

FROM ROSE'S BILL TO ROSE'S ACT: A REAPPRAISAL OF THE 1812 PARISH REGISTER ACT

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In January 1813, the *Act for the better regulating, and preserving of Parish and Other Registers of Births, Baptisms, Marriages and Burials in England*, popularly known as 'Rose's Act,' came into effect, the intention being to 'greatly facilitate the proof of pedigrees claiming to be entitled to real or personal property, and be otherwise of great public benefit and advantage.'¹ The most familiar manifestation of this piece of legislation was the introduction of standardised, printed forms of parochial registration of baptisms, marriages and burials.

Prior to 1812, apart from the mandatory name and date of event, the registration system of a given parish was often based solely on the whim of its rector, or at best the local bishop. As such, while some areas of the country—Durham and York for example—benefited from a Diocesan drive for better registration, irregularity in the information recorded was common.² Some parish registers recorded occupations, others date of birth as well as baptism, others still maiden names, and so on. In introducing the compulsory schedules shown in Figure 1, Rose's Act imposed uniformity upon a chaotic, heterogeneous system. For Wrigley and Schofield, this represented a significant improvement upon the 'old, idiosyncratic manuscript registers.'³ While the omission of certain key information—such as occupation in the burial registers, and parent's name if the burial is that of a child—has hindered much demographic research, particularly that employing nominal record linkage, the consistent recording of other data, such as occupation in the baptismal registers, has allowed this post-1813 data to be used in a variety of research projects.⁴

The Act was designed generally to tighten up what had appeared to many as an increasingly failing system. Clause III, for example, reiterated that:

every such Rector, Vicar, or Curate, or Officiating Minister shall as soon as possible after the Solemnization of every Baptism, whether Private or Public, or Burial respectively, shall 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.⁵

Figure 1 The Rose schedules

SCHEDULE (A.)

I.						
BAPTISMS solemnized in the Parish of <i>St. A.</i> in the County of <i>B.</i> 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.	<i>John Son of</i>	<i>William</i> <i>Elizabeth</i>		<i>Lambeth.</i>		
<i>3d March</i> No. 2.	<i>Ann Daughter of</i>	<i>Henry</i> <i>Martha</i>		<i>Fulham.</i>		

SCHEDULE (C.)

I.				
BURIALS in the Parish of <i>A.</i> in the County of <i>B.</i> in the Year One thousand eight hundred and thirteen.				
Name.	Abode.	When Buried.	Age.	By whom the Ceremony was performed.
<i>John Wilson</i> No. 1.	<i>Duke Street,</i> <i>Westminster.</i>	1813. 1st May.	62	

The inclusion of private as well as public baptisms was a significant development in the history of English parochial administration. This was clearly noted in the abstract to the 1821 Census, which stated that the 'very distinct mention of the Registry of Baptisms 'whether Private or Public,' has evidently added to the number of Registered Baptisms, (to an uncertain amount indeed) and in so far has been useful'.⁶

The Act further proposed a tightening up of the procedures regarding the care and accuracy of registers. The origins of these demands can be seen in the record of the Parish Register Bill debate in February 1812, which states why Rose believed that it was 'was highly desirable [that parish registers]...should be regularly entered, and safely deposited.'⁷ In his role as Treasurer of the Navy, Rose found 'numberless instances' where 'the widows of seamen were not able to prove their marriages' because the parish registers, 'instead of being kept in the house of the clergyman of each parish, were kept in a very slovenly manner in the dwelling of the parish clerk.'⁸ Hence, stipulations such as the

specification of the quality of paper, storage in a 'dry well-painted Iron Chest' and reform of the system of Bishop's Transcripts, with the sending of copies to the Diocesan office each June, were promulgated.⁹ As well as fighting against 'culpable negligence', the Act can also be seen as a response to the numerous scandals of the period, whereby registers were falsified, thus undermining their use as a legal document.¹⁰ This can be observed in the stipulation of Clause V that registers:

shall not...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..., 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.¹¹

While many of the provisions of the Act seem laudable and useful, both contemporary observers and modern historians have tended to regard the Act as, at worst, a failure, and, at best, a missed opportunity. W.E. Tate, for example, denounced the Act as merely 'designed for Government jobbery,' while J.S. Burn, writing in 1829, noted that 'It has ever since remained subject to ridicule, and without the power of enforcing any of its enactments, except that respecting forgery.'¹² John Wilkes referred in 1833 to 'the Act under which all parish registers were still kept, [which] certainly added to the innumerable proofs of the wretched state of our legislation; statutes being indefinitely multiplied without unity of purpose or accuracy of effect.'¹³ These observations, of course, sit in the broader framework of criticism of the evidence upon which demographic analysis of this period can be performed.¹⁴

The first major criticism which historical demographers might level at the Act, however, is that the data required in the schedules are simply not comprehensive enough. As readers of *Local Population Studies* will be aware, in areas such as the Dioceses of Durham and York, where large amounts of 'extra' information was often recorded in the registers prior to 1812, the passing of the Act had a retrogressive effect upon the quality of demographic data recorded. Indeed, the Vicar of the Durham parish of Auckland St. Andrews referred in 1812 to 'An act having been passed the last session for altering (I do not think improving) the present mode of registering.'¹⁵

The lack of data regarding the birth as well as the baptismal date of a child is a particular feature in which the Act was found wanting. This aspect, criticised by G.M. Burrows in his 1818 *Strictures on the uses and defects of Parish Registers and Bills of Mortality*, was especially salient at this time, as research suggests that the time elapsed between birth and baptism was generally increasing.¹⁶ The calculation of precise age based on birth rather than baptismal date was crucial in determining matters of majority and inheritance. While some clerics did include date of birth in baptismal registers, 'In several cases, the Courts of Law had decided, that a baptismal registry could not be given in evidence of

the age or legitimacy of a child; as the statement was only an unauthorised declaration, which might, indeed, be true, but might, also, be intentionally false.¹⁷ This was confirmed in the 'important case of *Wiper v. Law*, [where] Mr. Justice Bayly ruled that the entry of a date of birth, opposite to the date of baptism, in the parish register, could not be received as evidence; and the Court of the King's Bench confirmed that opinion by a unanimous judgement.'¹⁸

