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AVOIDING ATTENTION? ASSESSING THE REASONS FOR REGISTER OFFICE WEDDINGS IN VICTORIAN ENGLAND AND WALES

BY REBECCA PROBERT

The option of getting married in a register office was introduced by the Marriage Act 1836, and over the course of Victoria's reign over a million couples availed themselves of it. Yet surprisingly little is known about them. This article analyses information about 286 register office weddings celebrated between 1837 and 1901, with examples from 40 counties and 151 different registration districts. It shows that, while those marrying in a register office were drawn from across the social scale and of a median age broadly in line with the national average, brides and grooms from older age groups were overrepresented, reflecting the fact that a higher percentage of marriages in the register office were remarriages for one or both of the parties. Further analysis of their marital histories shows that earlier or subsequent weddings had often taken place in a church, indicating that marriage in a register office cannot be interpreted as evidence of an ideological preference for civil marriage. Some couples chose to marry in a register office because of a desire to keep the wedding private. Others did so because of practical considerations of location, cost, and speed, but these were dependent on the local context and were not static over time. As this indicates, in assessing the reasons for register office weddings, it is important to locate it in the context of an individual's life history.

KEYWORDS: *register office weddings; civil marriage; marriage formalities*

Introduction

In Thomas Hardy's 1887 novel *The Woodlanders*, the ambitious doctor Edred Fitzpiers suggests to his bride-to-be that they should marry in a register office, on the basis that this option would offer 'a quieter, snugger, and more convenient place' than the local church. It is the first of these factors that weighs most heavily with him: he wishes their wedding to pass unnoticed, so that they can establish themselves in a new location without anyone being aware of Grace's humble origins, whereas 'a noisy, bell ringing marriage at church... would be a thing of

report'. When Grace pleads that she would rather be married in a church, 'with all my dear friends round me', Fitzpiers' impatient retort is that marriage 'is a civil contract' and should be as short, simple, and secular as any other legal transaction.¹

This exchange reflects the varied range of reasons – practical considerations, the desire for privacy, and ideological preferences – that scholars have advanced to explain why some Victorian couples chose to be married in a register office after that option was introduced by the Marriage Act 1836. Lawrence Stone, for example, describes register office weddings as 'swift and cheap' and as being 'intended to lure the poor back into matrimony',² while John Gillis claims that while some 'resorted to the register office out of principle', it was primarily used by 'pregnant brides and runaway couples who found the register office a haven of privacy'.³ Olive Anderson similarly suggests that, at least from 1856,⁴ 'civil marriage provided all over the country that widely desired but hitherto unobtainable combination: a way of marriage which was both cheap ... and entirely free from publicity'.⁵ Among those suggesting ideological reasons, Scot Peterson and Iain McLean imply that there was an anti-authoritarian element to register office weddings.⁶ Roderick Floud and Pat Thane, meanwhile, suggest that those getting married in the register office might not have been averse to marrying with religious rites but did not want to marry in the Church of England, and that the resort to the register office in particular areas might be a response 'to the local difficulties of Nonconformist marriage'.⁷

However, what is largely lacking from such accounts are any actual examples of individuals who married in a register office. Anderson's account of register office weddings is the most detailed, but her primary focus was not on why a small but increasing number of couples might have chosen to get married in a register office but rather on the wide variations between (and fluctuations within) different regions and registration districts. She therefore devotes her attention to the statistics and cites just one example of a couple who married in a register office, the future MP Duncan McLaren and Priscilla Bright.⁸ Floud and Thane in turn focus on the difficulties of getting married in a registered place of worship; while they note that 'some Nonconformist ministers were reported to have advised their congregations to marry at the Registrar's office or the Anglican church',⁹ they give no examples of couples who followed such advice. Gillis, meanwhile, jumps from a claim about the choices made by couples in the Ceiriog valley in Wales in the 1840s (for which he cites no evidence) to one woman's recollection – in an autobiography published in 1963 – that when she had contemplated a civil wedding she was told that 'hardly anybody went to a register office unless they were pregnant'.¹⁰ And Peterson and McLean's historical frame of reference is still broader: noting the higher incidence of register office weddings in Ipswich and Norwich, they comment that 'East Anglia had been the seed-bed of resistance to authority from the time of the Peasant's Rebellion (1381) through to the English Civil War'.¹¹ If those Victorian couples who married in a register office were

indeed seeking to avoid attention, they seem to have been very successful in doing so.

Yet knowing who did marry in a register office does merit our attention. While it remained a minority choice in Victorian England and Wales, by 1901 well over a million couples had married in this way.¹² Without actual data as to who these couples were, any theories as to their motivations must remain speculative. In this article I show the insights that can be gained from family history, drawing on information about 286 register office weddings celebrated between 1837 and 1901. Such data, generously shared by 150 family historians, makes it possible to build a picture of the characteristics of couples who married in a register office and the circumstances that may have prompted them to do so. After explaining how the data about register office weddings was collected, I go on to examine the age, occupation, and marital status of the individuals in the sample and how this compared to the marrying population more generally. The third section draws on the stories that family historians shared about the circumstances of these weddings to analyse the potential reasons for marrying in a register office, setting these stories in the context of the legal framework that governed such weddings. The conclusion sets out the implications for existing understandings of what it meant to marry in a register office in Victorian England and suggests avenues for future research.

Before embarking on that discussion, two preliminary points should be made. The first relates to terminology. Throughout the article, I refer to 'register office weddings' rather than 'civil marriage', since the latter term may be misleading when applied to the period as a whole: before 1857, register office weddings were not necessarily 'civil' in the sense of being exclusively secular. Religious content was permitted, and there is evidence of at least some weddings involving religious rites led by a minister.¹³ Besides, the terminology of 'civil marriage' may implicitly convey a message about the ideological preferences of the couples who married in that way, in a way that references to getting married in a register office do not. As I will show, the evidence from family historians shows the danger of making assumptions about couples' preferences from the mere fact that they married in a register office.

The second relates to how the focus of this piece is different from that of Anderson's work. My focus is primarily on explaining why a small but growing number of couples chose to be married in a register office across the course of the century, not on the variations between districts on which Anderson and other scholars have focussed. While the examples provided by family historians are drawn from registration districts across England and Wales, there are too few for any individual registration district to establish why some districts were more popular than others. Nonetheless, ascertaining why some couples married in a register office may be helpful in determining whether those districts in which such weddings were more popular were, as Anderson suggests, so different as to be 'almost alien enclaves, outposts of a different way of life',¹⁴ or whether there were other reasons for their popularity.

Co-producing the data

The decision to seek information directly from family historians was inspired by the difficulty in obtaining information from other sources. The annual reports produced by the Registrar-General offer the possibility of detailed analysis by district, but only tell us how many couples got married in any given register office, not who did so. The figures on how many weddings were remarriages for one or both parties, and on the number of weddings where either the bride or the groom was underage, do not differentiate between those in church, registered place of worship, or register office. Any systematic cohort study of couples getting married in a register office in a particular location is precluded by the inaccessibility of the marriage registers in which such weddings were recorded, in contrast to those for Anglican churches or even registered places of worship. Marriage notice books, which recorded where a couple was intending to marry, have the potential to provide an insight into who married in a register office but need to be used with caution since giving notice did not necessarily mean that a marriage would follow. Local newspapers can also supply an insight but are unlikely to capture all couples.

