

**The Fate of the Old Parish Registers Under the Registration Act of 1854\*****Anne Cameron****ABSTRACT**

In 1854, a new Registration Act was passed for Scotland, which ended the old, ecclesiastical system of recording vital events and introduced a new, compulsory system of civil registration. The Act stipulated that the old parochial registers of births or baptisms, deaths or burials, and marriages or banns kept by the Kirk Sessions should be permanently transferred to the General Register Office in Edinburgh. As this entailed handing over the registers to a civil authority, various Kirk Sessions protested in writing to the Registrar General. This article examined the Sessions' objections and the extent to which the provisions were observed during the first five years of civil registration.

\* \* \* \* \*

Until the mid-nineteenth century, the Established Church was responsible for conducting vital registration throughout Scotland. Every Church of Scotland Kirk Session was supposed to keep a record of the births, deaths and marriages – which many Sessions understood to mean baptisms, burials and proclamations of banns – occurring within its parish boundaries, but the quality and regularity of these records varied considerably. Most Sessions neglected death registration entirely, and many only recorded burials in terms of parishioners' payments for hiring the parish mortcloth.<sup>1</sup> Nor were the registers always handled with care – those of the parish of Lilliesleaf, for instance, became 'most hideously tattered' from the Session Clerk's children having played with them,<sup>2</sup> and one incumbent of Anwoth parish deliberately mutilated the register book by cutting out numerous pages to spite the Heritors, with whom he had quarrelled.<sup>3</sup> According to a contemporary observer, the registers belonging to parishes in the north of Scotland were almost always 'imperfect,

volumes having been lost, or through damp and other circumstances having been rendered useless'.<sup>4</sup>

Instead of maintaining a separate book specifically for vital events, some Sessions noted them in their general parish register along with disciplinary matters and other business. However, the real problem was that most Kirk Sessions recorded vital events only sporadically, if at all.<sup>5</sup> The Session Clerks expected a gratuity from each informant for their trouble in making the entries, which deterred poorer parishioners from volunteering information, and since the registers belonged to the Church of Scotland, people of other denominations frequently refused to report their vital events on principle.<sup>6</sup>

By the 1830s, most educated Scots recognised the inadequacies of this system. The patchy nature of vital registration meant that individuals often had no record of their age or parentage to support an inheritance claim or life assurance policy. Medical practitioners, municipal authorities and statisticians further pointed out that records of baptisms, burials and banns did not represent the actual number of births, deaths and marriages taking place, since, for example, couples whose banns had been called did not always proceed to marriage. After extensive campaigning and several failed attempts, a Registration Act for Scotland was finally passed in 1854, which ended the old, ecclesiastical system of registration and introduced compulsory, civil registration of births, deaths and marriages from 1 January 1855.<sup>7</sup> A civil registrar was appointed for every parish, to whom the people were obliged to intimate their vital events. There was no fee for registration, provided it was completed within the statutory time limit, but anyone failing to register was liable to a fine.<sup>8</sup> A General Register Office for Scotland (GROS), headed by a Registrar General, William Pitt Dundas, was established to oversee the new system and to distribute fresh, specially printed sets of register books to the registrars every year.

The Act also dictated the fate of the old parochial registers of births, deaths and marriages, or baptisms, burials and banns, as the case might be. All registers containing records of such events made on or before 31 December 1819 were, under the direction of the county Sheriffs, to be permanently transferred to the GROS in Edinburgh for safekeeping.<sup>9</sup> Registers containing entries of vital events made between

1 January 1820 and 31 December 1854 were to be handed over to the new parish registrars, retained by them for a period of 30 years for local reference, and then similarly transferred to Edinburgh.<sup>10</sup>

