

Non-Conformist Records

Introduction

Non-conformist baptism, marriage and burial registers are important sources used by family historians researching families in England and Wales. The records kept by non-conformist congregations are also a valuable source, when used together with Church of England parish records, for local history and demography, particularly in areas where non-conformity was strong.

Before civil registration of births, marriages and deaths commenced in July 1837, registers kept by non-conformist congregations, together with parish registers, are usually the only official documents which record these events in our ancestors' lives.

What were non-conformists?

Nonconformists were those who 'did not conform' - in other words, did not belong to the Church of England.

The Church of England was established when Henry VIII broke with the Pope and the Roman Catholic church in the 16th century. From that time, the monarch became head of the Church of England and except for a couple of occasions in the 16th and 17th century, the Church of England became the established religion.

However, it was not long before groups who disagreed with the beliefs and practices of the Church of England formed their own congregations. These groups – small at first - were referred to as dissenters or non-conformists. Initially they were persecuted and often had to meet in secret or go into exile. Any records of their congregations and their practices also had to be kept in secret. These groups might be Protestants (among these were the Presbyterians, Baptists, Methodists, Independents, Congregationalists and Quakers) or Roman Catholics. Over time, these non-conformist congregations acquired more rights, and became accepted. By 1851, a quarter of the English population were nonconformists.

Timeline of Non-conformist Records

- 1662 The Quaker Act - required Quakers to take the oaths of supremacy and allegiance
- 1662 Act of Uniformity - Ministers had to be episcopally ordained and accept the Book of Common Prayer
- 1664 Conventicle Act - No meetings for religious worship of more than five people were allowed, unless they were in accordance with the Book of Common Prayer, family groups excepted
- 1665 Five Mile Act - Ejected clergy were not allowed within five miles of a corporate town
- 1672 - 1673 Declaration of Indulgence - Suspended penal laws against non-conformists. Conventicles were allowed and non-conformist teachers could apply for a licence to teach
- 1673 Test Act - Those holding public office had to receive the sacrament, take the oaths of supremacy and allegiance, and make a declaration against transubstantiation
- 1689 Toleration Act - Conventicles became recognised congregations. Non-conformists were required to take the oath of allegiance to William and Mary, pay tithes, perform parish duties, accept the 39 articles, except those referring to the rites of the Church of England, the Books of Homilies, the orders of priesthood, and infant baptism, and also to make a profession of Christian belief

- 1778 & 1791 Catholic Relief Acts - Removed many of the penalties against Roman Catholics, such as the paying of double land tax. Catholic chapels were allowed if licensed
- 1829 Catholic Emancipation Act
- 1850 Restoration of Catholic Hierarchy
- 1837 Civil Registration - Marriages were now legal if they took place in an Anglican church or a register office. Non-conformist chapels could be licensed for marriages after they had been open for a year, but the registrar had to attend the wedding. Marriage Notice Books in each Registration District recorded notices of intention to marry in non-conformist chapels and churches.
- 1864 Registration of Burials Act - Burial registers had to be kept for all burial grounds
- 1898 Marriage Act - Chapels could appoint an authorised person, answerable to the Registrar General, to keep a set of duplicate marriage registers and act as a registrar of marriages
- 1840 Non-Parochial Registers Act - In 1836 a commission was appointed to circularise non-conformist chapels and survey existing registers. 3,650 volumes were authenticated and it was suggested that they be deposited with the Registrar General and made legal evidence. The Act gave the commissioners an extra year to collect the registers and make a catalogue of them, and the Registrar General was empowered to issue certified extracts from them. A second commission was set up in 1857, which collected in any registers overlooked in 1841, and a further catalogue was produced in 1858. Although most pre-1837 registers were surrendered, some chapels refused to do so and these registers can now be deposited at a local record office, in one of the non-conformist libraries, or in some cases, still be held in the chapel.

Those non-conformist registers which were surrendered are now held at the Public Record Office at Kew. Microfilm copies are at the Family Records Centre in London, and in Devon, there is a copy film in the Devon and Cornwall Record Society's Library at Devon Heritage Centre, Great Moor House, Exeter. Copy films can also be found at other family history research centres outside Devon and overseas. Most (but not all) of the registers are indexed on the International Genealogical Index, but even for those entries indexed, it is important to also look at the film of the original registers since they often contain more information than is given on the IGI.

Information on non-conformist denominations

Presbyterian, Unitarian, Congregationalist and Independent

These churches have their foundations in congregations which formed in the 17th century. Congregations were often fluid; a change in minister could alter the emphasis on different tenets of faith and could cause part of the congregation to split, and join, or found, another meeting elsewhere.

The history of the non-conformist chapels in Exeter illustrates this very well. For example, Castle Lane Meeting began as an Independent meeting in the late 17th century. It closed in 1730 and the congregation joined the United Dissenters at Bow Meeting. They separated from Bow Meeting in 1795 and moved to Castle Street Chapel; later they became a Congregational church, and are now the United Reformed Church in Southernhay, Exeter.

