

## PARISH REGISTERS and REGISTRATION

Until the Reformation almost everyone in England was baptised, married or buried in the catholic faith. Save for a few of the aristocracy, whose entry into the world might have been recorded in the books of a monastery, the events of the ordinary man went unrecorded. Following the Act of Supremacy in 1534, when Henry VIII broke with Rome and declared himself head of the Church of England, Thomas CROMWELL was charged with setting up a national system for recording baptisms, marriages and burials. After a false start in 1536 a mandate of 5<sup>th</sup> September 1538 saw the establishment of parish registers. Registers were to be entered up weekly and record the baptisms, marriages and burials that took place in a parish. In the absence of guidance some registers consisted of loose sheets of paper or paper books with the three types of event recorded together in the briefest of detail. In 1555 bishops were given the responsibility of ensuring that sponsors' (god-parents') names were shown with baptism entries but this ended with Queen Mary's death and the accession to the throne of Elizabeth in 1558. Through the centuries that followed there were always influences that resulted in events not being registered. Some of these influences are explained below.

A serious attempt was made to improve record keeping by an order of 25<sup>th</sup> October 1597 (signed by Elizabeth in 1598). This directed that the contents of old paper books from 1558 onwards (or back to the beginning if the incumbent preferred) should be copied into new parchment registers. Needless to say copying errors occurred. Furthermore, from 1598 a copy of each year's register entries was to be sent to the Bishop's Registry as a precaution against forgery and to provide a second copy if anything happened to the parish register. Only a small percentage of surviving parish registers date back to 1538; more date back to 1558, whilst most start later. Many 16<sup>th</sup> and 17<sup>th</sup> century entries were written in latin.

During the Civil War and in the Commonwealth that followed, many of the activities of the Church were suspended, vicars were ejected and in some parishes church fittings and registers were destroyed. Between 1645 and 1660 many people did not have their children baptized because they disapproved of the changed rites under the Commonwealth. One benefit for researchers was that dates of birth with parents' names and dates of death had to be recorded with baptism and burial entries during that period.

On 22<sup>nd</sup> September 1653 the duty of parish registration was transferred from the incumbent to a layman called a parish Register (Registrar), who was elected by the parish ratepayers. A fee of one shilling was charged for each registration, which was a big disincentive and resulted in many births not being recorded. After the Restoration in 1660 the clergy resumed their full duties and many unchristened babies were baptized as older children, according to the pre-Commonwealth procedures. Dates of birth and death were no longer recorded. An Act of 29<sup>th</sup> September 1654 legalised civil marriages and transferred responsibility for their performance to a Justice of the Peace. Some devout couples could not accept this and found some member of the clergy or an ejected Anglican minister to marry them. In the latter circumstances the event may never have been recorded. The calling of banns or proclamation of intended marriage repeated three times at weekly intervals in the bride and groom's parish churches, had it's origins as far back as 1215 and was an essential part of a legal marriage. During the Commonwealth, notices of intention of marriage were similarly published, either in the market place or in the parish church after the "morning exercise".

From the early 16th century it was possible to avoid the calling of banns and its obvious publicity by getting a Marriage Licence. This was normally obtained from the Chancellor of the Diocese on payment of a fee. The application for a licence comprised an Allegation, setting out the various particulars of the parties, accompanied by an oath that there was no lawful impediment to the marriage and, if either party was under age, the consent of the appropriate parent. A Bond, to forfeit a sum of money if the proposed marriage was found to be illegal, was commonly required and this might be entered into by the bridegroom (but not necessarily) and a close friend or relative. The licence frequently specified more than one choice of venue and prior to the ceremony the applicant would hand the licence to the incumbent of the church where the marriage was to take place. Generally speaking it was usually the more affluent people, who could afford the fee and did not want the common folk to know their business at the calling of banns, who married by licence. However, at the other end of the spectrum parish Overseers might apply and pay for a licence for a pauper couple to marry in a hurry, if it avoided a bastardy.

Acts of 1666 and 1678, designed to boost the wool trade, laid down that bodies were to be wrapped in wool prior to burial. Relatives were required to swear an affidavit of compliance or else pay a fine. These Acts were not repealed until 1814 but had been largely ignored long before then. In the latter part of the seventeenth century many children were baptized by dissenting ministers and not recorded. In 1694 it was made compulsory to notify every birth to the Anglican minister, under penalty of a fine. In addition a tax was charged for registration plus a fee of 6d. payable to the incumbent. Similarly a fee was charged for burials. This was

repealed in 1706. From 1698 to 1703 a tax of 2s 6d was charged on the registration of each marriage, which deterred some of the poor from marrying in church. Marriage by affirmation before witnesses, but without any ecclesiastical rites, had long been recognised as valid in law. Taxes on marriage only exacerbated a growing trend towards clandestine marriages, which were not recorded in registers.