If the year 1820 happened to fall in the middle of a volume, the Registrar General favoured dividing the book in two so that the pre-1820 portion could be dispatched to Edinburgh, and the subsequent portion given to the registrar.<sup>11</sup> Kirk Sessions that did not possess a separate book for vital events but simply noted them in the general parish register usually ended up with a confused jumble of birth, death and marriage records, Session meeting minutes and records of other ecclesiastical business, which would not admit of easy division. Where these ‘intermixed’ registers were concerned, the Act stipulated that either a copy of every birth, death and marriage entry must be made out for the registrar so that the Session could retain the original volume, or all the entries relating to parish business must be copied out for the Session, and the original bound volume handed over to the registrar.<sup>12</sup> The county Sheriff had to decide which of the two options was most appropriate in each case, with the Treasury meeting the expense of producing the copies.<sup>13</sup>

The framers of the Act were anxious to gather the old parochial registers together in a central location where they would be preserved for the benefit of the people and protected against fire, damp, mutilation or theft, but many Kirk Sessions strenuously opposed the principle of removing registers from the parishes. This article considers some of the Sessions’ objections as expressed in letters to the Registrar General, Pitt Dundas, before reflecting on how far these provisions were actually observed during the first five years of civil registration.

To begin with, a number of Kirk Sessions pointed out that section 18 of the Registration Act, which pertained to the transfer of the old parochial registers, specifically mentioned only records of births, deaths and marriages, implying that there was no obligation to hand over any records of baptisms, banns or burials. As the Minister of Yetholm explained to the Registrar General, ‘we have no registrations of marriages or births, & the act only speaks of births & marriages. In our records we have registrations only of Proclamations & baptisms, of which the act says nothing. Can we be required then to give up these records or any portion of them? I think

not.’<sup>14</sup> The Registrar General’s response to this letter, and to others in the same vein, was to state his opinion that the words of the section ‘were intended & I think are sufficiently broad to comprehend Registers of Proclamations, & Registers of Baptisms, & I am bound to Act upon this understanding’.<sup>15</sup> Nevertheless, when the Registration Act was amended in 1860, the opportunity was taken to reword the section relating to old parochial registers so that it expressly mentioned baptisms, banns and burials as well as births, deaths and marriages, thereby removing all traces of ambiguity.<sup>16</sup>

Secondly, many Kirk Sessions objected to surrendering their old register books because they considered these to be their own private property. The Sheriff Substitute of Haddington, anticipating such resistance, warned Pitt Dundas ‘that the transmission to Edinburgh of all documents in which there are entries of births [,] marriages & deaths previous to [1820] . . . will occasion considerable dissatisfaction throughout Scotland . . . although for their safe preservation it may be advisable to have them preserved among the public records, such is not the opinion of those in whose custody they now are’.<sup>17</sup> As one might expect, the Registrar General received numerous petitions of this nature. The Minister of Bendochy was ‘not disposed to relinquish the original records of our Session without a Compulsitor which I can not resist’,<sup>18</sup> while the Minister of Avondale insisted that the parish birth register, which dated from 1785, ‘is the undoubted property of the Kirk-Session. In these circumstances the Kirk-Session, however desirous to comply with the law, find themselves placed in no small difficulties . . . because it is felt to be at once a hardship & a wrong to be required to give up the property of the Kirk-Session without any provision for compensation’.<sup>19</sup> The Registrar General replied that such reasoning ‘cannot be listened to’ and that he had a duty to see that the statutory requirements were carried out. The Act did not entitle Sessions to financial compensation for the loss of their register books, but any parish register-keeper who was *not* a Session Clerk and had been deprived of his office and associated gratuities under the new regulations could legitimately request Treasury compensation for loss of earnings.<sup>20</sup>

The Registration Act stipulated that every Session Clerk holding office when the regulations came into force on 1 January 1855 should automatically be appointed as the new civil registrar for his parish, unless he declined or was found unfit for the

position. In practical terms, this meant that the registers for the period 1820-54 remained in the custody of the Session Clerk, albeit in his civil, rather than his Sessional capacity; but where the Session Clerk was *not* appointed registrar, as in the parishes of Avondale and Yetholm, the registers had to be surrendered to another, secular officer. The Minister of Yetholm protested that