A further criticism is that the Act did not provide adequately for the registration of Dissenters. As well as forming a key part of historiographical critiques of the usefulness and reliability of demographic data for this period, this was also a central component of the political attack on the Act in the 1830s.¹⁹ A Bill introduced by Lord Nugent in 1832, for example, called for the creation of a General Registry because of 'the legal problems affecting all because of the dubious status of the Dissenter's registers as evidence in courts of Law.'²⁰ John Wilkes, MP for Boston and a central figure in the campaign for civil registration, went further, by stating that the exclusion of the 'not less than 4,000,000' Dissenters from Rose's system, and the refusal of 'a former Master of the Rolls...to receive the copy of a dissenting registry in evidence' meant that 'Dissenting registers...were comparatively proscribed; and practical evils, greater than those which the Test and Corporation Acts really inflicted, were yet quietly endured.'²¹

Rose's Act, therefore, has attracted criticism from the date of its imposition through to the present day. What is remarkable, however, is that the Bill initially proposed by Rose in the 1810–11 session was quite a different piece of legislation. Not only was the Bill far more inclusive with regard to coverage, the proposed schedules and clauses in the Bill were considerably more comprehensive than those found in the final Act, requiring even more information than the prevailing registers in Durham and York.²² Figure 2 shows the comprehensive schedules initially proposed by Rose in the 1810–11 session. Clearly, the schedules in the Bill not only meet many of the criticisms that were later levelled at the Act—such as inclusion of birth date in the baptismal register and occupational data in the burial register—but actually go much further and, had they been brought into force, would have yielded a demographic gold mine. The specifying of the child's parents' marital status; the date of both the mother and the father's birth; the location and date of their marriage; marital status of the deceased in the burial registers; and date and place of birth of the deceased, as illustrated in Figure 2, represent what would have been a significant improvement upon the schedules as actually implemented.

The criticism of the failure of the Act to include the registration of Dissenters is also addressed if we turn to the original 1810–11 Bill, where we see that the interests of Dissenters were very much included. This is made clear from the respective preambles of the Bill and the Act, with the former referring to 'His Majesty's subjects of whatever religion', while the latter merely concerns 'His Majesty's subjects in the several parishes and places in England.'²³ Specifically, the Bill provides for 'the better enabling of all persons in England who do or shall

Figure 2 Original schedules as proposed in Rose's Bill

(A.)

BAPTISMS solemnized in the Parish of St. A. in the County of B. in the Year 1813.

When born.	When baptized.	Child's Christian Name.	Father's Surname.	Parents Names.	Abode.	Rank, Profession, or Trade of Father, and whether Abober married.	When Child's Parents born.	Where Child's Parents born.	When Child's Parents married.	Where Child's Parents married.
1813. 1 January No. 1.	1813. 1 February	John	Tod	William Elizabeth	Lambeth Pancras	Brewer his Wife	1 June 1780 9 May 1785	St. Margaret's Westminster St. Abbe's Oxford	1 March 1812	St. James's Westminster
1813. 2 February No. 2.	3 March	Ann	Wood	Henry Martha Hill	Fulham Putney	Gardener Unmarried	1 July 1786 1 August 1790	Windsor Marlow		

BURIALS in the Parish of A. in the County of B. in the Year 1813.

When buried.	Christian Name.	Surname.	Place of Abode.	Rank Trade or Profession.	Married or Unmarried.	When born.	Where born.	When died.
1813. 4 January No. 1.	John	Jones	York	Gentleman	Unmarried		September 1770 Marlow	25 December 1811 Taulogfer

practice Religious Rites and Ceremonies different from those established by Law in the Church of England, to trace their pedigrees, and thereby facilitate the Proof of their respective claims to Real and Personal estates.'²⁴ The Bill stipulated that 'memorandums' were to be produced by the ministers of Dissenting chapels for every baptism performed, each containing the following data:

Birth date
Sex
First Name
Names of father and mother
Profession, Trade or Calling
Abode
Time and place when and where parents baptised
Time and place when and where ceremony was performed

These 'memorandums' were to be delivered to the local Anglican minister within three months of the ceremony. Indeed, it was also specified that information regarding Jews and Quakers was to be collected as well. These parts of the Bill, however, were disposed of before it was finally entered onto the statute books.

The Bill also went much further than the Act in its proposals regarding the management and duplication of parochial registers. Under these proposals, the Archbishops of Canterbury and York were to be given £5,000 and £4,000 to build registries in London and York respectively, which would house the original registers of all of the constituent Archdiocesan parishes. These repositories would be administered by Archdiocesan Registrar-Generals appointed by the Archbishops. Here, the 'Registrar-Generals' would not only have been charged with keeping the registers safe, but granted the power to 'make, sign and certify office copies of any Entry in any of the said books; and all such copies so certified shall be received in evidence in all courts of Law and Equity.'²⁵ This service was to be charged at the same rate of Stamp Duty as in place for the copying of marriage certificates. The Bill stated that ministers were to be forbidden from certifying vital events. 'Government jobbery' perhaps, but this proposal was clearly a significant advance towards the centralisation of vital registration in the early-nineteenth century, and in developments towards civil registration and the General Register Office.²⁶

The provisions of the Bill can also be placed in the context of wider eighteenth- and nineteenth-century discourses advocating improved parochial registration, and recognising the importance of registration documents for both individuals and institutions.²⁷ Contemporaries were in no doubt as to the value of a comprehensive system of parochial registration. As well as discussing the importance of 'proper parish registers' in diagnosing the medical and moral health of any given community, Burrows remarked that:

POLITICALLY. They are a means –

1. Of ascertaining the increment or decrement of the population in every place, and at any period

2. Of accurately ascertaining the population of the country, and at any period
3. Of diminishing, if not nearly superseding, the immense expense incurred by the census
4. Of obviating the difficulties, great expence, and frequent disappointment in proving marriages, burials, baptisms, and burials, to which persons who are desirous of establishing legal proof of their identity, descent, consanguinity, &c. are still exposed
5. The present extensive and beneficial system of assurance on lives, reversionary payments, annuities, and legacy duties on the latter species of testamentary property, is founded on calculations deduced from numerous bills of mortality
6. The prosperity or decay of commerce, manufactures, or trade of any place, is shewn by comparing bills of mortality of different dates.²⁸

