

A LITTLE HISTORY

1 BIRTHS DEATHS AND MARRIAGES

Prior to the introduction of civil registration in Scotland on 1 January 1855, records of births and baptisms, deaths and burials and proclamations and marriages were kept by the Church from the sixteenth century.

1551/2 Provincial Council of the Scottish Clergy meeting in Edinburgh enacted that a register of baptisms and marriages be kept

1553 Earliest Scottish old parish register in existence - Errol in the County of Perth.

1574 General Assembly of the Church of Scotland agreed lists should be provided for collectors for the Court of Session of people dying within each parish yearly. This was because salaries of the Lords of Session were raised by levy on the personal estates of defuncts.

1576 Grave-diggers were to be appointed in each parish and to notify the "readers", who were responsible for providing the lists, for the Lords of Session, of the names of deceased persons.

1588 General Assembly of the Church of Scotland complained that

“there is nather religioun nor discipline with the poore, but the most part live in filthie adulterie, incest, fornicatioun, their barnes unbaptized, and themselves never resort to the kirk, nor participat the sacraments.”

Recommended that in giving of alms preference should be given to those who could prove their marriages, baptism of their children, and attendance at sacraments.

1616 An Act of the Privy Council, following on a proposal of the General Assembly of the Church of Scotland, decreed that parish registers of baptisms, burials and marriages be kept by every minister in Scotland

1636 Book of Canons ordered, following English regulations, that a parchment register of christenings, weddings and burials be kept in each parish and copies transmitted annually to the bishop of the diocese for inclusion in his register.

1645 The Directory for the Publique Worship of God framed by the Westminster Assembly of Divines approved by the General Assembly of the Church of Scotland and the Scottish Parliament. Provision was made in the Directory that a register be kept of marriages “for the perusal of all whom it may concern”. The General Assembly added provision that all baptisms be administered “in face of the Congregation”, forbidding thereby private baptism.

1686 In connection with the “Act for burying in Scotts Linnen” the Scottish Parliament enacted that each minister keep a register of all burials within their parish.

1690 Acts of General Assembly of Church of Scotland re-affirming necessity for proclamation on three successive Sabbaths of Banns and forbidding private baptism.

1699 Act of General Assembly of Church of Scotland regulating proclamation of banns.

1703 Unsuccessful proposal to Parliament of Scotland for an Act for keeping Registers of Births, Marriages and Burials.

- 1711 Episcopalians Act relaxed and altered previous law that regular marriages could only be celebrated by clergy of the Established church.
- 1711 Act of General Assembly as to baptism of children of foreign residents in Scotland.
- 1712 Act of General Assembly instructing Kirk Sessions to arrange the baptism and upkeep of foundling children.
- 1746 Recommendation of the General Assembly of the Church of Scotland that each Kirk Session keep a register of those dying in their parish and interred in their ordinary burying places.
- 1783 Stamp duty of 3 pence imposed on every registration.
- 1784 Act of General Assembly of Church of Scotland forbidding proclamation by Session Clerks of banns without express leave of the parish minister, or, in a vacancy, two elders.
- 1794 Stamp duty repealed.
- 1816 Recommendation of the General Assembly of the Church of Scotland that registers of births and baptisms, marriages, whether regular or irregular, and deaths and burials be kept separately, and that these should comprehend Dissenters etc.
- 1834 Marriage (Scotland) Act permitted celebration of regular marriages by “priests and ministers not of the established Church.”

Introduction of Civil Registration to Scotland

Early in the 19th century there was increasing public agitation that a compulsory system of civil registration in Scotland was necessary but this clamour went unheeded. An even stronger demand followed England's compulsory registration Act in 1837 and a Scottish Bill was presented in 1847 but did not reach the Statute book.

In 1854 the Registration of Births Deaths and Marriages (Scotland) Act was passed which provided that a complete and uniform system of registration of events be established and maintained in Scotland. Compulsory registration began in Scotland on 1 January 1855.

It is interesting to note that Scotland did not strictly follow the English procedures but based its system broadly upon the Napoleonic Code enacted in France in 1804. The civil section of that Code moved responsibility for registration from the Church to the State. The Code set forth exact provisions for informants, registrars and register books and what the entries in the book should contain. The most important rule in the Code was to establish the individual as the unit in a system.

The 1854 Act provided for the setting up of the General Registry Office, the appointment of the Registrar General and his staff to administer the registration system and for the appointment by local authorities of a registrar in every parish, with the possibility that each might appoint an assistant. The number of registration districts set up in 1855 was 1027 which rose to 1082 in 1910. By 2002 there were 319. In addition the Act provided for the Registrar General to produce an annual report. This was to contain “a general abstract of the numbers of births, deaths and marriages registered during the foregoing year” to be forwarded to the Home Secretary to be laid before Parliament. Much more was contained in the early Annual Reports than was prescribed by the Act and a number of the tables were discontinued in later times.

