

ANNO QUINQUAGESIMO SECUNDO

GEORGII III. REGIS.

CAP. CXLVI.

An Act for the better regulating and preſerving Pariſh and other Regiſters of Births, Baptiſms, Marriages, and Burials, in *England*.

[28th *July* 1812.]

WHEREAS the amending the Manner and Form of keeping and of preſerving Regiſters of Baptiſms, Marriages and Burials of His Majeſty's Subjects in the ſeveral Pariſhes and Places in *England*, will greatly facilitate the Proof of Pedigrees of Perſons claiming to be entitled to Real or Perſonal Eſtates, and be otherwiſe of great public Benefit and Advantage; be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the Thirty-firſt Day of *December* One thouſand eight hundred and twelve, Regiſters of public and private Baptiſms, Marriages, and Burials, ſolemnized according to the Rites of the United Church of *England* and *Ireland*, within all Pariſhes or Chapelries in *England*, whether ſubject to the Ordinary or Peculiar, or other Juriſdiction, ſhall be made and kept by the Rector, Vicar, Curate, or officiating Miniſter of every Pariſh, or of any Chapelry where the Ceremonies of Baptiſm, Marriage, and Burial have been uſually

Officiating Miniſters to keep Regiſters of Baptiſms, &c.

and may, according to Law, be performed, for the Time being, in Books of Parchment, or of good and durable Paper, to be provided by His Majesty's Printer as Occasion may require, at the Expence of the respective Parishes or Chapelries; whereon shall be printed, upon each Side of every Leaf, the Heads of Information herein required to be entered in the Registers of Baptisms, Marriages, and Burials respectively, and every such Entry shall be numbered progressively from the Beginning to the End of each Book, the First Entry to be distinguished by Number One; and every such Entry shall be divided from the Entry next following by a printed Line, according to the Forms contained in the Schedules (A.) (B.) (C.) hereto annexed; and every Page of every such Book shall be numbered with progressive Numbers, the first Page being marked with the Number 1. in the Middle of the upper Part of such Page, and every subsequent Page being marked in like Manner with progressive Numbers, from Number 1. to the End of the Book.

Parishes to provide leaved Books.

King's Printer to transmit the Act and Forms of the Register to the Ministers.

II. And, for better ensuring the Regularity and Uniformity of such Register Books, be it further enacted, That a printed Copy of this Act, together with one Book so prepared as aforesaid, and adapted to the Form of the Register of Baptisms prescribed in the Schedule (A.) to this Act annexed; and also one other Book so prepared as aforesaid, and adapted to the Form prescribed for the Register of Marriages in the Schedule (B.) to this Act annexed; and also one other Book so prepared as aforesaid, and adapted to the Form prescribed for the Register of Burials in the Schedule (C.) to this Act annexed, shall, as soon as conveniently may be after the passing of this Act, be provided and transmitted by His Majesty's Printer to the officiating Ministers of the several Parishes and Chapelries in *England* respectively, who are hereby required to use and apply the same in and to the Purposes of this Act; and such Books respectively shall be proportioned to the Population of the several Parishes and Chapelries, according to the last Returns of such Population made under the Authority of Parliament; and other Books of like Form and Quality shall for the like Purposes be furnished from Time to Time by the Churchwardens or Chapelwardens of every Parish or Chapelry, at the Expence of the said Parish or Chapelry, whenever they shall be required by the Rector, Vicar, Curate, or officiating Minister to provide the same; and all such Books shall be of Paper, unless required to be of Parchment by such Churchwardens or Chapelwardens respectively.

Registers to be in separate Books.

III. And be it further enacted, That such Registers shall be kept in such separate Books aforesaid, and that every such Rector, Vicar, Curate, or officiating Minister shall as soon as possible after the Solemnization of every Baptism, whether Private or Public, or Burial respectively, record and enter in a fair and legible Handwriting, in the proper Register Book to be provided, made, and kept as aforesaid, the several Particulars described in the several Schedules herein-before mentioned, and sign the same; and in no Case, unless prevented by Sickness, or other unavoidable Impediment, later than within Seven Days after the Ceremony of any such Baptism or Burial shall have taken place.

