

## Notes and Queries

FRIENDS AND THE ARMY, 1659  
A QUAKER'S Curse—Humphrey Norton to John Endecott, 1658; by Frederick B. Tolles. (Reprinted from the *Huntington Library Quarterly*, vol. 14, no. 4, August, 1951, pp. 415-21.)

This short article reprints the text of this "curse" from the *Publick Intelligencer*, no. 165 (21st-28th February, 1659), where it appears among the news from New-England, Charls-Town. Mr. Godfrey Davies suggests that it was printed to cast discredit upon Friends in England, "who were currently, though illogically, identified in the public mind with the unpopular Army." (cf. Davies' article in *Huntington Library bulletin*, no. 7 (April, 1935), 145ff.)

LIBERTY OF CONSCIENCE IN 1660  
IN a recent book, *The making of the Restoration Settlement: the influence of the Laudians, 1649-1662* (Dacre Press, 1951, 25s.), Robert S. Bosher has reproduced a passage from the French ambassador's despatches which shows how much some churchmen were prepared to promise to secure the return of the monarchy. The quotation concerns the diplomacy of Dr. Morley (later Bishop of Winchester) at the time of the Restoration. Morley was promising all things to all men—even, and this the ultimate indiscretion, liberty of conscience to Quakers.

"Il promet tout à tout le monde, mesme la liberté de conscience aux Trembleurs; beaucoup se confient en ses promesses."

(Public Record Office, Trans-

cripts 3/107, Bordeaux to Brienne, 3rd May, 1660 (N.S.)) In the same book we see how soon the dream of comprehension within the church or the hope of peaceable toleration was to fade in the repressive measures at the time of the Fifth Monarchy rebellion and the deadness of the Clarendon Code.

### BRIGHTWEN-EVENS MARRIAGE CERTIFICATE, 1755

AMONG the items which have come to light in the Denison Roebuck stamp collection in the University Library, Leeds, is the certificate of the marriage at Coggeshall, 15.iv.1755, of "John Brightwen of Coggeshall in the County of Essex baker, son of John Brightwen Baker of the same place deceased and Sarah Evens of Coggeshall daughter of John Evens Maltster of the same place deceased." The certificate is printed on parchment bearing a 5s. revenue stamp. The names, places, date and declarations are filled in in ink. There are 75 signatures—the two parties, 16 relations and 57 other witnesses. The parchment is without endorsements, save for the entry: "Sarah Brightwen daughter of John Brightwen & Sarah his wife was born the 5th of the 1st month 1756 att about half past three in the afternoon."

Stamp duties in England date from 1694, when they were first imposed by the Act 5 & 6 Will. & Mary, c. 21, with the object of raising money to carry on the French war. Stamp duty was imposed on all vellum, parchment and paper "whereon deeds, grants, commissions, or any

writings, or process in the law are ingrossed or written." Letters patent and the like paid 40s. and among other provisions in the Act was the following: "For every Skinn or Peice of Vellum or Parchment or Sheete or Peice of Paper upon which any Licence for or Certificate of Marriage or any Letters of Mart shall be ingrossed or written the summe of Five shillings." (*Statutes of the Realm*. Record Commission edition, 1819, VI, 496.) The Act provided that no deed or writing should be good in law until the same should be stamped. (G. Jacob: *New law-dictionary*.)

Friends' marriage certificates were probably not in mind when the Act was drafted, but Friends were eager to put their marriage procedure on as sure a legal foundation as possible, and it is thus not surprising to find letters going down from London Friends to local meetings advising the use of stamped parchment. (30.iv. 1694. A letter addressed to Bristol is preserved at the Friars Meeting House, in volume 139 (C.17): *Letters of Discipline*, 1671-1760, p. 85.) Bristol Men's Meeting considered the information they had received at their next meeting, and recorded:

"Friends being Informed that tis the opinion of som emenant Lawers that our Certeficates for Marriage are accounted as Notoriall Acts & doth require the stamp. Whether it may or not, this meeting doe advise that friends make use of stampt parchment in yt Case." (Men's Mtg. minutes, vol 2, p. 94; 9.v.1694. Friars M.H. volume 202 (A.2).)

The practice of stamping the certificates was recommended by London Yearly Meeting, and it

soon became general, and, although this did not of itself make them legal documents, it doubtless helped to establish their validity and that of the marriage they recorded, even before the express recognition of Quaker marriages which came at length in the Marriage Act of 1836 (6 & 7 Will. IV, c. 85).

The stamp accounts for the Brightwen-Evens certificate being found with other stamped deeds at Leeds.

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TROUBLE AT PATELEY BRIDGE  
THE following document has come to light in Ripon Cathedral archives:

"The Case about the Preist Chamber

"see the Trust

"That this House was  
"alwaies the dwelling for the  
"Curate of Pateley bridge  
"Chappell during his con-  
"tinuance there.

"That this Curate Mr. Furnis  
"was in possession of this  
"Preist Chamber with ye  
"Garden on ye backside, and  
"he let it to one Loftus by  
"Article, and no Rent being  
"paid Furnis brought an eject-  
"ment, but could not make out  
"a title till hee got a surrender  
"from Wm Wood the surviv-  
"ing Trustee, which hee did  
"payeing 7s per Annum to ye  
"Church.

"And afterwards Furnis sells  
"this Preist Chamber abso-  
"lutely to Clayton a Quaker  
"& his heirs."

The notice may be dated some-time during the eighteenth century, but at present no further information is available on the subject, and whether the Church regained possession from Friend Clayton.