

THE BOURNES AND THE PRIMITIVE METHODIST DEED POLL

Some Unpublished Documents

IN his recent Wesley Historical Society Lecture, *Methodist Preaching Houses and the Law*, the Rev. E. Benson Perkins has described the gradual realization of the need for the careful legal settlement of Methodist places of worship, and in a comparative table of Methodist Model Deeds has underlined the essential similarity of the legal structure of all branches of British Methodism. Primitive Methodism is no exception.

Hugh Bourne was the chief architect of Primitive Methodist polity, and some letters in the W. L. Watkinson Collection bequeathed to the New Room, Bristol, enable us to throw new light on the early history of the Primitive Methodist Deed Poll. As Mr. Perkins points out, the Primitive Methodist Deed Poll was executed in 1830. Hugh Bourne had instigated preliminary negotiations some years earlier, however, though very little is known of their history. At the third Conference, that held at Loughborough in 1822, it was agreed:

That a general committee be chosen, and a deed poll be made in order to legalize the connexion, and secure its chapels. . . . That W. Bond, E. Taylor, R. Jackson, M. Scafe, and J. Thomson be appointed to see after the execution of the deed poll.¹

These resolutions proved abortive, however, apparently owing in part to the unsettled state of the Connexion, and in part to the unsuitability of the committee. The project seems to have been taken over by the "General Committees", of which two were appointed in 1823, with their headquarters at Tunstall and Hull, the "corresponding members" being Richard Jackson at Hull and James Bourne at Tunstall. In 1824 the Tunstall General Committee took precedence, and the functions of the General Committees were more clearly outlined. In effect they were to "attend to the management of general concerns, between the annual meetings". Their work resulted in clear proposals brought to the 1825 Conference, whose *Minutes* record:

DEED OF SETTLEMENT.

Q.24. What are the resolutions of the Annual Meeting or Conference respecting a Deed of Settlement?

A. 1. That it is necessary and proper for the Primitive Methodist Connexion to be legalized or settled by a Deed of Declaration or Settlement, to be enrolled in his Majesty's high court of chancery; and that such Deed be executed and enrolled as soon as possible.

2. Resolved that Hugh Bourne, James Bourne, William Clowes, and

¹ *Minutes of the Annual Meeting, held at Loughborough . . . 1822*, p. 2. H. B. Kendall, *The Origin and History of the Primitive Methodist Church*, i, p. 438f, wrongly dates the Conference as 1823.

James Steele, be hereby appointed to be the Committee to make, sign, and execute, such Deed of Declaration or Settlement.

3. Resolved that twelve persons be appointed in and by the Deed of Declaration to be and continue to be permanent members of the Annual Meeting or Conference of the Primitive Methodist Connexion. Four of these to be of such ministers of the gospel, in and of the said connexion, and [as?] are employed as itinerant or travelling preachers. The other eight to be chosen out of three distinct offices in and of the said connexion, namely that they be of such as sustain the office of class leaders, or the office of circuit stewards, or that they be such ministers of the gospel as sustain the office of local preachers, or preachers sustaining a local ministry in the said connexion. And that provision be made for perpetuating the number of twelve permanent members in the Conference of the said Primitive Methodist Connexion.²

The committee did its work, and presented a deed to the 1826 Conference, where various modifications were suggested. The matter was then left in abeyance owing to connexional disturbances, for it seemed quite possible that Primitive Methodism might cease to exist. Eventually, these troubles over, the Deed Poll, still further modified, was accepted by the Scotter Conference of 1829, signed on 5th February 1830, enrolled in Chancery five days later, approved by the Leicester Conference in 1831, and finally printed in 1837. It had been a long and arduous passage for the document establishing the legal identity of Primitive Methodism. Hugh Bourne was mainly responsible both for the origination, planning, and even format of the Deed Poll, but it was not his fault that innumerable delays attended its progress. Legal advice was given by "several eminent lawyers", including apparently Mr. John Wilks of London (1765?-1854), son of the Rev. Matthew Wilks, minister of Whitefield's Tabernacle. Wilks told William Clowes that Hugh Bourne reminded him of George Fox, and after examining Bourne's draft of the document paid testimony to his "strong mind and great legislative talents".³