Baptism registers, where they survive, can cover a wide geographical area around each chapel. Members of the congregation sometimes travelled long distances to be able to attend one of these chapels, as there was not necessarily a chapel of their chosen denomination in their home village.

In 1753, Hardwicke's Marriage Act was passed, in an effort to regularise the solemnization of marriages. It was effective from January 1754, and had a great effect on non-conformist couples

wishing to marry. The Hardwicke's Marriage Act aimed at preventing clandestine and irregular marriages, and required that almost all couples had to be married in the parish church for the marriage to be deemed legal.

Couples belonging to these non-conformist denominations – Presbyterian, Unitarian, Independent and Congregational – therefore had to marry in a Church of England parish church between 1754 and June 1837, and their marriages are recorded in Church of England parish marriage registers.

The marriage was supposed to take place after banns had been called, in the home parish of one party, or else by licence. The marriage licence had to be obtained from the Bishop of the Diocese, or from one of his surrogates, and there was a fee to be paid.

Non-conformist couples often married by licence, as this could be obtained quickly and eliminated the need for banns to be called for three successive Sundays in a parish church they never normally attended.

The Marriage Act of 1836 permitted marriages to take place in nonconformist chapels from 1 July 1837, if they had been licensed to perform marriage ceremonies. However, notice had to be given to the Superintendent Registrar that a marriage was to take place, and a civil registrar also had to be present at the ceremony, in addition to the non-conformist minister performing the ceremony. A marriage register which the registrar brought with him, had to be completed and signed in his presence. This situation did not change until 1898. From this date, the ministers of these denominations could perform marriages and keep their own marriage registers.

Burials usually took place in Church of England (Anglican) churchyards, until the cities and larger towns and villages founded their own civil cemeteries. However, there were sometimes disputes about the burial of non-conformists in Anglican parish churchyards. A few non-conformist chapels therefore opened their own burying grounds.

If there was a civil cemetery in existence in a large village, town or city, many non-conformists chose to be buried there. These cemeteries had separate sections for the burial of Anglicans and non-conformists, and in Devon most were opened from the mid-19th century.

In 1880 the burial of non-conformists by their own ministers in Anglican churchyards was finally permitted by law, and permission to be buried in the parish churchyard could no longer be refused. Some non-conformist burial grounds which had existed were closed at this time. Records of burials in non-conformist burial grounds do not always survive, even if they were once kept by the congregation. There are, however, surviving burial registers dating from the 18th century for some of the non-conformist congregations in Exeter. In London, dissenters had their own large burial ground at Bunhill Fields, which was opened in 1665. A number of non-conformist groups used this burying ground. Surviving Bunhill Fields burial registers date from 1715 and are now at The National Archives.

Methodists

This movement began as an evangelical revival in the Church of England (Anglican) church. At first, members attended the parish church on Sundays, and were baptised, married and buried by Anglican clergy, while going to preaching services at the chapel in the week. But by the end of the 18th century, Methodists had split away from the Anglican church and many Methodist children were only baptised in their own chapels.

The Methodist movement itself split into various factions, following the lead of different preachers. The Wesleyan and Bible Christian connexions were the two most popular in the West Country. The Bible Christian movement was particularly strong in the West Country. It was started by William

O'Bryan, a preacher from Luxulyan, Cornwall, and from its foundation in Shebbear, Devon, it quickly spread throughout North Devon and Cornwall. The various Methodist churches combined into fewer groups in the 20th century. In 1907 the Methodist New Connection and the Bible Christians combined with the United Methodist Free Church to form the United Methodist Church, and in 1932 this combined with the Wesleyan Methodists and the Primitive Methodists to become the Methodist Church.

Methodist couples had to marry in a Church of England parish church between 1754 and June 1837, and their marriages are therefore recorded in Church of England parish marriage registers.

The Marriage Act of 1836 permitted marriages to take place in nonconformist chapels from 1 July 1837, if they had been licensed to perform marriage ceremonies. Methodist marriage registers may date from 1837, if the chapel was licensed as a place of marriage. However, as for other non-conformist marriages, notice had to be given to the Superintendent Registrar that a marriage was to take place, and a civil registrar also had to be present at the ceremony, in addition to the non-conformist minister performing the ceremony. A marriage register which the registrar brought with him, had to be completed and signed in his presence. This situation did not change until 1898. From this date, Methodist ministers could perform marriages and keep their own marriage registers.

Methodist chapels are organised into circuits. The Methodist preacher usually travelled long distances around the circuit, baptising children in local chapels, or in private homes where no chapel had been built. Baptism registers may date from the 1790's. While each chapel kept its own marriage register from 1837, baptisms were entered into one register for the whole circuit as well as into chapel registers. Therefore, for some Methodist congregations, two records of a child's baptism will still survive.