Shute Barrington who, as Bishop of Durham, initiated the comprehensive registers of that Diocese in 1798, noted that 'The Father's Rank, Profession, Trade, &c. is very material...Mentioning the Places of Nativity of the Parents, though attended with some little Trouble, may at a future Time be attended with beneficial Effects. Without such Information, many are the Instances where the Descent of Families cannot be traced.'²⁹ He explicitly stated that 'Real and extensive benefits would, in my coolest judgement, result from the introduction of a better form of register than that at present in common use. Asserting claims of property, especially maternal property, and the investigation of lineal and collateral descents, would be among those benefits.'³⁰

From a very different source, the registers of the Bethel Independent Chapel in Chester-le-Street likewise stated that:

The reference to the FORMER NAMES OF MOTHERS will contribute evidence of identity, and materially aid in the recovery of estates descending from female ancestors: and the SIGNATURE of PARENTS may supply proofs of the time and the place of the birth, with which a minister is not personally acquainted, and which he cannot therefore legally or effectually attest.³¹

The Chester-le-Street registers also noted that the inclusion of data regarding place of birth would 'assist in the ascertainment of parochial settlement.'³² Placing Rose's Bill within a broader framework of the tightening up and clarifying of poor law entitlement, a significant theme from this period, therefore seems reasonable. This notion is substantiated with the observation that Rose himself wrote extensively on poor relief, and that William Sturges Bourne, arguably one of the leading poor law reformers in parliament at this time, was a strong supporter of the Bill.³³ Indeed, aspects of the Bills sponsored by Bourne in 1818 and 1819 have clear echoes of the parish register reform proposed in 1812—particularly with regard to more rigorous administrative procedures, such as the establishment of select vestries, and regular minute-keeping in all parish vestries.³⁴

Examination of Rose's letters and papers yields little evidence, regrettably, as to the precise motive behind why Rose initiated this particular Bill. However, consideration of his broader interests suggests that he was not a particularly unusual champion. As well as his concern for proper registration arising from his roles as Treasurer of the Navy and an active poor law reformer, Rose can be seen to concerned with broader issues relating to the measuring of population. In 1812, for example, *The General Register* related an important speech by Rose, in which he discussed at length the economic implications of population growth in the preceding ten years.³⁵ Perhaps the fact that Rose 'procured his act to be circulated through the country, courting objections and amendments to it' suggests an interest, rather than an expertise, in developing effective systems of parochial registration.³⁶

These arguments suggest that while the Act could be seen as a retrogressive step, and quite out of line with much contemporary discourse relating to the use of parish registers for wider political and economic purposes, the Bill as proposed in the 1810–11 session was, in fact, the natural culmination of Rose's motives set against the background of broader agitation towards parish register reform. In short, Rose's Bill sits within the political economy of the period far better than Rose's Act. The rest of this paper, therefore, is devoted to uncovering why, when such comprehensive and useful data were initially proposed for inclusion in the schedules, so little made it through parliament, and discovering why Dissenters were excluded from participating in the new system.

The consequence of Rose circulating his Bill had been that many 'objections and amendments to it' were, indeed, proposed.³⁷ So much so that Rose was 'surprised to find that his intention to bring in this Bill had given considerable alarm to the clergy in many parts of the kingdom,' and remarked that 'in the neighbourhood of Epsom a meeting of clergymen had been called on the subject.'³⁸ Perhaps in order to gain maximum publicity to their arguments, some of these clergymen applied their 'alarm' to paper in the form of cheap, printed pamphlets.³⁹ Indeed, one of the speeches given at the meeting in Epsom has survived. Using this evidence, it is possible to see how the registers initially proposed in the Bill evolved in response to these clerical anxieties, to end with the diluted form which the Act finally stipulated. The responses also tell us much about prevailing clerical concerns of the day—including attitudes towards Dissent, arguments over the extent to which ecclesiastical officers were bound to perform civil duties, and over how systems of vital registration should be administered.

Objection to Rose's Bill

Time and effort

We can begin with the clerical objections to certain practical workings of the Bill as proposed. These can be subdivided broadly into concerns over time, reimbursement and jurisdiction.

The sheer amount of time needed by the cleric to fill in the data required by the Bill was a significant concern. Charles Daubeny, for example, believed that, 'In

some large Parishes it is supposed that two days in a week will be insufficient for these purposes.⁴⁰ Likewise, Samuel Partridge felt that 'the keeping of Registers according to the Schedules annexed to this Bill, with all its minute enquiries, would occupy the greater part of an hour in every day; and that, attended with much trouble and perplexity.'⁴¹ This widely held concern led most of the clerics to agree with John Courtenay that, particularly in larger parishes, the new Bill 'will so occupy...ministers with attending to the temporal concerns of their parishioners, as to leave no time for the considerations of those which are eternal.'⁴²

The proposals that the registers should be presented to the Magistracy each January incited further wrath. The case put against this inconvenience was demonstrated, rather melodramatically, by Partridge:

Moreover:- In cases very frequent; a poor and perhaps aged Minister, must in every Year walk a dozen miles in the coldest Season, to the nearest Justice, carrying these books, and returning on the same day: Nay, he may walk *thrice* within the year; as each book shall become filled...and all this, *without fee or reward*.⁴³

It was also feared that the additional responsibility of registering Dissenters and those residing in extra-parochial areas would make great inroads into clerical time. Quite apart from the recording and checking of the Dissenter's memorandums, 'The receiving of these Memorandums, by the Minister at any Hour of the Day (or, of the Evening) would render his house a completely open Shop; differing from other Shops in one respect, that there might be constant business, without any profit.'⁴⁴ John Hey, however, extended this concern to its logical extreme. If Dissenters refused to deliver the necessary Memorandums, then, he asked:

Can a Minister know every birth, marriage and burial which takes place amongst the Dissenters in his Parish? Take the Parish of Leeds, Manchester, or that of Halifax ... or any of their chapelries; take the village of Pudsey, where there is a capital Establishment of Moravians; besides several thousands of inhabitants of all denominations...At all these, is a Church Minister to watch every birth, baptism, marriage, funeral; and to examine the memorandums in every particular? And go to a Magistrate and make affidavit if he is not satisfied? What is to become of his parishioners? What of his studies?⁴⁵

A further concern over jurisdiction was the addition of responsibility for extra-parochial places. For Samuel Partridge, as vicar of the Fenland parish of Boston, this meant a considerable added burden:

