, IV. 426. Cf. IV. 422-5; Besse, *Sufferings*, II. 11-13; Friends House Library, A. R. Barclay MSS (2 vols.), I/92. (Italics are my own.)

²³ Quoted in Allen Brockett, *Nonconformity in Exeter, 1650-1875* (Manchester, 1962), pp. 30-31.

the odium on those who committed them".²⁴ Again, on 21 March 1663/4 he wrote:

I went the 10th unto Lancaster assizes there to justify the committing of George Fox and Mrs [Margaret] Fell unto prison and to acquaint the judges with the state of that county, where meeting with Mr Spencer, . . . one of the deputy-lieutenants and justices of the peace for that county, . . . and other justices, we agreed not to wait upon the judges until we heard their charge, which Judge Twisden gave the 11th, and which, though very good, yet not being so home to our Fanaticks as we expected, and meeting also with some whispers, that the judges would not proceed against any of the Quakers which we had committed, but remand them all to our sessions, we resolved to wait that afternoon upon Judge Twisden to consult with him concerning the same . . . At our first going to wait of him we found (as we had formerly heard) the judge unwilling to proceed against the Quakers in prison, but after we had acquainted him with the state of that county and had intimated unto him how much that would encourage the sectaries and discourage many justices from further acting against them, and had also showed him your letter to clear us from the aspersions of acting against the Quakers upon private piques or solely of our own heads, he was pleased to assure us to proceed against Fox and Fell to the praemunire, to make them two examples and all the rest he would leave to us.²⁵

Other pressures on the judges came from what might be called the influence of tradition and from the law. The common law judges were men at the pinnacle of the legal profession. Rather than being young, ambitious careerists, most of the judges were middle-aged men of long legal experience. Many, such as Edward Atkyns and his two sons, Edward and Robert, Hugh Wyndham and his brother Wadham, Francis Bramston, William Mountagu, William Ellis and Timothy Lyttleton were members of families with a long tradition of service in the law and politics, men with solid, respectable gentry backgrounds. Between 1660 and 1688 the average age of a judge on assuming his position was 56, while the average period between his call to the bar and his elevation to the judicial Bench was 30 years. In the interim, many had established thriving legal careers, either in private practice or with the state, serving as judges on the Welsh and Chester circuits, as

²⁴ In a letter from Rydal to Sir Joseph Williamson, in Public Record Office, S.P. 29/91/68.

²⁵ In a letter from Appleby to Sir Henry Bennet, in S.P. 29/91/2.

members of the king's legal counsel or, at the local level, as recorders or deputy recorders. In addition, at least 27 judges had sat in parliament.²⁶ For such men to have been obsequious to the Crown would have destroyed their integrity, that of the law and of the institutions they represented. Courts can reflect the social and political principles of the faction in power without necessarily being subservient.²⁷

In relation to the law, the judges, like many other seventeenth century figures, were uncertain about such concepts as Fundamental Law, the Law of Nature or the Law of God. Apparently Fundamental Law was not simply an abstract conception espoused by religious dissenters trying to justify their actions. Chief Justice Orlando Bridgeman at the trial of the regicides in 1660 declared:

Though this is an Absolute Monarchy, yet this is so far from infringing the people's rights that the people, as to their properties, liberties and lives, have as great a privilege as the king. It is not the sharing of government that is for the liberty and benefit of the people; but it is how they may have their lives and liberties and estates safely secured under government.²⁸

To what extent such feelings influenced judicial decisions is debatable, but the dilemma faced by judges involved in making legal decisions which could arbitrarily increase the power of the Crown may help explain the need for such extensive remodelling of the Bench in the later years of the Restoration. However, in more routine criminal trials, the judges tended to ignore such concepts, as well as appeals to Magna Carta. In December 1664 at Hicks Hall in London, at the trial of Martin Groshe, a Friend who was a barber, the latter claimed that the Conventicle

²⁶ The above figure for average age is clouded to a small degree by lack of information on the dates of birth of several judges. Other information has been utilized to arrive at approximate dates which have been incorporated in the average age. For biographical data on the judges, see Foss, *Judges*, VII; *Dictionary of national biography*; J. Campbell, *Lives of the Lord Chancellors* (4th ed.; 10 vols., London, 1856-7), and his *Lives of the Chief Justices*, cited above. Additional information can be found in biographies of individual judges, and in the records of the Inns of Court.

²⁷ Havighurst, "The judiciary and politics", pp. 250-1.

²⁸ Quoted in J. R. Western, *Monarchy and revolution* (London, 1972), p. 13, from J. W. Gough, *Fundamental law in English constitutional history* (Oxford, 1955), p. 140, which refers back to *State trials*, V. 992 (Oct. 1660).

Act on which he was being tried, was against the Law of God, to which Justice Thomas Twisden retorted, "go meddle with your scissors".²⁹ Likewise, it was reported to parliament in 1667 that when a certain man claimed the privilege of Magna Carta, Chief Justice John Kelyng referred to the hallowed document as "Magna Farta".³⁰

In other ways the law affected the judges. The primitive procedure in criminal trials, the vagueness of the common law, whose source, Chief Justice Matthew Hale admitted, was as undiscoverable as that of the Nile,³¹ and the often imprecise wording of parliamentary statutes, forced judges to adopt an extremely wide latitude in interpreting the law. This was evident in Quaker trials, particularly in relation to silent meetings. The obvious difficulty, for example, with the Conventicle Act of 1664 was in proving such meetings to be "under colour or pretence of any exercise of religion in other manner than is allowed by the liturgy or practice of the Church of England". In order to gain convictions, judges found it necessary to ignore the literal meaning of the wording and to look instead to the spirit of the statute, i.e. the ending of conventicles whether silent or no. At Hertfordshire assizes in August 1664, Francis Pryor, Nicholas Lucas and seven other Quakers were tried before Chief Justice Orlando Bridgeman on the Conventicle Act. The witnesses admitted the meeting appeared to have been silent. Consequently the grand jury brought in a verdict of Ignoramus, to which Bridgeman replied: "My masters, What do you mean? Will you make a Nose of Wax of the Law? Will you suffer the Law to be baffled? Those that think to deceive the Law, the Law will deceive them." The jury was sent out again and found the bill, "at which the Court seemed well pleased".³² Now four of the prisoners were tried by the petty jury and Bridgeman summed up, part of which consisted of a fascinating interpretation of a Quaker meeting:

My masters, you are not to expect a plain, punctual evidence against them for anything they said or did at their meeting, for

²⁹ GBS, II. London, 80.

