

Brick Wall Busters for Scottish Genealogy Research

When you come to what you think is a dead end, or a "brick wall" in your Scottish research, step back, and take a better look at the documents. Scottish documents contain a wealth of information and can make researching so much easier when you really take a look at what the documents are telling you.

Start by creating a quick research plan. Write down what you already know from the documents that you have. Then write out the questions that you have that you would like answers to.

DOCUMENT	WHAT I KNOW	WHAT I NEED TO KNOW	WHAT RECORDS	WHERE ARE THE RECORDS

From there decide what documents will supply the answers you are seeking. To figure this part out, look for **Key Words**. These Key Words will give you a clue as to what other records you should be checking.

KEY WORD	NEXT STEPS TO RESEARCH	WHERE ARE THE RECORDS
<i>Occupation</i>	Trades Directories/Guild Records/Business Records	National Library of Scotland National Records of Scotland University of Glasgow Archives for Business Records
<i>Pauper</i>	Pre-1845: Kirk Session Records Post 1845: Poor Relief Applications	National Records of Scotland (coming online to ScotlandsPeople website!) Local Council Archives
<i>Lunatic</i>	Asylum Records	Local Council Archives National Records of Scotland
<i>Illegitimate</i>	Records of Corrected Entry Kirk Session Records Sherriff Court Records	ScotlandsPeople website National Records of Scotland
<i>Inmate</i>	Prison Records/Asylum Records/Poor House Records	Local Council Archives
<i>Invalid/Infirm</i>	Pre-1845: Kirk Session Records Post 1845: Poor Relief Applications	National Records of Scotland Local Council Archives
<i>Sherriff's Warrant</i>	Sherriff Court Records	National Records of Scotland

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		Local Council Archives
<i>By Verdict of Jury</i>	Procurator Fiscal Records	National Records of Scotland

Census Clues

Pick up that census once again. It contains a load of clues to get you further in your research. Let's take a look at some of these clues and what they are telling us. If, under *occupation*, it states that your ancestor was a "*pauper*" you know you need to check the Poor Relief Records. Prior to 1845, the responsibility for assisting the poor lay jointly with the Kirk and the 'heritors' or landowners. The Kirk raised money through collections, mort cloth rentals and fines for behaviour that they deemed to be immoral. The Kirk may also have been in receipt of endowments or legacies which would be used to support the poor. The landowner, or heritor, raised money from assessments. To find whether your ancestor made application to the Kirk, you can check through the Kirk Session records for the parish in which your ancestor resided. Currently these are only available at the National Records of Scotland, but are coming to the ScotlandsPeople website hopefully in early 2017.

After 1845, the responsibility transferred to the local council. The applications for Poor Relief contain a wealth of information and give details that you likely won't find on other records, including income, other family members in the house, whether they worked and if so, their income. It also asks for the name of any insurance companies or trades guild funds that the person might have been covered by. Poor relief was not available for the working poor or those who were capable of work, but unable to find work. Poor relief was strictly for the destitute or those unable to work to support themselves. This might include someone with physical disability or with mental incapacity. It might also be for a woman who had small children at home and whose husband or partner had deserted her through jail, leaving the country, or simply walking away. If the person who applied was capable of working, there will be an addendum called the "Able-Bodied, Unemployed Relief Schedule" This provides a narrative about why the person is seeking relief and then the decision by the inspector of the poor. The second page of the application keeps a running list of any change in circumstances over the years. These are usually limited to one or two lines as an update and allow you to follow the lives of your ancestors in detail.

If in the second to last column on the far right of the census, your ancestor is listed as a "lunatic" you know you need to look at the records for the local asylum. The General Register of Lunatics in Asylum is available at the National Records of Scotland. The Register provides a chronological list of names of patients, date(s) of admission, the name of the asylum, the date of discharge (or death), and in whose care the person was discharged to. It also includes general patient observations.

The Admission Books are available at the local county archives and provide a report by the admitting physician, details of the petition made to the Sheriff for admission as well as the emergency order granted by the Sheriff. The admission records also provide details about the patient such as name, age, marital status, religion, place of residence, age of "first attack", duration of "first attack" and the name of the institution that the patient was admitted to. For privacy protection, there is a 100 year closure period on the records.