While we have no desire & intention to disobey the law of the land, we are very unwilling at the same time, to lose possession of our own records, unless absolutely necessary. It is a pity that the act, otherwise a good one, should be clogged with so very ungracious a clause, which can hardly fail to give offence to influential persons & may interfere with the right working of the act as a Result . . . I can scarcely doubt, from the feeling generally entertained with regard to this part of the act, that the church will make some exertion by representation to Government or otherwise, to keep her own records.<sup>21</sup>

The Registrar General responded in a predictably uncompromising manner, ordering the Yetholm registers to be delivered up immediately.<sup>22</sup>

Although the Act specified that the Treasury would reimburse the costs of copying out entries of vital events or Sessional business where such records were intermixed,<sup>23</sup> few parish ministers possessed a copy of the Act, and most were unaware of this provision, instead presuming that the Kirk Sessions would be expected to pay for ink, paper and the services of a scribe. Some Sessions made anxious appeals to the Registrar General on these grounds,<sup>24</sup> the Minister of Yetholm, for instance, exhorting that ‘it would be most unjust to saddle this expense on the Session. We have five volumes of records. In four of them the minutes begin at one end, the registrations at the other end of the volume. In one volume, which we are unwilling to lose, they are mixed up together. We would give the volume to the Registrar for him to copy what he requires, but we can’t & won’t be at that expense ourselves.’<sup>25</sup> The minister was no doubt greatly relieved to secure an assurance from Pitt Dundas that ‘the expense of all such [copies] will be defrayed by the Treasury’.<sup>26</sup>

The sensitive nature of the Sessional business recorded in the old parochial registers prompted further objections concerning the copying of entries from these volumes. As the Minister of Bendochy eloquently explained, ‘Sessional records regard delicate matters affecting the character and position of parties, and a Session

Clerk by his oath of office dare not exhibit or publish them. It appears to me that the entries of Births &c should be copied and not the Sessional Records, and that this should be done by the Session Clerk.’<sup>27</sup> The Secretary of the GROS, George Seton, was not unsympathetic to this argument, and felt that the minister would be justified in requesting the Sheriff to authorise copies of the vital records, rather than the Sessional entries. Seton added that ‘at headquarters we should very much prefer to have only the entries relative to Births [,] Deaths & Marriages without the other Minutes which however curious would be of much less value in the Metropolis than in the locality to which they belong.’<sup>28</sup>

While the content of the vast majority of old registers was less than comprehensive and many had sustained damage from neglect, poor storage and careless handling, a few *had* been scrupulously compiled and lovingly preserved over the years. The prospect of having to tear such volumes apart so that the pre-1820 portion could be sent to the GROS and the later portion retained by the parish registrar was unpalatable to others besides the Kirk Sessions. Lord Elcho, who had been responsible for drawing up the Registration Act, informed the Registrar General that

Lady Charlotte Fletcher . . . is most anxious to save [the Saltoun Parish Register] from the mutilation which I hear has befallen some of its brother Registers. The Salton [sic] Register has it appears been well & carefully kept & contains I am told some curious and interesting records & I hope therefore that you will not unnecessarily mutilate it . . . I know you have found great difficulties in dealing with these old Registers & the scissors have I suppose been an *ultima ratio*. If however you can spare Salton pray do.<sup>29</sup>

Although the Registrar General’s reply has not come to light, the available evidence suggests that he did make a neat division of the register concerned at the year 1820.<sup>30</sup> Lady Charlotte Fletcher was not the only member of the local aristocracy concerned about the fate of the parochial registers, Lord Haddington also expressing ‘much reluctance’ to see the old registers of Tynningham taken out of the parish.<sup>31</sup>

The provisions of the Registration Act applied solely to parochial registers kept by the Church of Scotland, but some Dissenting churches, especially the Free Church congregations founded at the Great Disruption of 1843, maintained their own

records of vital events and confusion arose as to whether these private registers should also be surrendered.<sup>32</sup> Like their Church of Scotland counterparts, some of the Dissenting ministers were not at all inclined to relinquish their volumes. When certain over-zealous registrars, who had either misread the Act or not read it at all, erroneously approached Dissenting congregations within their parishes to demand custody of the vital registers, the ministers urged the Registrar General to intercede. The United Presbyterian Minister of Irvine, for example, stated that his congregation had maintained a register of births and baptisms for around fifty or sixty years, ‘and the Registrar of this place called upon me yesterday wishing us to give it up to him, but I can see no authority in the Act for him to claim it’.<sup>33</sup> The Registrar General sent soothing replies to the ministers, confirming that there was no mandate to confiscate their property, and reprimanded the registrars concerned.