Lord HARDWICKE's Act *for the Better Preventing of Clandestine Marriages* took effect from 25<sup>th</sup> March 1754. Thenceforth marriages were only legal if performed in a licensed building, which meant in effect an Anglican church or chapel. Quakers and Jews were exempted from this ruling. HARDWICKE further provided that separate marriage registers should be kept and that marriage entries should show the marital status and parish of residence of the parties, be signed by the parties, two or more witnesses and the officiating minister and state whether the marriage was by licence or after banns. Registers of numbered and pre-printed forms with space for this information were introduced at this time. It was also ordered that Banns Books should be kept. Prior to 1754 couples were free to marry in any church they fancied. After 1754 they could only marry by banns in the home parish of one of the parties. To marry in any other church within the same diocese required a licence or a special licence from the archbishop if marrying in a parish outside their diocese but within the same see (archdiocese). It was more usual for a marriage to take place in the bride's parish church and this custom pertains today. To prove that banns had been called, a certificate to that effect would be sent to the incumbent of the parish where the marriage was to take place, by the minister of the other church where banns were called.

The Stamp Act of 1783 caused a duty of 3d. to be charged on all registrations and this had a similar effect on the number of events registered as similar Acts. The Act was repealed in 1794. Pauper burials were exempt from payment of the duty and such burials were normally highlighted in burial registers.

George ROSES's Act of 1812 sought to regulate the recording of baptisms and burials in the same way that HARDWICKE set the pattern for marriages. As from 1<sup>st</sup> January 1813 baptisms and burials had to be recorded in separate books, which were pre-printed with appropriate columns. Baptism Registers had columns for When Baptized, Child's Christian Name, Parents Christian and Surname, Abode, Trade and By whom the Ceremony was performed. Burial Registers had columns for Name, Abode, When buried, Age and By whom the Ceremony was performed. The same format is used to this day.

Before 1835 marriage with a deceased wife's sister had been legal but against the canons of the church. The 1835 Marriage Act made such marriages illegal although existing ones were recognised as legal. This illogical Act was frequently ignored and finally repealed under the Deceased Wife's Sister Marriage Act of 1907.

The Births and Deaths Registration Act of 1836 saw the country divided into registration districts, which initially were the same as the Poor Law Unions. From 1<sup>st</sup> July 1837 Births and Deaths were notified to the local Registrar, who submitted copies to a Superintendent Registrar for the district, who submitted copies each quarter to the Registrar General in London. Baptisms and Burials were a completely separate issue and these were recorded in parish registers as before. The Marriage Act of 1836 brought major changes. The clergy continued to perform marriages in parish churches but from 1<sup>st</sup> July 1837 non-conformist churches could also apply for licences to perform marriages and Register Offices were established for performing civil weddings. For church weddings marriage certificate were made out in triplicate, with one copy for the bride and groom, one for the registrar and the third formed part of the marriage register. The information supplied was more comprehensive than hitherto with columns for When Married, and for each party Name, Surname, Age, Condition (e.g. bachelor, widower), Rank or profession, Residence, and Father's Name, Surname and Rank or Profession. In addition the parties, witnesses and officiating minister signed and whether married by Licence, Banns or Certificate was stated. Rather surprisingly civil registration was not made compulsory until 1874 and some births were never recorded. Death certificates were required to be produced before a body could be buried.

Until 1929, when the age limit was raised to 16, a girl could marry legally at the age of 12 and a boy at 14, provided that their parents' consent was given.

### **CHANGE in the CALENDAR**

Prior to 1752 England operated according to the Julian Calendar, which was instituted by Julius Caesar in 46 BC and had a fixed number of days in each year. The year began on 25th March, which was supposed to be the first day on which the world was created and the day Christ was conceived in the womb of the Virgin Mary (not that Julius Caesar would have known!). Thus, September, October, November and December were derived from the latin for the 7th, 8th, 9th and 10th months of the year.

As the centuries passed it was noticed that the seasons were gradually slipping. In 1582 the length of the year was more accurately calculated and the Gregorian Calendar (named after Pope Gregory XIII) was introduced in Catholic countries, which included Scotland. Leap years were incorporated in the new calendar to overcome the fact that a year was actually nearly  $365\frac{1}{4}$  days long. In addition it was decided that the year should begin on 1st January.

Henry VIII was responsible for England ceasing to be a catholic country and for 170 years we continued to use the Julian Calendar, which was somewhat inconvenient, when near neighbours Scotland and France and other countries with whom we traded, used a different calendar. In 1751 England finally adopted the Gregorian Calendar, which we use today. The year 1751 was a short one in England, running from 25th March to 31st December. 1752, which began on 1st January, was also a short year for a different reason. Without leap years, a difference of 11 days had accumulated between the two calendars and to bring England into line it was necessary for us to advance 11 days. The change was made in September 1752, when September 14th followed September 2<sup>nd</sup>; the 3rd to the 13th of September 1752 never existed. This was too much for the Treasury, who just added 11 days to the country's old style year end of 24th March and adopted the all too familiar fiscal or tax year end of 5th April.

In Parish Registers prior to 1752 one finds, for example, that the day following 31st December 1749 is 1st January 1749, not 1st January 1750. In anticipation of a changing calendar some clerks wrote dates between 1st January and 24th March as 1st January 1750/51 etc. to make it absolutely clear what was intended. Modern historians transcribing dates prior to 1751 also follow this way of writing the year. Quakers would not use names of months derived from heathen gods and goddesses so in both speech and in writing would refer, for instance, to January 1750/1 as the 11<sup>th</sup> month 1750 and January 1752 as the 1<sup>st</sup> month 1752.