Accordingly, in 2020 I put out a call inviting family historians whose ancestors had married in 'a civil ceremony'¹⁵ to provide details about the location of the wedding, the age and occupation of the parties, and any reasons why they might have chosen that option. The call also asked for information about the options chosen by those who were Catholic or Nonconformist and whether such couples had married in a Catholic or Nonconformist chapel, a civil ceremony, or an Anglican church. The collection of such data was approved by the Research Ethics Committee at the University of Exeter.¹⁶ The call was disseminated *via* the Lost Cousins network of family historians and a number of societies interested in family history.¹⁷

Individuals who were interested in sharing such information were invited to email me directly. In an earlier project, exploring bigamists who were never prosecuted, I had invited family historians to complete an anonymous online survey because of the sensitivity of exposing potentially criminal behaviour.¹⁸ However, many of those responding to this call had preferred to email me directly, and a number of those who had completed the survey sent a follow-up email with further details that they wanted to share. Given that experience, and the fact that the information that individuals were being invited to share was less sensitive in nature, I decided against including a survey element in this project.

In response to this new call for information, 184 family historians got in touch and between them provided information about 1,132 weddings celebrated between 1837 and 2017.¹⁹ In line with the terms of the ethical approval for the project, every respondent was given a code and the data they had provided was entered into a spreadsheet. The names of respondents were kept separately, as were the names of those getting married. Those who responded were asked

whether they would like to be acknowledged in any forthcoming publication, and the majority confirmed that they would welcome this.

Inevitably, an open call for information meant that information was provided in a variety of ways. Some family historians submitted spreadsheets, some sent certificates, some shared stories, and some did all three. While this meant that I did not always have the same information in relation to every case, it also meant that I acquired information that I would not have thought of asking for. An open invitation, rather than closed questions, allowed individuals to decide how much information they wanted to share, and to add additional valuable context about their ancestors' lives. Every single response was useful in building up the picture of trends, whether it provided the bare facts of the wedding or the entire life story of the parties involved. Moreover, family historians did not simply passively provide information but also asked questions that opened up new lines of inquiry. In addition, where I shared the text that I was planning to include for their approval – for example where it included identifying details about the individuals concerned – many helpfully suggested rewordings or the addition of further details that they had not previously disclosed. As this was an initial exploratory study, all of this information was valuable.

The nature of the data allows for both quantitative analysis of the age, occupation, and marital status of those who married in the register office and qualitative analysis as to their reasons for doing so. It should of course be acknowledged that the sample comprises only a tiny percentage of those who married in a register office in this period and any findings need to be expressed with a degree of caution. That said, the distribution of the 286 weddings that were celebrated in a register office between 1837 and 1901 was broadly in line with the growing incidence of register office weddings across the period; geographically, it includes examples from 40 counties and 151 different registration districts.²⁰ While it is not a representative sample, it does at least provide a yardstick against which existing claims about the resort to the register office can be assessed.

The characteristics of those who married in a register office

Most family historians were able to provide a precise age for each of the parties, despite the common tendency for those registering the marriage simply to record 'minor' or 'full' under the heading that asked for their ages. In a number of cases their researches had also uncovered that the age stated on the certificate was not the true age of the parties. For the purpose of making comparisons with the national-level statistics, the stated age will be taken where that is known to be different from the actual age of the parties, but the circumstances that led individuals to misstate their age will be considered further below.

Across the nineteenth century, the median age of marriage for both brides and grooms was subject to fluctuations but the trend was generally upwards. For the period as a whole, it averaged out at 23.8 years for women and 25.3 years for

men, based on the ages recorded in the marriage register.²¹ Within the register office sample, the median was almost identical, at 23 for women and 26 for men.²² Moreover, when we look at the age distribution of couples marrying in the register office compared to the national picture, underage couples do not appear to be overrepresented in the sample. Over the century as a whole, 18.7 per cent of marriages involved an underage bride, and 6.2 per cent an underage groom,²³ as compared to 19.6 per cent and 5.5 per cent of those marrying in the register office sample. It was in the older age groups that the register office sample diverged more noticeably from the national picture, with a significantly higher percentage of marriages recorded as involving parties over the age of 40. Given the deficiencies of the official statistics – attributable to clergy's tendency simply to record whether the parties were of full age or not²⁴ – the comparison here is with 1901, by which time the actual age of the parties remained unspecified in just 1.2 per cent of cases. In this year, 4.9 per cent of marriages were recorded as involving a groom in their 40s, and 3.5 per cent as involving one aged 50 or over. For brides, the percentages were even lower, with 3.6 per cent of marriages recorded as involving a bride in her 40s, and just 1.6 per cent involving one aged 50 or over.²⁵ Within the register office sample, by contrast, 9.8 per cent of grooms were recorded as being in their 40s, and 7.3 per cent as over 50; similarly, 6.6 per cent of brides were recorded as being in their 40s and 3.7% as over 50. In other words, brides and grooms marrying in the register office were twice as likely to be in their 40s and older. And that, of course, is likely to considerably underrepresent the difference between those getting married in the register office and other couples, bearing in mind that this sample relates to the entire period from 1837 to 1901, and the rise in life expectancy over the course of the century.

This overrepresentation of brides and grooms from older age cohorts can be accounted for by the fact that a higher percentage of marriages in the register office were remarriages for one or both of the parties. Across the period as a whole, around 16.7 per cent of all marriages were stated to be remarriages for one or both of the parties.²⁶ By contrast, 25 per cent of the register office sample were stated to be widow(ers) or (more rarely) divorce(e)s. Examples of those marrying in the register office the second time around include a 40-year-old coal miner, who had lost both his wife and his second son²⁷; a 46-year-old shepherd, whose wife had died two years earlier following a miscarriage²⁸; a 57-year-old licenced victualler, and a 60-year-old retired husbandman.²⁹ From the late nineteenth century we also find those whose first marriage had ended in divorce marrying in the register office the second time around.

Most family historians also supplied information about the groom's occupational status.³⁰ Here the picture is strikingly varied. There was the occasional individual of independent means, together with a sprinkling of professional or white-collar workers, including teachers, clerks, and book-keepers as well as a missionary, an accountant, a musician and an 'artist on glass'. A few grooms were employed in the army, navy or police, while one was a customs officer; a number were also involved

in transport of some kind. There were dealers and merchants, shopkeepers and shopworkers. A long list of individuals were involved in manufacture of some kind, from textile workers and shoemakers in the earlier period to foundry moulders, cinder drawers, and a bicycle fitter later in the century. The second half of the century also saw grooms who were engineers, gas fitters, and plumbers, plus an electrician. A couple of grooms were recorded as being in domestic service: there was one butler and one farm servant. A number were employed in agriculture – mostly as agricultural labourers, but there were also a few farmers and a shepherd – and there was also a large group of unskilled labourers.