By contrast, a number of Free Church ministers were in favour of transferring their registers to Edinburgh or to the local civil registrar. Mistakenly believing that the Act’s provisions embraced their registers as well as those of the Church of Scotland, they wrote to the GROS asking when and how the volumes should be dispatched.<sup>34</sup> William Clugston, Free Church Minister of Falkirk, informed the Registrar General that he had commenced a register of births and marriages for his congregation in June 1843, which now contained over 950 entries. Clugston was eager to see his register preserved, and hoped that the GROS would ‘authorise the Parochial Registrar to receive and deposit into the other records the volume of Registrations which I have kept’.<sup>35</sup> William Leslie, the Free Church Minister of Macduff, had maintained a register of baptisms for his congregation since November 1843 and likewise sought ‘to be informed what use I ought now to make of such Register in order that it may be available for the purposes intended’.<sup>36</sup>

The Secretary of the GROS was obliged to inform both ministers, along with the other Dissenting clergymen who made similar enquiries, that the Act only authorised the handover of public registers – that is, those maintained by the Church of Scotland – and not those volumes belonging to other denominations.<sup>37</sup> However, the Registrar General perceived that it was highly desirable to preserve the Dissenting registers, as they contained records of vital events that did not appear in the public registers. The fact that the GROS could not legally take possession of these volumes

under the terms of the Act was most frustrating to him. In December 1854, when amendments to the Registration Act were under discussion, Pitt Dundas urged Lord Elcho to

take into consideration the expediency of empowering me to receive & preserve such private Registers as the parties who have them may be willing to send. I mean the Registers of Episcopalians, of the Secession & of the Free Church. The former of these are in many cases very complete at periods when the parish Registers are meagre & scanty & viewed in relation to questions of succession & pedigree must be of great value.<sup>38</sup>

Yet despite his efforts, neither the amending Act of June 1855 nor a subsequent amending Act of 1860 contained any provisions for bringing non-parochial registers into the custody of the GROS.

Within the first few years of civil registration, how closely were the provisions pertaining to the transfer of the old parochial registers observed? Some idea can be gleaned from the reports submitted by the GROS District Examiners, who visited every parish in Scotland once a year to check that the registrars were carrying out their duties properly. As well as inspecting the new registers, the Examiners commented on whether any registers dating from before 1820 still remained in the parishes. Their reports confirm that the transmission of these older volumes to Edinburgh was a protracted process. In 1858, three years after the Act came into force, Examiner Alfred List remarked that ‘In many cases, the old Parochial Registers have been and still are, held in retentis, the Session Clerks having received orders from the respective Presbyteries not to deliver them up.’<sup>39</sup> A year later, Examiner Robert Gordon reported that ‘The transmission of the Registers previous to the year 1820 to the Registrar General has been only partially attended to throughout the Western District. I find that this is the source of considerable dissatisfaction and heartburning among Registrars, those who have transmitted the old Registers to Edinburgh, considering themselves aggrieved by having obeyed an order, which others have as yet been allowed to disregard.’<sup>40</sup> In 1861, Examiner Andrew Jervise had ‘reason to believe that some of the old Register Books are still lying in parishes’,<sup>41</sup> and that same year, Examiner Henry Clarence Gordon was ‘glad to find that the old Parochial Records are now being called up, they have been for many years in a sadly



neglected state . . . [and] it will be very important to have the old volumes properly bound, for even that has not been attended to, although the expense would be comparatively trifling'.<sup>42</sup>