Drainage and Inclosure are going on throughout the kingdom; as well as in the *Fens of Lincolnshire*; where, in addition to former Extra-parochial places, Fourteen Thousand Acres (in many parcels) have been sold and inclosed as Extra-parochial, within ten years; to defray the expense of draining and dividing the whole Forty-one thousand. The many evils, attending such Extra-parochial places, are already well known to Magistrates; and need not be here specified. But, why should the

Officiating Minister of *Boston* receive *Memorandums* from these places? Thither they will, nearly all, be brought; as the great Market-Town and Mart for Corn and Cattle; and whether any place (without a name) be '*immediately adjoining*' or not, the Minister must determine at his Peril; and that, with scarcely a particle of benefit to him from all this drainage and inclosure. So, doubtless, it will happen, in many parts of the Kingdom.⁴⁶

As already alluded to, the cleric was to perform these added functions 'without fee or reward.' This caused further concern. However, the insult to injury appears to have been that many clerics would actually lose a significant part of their income. The Bill proposed that the task of copying registers and certificates was to be taken out of the hands of the clergy, and centralised in Archdiocesan Registries. In response to this, Daubeny noted, 'the Curate of a large Parish in London receives at least forty pounds per Annum, from copies of Registers and Certificates'; the Bill, in creating a far more centralised system of data duplication, absolved the cleric of this responsibility and, hence, its concomitant income.⁴⁷ Partridge elucidated this point further:

The framers, or the amenders of this Bill, were doubtless unapprised, that in the most populous Parishes (particularly Market-Towns) Ministers are usually the worst provided for; and that a considerable portion of their incomes is derived from granting Marriage-Licences as surrogates; publishing Banns solemnizing Marriages; and furnishing copies of Parish Registers. But this [Bill] would take from them much of this portion of their incomes; while the whole Bill does most wonderfully leave them without recompense, for all the trouble which it casts upon, and the penalties to which it subjects them.⁴⁸

Likewise, while Dissenters often recorded their vital events in Anglican registers to solidify claims to property, the fee which this registration would previously have incurred would now be waived. Courtenay states 'Here is an actual robbery; depriving ministers of those fees, which it has been customary to receive, and which in large parishes, I understand, form a considerable part of their income, and occupying them four days in a week in these gratuitous services.'⁴⁹ The solution, according to Partridge, was simple: 'Let then the words, *without fee or reward*, be struck out from every Clause where they now stand in the Bill: and let us suitably acknowledge a *great public benefit and advantage*.'⁵⁰

However, this is not to say that all pecuniary concerns were of a totally egocentric nature. Daubeny, in particular, highlighted the financial implication of the Bill to the Public as a whole. His initial concerns relate to the centralisation of data duplication:

As the registers are now kept, the Laity have easy access to them; and the advantage of making their enquiries in the Parish to which the Register belongs.... But in the case of all the original registers being deposited in London, this important advantage will be entirely lost to the community. Whilst in the case of those who want Certificates, as seamen, soldiers, and their wives in particular, application must, in the event of this Bill passing into a law, be made to the

attorney of the next town; this attorney applies to his agent in London; this agent to the General Office &c. so that by the time the Certificate is returned to the applicant, in consequence of its having passed through this circuitous route, it probably costs the poor man as many pounds as it might have cost him shillings, had it been procured as heretofore from the hand of the Parish Minister.⁵¹

Likewise, increased delay and expense would arise from the need to procure copies of registers from London 'in various litigations about Parish Settlements.'⁵² Similarly, Courtenay claimed that, due to the circuitous nature of retrieving information regarding births, the working man 'can neither prove his parish, nor advance his claims of exemption from the militia. These,' he continued 'are two instances out of the many hardships inflicted by this Bill, on the lower orders of society.'⁵³ If, as suggested earlier, settlement clarification was a significant motive in the drafting of the Bill, this criticism seems somewhat ironic.

A final practical concern was highlighted over the cost of the new system to the state, and hence the parochial taxpayer. As well as small practical issues, such as the waste incurred by many parishes handing in a barely filled register most years, the amount of money necessary for the scheme seemed, by contemporary standards, too large to justify the perceived benefits. Indeed, many of these fears were quite justified. By 1815, the Dioceses of Lichfield, Durham, Gloucester, Worcester, Norwich and York had requested, between them, a further £7,600 in order to fully meet the provisions of the Act at a regional level, namely the Diocesan storage of copies of Registers. Each diocese, it should be noted, suggest a different method of collecting the monies. The following comment from the Diocese of York is quite representative: 'we are wholly unable to form any satisfactory opinion as to the most suitable mode of remunerating the officers employed in each registry, for their increased trouble in carrying the provision of the act into execution.'⁵⁴

The Dissenters

The treatment of Dissenters and their ministers relative to those of the 'Established Church' formed the second fundamental objection to the Bill. The later eighteenth century was a time of significant numerical expansion for the nonconformist interest in England. However, there was also a feeling among many in the Established Church that the power and influence of the Dissenters was growing at the highest level in society. It is crucial to the understanding of the reaction to this Bill, for example, to realise that a Bill presented to Parliament by Lord Sidmouth in 1811, designed to tighten up the registration of Dissenting ministers, was defeated in the Lords due, in the main, to agitation from nonconformist interests.⁵⁵ That this roused the ire of many in the Anglican church seems quite clear. Hey, for example, castigated those who 'petitioned against Lord Sidmouth's excellent Bill. I call it excellent, because I think it would have been, had it been pressed into Law, beneficial to all sober-minded rational Christians, of every denomination.'⁵⁶ Daubeny, however, went further, citing the rejection of Sidmouth's Bill as further evidence of Government neglect, and claiming that 'a Bill has lately been thrown out of the House of Lords, for no other apparent cause, that that of its being displeasing to the Dissenters.'⁵⁷

The outcry against the relative treatment of the different denominations was based around two fundamental aspects of the Bill. Firstly, there was a concern about the practicality of the proposals in relation to the treatment of Dissenters. Daubeny noted that 'it cannot escape observation, that the Bill in question, by being *optional* to the Dissenters, will not serve the purpose of providing a *General Register* for the Kingdom; because, under such a circumstance, it will be but partially carried into effect.'⁵⁸ Following from this, Hey claimed that he 'cannot think that the population, and the connections, and pedigrees of the *Dissenters* are well provided for in this Bill.'⁵⁹ Recognising the rapidly increasing numbers of vital events which would have to be registered in the new fashion, he highlighted concern over 'thousands upon thousands of loose memorandums, on separate slips of paper, of no given shape, and therefore of all shapes, many of them probably dirty, ragged, ill spelt; without uniformity even in the same family.'⁶⁰

