



Week 3: Part 1: Scottish Civil Birth, Marriage and Death Records

Civil Registration in Scotland

The system was started with the Registration of Births, Deaths and Marriages (Scotland) Act 1854. It created the **General Register Office for Scotland** (GROS) and a network of local Registrars under a Registrar General.

Compulsory civil registration started on 1 January 1855.

Registration was free and false registration could be punished by imprisonment or transport to the colonies.

Registration Districts

1855 – 1,027 Registration Districts (RD) were created. The boundaries were usually the same as parish boundaries but a few parishes were divided in half – Burgh (urban) and Landward (rural).

1892/3 – many boundaries changed due to the Local Government (Scotland) Act 1889.

By 1994 the number of RD was reduced to 360 due to closure of Registrar offices and amalgamation.

Civil Registration's Role

- Gives name & identity within society
- Offers a facility for Marriage & Civil Partnership
- Gives evidence of parentage
- Gives evidence of entitlement to inheritance
- Facilitates delivery of benefits and Government services

Records kept by GROS

- Old Parochial Records (OPR) 1553 - 1854
- Births, Deaths & Marriages 1855 to date
- Adopted Children Register 1930 to date
- Gender Recognition Register 2005 to date
- Divorce Records 1984 to date
- Civil Partnership Register 2005 to date
- CP Dissolutions 2005 to date
- Minor Records (air, sea, foreign)
- Available Census Records 1841 -1911

Keeping of the Registers

- Registers kept in duplicate, one copy held by local registrars, one sent to the Registrar General.
- New Register House built in 1861 to house registers and as a place for the public to view them.
- An Examiner would check the local books once a year, and still does (except in far flung districts – Fair Isle was visited every 5 years), to report on the quality of the entries in Registers and also on the character and conduct of local Registrars.

1855 Records

- The 1854 Act specified the details to be entered into the register. Fuller details were recorded than in England.
- A great deal of information was asked for to begin with and it was realised that too much was being asked of the registrars.
- An Amending Act was passed to reduce the detail of information recorded.

1855 Records

1855 birth registers include:

- Parental ages and birthplaces
- Number of other children of parents

1855 death registers include:

- Place of birth of deceased
- Length of stay in district where death took place
- Names and ages of any children
- Place of burial and name of undertaker

1855 marriage registers include:

- Birthplaces of bride and groom
- Number of children by former marriages

Birth Records

Information contained:

- Surname
- First name
- Year, day of month and hour of birth
- Place of birth, including street and house number
- Sex
- Father's names, rank, occupation
- Mother's names, maiden & former married name(s)
- Date and place of marriage (except between 1856-1860)
- Signature, designation and residence of informant
- Date entry was made and signature of Registrar

Stillborn Children

Since 1939, there has been a separate register for stillbirths. It is closed to the public and 'extracts are issued only in exceptional circumstances.'

Pre-1939, stillbirths were not recorded in either the birth or death registers. However, children who breathed for only moments were recorded in both.

Illegitimacy

An illegitimate child would usually have its mother's surname at birth. However, it may not have been known by the same surname in later life.

It could only have its father's surname at birth if both father and mother requested it and both signed the register as informants of the birth.

If the child was later legitimated by the marriage of its parents, then that fact was noted in the margin of the birth entry.

Illegitimacy was until 1919 recorded on a person's birth registration entry.

Adoption

Adoption was not legally recognised in Scotland until 1930.

Informal adoptions were often not recorded but where one was known, the local registrar might record the matter.

The Adopted Children Register runs from 1930 but contains no information on persons born before October 1909. Extracts from this register can be requested from GROS.

The link between a birth entry and an adoption entry is kept strictly confidential. If you are the person in question you can request this information.

Marriage Registration

Registration of two forms of marriage was provided for in the **1854 Registration Act**:

- Religious (Christian, Jewish & Quakers only)
- Irregular marriages could be registered if their existence had been established by a court of law. This included hand-fasting or mutual declaration in front of witnesses.

The Church of Scotland opposed further marriage reform, including the formation of civil marriages.

Marriage (Scotland) Act 1939

Created civil marriages by registrar. Brought the end of irregular marriage (except marriage by cohabitation with habit & repute, which was abolished by Family Law (S) Act in 2006).