³⁰ Milward, *Diary*, p. 163.

³¹ Donald Veall, *The popular movement for law reform, 1640-60* (Oxford, 1970), p. 31.

³² Besse, *Sufferings*, I. 244-5.

they may speak to one another, though not with or by auricular sound, by a cast of the eye, or a motion of the head or foot, or gesture of the body, for dumb men may speak to one another so as they may understand each other by signs. And they themselves say that the worship of God is inward, in the spirit, and that they can discern spirits and know one another in spirit, so that if you find or believe in your hearts that they were in the meeting under colour of religion in their way though they sat still only and looked upon each other, seeing they cannot say what they did there, it was an unlawful meeting, and their use and practice not according to the liturgy of the Church of England, for it allows and commands when people meet together in the church that divine service shall be read etc. And you must find the bill for you must have respect to the meaning and intent of the law which the king and parliament have in wisdom and policy made.³³

Equally disconcerting for the judges were the efforts to prosecute Quakers on the common law offence of riot which, unlike the Conventicle Act of 1670, enabled the authorities to imprison Friends. However, juries tended to balk at the implication that the Quakers had met "riotously and tumultuously with force and arms". The prisoners themselves often countered the courts' interpretation of Friends' meetings as riots by citing the definitions of riot by such legal authorities as Sir Edward Coke, Michael Dalton, William Lambarde, William Sheppard and others, but usually to no avail. For example, in January 1683/4, at the Old Bailey trial of Francis Stamper, Jeremiah Snow, James Whitaker and John Brooks before Sir Thomas Jenner, Recorder of London, soon to become a judge of the Common Pleas, the latter provided an illustration of a riot in an effort both to deflate Friends' arguments and to convince the jury. "If a Company of People", he asserted, "should come into an House, and set up an Image and worship it, it is an unlawful Act, yet here is not *Force and Arms*, and yet it may be counted a Riot".³⁴ Again, at the sessions at the Guildhall in London on 8 December 1684, William Briggins, William Ingram and 22 other Quakers were tried

³³ GBS, I. 466. Cf. W. Smith, *A true, short, impartial relation containing the substance of the proceedings at the assize held . . . at the town of Hertford* (1664). The prisoners were found guilty and sentenced to be transported.

³⁴ Besse, *Sufferings*, I. 459-60. Cf. Original Records of Sufferings, VI/726, VII/912, 962; Friends House Library, London & Middlesex QM Sufferings Book, 1654-1753, p. 558. The prisoners were found guilty. (Italics are those of Besse.)

for a riotous assembly before the same Recorder. They demanded to know what arms they had, but Jenner insisted that “The Words *Force and Arms* were but Matter of Form, and that if a Neighbour’s Bullock broke into another Man’s Ground, the Indictment for the Trespass must be laid *with Force and Arms*”.³⁵

However, although the method of criminal trials and the vagueness of the law tended to weigh heavily against defendants, they did provide a wide latitude for judges disposed towards moderation. Defendants were also aided by another problem faced by the judges—their heavy reliance on local agencies, often incompetent, ignorant, or prejudiced, for the production of suspects, witnesses, evidence and the return and trial of indictments. “Assize judges could guarantee neither the appearance nor the conviction of criminals.”³⁶ Also, common law “had always demanded the utmost precision in the framing of indictments”,³⁷ and consequently numerous Quaker prisoners were able to regain their freedom by invalidating the indictment. The most notable example was George Fox, who was freed from a sentence of Praemunire by the judges of King’s Bench in February 1674/5, Sir Matthew Hale presiding.³⁸ Likewise, Richard Vickris of Bristol, who had been convicted and imprisoned for not attending his parish church, and whose life was in jeopardy for refusing to abjure the realm, was brought by Writ of Error and by Habeas Corpus to the King’s Bench Bar and discharged in Michaelmas term, 1684, Sir George Jeffreys presiding.³⁹

From a Quaker point of view, the most serious pressure on the judges was fear. The judges were regarded and often saw themselves as the bulwark against subversion and revolution. This was a result of the lack of an effective police force and the inadequacies of the entire apparatus of law enforcement. In fact, the weaknesses of the law

³⁵ Besse, *Sufferings*, I. 469. Cf. GBS, V. 417. The prisoners were found guilty. (Italics are those of Besse.)

³⁶ Cockburn, *Assizes*, p. 132.

³⁷ A. W. Braithwaite, “‘Errors in the indictment’ and pardons: the case of Theophilus Green”, *JFHS*, 49 (1959), p. 27.

³⁸ George Fox, *Journal*, ed. John Nickalls (Cambridge, 1952), pp. 704–5.

³⁹ GBS, III. 92–94. The same precision was also required for mittimus (warrants of committal). For example, see the case of Griffith Jones of Bristol, in Friends House Library, MS Book of Cases (4 vols.), I, 105–6.

enforcement system led to a proliferation of informers. The encouragement of these men and women was "part of the deliberate and consistent policy of the legislature and pervaded the entire body of the criminal law".⁴⁰ Yet most people felt that the maintenance of a strong government was the only security for peace and order.⁴¹ Therefore, important political and religious trials often took on the forbidding aspect of morality plays staged as demonstrations of government power against its enemies.⁴² The judges, imbued with a crude conception of the value of evidence and often facing ignorant and prejudiced juries, tended to adopt authoritarian attitudes in the courtroom. Their presence became all-pervasive as they superseded the prosecution while bullying and leading the jury to bring in verdicts agreeable to the court. The verdict was therefore, "a corporate act by the judges as well as the jury".⁴³

In government circles there was a great fear of plots, particularly in the early years of the Restoration, a not unfounded fear as thousands of former Cromwellian soldiers were re-integrated into civilian life. Informers, or as they preferred to call themselves, "intelligencers", abounded from London to Amsterdam and sent to the authorities at Whitehall a steady flow of information about religious and political dissenters. Their numerous warnings of plots were lent credence by Venner's rebellion in January 1660/1 and by the Northern Plot towards the end of 1663, both of which proved unsuccessful.⁴⁴ However, the deep distrust of the Quakers by the authorities was reinforced by J.P.s such as Sir Philip Musgrave and Sir Daniel Fleming, both of whom accused the Quakers of complicity in the Northern Plot. With his usual colourful language, Fleming warned Sir Joseph Williamson of the dangers of the Quakers, "of whom we have too many, this part of the country

⁴⁰ L. Radzinowicz, *History of English criminal law*, (1956), II. 146, as quoted in A. W. Braithwaite, "Early Friends and informers", *JFHS*, 51 (1966), p. 109.