Given the small size of the sample and the fact that it is drawn from across the Victorian period, any conclusions about whether those who married in a register office were typical of the broader marrying population have to be very tentative, not least because of the difficulty in finding a suitable comparator. The Registrar-General's reports do not provide any analysis of marriages by occupation, and the tendency for individuals to make inflated claims about their occupation when getting married (the register office sample, it should be noted, also included one groom whose claim to be a 'gentleman' seems to have been somewhat ambitious) means that general analyses of the occupational structure of the population are of limited utility. Nonetheless, the data does seem to suggest that those getting married in a register office were drawn from across the social scale rather than register office weddings being, as Anderson claims, 'a lower caste mode of alliance'.³¹ While members of the professional classes were underrepresented, they were not altogether absent (and in any case accounted for only a very small proportion of Victorian grooms). And while unskilled labourers accounted for the largest single group within the sample, they still only accounted for 11.9 per cent of these grooms; by way of comparison, Jason Long's study of marriage registers found that unskilled labourers accounted for 12.7 per cent of his sample of grooms marrying in the Anglican church in 1881.³²

However, in one respect the occupations of grooms in the register office sample do seem to diverge from the national picture. Only 10 per cent of these grooms were employed in agriculture, a figure which is considerably lower than their proportion of the population in England and Wales as a whole.³³ The underrepresentation of those involved in agriculture may suggest that those getting married in a register office were less likely to be dwelling in rural areas. The significance of this will be considered further when we turn to consider the practical implications of getting married in a register office.

In short, the data from the sample suggests that those who married in a register office were not hugely different from those who married in a religious ceremony, save that they were slightly more likely than those who married in church to be marrying for a second time and possibly more likely to be living in urban districts. That in turn suggests that the task is to explain why these particular individuals made different choices from their peers, rather than there being a distinct type of person who married in a register office.

The possible reasons for marrying in a register office

Ideological preferences?

From their introduction at the start of July 1837, register office weddings were just one of a range of options available to couples in England and Wales. Couples could, as previously, choose to get married in their parish church or, if they were Quakers or Jews, according to their own specific usages. Alternatively, they could take advantage of the other new option introduced by the Marriage Act 1836, that of marrying in a Catholic or Dissenting place of worship that had been registered for weddings.³⁴

In assessing the likelihood of couples having an ideological preference for marrying in a register office, we need to bear in mind that only a tiny percentage of the population could be classified as rejecting religion in this period: Clive Field puts it at a 'negligible' 0.3 per cent in 1840.³⁵ The groups that had been campaigning for marriage to be regarded as a 'civil contract' were Protestant Dissenters, and it was for them, rather than for atheists, that the option of getting married in a register office was designed.³⁶ Since many Dissenters had also been campaigning for their own ministers to be able to conduct weddings in their own places of worship,³⁷ it can be difficult to ascertain whether any particular marriage in a register office reflected an ideological preference for marriage to be a 'civil contract' or was regarded as a second-best to a marriage in a registered place of worship. With relatively few places of worship being registered for weddings in the early years of the Act, not all Dissenters had the option of being married in their own place of worship. In some cases, however, the data provided by family historians about the religious background of a couple who had married in the register office enabled it to be established that the place where they worshipped had not been registered for weddings at the time of their marriage. For example, one Catholic couple, who married at the Westminster register office in 1837, went on to have a separate Catholic ceremony that same day.³⁸ Such couples might well have married in their own place of worship had they had the choice.

In assessing the choice between register office and registered place of worship, it should also be borne in mind that the ceremony – or lack of ceremony – could be very similar whichever option was chosen. Religious content was not required in a wedding in a registered place of worship, although it was usual for the words prescribed by statute to be incorporated into a religious service. Nor, in the first twenty years of the Act, was it prohibited in a wedding in a register office.³⁹ During this period a number of weddings were recorded as taking place in the register office 'according to the rites and ceremonies of the parties', signifying that some religious element was included.⁴⁰

From 1857, however, a new statutory provision prohibited the inclusion of a religious service in any wedding taking place in a register office.⁴¹ From this point on, weddings in the register office were purely 'civil' ones. Even so, examples of individuals who were explicitly opposed to religion marrying in a register office

remained rare⁴² and there were still numerous examples of couples with a strong religious affiliation getting married in a register office. For example, Joseph Jervis, who married Sarah Ann Francis in the Stockton register office in 1861, had been baptised on the Wesleyan Chapel Circuit, and his family were 'very much nonconformists'.⁴³ One couple who married at the register office in 1862 went on to have their child baptised in a Congregational chapel.⁴⁴ Baptist missionary George Cousins married in Lewes register office in 1888 before he and his wife went out to China as missionaries.⁴⁵ And it was not only Nonconformists who married in the register office. There are also examples of couples who had married in a register office going to the Anglican church for other rites of passage. Robert Little and Margaret Shillinglaw, who married in the Gateshead register office in 1868, had twelve of their children baptised in their local Anglican church.⁴⁶

A second factor that complicates any straightforward assumptions about the ideological convictions of those getting married in the register office is that there are many examples of individuals making *different* choices when they remarried. Of course, where an individual was marrying for the second time in the early years of the 1836 Act, they would not have had any option but to marry according to the rites of the Church of England for their first marriage. Even so, given the claims by some historians that register office weddings catered for those who had not previously married in church,⁴⁷ it is worth noting that such first marriages *had* taken place in a church. That was the case for one 63-year-old labourer whose second marriage took place in Truro register office in 1844, his first marriage having taken place in an Anglican church in 1806.⁴⁸ Similarly, the first marriage of Francis Farrow, who married in the Kings Lynn register office in 1847,⁴⁹ had taken place in All Saints' church in South Lynn in 1833.⁵⁰

There were also, conversely, examples of individuals remarrying in a religious ceremony after their first marriage had taken place in a register office: John William Rhodes, who married in the Ruthin register office in 1868, remarried in the Church of England two years later after the untimely death of his first wife.⁵¹ One Devon labourer, married in the Okehampton register office in 1853, went on to marry in the Ebenezer chapel in the town after the death of his wife in 1872.⁵² And one widow who married in a register office in 1875 had previously married in the parish church, while her third wedding, after she had been widowed a second time, took place in a Wesleyan chapel.⁵³

In short, the data from family historians illustrates that getting married in a register office cannot simply be interpreted as evidence of an ideological preference for civil marriage in the sense of a wedding devoid of religious content. Whether or not the obstacles to getting married in a non-Anglican place of worship can explain the wide variations in the incidence of register office weddings – a point of contention between Anderson on the one hand and Floud and Thane on the other⁵⁴ – it is clear that in some cases couples who married in a register office would almost certainly have married in their own place of worship had it been registered for weddings. From that perspective, these couples were not so

much choosing to be married in a register office as choosing not to be married in the Church of England. At the same time, it is clear that over the course of the nineteenth century the register office catered for a far wider constituency than just Dissenters who regarded marriage as a civil contract. In particular, the fact that some individuals made different choices at different times indicates the importance of ascertaining the circumstances behind these choices.