Certificate of Baptism or Burial when

IV. And be it further enacted, That whenever the Ceremony of Baptism or Burial shall be performed in any other Place than the Parish Church or Church

Church Yard of any Parish, or the Chapel or Chapel Yard of any Chapelry, providing its own distinct Registers, and such Ceremony shall be performed by any Minister not being the Rector, Vicar, Minister, or Curate of such Parish or Chapelry, the Minister who shall perform such Ceremony of Baptism or Burial shall, on the same or on the next Day, transmit to the Rector, Vicar, or other Minister of such Parish or Chapelry, or his Curate, a Certificate of such Baptism or Burial in the Form contained in the Schedule (D.) to this Act annexed, and the Rector, Vicar, Minister, or Curate of such Parish or Chapelry, shall thereupon enter such Baptism or Burial according to such Certificate in the Book kept pursuant to this Act for such Purpose; and shall add to such Entry the following Words, "According to the Certificate of the Reverend "transmitted to me on the Day of ."

Ceremony performed in any other Place than the Parish Church, &c. to be according to Schedule (D.)

V. And be it further enacted, That the several Books wherein such Entries shall respectively be made, and all Register Books heretofore in use, shall be deemed to belong to every such Parish or Chapelry respectively, and shall be kept by, and remain in the Power and Custody of the Rector, Vicar, Curate, or other officiating Minister of each respective Parish or Chapelry as aforesaid, and shall be by him safely and securely kept in a dry well-painted Iron Chest, to be provided and repaired, as Occasion may require, at the Expence of the Parish or Chapelry, and which said Chest containing the said Books shall be constantly kept locked in some dry, safe, and secure Place within the usual Place of Residence of such Rector, Vicar, Curate, or other officiating Minister, if resident within the Parish or Chapelry, or in the Parish Church or Chapel; and the said Books shall not, nor shall any of them be taken or removed from or out of the said Chest, at any Time or for any Cause whatever, except for the Purpose of making such Entries therein as aforesaid, or for the Inspection of Persons desirous to make search therein, or to obtain Copies from or out of the same, or to be produced as Evidence in some Court of Law or Equity, or to be inspected as to the State and Condition thereof, or for some of the Purposes of this Act; and that immediately after making such respective Entries, or producing the said Books respectively for the Purposes aforesaid, the said Books shall forthwith again be safely and securely deposited in the said Chest.

Books to remain in Custody of Rector, &c.

VI. And be it further enacted, That at the Expiration of Two Months after the Thirty-first Day of *December* One thousand eight hundred and thirteen, and at the Expiration of Two Months after the End of every subsequent Year, fair Copies of all the Entries of the several Baptisms, Marriages, and Burials, which shall have been solemnized or shall have taken place within the Year preceding, shall be made by the Rector, Vicar, Curate, or other resident or officiating Minister, (or by the Churchwardens, Chapelwardens, Clerk, or other Person duly appointed for the Purpose under and by the Direction of such Rector, Vicar, Curate, or other resident or officiating Minister,) on Parchment, in the same Form as prescribed in the Schedules hereunto annexed (to be provided by the respective Parishes); and the Contents of such Copies shall be verified and signed in the Form following, by the Rector, Vicar, Curate, or officiating Minister of the Parish or Chapelry to which such respective Register Book shall appertain:

Copies of Registers to be verified.