⁴¹ W. S. Holdsworth, *History of English law*, V. 189.

⁴² J. P. Kenyon, *The popish plot* (London, 1972), p. 116.

⁴³ *Ibid.*, p. 117.

⁴⁴ For the numerous reports from informers at this time see *Calendars of state papers, domestic, 1660-65*; Dr. Williams's Library, G. Lyon Turner MSS (35 bundles), bundle 35, the "Spy Book" of Sir Joseph Williamson.

joining upon that part of Lancashire where George Fox and most of his cubs are, and have been for a long time kennelled".⁴⁵ The government had also been keeping a watchful eye over correspondence between Friends. Francis Howgill, writing to Richard Hickson on 16 March 1660/1, warned the latter that Friends' letters were being intercepted on all sides. Howgill's letter, now in the State Papers, was intercepted.⁴⁶

Official fears of the Quakers were also fuelled by the latter's determination to adhere to a set of religious convictions which, when acted upon, broke numerous man-made laws. Friends were seen as dangerous political as well as religious subversives. Their persistent refusals to cease meeting, to take oaths, to give recognizances for good behaviour, to pay tithes or to remove their hats in court were all seen as tending to undermine the authority of the realm. It was this aspect of Quakerism which caused Charles II to question their motives.⁴⁷ As late as 1672, an official report to the king and council on the religious condition of London described the Quakers as "rude, saucy, unmannerly with all the ugly names that belong to an ill-bred person; it is no wrong to them to say they are mad and fitter for Bedlam than sober company".⁴⁸

Although few judges would have agreed with the latter description of Friends, there is little doubt that many judges shared the view that Friends were potential subversives. This can be seen in numerous trials of Friends for meeting illegally or for refusing to swear. At Huntingdonshire assizes in March 1660/1, John Crook, Robert Ingram and Benjamin Thornley were called before Chief Baron Matthew Hale for refusing the Oath of Allegiance. After Crook explained that for conscience sake they could not swear, Hale responded that under that pretence, "Jesuits and others might come in and commit

⁴⁵ In a letter from Kendal, 14 Nov. 1663, in S.P. 29/83/98. For Sir Philip Musgrave's attitude, see above.

⁴⁶ Written from London, in S.P. 29/32/69. Cf. N. Penney (ed.), *Extracts from state papers* (London, 1913) for other examples of the interception of Friends' letters.

⁴⁷ For example, see R. H[ubberthorne], *Something that lately passed in discourse between the king and R.H.* (London, 1660).

⁴⁸ British Library, Stowe MSS 186, f. 16, as quoted in G. Lyon Turner MSS, bundle 9, LN82.

all manner of wickedness and under this colour will deny allegiance, and therefore the opinion of not swearing will destroy all, for there can be no discrimination of persons without it". Nonetheless, Hale asked Crook if he could subscribe to the very words of the Oath leaving out the word "swear", but when Crook asked him if he had power to take his subscription, Hale admitted he had not and then caused the Oath to be tendered.⁴⁹ On 7 September 1664, at the sessions at the Old Bailey, Chief Justice John Kelyng in a lengthy speech to the grand jury denounced the Quaker principle of refusing oaths as tending

to subvert the Government, because without Swearing we can have no Justice done, no Law executed, you may be robbed, your Houses broke open, your goods taken away and be injured in your Persons, and no Justice or Recompense can be had, because the Fact cannot be proved . . . Whereas they pretend in their Scribbles that this Act against Conventicles doth not concern them, but such as under Pretence of worshipping God, do at their Meetings conspire against the Government. This is a Mistake: for if they should conspire, they would then be guilty of Treason, and we should try them by other Laws: But this act is against meetings, to prevent them of such Conspiracy; for they meet to consult to know their Numbers, and to hold Correspondency, that they may in a short Time be up in Arms . . . This is a merciful Law, it takes not away their Estates, it leaves them entire, only banishes them for seven Years, if they will not pay an Hundred Pounds.⁵⁰

Nor did matters improve with the passage of time. In the 1680s came the Exclusion Crisis, the Rye House Plot and Monmouth's Rebellion, all of which led to severe reprisals upon dissenters, especially Quakers, who were also prosecuted under the recusancy laws originally designed against Catholics. Friends' meetings were still the objects of attack. At the August 1685 assizes at York, John Taylor, John Cressick and four others were indicted for a riot before Justice Thomas Walcot, who denounced their meeting as one which, under pretence of worship, was nothing less than a means of planning plots and rebellions like the one in the west under Monmouth. Quaker meetings, he exclaimed, were "devil's meetings", and he demanded the defendants

⁴⁹ GBS, I. 508-10. Cf. Besse, *Sufferings*, I. 262.

⁵⁰ Besse, *Sufferings*, I. 396-7. Cf. W.S., *The innocency and concientiousness of the Quakers asserted* (1664).

give bond for their good behaviour, which they refused to do and were, as a consequence, imprisoned.⁵¹

Yet there is ample evidence that even at this time, as throughout the period, the judges differed widely in their treatment of Friends. Reports to the Meeting for Sufferings from Yorkshire and from Surrey in August 1683, from Northamptonshire and from Gloucestershire in March 1683/4 and from Westmorland in July 1685, all indicated the moderation and kindness of the judges at each place.⁵² It would seem that the pressures which operated on the judiciary, along with their own personal predilections had not ceased to influence their actions. The words of Bodin relating to the role of the magistrate illustrate the continuing dilemma faced by the judges of late Stuart England:

the magistrate is many personages of different quality, bearing, appearance and mode of action in one. To fulfil his role he must know how to obey his sovereign, defer to those magistrates who are his superiors, honour his equals, command those subject to him, defend the weak, hold fast against the strong, do justice to all.⁵³

In one area pertaining to Friends, the judges appear to have acted with consistency throughout the period—the question of the legality of Quaker marriages. Former judge Sir Francis Pemberton, writing in 1695 commented:

In my observation, where it hath been in question whether such marriages are lawful or not, the judges have usually admitted it to be given in evidence that the man and the woman have lived together as man and wife, and had between them such and such children who were looked upon as their lawful issue and had generally the reputation so to be, and that the man and woman were always looked upon as sober and honest persons, and upon such evidence have left it to the jury whether the man and woman were man and wife, and whether the children so had between them were legitimate or bastards with this direction, that such cohabitation of a man and woman together as man and wife with the procreation of children between them is sufficient evidence of their lawful marriage and legitimation of their children, and upon such directions it hath been always found by the juries that such issue was legitimate,

⁵¹ GBS, VI. 557-8; Besse, *Sufferings*, II. 165.