Daubeny also highlighted the effect of the recording of nonconformist births upon the Anglican clergy. Describing the 'painful situation in which a Minister must be placed in a parish where Dissenters are numerous', he bemoaned the 'necessary circumstance of [the cleric] being called upon to make a large sacrifice of time in receiving and transmitting to the general office all memorandums with which Dissenters may think proper to charge him; a work which is for the most part foreign to his ecclesiastical duty; and which, as a mere *civil* regulation, ought, it is presumed, to be provided for accordingly.'⁶¹

A further significant criticism regarded the different treatment of the respective ministers with regard to swearing the validity of the data, and the consequences thereupon. Indeed the Bill, in general terms, was widely condemned as bowing to Dissenting pressure, particularly in the wake of the dismissal of Sidmouth's Bill. As Courtenay remarked:

as a member of the Established Church; with all my prejudices in favour of universal toleration (of which, perhaps, I may live to give convincing proofs that they *do* exist in my mind) I cannot submit with patience, to the manifest, the glaring partiality towards Dissenters, which is shewn in this Bill, on the very face of it. I am willing to tolerate *them*; but if such bills as this pass into a law, how long will they tolerate us? The consequence would be, exclusion of ourselves from all those rights and privileges which we *now* enjoy.⁶²

Under the terms of the original Bill, Anglican ministers would have been obliged to annually present their registers, under oath, to their local magistrate. If the registers which they swore as correct were found to be otherwise, then the offending clergyman would be guilty of felony and liable to a maximum of 14 years transportation. Dissenting ministers, however, were simply required to state the validity of their memoranda upon presentation to the Anglican minister. This led Hey to exclaim:

I am astonished quite to stupefaction, when I reflect, that (unless I misunderstand) the State which is allied to the Church, and ought to protect it, thinks of oppressing it in the most ignominious manner! Exposing every worthy person whose business

it is to preserve the morals and religion of the people, to be informed against by any artful villain; to be imprisoned, tried, ruined; and yet shelters from infamy every one who determines to quit the national church.⁶³

This fear of 'any artful villain' is taken up elsewhere in the literature by clerics fearing Dissenters, or their associates, abusing the terms of the Bill; that in short they might use the Bill 'as an engine of spite and hostility.'⁶⁴ It was feared that a Dissenter, or his messenger, might not convey the details of a birth or death to the minister, but then, perhaps of malicious intent, inform the local magistrate that their event had not been recorded. As Hey noted:

for if the silent man gives the information required when he comes before the Justice, all is over; he has no apology or compensation to make to the Clergyman; he may deride him as much as he pleases: he has nothing to allow for horse-hire, or Apothecary's bill. Nor to the *sick* Parishioners, &c. whom he causes to be neglected.'⁶⁵

This fear was, of course, tied to the concerns over unfair treatment as regard to Dissenters as commented upon above. Hey continued:

Surely a British Legislature would not compel a worthy, pious, aged, infirm Minister of the Established Church to be at the beck of any low vulgar person whom a Dissenter might employ to convey his memorandum; and to attend such a person to a distant Magistrate, and, perhaps, in farther measures!...I can scarcely keep tears out of my eyes whilst my imagination draws the ignominious picture. If I was to paint it in reality, I should draw the emissary as scoffing secretly at the distress of the Parson, who had been led a wild-goose chase, and making mouths at him.⁶⁶

Clearly, the handling of Dissenters was an emotive issue. At this time, there was a clear feeling among some that the Anglican Church was under attack by both the Dissenting Churches and the very legislature by whom it was established. Elsewhere, however, the clerics were more mindful of the consequences of the practical application of the Bill. Courtenay represented these sentiments with his suspicion that the Act 'will promote ill blood betwixt churchmen and dissenters.'⁶⁷ While Courtenay issued a call to arms, Hey was more sympathetic to the concerns of the Dissenters as well as the Anglicans. While he shared the concern that Dissenting ministers might 'harass' Clerics, he was interested to know quite why this might happen. As well as alluding to recent political salvos fired by the two religious branches, he asked:

Why should different sects be made more jealous of each other than they are? And without any convenience? The Dissenters would feel themselves as much degraded by having to wait upon the Parson, as the Parson by having their memorandums to examine. Indeed, they would be more so; for they would be in the situation of *inferiors*, which there is no reason why they should...The examined would feel inferior to his examiner.⁶⁸

Hey went on to claim that 'a very respectable person has known *Dissenters* complain of the Bill: as wishing rather to be on the same footing in this respect, with Churchmen.'⁶⁹ The solution, for Hey, was simple:

Dissenters *must* keep their own Registers, as well for their sakes as ours: and they might shew such proofs of the regularity of these registers as the State should adopt; after proposing some proofs, and attending to such remarks upon the most respectable Dissenters should respectfully offer: that burden, and danger to Christian clarity, removed, suppose, the State were to give *forms* to be followed; but my notion is, those forms should be mere rules, separate from the Register Books; Forms, less complicated than those now proposed, and, in a few points, more definite.⁷⁰

As we have seen from the Chester-le-Street Dissenters' registers above, this advice was, in some cases, followed.

The inquisitorial nature of the Bill

The final objection to the Bill was grounded in the collection of the data required by the schedules. While issues such as time, expense, and responsibility for recording the vital events of Dissenters were foremost among the minds of the clergy, a pervasive fear was that the process of collecting the information required would further diminish their position in society. As Courtenay suggested, there was a widely held fear that 'civil rights may be invaded' and that ministers 'are to be converted into instruments of oppression: becoming inquisitorial civil officers instead of ghostly comforters and advisers—Wolves in sheep's clothing.'⁷¹

Clause VIII of the Bill instructed the cleric to 'interrogate and require information from the person requiring the christening of any child, or the parties married, or from the person employed about any funeral, of and concerning all such particulars, as under and by virtue of this Act may be necessary to be enquired into by such officiating Minister upon the respective occasions of Baptism, Marriages and Burials.'⁷² If the necessary information was not forthcoming, 'then every such person shall for every such offence forfeit and pay the sum of *Five Pounds*' which should, if necessary, be paid for by a sale of goods owned by the offender.⁷³ The offender would also be charged for the cost of organising the sale.