Amongst such unexpected tables were some showing the number of savings-bank deposits, supply of cattle to markets, prices of grain, potatoes, peas etc.

The Amendment Acts of 1855 and 1860

In June 1855 and August 1860 Acts amending some of the provisions of the 1854 Act came into force. The original Act had placed considerable powers with, and laid considerable burdens upon, the sheriffs of the Scottish counties, who had already played a role in taking of decennial censuses. The amending Acts still left them with substantial administrative roles in corrections of erroneous entries, registration of irregular marriages, and amalgamation or disjunction of registration districts, but they lightened the burden originally envisaged by providing for the appointment of Registration District Examiners to inspect the registers.

They also made revised provision for the transmission of the Parochial Registers up to the year 1820 to GROS and the registers for the years 1820-1855 to the custody of the local registrar. These registers were to be retained by the registrar for 30 years, after which they were to be sent to GROS. During 1855 it had been left open to record retrospectively in the Old Parochial Registers events occurring prior to the introduction of compulsory registration. Provision was now made for establishment of a "Register of Neglected Entries" to provide for lacunae in these registers and also for correction of errors discovered in the Old Parochial Registers.

The original Act had provided for the establishment of a "Marine Register" dealing with births of any child of a Scottish parent at sea or death of any Scottish subject at sea on board of a British vessel. To this the 1860 Act added a "Foreign Register" in which it was to be lawful to register within twelve months after the event, if certified by the British Consul of the country or district within which the event took place, the birth of any child of Scottish parents or marriage or death of any Scottish subject taking place in any foreign country. The next major enactment to affect the work of the office was the **Marriage Notice (Scotland) Act 1878**. This Act provided for the publication of notice of intended marriage on a registrar's notice board as an alternative preliminary to proclamation of banns and was in force almost in its original form until 1978, when it was replaced by provisions of the **Marriage (Scotland) Act, 1977**. The 1854 Act laid down that all extracts issued from the General Registry Office must be signed by the Registrar General, although it did provide for the appointment of a Secretary with authority to exercise all the powers of the Registrar General in his absence, an equivalent of the present Deputy Registrar General. It was not until 1910 that an amending Act substituted affixing of the General Registry Office seal for the Registrar General's signature.

The Post of Registrar General

The 1854 Act had also provided that the Deputy of the Lord Clerk Register should, under the seal appointed to be used in Scotland in place of the Great Seal thereof, be appointed as Registrar General. In 1879 the post of Lord Clerk Register, a highly paid sinecure, fell vacant while William Pitt Dundas, the first holder as Deputy Clerk Register of the post of Registrar General for Scotland, was an elderly man. The **Lord Clerk Register (Scotland) Act** of that year made provision for stripping from the Clerk Registership all save ceremonial duties leaving the post as an unpaid office of honour. A substantial pension was made available to Pitt Dundas and the statutory arrangement was made that there be annexed to the post of Deputy Clerk Register that of Registrar General. This provision remained operative until the death of Sir James Patten Macdougall on 7 March 1919, the Deputy Clerk Register automatically holding the appointment of Registrar General in addition to his other duties. To permit the separation of the post of Registrar General from that of Deputy Clerk Register, and remove stipulation that the holder of the post be an Advocate of the Scottish Bar, it was necessary to pass the **Registrar General (Scotland) Act of 1920**. The Act made the Secretary (later Secretary of State) for Scotland responsible for the appointment of the Registrar General and a lengthy vacancy was brought to a close on 1 January 1920.

The following is a chronological list of Registrars General past and present:-

William Pitt Dundas	12 September 1854 - 28 April 1880
Roger Montgomerie	19 April 1880 - 25 October 1880
William Pitt Dundas CB	17 November 1880 - 12 January 1881
Sir Stair Agnew KCB	13 January 1881 - 30 April 1909
Sir James Patten McDougall KCB	1 May 1909 - 7 March 1919
Dr James Craufurd Dunlop	1 January 1921 - 2 September 1930
Andrew Froude ISO	3 September 1930 - 14 February 1937
James Gray Kyd CBE	1 September 1937 - 30 November 1948
Edmund Albert Hogan CBE	1 December 1948 - 31 May 1959
Alexander Burt Taylor CBE D Litt	1 June 1959 - 4 September 1966
James Allan Ford CB MC	September 1966 - September 1969
Archibald L Rennie CB	October 1969 - 11 June 1973
William Baird	12 June 1973 - 3 August 1978
Victor Colvin Stewart	4 August 1978 - 12 April 1982
Dr Charles Milne Glennie CBE	13 April 1982 - 31 October 1994
James Meldrum	1 November 1994 - 21 February 1999
John Randall	22 February 1999 – 1 August 2003
Duncan Macniven	4 August 2003 - present

During the First World War the registration service faced heavy burdens as younger registrars and members of the headquarters staff volunteered or were conscripted for military service. Few legislative enactments of lasting significance appear to have arisen from war conditions. An attempt to have the deaths of those who died on the battlefields registered locally failed.

