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Marriage Covenants of the General Baptists.

SOME twelve months ago there appeared an article in the *Quarterly* on Barton-in-the-Beans from the pen of Percy Austin. Recently there was presented to the Melbourne Baptist Church an historically interesting document relating to the same group of General Baptists of the eighteenth century, namely—the Marriage Covenant of Francis Smith, the founder and from 1760 to 1796 one of its first pastors.

It is engrossed on parchment about twenty-one inches square, stamped with a five shilling stamp, and provides contemporary evidence of the method of solemnizing marriages among their adherents.

There is evidence that marriages among General Baptists were allowed in their meeting-houses, and were regarded as valid as far back as 1689. This was the year of the passing of the Toleration Act under William III giving to Dissenters, within its very restricted limits, freedom of worship generally.

Thomas Grantham's *Truth and Peace, or the last and most friendly Debate concerning Infant Baptism* published in 1689, has a postscript on the "Manner of marriages among Baptised Believers.

His pamphlet opens with the words—"Some of the Baptised Believers having been prosecuted as offenders for not conforming to the Ceremonies of the Ring and kneeling to the Altar in Celebration of marriages; we shall therefore humbly offer our reasons why we dissent from these ceremonies: and why also our marriages are good in the eye of the Law (for the substance of them) the omission of these ceremonies notwithstanding. . . ."

Grantham sets out to show that such marriages are valid in the sight of God; that Baptised Believers are not against public solemnization of marriage according to the law of the land; that the law of the land does not null or make void the marriages of Baptised Believers, but does rather establish them; and that there is no necessity for having a priest to perform the ceremony, etc.

In developing his thesis he quotes various precedents and authorities, and himself gives the form of Marriage Covenant which was in use among the General Baptists. This reads as follows:—

"These are to testify to all men, that we, A.B. of &c. and

C.D. of &c. have, the day of the date hereof, entered into the covenant state of marriage, according to a solemn contract heretofore made between ourselves, and with the consent of such as are concerned in order thereunto; and we do now, in the presence of Almighty God and the witnesses hereafter named, ratify the said contract and covenant-act of marriage this day verbally made: in both which we do, in the fear of God, mutually and solemnly, and for our parts respectively, promise, in the strength of God, to live together in the state of marriage, according to God's ordinance, from this day forward; to love each other as husband and wife, and faithfully perform all the duties to which we are bound by God's the Lord by death shall separate us. In testimony whereof, law, and the good laws of the land, in that case provided, till we have hereunto set our hands, the . . . day of &c.

A.B.
C.D.

" We whose names are subscribed, do testify, That the above said A.B. and C.D. the day and the year abovesaid, did mutually take each other into the state of marriage, acknowledging the contract and covenant, and ratifying the same by word, and by the subscription thereof as abovesaid. In witness whereof, we do hereunto set our hands, the day and year abovesaid.

E.F.
G.H. &c. &c."

(Quoted from Adam Taylor *History of General Baptists*, vol. I. p. 450 note.)

Adam Taylor adds, " this appears to have been the established form of the Marriage Covenant. The copy of the certificate of the marriage of John Hursthouse and Sarah Green in 1716 now lies before us; and is precisely in the terms of this published by Grantham in 1689."

This right to be married in their own meeting-houses was withdrawn from all dissenters except Jews and Quakers under the Act of George II. (26 Geo. II. c. 33 par. 8 and 18) which came into force on 25th March, 1754.

Prior to 1753, the date of Francis Smith's marriage, the Barton people had already availed themselves of the right of solemnizing marriages among themselves. Thus about 1750, John Aldridge, one of the first seven members who founded the Barton Society, had married Elizabeth Cooper in the chapel there. They were afterwards cited before a spiritual court for living in adultery; not so much to contest the validity of the marriage, which after full investigation was upheld and the prosecutor made

to give satisfaction to the injured persons, as to vilify the parties and bring the Barton people into contempt.