Courtenay's reaction to this clause was one of sheer outrage, and is worth quoting at length:

I fear we owe this clause to our magnanimous support of a continental power, and that a Spanish inquisition is to be erected in this land of freedom. Can it be a grateful task to pry into the secret history of our parishioners? Is it constitutional? Would it be easily submitted to? And if the spirit of the people be so broken, are they enabled to give the information required? Are they not often too ignorant and uninformed to answer these numerous interrogatories? And how are we to judge of the truth or falsehood of their answers? And are *we* to be the inquisitors; *we* the informers, in case of their giving us a wrong statement; *we* their arraigners and accusers? And are we for these odious purposes to have another journey to a magistrate? And how shall we be received on our return? How shall we be listened to, when next we endeavour to impress on the minds of our parishioners a sense of their relative and social duties? Will this invidious office of ours inspire

them with proper feelings towards their spiritual guides? Instead of their blessings, may we not expect their imprecations on our head? Thus, by this clause would all the purposes of an established church be defeated, and every religious sentiment weakened, if not absolutely eradicated.⁷⁴

One particular cause of discontent was the necessary recording of the surname of an illegitimate child's father. The consequences of recording these data would reflect on both the families involved and the minister himself. As Partridge noted, 'A man may thus be stigmatized as the Father of a Bastard Child, without the Oath of any one; and without his knowledge.'⁷⁵ False charges of this kind, even upon oath, are dreadfully common.' Likewise, 'In the case, which is but too common, of antenuptial fornication, after the female has been made an honest woman by marriage, the parties would go some lengths to avoid the recording of all particulars.'⁷⁶

With such high stakes, the potential impact upon the minister was clearly great. As Hey noted, 'a clergyman's insisting on this [information], might overthrow the comfort of his life: the joint influence of suspected fathers and faulty mothers, with all their connections, would be continually exerted to undermine his credit and his happiness. As to his saying that he only acted officially, that would gain no attention: all would be resolved into personal malice.'⁷⁷ Hey then discusses, with some hyperbole, the hypothetical situation where the mother of a bastard child maliciously named the minister himself as the father. Under the terms of the Bill, Hey claimed, the minister would be forced to comply, or if he denied the claim and refused to enter it into the register, he could be guilty of felony and transported for 14 years!

In sum, therefore, this aspect of the Bill was attacked on various levels. First, it ascribed to the cleric a civil duty which, it was felt, was not of his domain. Second, the information needed to fill in the schedules, and the process by which these data would be sought, were seen as objectionable both to the ministers themselves and to society as a whole. As Courtenay concluded, 'there is not an individual in the nation, however high or low his rank in the scale of society, whose feelings and interests are not attacked by the provisions of this Bill. Even the Dissenters *themselves*, to whom such 'vantage ground is given,' must in some respects be content to walk "Æquis passibus" with *us* of the Established Church.'⁷⁸

Conclusion

The Tudor founders of the modern parish registers designed a system 'for the avoiding of sundry strifes and processes and contentions arising from age, lineal descent, title of inheritance, legitimation of bastardy.'⁷⁹ Rose, perhaps spurred on by broader discourses regarding the importance of parish registers for economic and political purposes, sought to update this to cope with the demands of the day. These included issues of Dissent, welfare relief and, perhaps most fundamentally, coping with larger, more complex communities which needed to be registered.

However, for practical, religious and political reasons, these reforms appear to have been too much for the clergy to accept. At a time of growing population, rising levels of Dissent coupled with a decline in the power and authority of the Established Church, economic insecurity and civil unrest, a Bill which compelled Anglican clergy to work harder for less reward, while further diminishing both their sacred and secular role in society was, in truth, unlikely to succeed, particularly after a process of consultation and review. That the Bill was a victim of an emotional response to contemporary circumstance rather than a rational response to a social and economic need for better demographic data is reflected in M.P. W. Smith's observation that 'if the clergy, as well as the laity, had considered the Bill with the same spirit of conciliation that had actuated the House, much of the ill-blood to which it had given rise would have been spared.'⁸⁰ It seems that, as the clergy were to be called upon as the personnel to administer the terms of the Act, Rose may have had little alternative but to jettison all but the most basic parts of his Bill.

The Bill was, in truth, poorly formulated. One of the clauses, for example, proposed that whosoever informed upon a negligent clergyman should receive half of the fine imposed, neglecting to make an exception for penal punishment, thereby committing the informant to seven years transportation if the full sentence was given out. Likewise, while the title of the Act stipulated 'the better regulating, and preserving of Parish and Other Registers of Births, Baptisms, Marriages and Burials', the recording of birth dates was, as seen in Figure 1, omitted in the final schedules. Despite these objections, however, Rose's Bill represented a radical set of proposals which sought to update parochial registration to cope with the demands of the day. Many aspects of the Bill's initial requirements were effectively implemented later on in the century. The proposed Archdiocesan registries, for example, could be viewed as a precursor to the establishment of the GRO. Likewise, we see in both discourses on parish registers, and the vital registration reforms of the 1830s, proposals that strongly echo aspects of the initial Bill. The alternative schedules proposed by Burrows in his 1818 *Strictures*, and in the 1830 *Bill for Better Registration of Parochial Registration in Scotland* both contain some of the missing elements of Rose's Bill—particularly date of birth, for example.⁸¹

While the accusations of 'Government jobbery,' complexity, and incompetent drafting levelled at Rose's Act (and, indeed, the Bill) may be justified, it is crucial to separate the Bill, as presented in the 1810–11 session, from the Act which came into force in 1813. The Bill was an advanced set of proposals, designed in response to discourses highlighting the importance of comprehensive systems of parochial registration for a variety of social, political and economic purposes. The final Act, however, was a response to a quite different set of clerical concerns and anxieties.