Marriage (Scotland) Act 1916

Prior to this Act registration of an irregular marriage could take place, in the words of the original legislation, on a decree of declarator “of any competent Court” or on conviction before a justice of the peace or a magistrate of having contracted such marriage, although it was provided that evidence of prescribed residence in Scotland must also be led for such conviction. Parties discovered it was cheaper to be convicted by a Justice of the Peace than to pursue a Declarator in the Court of Session and therefore underwent prosecutions which were not seriously intended as criminal proceedings. The Act brought this procedure to an end. The Act, however, retained and refined the procedure whereby the parties to an irregular marriage could make application within three months after the contracting of the marriage to the sheriff of the county, who would grant warrant for registration.

The term “Illegitimate”

The use of the term “illegitimate” in column 1 of the birth and death registers was discontinued from 1919 (Registrar General’s amending regulation to registrars, 19 December 1918). The regulation applied not only to new entries in the registers but also to the issuing of extracts from earlier records which were issued without the word “illegitimate” appearing. Registrars still kept a careful record of the numbers of illegitimate births in their district to include in the statistical returns submitted to the Registrar General.

Prohibited degrees of relationship

The 2 statutes **Deceased Wife’s Sister’s Marriage Act 1907** and **Deceased Brother’s Widow’s Marriage Act 1921** are cited together as the **Marriage (Prohibited Degrees of Relationship) Acts, 1907 and 1921**. This legislation allows for such marriages. It does not apply in cases of divorce where the former spouse is still living.

Age of Marriage Act 1929

An act to make void marriages between persons either of whom is under the age of 16. Prior to this change in legislation girls could marry at 12 and boys at 14 but marriages at such early ages were almost unknown. Sixteen remains the lower age-limit today, contained in the current legislation, the Marriage (Scotland) Act 1977. Scots law still has no requirement for parental consent. There is no upper age limit.

Apart from the changes brought about by the Acts mentioned above and small administrative changes in forms of entry, there were few significant changes in the practice of registration until the 1930s. During this decade a number of Acts were introduced which had a considerable effect on registration work in Scotland. The first was the Adoption of Children (Scotland) Act, 1930. This Act along with others was consolidated in 1958 and extended by Acts in 1960, 1964 and 1968. The 1958, 1960 and 1964 Acts were all repealed by the **Adoption (Scotland) Act 1978**.

Changes to Registration of Births

Until 1934 if a child was born outside the registration district in which the parents' usual residence was situated, the registrar of the district of occurrence registered the birth and sent an extract of the entry to the registrar of the district of usual residence. A copy of the entry was then made in the birth register for the district of usual residence. The **Registration of Births, Deaths and Marriages (Scotland) (Amendment) Act 1934** dispensed with the necessity for registrars to send transcript entries and also introduced re-registration of certain births and provided for the issue of abbreviated certificates of birth. The **Registration of Still-births (Scotland) Act, 1938** made registration of still-births compulsory in Scotland from 1 January 1939. One of its purposes was to provide statistical information for a medical study of the causes of still-birth. Also introduced in 1938 was the **Population Statistics Act** which provided for the obtaining of certain confidential particulars not already included in entries of birth, still-birth and death. The information was required for the compilation of statistical information about the social and civil conditions of the population.

The Introduction of Civil Marriage at Registration Offices

In 1939 two Acts were passed which affected marriage procedure. The first of these Acts, the **Marriage (Scotland) Act 1939**, which came into operation on 1 July 1940 was of major importance since it introduced civil marriage by authorised registrars, and Sheriff's Licence as a preliminary to marriage if for any special reason the contracting parties could not fulfil the normal publication or proclamation procedure. It also abolished the old Scottish form of irregular marriage by declaration in the presence of witnesses. This put an end to the long-established and thriving business of marriages over the blacksmith's anvil at Gretna Green. Considerable difficulty had been found because many of the irregular Gretna marriages had not been followed up by application to the sheriff of the county for warrant to register within three months. Parties, many of them ill-able to afford it, were being faced with the expense of Declarators in the Court of Session. The other Act which was called the **Marriage Act 1939** was introduced to make easier those marriages where one of the parties resided in Scotland and the other in England. It provided that a notice of intended marriage published in England for the English party would be acceptable for a marriage in Scotland and vice versa.