The Marriage Covenant of Francis Smith, which may have been similar to that in use among the Barton people, differs considerably from that given by Thomas Grantham as will be seen on comparing them; an exact copy of that of Francis Smith being as follows:—

> IT Having been publickly declared in Three several Meetings of a Congregation of Protestant Dissenters called Independents in their Licensed Meeting-House at Melbourn in the County of Derby: That there is a Marriage intended between Francis Smith of the parish of Melbourn and County of Derby Batchelor; And Elizabeth Toone of the Parish and County aforesaid Spinster: which publication being agreeable (not only to the just and holy Holy Law of God but also) to the good and wholesome Laws of this Land; in order that every one concerned may have the opportunity of making all suitable enquiry for their satisfaction, and that nothing may be done clandestinely. And upon due enquiry and deliberate consideration thereof by the said Congregation, it is by them allowed, there appearing no reason for objection, they both appearing clear of all others, and having also free consent of all persons whether Relations or others.
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> NOW these are to certifie all whom it may concern; that for the Accomplishing of their said Marriage, that they the said Francis Smith and Elizabeth Toone, did this Twentieth day of August one Thousand seven Hundred and fifty Three appear in a Publick Assembly of the aforesaid Congregation and others met together for that purpose in their Meeting-House aforesaid; and in a Solemn manner He the said Francis Smith standing up and taking the said Elizabeth Toone by the hand (she likewise standing up) did publickly declare as followeth (Viz) Brethren and Sisters, in the fear of the Lord, and in the presence of this Assembly whom I desire to be my witnesses that I Francis Smith take this our dear Sister Elizabeth Toone, to be my Lawful Wife promising thro' Divine assistance, to be unto her a faithful and loving Husband, till it shall please the Lord by Death to separate us.
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> AND then and there in the said Assembly, she the said Elizabeth Toone, in like manner taking him the said Francis Smith by the Hand did likewise publickly declare as followeth (Viz) Brethren and Sisters, in the fear of the Lord and in the presence of this Assembly, whom I desire to be my Witnesses; that I Elizabeth Toone take this our dear Brother

Francis Smith to be my Lawful Husband promising thro' Divine assistance to be unto him a faithful and loving Wife till it shall please the Lord by Death to separate us.

AND the said Francis Smith and Elizabeth Toone, as a further Confirmation thereof, and in Testimony thereunto, did then and there set their hands and Seals.

WE whose names are hereunto Subscribed, being present (amongst others) at the Solemnizing of the above Marriage, and Subscription in the manner aforesaid, as Witnesses thereunto, have also to these presents Subscribed our Names. the Day and year above written.

FRANCIS SMITH
ELIZABETH SMITH

SAMUEL HARRISON
THOMAS HUTCHINSON
ABRAHAM BOOTH
RALPH BURROWS
JOSEPH FOLLOWS

ROBERT CHESLYN
JAMES MITCHELL
JNO. ALVEY
NATHANIEL PICKERING
HENRY MORLEY
JOSEPH DONISTHORPE JUNIOR
ROBART GREGORY
THOS. TOMPSON
JOS. HOLINGWORTH

WILLIAM KENDRICK
JOHN WHYATT
SAMUEL DEACON
JOSEPH DONISTHORPE
THOMAS ROBINSON
THOS: TOONE
ROBERT BRONN
WILL EARP

SOME OBSERVATIONS ON THE MARRIAGE COVENANT:

1. The most striking feature is the almost precise similarity of wording (as regards the description of the ceremony and the declaration made by the parties to the marriage) to that in use among the Quakers. (See Edward Grubb—*What is Quakerism?* J. W. Graham—*The Faith of a Quaker.*)

This close similarity, I suggest, can only be accounted for by borrowing. It is interesting to note that there was a Quaker Society and Meeting-house in Melbourne. The Society is now extinct and the Meeting-house and Burial-ground have become a cottage and garden.

In his search for spiritual enlightenment and before he became acquainted with the Barton people, Francis Smith had attended the Quaker meetings. "It fell in my way," he says, "oftentimes to hear the people called Quakers and to read their books. . . . " He would thus be familiar with their procedure.

2. On the name—"Protestant Dissenters called Independents." From their commencement in 1743 to 1745, in which year their first Meeting-house was built at Barton, they had no distinctive name, but simply regarded themselves as Dissenters.

Having become organised into a Society with a Meeting-house it became necessary, in the interests of protecting their property, to assume some distinctive name by which they should be known. After a good deal of thought on the matter they called themselves Independents; not because they agreed either with the doctrines

or discipline of those who were already called by that name, but because, like them, they were independent of other religious societies, and because they determined to act in religious matters for themselves uninfluenced by external control.