The reluctance of certain Kirk Sessions to relinquish their registers undoubtedly played a large part in this, but there were other, bureaucratic reasons why so many of the old volumes had not yet reached Edinburgh. As noted above, section 19 of the Registration Act authorised the Sheriffs to either have the Sessional records in 'intermixed' registers copied out for the Session, so that the original volume might be given to the registrar, or the vital records copied out for the registrar, so that the Session might retain the original register. The framers of the Act intended this provision to apply to *all* intermixed registers, regardless of whether they dated from before or after 1820, and for the expense of copying all such entries to be borne by the Treasury. By early 1856, some of the Sheriffs had already procured the requisite copies, gathered in the old parochial registers from their respective counties as necessary, and sent the registers off to Edinburgh. However, other Sheriffs were just beginning this process, and finding it extremely difficult to arrange for copying of entries in smaller, rural parishes, where no one was skilled in transcribing early modern handwriting.<sup>43</sup> In light of these difficulties, they questioned whether the provision for copying Sessional records should properly apply solely to the registers for 1820-54, given that any registers older than this would be in the custody of the GROS, not the registrars.<sup>44</sup> Pitt Dundas shared their views, and perceived that this interpretation of section 19 would remove both the problem of finding, and the central expense of paying enough men to copy out the older records. Convinced that he 'could not allow expenses to be incurred under a clause of a Statute where such grave doubts existed as to its true meaning',<sup>45</sup> he therefore issued a circular to all the Sheriffs on 15 February 1856, intimating that

On reconsideration . . . I am decidedly of opinion that the Clause in the 19<sup>th</sup> Section, which authorises Copies of entries or Records of Sessional or other matters, when intermixed with Entries relating to Births, Deaths, and Marriages, to be made under the direction of the Sheriff, applies to such portions only of the Parochial Registers, therein referred to, as shall have been kept subsequently to the 1<sup>st</sup> of January 1820. I am not, therefore, prepared to recommend to the Lords Commissioners of the Treasury to make provision for payment, under the 5<sup>th</sup> Section of

the Act, of any expense incurred in making Copies of other Entries than those to which I have referred.<sup>46</sup>

As several of the Sheriffs had already promised the Kirk Sessions copies of older Sessional records at the Treasury's expense, this placed them in something of a dilemma, and effectively stalled both the copying process and the onward transmission of the registers to Edinburgh.

By the summer of 1858, Pitt Dundas was also reluctant to arrange Treasury payment for any copies of post-1820 Sessional records authorised by the Sheriffs, or even to press for the transmission of the outstanding old parish registers (only around half of these had yet reached Edinburgh). His reticence stemmed from the knowledge that the Lord Advocate was planning to introduce a bill for amending the Scottish Registration Act, featuring 'a totally new arrangement relative to the Registers'<sup>47</sup> whereby even those for the period 1820-54 would be immediately and permanently transferred to the GROS for safekeeping.<sup>48</sup> As Pitt Dundas explained to the Sheriff of Stirlingshire, 'my only reason for not calling upon Sheriffs to transmit the rest [of the old parish registers now] is my unwillingness to do anything in the matter while there is a reasonable prospect of the interference of the legislature to put an end to the existing dilemma'.<sup>49</sup>

The anticipated bill was duly prepared, but – as one might expect, given the forceful objections expressed at the time of the original Act – the idea of completely removing *all* registers up to 1855 from the parishes provoked such strenuous local opposition that this clause had to be dropped.<sup>50</sup> A revised version of the bill finally passed in 1860, but preserved the custodianship of the registers as set out under the 1854 Act.<sup>51</sup> The new legislation did, however, resolve the dilemma over the copying of Sessional material from intermixed registers. Every register that contained Sessional matters alongside vital records had now to be sent to Edinburgh, where the GROS staff would divide the volume, bind the two portions separately, and send the portion containing the Sessional records to the Kirk Session, and that containing the vital records to the registrar (or retain the latter in Edinburgh if dating from before 1820). If the records were so intermixed as to preclude any division, the entire volume had to remain with the registrar, or at the GROS, depending on the dates of the

entries. There was no longer any provision for Sheriffs to authorise, or the Treasury to pay for copies of Sessional records from these registers, although the Kirk Sessions could have gratuitous access to the registers if they wished to make their own copies.<sup>52</sup>