Marriage Records

Information contained:

- Year, day of month, place and mode of celebration
- Names of parties
- Rank, profession or occupation

- Relationship (if related)
- Condition (bachelor, spinster, widow or widower)
- Ages of parties
- Usual residences of parties
- Names of parents and rank, occupation or profession of fathers
- Signature of officiating minister and at least two witnesses
- Date of registration and signature of registrar

Divorce Records

The National Records of Scotland (NRS) holds most divorce proceedings.

Cases from 1830/35-1984 are listed in the online catalogue and can be searched by party name. You can read the court processes by requesting the documents from West Register House in advance of your visit, unless they are restricted – check with NRS beforehand. New Data Protection restrictions were imposed in late 2015, but for more recent events you should still be able at least to establish names and the fact of the event from the catalogue.

A register of divorces 1984-present has been kept by the GROS. The Register is indexed alphabetically and the index can still be consulted in the ScotlandsPeople centres. From 1984, the vast majority of divorce cases have been heard in sheriff courts rather than the Court of Session. Sheriff Court records are not transferred to the NRS until they are at least 25 years old but any records that have been transferred will be on their online catalogue.

You can find a research guide on accessing Scottish divorce records at:
<http://www.nrscotland.gov.uk/research/guides/divorce-records>

Death Registration

Information contained:

- Names of deceased
- Rank, profession or occupation (for married women, usually only spouse's)
- Condition and names of any spouses, occupation of husband(s)
- Year, day of month and hour when death took place
- Name of place of death
- Sex
- Age
- Names, rank, profession or occupation of parents
- Cause of death
- Signature and qualification (relation) of informant
- Date of registration and signature of registrar

Death Record Problems

The informant may not have known certain information such as:

- Names of parents of deceased.
- Occupations of parents or of deceased.

Age – if there was no written proof, then the age stated was accepted.

Informants were usually members of the family so younger relations may not have known information. Take information with a grain of salt.

Register of Corrected Entries (RCE)

If, after an entry in a register had been completed, an error was discovered or some other amendment was required, the original entry could not be altered. Instead, each registrar kept a register of corrected entries in which such amendments were written.

- Corrections to birth entries might be to name, residence, identity, or as a result of a sheriff's finding in a paternity case, with the father's name being added as directed by the sheriff, or as a result of an illegitimate child being legitimised by its parents' subsequent marriage.
- Corrections to marriage entries might relate to name, residence or identity, bigamy or divorce.
- Corrections to death entries might relate to sudden or accidental death.

Minor Records

These are records dealing with births, deaths and marriages that have taken place abroad where it appears that one of the child's parents, or the deceased person, was usually resident in Scotland.

- Air Register of births and deaths **1948 - current**
- Consular Returns **1914 – current**
- High Commissioner's Returns **1964 – current**
- Marine Registers of births and deaths **1855 – current**
- Registered events in foreign countries **1860 – 1965**
- Service Returns **1881 – 1959** (These include Army returns of deaths of Scottish persons at military stations abroad (1881-1959).)
- War Returns **1899 – current** (These include service death records for WWI and WWII)
- Foreign marriages without the presence of a British consular officer **1947 – current**
- Marriages solemnised by army chaplains **1892 - current**

Finding Scottish BMD Records

LDS (Mormon) Family History Centres have:

Microfilm copies of Scottish civil birth, marriage, and death records for the years 1855 to 1875, 1881, and 1891.

The civil registration indexes for the years 1855 to 1955 have been microfilmed. These indexes are arranged by year and give name, place of registration, and entry number.

The LDS' FamilySearch website – www.familysearch.org

Scottish specific BMD/OPR records include:

- Extracted birth and marriage records from 1855 to 1875

- Scottish births, baptisms (1564-1950) - 9,396,518 records
- Scottish marriages (1561-1910) - 2,056,888 records

Scotland's People

Visiting the Scotland's People Centre in Edinburgh or the Registrars' Genealogy Centre at the Mitchell Library in Glasgow allows access to images of all records which are publicly available up to the current day.

Scotland's People website has embargoes on images available online:

- Births index 1855 to 2015, images to 1915 (100 years)
- Marriages index 1855 to 2015, images to 1940 (75 years)
- Deaths index 1855 to 2015, images to 1965 (50 years)

www.scotlandspeople.gov.uk