The National Register of 1939

During the period of the Second World War from 1939-1945 a number of Acts were passed making emergency provisions, but all of these were repealed when the emergency was over. So far as GROS is concerned the only event of lasting importance at that time was the decision to take a National Register on 29 September 1939. This register was used as a basis for the issue

of identity-cards and food-rationing documents and took the place of the normal decennial census for 1941. The Register was administered by the Department until 1952 when it became the basis for the present National Health Service Central Register (NHSCR). The administration of the Register was then passed to the Department of Health for Scotland. In 1964 it was transferred back to the Registrar General, because to a large extent it is from the Department's civil registration records that the NHSCR is kept up-to-date. During the next 20 years there were one or two minor amending Acts mainly affecting marriage law. The major pieces of legislation following this period were the **Registration of Births, Deaths and Marriages (Scotland) Act, 1965** and the **Marriage (Scotland) Act 1977**.

Registration of Births, Deaths and Marriages (Scotland) Act 1965

The 1965 Act introduced a number of major changes in the registration system, the principal alterations being:

- 1 The introduction of registration district schemes for the alteration of registration districts.
- 2 Provision of alternative districts for registration of births and deaths.
- 3 The granting of power to local registration authorities to set up area repositories for the storage of registers to relieve local storage problems.
- 4 Provision for registration of certain births and deaths taking place during a journey in a ship or aircraft.
- 5 The introduction of a new method for acknowledging paternity of an illegitimate child.
- 6 Provision to allow for the fixing of a specific date of birth for foundling children.
- 7 Introduction of a single register system with provision for the reproduction by photography of the duplicate registers to remain in the registrar's custody, and for production of extracts by photography.
- 8 Provision to give Registrar General authority to correct errors in entries.
- 9 Provision for recording changes of name and surname.

Marriage (Scotland) Act 1977

The Marriage (Scotland) Act 1977, which came into effect on 1st January 1978, introduced changes in the marriage law including:

- 1 Banns ceased to be called for Church of Scotland religious marriages as a legal preliminary to marriage and for religious, as for civil marriages, both parties had to lodge marriage notices with the district registrar of the district where the marriage was to take place. Banns may still be called in the (Church of Scotland) parish church for marriages taking place outside Scotland where banns are a requirement in the place of marriage.
- 2 Marriage by Sheriff's licence was also abolished but the Registrar General may at his discretion dispense with the whole or part of the 14 days' clear notice of marriage which must be given before a marriage may be solemnised.
- 3 The Act also removed the limitation that the only religious marriages which were recognised and therefore registered were those conducted by ministers, clergymen,

pastors or priests of Christian denominations or according to the usages of the Jews or Quakers (Society of Friends). As from 1 January 1978 legal marriages can be solemnised only by “approved celebrants” and “authorised registrars”. Approved celebrants are defined as ministers of the Church of Scotland; celebrants of prescribed religious bodies (e.g. the Roman Catholic Church, the Episcopal Church in Scotland, the Hebrew Congregation) and members of many other religious bodies who have been registered as approved celebrants by the Registrar General (e.g. members of the Christian Brethren, Church of the Nazarene, Hindu, Sikh and Islamic faiths).

- 4 The Act also requires a party to a marriage who is not domiciled in any part of the United Kingdom to submit, if practicable, a certificate issued by a competent authority in the state in which he is domiciled to the effect that he is not known to be subject to any legal incapacity which would prevent his marrying.
- 5 Additionally the Act permits a second marriage ceremony (which must be a civil, not religious, ceremony) where two persons have gone through a marriage ceremony outside the United Kingdom but they are not validly married, or are unable to prove that they are validly married, to each other in terms of Scots Law.