A desire for privacy?

With that in mind, we can turn to the second reason that has been suggested: that the register office was chosen because individuals valued privacy. Anderson describes privacy as being ‘much more often wanted by working people than by their betters’, suggesting that this was ‘partly to escape three weeks’ rowdiness and often cruel teasing, and “disorderly scenes” at the wedding itself, but often also to avoid their employers’ disapproval and sometimes dismissal’.⁵⁵ Gillis, by contrast, implies that it was those who had something to hide (a pregnancy or an elopement) who valued the privacy that the register office offered.⁵⁶

In order to understand why getting married in a register office might offer more privacy than other options, we first need to examine the preliminaries that were required for such weddings. Any couple wishing to get married other than in an Anglican church first had to give notice to the superintendent registrar of the registration district in which they had been resident for at least the previous seven days.⁵⁷ If the parties were living in different districts, then each had to give notice in their own district, but if both were living in the same district then just one of them could give notice.⁵⁸ The notice of marriage was then entered into the marriage notice book,⁵⁹ which was open to public inspection in the office of the superintendent registrar. In addition, for the first 20 years of the Act’s operation, notices of marriage generally⁶⁰ had to be read out at three weekly meetings of the Poor Law Board of Guardians.⁶¹ However, couples could avoid this publicity – and shorten the waiting period by two weeks – by paying extra for a superintendent registrar’s licence. And from 1857, the practice of reading notices of marriage before the Board of Guardians was abolished as a result of the Marriage and Registration Act 1856⁶²; instead, the notice of marriage simply had to be displayed in the office of the superintendent registrar for 21 days.⁶³ While Jennifer Phegley is wrong to claim that the 1856 Act ‘eliminat[ed] the requirement for publicity altogether’,⁶⁴ it is fair to say that simply displaying notices in the office of the superintendent registrar gave the impression of publicity without placing too many obstacles in the way of those wishing to marry.

Of course, in assessing why some couples married in a register office, it should be borne in mind that the same preliminaries were required before any non-Anglican wedding and that a superintendent registrar’s certificate (but not licence) could also be used to authorise an Anglican wedding. Nonetheless, from the increase in the incidence of register office weddings in 1857, it can be inferred that the greater privacy of the new procedure did draw some more couples to be

married in the register office. Across England and Wales as a whole, there were 9,642 weddings in register offices in 1857, as compared to 8,097 in 1856, an increase of around 20 per cent.⁶⁵ Yet not all of that increase can be attributed to the changes to the way in which notices were publicised. The sharpest increase was in the Northern division, where the resort to the register office was boosted by a contemporaneous change removing the option for English couples to marry informally in Scotland without any waiting period.⁶⁶ In addition, some districts in which the procedure generally adopted in 1857 had already been in operation since 1836 also saw an increase: in the Devon district of Stoke Damerel, for example, the number of register office weddings jumped from 142 to 175, an increase of 23 per cent.⁶⁷ And some couples who might previously had chosen to marry in the Church of England on the authority of a superintendent registrar's certificate may also have turned to the register office: from 1857 clergy were allowed to refuse to accept such certificates as a preliminary to an Anglican wedding, and the number of Anglican weddings authorised by a superintendent registrar's certificate fell in the wake of the 1856 Act, from 4,045 in 1856 to 3,748 in 1857.⁶⁸

The increase in the number of register office weddings also needs to be kept in perspective: in 1857, register office weddings still only accounted for 6.1 per cent of the total. That hardly supports Anderson's claim that privacy was widely desired. Moreover, her claims about the adverse consequences of publicity are primarily based on the evidence given to the 1868 Royal Commission by Anglican clergy who were critical of banns and arguing in favour of a cheaper form of licence; as a result, their claims need to be treated with a degree of caution. In addition, their evidence was both more equivocal than Anderson's account suggests and harder to link to a desire for a private wedding. The evidence of potential disapproval by employers came from the Bishop of Rochester, who claimed that '[u]nfair criticism and condemnation of the marriage by employers, amounting at times to actual bullying and petty tyranny, is not uncommon'.⁶⁹ However, while he referred to servants having their banns called in large London parishes where they were unknown, he did not suggest that they risked dismissal. And the example he gave of squires refusing to let accommodation to those who had made an improvident marriage does raise questions about how such criticism and condemnation could be avoided by marrying in a register office rather than the parish church – unless the couple in question never planned to set up home together at all, which would rather defeat the point of getting married. Neither the Bishop nor the other individuals cited by Anderson made any reference to rowdiness or disorderly scenes at the wedding itself. Nor did they directly refer to 'cruel teasing'. The Bishop of Oxford simply asserted (without evidence) that 'common people' did not like to attend church when their banns were being called for fear of being 'laughed at',⁷⁰ while the Bishop of Rochester's commented that '[m]uch disparity of years, or any natural deformity, or ridiculous peculiarity which is observable, or dislike of the alliance on the part of friends (without valid objection)

occasions inconvenience'.⁷¹ While the latter claim was equally unsupported with examples, it does at least accord with the claims made by E.P. Thompson, also cited by Anderson, about the type of marriage that might attract rough music.⁷² But at the very most, all this suggests is that there were certain types of marriages that might attract local comment, not that weddings would in the normal course of events attract adverse reactions from the community. And Stephen Banks shows how rough music could not necessarily be avoided by marrying privately; noting how one 70-year-old married his 45-year-old bride at 8am in the morning in order to avoid notice, he adds that they were treated to a 'good kettle band' later in the day.⁷³

All this suggests that in considering whether a desire for privacy led couples to marry in the register office, consideration needs to be given to exactly what was being kept private, and from whom. The most obvious cases were those where the marriage would have been void on account of being within the prohibited degrees of marriage or because one of the parties was still validly married to another. In such cases the parties would have wished to keep the fact of the marriage private from the authorities and anyone who might issue a caveat against the wedding going ahead. Within the register office sample, impediments have been identified for 24 marriages, or 8.4 per cent (and there may of course be others where an impediment existed but has not been identified). Three men married a daughter or niece of their deceased wife, while one woman married her deceased husband's brother, and seven men married their deceased wife's sister. Among the latter was a 58-year-old widower, who remarried in the Huddersfield register office in 1885 after previously marrying in the Church of England; his new wife also happened to be heavily pregnant, giving birth six weeks later.⁷⁴ The other 13 cases involved an existing spouse. The first husband of Caroline Bobbins was apparently still alive when she married Thomas Goodchild at the Liverpool register office in 1855.⁷⁵ One 23-year-old bride who went through a bigamous wedding at Liskeard register office in 1861 had married in church just four years earlier, and her first husband also remarried there some years later.⁷⁶