In effect the issue was decided by the negotiations of the committee acting between the Conferences of 1824 and 1825. It is upon these negotiations that the documents in the Watkinson Collection throw new light. Two are brief letters from James Bourne, the Tunstall correspondent, to members of a sub-committee at Hull, communicated through the Hull correspondent, Richard Jackson. The third is by Hugh Bourne himself, being a rough draft of the most interesting part of the Deed Poll. We reproduce them in full.⁴ In the first letter we notice not only Bourne's conference with Wilks, but their consideration of the idea of having a "Legal Hundred" on the Wesleyan pattern—though not without first glancing at Methodist New Connexion practice—though as yet that body had no Deed Poll:

² *Large Minutes of the Sunderland Conference, 1825*, p. 9.

³ H. B. Kendall, *op. cit.*, i, p. 438-9; *Dictionary of National Biography*, article "John Wilks"; W. Antliff, *Life of the Venerable Hugh Bourne* (1872), p. 317.

⁴ Watkinson Collection, vol. iv, folios 678, 679.

Bemersley Novr. 26 1824.

To Brs. Taylor & Rodgers.
Dr. Bn.

From Novr. 15 to 20 H. Bourne and Wm. Clowes waited on Mr. Wilks at London, perhaps the greatest religious Lawyer in England. He has just executed a Deed poll for the Welch Methodists.

He says our Deed poll may be done like the old Methodists—or to have a fluctuating Annual Meeting or else to have a few named permanently say 3, 6, 9, 12, 15, or 18, as members of the Annual Meeting, the rest to be elected in the usual way. This method he thinks the best as it will secure the advantages of the other 2 ways without their difficulties.

The permanent members to be removed if they act unworthily, and their places to be filled up with others.

Yours in the Lord,

JAMES BOURNE.

P.S. Write your opinion on the above and send it as speedily as possible.

P.S. W. Clowes thinks the last mentioned way the best.

On this Committee at Hull are E. Taylor—W. Rodgers and W. Clowes.

Send the Deed of the New Connexion by Wm. Clowes and send Magazine matter by him.

The letter was addressed:

Mr. Wm. Rodgers
to be left with
Mr. Richd Jackson
Union Street
Waterhouse lane

Post) Hull
Paid) Yorkshire.

The second letter bore the same superscription and address. Previous correspondence had settled the general principle that there was to be neither a "legal hundred" nor a Conference whose members might fluctuate unduly; continuity was to be secured by appointing permanent members. The next questions to decide were, "How many?" and "How chosen?"

Dr. Brethren,

The first Question being unanimously Decided, for a number of permanent members, the next Questions are

1. What shall be the number?
2. How shall they be elected?

The number you know, must be by threes as 3 or 6 or 9 or 12 or 15 &c.

Some have proposed to elect them by Seniority of membership in the Connexion, electing those who have borne the office of delegates, and against whose Conduct in the Connexion no reasonable objection can be taken. But you must entirely make up your opinion from your own Judgment.

Some have thought that 3 or 6 would be too few, but in this you must judge for yourselves.

Write your opinions as soon as you conveniently can.

Yours in the Lord

Bemersley

Decr. 30, 1824.

JAMES BOURNE.

We directed this to Br. Rodgers lest Br. Taylor should be out.

Overleaf is the note:

To Mr. Richd. Jackson.

Dr. Brother,

I recd your Draft £68 19 2 and shall send the goods immediately.

J. BOURNE.

Dec. 30, 1824.

Endorsed on the cover is:

28 members

12 go every year

200 Children's Magazines to be sent for to Book Room for this year 1825.

The number which first commended itself was forty-eight, of whom a select group of twelve were to attend every Conference and also act as a kind of General Purposes Committee, thus taking over the functions of the Tunstall General Committee. The letter by Hugh Bourne now to be presented shows him grappling with the various difficulties involved. It seems to have been the draft of a letter for William Clowes or William Rodgers, and we reproduce it complete with erasures:

Hull. 17th Jany. 1825.