Other legislation

Since 1965 the other significant legislative developments affecting registration may be enumerated as follows:

- 1968 **Legitimation (Scotland) Act** amended and codified the law of Scotland relating to the legitimation of illegitimate persons by the subsequent marriage of their parents; made provision under the law of Scotland for recognition of legitimation effected under foreign law and as to the effects of such recognition; and for connected purposes.
- 1969 **Age of Majority (Scotland) Act** reduced the age of majority from 21 years to 18 years. The effect of this Act was to alter the definition of infant in section 57(1) of the **Adoption Act 1958** and to substitute 18 for 21 in section 43(5)(6) and (7) of the 1965 Act. This latter section dealt, until so amended, with application for change of name etc by persons over 16 and under 21.
- 1971 **Recognition of Divorces and Legal Separations Act** provided for the recognition in Scotland, from 1 January 1972, of divorces granted in any other part of the British Isles and for the recognition of overseas divorces obtained by judicial or other proceedings which are effective under the laws of the country which granted them, provided that, at the date of institution of divorce proceedings either spouse was habitually resident in that country or was a national thereof. This Act is important, as it gives statutory authority for administrative decisions taken in the General Register Office for the recognition of foreign divorces.
- 1972 **The Civil Aviation (Births, Deaths and Missing Persons) Amendment Regulations** transferred responsibility for registration of certain births and deaths in aircraft from the Department of Trade and Industry to the Civil Aviation Authority.
- 1972 **Matrimonial Proceedings (Polygamous Marriages) Act** enables matrimonial relief (divorce, nullity etc) to be granted, and declarations concerning the viability of a marriage to be made by the courts, notwithstanding that the marriage in question was entered into under a law which permits polygamy. It does not of course alter the law of marriage in Scotland.

- 1972 The **Merchant Shipping (Returns of Births and Deaths) Regulations** empowers the Registrar General of Shipping and Seamen to send the Registrar General register pages recording births and deaths which occur on sea-going ships. The register pages are placed in a Marine Register which replaces the old Marine Register Book.
- 1972 The **Offshore Installations (Logbooks and Registration of Death) Regulations** empowers the Registrar General of Shipping and Seamen to send to the Registrar General register pages recording deaths which occur on offshore installations. The pages are placed in the Marine Register.
- 1972 The **Hovercraft (Births, Deaths and Missing Persons) Regulations** empowers the Department of Trade and Industry to send to the Registrar General returns of births and deaths which occur on hovercraft. These returns are entered into the Hovercraft Register Book.
- 1973 **Domicile and Matrimonial Proceedings Act** gave the wife the capacity to establish a capacity to establish a domicile independent of that of her husband. It also amended the **Recognition of Divorces and Legal Separations Act 1971** relating to divorces obtained abroad and further provided that, from 1 January 1974, divorce proceedings taken in the British Isles would not be recognised as having validly dissolved a marriage unless instituted in a British Court of Law. This precludes, for example, the recognition of a *talaq* divorce obtained in Britain by persons of the Islamic faith or a Jewish *get* granted by a Rabbinical Court.
- 1973 **Local Government (Scotland) Act** designated Regional and Islands Area Authorities as local registration authorities for the purposes of the Registration of Births, Deaths and **Marriages (Scotland) Act 1965** and for other purposes connected with that Act the **Marriage (Scotland) Act 1977** and the **Census Act 1920**.
- 1973 The **Adoption Act 1968 (Commencement No.1) Order** with an effective date of 1 February 1973 provides for the registration of overseas adoptions in the Adopted Children Register, the alteration or correction of any register affected by an overseas adoption and the procedure to be followed in the event of re-registration following legitimation.
- 1973 The **Adoption (Designation of Overseas Adoptions) Order** defines an overseas adoption for the purpose of the Adoption Act 1968, specifies the countries to which the Order applies and gives details of the kind of evidence required to prove that an overseas adoption has been effected.
- 1975 **Children Act**. From March 1977 certain provisions of the 1975 Act were brought into force in Scotland including counselling for an adopted person seeking information about his birth; assumption of parental rights by a local authority; and the adoption of the children concerned.
- 1976 **Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act** provides for public inquiries to be held in respect of fatal accidents deaths of persons in legal custody and other suspicious deaths and or subsequent notification by the Procurator Fiscal to the Registrar General of certain particulars relating to the death of a deceased person.
- 1977 **Presumption of Death (Scotland) Act** makes fresh provision in Scots law in relation to the presumed death of missing persons. Where any person who is missing is thought to have died or has not been known to be alive for a period of at least seven years, a person having an interest may raise an action of declarator of death of that person in the Court

of Session or the Sheriff Court subject to certain conditions concerning domicile or residence.