In some of these cases privacy was ensured by the fact that the couple were deliberately marrying in a registration district where they were not permanently resident. One bigamous bride, who married at the Exeter register office in 1859, was in fact resident in Honiton registration district, as was her new husband.⁷⁷ Her first marriage had only taken place a few years earlier and she may well have worried that her name would be remembered by the superintendent registrar of Honiton district. Another couple, whose marriage was within the prohibited degrees, travelled 70 miles from their home in Southampton to go through a marriage in Eton register office.⁷⁸ In other cases individuals seem to have given false details to try to cover their tracks. One man who married in a register office in 1890 gave his status as bachelor, his age as 30, and his name as Charles. The last was at least half-true, Charles being his middle name, but he was 40 rather than 30, and, it seems, still married to the woman he had wed 20 years earlier.⁷⁹

A second group of cases where individuals had a clear reason for wishing for their union to be private was where they were falsely claiming to be of age. In such cases the wedding only needed to be kept private from the person who could withhold consent from their marriage. In most cases this would be the father of the underage party; if the father had died, then it was the responsibility of any guardian appointed by the father's will, and if no guardian had been appointed then it would be the mother (as long as she had not remarried).⁸⁰ Crucially, although parental dissent could prevent a marriage from going ahead, neither the absence of parental consent nor misstatements by the parties about their age had any impact on the validity of the marriage. Again, the register office sample provided a number of examples. When John William Rhodes married Anne Lloyd in the Ruthin register office in 1868, he was just 18, despite claiming to be 21, and the witnesses to the wedding were the registrar's wife and daughter.⁸¹ Another pair who married at the register office in Greenwich in 1886, both claiming to be of age, were just 18 and 19 years old, and the witnesses were similarly unrelated.⁸² Janet Shillinglaw, who married at the Gateshead register office in 1866, was even younger: claiming to be 21, she was in fact only 17 (while her husband, who claimed to be 26, was actually 30).⁸³ While her wedding was witnessed by her sister, there is no evidence that her father was present. The fact that he was living only a couple of miles away at the time underlines just how ineffective the display of notices of intended marriages was.

However, adjusting the calculations of those who were underage when they married in the register office to include those who had falsely claimed to be of full age does not lead to any dramatic increase in the figures: the percentage of underage brides only rises to 22.6 per cent, and the corresponding figure for grooms to 6.5 per cent. Not all of those underage brides and grooms whose age was misstated in the register were claiming to be 21. One 17-year-old spinster claimed to be 18,⁸⁴ and another claimed to be 20,⁸⁵ while one particularly young bride (aged just 15) claimed to be 17.⁸⁶ Such misstatements suggest that the marriage might not have been thought suitable where one of the parties was so young, but that again raises the question about what was being concealed from whom. Within the sample, 6.2 per cent of grooms and 8.9 per cent of brides are known to have adjusted their ages (sometimes upwards, sometimes downwards). One cannot discount the possibility that they had not been entirely truthful with their affianced; as a result, where marrying in their local church would expose the truth, some individuals may have preferred the register office.

There were also 15 marriages in the sample (around 5.2 per cent of the sample) in which there was an age gap of 20 years or more between the bride and groom. That a number of the couples in the sample lied about their ages in order to minimise the extent of the gap between them might suggest that there was a certain degree of social stigma attaching to such pairings. In one case where the bride was 33 years older than the groom, her given age was recorded as 50 rather than the actual 62, while he claimed to be 30 rather than 29.⁸⁷ Yet others were open

about the difference in their ages. While Thompson identifies marriages in which there was a significant age gap as being potentially vulnerable to 'rough music',⁸⁸ it seems unlikely that these couples chose the register office *solely* on account of the age gap. In most cases the marriage was a second one for one or both of them, and in a few cases there were other compounding variables such as an existing spouse or the parties being within the prohibited degrees. Moreover, in the case involving the largest age gap – an 80-year-old groom and 21-year-old bride – it seems unlikely that a couple living in West Ham in the 1890s would have been genuinely concerned about the risk of rough music.

Another type of case that has been identified as potentially attracting local hostility is where there was evidence of premarital sexual activity.⁸⁹ Within the register office sample, at least 14.7 per cent of brides were pregnant, many of whom would have been very visibly pregnant at the time of the wedding. Eleanor Gill, who married at Whitehaven register office in 1859, was seven months' pregnant at the time; in addition, this was a mixed marriage, Eleanor being a Protestant and the groom Henry a Catholic, and Henry had only recently returned from the prison hulks in Bermuda, having been sentenced to transportation aged just 17.⁹⁰ Mary Ann Reeve gave birth to her daughter just 12 days after her wedding at the Ipswich register office in May 1881.⁹¹

Again, some pregnant brides took steps to avoid attention by marrying in a different registration district. One bride, who gave birth just two weeks after the wedding, had married at the Gloucester register office in August 1851.⁹² It seems likely that she and her husband-to-be had deliberately chosen to travel to Gloucester to get married without attracting too much attention, and there are a number of factors suggesting that their residence there was of fairly short duration. At the time of the 1851 census, around five months earlier, both had been living with their respective families in different villages. While these villages were in different registration districts – one in Stroud and the other in Cirencester – both of these places were closer than Gloucester, and so the choice to marry in Gloucester does not seem to have been dictated by convenience. The street where they said that they were living in Gloucester was one with a number of inns, so their sojourn there may only have been temporary – just enough to satisfy the superintendent registrar that the requirements of the statute had been fulfilled. Four months later, their son was baptised in the husband's home parish.

In a further 6.6 per cent of cases, the bride was already a mother. One mother-of-five described herself as a widow when she married in 1873, but she had already had two illegitimate children and three others who may well also have been illegitimate as no trace of any former husband has been found.⁹³ One 20-year-old bride who married at the Sleaford register office in Lincolnshire in 1863 had already had two illegitimate children, both of whom seem to have been fathered by someone other than her husband-to-be.⁹⁴ And another, who was just 17 when she married at Woodbridge register office in 1860, had given birth to a son the year before. The fact that the son bore the same name as the groom indicates

that the latter was probably the father, although it is not possible to establish if the couple was actually living together in advance of the wedding.⁹⁵

While it was relatively rare for couples to have been living together before they married, there were a few examples in the register office sample. Most would appear to be cases in which there was an impediment to the marriage. Francis Farrow had been living with the woman who became his second wife for a number of years before they married; given that she was his deceased wife's sister, they may have been delaying in the hope that the 1835 legislation that had made such marriages void would be repealed.⁹⁶ In another case a widow had moved in with her aunt's widower to act as his housekeeper.⁹⁷ Caroline Bobbins had been pretending to be the wife of Thomas Goodchild as early as 1840, although she subsequently returned to her legal husband when he left the Royal Marines. By early 1845, however, she had returned to Thomas⁹⁸; the timing of their wedding, a decade later, suggests that they may have been waiting until seven years had elapsed since there had been any news of Caroline's first husband.

From these examples, we can infer that some couples chose to get married in a register office because they had something to hide. Of course, the fact that there were couples for whom privacy was desirable is not the same as evidence that privacy was 'widely desired', as Anderson asserts. Moreover, these categories only account for around one-third of the marriages in the sample. We therefore need to look at whether there were any practical advantages to marrying in the register office that might have induced couples to make that choice.

Practical?

Insofar as there were practical advantages to marrying in a register office, these were not only dependent on the local context but may also have changed over time.