'I *A. B.* Rector [*or, as the Case may be*] of the Parish of *C.* [*or*, of the Chapelry of *D.*] in the County of *E.* do hereby solemnly declare, That the several Writings hereto annexed, purporting to be Copies of the several Entries contained in the several Register Books of Baptisms, Marriages, and Burials, of the Parish or Chapelry aforesaid, from the Day of to the Day of are true Copies of all the several Entries in the said several Register Books respectively from the said Day of to the said Day of ; and that no other Entry during such Period is contained in any of such Books respectively, are truly made according to the best of my Knowledge and Belief. 'Signed *A. B.*'

Which Declaration shall be fairly written, without any Stamp, on the said Copy immediately after the last Entry therein; and the Signature to such Declaration shall be attested by the Churchwardens or Chapelwardens, or One of them, of the Parish or Chapelry to which such Register Books shall belong.

Copies of Register Books to be transmitted to the Registrars of each Diocese.

VII. And be it further enacted, That Copies of the said Register Books, verified and attested as aforesaid, shall, whether such Parish or Chapelry shall be subject to the Ordinary, Peculiar, or other Jurisdiction, be transmitted by such Churchwardens or Chapelwardens, after they, or One of them, shall have signed the same, by the Post, to the Registrars of each Diocese in *England* within which the Church or Chapel shall be situated, on or before the First Day of *June* One thousand eight hundred and fourteen, and on or before the First Day of *June* in every subsequent Year.

Registrar to make Reports to Bishops, whether the Returns have been sent to them.

VIII. And be it further enacted, That the Registrar of every Diocese in *England* shall, on or before the First Day of *July* One thousand eight hundred and fourteen, and on or before the First Day of *July* in every subsequent Year, make a Report to the Bishop of such Diocese, whether the Copies of the Registers of the Baptisms, Marriages, and Burials, in the several Parishes and Places within such Diocese have been sent to such Registrar, in the Manner and within the Time herein required; and in the Event of any Failure of the Transmission of the Copies of the Registers as herein required, by the Churchwardens and Chapelwardens of any Parish or Chapelry in *England*, the Registrar shall state the Default of the Parish or Chapelry specially in his Report to the Bishop.

In case of Neglect to verify Copies of the Register Books, Churchwardens to certify the Default.

IX. And be it further enacted, That in case the Rector, Vicar, or other officiating Minister or Curate of any Parish or Chapelry shall neglect or refuse to verify and sign such Copies of such several Register Books, and such Declaration as aforesaid, so that the Churchwardens or Chapelwardens shall not be able to transmit the same, as required by this Act, such Churchwardens or Chapelwardens shall, within the Time required by this Act for the Transmission thereof, certify such Default to the Registrar of the Diocese within which such Parish or Chapelry shall be, who shall specially state the same in his Report to the Bishop of such Diocese.

In extra-parochial Places, Memorandum.

X. And, for the obtaining of Returns and Registers of Baptisms and Burials in Extra-parochial Places in *England*, where there is no Church

or Chapel, be it further enacted, That in all Cases of the Baptism of any Child, or the Burial of any Person in any Extra-parochial Place in *England*, according to the Rites of the Established Church, where there is no Church or Chapel, it shall be lawful for the officiating Minister, within One Month after such Baptism or Burial, to deliver to the Rector, Vicar, or Curate of such Parish immediately adjoining to the Place in which such Baptism or Burial shall take place, as the Ordinary shall direct, a Memorandum of such Baptism or Burial, signed by such Parent of the Child baptized, or a Memorandum of such Burial, signed by the Person employed about the same, together with Two of the Persons attending the same, according as the Nature of the Case may respectively require; and every such Memorandum respectively shall contain all such Particulars as are herein-before required; and every such Memorandum delivered to the Rector, Vicar, or Curate of any such adjoining Parish or Chapelry, shall be entered in the Register of his Parish, and form a Part thereof.

Minister may be delivered, of every Baptism or Burial, to the Minister of some adjoining Parish.

XI. And be it further enacted, That the Superscription upon all Letters and Packets containing the Copies of such Parish or other Registers, to be transmitted by the Post to the several Offices of the said Registrars as aforesaid, shall be indorsed and signed by the Churchwardens or Chapelwardens of every respective Parish and Chapelry in *England*, in the Form contained in Schedule (E.); and that all such Letters and Packets shall be carried and conveyed by Means of His Majesty's Post Office to, and be delivered at the Offices of the said Registrars, without Postage or other Charge being paid or payable for the same.