Dear Brother,

In answer to your letter on the subject of the Deed Poll I have to inform you that Brother Taylor & myself think 48 would be the best Number, 12 of those to be chose at each District Meeting out of the most eligible men to be found in the district. We also think that 12 of those (viz of the 48) should attend every Annual Meeting, that is 3 from each district to be chosen in like Manner at every the several district Meetings annually. And should it be likely to be satisfactory to the connexion we think that the 12 to be chosen Annually out of the 48, with 36 others (chosen in like Manner without respect to their being of the 48 or not) should compose the Annual Meeting & that they should have no power to make laws to affect the connexion unless they had first passed the district meetings, or probably that they should not make laws to affect any part of the connexion but the District or Districts that they had passed, until the ensuing District & Annual Meetings, when they should be made binding on the connexion or be done away with.

+ (But it may be doubtful whether the different Circuits will be satisfied without having the privilege of sending a Delegate to the Annual Meeting) but if so, then it will make no difference respecting the 12 attending the Annual Meeting. We also think that the number 36 might be increased to any other stated No. if it shall be tho't necessary—Also that the 12 who shall attend the Annual Meeting as part of the 48 should be considered as the Committee for guarding the privileges of the Connexion untill the Annual Meeting following+ And whether the Connexion will be divided into 4 Districts only, & if not whether the new districts will be satisfied if they have not a

power of choosing some part of the 48 to attend the Annual Meeting, & if they should have that power whether it would not be binding the Connexion too much to the 48, as there No. Perhaps could not be increased conveniently— With respect to the 1st Ment[ion]ed doubt it is perhaps impossible to be removed at present—& respecting the No. of Districts, should they be increased I see no particular disadvantage under which they could labour by not being able to chose any of the 48 to attend the Annual Meeting, as the 12 of them who did attend would have no superior power to the other Members & of course the No. 36 would be increased, to that they would have unrepresentation in the District Meeting with the senior districts— And the No. 12 would still perhaps be the best, & the way Men[tion]ed for choosing them the best that can at present be adopted.

Would it not be better when you write on those subjects to let us know your opinion & your reasons as we might perhaps be assisted in forming ours, & point out what we think objectionable in yours if we should happen not to agree with you.

I remain &c.

This letter is endorsed "Hugh Bourne/17 Janyr 1825/Deed poll."

Thus there was envisaged a nucleus of forty-eight Deed Poll members of Conference, of whom twelve should attend each year. Eventually, as we have seen from the 1825 *Minutes*, the idea of forty-eight was dropped, but the twelve remained, to constitute the heart of successive Conferences. The 1826 Conference directed that "the Deed of Settlement read in the Conference be accepted; and that the committee formed last year do carry it into effect as speedily as possible". When the matter was eventually completed there were only twelve permanent members of the Conference, four "ministers of the gospel" and eight laymen. All were appointed for life, though they might be displaced for various reasons. Two of the ministers, however, and one layman, were in the unique position of being undisplaceable. These were Hugh Bourne, William Clowes, and "James Bourne of Bemersley aforesaid, Printer". The other two ministers were Samson Turner and John Garner. The laymen represented both different areas and different occupations:

John Hancock,	Tunstall, engraver
Richard Odlin,	Blyton, Lincoln, farmer
George Taylor,	Brindley, Chester, farmer
David Bowen,	Darlaston, Stafford, bridle-bit-maker
Thomas Sugden,	Manchester, confectioner
Ralph Waller,	Mellor, Derby, cotton spinner
John Gordon Black,	Sunderland, linen manufacturer.

These "Deed Poll members" first took their seats as such in the Bradford Conference of 1832. For a hundred years, until Methodist Union in 1932, the Deed Poll preserved both a legal constitution and continuity of policy for Primitive Methodism. We salute its architect-in-chief, Hugh Bourne.

FRANK BAKER.

In *A Clue to Wesley's Sermons* (Epworth Press, pp. 44, 2s.), Dr. C. Leslie Mitton seeks to elucidate the essential evangelical message contained in the eighteen sermons prescribed for local preachers' studies, of which message each sermon is only a part.