With the stumbling block that had stalled the transmission of the old parish registers for the past four years now removed, and the tantalising prospect of immediately having all the pre-1855 registers in his hands ruled out, Pitt Dundas was at last prepared to resume gathering in the older volumes. He ordered his Secretary to write to all Sheriffs who had either suspended or not yet commenced collecting the old parish registers from their respective counties, stirring them into action.<sup>53</sup> With a few exceptions, the outstanding registers were surrendered without too much protest, dispatched to Edinburgh, and there dealt with on a county-by-county basis. By February 1862, all the old parochial registers had arrived in Edinburgh except those for the counties of Nairn, Elgin, Banff, Kinross, Clackmannan, Dunbarton, Bute, Linlithgow and Peebles, and some from the counties of Caithness, Ross and Cromarty, Argyll and Lanark, measures for the collection of which were in hand.<sup>54</sup>

The Registration Act of 1854, then, effectively dictated the fate of the old parochial registers of births, deaths and marriages, and baptisms, burials and banns. The framers of the Act considered it too risky to leave these fragile volumes, most of which were desperately in need of rebinding and conservation, out in the parishes where they were constantly exposed to damp and other hazards, and required them to be sent to the GROS for preservation. The Kirk Sessions were naturally loath to lose custody of what they perceived to be their own, private register books, and one could argue that they had reasonable grounds for objecting to this requirement, particularly as they received no compensation for the loss of these volumes. However, their appeals rarely found a sympathetic ear. The Registrar General's stock response was that his hands were tied, the letter of the law must be followed, and if the Kirk Sessions did not obey, he would have to instigate proceedings with the Sheriffs to force their compliance. Despite their misgivings, the Kirk Sessions did – eventually – hand their old registers over to the Sheriffs for transmission to the GROS, in whose care they remain to this day.

\* An earlier version of this paper was presented on 16 November 2007 at a conference of the Scottish Records Association, at which the theme was 'Keeping the Faith: Records of organised religion in Scotland'. The research was undertaken with the support of the Wellcome Trust, grant 069811/Z/02/Z/AW/HH, and with the co-operation of the Registrar General for Scotland.

<sup>1</sup> G. T. Bisset-Smith, *Vital Registration: A Manual of the Law and Practice Concerning the Registration of Births, Deaths, and Marriages* (Edinburgh, 1907), p. 3.

<sup>2</sup> National Archives of Scotland (NAS), GRO1/1: Examiners' Notes, 1855. Report of J. H. Dawson, Examiner for the Dumfries District, p. 57.

<sup>3</sup> *Ibid.*, p. 141.

<sup>4</sup> NAS, AD58/125: Mr Stuart to the Duke of Richmond, 20 May 1845 (copy appended to J. Stuart to the Lord Advocate, 16 January 1847).

<sup>5</sup> W. B. Turnbull, *Scottish Parochial Registers* (Edinburgh, 1849), p. xiii.

<sup>6</sup> G. Seton, *Sketch of the History and Imperfect Condition of the Parochial Records of Births, Deaths, and Marriages in Scotland* (Edinburgh, 1854), pp. 48-9.

<sup>7</sup> Kirk Sessions were, however, allowed to continue registering proclamations of banns because the Registration Act did not affect the Scottish marriage law – see A. Cameron, 'The Establishment of Civil Registration in Scotland', *The Historical Journal* 50 (2007), pp. 377-395.

<sup>8</sup> 1854, 17 & 18 Vict., c.80, *An Act to Provide for the Better Registration of Births, Deaths, and Marriages in Scotland*, sections 27, 31, 38 and 46. A fee did apply for marriage registration if the couple required the registrar to personally attend the ceremony with his register book. *Ibid.*, section 47.