It was not until the year 1755, some twelve years after their commencement, that they adopted the Ordinance of Believers' Baptism, being led to that position by their reading of the scriptures; and it was not until 1760, in which year they divided into five groups of churches, that they became General Baptists in name as well as sentiments.

3. The large number of Witnesses who subscribed their names to the Marriage Covenant was probably in order to make impossible any question by malicious persecutors as to the validity of the marriage.

William Kendrick, as joint Ruling-Elder with Francis Smith over the Barton people, probably presided as the Minister for the occasion. His signature appears on the document in a ruled space immediately below those of Francis and Elizabeth Smith, where the name of the presiding minister and chief witness would be expected to appear.

Of the others—John Whyatt, Samuel Deacon, Joseph Donisthorpe, Nathaniel Pickering, and Abraham Booth were all preachers. Abraham Booth afterwards left them, becoming pastor of the Particular Baptist Church in Little Prescot Street, London.

Thomas Hutchinson introduced the preachers into Loughborough, and thus began the Baptist witness there. It was through conversation with him in the year 1764, that Dan Taylor became John Alvey that the cause at Kirkby-Woodhouse really began. Joseph Follows was an honoured family name connected with Castle Donington. Thomas Toone, Thomas Robinson, Will Earp, Robart Gregory, Samuel Harrison, Ralph Burrows, Joseph Holingworth, Thomas Tompson, and James Mitchell are all Melbourne names. Also Henry Morley. Joseph Donisthorpe, junior, needs no comment; while the names of Robert Cheslyn and Robert Bronn I have not been able to trace.

4. Their ideas concerning marriage. This was regarded as a solemn and serious undertaking, only to be embarked on after due notice of their intentions had been given to the Church, and with the Church's sanction. They had a high view of marriage as befitted their Christian witness and as was expressed in their home and family life.

Marriage was restricted among them to members of the Church. For many years marriages of members with those outside their communion were not welcomed; every effort was made to dissuade such unions, as being unscriptural and unwise. "Be

not unequally yoked with unbelievers. . . . " II. Cor. 6. 14. If such marriages were persisted in, the offending member was cited before the Church for remonstrance and discipline. Instances can be cited from the Melbourne Church Book which dates back to 1773.

There is a further point of connection here with the Quakers who likewise as far as possible restricted marriage to those among their adherents.

Indeed this question of marriage outside the community was an often debated issue among the Churches and at the Association Conferences and Meetings where the subject was brought in the form of a " case " for decision and guidance—particularly in the years 1782, 1793, and again as late as 1829[1]

In the Melbourne Church Book as early as June 1775, prior even to the discussion of the question in Association Meetings, a case of marriage of a member with " an excommunicated person who remained impenitent " caused consideration to be given to the subject, and to what was felt to be the guidance of the scriptures both of the Old and New Testaments in the matter, " and after mature thought thereon it was unanimously agreed by both ministers and people then present, that members so acting henceforward (except satisfactory proof is given to the Church of their being penitents) shall be excluded our fellowship."

It is interesting to note what these scriptures were. " Scripture that was Considered relating to the above affair was these following viz : Exodus 34. 16., Deut. 7. 39., I. Kings 11. 2., Ezra chaps. 9-10., Nehem. 10. 30., 13. 23-24., I. Cor. 7.39., II. Cor. 6. 14 to the end. Authority for Exclusion founded Chiefly on Acts 3. 22-23."

This marriage question agitated the Church many times. In December 1783, as several members had married outside the community, and as " it was expected it would be a growing practice and thought to have a pernitious tendency . . . the Minits of the Association held at Melbourne in 1782 was read, in which was a Case from Longford on the very Subject proposed and answered." It was " judged that the answers to the Quereys in the above Minits would be proper for a rule of the Churches Conduct respecting the above Case in futer time."

This view of marriage probably accounts in great measure for the fact of family inter-relationship which still persists, as for example, in Melbourne.

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[1] See *The Minutes of the General Assembly of General Baptists,* edited by Whitley : also Wood's *Condensed History of the General Baptists of the New Connexion,* p. 282.