Before civil registration, Methodists had their own Metropolitan Registry of Births and Baptisms in London. This was opened in 1818. Between 1818 and 1841, 10,000 births from all over the country including Devon, were registered there.

Burials usually took place in Church of England (Anglican) churchyards, until the cities and larger towns and villages founded their own civil cemeteries. Methodist burial registers are rare because Methodists did not usually have their own burial grounds. However, the Mint Methodist Chapel (Exeter) burials survive from 1818-1829. If there was a civil cemetery in existence in a large village, town or city, Methodists sometimes chose to be buried there. These cemeteries had separate sections for the burial of Anglicans and non-conformists, and in Devon most were opened from the mid-19th century.

In 1880 the burial of Methodists and other non-conformists in Anglican churchyards, by their own ministers, was finally permitted by law.

Quakers (Society of Friends)

The Quakers were founded by George Fox in the 17th century. They did not believe in an ordained ministry, sacraments, formal church services or church buildings, and refused to take oaths or pay tithes. However, they were always good at keeping records, especially records of "Sufferings", the persecutions inflicted because of their beliefs.

In 1656 George Fox asked the Friends in each meeting to buy books for registering births, marriages and deaths. The registration system was improved in 1776 when printed registers were introduced. The Friends submitted all their registers so that they could be authenticated by the Non-Parochial Registers Commissioners as legal proof of birth and descent in 1840 and 1857. However they collected them all first in London and copied and indexed them in 85 volumes. One copy remains in Friends

House, and a second copy was sent to the relevant Quarterly Meeting. In 1860, it was decided that a digest of all births, marriages and deaths be preserved in London for the years 1837 to 1859, and from then on, an annual digest was made. The digest of births was discontinued in 1959 when it was decided not to have birthright membership any longer.

Quaker Births

Women were responsible for registering their children's births. Two copies of the birth note were written out and both were signed by the registrar at the Monthly Meeting and copied into the register. One copy was then given back to the parents and the second sent to the Quarterly Meeting for filing. After 1837, when civil registration was introduced, this form of birth registration ended. Parents of children entitled to membership completed a birth note which was produced at the Monthly Meeting, a minute made, and the note passed to the Friend in charge of the list of members. Parents often put birth announcements in "The Friend" magazine, and the list of births in this magazine is more complete than the annual digests.

Quaker Marriages

In 1753, when Hardwicke's Marriage Act was passed, in an effort to regularise the solemnization of marriages, and marriages had to be performed and recorded in a parish church to be deemed legal, Quakers and Jews were exempt from this ruling. This was because their own record keeping was so good. They were able to keep their own separate registers and carry on performing and recording their own marriages under the Act.

Marriage in a church was not approved by Quakers, and a Friend who married there was disowned. Friends were more strict about observing degrees of kinship than Anglicans, and until 1883, marriage between first cousins was not allowed. Marriage by Quaker usage of a Friend to a non-Friend was not permitted until 1859.

Two people wishing to marry had to appear both at the women's meeting and at the men's meeting with parents, grandparents, guardians and friends to give their consent. At the next Monthly Meeting, two enquirers testified that the couple were free to marry and were Friends of the Truth. At the next Meeting, the couple were given permission to marry.

The wedding took place at a mid-week meeting for worship. Both parties made a declaration of their intentions, which was written on the certificate and this was signed by the people present at the Meeting. The certificate was copied into the register at the Monthly Meeting. After 1794, however, books of abstracts of certificates were kept by both the Monthly and the Quarterly Meetings.

From 1837 onwards, Friends adopted the civil marriage registers and one person in each Meeting was made responsible for their upkeep.

Burials

The first Quakers were buried in the parish churchyard or in their own gardens or orchards, but by the end of the 17th century, most meeting-houses had their own graveyard. When a Friend died, a burial note was issued to the grave-maker, and after burial the note was returned to the Monthly Meeting and entered in the register. It was then passed on to the Monthly Meeting to which the deceased belonged, if it was different. Every year, the notes were sent to the Quarterly Meeting and registered there. After 1837, this burial system ended, but burial notes were still issued and a minute recording name and date of death recorded at the Monthly Meeting.

The recording of burials was affected by the Burial in Woollens Acts of 1667 and 1678 which required that deceased persons were buried in a woollen shroud. An affidavit had to be sworn at, or shortly after, the burial, to this effect. The Friends were very law-abiding, and complied with the Burial in

Woollens Act; therefore, parish burial registers may contain a note that Quakers have made an affidavit, even though the deceased person was not buried in the churchyard.

The use of head-stones in Friends' burial grounds was denounced by the Yearly Meeting in 1717, which meant that Friends' graves should be unmarked, although in practice this was often not the case. After the 1864 Act, Friends began to keep a separate burial register for each burial ground.

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