<sup>9</sup> *Registration of Births, &c (Scotland) Act*, section 18.

<sup>10</sup> Owners of private cemeteries who maintained a burial register at their own expense, and who could satisfy the Sheriff that the register constituted private property, were allowed to retain it. *Ibid.*, section 20.

<sup>11</sup> Glasgow University Library Special Collections, Mu18-h.19: *Regulations for the Duties of District Examiners of Registers of Births, Deaths, and Marriages* (Edinburgh, 1857), containing a circular from John Cay, Convener of the Committee of Sheriffs appointed to make arrangements relative to the Registration Act, Edinburgh, 16 March 1855. See also NAS, GRO1/465: Letter Book (Out-letters), September 1854-July 1855, W. P. Dundas to J. Robertson, Sheriff Substitute of Orkney, 1 November 1854.

<sup>12</sup> *Registration of Births, &c (Scotland) Act*, section 19.

<sup>13</sup> *Ibid.*, section 5.

<sup>14</sup> NAS, GRO1/368: Miscellaneous Letters Received, 1854-1855, Reverend J. Baird, Yetholm to W. P. Dundas, 31 July 1855.

<sup>15</sup> NAS, GRO1/466: Letter Book (Out-letters), July 1855-May 1856, W. P. Dundas to Reverend J. Baird, 6 August 1855, and W. P. Dundas to Reverend A. Cushney, 22 January 1856.

<sup>16</sup> 1860, 23 & 24 Vict. c.85, *An Act to Amend Two Acts of the Seventeenth and Eighteenth Years, and of the Eighteenth Year, of Her Present Majesty, Relating to the Registration of Births, Deaths, and Marriages in Scotland*, section 6.

<sup>17</sup> NAS, SRO8/79A: Letters to Deputy Clerk Register [William Pitt Dundas], 1856, R. Riddell, Sheriff Substitute of Haddington to W. P. Dundas, 7 March 1856.

<sup>18</sup> NAS, GRO1/368, Reverend J. S. Barty, Bendochy to G. Seton, 20 October 1854.

<sup>19</sup> NAS, GRO1/368, Reverend R. Rae, Avondale to W. P. Dundas, 1 January 1855.

<sup>20</sup> NAS, GRO1/465, W. P. Dundas to Reverend R. Rae, 4 January 1855; *Registration of Births, &c (Scotland) Act*, section 75.

<sup>21</sup> NAS, GRO1/368, Reverend J. Baird to W. P. Dundas, 31 July 1855.

<sup>22</sup> NAS, GRO1/466, W. P. Dundas to Reverend J. Baird, 6 August 1855.

<sup>23</sup> *Registration of Births, &c (Scotland) Act*, section 5.

<sup>24</sup> See, for example, NAS, GRO1/368, Reverend J. S. Barty, Bendochy to G. Seton, 13 December 1854, and J. S. Barty, Bendochy, to G. Seton, 20 October 1854.

<sup>25</sup> NAS, GRO1/368, Reverend J. Baird, Yetholm to W. P. Dundas, 31 July 1855.

<sup>26</sup> NAS, GRO1/466, W. P. Dundas to J. Baird, 6 August 1855.

<sup>27</sup> NAS, GRO1/368, Reverend J. S. Barty, Bendochy to G. Seton, 20 October 1854.

<sup>28</sup> NAS, GRO1/465, G. Seton to Reverend Barty, Bendochy, 24 October 1854.

<sup>29</sup> NAS, SRO8/79A, Lord Elcho to W. P. Dundas, 20 November 1856.

<sup>30</sup> General Register Office for Scotland (GROS), OPR 719/2 and 719/3: Old Parochial Registers of Salton. OPR 719/3, which contains the parish baptism and marriage records from 1820-54, has two baptismal entries from 1814 and 1819 at the top of the first page, with the 1820 entries following on the same page. OPR 719/2 contains the records from 1750-1819 and, bound in at the back, a sheet of blue paper with copies of the two 1814 and 1819

baptismal entries from OPR 719/3, certified by the Registrar General. It would have been necessary to copy these out to avoid cutting the first page of OPR 719/3 in half when the register was divided chronologically. I am grateful to Mrs Helen Borthwick of the General Register Office for Scotland for her help in examining these two volumes.