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NOTES

- 1812, 52 Geo. III, c.146, *An Act for the better regulating and preserving Parish and other Registers of Births, Baptisms, Marriages, and Burials, in England*.
- The 'Dade' and 'Barrington' parish registers of York and Durham are named after Revd. William Dade and Bishop Shute Barrington who were, respectively, responsible for the proliferation of detailed parish registers in the Dioceses of York and Durham. Dade registers were patchily administered from the mid-1770s, while Durham parishes are almost universally in the 'Barrington' style from 1798 to 1812. See R. Bellingham, 'Dade registers', *Archives*, 107 (2002), 134–47; R. Bellingham, 'Dade parish registers', *Local Population Studies*, 73 (2004), 51–60; C. Galley, 'An exercise in Dade parish register demography: St Olave, York, 1771–1785', *Local Population Studies*, 74 (2005), 75–83; S. Basten, 'The economic context of infant mortality in Yorkshire, 1760–1840' (unpublished MPhil thesis, University of Cambridge, 2003); S. Basten, 'A tale of two Dioceses: Shute Barrington and parish register reform in Sarum and Durham' (forthcoming). For a broader analysis of the state of eighteenth-century parish registers, see, for example, P. Kitson, 'Family formation, male occupation and the nature of parochial registration in England, c.1538–1837' (unpublished PhD thesis, University of Cambridge, 2005).
- E.A. Wrigley and R.S. Schofield, *The population history of England 1541–1871: a reconstruction* (London, 1981), 30.
- The occupational data in the Rose baptism registers has, for example, been used to great effect for the period 1813–20 in the ESRC-funded project, *The occupational structure of Britain, 1379–1911* (RES 000-23-0131) based at the Cambridge Group. Likewise, the compulsory recording of age at death has been utilized in P. Huck 'Infant mortality in nine industrial parishes in Northern England, 1813–1836', *Population Studies*, 48 (1994), 513–26 and S. Basten, 'Measuring infant health in late-Georgian Northern England' (forthcoming PhD Thesis, University of Cambridge, 2007).
- 1812, 52 Geo. III, c.146 s.3.
- 1821 Parish Register Abstract*, British Parliamentary Papers (hereafter BPP) 1822, XV, xxii. It should be noted, however, that this paper is not concerned with quantifying the extent to which Rose's Act actually improved the accuracy of registration in this period.
- HC Deb, 25 February 1812, paragraph 947.
- Ibid. See R. Thorne, 'Rose, George (1744–1818)', in H.C.G. Matthew and B. Harrison eds, *Oxford Dictionary of National Biography* (Oxford, 2004), <http://www.oxforddnb.com/view/article/24088> (accessed March 12, 2005).
- This differed from existing legislation (from 1598) by specifying that exact copies of the registers, written on printed sheets of parchment, often with the page and entry numbers copied from the register were required to be sent to the Diocesan Registrar.
- HC Deb, 25 February 1812, paragraph 947; see, for example, J. Cazeneuve, *A true state of the case, relative to the dispute about the parish register-book, of Chatham in Kent. To which is added, an answer to a very disingenuous and calumnious charge made against the late church-wardens of that parish, in a pamphlet lately published by the Minister, intitled, 'Letters and instruments relative to the dispute, &c.,* (London, 1766); See also Daubeny's remark that 'The falsification of a Parish Register, we are sorry to admit, has been proved in a case lately brought before the Public' in his *Remarks on a Bill, for the Better regulating and preserving of Parish and Other Registers addressed to the Right Reverend the Lord Bishop of Sarum* (Salisbury, 1811), 32.
- 1812, 52 Geo. III, c.146 s.5.
- W.E. Tate, *The parish chest: A study of the records of parochial administration in England* (Cambridge, 1960), 50; J.S. Burn, *The history of parish registers in England* (London, 1829; reprinted Wakefield, 1976), 35.
- HC Deb, March 28th 1833, paragraph 1215.
- For a typical pessimistic interpretation of the data, see J. Krause, 'The changing adequacy of English registration, 1690–1837' in D.V. Glass and D.E.C. Eversley eds, *Population in history:*

- Essays in historical demography* (London, 1965), 379–93; P.E. Razzell, 'The evaluation of baptism as a for of registration through cross-matching census and parish register data', *Population Studies*, 26 (1972), 121–46. For a more positive appraisal, see E.A. Wrigley, R.S. Davies, J.E. Oeppen and R. S. Schofield, *English population history from family reconstruction 1580–1837* (Cambridge, 1997), 73–120; E.A. Wrigley, 'Births and baptisms: the use of Anglican baptism registers as a source of information about the numbers of births in England before the beginning of Civil Registration', *Population Studies*, 31 (1977), 281–312.
15. Durham County Record Office, Durham, *Auckland St. Andrews Parish Register*, EP/Ay 1/3. The proximity of this rector's church to Barrington's home at Auckland Castle may, however, go some way toward explaining his eagerness.
 16. G.M. Burrows, *Strictures on the uses and defects of Parish Registers and Bills of Mortality in reference to marriages, births, baptisms, diseases, casualties and burials; to the probabilities of the expectancy of life; and to the ascertaining of the progress of Population; with suggestions for improving the system of Parochial Registers* (London, 1818). R. S. Schofield and B.M. Berry, 'Age at baptism in pre-industrial England,' *Population Studies*, 25 (1971), 453–63, and Basten, 'Economic context' ch. 5.
 17. HC Deb, March 28th 1833, paragraph 1215.
 18. HC Deb, March 28th 1833, paragraph 1215. John Wilkes, in his 1833 Commons speech proposing the appointment of a 'Select Committee to consider the general state of parochial registries, and the registration of births, baptisms, marriages, deaths, and burials, in England and Wales,' further implies that the explicit specification of baptism in the Act was a further attack on Dissenting interests by the Established church. He stated, 'many hundred congregations, disapproved of infant baptisms, and must be especially precluded from all registries except registries of births. For that great portion of the people, no provision, by the existing laws, supplied the means of effective and legal registration, which their security – and the general welfare, inseparably involved in their security – imperiously demanded' (HC Deb, March 28th 1833, paragraph 1218).
 19. See, for example, Krause, 'The changing adequacy'.
 20. BPP 1831–2, I, 265.
 21. HC Deb, March 28th 1833, paragraph 1218.
 22. Indeed, Rose's Bill was twice amended by committee; twice amended on re-commitment, and substantially amended by the House of Lords before finally becoming law in 1812. This alone suggests the controversial nature of the Bill.
 23. BPP 1810–11, I, 37 (preamble); 1812, 52 Geo. III, c.146, preamble.
 24. Section struck out by Lords' amendment in BPP 1812, I, 553.
 25. BPP 1810–11, I, 37.
 26. See, for example, E. Higgs, 'A cuckoo in the nest? The origins of civil registration and state medical statistics', *Continuity and Change*, 11 (1996), 115–34; E. Higgs, *Life, death and statistics* (Hatfield, 2004).
 27. See, for example, J. Hanway, *Serious considerations on the salutary design of the Act of Parliament for a regular, uniform register of the parish-poor in all the parishes within the Bills of Mortality* (London, 1762); T. Percival, *Proposals for establishing more accurate and comprehensive bills of mortality in Manchester* (Place of publication and date unknown) reproduced in T. Percival, *The works, literary, moral, and philosophical, of Thomas Percival, etc. A new edition* (London, 1807); Burrows, *Strictures*; R. Bigland, *Observations on marriages, baptisms, and burials, as preserved in parochial registers* (London, 1764); J. Lucas, *An impartial inquiry into the present state of parochial registers; charitable funds; taxation and parish rates* (Leeds, 1791).
 28. Burrows, *Strictures*, reproduced in D.V. Glass ed., *The development of population statistics* (Farnborough, 1973), 6–8.
 29. Durham Diocesan Archives, *Muggleswick parish register*, DDR/EA/PBT/1/1; For a fuller discussion of Barrington reforms see Basten, 'A tale of two dioceses.'
 30. S. Barrington, *A letter to the clergy of the Diocese of Sarum. To which are added directions relating to orders, institutions, and licenses* (Salisbury, 1790), 38.
 31. National Archives, London, *Chester-le-Street, Bethel Chapel (Independent): Births & Baptisms*, RG4/589.
 32. *Ibid.*