Certain Letters and Packets to go free of Postage.

XII. And be it further enacted, That when and so often as the Copies of the said Register Books of Baptisms, Marriages, and Burials as aforesaid, and also the said Lists of Births, Baptisms, Marriages, or Burials as aforesaid, shall be transmitted to the Office of the said Registrars respectively as aforesaid, pursuant to the Directions herein-before contained for that Purpose, the said Registrars shall respectively cause all the said Books and Lists to be safely and securely deposited, kept, and preserved from Damage or Destruction by Fire or otherwise, and to be carefully arranged for the Purpose of being resorted to as Occasion may require; and the said Registrars respectively shall also cause correct alphabetical Lists to be made and kept in Books suitable to the Purpose, of the Names of all Persons and Places mentioned in such Books and Lists as shall have been transmitted to the said Registrars respectively, which alphabetical Lists and Books, and also the Copies of Registers and Lists so transmitted to the said Registrars as aforesaid, shall be open to public Search at all reasonable Times on Payment of the usual Fees.

Register Books and Memorandums, when transmitted to Registrars, to be safely kept from Damage.

XIII. And whereas in many Dioceses the Places wherein the Copies of the Parochial Registers of Baptisms, Marriages, and Burials, as well as the original Wills proved within the same respectively are kept, are insufficient for their being preserved with due Care; for which a Remedy should be applied in those Dioceses where it shall be found necessary; be it further enacted, That in order to a due Examination thereof, the Bishop, together with the Custodes Rotulorum of the several Counties within each Diocese, and the Chancellor thereof, shall before the First Day of *February* One thousand eight hundred and thirteen, cause a careful

For providing proper Places to preserve Copies of Registers in Dioceses where it shall be found necessary.

careful Survey to be made of the ſeveral Places in which the Parochial Regiſters, and the Wills proved within the Dioceſe, are kept; and ſhall make a Report to His Majeſty's Moſt Honourable Privy Council, of the State of the ſame, on or before the Firſt Day of *March* following, ſetting forth in each Caſe whether the Buildings are in all Reſpects fit and proper for the Preſervation of Papers of the above Deſcription, as well with reſpect to Space as to Security from Fire, and to Protection from Damp, and if not, at what probable Expence they can be made ſo; and where the Inſtruments and Papers before mentioned are kept in Dwelling-houſes or other Places, which cannot be made fit and ſecure for the due Preſervation thereof, then and in ſuch Caſe the Perſons before named ſhall enquire and report in like Manner at what Expence proper Buildings may be provided, and in what Places, ſo as to have one Place within each Dioceſe for the due Preſervation of all ſuch Regiſters and Wills; together with their Opinion upon the moſt ſuitable Mode of remunerating the Officers employed in each Regiſtry, for their additional Trouble and Expence in carrying the Proviſions of this Act into Execution.

Penalty on making falſe Entries, or falſe Copies of ſuch Entries.

XIV. And be it further enacted, That if any Perſon ſhall knowingly and wilfully inſert or cauſe or permit to be inſerted in any ſuch Regiſter Book of ſuch Baptiſms, Burials, or Marriages as aforeſaid, or in any ſuch Copy of any ſuch Regiſter ſo directed to be tranſmitted to the Regiſtrars as aforeſaid, or in any ſuch Liſts or Declarations alſo directed to be tranſmitted to ſuch Regiſtrars as aforeſaid, any falſe Entry of any Matter or Thing relating to any Baptiſm, Burial, or Marriage, or ſhall falſely make, alter, forge, or counterfeit, or cauſe or procure, or wilfully permit to be falſely made, altered, forged, or counterfeited, any Part of any ſuch Regiſter, Liſt, or Declaration, or of any ſuch Copy of any ſuch Regiſter; or ſhall wilfully deſtroy, deface, or injure, or cauſe or procure, or permit to be deſtroyed, defaced, or injured, any ſuch Regiſter Book, or any Part thereof; or ſhall knowingly and wilfully ſign, or certify any Copy of any ſuch Regiſter hereby required to be tranſmitted as aforeſaid, which ſhall be falſe in any Part thereof, knowing the ſame to be falſe; every Perſon ſo offending, and being thereof lawfully convicted, ſhall be deemed and adjudged to be guilty of Felony, and ſhall be tranſported for the Term of Fourteen Years.