⁵² Friends House Library, MS minutes of the Meeting for Sufferings III. 1, 17, 123, 127, IV. 137.

⁵³ Jean Bodin, *Six books of the commonwealth* (Oxford, 1955), pp. 84-5, as quoted in Cockburn, *Assizes*, p. 6.

and so I conceive the juries ought to find, and I never knew that upon such evidence it hath been found otherwise.⁵⁴

In conclusion, it is virtually impossible to generalize about the actions of the judges in this period. Perhaps the comment of J. F. Stephen in relation to the treason trial of Algernon Sidney before Chief Justice George Jeffreys in 1683 can be applied to many of the Quaker encounters with the judges:

When you have on the one side a prisoner guilty of a crime which many people regarded . . . as an act of virtue, and on the other a judge whose name is . . . steeped in infamy, and when the judge has to try the prisoner according to a law full of fiction and uncertainty, obscure in some points, and irrational in others, it is almost hopeless to do strict justice between them.⁵⁵

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⁵⁴ Book of Cases, I. 261. Friends, of course, were still liable to prosecution for marriage in the ecclesiastical courts.

⁵⁵ Sir James Stephen, *History of the criminal law of England* (3 vols., London, 1883), I. 411.

The Quakers and 1659: two newly discovered broadsides by Edward Burrough

THE last year of the Interregnum was a time of great upheaval and radical excitement.¹ In April 1659 republican and sectarian agitation in the Army finally brought down the Protectorate, and in the following month the Rump of the Long Parliament was restored. Dorothy White, a Quaker, proclaimed that God had “come to turne the World upside down”; “now shall the Lamb and Saints have victorie”, wrote George Fox.² Optimistically Quakers sent in lists of suitable justices. They petitioned against tithes. They declared a willingness to serve the Commonwealth.

Radical exhilaration was matched only by the trepidation of conservative and moderate alike. “Sir such persons as are now at the head of affaires will blast religion if God prevent not”, a correspondent of Richard Baxter’s wrote apprehensively after the change of government.³ This remained the prevailing image of the governments of that year.

In reality fears were exaggerated: the majority of Rumpers were no religious revolutionaries—they followed a policy of conciliation of all, satisfying none. Some Quakers were freed by a Rump committee; others served in the militia, army, and probably in the volunteer regiments raised at the time of the Booth rising. But this merely served to terrify Presbyterians and to whet radical appetites. Sectarian disappointment was all the more bitter when

¹ For 1659 see Godfrey Davies, *The Restoration of Charles II* (Oxford, 1969); A. H. Woolrych, “The Good Old Cause and the Fall of the Protectorate”, *Cambridge Historical Journal*, xiii, 2 (1957), 133–161; A. H. Woolrych, “Last Quests for a Settlement 1657–1660”, in G. E. Aylmer (ed.), *The Interregnum* (London, 1972), pp. 183–204. For the Quakers see A. Cole, “The Quakers and Politics 1652–1660” (University of Cambridge Ph.D thesis, 1955), chs. 3–8; and his “The Quakers and the English Revolution”, in T. Aston (ed.), *Crisis in Europe 1560–1660* (London, 1970 edn.), pp. 341–56.

² Dorothy White, *A Diligent Search* (n.p., 1659), p. 4; G. F. [George Fox], *The Lambs Officer* (London, 1659), p. 13.

³ Dr. Williams’s Library, MS. 59: Baxter’s Letters, vol. 6, fo. 235.

Parliament voted for tithes and issued a religious declaration which fell far short of the expected toleration.

Clearly radical demands would not be met. "Alas, alas, the Glorious work of Reformation hath been interrupted before our eye", Edward Burrough bewailed in September. Feelings of betrayal led many Quakers into open acceptance of the Committee of Safety which replaced the Rump in October, though not without reservations. "Be less in words, and more in action", Francis Howgill warned them. The doubts were justified, for tithes were not abolished, toleration was not established, much-craved social and legal reforms were never enacted. In December the Rump returned for a second time. By early 1660 little hope remained: "Where is the Good Old Cause now?", asked Burrough, "and what is become of it?"⁴

Meanwhile Presbyterians had been speculating on the possibilities of a "second Deluge of Antichristianisme over the Protestant Churches"; the gentry had fumed over the "upstart Militia". Now they drew together against the sectarian threat. General George Monck entered London as "England's St. George", a saviour of religion—his remodelled army "beinge as they said bound in oath to Leive never a sectarian in England."⁵ In January and early February petitions from the gentry and ministers pressed for the readmission of secluded members to the reresetored Rump and for the suppression of the sects. Presbyterians "began openly to desire the king", wrote Lucy Hutchinson, "not for good will to him, but only for destruction to all the fanatics". "Who ever heard of Ranters, Quakers &c under the King?" someone asked Baxter. And so a year after the fall of the Protectorate the King came back: the nation had been rescued from subversion at the hands of the sects.⁶

⁴ E. Burrough, *To the Parliament of the Common-Wealth of England* (London, 1659) [12 Sept.]; Francis Howgill, *An Information and also Advice* (London, 1659), p. 5; E. Burrough, *To the Whole English Army* (London, 1659) [dated: London, 4 xi 59] (i.e. Jan. 1659/60).

⁵ E. Reynolds *et al.*, *A Seasonable Exhortation* (London, 1660), p. 4; *The Parliamentary Intelligencer*, 3 (2–9 Jan. 1659/60), p. 18; George Willington, *The Thrice Welcome and Happy Inauguration* (London, 1660), pp. 4–5; Friends House Library, Swarthmore MS. V. 93.

⁶ Lucy Hutchinson, *Memoirs of the Life of Colonel Hutchinson* (London, 1968 edn.), p. 317; White Kennet, *A Register and Chronicle* (London, 1728), i. 92.

The Rawlinson manuscripts in the Bodleian Library, Oxford, contain two interesting Quaker tracts from that year: unprinted broadsides by a leading Friend Edward Burrough, "To the Parliament of the Comonwealth of England Sitting in Westminster", and "To the Parliament and Army (in generall) of the Commonwealth of England".⁷ Both are among early Quaker manuscripts collected at the beginning of the eighteenth century by the Library's Assistant Keeper, Thomas Hearne. Some items in the collection are in the original hand of the authors, others are copies.⁸ Although the Burrough pieces are undated and not in his own hand, their authenticity cannot be doubted.