33. G. Rose, *Observations on the Poor Laws, and on the management of the Poor, in Great Britain, arising from a consideration of the returns, now before Parliament* (London, 1805).
34. See L.H. Lees, *The solidarities of strangers: The English poor laws and the people, 1700–1948* (Cambridge, 1998), 21–41; 1818, 58 Geo. III c. 69, *An Act for the Regulation of Parish vestries and 1819, 59 Geo. III c.12, An Act to Amend the Law for the Relief of the Poor*.
35. *The New Annual Register or General Repository of History and Politics and Literature for the Year 1812*, (London, 1812), 58.
36. HC Deb, 25 February 1812, paragraph 948.
37. *Ibid.*
38. *Ibid.*
39. Rev. S. Partridge, *Remarks upon, and proposed improvements of, the Bill for Parish-Registers*, (Boston (Lincs.), 1811); Rev. J. Hey, *Substance of a Bill Respecting Parish Registers...with Remarks* (London, 1812); Rev. J. Courtenay, *Cursory remarks on a Bill, as amended by a committee of the House of Commons, for the better regulating and preserving of Parish Registers &c. &c. and for establishing general repositories for the same* (London, 1812); Rev. J. Courtenay, *Speech of the Rev. John Courtenay addressed to the Clergy, assembled at Epsom...to take into consideration the Parish Register Bill* (London, 1812); Daubeny, *Remarks*.
40. Daubeny, *Remarks*, 16.
41. Partridge, *Remarks*, 13.
42. Courtenay, *Cursory Remarks*, 8.
43. Partridge, *Remarks*, 7.
44. Partridge, *Remarks*, 8.
45. Hey, *Substance of a Bill*, 21.
46. Partridge, *Remarks*, 10–11.
47. Daubeny, *Remarks*, 17.
48. Partridge, *Remarks*, 13.
49. Courtenay, *Cursory Remarks*, 15.
50. Partridge, *Remarks*, Addendum.
51. Daubeny, *Remarks*, 25–6.
52. Daubeny, *Remarks*, 28.
53. Courtenay, *Speech*, 7.
54. *Journal of the House of Commons, 1813–14*, LXIX, 817.
55. See, for example, T.E. May, *The constitutional history of England since the accession of George the Third, 1760–1860* (London, 1863), 133–45. Sidmouth's Bill was superseded by 1812, 52 Geo. III. c. 155 *Protestant Dissenting Ministers Act*. While Sidmouth's Bill, essentially designed to ensure that Dissenting preachers were not simply 'entering the pulpit' to avoid service in the militia, on the whole seems reasonable, the *National Register* remarks in 1811 that 'to remedy the evil required an uncommon penetration and knowledge of mankind; and unfortunately the noble lord was deficient in these respects.' (*The New Annual Register or General Repository of History and Politics and Literature for the Year 1811* (London, 1811), 237.) It is perhaps significant that, as Glass notes, John Wilkes, who later became a key figure in the campaign for civil registration, established the 'Protestant Society for the Protection of Religious Liberty' in the wake of Sidmouth's Bill. The Society played a significant role in the campaign to repeal the Test and Corporation Act in 1828, and in the laws lessening restrictions upon Catholics in 1829. See D.V. Glass, *Numbering the people: the eighteenth-century population controversy and the development of census and vital statistics in Britain* (Farnborough, 1973), 119.
56. Hey, *Substance of a Bill*, 39.
57. Daubeny, *Remarks*, 34–5.
58. Daubeny, *Remarks*, 18.
59. Hey, *Remarks*, 31.
60. Hey, *Remark.*, 32.
61. Daubeny, *Remarks*, 18.
62. Courtenay, *Speech*, 3.
63. Hey, *Substance of a Bill*, 22.
64. Hey, *Substance of a Bill*, 23.

65. Hey, *Substance of a Bill*, 23–4.
66. Hey, *Substance of a Bill*, 23.
67. Courtenay, *Cursory Remarks*, 2.
68. Hey, *Remarks*, 21.
69. Hey, *Remarks*, 33.
70. Hey, *Remarks*, 37.
71. Courtenay, *Speech*, 6.
72. BPP 1810–11, I, 37.
73. *Ibid.*
74. Courtenay, *Cursory remarks*, 12–13.
75. Partridge, *Remarks*, 19.
76. Hey, *Remarks*, 22.
77. *Ibid.*
78. Courtenay, *Speech*, 7. 'Æquis passibus' translates as 'with equal steps,' perhaps taken from Book II of Virgil's *The Aeneid* ('Sequiturque patrem non passibus æquis'—'He follows his father with unequal steps.').
79. Cited in E. Higgs, *The information state in England* (London, 2004), 39.
80. HC Deb, 25 February 1812, paragraph 948.
81. BPP 1830, III, 63.