But not to affect accidental Errors, if duly and timely corrected according to the Truth and Juſtice of the Caſe.

XV. Provided always, and be it enacted, That no Rector, Vicar, Curate, or officiating Miniſter of any Pariſh or Chapel, who ſhall diſcover any Error to have been committed in the Form or Subſtance of the Entry in the Regiſter Book of any ſuch Baptiſm, Burial, or Marriage, reſpectively by him ſolemnized, ſhall be liable to all or any of the Penalties herein mentioned, if he ſhall within One Calendar Month after the Diſcovery of ſuch Error, in the Preſence of the Parent or Parents of the Child whoſe Baptiſm may have been entered in ſuch Regiſter, or of the Parties married, or in the Preſence of Two Perſons who ſhall have attended at any Burial, or in caſe of the Death or Abſence of the reſpective Parties aforeſaid, then in the Preſence of the Churchwardens or Chapelwardens, (who ſhall reſpectively atteſt the ſame), alter and correct the Entry which ſhall have been found erroneous, according to the Truth of the Caſe, by Entry in the Margin of the Book wherein ſuch erroneous Entry ſhall have been made, without any Alteration or Obliteration of the original Entry, and ſhall ſign ſuch Entry

Entry in the Margin, and add to such Signature the Day of the Month and Year when such Correction shall be made: Provided also, that in the fair Copy of the Registers respectively which shall be transmitted to the Registrars of the Dioceses, the said Rector, Vicar, Curate, or officiating Minister shall certify the Alterations so made by him as aforesaid.

Fees heretofore payable, not to be diminished by this Act.

XVI. Provided always, That nothing in this Act contained shall in any Manner diminish or increase the Fees heretofore payable or of Right due to any Minister for the Performance of any of the before-mentioned Duties, or to any Minister or Registrar, for giving Copies of such Registrations, but that all due legal and accustomed Fees on such Occasions, and all Powers and Remedies for Recovery thereof, shall be and remain as though this Act had not been made.

Copy of Register not subject to Stamp Duty.

XVII. Provided also, and be it enacted, That no Duplicate or Copy of any Register of Baptism, Marriage, or Burial, made under the Directions and for the Purposes of this Act, shall be chargeable with any Stamp Duty thereon; any Act now in force to the contrary thereof in anywise notwithstanding.

Application of Penalties.

XVIII. And be it further enacted, That One Half of the Amount of all Fines or Penalties to be levied in pursuance of this Act, shall go to the Person who shall inform or sue for the same; and the Remainder of such Fines as shall be imposed on any Churchwarden or Chapelwarden shall go to the Poor of the Parish or Place for which such Churchwarden or Chapelwarden shall serve; and the Remainder of such Fines as shall be imposed on any Rector, Vicar, Minister, or Curate, or Registrar, shall be paid and applied to such Charitable Purposes, in the County within which the Parish or Place shall be, as shall be appointed and directed by the Bishop of the Diocese.

List of all Registers to be transmitted.

XIX. And be it further enacted, That the Rector, Vicar, Curate, or officiating Minister of every Parish and Chapelry in *England*, whether subject to the Ordinary, Peculiar, or other Jurisdiction, shall transmit to the Registrar of the Diocese in which the Parish or Chapelry shall be situated, before the First Day of *June* One thousand eight hundred and thirteen, a List of all Registers which now are in such Parish or Chapelry respectively, stating the Periods at which they respectively commence and terminate, the Periods (if any) for which they are deficient, and the Places where they are deposited.