Precise dating is difficult. *To the Parliament of the Comonwealth* was directed at the Rump in 1659; but was it the restored or reresetored Rump? I would say the former. It is of course possible that Burrough wrote it in late December or early January 1660. However the tract lacks that mixture of disillusionment and urgency characterizing Quaker writings of those months. And it is unlikely that Burrough would advocate the inclusion of Presbyterians in his proposed committee in the light of their role in the risings of August 1659.

The restored Rump, then, was probably the recipient of the proposals, which would narrow the range from 7 May–13 October. Can we narrow it further? There is really very little to go on in the contents of the pamphlet. Burrough's proposals for a Quaker role in a political settlement were suggested by others in 1659: by the Independent Samuel Duncon in July, and in October by

⁷ Bodleian Library, Oxford, MS Rawlinson D. 397 fos. 13, 17. (*To the Parliament of the Comonwealth* should not be confused with two other tracts of that title by Burrough—one written 12 Sept., the other 6 Oct. 1659.) The broadsides do not appear in G. K. Fortescue (ed.), *Catalogue of the Pamphlets . . . collected by George Thomason, 1640–1661* (London, 1908); or in D. G. Wing, *Short-Title Catalogue* (New York, 1945); *A Gallery of Ghosts* (Baltimore, 1967). Friends House Library has no reference to them.

⁸ The collection includes the printer's copy of an interesting tract by John Stubbs called "A Primmer for children to Read"—it is in his own hand and appears never to have been printed. There are some pieces by Myles Gray (also in his own writing and also unpublished), and some copies of tracts by Burrough which appeared in his *Works*. See Rawlinson D. 379 fos. 2–5, 25–38, 39–44, 45–129.

the Quaker Edward Billing and Sir Henry Vane's man Henry Stubbe.⁹ Stubbe did not anticipate a role for Presbyterians; Duncon, whose tract was written before the Booth rising, did. Indeed Duncon's proposed solution was very similar to Burrough's, so the latter's may have been written before August too. Moreover, the tract lacks the pessimism of other Quaker pamphlets written after the Rump's declaration for tithes on 27 June. So I would place it sometime between 7 May and 27 June.

To the Parliament and the Army (in generall) was also written for the Rump. The tract's urgency towards the end—talk of “yett an inch of time”, “Blood is like to runn downe”—might point to early 1660 when it was clear that the “Good Old Cause” was doomed. That Burrough needed to refer to the “Army (in generall)” also suggests a period when it was not enough to talk in terms of “the Army” (until the split with Monck this had been possible). Burrough's qualified offer of support would make sense too in the light of the rumours of sectaries, Rumpers, and sections of the Army combining against the secluded members in the early months of 1660.

Yet all this is hard to reconcile with the beginning of the tract. Here Burrough seems to be looking back, in conventional Quaker form, on the errors of the Protectorate: the degeneration from the “Good Old Cause”, and the purge of Friends from office. In fact the sort of survey that would be expected when the Rump was restored for the first time, not the second. So I would plump for this earlier period. Dissatisfaction over the Rump's “vote for Tythes” comes through strongly, suggesting a date after the end of June. References to rebelling priests—Burrough's “how cann you expect any help from us to defend you”—seem to point to the period after 7 July when the Militia Act named Quakers as commissioners, Presbyterian-Royalist plotting increased, and volunteer regiments were raised to combat the unrest. Indeed some passages sound as though Booth's rebellion was actually in progress. The broadsides, then, could have been written any time during

⁹ Samuel Duncon, *Several Proposals* (London, 1659), postscript; E.B. [E. Billing], *A Mite of Affection* (London, 1659), pp. 9–10 (proposal 27); Henry Stubbe, *A Letter to An Officer of the Army concerning a Select Senate* (London, 1659), pp. 59–63.

July and early August—though I think a date in August the more likely. Parliament had to look increasingly to the sects for support; Burrough obviously felt it opportune to press his demands.

Why did the pamphlets never appear in print? Perhaps they did and no copies have survived, though one would expect Friends House Library to have a copy. Alternatively Burrough may have written the pieces for circulation in manuscript or solely for delivery to Parliament. Events moved rapidly in 1659, so it is also feasible that Burrough found his pamphlets out of date before he had a chance to publish them and therefore had to lay them aside. Or maybe Burrough encountered opposition from other Friends in the way that Billing had with his *Mite of Affection*.¹⁰

Regardless of those problems, the tracts are important. They were written by a leading Quaker—one of the main political spokesmen of the sect. They are excellent summaries of the Quaker position during the final year of the Interregnum. Also interesting are the Leveller echoes: “Birthright Priviledge”, “free born of the nation”, “just rightes and libertyes”, “the agreement of the people”. But of course their main significance lies in what they tell us of the Quakers’ attitude to the government in 1659.

If, after the work of Professor Cole,¹¹ anyone still believes in Quaker pacifism prior to 1660, Burrough’s declaration should put an end to it. If Parliament and army would “establish Righteousnesse”, Burrough told them, “Oh then we would rejoyce, and our lives would not bee Deare to lay downe”. The Quakers expected to play a role in the events of 1659; they were, as John Crook and other former justices and officers explained elsewhere, neither

¹⁰ For J. L. Nickalls’s argument that Billing’s tract was not endorsed by the movement see his “The Problem of Edward Byllynge” in H. H. Brinton (ed.), *Children of Light* (New York, 1938), pp. 122–3.

¹¹ Apart from individuals like William Dewsbury, the earliest Quakers were no pacifists. As Professor Cole has persuasively argued in his thesis, the sect “projected their pacifism backwards”, motivated partly by disillusionment with political action, partly by a fear that Quakerism as a movement faced extinction with the return of Charles II in 1660. (Cole, “Quakers and Politics”, p. 284.) For the argument see chs. 1, 2, 9 of his thesis, and also his “Quakers and the English Revolution”, *op. cit.* I examine the Quaker role in 1659 in an article which touches also upon the problem of Quaker pacifism: “The Quakers, 1659, and the restoration of the monarchy”, *History*, lxxiii (1978), 193–213.

“uncapable nor unwilling” to serve their nation.¹² We know that the sect demanded the restoration of all Quakers purged from civil and military office because of their beliefs.¹³ Burrough reiterated this. But he went further, and called for the setting up of a council composed of the various religious interests, a council in which he advocated Quaker representatives should play an equal part in the drawing up of a solution for the government of the country. (The fact that non-Quakers—Duncon and Stubbe—made similar propositions shows that Burrough was not so isolated as some might anticipate.)

