

Fraudulent Registration of Births and Deaths in the 1840s Peter Park MA, FSG

Almost from the beginning of Civil Registration, it was appreciated that there was a significant level of under-registration, particularly of births. The onus was on the registrar to collect births and deaths – he could be fined for failure to register them; until 1875 parents could only be prosecuted for refusing to give details if asked for them by the registrar.

This talk is about three sub-districts where there was significant over-registration, of both births and deaths in the 1840s. The relevance of this to family historians is self evident. The trials of registrars in Liverpool, South Shields and St Marylebone, highlight the issue. The evidence given in the courts and in an application for the post of registrar throws light upon the methods employed by registrars in densely populated areas to collect birth and death registrations.

Charles Chubb, registrar of Great Howard Street sub-district and Thomas Wilson registrar of South Shields sub-district were both jailed for six months with hard labour for fraudulently entering births (and in Wilson's case, deaths) in their registers. In both cases they employed assistants to knock on doors enquiring if there had been any births or deaths in the area. They both paid their assistants a fee for each registration.

The third case, that of All Souls sub-district in St Marylebone is a little obscured. A footnote in the Registrar General's Annual Report for 1850 indicates that the registrar for All Souls, St Marylebone, had been imprisoned for falsifying the registers and that the number of registrations of births and deaths before 1845 were not to be trusted. No further details are given.

The registrar in 1845 was Charles Benson Breary, a surgeon, who had come to the post only in September the previous year. Breary's predecessor, Thomas Daniels, who was appointed in 1842, died in August 1844. Daniels' deputy had been his son James, an engraver, and Breary retained him until the appointment of Thomas Tindall as deputy in August 1846; there is no indication of what happened to James Daniels in the correspondence. Breary resigned on grounds of ill health in April 1849.

I have not been able to identify who was gaoled for the All Souls fraud. Thomas Daniels, the most likely person to have been held responsible, was dead. Breary had entered the post at the very end of the period during which it was going on; it is even possible that it was he who brought the matter to the attention of the authorities. James Daniels may have been implicated, but he does not appear in the printed sessions papers for the Old Bailey and Central Criminal Courts between 1846 and 1853, nor in the indexes to London prisons for the same period.

Without the evidence from the trial, one can but surmise as to what had happened. However, to support his application for his father's post, James Daniels said that they received information from midwives, surgeons, and undertakers. The All Souls information gathering was thus somewhat different from the two northern sub-districts.

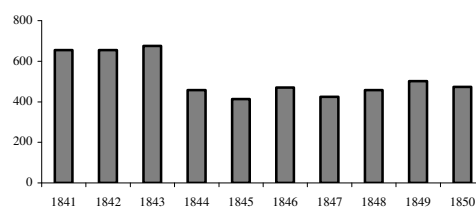
The size of the problem is not an easy question to answer with absolute accuracy. However, the Registrar General's Annual Report for 1850 provides birth and death registration figures

for individual sub-districts for the years 1841-50. By comparing the average numbers of registrations in the years preceding a trial with the average for the years following, it should be possible to get some feeling for the numbers involved.

The South Shields case came to light because, in the year ending 30 June 1843, the crude death rate for the district was seen to be twenty five percent above the national average. There had been no local epidemic reported, so the discrepancy was brought to the attention the Commissioners of Health for Towns. In an article in *The Magazine of the Registration Service* in the early 1970s, Gibson gives very detailed figures for the South Shields deaths. There were 829 deaths in the civil registers; of which 614 could be accounted for in the parish registers, with another fourteen internments outside the area. This left 201 registrations not accounted for. For 115 of these, neither the deceased nor the informant could be traced. In addition, another 59 entries occurred more than once – a total of 174 suspect entries.

In South Shields, there was an average decrease of about 170 death registrations (37%) in the non-epidemic years after the trial when compared with the years immediately preceding it. Comparison of Gibson's figures for deaths in South Shields sub-district with those derived from the Registrar General's Report, shows good agreement, indicating that comparison of the 'before and after' averages is reasonably reliable.