- 1978 **Adoption (Scotland) Act** consolidates the enactments relating to adoption in Scotland.
- 1978 **Convention Adoption (Miscellaneous Provisions) Scotland Order 1978** makes certain definitions in relation to Scotland for the purposes of the **Adoption Act 1968** and the **Children Act 1975** in respect of the Hague Convention on Adoption. It sets out the manner in which evidence may be given that an overseas adoption is a convention adoption and includes a declaration of the provisions of United Kingdom internal law under which an adoption cannot be granted.
- 1980 **Law Reform (Miscellaneous Provisions) (Scotland) Act** amends provisions of the **Marriage (Scotland) Act 1977** relating to the validity of marriages.
- 1981 The **British Nationality Act**. This Act, coming into force on 1 January 1983, makes changes in the law of citizenship. GROS receive certified copies of births and deaths of British citizens registered by High Commissioners or British Consuls and are able to issue extracts on request.
- 1986 The **Law Reform (Parent and Child) (Scotland) Act** makes fresh provision in the law of Scotland with respect to the consequences of birth out of wedlock, the rights and duties of parents, the determination of parentage and the taking of blood samples in relation to the determination of parentage; to amend the law as to guardianship.
- 1986 **Marriage (Prohibited Degrees of Relationship) Act** makes further provision with regard to the marriage of persons related by affinity.
- 1986 **Family Law Act** amends the law relating to the recognition of divorces, annulments and legal separations and amends the law relating to the powers of courts to make declarations relating to the status of a person.
- 1990 **Human Fertilisation and Embryology Act** makes provision in connection with human embryos and any subsequent development of such embryos; prohibits certain practices in connection with embryos and gametes; establishes a Human Fertilisation and Embryology Authority; makes provision about the persons who in certain circumstances are to be treated in law as the parents of a child.
- 1992 The **Still-birth (Definition) Act** amends the law in respect of the definition of still-birth.
- 1995 The **Children (Scotland) Act** reforms the law of Scotland relating to children, to the adoption of children and to young persons who as children have been looked after by a local authority; makes provision as respects the relationship between parent and child and guardian and child in the law of Scotland.

Other developments

The years since the Second World War have seen a considerable growth in foreign travel (with consequent demand for extracts of birth certificates for passports) and an increasing interest in genealogy and medical statistical research. The Department has sought to deal with these changes by the introduction of additional search rooms (providing 100 places) and the harnessing of new technologies to provide easier access to the records.

Changes in access to the records

The continued interest in family history led inevitably to the withdrawal of the original records from the search rooms because of the risk of damage through excessive handling by the public and their replacement by microform copies on open access.

From 1966 onwards the statutory registers have been created in such manner that pages may be fed through a flow camera. This is a swift method as the film moves through the camera as the pages are fed through. The fiche measure 150mm by 100mm and contain 4 strips of 16mm film so that updating can be easily performed in event of re-registrations, annotations and so on. Planetary cameras, in which the film is stationary while each exposure is being taken and which are therefore slower than the flow camera, were used to film the pre-1996 statutory registers. This avoided difficulties which would be caused by unbinding and rebinding the volumes.

The master fiche are used to produce diazo duplicates for consultation by members of the public who can access them on a self-help basis. As a result few of the original paper registers are ever handled by members of the public. Most extracts are produced from microfiche copies of the registers (or microfilm copies of the OPR and census records). In addition, many local registration offices now make similar use of microfiche. Amongst the advantages of such a system are the ease of handling compared with bulky registers and savings in storage space.

Computerisation of the indexes

Information technology has been used to produce faster and better indexes. In the earliest years of compulsory registration the general indexes were hand-written. Thereafter, until the First World War, letterpress publication was used, an operation which must have been exceedingly expensive. Typing and lithographic reproduction was thereafter utilised until 1965. After 1965 the statutory indexes to the registers of births, deaths and marriages were produced by computer as hard-copy paper printout until 1989 when they began to be progressively replaced by the present electronic indexes held on computer and visible on-screen.

The introduction of a computerised index system has enabled links to local registration offices throughout Scotland and to the Family Records Centre in London where on payment of the requisite statutory fee researchers can access the Scottish indexes. In April 1998 the indexes to records over 100 years old were made available on the department's pay-per-view website.

Digitisation of the records

In 2002 the first results of the department's digitisation programme were made available in the search rooms at New Register House and on the Internet with the release of the 1891 and 1901 census images. The DIGROS (digitisation of the genealogical records of Scotland's people) programme aims to make available all of the department's records as images.

Minor registers

Entries in the minor registers, such as the Foreign Register, Marine Register and Air Register, have been consolidated with the general indexes to births, deaths and marriages and incorporated into the computerised index.

Old parish registers (1553-1854) and census returns (1841-1901)

The Department also co-operated in making good a defect from before the establishment of compulsory registration. The Genealogical Society of Utah (GSU) undertook the indexing of the baptisms and marriages in the Old Parish Registers (in the 1980s) and the 1881 census returns (in the 1990s). This transatlantic co-operation was made possible by a programme of

microfilming of the older records in New Register House which the GSU was permitted to commence in the early 1950s and again in the 1970s.