We must let Edward Burrough speak for himself.¹⁴

*To the Parliament of the Comonwealth of England Sitting in Westminster*¹⁵

A servant of the lord a lover of peace and a friend to just government doth present unto you in the name of the liveing god and by the moveings of his eternall spirrit on the behalfe of this distracted and opressed nation and in bowells of Compassion to all sortes of people in it in order to the restoring of peace and righteousnes amongst all men, and that the judgements of the lord depending may be turned away from this people. For these causes it lies uppon mee to propound this unto you which would be a way to worke reconciliation and to bring the nations under your charge into unity peace and rest.

Whereas the hands of the lord hath been stretched forth in divers maners in this nation and great hath been the overturnings and breakings down among the mountaines of the earth and he hath pulled downe and sett up according to his pleasure, yett nevertheless great oppression and injustice remaineth upon us, and great discord and unhappie Contention lodgeth among the people, breaking forth into evill and Jelousies and falce feares one of another and into much hatred and envy one against another and the effect herof may prove misery and destruction to the nation except the hand of the lord prevent and come between to work

¹² John Crook *et al.*, *A Declaration of the people of God* (London, 1659), p. 5.

¹³ Crook, *op. cit.*, p. 5; Francis Howgil, *To all Commanders and Officers* (n.p., 1657), p. 3; Edward Burrough, *Good Counsel and Advice Rejected* (London, 1659), p. 15; Anonymous, *To the Generals, and Captains* (n.p., [1657?]), pp. 2, 4 (written by those “who have been turned out of your Army . . . under the name of Quakers”).

¹⁴ In transcribing the manuscripts abbreviations have been extended (thus “agt” becomes “against”), “ye” and “yt” have become “the” and “that”; but I have not interfered with punctuation, capitalization, or spelling.

¹⁵ MS Rawlinson D. 397, fo. 17.

through you a reconsiliation. And for as much as this people over whom you are Set to rule are divers in their judgments concerning government and alsoe in their profession of religion and seeing that this nation consisteth of men of divers kindes of speritts being at a great strife among themselves, some crying for such a way of government and others for another maner of government, and yet all these are free born of the nation, and ought all to bee preserved and defended in their just rightes and libertyes by you and ought not to be destroyed one of another; neither ought some of them to be made slaves, and others be made free by you but by the law of god all ought to live in Freedome and to possesse in peace (and without oppresstion from you and one from another) their priviledg in the nation both as [men?]¹⁶ and as Christians, which your selves have promised to us and which we looke to enjoy.

And therefore in order to the peaceable and welbeing of all sortes of people and that they may seeke out a way to live in peace, and love one by another in civill government this I propounde to you even in the name and by the Authority aforesaid, that you speedily doe order the choosing of a Comittee, and Councell of men Consisting of six or eight or more of the ablest and soberest men of each sort of profession in the nation (that is to say) soe many of them called presbiterians soe many of them called Independents and likewise soe many of them called Anabaptists; and soe many of them called Quakers; and likewise of the rest of all sortes of men, as you in wisdome shall thinke fitt.

And that such a Comittee chosen by you as aforesaid doe first cleerly lay downe the grievances and oppressions wherwith any of them are oppressed and vexed one by another. For the generall part of vexations at this day are from some sort of people to others and the cry of both reall and supposed oppression is by one sort against another, each one saying they are vexed one through another. And alsoe that all these sortes of men in Councell together by sober debate in the feare and wisdome of god doe seeke out a way and propound it among them selves how to remove the oppressions and grievances which lies upon them one by another in relation to a civill State. And alsoe that they may seeke out the way of an equall and just government, wherin all them for time to come may be defended and preserved in peace in Civill government with out oppressing one another. And that the way and maner of a government may be Stated among them selves, which may (if possible) bee the agreement of all, and consented to by them all, that they may come to live in unity and peace in a Civill State, and may be in freedome from all false feares of murderous plotts and deceitfull contriveing one against another, and may not any longer be oppressed one sort through another, nor make lawes, nor desire them of you to inbondage the Consciences nor to oppresse the bodyes and estates one of another.

But if such a Councell of men should not agree, or concurr, in

¹⁶ The manuscript has an arrow indicating an insertion, yet nothing has been added: "men" is my suggestion.

one way or maner of Civill government, according to what each ones desires are, then let each sort propound and state before you and the nation their own particuler desires, what maner of government they would have. And let all these causes be brought before your house, as the supreame, that your vote may passe according as you shall be guided, to establish the agreement of the people; and by such proceedings would many good issues spring. First each one sort of people should know another and what way and maner of government each one of them would have; and you shall know what the mindes and desires of them all are, and then you might the better Judg of all, and whose desires are most equall, and most according to the law of god, for this I am assured is none of the least causes of the present jealousies false feares and heart burnings, and envyings that are in peoples hearts one against another, because people are much in ignorance one sort of another, and knowes not one anothers judgment, neither doe you know what each sort of people would have, and what they desire, as in matter of civill government, therefore many are distracted in their thoughts with exclamations one against another, and for as much as through the burthens and oppressions that lyes upon one sort of people by another, and through the evill jealousies and heart burnings that one sort have against another, there is at this day a fire kindled of great distractions, and the ends therof may prove bad to many even to your selves and the whole nation. Wherefore I say againe that the wrath of the lord may be turned away and that you and this people under your chardg may be happie under a Civill government, and for the generall good of all people: I doe demand of you in the name of the Lord, that you Consider of this my desire, and fulfill the good will of god herin even for your owne sakes that you may be blessed and made honorable as nursing fathers to a sickly and broken people and for the nations sake that they may be reconsiled and live in peace and unity, and for the name of the Lords sake, that it may be renowned for ever more through peace and unity among people through truth and righteousnes in the earth and that Justice mercy and truth may sit in the throne and this is the desire of him who desires good unto all men, and hath laid this before you and comes not unto you in his owne name but in the name of the lord.

Whose servant he is that am Called amonge men by name
Edw: Burrough.