First, in terms of the physical convenience of getting married in a register office, the varying size of registration districts needs to be taken into account. Anderson, for example, speculates that it was in 'poor and remote areas... where parishes were big and forms of settlement scattered' that 'couples whose forbears had probably never been married by a parson found that the novel facility of civil marriage gave them an acceptable means of keeping close to familiar ways'.⁹⁹ Setting aside for the moment her unsubstantiated assumption that earlier generations had not married in church, it needs to be remembered that though parishes could be big, registration districts were even bigger. With around 620 across England and Wales, each covered a far wider area than the 10,000 Anglican parishes that still formed the underpinning structure for Anglican weddings. For most couples in any given district, a parish church or chapel of ease would have been far more convenient than the single register office. The Suffolk registration district of Blything, for example, encompassed over 92,000 acres; the decision to locate the register office in the centre of the district may have been well meaning, but the result was that it sat in the middle of the countryside. The best that could be said was that it was equally inconvenient for everyone. Similarly, Gillis' claim that

‘[a]fter the 1840s the people of the Ceiriog valley resorted to the nearest register office when they encountered any obstacle to their marriages’¹⁰⁰ suggests a lack of understanding of the geography of the region and the distribution of register offices. For couples in Llansanffraid Glyn Ceiriog, the nearest register office was a 13-mile walk away in the neighbouring valley of the River Dee, or a slightly shorter trek across the exposed heather moorland between the two.

Over the second half of the nineteenth century, however, the percentage of the population living in a town or city increased, from around half in the 1850s to over three-quarters by 1901.¹⁰¹ That did not mean that the register office was always more convenient than the parish church, but it did increase the likelihood of a couple living within a relatively short distance of a register office. Increased mobility also meant that there were more people who had moved away from their community of origin and from the church in which their forbears had married. Those who had moved from their community to work in a city might not have family close at hand who could attend their wedding, or any deep connection with their new parish church. One couple who married in London in 1869 were both living a long way from their families of origin, the groom having been born in Nottinghamshire and the bride in Norfolk, and the witnesses to their wedding do not appear to have been family members.¹⁰² Indeed, even those who had grown up in the city did not necessarily have the opportunity of being married in the church where their parents had married: the creation of new parishes to cater for growing urban populations meant that many individuals lost the right to be married in what they had previously regarded as their parish church.

Second, whether or not a register office wedding was cheaper than the alternatives would also have varied from place to place and over time. The costs of a register office wedding were all fixed by the Marriage Act 1836: giving notice cost one shilling,¹⁰³ and a further shilling had to be paid for the superintendent registrar’s certificate authorising the wedding to go ahead¹⁰⁴; in addition, a fee of five shillings was payable to the registrar, who was responsible for registering the wedding.¹⁰⁵ These fees remained unchanged over the period,¹⁰⁶ meaning that a register office wedding was relatively cheaper in 1901 than it was in 1837. As to whether it was cheaper than the alternatives depended on local factors. The legal costs of marrying in a registered place of worship were exactly the same, although in practice the priest or minister conducting the ceremony may also have asked for a fee. The cost of getting married in an Anglican church would have varied from parish to parish, since there was no standard scale of fees. But it should be noted that under ecclesiastical law such fees had to be reasonable, and in 1868 it was held that a fee of 13 shillings (covering the calling of the banns, the performance of the ceremony, and a fee to the clerk) could not be demanded as of right and, moreover, was not reasonable.¹⁰⁷

If a church wedding cost more, it was in the optional extras rather than the cost of the ceremony itself.¹⁰⁸ As one commentator noted, if the parties wished to be married ‘with a full choral service and in a church decorated with flowers and red baize, they must pay accordingly’.¹⁰⁹ Such decorations were not unknown in

register office weddings, but were rare; in addition, the pared-down prescribed words did not require the giving of a ring.¹¹⁰

In terms of speed, a register office wedding offered no advantage, save in the shortness of the ceremony itself, which one contemporary noted could be as little as three minutes.¹¹¹ An Anglican wedding could take place as soon as the third calling of the banns had been completed, potentially bringing the waiting period for a marriage in church down to 15 days, while ecclesiastical licences could be obtained with no waiting period at all. That said, after 1856 a superintendent registrar's licence was considerably cheaper than an ecclesiastical licence. Legislation in that year halved the cost of such a licence from £3 to £1 10 shillings (plus stamps).¹¹² The period of residence required before notice could be given for such a marriage was increased to 15 days,¹¹³ but the waiting period before the licence could be then issued was reduced from seven days to just one.¹¹⁴ As a result, while a superintendent registrar's licence was neither the cheapest or the quickest option, it did offer the cheapest way to a quick wedding. Within the sample, those marrying by licence included a railway clerk and his pregnant bride.¹¹⁵

There was also one scenario in which a superintendent registrar's licence offered the *only* way to a quick wedding. An ecclesiastical licence could only be granted to authorise a wedding in a parish where one of the parties had been resident for the previous 15 days.¹¹⁶ A superintendent registrar's licence could be granted by a superintendent registrar of the district where one of the parties had been resident for the previous 15 days but, crucially, could authorise a wedding in a *different* district. The 1856 Act also provided that only one of the parties would need to give notice where the marriage was to be by licence, even where the other lived in a different district.¹¹⁷ For those whose fiancés were at sea for long periods, and whose ships might dock at any port in England or Wales, a superintendent registrar's licence offered the possibility of being able to get married in the brief window of time during which the ship was in dock. Within the sample, there were a few examples of licences being obtained where the groom was a mariner of some kind. The most striking example was that of the bride from South Shields who in 1898 travelled to Cardiff – a journey of almost 300 miles – in order to get married in the register office there while the ship on which her husband-to-be was working was in dock.¹¹⁸

In short, the practical advantages of choosing a register office wedding as opposed to one in the Church of England or a registered place of worship were very much dependent on the local context and were not static over time. And the extent to which any practical advantages of location, cost, and speed would weigh with a couple and lead them to marry in a register office would also depend on their own circumstances and wishes.

Conclusion

Family histories reveal the complex reasons that underpinned couples' decisions about whether to marry in a register office. In the early years of the Act, the

possibility of being able to include religious rites, and the limited number of places of worship that were registered for weddings, led a number of non-Anglicans to marry in a register office; from 1857, however, the prohibition on religious content made that option less desirable, and the increasing number of places of worship being registered meant that more attractive options were available. From 1857, the greater privacy afforded by the civil preliminaries meant that those who had something to hide were increasingly likely to choose the register office over other options. And over the second half of the nineteenth century urbanisation and rising wages would have made a register office wedding more accessible.

In offering these reasons as to why some individuals chose to be married in a register office, it does not matter that the ideological divisions between church, chapel, and register office were often not particularly deep, that the desire for privacy was limited, and the practical advantages of marrying in a register office relatively minor. Had it been otherwise, then one would expect the number of register office weddings to have been considerably greater.