2 THE CENSUS OF POPULATION

Now to outline briefly the history and development of the census in Scotland starting with a universal definition of the term. A census is "the total process of collecting, compiling, evaluating, analysing and publishing demographic, economic data pertaining, at a specified time, to all persons in a country or in a well-delineated part of a country" (United Nations 1967).

The Scottish Census of 1861 was the first to be conducted by the Registrar General for Scotland, for his post was not created until the 1854 Act. There had, however, been a decennial census from 1801. In those down to 1831 only the summary figures were returned to a central point but small pockets of surviving enumeration lists can be found in national and local archives. In the censuses of 1841 and 1851, conducted by the Home Office with the assistance in Scotland of sheriffs and sheriff-clerks, each enumerator was issued with printed transcript books into which to copy the schedules completed in respect of each household. A few were destroyed by unsatisfactory storage conditions in London, but the bulk were recovered into Scottish custody in 1910 to assist making of pension claims when Old Age Pensions were first introduced by David Lloyd George as Chancellor of the Exchequer. There were separate Acts of Parliament authorising each of the previous Censuses, but in 1920 a longer-term view was taken. The **Census Act of 1920** was important because it gave power to hold periodic enumerations at intervals of not less than 5 years and covered not only the 1921 census but future censuses. It also stated that the questions to be asked at any census were to be prescribed by Order in Council. The 1931 census introduced an interesting change. Although as in previous censuses the 1931 enumeration was on a *de facto* basis, ie each person was enumerated where found at the time of the census instead of at the usual place of residence (referred to as the *de jure* basis) for the first time a question was inserted in the schedule asking for a statement of the address of usual residence of each person enumerated in the household.

There was no census in 1941. The National Register was compiled in 1939 when every civilian person in Great Britain had to be recorded. The head of each household was required to complete a schedule similar to that of a normal census, showing the name, age, sex, date of birth, marital condition, occupation and national service commitment of every member of the household. For individual identifications each person received an identity-card bearing a registered number, name and address and date of birth.

Decennial censuses resumed in 1951. The 1966 census was the first to take place after an interval as short as 5 years from the previous census and the first to be conducted on a 10 per cent sample basis. It was also the first census to ask about cars, method of travel to work and part-time jobs additional to the main occupation. The last census was taken in 2001.

Census records remain closed for a period of 100 years, ie, those for 1841 to 1901 are open and those for the 1911 Census will become available to the public from 1 January 2012. Copies of the open census records are available for consultation (and purchase) on 35mm roll microfilm. Electronic all-Scotland indexes for the 1881, 1891 and 1901 censuses have been added to the New Register House Index Retrieval System and are available on the department's website. Index entries for 1891 and 1901 are linked to images of the relevant census pages.

3 THE GENERAL REGISTER OFFICE

The New Register House was specially designed to accommodate registration records, the architect being Robert Matheson, also responsible for design of the former General Post Office in Edinburgh. The building was erected on its present site near the Old Register House to enable the Deputy Clerk Register to fulfil his functions as Registrar General. The site was

acquired in 1856 and the building was opened in 1861, though not completed until 1864 at a total cost of £40,000. Valuable evidence concerning the construction, even though the author was unclear as to how much of the building was obscured from public view by the Old Register House, is given in an article in the Edinburgh Evening Courant of Saturday 21 June 1862. The article is accordingly reproduced below as an Appendix to the present paper.

APPENDIX I

EDINBURGH EVENING COURANT, Saturday June 21 1862

THE NEW REGISTER HOUSE

On the passing of the Act of 1855 for the Registration of Births, Marriages and Deaths in Scotland the necessity was felt for a large extension of the accommodation of the Register House which in almost all its departments have become greatly overcrowded. From the symmetrical construction of the old building and from the extent of the additional accommodation required, it was found that no mere annex would suitably or sufficiently meet the object in view. Plans were therefore prepared by Mr Matheson and sanctioned by Her Majesty's Board of Works for the erection of a New Register House almost rivalling the magnitude of the older building. From the necessity of placing the new structure in immediate contiguity with the old, a site was fixed upon for the most part within the grounds attached to the Register House and which though rather inadequate to exhibit the new edifice gives the desired element of convenience of access from the parent building. To clear and open up the site the destruction was necessary of buildings in Gabriel's Road, one of the old tracks which existed before the formation of the New Town, and which is connected with many curious traditions and reminiscences and the removal of the old lodge was also requisite. The new building occupies an area of 132 by 115 feet and the front elevation, which is to the south, is only two-thirds exposed to Princes Street from the foot of West Register Street, the remaining one-half being hidden by the older edifice. The whole facade is, however, open to view as the visitor approaches the flight of steps in front - there being a clear space of 26 feet between the two buildings.