To the Parliament and Army (in generall) of the Commonwealth of England &c¹⁷

Friends

The Lord hath gathered us, and redeemed us out of the world, and our Kingdome is not of this World, but from above, and our Weapons which have defended us are not carnall but spirituall,

¹⁷ MS Rawlinson D. 397, fo. 13.

and mighty through god, and our Warfare hath been against the Powers of Darknesse, and against the spirit of wickednesse, which leadeth in Captivity to sin, and death, and not against Persons, nor Creatures, and we have been a suffering People ever since we were first Raised up and borne all things in Patience, even the cruelties of the Wicked have we suffered, and the Ploughers have Ploughed Furroughs upon us; and wee have been cast out, and Rejected, cast out of places of all trust in the Nation, as if we deserved noe Place of fidellity amongst you, noe Not to have any office, nor hardly hath been allowed us our Birthright Priviledge; for Wee have been cast out of the place of justice, and out of the Army in which we would have been of service to you and our country; and have been exposed to all wrong and injustice that could bee, even through some of you. And our sufferings, our false Imprisonment, and the spoylling of our goods, and our blood shed, and all the violence that hath been acted upon us, Wee lay upon some of you that hath been in power, as being guilty thereof in a great meassure, partly through your own actings; and partly through your Forbearance of others; yea some of us att this very day hath our Bodies cast into Prissons, and our goods spoylled for Tythes, and such thinges even in the very Name of the Keepers of the Liberty of England;¹⁸ and Those of our friends which you found in Prissons att your restoreing, you have not freed them but leaves them in bonds, and to the will of their Enemies, and noe releife made for the preventing of their Sufferings for the time to come. But rather a new foundation of sufferings laid by you through your establishing of Tythes, and cryeing up the maintenance of your Ministers. And this we doe declare to you that there is already a great deall of innocent Blood, and injustice lyeing upon this Nation, and upon many that are in trust under you; that god will Revenge one way or another, for had the army stood in the power as once itt was in, and had not the Rulers of this Nation lost Sincerrity, and turned after this worlds honnour, and become degenerated from their Principles, and turned many faithfull men out of the Army, and their places of trust, which hath sorely weakned you, these things had never come to passe in the Nation had you kept in the power of the Lord, and in the meeke and lowly spirit; this spirit that now is rissen up against you had been subdued and Chained. But you goeing from the meek and just Principle in your selves, this spirit of arrogancy, and Crueltye, and murder is lett up over you, to warr against you, and may dash some of you to peeces till you have learned gods judgements, and the justnesse thereof; And we have truely weighed all these things with Lamentation for you; Wherefore We say unto you how cann you expect any help from us to defend you, or that we should Joyne with you to withstand the Executors of Justice, and to save the guilty from deserved Wrath; What shall we prevent, or come betwixt the avenging of the innocent Blood, or shall we take parte even

¹⁸ The reference to Keepers of the Liberty of England means that the tract was written after 11 May 1659; see Davies, *Restoration*, p. 97. (I owe this observation to Christopher Hill.)

against our selves, and helpe you, and sett you up, and expose our selves to sufferrings under you by your vote for Tythes which we are like to suffer by; Iff this Nation be againe restored to Peace; And shall we Joyne with you in the maintainning of that wicked opressing Priesthood, which you cry up, and Compells maintenance from us by your power against our consciences. Wee cannott owne you in any of these things, But must give our witnesse against you herein, even as against them that are rissen to oppose you; And Wee know the foundation on which you both stand will bee overturned, and you must act by another spiritt before wee cann owne you, and we must see Justice done by you, and the Prisson doores sett open for our friends to have their Liberty, and Tythes voted down againe, and all forced maintenance to the ministry to be utterly renounced by you, before we can lift up a hand for you, or say the Lord prosper you; And all our Friends that have been turned out of the Commission of peace, and out of thier Places of trust, And all the officers and Souldiers, all . . .¹⁹ turned out, and you keep them out and rejects them as much as hee; had you at your restoreing putt all these in againe into their Places, which they were turned out of and are kept out, onely for their good conscience sake; And if you had done this then we shold have cause to owne that you intend to establish Righteousnesse, which if we saw that spirit amongst you that would advance Righteousnesse, and not seeke your selves But the good of the Nations; Oh then we should rejoyce, and our lives would not bee Deare to lay downe; But till then how can we come between you and your Enemies to defend you and establish you in power to opresse us and our Bretheren, which we see you goe in the very way thereof while you establish Tythes, and crye up a forced compelled Maintenance to your godly ministers as you call them. Noe we must suffer till the wickednesse of the wicked bee Finished, and the Lord have avenged our cause; and we are in the faith that the lord will rebuke the mighty, and the destroyers for our sake, and for his Names sake; and this spirit that now is rissen, is a rodd for such who hath sett up Wickednesse in themselves; And Now the lord hath suffered the wicked to rise against you, for you have been flatterring, and makeing a false peace with your enemies, and these Priests have flattered you, and you have fed them soe fatt, and soe full that they Now rebell against you, and you have been cryeing up maintenance for them, and opressed poore People to maintaine them with tythes, and money till they kicke against you, and one potsheard must breake another, that the seed of god may spring up over all; and wee know there is a hand in all these things, and our eye is to the hand of the lord that sees before these things were, and yett we wish well to the seed of god that is in you, and to the good that is amongst you; But itt hath a great deale to arise through in your selves, and in the Nation, there is the spirit of ambition, and opression to beate downe in your selves, and there is the spirit of murder and crueltie rissen up in the nation the seed

¹⁹ The broadside is torn here, obscuring one (at the most two) words.

of god must arise through all this, and over itt, before these Nations can bee happy. Soe look into your selves, and consider, and learne the Lords judgements by these things, and if we perish itt is for witesbearing to the name of the Lord, and for Righteousness sake, and our Reward is with us but if you be smitten itt is because of the apostacy of some of your owne selves, who once had the power but lost itt; you had the power over this spirit once, but now itt is rissen against you, and you had power to have releived the opressed, and to have made the Nations free from Tythes and all other burthens, and opressions, and you might have setled the Nations in good order, but you neglected your day, and there is now a mountain raised in your way; And you might have made the spirit which is now rissen against you, as weake as water, had you been faithfull to the Lord. And the Nations had been in peace and rest before this day, when as now Blood is like to runn downe, and the innocent like to be devoured, and this is because of your transgression, who hath abused many pretious mercyes, and Deliverances which the lord gave you.