South Shields Birth Registrations 1841-50



A similar exercise on the birth figures shows a decrease of about 200 (31%) – see figure – the bars show the decrease in registrations after the trial.

The pattern of birth registrations in the neighbouring sub-district of Westoe over the same period is more 'normal', without the 'step' between 1843 and 1844. High levels of deaths registered in South Shields in 1846, 1848 and 1849 are mirrored in Westoe, suggesting that there were local epidemics in those years.

The figures for All Souls, St Marylebone indicate that there was over-registration on about the same scale as in South Shields – almost 300 deaths (30%), while nearly 570 births (38%) registered in the years 1841-43 could have been fictitious.

The Liverpool discrepancy was also exposed as a result of the diligence of the GRO statisticians, when they identified an unusually high birth rate for the Great Howard Street sub-district. When Chubb requested bail, this was opposed by the prosecution:

Mr. Snowball [Registrar General's inspector]: 'I'm afraid I shall have to oppose it. It is a felony, a very serious felony. There are many more cases.'

Mr. Rushton [the magistrate]: 'More cases, have you?'

Mr. Snowball: 'Oh dear, yes, a great many more.'

The question is, how many more?

The pattern of births in the Great Howard Street sub-district was more complex than in South Shields and All Souls. The increase in the years to 1847 could be explained by an influx of Irish as a result of the famine following the failure of the potato harvests. However comparison with the birth registration pattern for the neighbouring St Martin's sub-district suggest the Great Howard Street figures were inflated, by about 685 per year (37%).

There are a number of similarities in the two northern cases. In both the registrars had other commitments and personally employed assistants to visit houses enquiring for births. It looks very much as if the assistants were the source of the discrepancies - it was noted in court that John Hughes, Charles Chubb's assistant, had previously appeared before a magistrate accused of defrauding a Dr Walton in a similar manner, although he had been cleared of the offence. It is obvious that the two registrars were negligent and did not check registration details as thoroughly as they should have.

It is difficult to see how fraud on the scale that it occurred in All Souls could have been perpetrated without the involvement of Thomas and James Daniels, given the manner in which it was said they gathered information – from, among others, businessmen and professional persons.

Without the names of the suspect registrations, it is, of course, not possible to say how many are in the GRO indexes. All eleven cases identified in the trials of Thomas Wilson and Charles Chubb appear there, so it is likely that all the others are also present.

I have obtained the birth certificates of Hannah Sinnott and Thomas Seymour via the GRO without comment, so obviously the central registrations have not been annotated to indicate that they are fictitious. I have also obtained certificates from the local register offices concerned. I find it surprising that no annotation was made here at the time of the inquiries, particularly given the amount of investigative work – particularly at South Shields where over 800 deaths were followed up. Incidentally it would be interesting to know the legal position of the registration service in issuing certificates knowing them to be fictitious.

At least two of the three cases came to the notice of the Registrar General, and subsequently to the courts, because of their scale of operations. As was commented on by a Poor Law Board memorandum, the employment of assistants paid by the birth or death was asking for trouble. How common the practice was, it is not now possible to say. Its occurrence in South Shields until 1844 and in Liverpool four years later (where at least two registrars used assistants), suggests that it was widespread. Indeed Chubb's barrister 'had no doubt that other registrars were in the habit of doing the same, both in Liverpool and in other large towns'.

While fraud on the scale described here was not commonplace, it is highly likely that, as long as the system of employing assistants was used by registrars in urban areas, a low level of undetected, fraudulent registration was endemic.

Further Reading About Fraudulent Registrations

Very little seems to have been published about fraudulent registrations – more attention has been paid to the more wide-spread under-registration.

Gibson, P H. 'Some Curiosities from the vaults', *The Magazine of the Registration Service*, No.12, July 1972, pp.8-16.

Nissel, M. *People Count: A history of the General Registration Office*, HMSO, 1987, p.25.

Park, P B. 'Over-registration of Births and Deaths in the 1840s', *Genealogists' Magazine*, 25, (7), September 1996, pp.265-71.

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