The central portion of the new edifice is occupied by a great record room for the deposition of the registers of births, marriages and deaths. This room has now been completed and brought into service. According to the design this Record Room is surrounded by a quadrangular series of offices on the different floors and those on the south front and east sides, including the cornices to the north and west, have been occupied for about a year. The last portion required to complete the structure and which was not included in the original contract is now in course of construction, and it is anticipated that within a year the north and west sides of the building will be completed. Already the New Register House has given accommodation to the whole of the Registrar General's department, and also to the offices of the Accountant in Bankruptcy, to the Teind office, Crown Rents Office, Lyon Office, etc , and the portion of the building now in course of erection will, we believe, be set apart for the accommodation of some of the Court of Session departments.

The New Register House is in the Italian style of architecture and consists of three storeys and basement. The south or principal elevation is 132 feet in length and the height from the ground level to the cornice is 63 feet. The first storey is approached by a flight of steps with an intermediate landing and which extends over the whole width of the centre compartment. The threshold is about eight feet above the level of the roadway. There are nine windows in each of the two upper storeys and eight with doorway in the lower. There are thus on the several floors

three openings in each of the compartments which are exactly balanced in their proportions. The first storey has a polished rusticated front with the round-headed windows, the doorway and windows in the centre compartment being supported by side pilasters with archivolt mouldings and carved keystones. The corbices or extra angles of the building are constructed of broad massive pilasters of rusticated ashler. The windows of the second storey are square headed with alternative angular and circular pediments, with moulded architraves, plates and pilasters and with balustrade in front. In the centre compartment the piers between the windows are filled in with polished Corinthian columns, three-fourths projected, and these support a massive entablature. The upper storey has a series of square windows, with pilasters rising from the entablature in the centre compartment. A bold massive cornice extends along the whole front and the chimneys, which rise to an additional height of 13 feet, are moulded in harmony with the structure. The area enclosing the basement storey is protected in front by a handsome balustrade with intermediate pedestals. The east elevation, which is the only front yet completed, exhibits in the side compartments the characteristics of the front, the centre being throughout of plainer style while the other elevation when finished will exactly resemble the east.

But the great feature of the new building is the Record Room above mentioned. The area of the apartment is nearly square (two cornices being cut off to give room for the staircase in the other section of the building) the dimensions being 72 feet by 63. From the floor to the base of the dome the height is 50 feet, and the dome with cupola light gives an additional elevation of 27 feet. A vast framework of iron rises from floor to dome, forming four series of galleries, and giving with the floor five ranges of shelving. The galleries form a double circle with branches extending into the angles of the building, and two open circular staircases ascend from tier to tier. Within the inner circle there is an open area 34 feet in diameter into of light is poured by the large cupola light and the 16 or 18 perpendicular windows of the dome. The recessed portion is lit by windows in the roof surrounding the dome and altogether the lighting of 10 the building has been well provided for. The duplicate registers of births, deaths and marriages in Scotland from 1855 have already been deposited, but the portion of shelving already filled is quite insignificant in comparison to the vast extent of the accommodation provided. There are we believe several miles of shelving and little idea may be formed of the wonderful capacity of the place without actual inspection. The access to the Record Room is from the centre of the front vestibule, but it may be regarded as in itself an integral portion of the structure. Outside the Record Room, corridors, seven feet in width, are extended through the building on each floor. They are lit by windows in the angles and give access to the different offices occupying the outer section of the building. To the several floors access is given by two well-lit staircases, a little to the right and left of the vestibule.

The contractor for the completed portion of the building was Mr David Rae who has now entered on the contract for the erection of the first portion of the Industrial Museum. The remaining section of the edifice now in progress has been contracted for by Messrs Beattie & Son. The iron framework of the Record Room was put up by Mr Todd, Leith Walk. The execution of the work throughout has, we believe, given much satisfaction.

In addition to the access to the New Register House from Princes Street, a new opening is being made immediately to the west of the building, which will give a nearly direct line from; St Andrew Square. In the new section of West Register Street thus opened a handsome structure is in course of erection for the Cafe Royal, the ground floor of which is to be used as a show-room for Messrs Hume & Co who are about to remove their workshops from this locality to the South Back of the Canongate. The eastern extremity of the new portion of the street will communicate with the lower section of the street by a broad footpath on the old line of Gabriel's Road. This improvement in the adjacent thoroughfares will also much better open the New Register House, and exhibit to better effect the proportions of the structure.