Wherefore wee your Friends as pittiers of you, and Lamenters for you, and not as upbraidders of you for your Apostacy; Wee doe say unto you, you have yett an inch of time to doe good, and to escape this evill, if every one of you Come to the just Principle of god in your owne hearts, that will bring you to cast of the burthens of your owne sinns, that lyes upon your consciences, and that will purge out the drossy spirit that is amongst you; For there is a spirit in some of you will fainte before your Enemies, while the burthen of Innocent blood, and of the unjust sufferrings of gods People lyes upon you; Therefore putt of that spirit and lett not the servants of the lord suffer unjustly as they have donne but proclaime Liberty, and freedome to the opressed, and suffer not honest, and faithfull men to be a prey to their, and your Enemies, but seeke the perfect freedome of the Nations; and that is the way for you to prosper, and to defeatt your Enemies that would destroy Righteousnesse from off the Earth. Wherefore Consider, and be awakened, and the feare of the Lord bee amongst you.

Wee are lovers of your soules and Friends to the seed of god amongst you and shall be asisters, and helpers with you in all righteous Things till Righteousnesse, and truth and true Judgement be established.

Edward Burrough.

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BARRY REAY

Reports on Archives

THE Royal Commission on Historical Manuscripts *Accessions to repositories and Reports added to the National Register of Archives, 1976* (London, Her Majesty's Stationery Office, 1977. £2.00), reports the following additions to the manuscript collections in various institutions which may interest workers on Quaker history:

Imperial War Museum, Department of Documents, Lambeth Road, London SE1 6HZ.

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Public Record Office of Ireland, Four Courts, Dublin 7.

W. & R. Jacob & Co. Ltd., biscuit mfrs., Dublin: wage books etc. 1888-1968.

Reading University Library, Whiteknights, Reading RG6 2AE.

Huntley & Palmer Ltd.: records 1840-55.

Berkshire Record Office, Shire Hall, Reading RG1 3EE.

Society of Friends: further records of Berks and Oxon meetings 18th-19th cent.

Buckinghamshire Record Office, County Hall, Aylesbury, Bucks HP20 1UA.

Society of Friends: records 1686-1923 incl. those of the Upperside Monthly Meeting 1787-1826.

Chester City Record Office, Town Hall, Chester CH1 2HJ.

Society of Friends, Chester meeting: minutes 1774-1821.

Cumbria: Record Office, County Offices, Kendal LA9 4RQ.

Braithwaite family of Kendal: executorship papers 1778-1924.
Edmondson & Vogt Ltd., chemists, Kendal (addnl.): prescription books etc. 1929-73.

Leicestershire Record Office, 57 New Walk, Leicester LE1 6TD.

Society of Friends: Oakham Monthly Meeting minutes 1675-1754.

Wiltshire County Record Office, County Hall, Trowbridge BA14 8JG.

Society of Friends, North Somerset and Wiltshire Monthly Meeting: records 1648-1909.

Among the Reports listed are:

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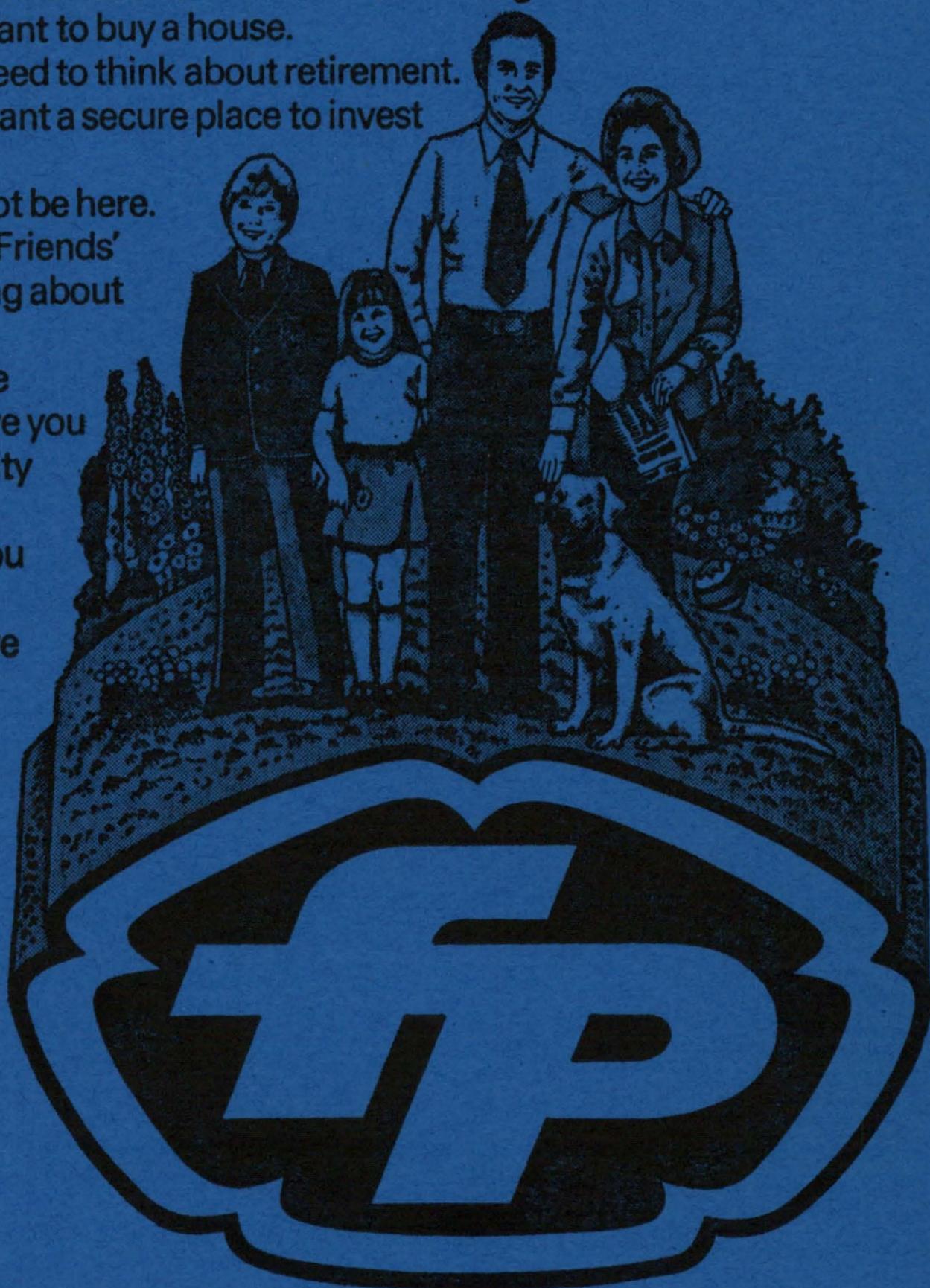
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