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"Infirm" or *"Invalid"* are also indicators that your ancestor was in receipt of poor relief and again, you can consult these records to find out your ancestor's story. A listing of *"Idiot"*, *"Imbecile"* or *"Feeble-Minded"* are indicators that your ancestor was likely on poor relief or may, in fact have been in an asylum. All three of these categories encompassed the mental capability of persons who were incapacitated from birth or from a very young age.

"Inmate" may indicate that your ancestor was residing in a poor house or asylum or it may indicate that your ancestor was imprisoned. The prison records provide an incredible insight into the lives of your ancestor and their circumstances. Details such as name, place of birth and address are provided as well as a full physical description of the criminal. This includes any distinguishing marks that they may have had. In addition, you will get the details of the crime, any witness statement and then the punishment that was meted out. Many from North America or Australia may be familiar with the prison or police records for their convict ancestors. I had a tour participant from Australia who had a convict ancestor from Edinburgh. Although he was only 16, he was sentenced to 14 years transportation rather than the usual 7 years. Even at this tender age, this was not his first time before the courts. When the participant received the criminal records, she received some 129 pages! Her ancestor's great misadventure leading up to his eventual transportation was well documented and full of detailed information.

Birth Registration Clues

Next look at the birth registration. If a child is listed as *"illegitimate"* this is not the end of the story. In Scotland, legitimacy of children fell to the mother to prove. She did this by sending or taking the father to register the birth. This is shown in the column regarding the informant where it will state *"father, present"* That doesn't mean he was present at the birth, it means he was present at the registrar's office. If father was away at the time - war, at sea, etc, then the marriage record would suffice. Any child whose father was not present at the registrar's office would be deemed illegitimate.

One of the best sources for sussing out the name of the putative father is the Kirk Session Records. The Kirk had a Board of Elders that were charged with ensuring the morals of the parish. *"The weekly meeting of the Board of Elders would sometimes result in immoral parishoners being called before the Board to answer to their behaviour. This Kirk Session was the court of the church system. Wayward parishoners would be fined for their immoral behaviour and publically rebuked. Kirks often had a 'stool of repentance' that the wayward, presumably remorseful, parishoner would sit on in front of the congregation during Sunday service.*

In the case of an illegitimate child, one of the Elders of the Kirk would become aware of a young woman in the parish who was known to be with child. The Elder would then report this to the others on the Board of Elders. The young woman would be summoned to attend the Kirk Session and she would be questioned until she gave up the name of the father. The father may also be called to meet with the Board. The couple would be subject to a fine for fornication. In this case it was generally the man that was sat upon the stool of repentance. Penance was considered *'paid in full'* once a fine had been paid and communion taken. If the parents subsequently married, the birth was automatically legitimized. The exception to this, however, is that if one of the parents was already

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married at the time of the baby's birth, even a subsequent marriage of the two parents would not legitimize the birth.

Look closer at the birth registration. If there is writing in the margin of the birth registration, it is an indication to the fact that there is a record of corrected entry. This means that new information has been given to the registrar following the initial registration of the event. Generally, in a case of illegitimacy, the record of corrected entry (or RCE) provides the name of the father of the child. The RCEs are available on the ScotlandsPeople website.

If a couple married and then had a baby before the required nine months had passed by, then the couple may well be subjected to a fine for 'Ante-Nuptial Fornication'. The child would be considered legitimate, but the parents would still be scorned.

A woman who had subsequent children out of wedlock would be charged with 'Relapse' or 'Trilapse' of Fornication. All of the fines received by the Kirk for the transgressions would be put into the coffers to be used for Poor Relief.

In cases where the couple did not marry after the birth of the child, and where the mother took the father to court for aliment (child support) the Sheriff Court Paternity Decrees are the records to consult. The Sheriff court records are with both the National Records of Scotland and with the local county archives. The Kirk Session records are with the National Records of Scotland and are coming to the ScotlandsPeople website.

Travelling back and forth to Scotland on a regular basis, I can tell you first hand that your Scottish ancestors are waiting for you to find them. And through the documentation they have left behind, they are willing to help you break through those brick walls.