Provisions of this Act to extend to Cathedral Churches, &c.

XX. And be it further enacted, That all and every the Provisions in this Act shall extend, so far as Circumstances will permit, to Cathedral and Collegiate Churches, and Chapels of Colleges or Hospitals, and the burying Grounds belonging thereto; and to the Ministers who shall officiate in such Cathedral or Collegiate Churches, and Chapels of Colleges or Hospitals and burying Grounds respectively, and shall baptize, marry, or bury any Person or Persons, although such Cathedral or Collegiate Churches, or Chapels of Colleges or Hospitals, or the burying Grounds belonging thereto, may not be parochial, or the Ministers officiating therein may not be, as such, parochial Ministers, and there shall be no

Churchwarden or Churchwardens thereof; and in all such Cases, the Books herein before directed to be provided, shall be provided at the Expence of the Body having Right to appoint the officiating Minister in every such Cathedral or Collegiate Church or Chapel of a College or Hospital; and Copies thereof shall be transmitted to the Registrar of the Diocese within which such Cathedral or Collegiate Church or Chapel of a College or Hospital shall be, by the officiating Minister of such Church, in like Manner as is herein directed with respect to parochial Ministers, and shall be attested by Two of the Officers of such Church, College, or Hospital, as the Copies of parochial Registers are herein directed to be attested by Churchwardens: Provided always, that nothing in this Act contained shall extend to repeal any Provision contained in an Act passed in the Twenty-sixth Year of His late Majesty King *George* the Second, intituled *An Act for better preventing Clandestine Marriages*.

Not to repeal any Provision of 26 G. 2. c. 33.

Schedules to which this Act refers.

Schedule (A.)

1.

BAPTISMS solemnized in the Parish of *St. A.* in the County of *B.* in the Year One thousand eight hundred and thirteen.

When Baptized.	Child's Christian Name.	Parents Name.		Abode.	Quality, Trade, or Profession.	By whom the Ceremony was performed.
		Christian.	Surname.			
1813. *1st February* No. 1.	*John Son of*	*William Elizabeth*		*Lambeth*		
3d March No. 2.	*Ann Daughter of*	*Henry Martha*		*Fulham*		

Schedule (B.)

1.

MARRIAGES solemnized in the Parish of *St. A.* in the County of *B.* in the Year One thousand eight hundred and thirteen.

A. B. of { *the* / *this* } Parish

and *C. D.* of { *the* / *this* } Parish

were married in this { *Church* / *Chapel* } by { *Banns* / *Licence* } with Consent of { *Parents* / *Guardians* }

this Day of in the Year

By me, *I. I.* { *Rector* / *Vicar* / *Curate* }

This Marriage was solemnized between us { *A. B.* / *C. D.* }

In the Presence of { *E. F.* / *G. H.* }

Schedule (C.)

1.

BURIALS in the Parish of *A.* in the County of *B.* in the Year One thousand eight hundred and thirteen.

Name.	Abode.	When Buried.	Age.	By whom the Ceremony was performed.
John Wilson No. 1.	*Duke Street, Westminster.*	1813. *1st May.*	62	

Schedule (D.)

I do hereby certify, that I did on the Day of baptize according to the Rites of the United Church of *England* and *Ireland*, Son (*or Daughter*) of and his Wife, by the Name of

To the Rector [*or, as the Case may be*] of

I do hereby certify, that on the Day of *A. B.* of aged was buried in [*stating the Place of Burial*], and that the Ceremony of Burial was performed according to the Rites of the United Church of *England* and *Ireland*, by me,

To the Rector [*or, as the Case may be*] of

Schedule (E.)

To the Regiſtrar of the Dioceſe of
at
A. B. } Churchwardens or Chapelwardens of the Pariſh or Chapelry of
C. D. } [*or ſuch other Deſcription as the Caſe ſhall require*].

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