The findings presented here do also have implications for previous assessments of the variations in the incidence of register office weddings between districts. One hitherto unexplored variable that needs to be investigated is whether the number of register office weddings in any given district represents the choices made by residents of that district or individuals travelling to that district. Another is the location of the register office. Any analysis of the statistics needs to be rooted in an exact understanding of what being married in any given register office entailed. And before making any definitive judgement on why couples married in a register office, we need to know more about what percentage of *religious* marriages involved couples who should not have been marrying on account of an impediment, parties falsely claiming to be of age or lying about their ages to conceal a large age gap, brides who were pregnant or already mothers, or couples living together and passing as married.

Finally, in terms of the methodology employed, it is clear that working with family historians has the potential to provide important new data and insights. This particular study showed the value of liaising directly with individuals rather than circulating an anonymous survey: knowing how a register office wedding fitted into an individual's life history is more illuminating than simply knowing the characteristics of those who married in this way.

Notes

¹ Thomas Hardy, *The Woodlanders* (Penguin Classics, 1986), 217.

² Lawrence Stone, *Road to Divorce: A History of the Making and Breaking of Marriage in England* (Oxford: Oxford University Press, 1995), 133.

³ John Gillis, *For Better, For Worse: British Marriages 1600 to the Present* (Oxford: Oxford University Press, 1985), 235.

⁴ As a result of the Marriage and Registration Act 1856, discussed further below.

⁵ Olive Anderson, "The Incidence of Civil Marriage in Victorian England and Wales," *Past & Present* 69 (1975), 50-87, 65.

- ⁶ Scot Peterson and Iain McLean, *Legally Married: Love and Law in the UK and the US* (Edinburgh: Edinburgh University Press, 2013), 103.
- ⁷ Roderick Floud and Pat Thane, "Debate: The Incidence of Civil Marriage in Victorian England and Wales," *Past & Present* 84 (1979): 146–154, 154 (hereafter "Debate").
- ⁸ Anderson, "The Incidence of Civil Marriage," 58.
- ⁹ Floud and Thane, "Debate," 151.
- ¹⁰ C. Stella Davies, *North Country Bred: A Working Class Chronicle* (London, 1963), 153. The author was referring to attitudes in the 1930s.
- ¹¹ Peterson and McLean, *Legally Married*, 103.
- ¹² Calculated from Office for National Statistics (hereafter ONS), "Marriages in England and Wales: 2019; Worksheet 1b: Number of opposite-sex marriages by year, type of ceremony and denomination, England and Wales, 1837 to 2019."
- ¹³ Rebecca Probert, "Secular or Sacred? The Ambiguity of 'Civil' Weddings in England and Wales, 1836–56," *Journal of Legal History* 43 (2022): 136–60.
- ¹⁴ Anderson, "The Incidence of Civil Marriage," 63.
- ¹⁵ My use of this terminology reflected my original assumption that register office weddings were synonymous with civil weddings.
- ¹⁶ Ref 201920-095.
- ¹⁷ These included the Devon Family History Society, the Peak District U3A, the Upper Dales Family History group, the Isle of Wight Family History Society, and the Odiham U3A Family History Group.
- ¹⁸ See Rebecca Probert, "Escaping Detection: Illegal Second Marriages and the Crime of Bigamy," *Journal of Genealogy and Family History* 6 (2022): 27–33.
- ¹⁹ For analysis see Rebecca Probert, "Interpreting Choices: What Can We Infer from Where Our Ancestors Married?," *Journal of Genealogy and Family History* 5, no. 1 (2021), 75–84.
- ²⁰ While some family historians provided multiple examples, the risk of the sample being skewed was reduced by the fact that these were generally drawn from different branches of their tree and different localities. Where register office weddings recurred within a single branch of the family, this was an important finding in itself.
- ²¹ Calculated from ONS, "Marriages in England and Wales: 2019; Worksheet 6a: Median age at marriage of opposite-sex partners by sex and previous marital status, England and Wales, 1846 to 2019."
- ²² These calculations were based on data for 269 brides (with 12 cases in which no age was given, one stated to be a minor and one of full age) and 274 grooms (with 9 cases in which no age was given, one stated to be a minor and one of full age).
- ²³ Calculated from the quinquennial averages give in the *Thirty-Eighth Annual Report of the Registrar-General of Births, Deaths and Marriages in England* (London: HMSO, 1875), xx, and the *Sixty-third Annual Report of the Registrar-General of Births, Deaths and Marriages in England* (London: HMSO, 1900), x.
- ²⁴ In 1846, the actual age of the parties was not stated in 83 per cent of cases. Recording did improve, following the exhortations of successive Registrar-Generals, but even so, no age was stated in around a third to a quarter of cases for much of the century.
- ²⁵ Calculated from ONS, "Marriages in England and Wales: 2019; Worksheet 3a: Number of opposite-sex partners marrying by age and previous marital status and sex, England and Wales, 1846 to 2019."
- ²⁶ Calculated from ONS, "Marriages in England and Wales: 2019; Worksheet 2a: Number of opposite-sex marriages by previous marital status and sex, England and Wales, 1845 to 2019."
- ²⁷ Mark Young, email 18 June 2020.
- ²⁸ Yvonne Herne, email 18 June 2020.
- ²⁹ Kim Tomlinson, email 19 June 2020.
- ³⁰ A few also supplied information about the bride's occupation, but too few for any meaningful statistical analysis to be undertaken.
- ³¹ Anderson, "The Incidence of Civil Marriage," 65–66.
- ³² Jason Long, "The Surprising Social Mobility of Victorian Britain," *European Review of Economic History* 17 (2013): 1–23, Table 2.
- ³³ Edward Higgs, "Occupational Censuses and the Agricultural Workforce in Victorian England and Wales," *Economic History Review* XLVIII, no. 4 (1995): 700–16.
- ³⁴ For discussion of the reasons for the introduction of the 1836 Act see Rebecca Probert, *Tying the Knot: The Formation of Marriage 1836–2020* (Cambridge: Cambridge University Press, 2021), ch 2.