<sup>31</sup> NAS, SRO8/79A, R. Riddell, Sheriff Substitute of Haddington to W. P. Dundas, 7 March 1856.

<sup>32</sup> This confusion arose partly because the GROS did not supply a copy of the Act to each registrar and was slow in sending out their printed instructions for duty. Some registrars still had not received their instructions when the Act came into force on 1 January 1855.

<sup>33</sup> NAS, GRO1/368, J. Drummond, United Presbyterian Minister of Irvine, to W.P. Dundas, 3 January 1855.

<sup>34</sup> See, for example, NAS, GRO1/368, A. Cook, Free Church Minister of Stratherrick to W. P. Dundas, 26 December 1854.

<sup>35</sup> NAS, GRO1/368, W. Clugston, Free Church Minister of Falkirk to W. P. Dundas, 20 January 1855.

<sup>36</sup> *Ibid.*, W. Leslie, Free Church Minister of Macduff to W. P. Dundas, 22 December 1855.

<sup>37</sup> NAS, GRO1/466, G. Seton to W. Leslie, 26 December 1855; NAS, GRO1/465, G. Seton to W. Clugston, 22 January 1855; NAS, GRO1/465, G. Seton to A. Cook, 2 January 1855.

<sup>38</sup> NAS, GRO1/465, W. P. Dundas to Lord Elcho, 11 December 1854.

<sup>39</sup> NAS, GRO1/110: Examiners' Summary Reports on Registers and General Observations on Inverness District, 1855-7 and Dumfries District, 1856-7. Report of A. C. C. List, Examiner for the Inverness District, 9 October 1858, not paginated.

<sup>40</sup> NAS, GRO1/4: Examiners' Notes: Registers of 1858. Report of R. G. Gordon, Examiner for the Western District, not paginated.

<sup>41</sup> NAS, GRO1/6: Examiners' Notes: Registers of 1860. Report of A. Jervise, Examiner for the Eastern District, not paginated.

<sup>42</sup> *Ibid.*, Report of H. C. Gordon, Examiner for the Midland District, not paginated.

<sup>43</sup> NAS, AD56/301: Correspondence relating to bills for Births, Deaths, and Marriages Registration, W. P. Dundas to Viscount Duncan, Treasury, 31 March 1856.

<sup>44</sup> *Ibid.*

<sup>45</sup> *Ibid.*

<sup>46</sup> Copy of GROS printed circular dated 15 February 1856, enclosed with *ibid.*

<sup>47</sup> NAS, GRO1/468: Letter Book (Out-letters), June 1857-July 1858, W. P. Dundas to Sheriff of Stirlingshire, 12 June 1858.

<sup>48</sup> See NAS, GRO1/472: Letter Book (Out-letters), April-December 1861, G. Seton to J. S. Burn, 8 November 1861.

<sup>49</sup> NAS, GRO1/468, W. P. Dundas to Sheriff of Stirlingshire, 12 June 1858.

<sup>50</sup> On this, see NAS, GRO1/472, G. Seton to J. S. Burn, 8 November 1861.

<sup>51</sup> *Registration of Births, &c (Scotland) Amendment Act, 1860*, section 6.

<sup>52</sup> *Ibid.*, section 7. However, if any portion of a register to be returned to a Kirk Session contained entries from which the occurrence of a vital event could be proved, the Registrar General could still authorise *those* entries to be copied for the GROS at the Treasury's expense.

<sup>53</sup> See, for example, NAS, GRO1/473: Letter Book (Out-letters), January-December 1862, G. Seton to Sheriff Clerk of Lanarkshire, 27 February 1862.

<sup>54</sup> NAS, GRO1/473, J. S. [John Stewart, GROS] to J. Scott, 3 February 1862.