- ³⁵ Clive Field, *Periodizing Secularization: Religious Allegiance and Attendance in Britain, 1880–1945* (OUP, 2019), 25 and Table 2.1.
- ³⁶ On this see further Probert, “Sacred or Secular?” and *Tying the Knot*, ch 2.
- ³⁷ *Ibid.*
- ³⁸ Colin Moretti, email 7 June 2020..
- ³⁹ Probert, “Secular or sacred.”
- ⁴⁰ Probert, “Interpreting Choices,” 78.
- ⁴¹ Marriage and Registration Act 1856, section 12.
- ⁴² For a rare example, see Probert, “Interpreting Choices,” 81.
- ⁴³ Pam Laycock, email 16 June 2020.
- ⁴⁴ Laura Rouse, email 11 June 2022.
- ⁴⁵ Andrew R Janes, email 4 August 2020.
- ⁴⁶ Colleen Armstrong-Thomas, email 16 January 2022.
- ⁴⁷ See e.g. Anderson, “The Incidence of Civil Marriage”; Stephen Parker, *Informal Marriage, Cohabitation and the Law, 1750–1989* (Basingstoke: Macmillan, 1990), 78; Jennifer Phegley, *Courtship and Marriage in Victorian England* (Santa Barbara: Praeger, 2012).
- ⁴⁸ Lesley Plant, email 20 June 2020.
- ⁴⁹ Pauline Gilbertson, email 13 June 2020.
- ⁵⁰ Norfolk Record Office, *Norfolk Church of England Registers*, PD 607/17.
- ⁵¹ Kay Winfield, email 19 June 2020.
- ⁵² Andrew R Janes, email 4 August 2020.
- ⁵³ Penny Keens, email 28 June 2020.
- ⁵⁴ See Floud and Thane, “Debate,” and Anderson, “Rejoinder.”
- ⁵⁵ Anderson, “The Incidence of Civil Marriage,” 65–66.
- ⁵⁶ Gillis, *For Better, For Worse*, 235.
- ⁵⁷ Marriage Act 1836, section 4.
- ⁵⁸ Marriage Act 1836, section 4.
- ⁵⁹ Marriage Act 1836, section 5.
- ⁶⁰ But not universally: where a registration district fell outside the structures of the New Poor Law, there was no Board of Guardians before whom notices could be read, and notices were simply displayed in the office of the superintendent registrar: see Probert, *Tying the Knot*, 51.
- ⁶¹ Marriage Act 1836, section 6.
- ⁶² Marriage and Registration Act 1856, section 1.
- ⁶³ Marriage and Registration Act 1856, section 4.
- ⁶⁴ Phegley, *Courtship and Marriage*, 115.
- ⁶⁵ *Nineteenth Annual report of the Registrar-General of births, deaths and marriages in England* (London: HMSO, 1858), Table III; *Twentieth Annual report of the Registrar-General of births, deaths and marriages in England* (London: HMSO, 1859), Abstract of Marriages, 2.
- ⁶⁶ Marriage (Scotland) Act 1856, section 1.
- ⁶⁷ Stoke Damerel was one of the registration districts that fell outside the structures of the New Poor Law: see n lx above.
- ⁶⁸ *Nineteenth Annual Report*, iv; *Twentieth Annual Report*, 1.
- ⁶⁹ *Report of the Royal Commission on the Laws of Marriage* (London: HMSO, 1868), Cm 4059, 15.
- ⁷⁰ *Ibid.*, 72.
- ⁷¹ *Ibid.*, 15.
- ⁷² E.P. Thompson, “‘Rough Music’: Le Charivari Anglais,” *Annales. Histoire, Sciences Sociales* 27 (1972): 285–312.
- ⁷³ Stephen Banks, *Informal Justice in England and Wales, 1760–1914: The Courts of Popular Opinion* (Woodbridge: The Boydell Press, 2014), 87.
- ⁷⁴ Guy Hirst, email 24 September 2020.
- ⁷⁵ Joan Marshall, email 11 June 2020.
- ⁷⁶ Andrew R Janes, email 4 August 2020.
- ⁷⁷ Elizabeth Parsons, “A Bigamous Marriage in the Register Office,” *Journal of Genealogy and Family History* 5 (2021): 87–88.

- ⁷⁸ Jenny Paterson, “Married in a Register Office – Or Were They?,” *Journal of Genealogy and Family History* 5 (2021): 94–95.
- ⁷⁹ Erica Ward, email 11 June 2020.
- ⁸⁰ Rebecca Probert, “Parental Responsibility and Children’s Partnership Choices,” in *Responsible Parents and Parental Responsibility*, ed. Rebecca Probert, Stephen Gilmore, and Jonathan Herring (Oxford: Hart Publishing, 2009).
- ⁸¹ Kay Winfield, email 19 June 2020.
- ⁸² Diana Robinson, email 23 June 2020.
- ⁸³ Colleen Armstrong-Thomas, email 7 September 2020.
- ⁸⁴ Kay Winfield, email 13 July 2020.
- ⁸⁵ Marion Moverley, email 1 July 2020.
- ⁸⁶ Lesley Plant, email 20 June 2020.
- ⁸⁷ Guy Hirst, email 24 September 2020.
- ⁸⁸ Thompson, “Rough Music,” 294.
- ⁸⁹ Banks, *Informal Justice*, 87.
- ⁹⁰ Wendy Lynch, email 13 June 2020.
- ⁹¹ Mary Ann Dunn, email 12 June 2020.
- ⁹² Robyn Coghlan, email 12 June 2020.
- ⁹³ Karin Fancett, email 11 June 2020.
- ⁹⁴ Stephen Larkin, email 5 September 2020.
- ⁹⁵ Mary Ann Dunn, email 12 June 2020.
- ⁹⁶ Pauline Gilbertson, email 13 June 2020.
- ⁹⁷ Paterson, “Married in a Register Office.”
- ⁹⁸ Joan Marshall, email 11 June 2020.
- ⁹⁹ Anderson, “The Incidence of Civil Marriage,” 78.
- ¹⁰⁰ Gillis, *For Better, For Worse*, 235.
- ¹⁰¹ Robert Woods, *The Demography of Victorian England and Wales* (Cambridge: Cambridge University Press, 2009), ch 9.
- ¹⁰² Stephen Larkin, email 5 September 2020.
- ¹⁰³ Marriage Act 1836, section 5.
- ¹⁰⁴ Marriage Act 1836, section 7.
- ¹⁰⁵ Marriage Act 1836, section 22. No fee was payable to the superintendent registrar in whose office the wedding was taking place and his role – apart from the requirement to be present – was left unspecified.
- ¹⁰⁶ Geary, *The law of marriage and family relations*, 102.
- ¹⁰⁷ *Bryant v Foot* (1867–68) LR 3 QB 497.
- ¹⁰⁸ See e.g. Phegley, *Courtship and Marriage*, 115, noting the voluntary fees payable to the clergyman and clerk.
- ¹⁰⁹ W.N.M. Geary, *The law of marriage and family relations: a manual of practical law* (London and Edinburgh: Adam and Charles Black, 1892), 77.
- ¹¹⁰ *Enquire within Upon Everything* (London: Madgwick, Houlston and Co Ltd, 104th ed., 1907), para. 1465.
- ¹¹¹ “Coupled under the New Act,” *Westmorland Gazette*, 21 October 1837.
- ¹¹² Marriage and Registration Act 1856, section 10. The fact that the Registrar General referred to the revenue accruing to the ecclesiastical authorities by virtue of the granting of licences (*Eighteenth Annual report of the Registrar-General of births, deaths and marriages in England* (London: HMSO, 1857), ii) does rather raise the suspicion that this reduction in the cost of the superintendent registrar’s licence was an attempt to undercut them.
- ¹¹³ Marriage and Registration Act 1856, section 2.
- ¹¹⁴ Marriage and Registration Act 1856, section 5.
- ¹¹⁵ Kay Winfield, email 13 July 2020.
- ¹¹⁶ Marriage Act 1823, section 10.
- ¹¹⁷ Marriage and Registration Act 1856, section 6.
- ¹¹⁸ Carol Tarr, email 13 June 2020.

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